

Substantive response of the Local Highway Authority to a planning consultation received under The Development Management Order.



Response provided under the delegated authority of the Director of Environment & Transport.

APPLICATION DETAILS

Planning Application Number: 25/00431/P3CR

Highway Reference Number: 2025/0431/04/H

Application Address: Fox Covert Farm Main Street Congerstone Nuneaton Leicestershire CV13 6LZ

Application Type: Change of Use

Description of Application: Notification to determine if Prior Approval is required for the change of use of an agricultural building to use class B2/B8

GENERAL DETAILS

Planning Case Officer: Sullivan Archer

Applicant: Mr William Naylor

County Councillor: Market Bosworth ED - Joshua Melen CC

Parish: Shackerstone

Road Classification: Class C

Substantive Response provided in accordance with article 22(5) of The Town and Country Planning (Development Management Procedure) (England) Order 2015:

The Local Highway Authority does not consider that the application as submitted fully assesses the highway impact of the proposed development and further information is required as set out in this response. Without this information the Local Highway Authority is unable to provide final highway advice on this application.

Advice to Local Planning Authority

Background

The Local Highway Authority (LHA) have been consulted on the notification to determine if Prior Approval is required for the change of use of an agricultural building to use class B2/B8 at Fox Covert Farm, Main Street, Congerstone, Leicestershire.

The LHA are aware of the following relevant planning history at the site:

- 19/00634/FUL | Change of use of single storey barns to Use Classes A1, A2, A3 and/or B1 (offices) including reconstruction of roof and other alterations and creation of new car parking area and bin store - Permitted by the Local Planning Authority (LPA) on the 19th November 2019. The LHA concluded that the proposed use would result in a reduction in use of the sub-standard site access.
- 22/00529/FUL | Change of use of Agricultural Barns to Class E (offices) – Permitted by the LPA on 18th November 2022. The LHA advised approval on the basis that the impact of the

intensification would not be severe and advised a condition (Condition 5) to ensure that the existing gates were set back by 10m, as also advised in application number 19/00634/FUL.

In support of this application the Applicant has submitted the following documents:

- Application Form dated 25th April 2025;
- Proposed Site Plan by Hayward Architects (drawing number: 102A); and
- Existing Plans & Elevations by Hayward Architects (drawing number: 103B).

Site Access

The site is accessed from an existing gated access off Main Street, Congerstone, a Classified 'C' road with a speed limit of 30mph and carries a 7.5t weight restriction.

Based upon the red- line boundary on the submitted Proposed Site Plan, the Applicant intends to use the existing gated access onto Main Street. This is the southernmost access with there being additionally two further accesses from the site.

The LHA undertook a site visit dated 27th May 2025, where the existing access was measured to be 4m wide on the hardbound concrete surface. Due to the constrained nature of the access, the existing visibility at this access is considered severely sub-standard with limited opportunity for improvement without significant works. The LHA also note that Condition 5 of application number 22/00529/FUL to setback the gates by 10m from the highway has not been undertaken.

With consideration of the proposed site use, without any evidence to prove the contrary, the LHA believe B2/ B8 use of the site would result in an intensification of this existing access. As a result of this intensification, the LHA consider the access arrangements to be sub-standard to the guidance set out in the Leicestershire Highway Design Guide (LHDG). The LHDG is available for reference at: <https://www.leicestershirehighwaydesignguide.uk/>.

In accordance with the LHDG, any commercial access for B2/ B8 use should meet the specifications set out in Table 15 which state that the access width should have an effective width of 6m to allow for two- way movements. Visibility splays should be achievable in accordance with Table 6 of the LHDG. As stated previously, the LHA note that the current access does not meet either of these standards.

The LHA advise the Applicant to re-consider the access arrangements to ensure that they are safe and suitable for the proposed use in accordance with Paragraph 116 of the National Planning Policy Framework (NPPF 2024).

For the LHA to consider any access arrangements to be safe and suitable either significant works to the existing access should be proposed, or a new access should be considered. The LHA note that given the large amount of land within the blue- line boundary, there could be an opportunity for a suitable access further south along Main Road. However, as previously stated any new access should be in accordance with Table 15 of the LHDG, with visibility splays achievable in accordance with Table 6 and demonstrated in accordance with Figure 7 of the LHDG.

Visibility splay lengths are calculated using Table 6 of the LHDG. This will be determined on recorded passing speeds. Therefore, the LHA will require the submission of measured 85th percentile speeds in the vicinity of the site access by undertaking a speed survey. If a speed survey

has not already been undertaken, a permit can be obtained by contacting ndi@leics.gov.uk. Alternatively, Leicestershire County Council offer a data collection service including a large traffic count database. For details of the services available please also contact ndi@leics.gov.uk.

If the Applicant wishes to propose a new access, this should additionally be supported by vehicle swept- path of the largest vehicle to enter/ exit the site.

Highway Safety

There have been no Personal Injury Collisions (PIC's) recorded to have taken place within a 500m proximity of the site, within the public highway in the most recent five-year period. The LHA therefore, have no existing highway safety concerns regarding this site.

Notwithstanding this, the LHA must ensure that any access used for the proposed site use is safe and suitable.

Trip Generation

Given the scale of the proposed development, the LHA believe that it is unlikely that the proposed development will result in an increase in trips to require further assessment, though further details on the amount of two- way trips generated would be appreciated.

Internal Layout

Whilst the current submission has limited details on the internal layout of the site, the LHA must ensure that the site can accommodate sufficient parking capacity for the proposed use. The LHA's parking standards for Use Class B2/B8 are found within Table 29(a) of the LHDG at the following link: <https://www.leicestershirehighwaydesignguide.uk/highway-layouts-and-design/parking-and-making-provision-service-vehicles/non-residential-parking-standards/non-residential-parking-standards-class-b>.

In addition to providing suitable parking, the Applicant must demonstrate that the largest vehicle to enter the site must be able to turn, allowing it to enter and enter the public highway in a forward gear. This should be demonstrated using swept- path analysis.

Date Received
12 May 2025

Case Officer
Michael Biggin

Reviewer
BD

Date issued
3 June 2025