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LE67 4DF

**Part change of use of site to retail to
allow public access to the nursery
(approved under 19/00623/FUL) along
with the provision of car park**

**Poplar Cottage, Little Shaw Lane,
Markfield**

Applicant Mr Nathan Proud

Accompanying Highways Report

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1 Background

- 1.1 Edwards and Edwards Consultancy Ltd. is a 'Highway and Transportation Consultancy' specialising in giving advice to clients on highway development control matters. Our dedicated team have over 200 years' combined experience dealing with development control matters in both the public and private sectors. We have been engaged by Mr Proud to provide a Highway Report to support his current planning application.
- 1.2 In 2019 Mr Proud submitted a planning application to Hinckley and Bosworth Borough Council (LPA ref: 19/00623/FUL) for the erection of a polytunnels and storage building for horticultural use and use of land for horticultural purposes at his property, Poplar Cottage on Little Shaw Lane, Markfield. The development would be served from the existing vehicular access directly off Little Shaw Lane. The following photograph shows the existing site access: -



- 1.3 At the time Mr Proud was operating a landscape contractors business from a base in Rothley and to satisfy demand, additional growing space was required to grow

plants and trees. As there was no room for expansion at the Rothley site, Mr Proud sought to use the land adjacent to his own dwelling, Poplar Cottage.

- 1.4 At that time there was no intention to allow public access into the site as the sale of any plant or trees grown at Poplar Cottage would take place at the Rothley site. Planning permission was granted for the proposal in June 2019, and included a number of conditions, one of which required the development to be carried out in accordance with the submitted application plans and another restricting the use of the site to horticulture and under no circumstances shall the site be open to the public unless otherwise agreed in writing.
- 1.5 Unfortunately for Mr Proud, the lease on his site at Rothley is being terminated as the site is being brought forward for redevelopment. In order for the business to continue but in a modified form, Mr Proud is seeking to accommodate some of the activities that take place at the Rothley site on his site at Poplar Cottage.
- 1.6 The proposal is to allow the sale of plants and trees grown at Poplar Cottage to be sold directly to the public. In addition it is proposed to sell seasonal bulbs, compost, pots, but not for the sale of non-horticultural goods and there would be no café. The proposed use would be a plant growing nursery and not a wider garden centre use.
- 1.7 To enable these changes to take place, Mr Proud submitted a planning application to Hinckley and Bosworth Borough Council (LPA ref: 22/01127/CONDIT) for the variation of conditions imposed on the 2019 application.
- 1.8 As part of the usual planning application process Hinckley and Bosworth Borough Council consulted Leicestershire County Council as Local Highway Authority (LHA) on the application. Their initial response dated 22 December 2022, is attached as **Appendix A** for information. In that response the LHA objected to the discharge of conditions. Their response stated that *'As part of the current application, the Applicant has failed to demonstrate the level and type of traffic which could be generated by opening part of the site to the public during both a weekday (such as a Friday) and at weekends. Furthermore, the applicant has failed to demonstrate that the existing access is safe and suitable in design to cater for the additional traffic which would be generated by public use. Due to the location of the site, such information would be required by the LHA.'*
- 1.9 The LHA response went on to outline the issues that they consider require further information and stated that if the LHA considers that the use of the site will be

intensified as a result of the proposed development, it would be likely to advise refusal of the planning application based on Policy IN5 of the LHDG.

- 1.10 Despite the submission of the further information that the LHA had requested, they still advised refusal of the application purely on the grounds that it was contrary to their Policy IN5. As a consequence the Local Planning Authority refused the application on a single highway ground, the decision notice has been attached as **Appendix B** for information.
- 1.11 Following the issue of the refusal notice, the applicant has since had discussions with representatives of Hinckley and Bosworth Borough Council who were apparently both surprised and disappointed that the application was refused.
- 1.12 The only minor issue that was raised during the discussions was the entry radius for vehicles turning into the access. Whilst this issue was not raised by the Local Highway Authority and did not form part of the reason for refusal, the applicant has agreed to resubmit the application with amendments to the site access to provide increased entry and exit radii. The amended site plan, showing the increased junction radii has been attached as **Appendix C** for information.
- 1.13 This highway report has been commissioned to support the resubmission and to seek to demonstrate that the proposal will not lead to any unacceptable harm to highway safety.

2 SITE CONSIDERATIONS

- 2.1 The site is situated on the northern side of Little Shaw Lane in Markfield. Little Shaw Lane is a Class A road (A511), running from junction 22 of the M1 in a westerly direction towards Coalville and beyond. The section of Little Shaw Lane fronting the majority of the site is subject to a 40mph speed restriction, the speed limit changes to 50mph immediately before the site access. The following photograph shows the change in speed limit with the site access directly behind the speed limit signs: -



- 2.2 At the point of the existing site access, Little Shaw Lane has a verge incorporating a footway, that is 9.6 metres deep. The existing site access is 5.7 metres wide at the highway boundary and has kerbed junction radii that provide a total crossing width

of 11.8 metres. The access is gated, however the gates are set back 30 metres from the edge of carriageway.

- 2.3 Given the very wide verge fronting the site, the available visibility out of the access to see vehicles approaching is excellent. From a 2.4 metres setback, vehicles approaching can be seen as they negotiate the roundabout over 160 metres from the site access. The following photograph shows the available visibility splays from a 2.4 metres setback looking to see approaching traffic: -



- 2.4 As part of the additional information requested by the Local Highway Authority for the previous planning application the applicant commissioned a speed survey to be carried out between 17 June to 23 June 2023. The survey was set up purely to record the speed of traffic at the access point. The LHA required this information to see if the speed of traffic at this access point exceeded 40mph.
- 2.5 The results of the speed survey showed that at the access point the 85th percentile speed of traffic was 50.3mph. The results of the speed survey, show that the visibility splay available for vehicles turning out of the access are more than

adequate. The results of the speed survey are attached as **Appendix D** for information.

- 2.6 An investigation into the accident record for Little Shaw Lane shows that there has not been a recorded accident at the site access within the latest 5 years of available data using CrashMap. Despite there being a number of private accesses, including very busy private accesses off the A511 within the vicinity of the site, they do not appear to have resulted in any collision accidents, the only accidents that have occurred appear to have been in connection with the two nearby roundabout junctions. The accident record would therefore suggest that private accesses on to the A511 operate safely and there is no evidence to suggest that direct accesses result in any unacceptable harm to highway safety.
- 2.7 CrashMap uses data collected by the police about road traffic accidents on British roads, and the data is approved by the National Statistics Authority and reported on by the Department of Transport each year. Their data currently includes accidents up to the end of 2022.
- 2.8 In the last consultation response to the previous planning application, the Local Highway Authority accepted that there had not been an accident on this section of the A511 that involved turning manoeuvres. They referred to 4 accidents which would mainly appear to have occurred at or close to the roundabout junctions.

3 CONSIDERATION OF LHA RESPONSE

- 3.1 The basis of the Local Highway Authority (LHA) response to the application, is that the proposed development may lead to an intensification in use of the site access on to Little Shaw Lane, and any intensification in use of the site access would be contrary to Policy IN5 of the 'Leicestershire Highway Design Guide' (LHDG).
- 3.2 Whilst it is accepted that the proposal will result in an increase in use of the site access, there is no evidence that an increase in use of the access would lead to an unacceptable impact on highway safety. Within approximately 500 metres of the site access, there are a number of very busy private accesses including 2 petrol filling stations, a very large industrial unit, a restaurant, a motorist service area and there is also a layby that contains a café in a portacabin. There are also a number of private accesses and two uncontrolled road junctions.
- 3.3 Most of these accesses generate a far larger number of traffic movements than would ever be generated by the proposed development, yet according to the latest accident information available in CrashMap, there has not been a recorded injury accident at these accesses.
- 3.4 Therefore the evidence does not support the view that an increased use of the site proposed site access would lead to a highway safety issue.
- 3.5 The National Planning Policy Framework (2021) makes it clear that '*Local planning authorities should approach decisions on proposed development in a positive and creative way*' It goes on to say that they should '*work proactively with applicants to secure developments that will improve the economic, social and environmental conditions of the area.*'
- 3.6 Having a blanket policy that simply seeks to resist any application that would result in a new or intensification of an existing access does not comply with the requirements contained in the NPPF. In fact such a policy stifles development and stifles the expansion of existing businesses such as the applicants business.
- 3.7 The Policy applies to sites where the speed of traffic exceeds 40mph, in this instance, the 85th percentile speed of traffic as they approach the site upon leaving the roundabout and would first see vehicles at the site access, would be well below 40mph. In terms of the suitability of accesses, then an important consideration is

visibility and whether the available visibility is appropriate for the speed of approaching vehicles. Therefore in judging the safety of a site access, I consider that it is the approaching speed of traffic that is most important. In this case, as the approaching speed of vehicles entering the visibility splay envelope is likely to be well below 40mph, then there is an argument that in the case of this application, Policy IN5 should not apply.

- 3.8 It should be noted that recently a new vehicular access has been constructed directly off the A511 that will serve a large industrial development. The location of the site access is on to a section of the A511 that is subject to a 50mph speed limit. The site is located within the adjacent Authority of North West Leicestershire and is approximately 2.5km from the application site.
- 3.9 The predicted traffic flows for that development were 100 vehicles within the peak hours, far higher than would be generated by the applicants development.
- 3.10 Yet in their response to the outline application (NWLDC ref: 18/01890/OUT) for that proposal, the LHA did not seek to resist the development on the grounds that it was contrary to their Policy IN5. In fact in their response the LHA stated that *'the criteria set out in Policy IN5 was not formed as conduit to resist development, rather as a context in which to ensure that the appropriate levels of care and attention to maintain traffic flow and safety.'* The LHA response to that application is attached as for information.
- 3.11 In the interests of highway safety, the access design for the industrial estate, included the provision of a central island that prevented vehicles turning right into and out of the access. The provision of this central island was deemed to address highway safety issues and overcome the fact that the development was contrary to Policy IN5. It should be noted that the access has visibility splay far below that available at Poplar Cottage, with less than 120 metres available, whereas at Poplar Cottage over 160 metres is available. The following photograph shows the available splay from a 2.4 metres set back out of the access to the industrial estate:-



- 3.12 It is relevant to note the LHA response to an application at Kegworth also in North-West Leicestershire District Council area (NWLDC ref: 23/00129/FULM) for a development that would result in the intensification in use of an access on to the A6. A speed survey carried out at that site, showed almost identical speeds to the recorded at Poplar Cottage and whilst the LHA stated that the application as submitted would be contrary to their Policy IN5, they did advise that if the applicant were to provide an improvement that physically prevented right turn movements, that would counter balance the LHA's road safety concerns.
- 3.13 In both their responses to the above 2 applications, the LHA have accepted that to overcome their concerns in relation to their Policy IN5, preventing vehicles turning right in and out of those access would overcome their safety concerns. When considering the site at Poplar Cottage, vehicles cannot turn right either into or out of the site access due to the central island. Therefore if the LHA were consistent in their approach to addressing concerns in relation to Policy IN5, they would not seek to resist the development at Poplar Cottage.
- 3.14 I am of the opinion that the LHA have not given the same consideration to Mr Proud's application, which is for an expansion of an existing business, as opposed

to a far more intensive brand new Industrial estate development with a completely new access on to the A511 located a relatively short distance away.

- 3.15 The LHA say that the Policy is required in the interests of highway safety, however there is no evidence that turning traffic on to this section of the A511 leads to any highway safety issue, even at accesses which are far busier and have far poorer visibility splays.
- 3.16 Notwithstanding that the LHA did not raise any technical issues in relation to the existing site access, following discussions with representatives of the Borough Council, this resubmitted application now includes improved junction radii. It is proposed that the junction control radii will be increased to 4 metres on each side, which will make easier for customer vehicles to turn into and out of the site access..
- 3.17 A Road Safety Audit Stage 1 was commissioned to consider any highway safety issues arising from the proposed highway works. The Road Safety Audit and Designer Response has been attached as **Appendix E** for information. The issues raised in the response have all been considered and a Designer Response has been provided that should satisfy all the issues raised and ensure that a safe and suitable access will be provided.
- 3.18 Should the planning application be approved, then it is anticipated that the customers would arrive in cars to purchase the plants, shrubs and trees grown on site. I am of the opinion that the existing access at 5.7 metres with 4 metre control junction radii, will be more than suitable to safely cater for the additional traffic likely to be generated.
- 3.19 Furthermore, vehicles will only be turning left in and left out of the access and therefore there will be no vehicles in the 'middle' of the access waiting to turn right out, this will therefore maximise the width available for vehicles turning into the site access.
- 3.20 For vehicles turning out of the site access not only is the available visibility excellent, but due to the traffic signals at the 'Flying Horse roundabout' there are regular intervals when traffic is being held and there are no approaching vehicles, so vehicles will be able to turn out of the site access very safely. The applicant has measured the gaps in traffic and found that when the lights are on red for vehicles approaching along the A511 from Coalville, there are gaps of up to 20 seconds

where there is little or no traffic approaching the site access, that will allow vehicles to safely pull out of the site access.

- 3.21 As mentioned in the previous submission, the selling of plants, shrubs and trees will be very seasonal, so the number of customers visiting the site will vary throughout the year.
- 3.22 The applicant does not expect there to be a high number of vehicle movements as a result of the development. He has made an assessment of likely numbers based on his existing site at Rothley. Having looked at the till roll transactions for his site at Rothley, they would suggest that from January to the end of March, the Rothley site generates an average of 5 – 10 cars an hour. From April to the end of June are the busy months, there is an average of between 16 and 25 vehicles per hour. July through to September the site generates up to 14 vehicles per hour, reducing down to around 9 per hour from October to December.
- 3.23 However a direct comparison between the sites cannot be drawn. The site at Rothley is a little more like a 'Garden Centre' in that it sells a wider range of goods than will be sold at Poplar Cottage. Also the site at Rothley contains a very popular café. The café draws to customers to that site and those customers can then also make purchases at the 'Garden Centre'.
- 3.24 Therefore it is expected that the number of visitors to the application site will be a lot lower than would arrive at Rothley. It is expected that the number of cars visiting the site would be around half of those visiting Rothley. Therefore the predicted number of cars per hour would be between 5 an hour during the low seasons and 13 vehicles an hour during the busier months.
- 3.25 Even in the busier month this works out a 1 vehicle arriving every 5 minutes or so. This level of traffic is unlikely to cause any unacceptable impact on highway safety. As mentioned previously there are a number of far busier accesses nearby that do not result in any unacceptable impact on highway safety.
- 3.26 It should also be noted that Nurseries and Garden Centres tend to be busiest during the middle of the day and do not generate much traffic in the normal peak hours. TRICS suggests that the busiest hours for Garden Centres are between 11am and 4pm.

- 3.27 At the applicant's site at Rothley, the busiest time is between 10.30am and 2.00pm. Nevertheless, to ensure that the proposal does not cause any issues in the morning peak hour the applicant would be happy to restrict the hours of opening to the public to be restricted to no earlier than 9.30am in the mornings.
- 3.28 The proposal still includes the provision of a car park for up to 20 parking spaces, which the LHA accepted with the previous application.
- 3.29 Although it is felt that a larger car park would be beneficial and would allow customers to find it easier to find a parking space thereby avoiding any potential for delay and queues forming within the access, this proposal retains the 20 space car park.
- 3.30 As stated in Chapter 1 of this report, the applicants lease on his site in Rothley is being terminated and to allow the business to continue albeit in a modified form, the applicant is seeking to accommodate some of the activities that take place at the Rothley site on his site at Poplar Cottage.
- 3.31 The proposed change is not expected to generate a large number of additional movements, and especially with the increased junction radii, the access will be of a good standard, and certainly suitable to cater for the likely increase in car borne traffic.
- 3.32 It is clearly stated in the NPPF, that applications should only be refused on highway grounds *'if there would be an unacceptable impact on highway safety, or the residual cumulative impacts on the road network would be severe.'* In the case of this development, and as evidenced by the safe operation of other far busier accesses close by, I consider that this proposal would not lead to any unacceptable highway safety issue.
- 3.33 As such I believe that the proposal meets the requirements laid out in paragraph 110 of the revised National Planning Policy Framework 2021, and there should be no reasonable grounds to refuse the application on the basis of paragraph 111 of the revised NPPF 2021.

4 CONCLUSIONS

- 4.1 The proposal seeks to vary conditions imposed on the site, in order to allow plants and trees grown at Poplar Cottage to be sold directly to the public. The proposal includes the provision of a car park for customer use. The existing vehicular access off A511 will be used by customers when visiting the site.
- 4.2 To address a concern raised during pre-application consultations with representatives of Hinckley and Bosworth Borough Council the proposal now includes the provision of increased junction radii to make it easier for vehicles to turn into and out of the site access.
- 4.3 The proposal is unlikely to generate a significant amount of traffic and the traffic that is generated will mainly take place outside the normal peak hours on the A511. However to ensure that the proposal would not generate any traffic in the Am peak hour, the applicant is willing to accept a condition that restricts the opening hour to no earlier than 9.30am.
- 4.4 Within 500 metres of the site, there are numerous vehicular accesses directly on to the A511, some of which are extremely busy, however there is no evidence that they have led to any collision accidents. I therefore consider that this demonstrates that the proposed increase in traffic generated by this proposal is unlikely to lead to any unacceptable impact on the highway.
- 4.5 Whilst the LHA advised refusal of the previous application on the grounds that it would be contrary to their Policy IN5, they do not consistently apply this Policy. Indeed they did not apply this Policy to a very large industrial development off the A511 on to a section of road subject to a 50mph speed limit. In their response to that application the LHA stated that the Policy *'was not formed as conduit to resist development, rather as a context in which to ensure that the appropriate levels of care and attention to maintain traffic flow and safety'*.
- 4.6 The access solution to that development involved the provision of a central island to prevent right turning traffic. In their response to an application in Kegworth the LHA

suggested that to overcome their safety concerns in relation to Policy IN5, they advised the applicant to provide a central island to prevent right turning traffic.

- 4.7 So it would appear from responses to both of those applications, the main concern in relation highway safety was right turning traffic. Yet in relation to this proposal at Poplar Cottage where there can be no right turning traffic, the LHA advised refusal of the application.
- 4.8 Given that Policy IN5 was not applied to a very large industrial development that would generate a significant volume of movements by HGV's, and would have been waived at a site on the A6 had right turning been prevented, I consider that it is unreasonable to apply that Policy to this much smaller development, that would result in far less traffic movements where right turning movements are prevented.
- 4.9 The available visibility splay out of the site access far exceeds the minimum standards required for the likely speed of vehicles as they enter the 'visibility splay envelope'. Therefore vehicles will be able to safely enter and leave the site access. It is also the case that due to the traffic light controls at the 'Flying Horse Roundabout' there are long gaps in traffic approaching the site, which will provide a very safe opportunity for vehicles to pull out of the site access.
- 4.10 A Road Safety Audit Stage 1 has been carried out on the proposed access alterations, and the issues raised in that Audit have been considered and where appropriate solutions have been identified that should ensure that the access is safe and suitable to cater for the increased use as a result of allowing members of the public visit the site.
- 4.11 On that basis, I consider that the proposal should be acceptable and will not lead to any unacceptable impact on the public highway and therefore does not conflict with the guidance contained in the NPPF 2021. I am of the opinion that there should be no reasonable grounds to refuse the application on the basis of paragraphs 110 or 111 of the revised NPPF 2021.

Duncan Clarke
Edwards & Edwards Consultancy Ltd

Project No 12220
Date December 2023

Appendix A. Initial LHA response to 22/01127/CONDIT

**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: 22/01127/CONDIT

Highway Reference Number: 2022/1127/04/H

Application Address: Poplar Cottage Little Shaw Lane Markfield Leicestershire LE67 9PP

Application Type: Variation of Condition (s73)

Description of Application:

Variation of condition 02 (approved drawings) and 06 (public access to site) for Planning Permission 19/00623/FUL Date of Decision: 23/09/2019. Variation to include revised block plan to allow public access to the site.

GENERAL DETAILS

Planning Case Officer: David Spring

Applicant: Mr Nathan Proud

County Councillor: Cllr Peter Bedford

Parish: Markfield

Road Classification: Class A

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

Objection

Objection to Discharge of Conditions 2 and 6

Advice to Local Planning Authority

Background

The Local Highway Authority (LHA) has been consulted on the variation of conditions 2 and 6 of application reference 19/00623/FUL. The Applicant has submitted a Planning Statement dated November 2020 in support of the proposals.

Condition 2

The development hereby permitted shall not be carried out otherwise than in complete accordance with the submitted application details, as follows:

- *Detailed Planning Proposals Drg No: 18.3588.01B Sheet 1 of 3 (1:500 scale) received by the Local Planning Authority on 20 August 2019*

- *Sections A-A & B-B thro Site at Footpath Levels @1:50*
- *Proposed Sections thro Existing Site @ 1:50*
Both received by the Local Planning Authority on 12 August 2019
- *Detailed Planning Proposals Sheet 2 of 3 Drg No: 18.3588.02 (1:100 scale)*
- *Detailed Planning Proposals Sheet 3 of 3 Drg No: 18.3588.03A (1:100 scale)*
- *Site Location Plan Job Ref: 18.3588 (1:1250 scale)*
All received by the Local Planning Authority on 14 June 2019

Condition 6

The proposed new buildings hereby permitted shall only be for the purposes of horticulture; the storage building shall be ancillary to the polytunnel and under no circumstances shall the site be open to members of the public unless otherwise agreed in writing with the local planning authority.

Highways Comments:

The Applicant intends to vary condition 2 to include David Granger drawing number 18.3588.04 Rev A, which details a 35 space car park and condition 6 to allow for limited public access. It is stated that the public areas would be limited to the car park, the polytunnel and part of the storage barn.

It is understood that the application site serves an existing, established plant nursery at Rothley. The Planning and Design and Access Statement submitted as part of the 2019 application stated that *"....it is not the intention of the proposal to be open to the general public as a garden centre/nursery"*. The Planning Statement submitted as part of this application however details that *"...the [Rothley] site is leased and this lease will cease in September 2023 as the site is being brought forward for re-development. In order to maintain the business, albeit in a modified form, the Markfield site must evolve to accommodate some of the activities that currently take place at Rothley."*

The site is accessed off Little Shaw Lane, Markfield which is an A classified dual carriageway (A511). The speed limit changes from 40mph to 50mph immediately to the west of the site access.

The LHA is aware of a number of other applications at the site, including 18/00272/FUL for a replacement access to a field and dwelling and 20/01363/FUL for a hay barn, greenhouse and water tank for horticultural use (part-retrospective). While the LHA advised no objection subject to conditions of both applications, this was on the basis that the new access would not result in an increase in traffic along with replacing a sub-standard access and that there was a minimal, if any, daily increase in use of the access as a result of the barn/ greenhouse.

As part of the current application, the Applicant has failed to demonstrate the level and type of traffic which could be generated by opening part of the site to the public during both a weekday (such as a Friday) and at weekends. Furthermore, the Applicant has failed to demonstrate that the existing access is safe and suitable in design to cater for the additional traffic which could be generated by public use. Due to the location of the site, such information would be required by the LHA.

Notwithstanding the above, Part 1, Section IN5, Paragraph 1.26 of the Interim Leicestershire

Highway Design Guide ([LHDG] available at <https://resources.leicestershire.gov.uk/lhdg>) states:

We will normally apply restrictions on new accesses for vehicles and the increased use of existing accesses on:

- *roads with a speed limit above 40 mph (that is 50mph, 60mph or 70mph) or where measured vehicle speeds are in excess of 40mph;*
- *roads with a speed limit of 40mph or less which are essentially rural in nature;*
- *routes where the access would affect bus-corridor or bus-priority measures being put in place;*
- *roads that are at or near capacity (cannot carry more traffic); and*
- *roads where there is an existing problem with road safety.*

The Applicant has stated that Section IN5 should not apply in this instance due to the location of the existing access given the available visibility and nearby roundabout reducing speeds to below 40mph. The LHA considers the A511 to be a highly trafficked part of the County highway network providing a key link between Coalville/ Ashby/ Leicester and Junction 22 of the M1. Given the existing level of traffic using the A511 and the 50mph speed limit and in the absence of any supporting evidence to the contrary, the LHA advises it currently objects to the variation of condition 6.

It should be noted that even if additional information was submitted by the Applicant, in the event an automatic speed survey demonstrated speeds in excess of 40 mph at the site access, the LHA may still seek to resist the proposals on the grounds of IN5. Concerns could also remain in respect of the number of additional turning manoeuvres generated by the proposals on a busy, key part of the County highway network.

In respect of condition 2, the Applicant has detailed 24 parking spaces, however stated on the drawing 'new car park for approximately 35 cars'. The Applicant has failed to provide justification for the scale of the car park and given its size, therefore the LHA is concerned that the proposals could generate a considerable number of additional turning manoeuvres to/ from the eastbound carriageway of the A511. The LHA considers the car park would not be necessary without the site being open to the public. As per the above, the Applicant has failed to demonstrate the level of trips the proposals to open the site to the public could generate and without any supporting evidence, the LHA advises it objects to the variation of condition 2.

The LHA note that the Applicant has suggested in Paragraph 4.8 of the Planning Statement that *"Suitably worded conditions to control the hours of opening and the goods to be sold on the site would be acceptable in order to ensure the use remains as a nursery."* . Notwithstanding the LHA's objection, given the nature of the application, it is unclear to the LHA how any new conditions could be advised or required as part of this application.

Date Received
2 December 2022

Case Officer
Ben Dutton

Reviewer
DH

Date issued
22 December 2022

Appendix B. Decision Notice 22/01127/CONDIT

Hinckley & Bosworth Borough Council

Town and Country Planning Act 1990

Refusal of Planning Permission

Name and Address of Applicant

Mr Nathan Proud
Poplar Cottage
Little Shaw Lane
Markfield
Leicestershire
LE67 9PP

Name and Address of Agent (if any)

Mr Joe Mitson
GHM Planning Ltd
87 Park Road
Chilwell
NG9 4DE

Part I - Particulars of Application

Date of Application

24 November 2022

Application No.

22/01127/FUL

Particulars and location of development:

Part change of use of site to retail to allow public access to the nursery (approved under 19/00623/FUL) along with the provision of car park

Poplar Cottage Little Shaw Lane Markfield Leicestershire LE67 9PP

Part II - Particulars of decision

In dealing with the application, through ongoing dialogue and the proper consideration of the proposal in accordance with Section 38(6) of the Planning and Compulsory Purchase Act 2004, the local planning authority have attempted to work with the applicant in a positive and proactive manner by offering a pre-application advice service and by seeking solutions to problems arising in relation to dealing with the planning application as required by the National Planning Policy Framework (paragraph 38) and in accordance with the Town and Country Planning (Development Management Procedure) (England) Order 2015 (as amended). However, in this instance, it has not been possible to overcome the concerns raised and the proposal remains in conflict with the provisions of the Development Plan and therefore the application has been refused.

In pursuance of its powers under the Town and Country Planning Act 1990, the Hinckley and Bosworth Borough Council refuses to permit the carrying out of the development referred to in Part I hereof for the following reason(s):-

1. This proposal, if permitted, would lead to an intensification of vehicular movements turning onto and off the A511 Shaw Lane, which is a busy high-speed dual carriageway, where the turning manoeuvres could be an additional source of danger to road users, which is not in the interests of highway safety, and is contrary to Policy IN5 of the Leicestershire Highway Design Guide, Policy DM17 of the Site Allocations and Development Management Policies DPD (2016), Policy M10 of the Markfield Parish Neighbourhood Plan (2021) and paragraphs 110 and 111 of the National Planning Policy Framework (2021).



Christopher Brown MRTPI
Head of Planning

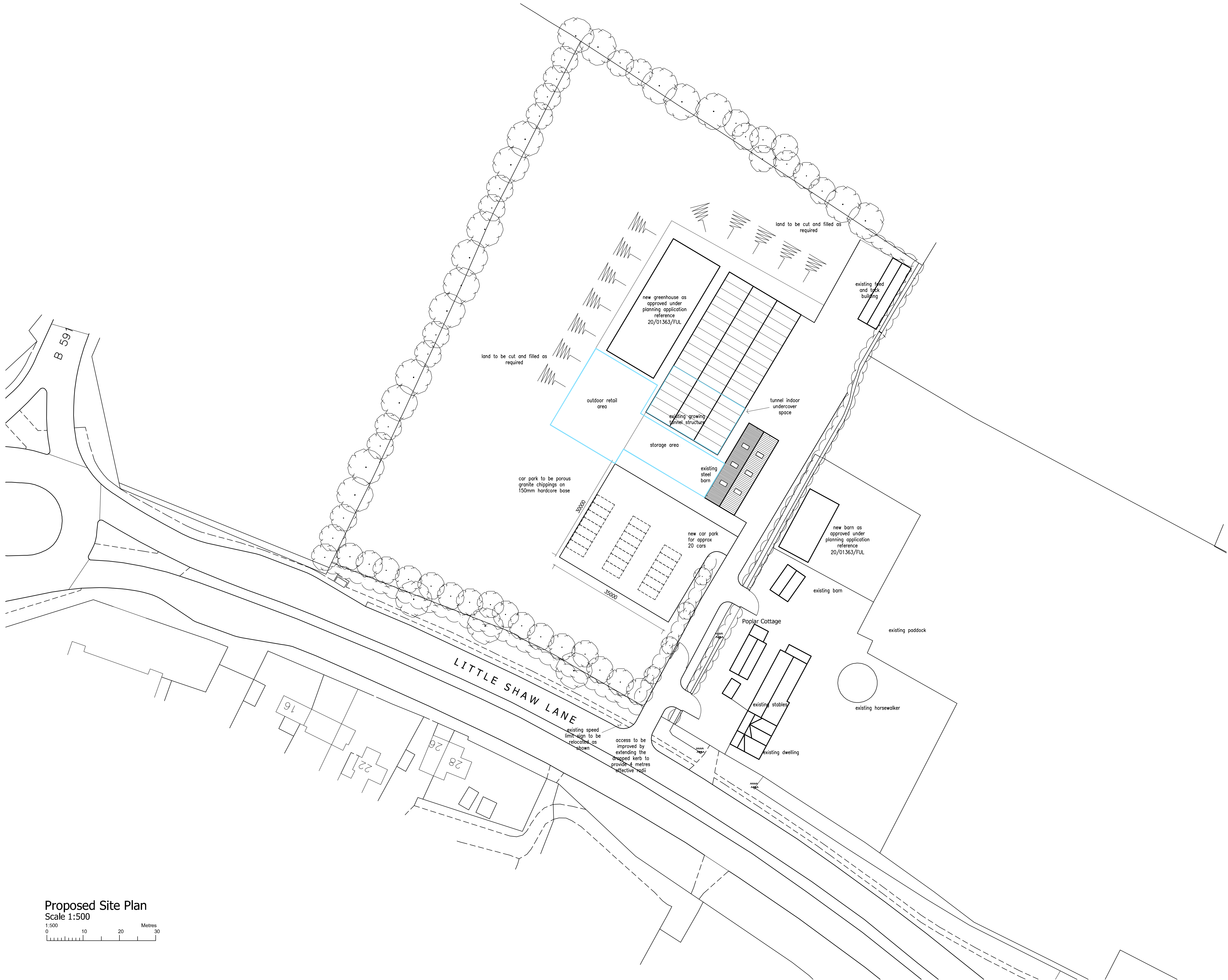
Date :15 September 2023

IMPORTANT - PLEASE READ THE NOTES AT THE END OF THIS DOCUMENT

NOTES

1. It will be most helpful if the application number shown overleaf is quoted on all correspondence.
2. If you consider that this decision has been made invalidly through the Council failing to follow a procedure correctly, not having the legal power to make the decision in the way it did or through its decision being so unreasonable as no reasonable local authority would make the same decision based on the same facts, then you may enter a claim for judicial review to quash the decision. In order to proceed with a claim for judicial review an initial application for permission will need to be made to the Administrative Court, this application is required to be made "promptly and in any event within three months of the decision". The initial permission application will decide if you have an arguable case, whether you are sufficiently materially affected by the decision to bring the claim. If you are granted permission to bring the claim it will proceed to a full hearing at the Administrative Court. Although there is no requirement for you to do so it is highly recommended that you seek independent legal advice before bringing forward a claim for Judicial Review
3. If you are aggrieved by the decision of the Local Planning Authority to refuse permission you may appeal to the Planning Inspectorate in accordance with Section 78 of the Town and Country Planning Act 1990 within six months of the date of this notice. If your appeal is against a Minor Commercial Development, we would advise you to view the guidance on the Planning Portal website under Procedure Guidance, to confirm the time frame for appealing. (Appeals must be made on a form which is obtainable from the Planning Inspectorate, Temple Quay House, 2 The Square, Temple Quay, Bristol, BS1 6PN, tel. 0303 444 5000 or online at <https://www.gov.uk/appeal-planning-decision>). You must use a Planning Appeal Form when making your appeal. If requesting forms from the Planning Inspectorate, please state the appeal form you require. The Secretary of State has power to allow a longer period for the giving of a notice of appeal but he will not normally be prepared to exercise this power unless there are special circumstances which excuse the delay in giving notice of appeal. The Secretary of State is not required to entertain an appeal if it appears to him that permission for the proposed development could not have been granted by the Local Planning Authority, (or could not have been so granted otherwise than subject to the conditions imposed by them,) having regard to the statutory requirements as set out in Section 78 of the Town and Country Planning Act 1990, to the provisions of the development order, and to any directions given under the order. He does not in practice refuse to entertain appeals solely because the decision of the Local Planning Authority was based on a direction given by him. Appeals- new time rules. Appeals relating to applications made to the Local Planning Authority on, or after, 14 October 2004 must be made within six months of the date of this notice. If you intend to submit an appeal that you would like examined by inquiry then you must notify your Local Planning Authority (planning@hinckley-bosworth.gov.uk) and the Planning Inspectorate (inquiryappeals@planninginspectorate.gov.uk) at least 10 days before submitting the appeal. Further details can be found on [GOV.UK](https://www.gov.uk).
4. If an enforcement notice is served relating to the same or substantially the same land and development as in your application and if you want to appeal against your local planning authority's decision on your application then, you must do so in accordance with the guidance found using the following link <https://www.gov.uk/appeal-enforcement-notice/>.
5. If permission to develop land is refused whether by the Local Planning Authority or by the Secretary of State for the Environment and the owner of the land claims that the land has become incapable of reasonably beneficial use in its existing state and cannot be rendered capable of reasonably beneficial use by the carrying out of any development which has been or would be permitted, he may serve on the Council a purchase notice requiring that Council to purchase his interest in the land in accordance with the provisions of Part VI of the Town and Country Planning Act 1990.
6. In certain circumstances, a claim may be made against the Local Planning Authority for compensation, where permission is refused. The circumstances in which such compensation is payable are set out in Section 114 of the Town and Country Planning Act 1990.

Appendix C. Revised plan showing increased radii



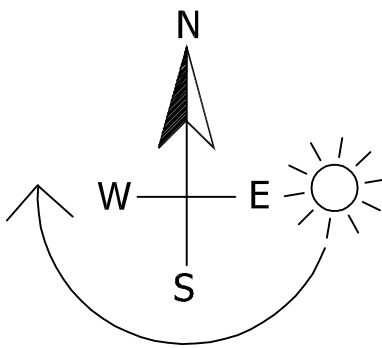
Proposed Site Plan
Scale 1:500

1:500
0 10 20 30
Metres

PLANNING DRAWING

PROPOSED CAR PARKING - POPLAR COTTAGE - LITTLE SHAW LANE - MARKFIELD - LEICESTERSHIRE

This drawing is based off Ordnance Survey Information and is subject to Topographical Survey



D	Drawing updated	30.10.23
C	Drawing updated	16.03.23
B	Drawing updated	06.02.23
A	Drawing updated	16.11.22

Revisions :

Figured dimensions must be taken in preference to scaled dimensions and any discrepancies are to be referred to David Granger Architectural Design Limited. Contractors, subcontractors and suppliers must verify all dimensions on site before commencing any work or making any workshop drawings. All drawings are copyright of David Granger Architectural Design Limited. Ordnance Survey Data © Crown Copyright. All rights reserved. Licence No. AR100020449. Landmark Ref. LI68816



DAVID GRANGER
ARCHITECTURAL DESIGN LIMITED

Project
Proposed Car Parking
Poplar Cottage
Little Shaw Lane
Markfield

Drawing Title
Planning Proposals
Sheet 1 of 1

Client
Garden Creation Services Ltd
Drawing No.
18.3588.04D

Date
November 2022
Drawn by
MS
Scale (A1 Size)
As Shown
Checked by
DG

The Old Dairy, Mill St., Packington,
Ashby-de-la-Zouch, Leics. LE65 1WN
Tel: 01530 560939 Fax: 01530 560115
www.davidgrangerdesign.com
Company Reg. No. 550812

Appendix D. Results of speed survey

Markfield ATC, A511 Little Shaw Lane

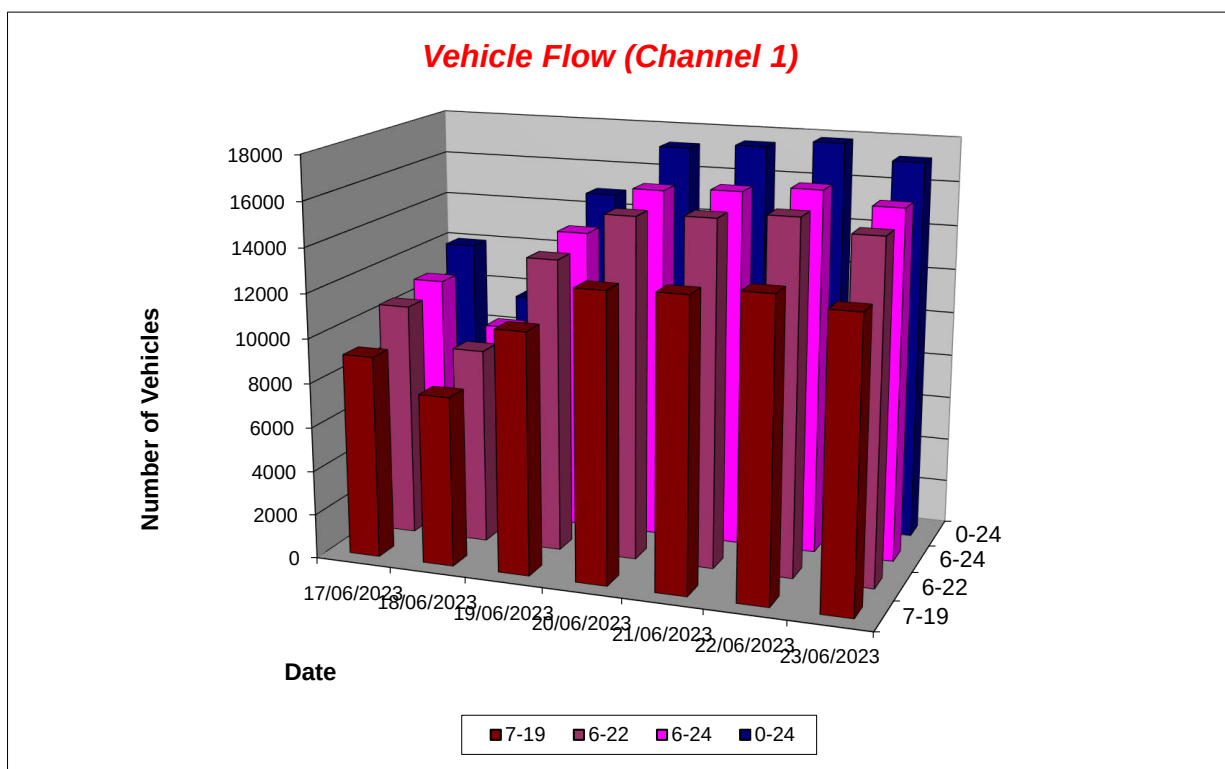
Produced by Road Data Services Ltd.

Channel 1 - Southeastbound

Vehicle Flow

Week 1

Hr Ending	17/06/2023 Saturday	18/06/2023 Sunday	19/06/2023 Monday	20/06/2023 Tuesday	21/06/2023 Wednesday	22/06/2023 Thursday	23/06/2023 Friday	Weekday Average	Average
1	147	113	76	119	121	131	119	113	118
2	129	97	54	83	131	115	108	98	102
3	108	74	70	107	122	116	108	105	101
4	143	58	95	142	144	156	167	141	129
5	161	94	236	273	285	301	282	275	233
6	311	158	602	625	623	659	589	620	510
7	363	211	1167	1176	1166	1186	1057	1150	904
8	472	250	1401	1391	1341	1465	1378	1395	1100
9	663	378	1158	1217	1184	1257	1141	1191	1000
10	740	586	1000	920	975	973	937	961	876
11	841	750	876	892	874	927	883	890	863
12	933	812	936	913	888	875	961	915	903
13	913	822	889	881	877	921	952	904	894
14	858	749	853	927	976	954	1018	946	905
15	773	723	1118	1111	1148	1109	1226	1142	1030
16	698	712	912	1077	1203	1195	1168	1111	995
17	706	676	306	1320	1287	1306	1160	1076	966
18	746	594	460	1252	1218	1324	1058	1062	950
19	791	620	969	1024	1061	1046	1014	1023	932
20	470	424	535	543	594	558	599	566	532
21	352	335	357	391	413	434	411	401	385
22	256	202	296	338	319	277	289	304	282
23	223	157	284	276	316	308	295	296	266
24	190	88	216	235	212	222	240	225	200
7-19	9134	7672	10878	12925	13032	13352	12896	12617	11413
6-22	10575	8844	13233	15373	15524	15807	15252	15038	13515
6-24	10988	9089	13733	15884	16052	16337	15787	15559	13981
0-24	11987	9683	14866	17233	17478	17815	17160	16910	15175



Markfield ATC, A511 Little Shaw Lane

Produced by Road Data Services Ltd.

Channel 1 - Southeastbound

Average Speed

Week 1

Hr Ending	17/06/2023 Saturday	18/06/2023 Sunday	19/06/2023 Monday	20/06/2023 Tuesday	21/06/2023 Wednesday	22/06/2023 Thursday	23/06/2023 Friday
1	42.6	43.1	39.7	41.2	39.5	43.1	43.3
2	41.2	43.3	41.8	41.7	40.3	41.4	41.4
3	41.7	41.3	40.2	41.7	40.8	41.0	39.9
4	42.1	40.5	41.1	40.1	40.8	40.9	41.1
5	42.4	41.9	42.9	42.2	41.0	41.8	42.4
6	44.9	44.2	42.5	42.9	43.1	44.2	43.3
7	45.0	45.5	42.0	41.5	42.3	42.8	43.4
8	44.4	45.3	42.8	40.2	42.1	42.0	43.1
9	44.6	45.9	42.6	40.5	43.2	42.7	42.7
10	44.4	45.7	42.3	41.2	43.0	41.3	42.4
11	44.5	45.2	41.5	40.5	41.6	42.0	42.4
12	44.4	45.4	41.5	40.8	42.2	41.4	42.6
13	44.6	45.5	42.1	41.1	42.6	42.3	43.4
14	44.6	45.1	42.8	42.3	43.2	43.0	43.8
15	45.1	44.7	43.2	43.2	43.4	43.2	43.6
16	45.6	44.6	42.7	43.2	44.0	43.5	44.0
17	45.0	44.3	40.4	44.2	45.2	43.9	44.6
18	44.9	42.7	42.4	44.9	44.9	44.1	45.3
19	45.5	44.1	42.3	44.9	44.8	44.4	45.3
20	46.2	43.6	42.3	44.4	45.1	44.8	45.4
21	44.2	43.6	43.1	45.0	44.5	44.2	43.9
22	44.0	41.3	41.9	42.9	44.1	44.0	44.7
23	43.1	40.6	43.1	43.8	43.3	43.3	43.6
24	42.6	42.2	42.5	41.7	43.7	42.3	43.2
10-12	44.4	45.3	41.5	40.7	41.9	41.7	42.5
14-16	45.3	44.7	43.0	43.2	43.7	43.3	43.8
0-24	44.6	44.5	42.3	42.4	43.3	43.0	43.6

Average (ALL)	43.3
Weekday Inter-Peak	42.7

Channel 1 - Southeastbound

85th Percentile

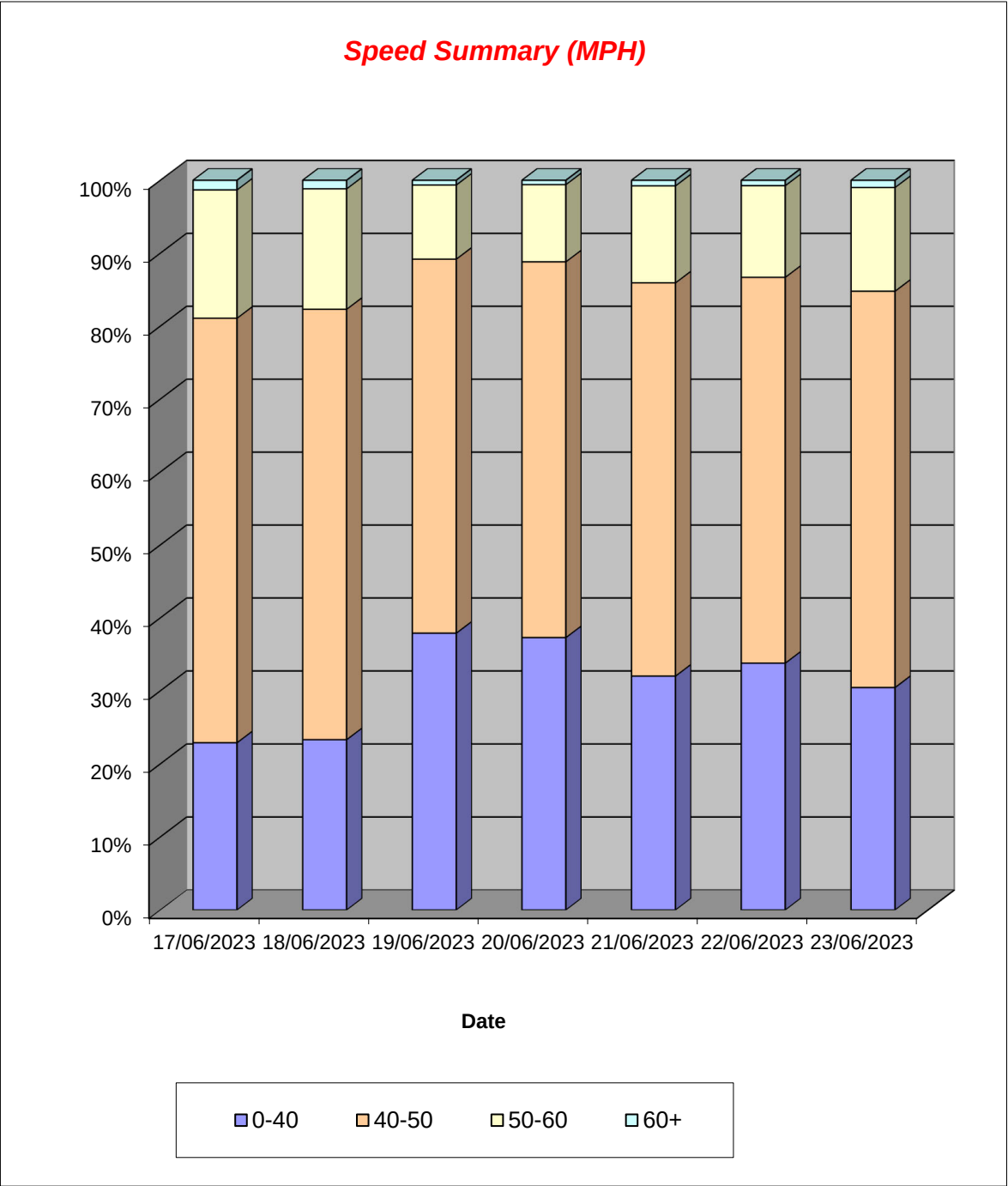
Hr Ending	17/06/2023 Saturday	18/06/2023 Sunday	19/06/2023 Monday	20/06/2023 Tuesday	21/06/2023 Wednesday	22/06/2023 Thursday	23/06/2023 Friday
1	50.2	49.6	46.8	47.5	46.3	50.9	50.8
2	49.8	50.4	48.4	48.5	47.1	49.8	48.6
3	48.3	48.7	48.7	48.7	46.9	48.4	47.5
4	49.5	45.9	47.9	47.4	47.8	47.4	48.6
5	49.7	49.5	49.7	49.5	48.2	49.6	49.3
6	52.1	50.8	49.4	49.9	50.3	51.3	51.0
7	52.8	53.2	49.0	49.1	48.9	50.1	50.7
8	52.1	52.1	49.0	46.3	48.7	48.3	49.6
9	51.2	52.4	49.2	46.9	49.7	49.1	49.6
10	50.5	52.3	49.1	47.6	49.5	48.3	48.8
11	51.3	51.5	47.9	46.7	48.5	48.6	48.9
12	50.8	51.8	48.0	47.1	48.5	48.3	49.4
13	51.5	52.1	48.8	47.2	49.7	48.7	50.1
14	51.5	51.7	49.4	48.6	49.6	50.0	50.3
15	51.5	51.6	49.4	49.5	49.8	49.7	50.1
16	52.3	50.8	49.8	49.8	50.3	50.0	50.8
17	51.5	51.3	49.2	50.7	52.3	51.0	51.6
18	51.4	50.0	49.7	51.6	52.0	50.9	52.1
19	52.4	50.6	48.6	51.3	52.4	50.9	52.1
20	53.2	49.7	49.6	51.2	51.8	52.2	52.7
21	51.8	50.2	50.4	53.1	51.7	51.7	51.9
22	51.6	48.0	50.4	50.5	52.4	52.6	53.5
23	50.6	47.5	50.7	51.0	50.8	50.5	51.0
24	50.7	48.6	50.6	49.1	51.3	49.9	50.4
10-12	51.0	51.6	48.0	46.9	48.5	48.4	49.2
14-16	51.9	51.2	49.6	49.7	50.1	49.8	50.5
0-24	51.5	51.3	49.1	49.2	50.2	49.9	50.6

85th %ile (ALL)	50.3
Weekday Inter-Peak	49.3

Markfield ATC, A511 Little Shaw Lane

Produced by Road Data Services Ltd.

Channel 1 - Southeastbound				Speed Summary			Week 1
Speed (MPH)	17/06/2023 Saturday	18/06/2023 Sunday	19/06/2023 Monday	20/06/2023 Tuesday	21/06/2023 Wednesday	22/06/2023 Thursday	23/06/2023 Friday
0-40	2745	2258	5635	6428	5597	6021	5227
40-50	6975	5713	7624	8879	9424	9424	9324
50-60	2109	1599	1511	1824	2324	2239	2440
60+	158	113	96	102	133	131	169
TOTAL	11987	9683	14866	17233	17478	17815	17160



Markfield ATC, A511 Little Shaw Lane

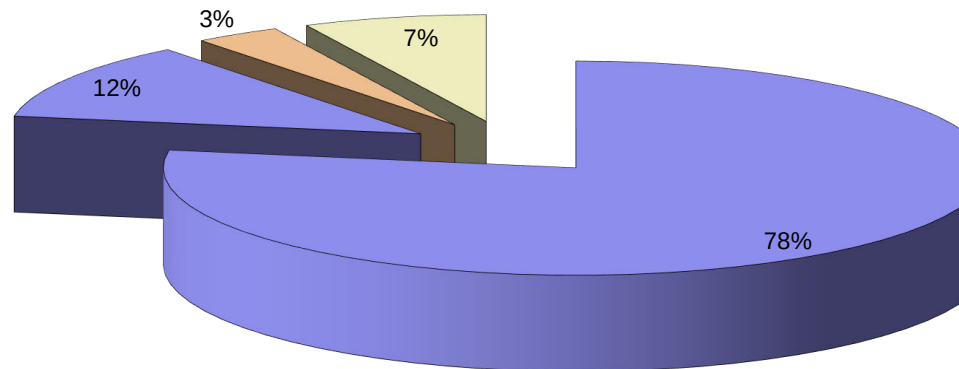
Produced by Road Data Services Ltd.

Channel 1 - Southeastbound

Vehicle Class

Classes Day / Time	Car / LGV / Caravan - 1	MGV - 2	OGV1 / Bus - 3,5,6,7,12	OGV2 - 4,8,9,10,11,13
17/06/2023				
7-19	7963	816	152	203
6-22	9144	957	202	272
6-24	9478	983	227	300
0-24	10087	1077	289	534
18/06/2023				
7-19	6731	688	107	146
6-22	7692	808	143	201
6-24	7879	821	164	225
0-24	8325	865	202	291
19/06/2023				
7-19	8163	1524	398	793
6-22	9971	1790	487	985
6-24	10332	1826	521	1054
0-24	11023	1952	608	1283
20/06/2023				
7-19	10024	1710	413	778
6-22	11907	1997	503	966
6-24	12297	2023	520	1044
0-24	13063	2162	605	1403
21/06/2023				
7-19	10157	1673	421	781
6-22	12086	1974	490	974
6-24	12498	1996	521	1037
0-24	13353	2126	607	1392
22/06/2023				
7-19	10356	1756	429	811
6-22	12244	2028	525	1010
6-24	12631	2055	563	1088
0-24	13547	2204	646	1418
23/06/2023				
7-19	10051	1692	411	742
6-22	11867	1996	488	901
6-24	12282	2020	520	965
0-24	13077	2155	609	1319
Average				
7-19	9064	1408	333	608
6-22	10702	1650	405	758
6-24	11057	1675	434	816
0-24	11782	1792	509	1091

Total Vehicle Class Distribution



Week 1

TOTAL
- 1-13
9134
10575
10988
11987
7672
8844
9089
9683
10878
13233
13733
14866
12925
15373
15884
17233
13032
15524
16052
17478
13352
15807
16337
17815
12896
15252
15787
17160
11413
13515
13981
15175

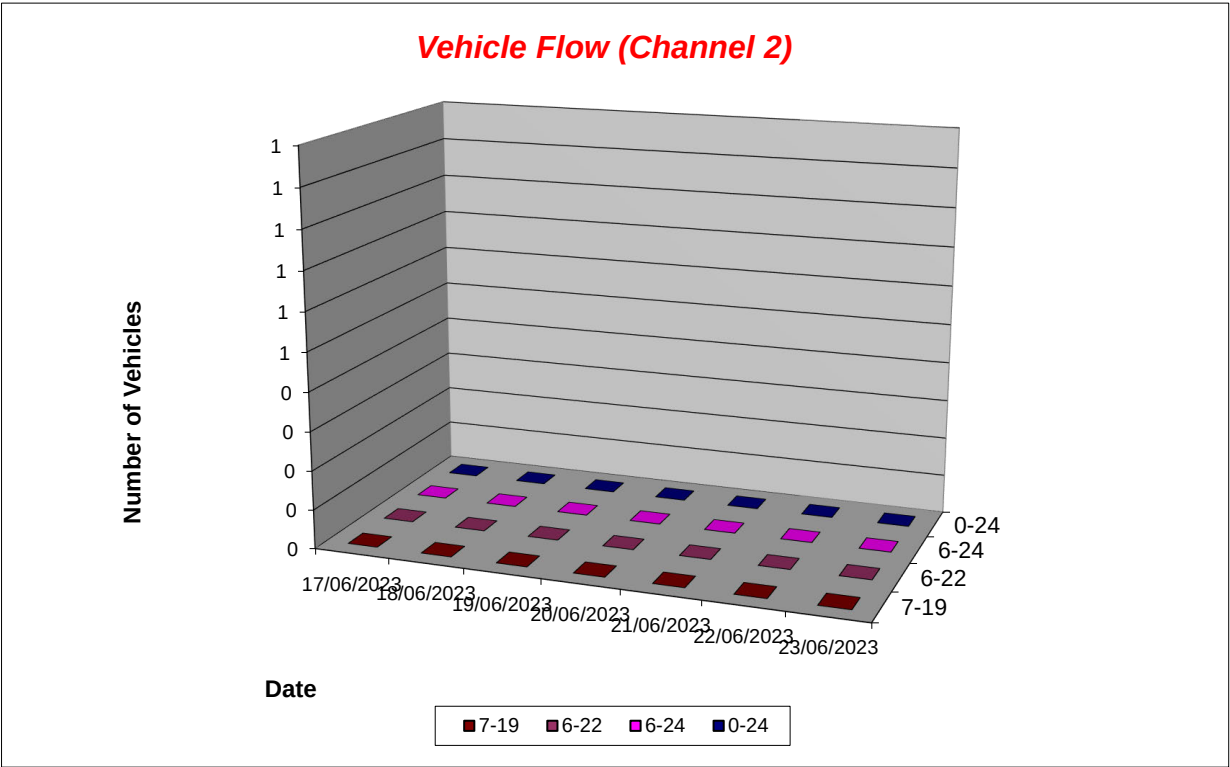


Markfield ATC, A511 Little Shaw Lane

Produced by Road Data Services Ltd.

Channel 2 - Northwestbound Vehicle Flow Week 1

Hr Ending	17/06/2023 Saturday	18/06/2023 Sunday	19/06/2023 Monday	20/06/2023 Tuesday	21/06/2023 Wednesday	22/06/2023 Thursday	23/06/2023 Friday	Weekday Average	Average
1	0	0	0	0	0	0	0	0	0
2	0	0	0	0	0	0	0	0	0
3	0	0	0	0	0	0	0	0	0
4	0	0	0	0	0	0	0	0	0
5	0	0	0	0	0	0	0	0	0
6	0	0	0	0	0	0	0	0	0
7	0	0	0	0	0	0	0	0	0
8	0	0	0	0	0	0	0	0	0
9	0	0	0	0	0	0	0	0	0
10	0	0	0	0	0	0	0	0	0
11	0	0	0	0	0	0	0	0	0
12	0	0	0	0	0	0	0	0	0
13	0	0	0	0	0	0	0	0	0
14	0	0	0	0	0	0	0	0	0
15	0	0	0	0	0	0	0	0	0
16	0	0	0	0	0	0	0	0	0
17	0	0	0	0	0	0	0	0	0
18	0	0	0	0	0	0	0	0	0
19	0	0	0	0	0	0	0	0	0
20	0	0	0	0	0	0	0	0	0
21	0	0	0	0	0	0	0	0	0
22	0	0	0	0	0	0	0	0	0
23	0	0	0	0	0	0	0	0	0
24	0	0	0	0	0	0	0	0	0
7-19	0	0	0	0	0	0	0	0	0
6-22	0	0	0	0	0	0	0	0	0
6-24	0	0	0	0	0	0	0	0	0
0-24	0	0	0	0	0	0	0	0	0



Markfield ATC, A511 Little Shaw Lane

Produced by Road Data Services Ltd.

Channel 2 - Northwestbound

Average Speed

Week 1

Hr Ending	17/06/2023 Saturday	18/06/2023 Sunday	19/06/2023 Monday	20/06/2023 Tuesday	21/06/2023 Wednesday	22/06/2023 Thursday	23/06/2023 Friday
1	-	-	-	-	-	-	-
2	-	-	-	-	-	-	-
3	-	-	-	-	-	-	-
4	-	-	-	-	-	-	-
5	-	-	-	-	-	-	-
6	-	-	-	-	-	-	-
7	-	-	-	-	-	-	-
8	-	-	-	-	-	-	-
9	-	-	-	-	-	-	-
10	-	-	-	-	-	-	-
11	-	-	-	-	-	-	-
12	-	-	-	-	-	-	-
13	-	-	-	-	-	-	-
14	-	-	-	-	-	-	-
15	-	-	-	-	-	-	-
16	-	-	-	-	-	-	-
17	-	-	-	-	-	-	-
18	-	-	-	-	-	-	-
19	-	-	-	-	-	-	-
20	-	-	-	-	-	-	-
21	-	-	-	-	-	-	-
22	-	-	-	-	-	-	-
23	-	-	-	-	-	-	-
24	-	-	-	-	-	-	-
10-12	-	-	-	-	-	-	-
14-16	-	-	-	-	-	-	-
0-24	-	-	-	-	-	-	-

Average (ALL)	-
Weekday Inter-Peak	-

Channel 2 - Northwestbound

85th Percentile

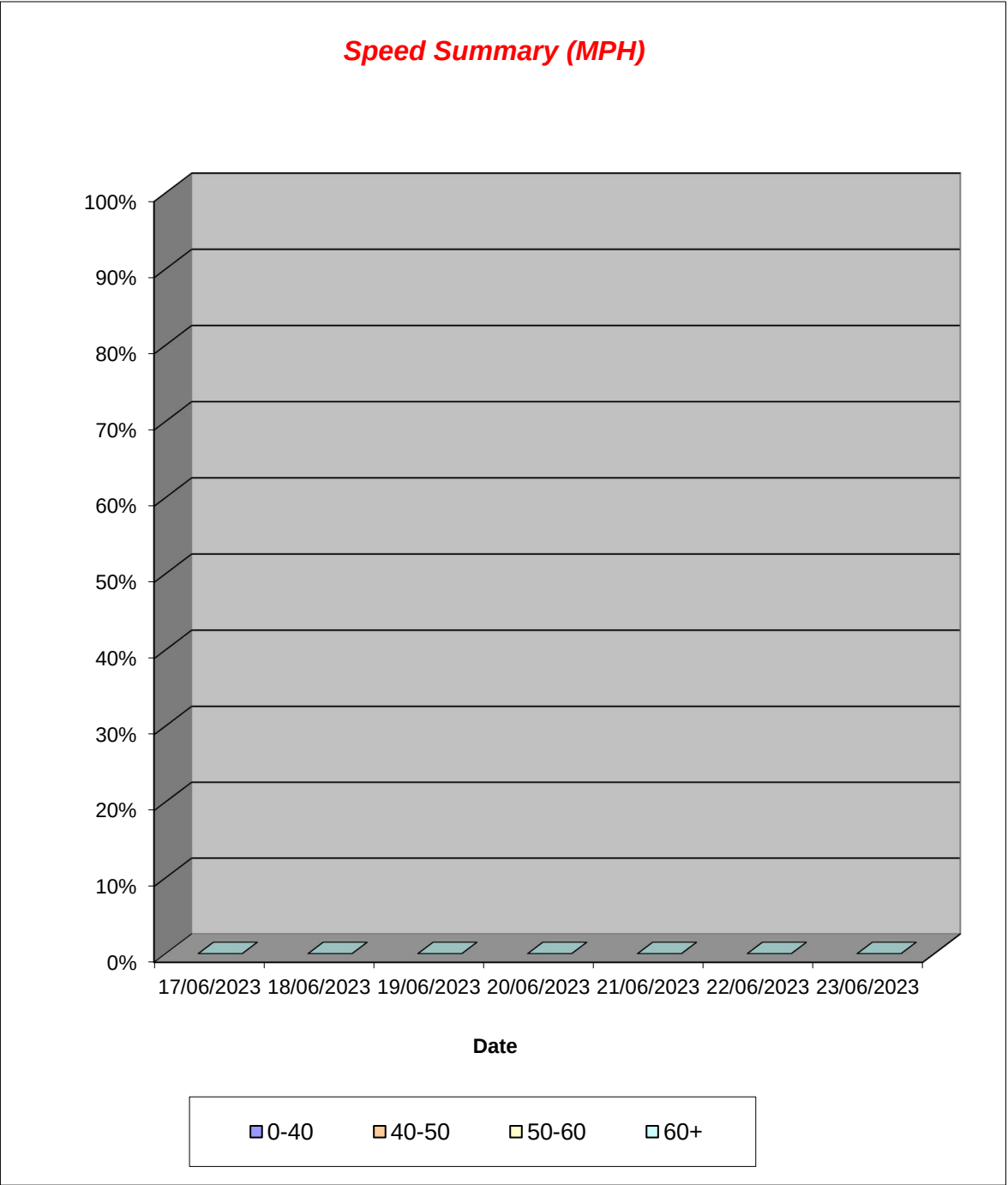
Hr Ending	17/06/2023 Saturday	18/06/2023 Sunday	19/06/2023 Monday	20/06/2023 Tuesday	21/06/2023 Wednesday	22/06/2023 Thursday	23/06/2023 Friday
1	-	-	-	-	-	-	-
2	-	-	-	-	-	-	-
3	-	-	-	-	-	-	-
4	-	-	-	-	-	-	-
5	-	-	-	-	-	-	-
6	-	-	-	-	-	-	-
7	-	-	-	-	-	-	-
8	-	-	-	-	-	-	-
9	-	-	-	-	-	-	-
10	-	-	-	-	-	-	-
11	-	-	-	-	-	-	-
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18	-	-	-	-	-	-	-
19	-	-	-	-	-	-	-
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21	-	-	-	-	-	-	-
22	-	-	-	-	-	-	-
23	-	-	-	-	-	-	-
24	-	-	-	-	-	-	-
10-12	-	-	-	-	-	-	-
14-16	-	-	-	-	-	-	-
0-24	-	-	-	-	-	-	-

85th %ile (ALL)	-
Weekday Inter-Peak	-

Markfield ATC, A511 Little Shaw Lane

Produced by Road Data Services Ltd.

Channel 2 - Northwestbound				Speed Summary			Week 1
Speed (MPH)	17/06/2023 Saturday	18/06/2023 Sunday	19/06/2023 Monday	20/06/2023 Tuesday	21/06/2023 Wednesday	22/06/2023 Thursday	23/06/2023 Friday
0-40	0	0	0	0	0	0	0
40-50	0	0	0	0	0	0	0
50-60	0	0	0	0	0	0	0
60+	0	0	0	0	0	0	0
TOTAL	0	0	0	0	0	0	0



Markfield ATC, A511 Little Shaw Lane

Produced by Road Data Services Ltd.

Channel 2 - Northwestbound

Vehicle Class

Classes Day / Time	Car / LGV / Caravan - 1	MGV - 2	OGV1 / Bus - 3,5,6,7,12	OGV2 - 4,8,9,10,11,13
17/06/2023				
7-19	0	0	0	0
6-22	0	0	0	0
6-24	0	0	0	0
0-24	0	0	0	0
18/06/2023				
7-19	0	0	0	0
6-22	0	0	0	0
6-24	0	0	0	0
0-24	0	0	0	0
19/06/2023				
7-19	0	0	0	0
6-22	0	0	0	0
6-24	0	0	0	0
0-24	0	0	0	0
20/06/2023				
7-19	0	0	0	0
6-22	0	0	0	0
6-24	0	0	0	0
0-24	0	0	0	0
21/06/2023				
7-19	0	0	0	0
6-22	0	0	0	0
6-24	0	0	0	0
0-24	0	0	0	0
22/06/2023				
7-19	0	0	0	0
6-22	0	0	0	0
6-24	0	0	0	0
0-24	0	0	0	0
23/06/2023				
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6-24	0	0	0	0
0-24	0	0	0	0
Average				
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0-24	0	0	0	0

Total Vehicle Class Distribution

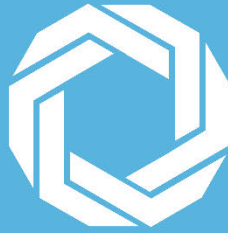
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Appendix E. Road Safety Audit and Designer Response



Midlands Road Safety Ltd

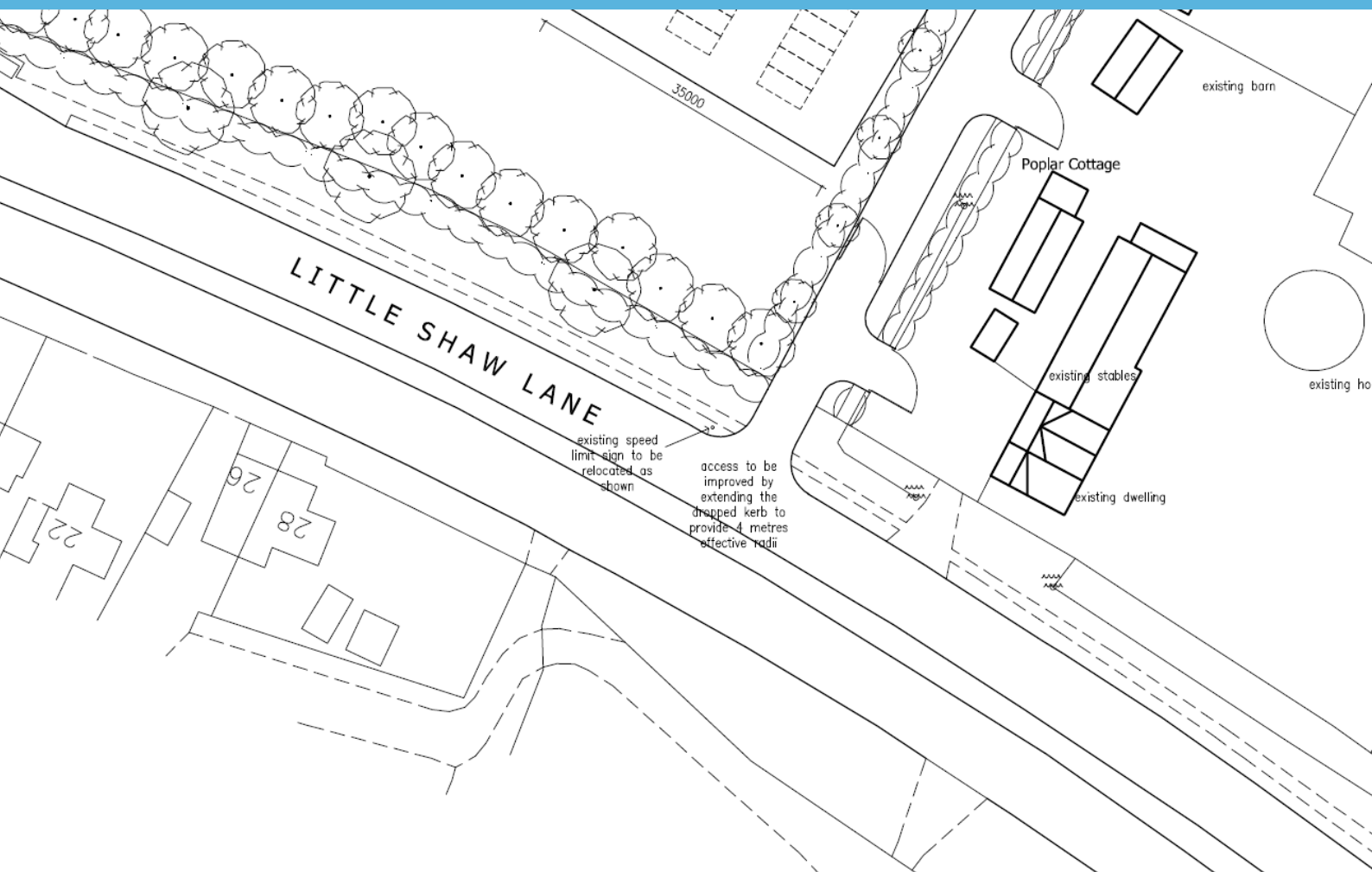
PROPOSED ACCESS AMENDMENTS

A50 LITTLE SHAW LANE, MARKFIELD

STAGE 1 – ROAD SAFETY AUDIT

NOVEMBER 2023

REPORT REF: 23-1586-RSA1



PROPOSED ACCESS AMENDMENTS

A50 LITTLE SHAW LANE, MARKFIELD

STAGE 1 ROAD SAFETY AUDIT

NOVEMBER 2023

REPORT REF: 23-1586-RSA1

CLIENT: Edwards & Edwards Consultancy Ltd

ENGINEER: Midlands Road Safety Ltd

TEL: 0779 112 1104

EMAIL: chris.berry@midlandsroadsafety.co.uk

Revision	Date of Issue	Author	Checked
First Issue	30.11.2023	CB	SC
Draft (Internal)	28.11.2023	CB	SC

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3.	SAFETY PROBLEMS RAISED IN THIS ROAD SAFETY AUDIT	4
4.	ADDITIONAL CONSIDERATIONS	5
5.	AUDIT STATEMENT	6

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- B. SITE LOCATION AND PROBLEM IDENTIFICATION PLANS

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Chris Berry, MSc Transport Planning, MSoRSA, NH RSA Certificate of Competency
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- 1.6 The audit has been carried out in accordance with the principals of the National Highways document GG 119 'Road Safety Audit'. A formal Road Safety Audit Brief was not provided to the Audit Team. However, information regarding the site was provided via email alongside the relevant scheme documents and drawings. This was considered by the Audit Team to provide sufficient detail to undertake the appropriate stage of audit.

- 1.7 The Audit Team have examined and reported solely on the road safety implications of the scheme as presented and not examined or verified the compliance to any alternate criteria.
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- 1.9 Midlands Road Safety Ltd has ensured that this report has been carried out independently with no member of the Audit Team membership directly linked to the scheme design.

2. SAFETY PROBLEMS RAISED IN PREVIOUS ROAD SAFETY AUDITS

- 2.1. It is understood that no previous Road Safety Audits have been undertaken for the proposals subject to this report.

3. SAFETY PROBLEMS RAISED IN THIS ROAD SAFETY AUDIT

3.1. The Audit Team has identified two safety problems to be addressed.

3.2. **Problem 1**

Location: Little Shaw Lane – at the site access.

Summary: Accelerating eastbound vehicles risk collisions with emerging traffic.

Whilst on site it was observed that vehicles exiting the roundabout to the west accelerate quickly towards the site access, which is located on the increase from a 40mph speed limit at the junction to a 50mph limit. As such, gaps in traffic, whilst frequent, can be difficult to judge, especially due to a lack of conspicuity of the access (see Problem 2). There is a concern that this will result in collisions between eastbound traffic and emerging vehicles.



Recommendation:

It is recommended that the start of the 50mph speed limit is relocated to the east of the access.

3.3. Problem 2

Location: Little Shaw Lane – at the site access.

Summary: Lack of site awareness may lead to hesitancy and shunt type collisions.

The site access is currently inconspicuous. The change to allow public access will result in some drivers who are unfamiliar with the site visiting. The lack of awareness of the site may result in hesitation and / or late braking, risking shunt type collisions on Little Shaw Lane.

Recommendation:

It is recommended that additional measures are provided to alert drivers to the site location. This could be either within the highway or at the site frontage / access.

End of the 'Safety Problems' in this Section of the Report

4. ADDITIONAL CONSIDERATIONS

4.1. Additional Consideration 1

Due to the likelihood of drivers who are unfamiliar with the area visiting the site, it is recommended that, as part of the detailed design, signage directing traffic to exit eastbound (left) from the site should be considered.



5. AUDIT STATEMENT

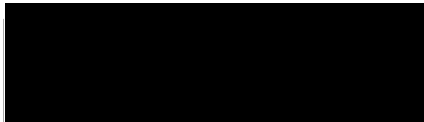
- 5.1. We certify that the terms of reference of the audit are as described in GG 119 and that no member of the Audit Team was directly linked to the scheme design.

5.2. **AUDIT TEAM LEADER:**

Chris Berry – MSc, MSoRSA, NH RSA Certificate of Competency

Director

Midlands Road Safety Ltd



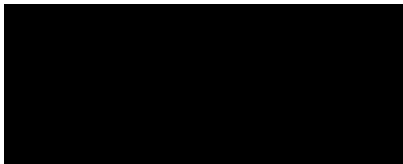
Signed: _____

Date: 30.11.2023

5.3. **AUDIT TEAM MEMBER:**

Sarah Cooke, BA (Hons)

Road Safety Consultant working on behalf of Midlands Road Safety Ltd



Signed

Date: 30.11.2023

APPENDIX A

The following documents and drawings were provided for the purposes of this road safety audit.

Drawings

Number	Title	Rev
18.3588.04	Planning Proposals	D

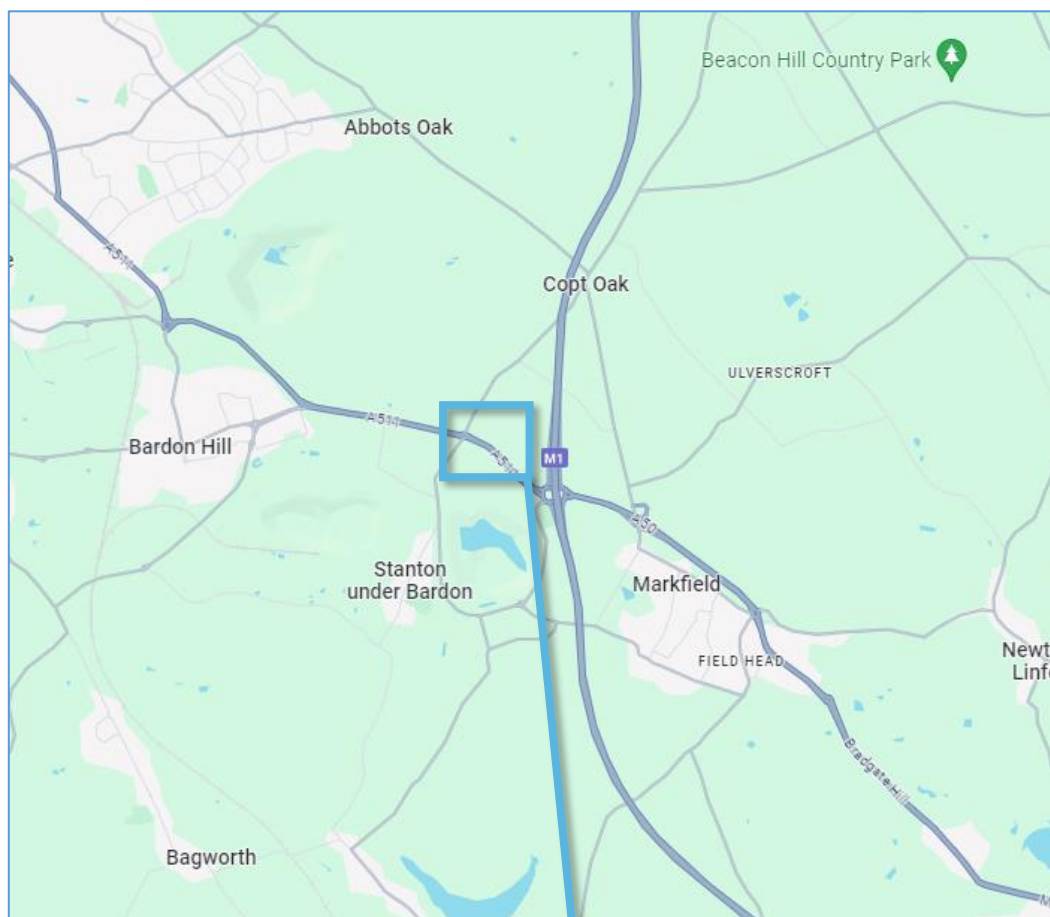
Documents

Author	Title	Rev	Date
Edwards & Edwards	Road Safety Audit Brief (by email)	-	21.11.2023
Road Data Services Ltd	ATC Survey Results	-	17-23.06.2023

APPENDIX B

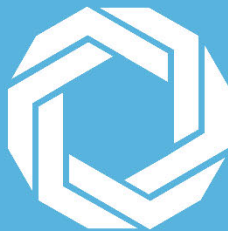
The location of any problems/observations that have been identified in Section 3 of this report can be seen on the extracts of the drawings supplied to the Audit Team, as listed in Appendix A.

Figure 1 – Site Location



[Mapping source; Google Maps]





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Edwards & Edwards Consultancy Ltd

4 Ascot Drive

Coalville

Leicestershire

LE67 4DF

**Variation of condition to include
revised block plan and allow public
access to the site**

**Poplar Cottage, Little Shaw Lane,
Markfield**

**Designer Response to
Stage 1 Road Safety Audit**

For Mr Proud

December 2023

DOCUMENT CONTROL

Author	DEC	8 December 2023
Checked	MJE	8 December 2023
Revised	DEC	11 December 2023
Checked	MJE	11 December 2023
Finalised	DEC	11 December 2023

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3	ADDITIONAL CONSIDERATIONS.....	9
4	SUMMARY	10
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1 Introduction

- 1.1 This report provides the Designer Response to the problem and recommendation provided in the Stage 1 Road Safety Audit conducted by Midlands Road Safety Ltd dated November 2023. The Audit Report, Midland Road Safety Ltd, reference 23-1586-RSA1 and this Designer Response has been discussed with the client. A copy of the Road Safety Audit has been attached as **Appendix A** for information.
- 1.2 The Stage 1 Road Safety Audit raised 2 potential road safety problems and also raised an additional consideration with the proposed access arrangement and this Designer Response considers those issues and whether any action is required to overcome these potential problems.
- 1.3 This report is set out in the same format as the Road Safety Audit Stage 1 report, the Road Safety Problem and Recommendation followed by the Designer Response.

2 Designer Response to Matters Arising from Stage 1 Road Safety Audit

2.1 Problem 1

Location: Little Shaw Lane – at the site access.

Summary: Accelerating eastbound vehicles risk collisions with emerging traffic.

Whilst on site it was observed that vehicles exiting the roundabout to the west accelerate quickly towards the site access, which is located on the increase from a 40mph speed limit at the junction to a 50mph limit. As such, gaps in traffic, whilst frequent, can be difficult to judge, especially due to a lack of conspicuity of the access (see Problem 2). There is a concern that this will result in collisions between eastbound traffic and emerging vehicles.



Recommendation:

It is recommended that the start of the 50mph speed limit is relocated to the east of the access.

Designer Response

The site access has visibility splays well in excess of those required, not only will drivers of vehicles exiting the site be able to see approaching traffic as they negotiate the roundabout, drivers of the vehicles approaching on the A511 will be able to see vehicles leaving the access as they leave the roundabout approximately 160 metres away. The following photograph shows the excellent visibility out of the access to see vehicles approaching the access:-



As a result of the traffic lights at the roundabout, it is considered that the traffic tends to approach in 'convoys' lasting around 30 seconds, followed by little or no traffic for around 20 seconds. So within the cycle of traffic light changes, there will be plenty of opportunity for vehicles leaving the access to do so safely when little or no traffic is approaching.

The site was given permission in 2019 for use of the land for horticultural purposes, and therefore the access has been in regular use by vehicles associated with the horticultural traffic for a number of years and has not resulted in any highway safety problem. Leicestershire CC's own accident records show that there has not been a recorded personal injury accident at the access in the latest 5 years of data. It is

therefore considered that this demonstrates that the excellent 'inter-visibility' between drivers approaching and leaving the access, means that vehicles can turn out of the access safely.

Little Shaw Lane is a dual carriageway, and so should a vehicle pull out of the access, an approaching vehicle would be able to pull out into the outside lane to pass safely.

It is therefore felt that as a result of the excellent visibility splays well in excess of normal standards and given the frequent large gaps in traffic flow that relocating the speed limit signs to the eastern side of the access is not necessary. However if this is considered an issue by the Local Highway Authority, then the applicant would be prepared to pay to have the speed limit signs relocated to the eastern side of this access.

In terms of making the access more conspicuous for vehicles approaching the applicant is prepared to make the access more conspicuous, and this is covered in relation to problem 2.

2.2 Problem 2

Location: Little Shaw Lane – at the site access.

Summary: Lack of site awareness may lead to hesitancy and shunt type collisions.

The site access is currently inconspicuous. The change to allow public access will result in some drivers who are unfamiliar with the site visiting. The lack of awareness of the site may result in hesitation and / or late braking, risking shunt type collisions on Little Shaw Lane.

Recommendation:

It is recommended that additional measures are provided to alert drivers to the site location. This could be either within the highway or at the site frontage / access.

Designer Response

Problem accepted.

Recommendation accepted. The applicant would be happy to cut back the vegetation on the site frontage, and to relocate his existing sign to the western side of the access.

This will make the access more conspicuous for drivers as they leave the roundabout. The following photograph shows the existing sign which is currently located on the eastern side of the roundabout, which will be relocated to the western side of the access, which will mean that the access will become more visible to vehicles approaching the access as they leave the roundabout:-



The reason why a Road Safety Audit is necessary in relation to this application is because the applicant is proposing to carry out alterations to the access to increase the entry and exit radii at the access. By improving the radii, this will mean that vehicles will be able to turn into and out of the access more easily and safely. The increased radii will mean that vehicles will not have to slow down quite as much as they would if the entry radius was not improved and will therefore help reduce the risk of shunt type collisions.

3 Additional Considerations

3.1 Additional Consideration 1

Due to the likelihood of drivers who are unfamiliar with the area visiting the site, it is recommended that, as part of the detailed design, signage directing traffic to exit eastbound (left) from the site should be considered.



Designer Response

Additional Consideration accepted. The applicant would be happy to either provide signage within his site to advise vehicles to turn left out of the access, or if deemed appropriate pay for a road sign to be placed in the central reserve advising traffic to turn left out of the site access.

4 SUMMARY

- 4.1 The recommendations made within the Road Safety Audit Stage 1 Report have been reviewed.
- 4.2 For the reasons given in Chapter 2 above, it is considered that whilst relocating the speed limit is not necessary, the applicant is prepared to pay the costs of relocating the speed limits signs to the eastern side of his access.
- 4.3 The proposal which will result in increased entry and exit radii, will make it easier and safer for vehicles to turn into and out of the access, which will help reduce the risk of shunt type collisions.
- 4.4 The applicant is prepared to carry out works to make the access more conspicuous and to provide signage to ensure drivers leaving the site turn left on to Little Shaw Lane.
- 4.5 It is therefore considered that the potential highway safety issues raised in the Road Safety Audit Stage 1 have been considered. Suitable solutions are proposed to address the issues around conspicuity of the access and the concern regarding ensuring vehicles turn left out of the access.
- 4.6 It is considered that the provision of the increased junction radii will result in a safe and suitable access that is capable of catering for the increased traffic likely as a result of allowing public access to the site.

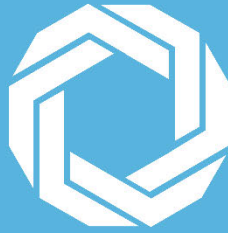
Duncan Clarke

Edwards & Edwards Consultancy Ltd

Project No. 12220

Date December 2023

Appendix A. Stage 1 Road Safety Audit



Midlands Road Safety Ltd

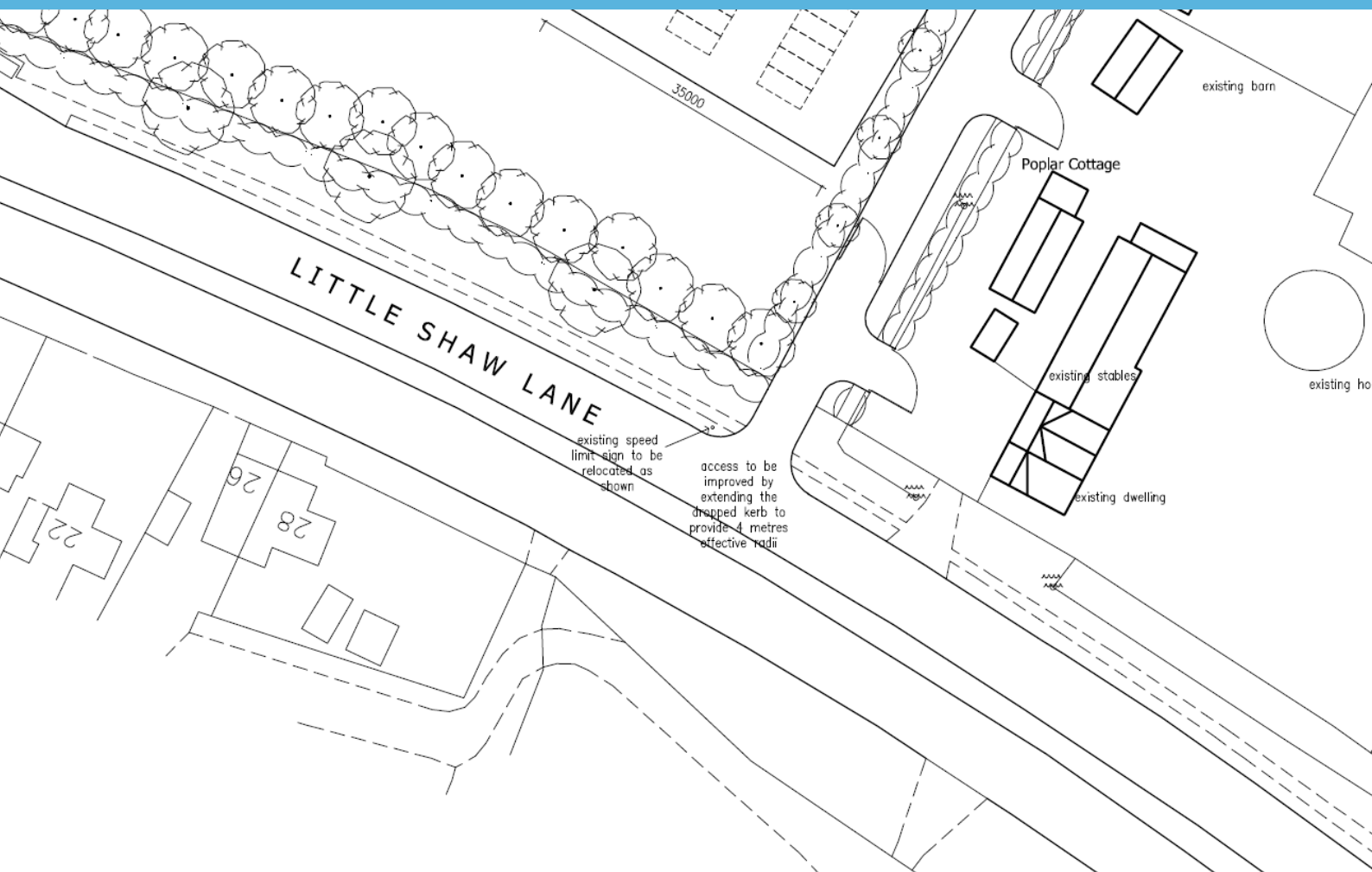
PROPOSED ACCESS AMENDMENTS

A50 LITTLE SHAW LANE, MARKFIELD

STAGE 1 – ROAD SAFETY AUDIT

NOVEMBER 2023

REPORT REF: 23-1586-RSA1



PROPOSED ACCESS AMENDMENTS

A50 LITTLE SHAW LANE, MARKFIELD

STAGE 1 ROAD SAFETY AUDIT

NOVEMBER 2023

REPORT REF: 23-1586-RSA1

CLIENT: Edwards & Edwards Consultancy Ltd

ENGINEER: Midlands Road Safety Ltd

TEL: [REDACTED]

EMAIL: [REDACTED]

Revision	Date of Issue	Author	Checked
First Issue	30.11.2023	CB	SC
Draft (Internal)	28.11.2023	CB	SC

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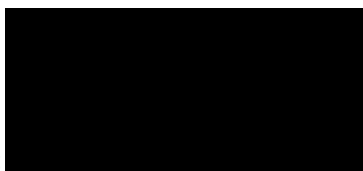
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Chris Berry – MSc, MSoRSA, NH RSA Certificate of Competency
Director
Midlands Road Safety Ltd

Signed:

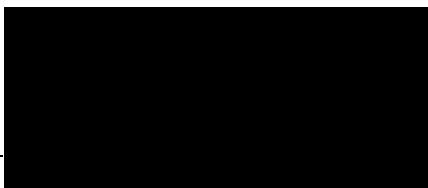


Date: 30.11.2023

5.3. **AUDIT TEAM MEMBER:**

Sarah Cooke, BA (Hons)
Road Safety Consultant working on behalf of Midlands Road Safety Ltd

Signed:



Date: 30.11.2023

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Drawings

Number	Title	Rev
18.3588.04	Planning Proposals	D

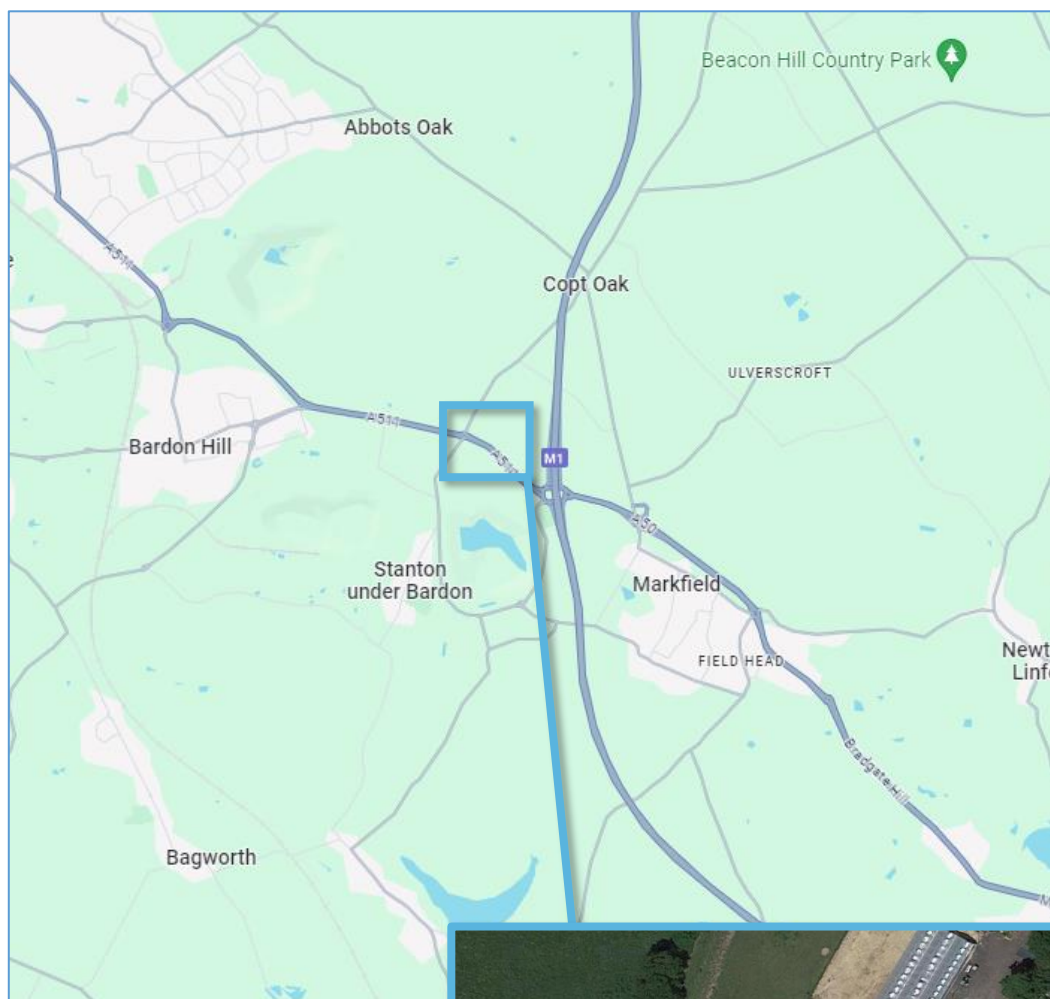
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Author	Title	Rev	Date
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Road Data Services Ltd	ATC Survey Results	-	17-23.06.2023

APPENDIX B

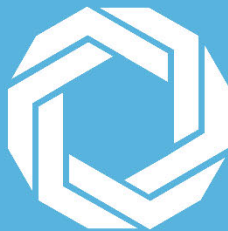
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Figure 1 – Site Location



[Mapping source; Google Maps]





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