

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: 24/00035/HYB

Highway Reference Number: 2024/0035/04/H

Application Address: Swedish Cottage Leicester Road Earl Shilton Leicester Leicestershire LE9 7TJ

Application Type: Hybrid

Description of Application:

Residential development of up to 6 dwellings (outline -access only) and full application for change of use of commercial building (Class E) to meeting hall (Class F1) with associated parking

GENERAL DETAILS

Planning Case Officer: Joseph Fleetwood HBBC

Applicant: Mostyn Gospel Hall Trust

County Councillor: Richard Allen

Parish: Earl Shilton

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) is in receipt of a hybrid application for the residential development of up to 6 dwellings (outline -access only) and full application for change of use of commercial building (Class E) to meeting hall (Class F1) with associated parking at Swedish Cottage, Leicester Road, Earl Shilton, LE9 7TJ.

The LHA is aware of a previous application at the site which was granted planning permission in June 2023 for the change of use of the commercial building to a meeting hall with car parking and the creation of a new access to serve the existing dwelling (Ref: 23/00596/FUL). Application 24/00035/HYB reflects the conversion of to the Meeting Hall already permitted with the parking to be rearranged and a section of the existing building approved for conversion would be removed.

Site Access

Access to the site will be via an access previously approved under application Ref: 23/00596/FUL off an adopted, unclassified road that is officially known as 'From C5117 Leicester Road to houses to C5117 Leicester Road' and is subject to a 60 mph speed limit. At either end the road joins Leicester Road, which is an adopted, 'C' classified road, subject to a 50 mph speed limit which provides a link between Earl Shilton and the A47.

From the southern junction with Leicester Road are continual 12 hour stay parking bays on either side of the carriageway. Should all these bays be occupied then the remaining available carriageway would be of insufficient width for two vehicles to pass. Double yellow lines then front the site which continue to the northern junction of Leicester Road with continual parking bays on the opposite side of the carriageway which are broken briefly where there are agricultural accesses and an access to a construction company.

Residential development of up to 6 dwellings (outline -access only)

The LHA have reviewed the submitted drawing titled 'Planning Proposals Sheet 2 of 4', drawing no. 23.4266.18 which indicates an access width of 5m for a minimum of 5m behind the highway boundary which will be surfaced with a bound material. The LHA is satisfied that this is in accordance with the guidance set out in Figure DG17 of the Leicestershire Highway Design Guide (LHDG) for an unadopted shared drive serving up to 25 dwellings.

For the proposed new access to serve the existing dwelling and proposed 6 dwellings, the drawing titled 'Planning Proposals Sheet 2 of 4', drawing no. 23.4266.18, shows a vehicular visibility splay of 72 metres to the west and 48 metres to the east with both splays measured from a setback distance of 2.4 metres from the highway.

Due to the proposed intensification of the previously permitted access, the LHA would request an independent Stage 1 Road Safety Audit is undertaken of the site access arrangements and a Designer's Response provided to address any problems raised, along with a revised drawing (if necessary).

The Applicant is also advised to undertake an automatic speed survey (not handheld radar) due to the proposed intensification of the previously permitted vehicular access to demonstrate that appropriate viability in line with the 85th percentile speeds of passing traffic can be achieved fully within land under the Applicants control or the public highway.

Details of how to construct visibility splays can be found in Part 3, Figure DG2 of the LHDG. The Applicant should be advised that a permit is required to carry out any traffic count/speed survey on the public highway within Leicestershire. A permit can be obtained by contacting ndi@leics.gov.uk. Alternatively, Leicestershire County Council (LCC) offer a data collection service including a large traffic count database. For details of the services available please contact ndi@leics.gov.uk.

Vehicle tracking of a refuse collection vehicle to Hinckley & Bosworth Borough Council dimensions (Phoenix 2 Series - Smooth Body RCV, EURO 5i - WIDE TRACK refuse collection vehicle) arriving and departing from the site access in all directions should also be provided.

Full application for change of use of commercial building (Class E) to meeting hall (Class F1) with associated parking

The Applicant proposes to amend the existing access to serve the meeting hall. The drawing titled 'Planning Proposals Sheet 2 of 4', drawing no. 23.4266.18, shows an access that is 6m wide for the first five metres from the highway. The Applicant indicates that the existing gate will be removed and a new gate will be setback 5m from the highway boundary. The access will be surfaced with a hard bound material for at least the first 5m behind the highway boundary. The LHA is satisfied that this is in general accordance with the LHDG.

Highway Safety

The LHA note that two Personal Injury Collisions (PICs) have been recorded in the locality in the last five years that occurred within 500 metres of the proposed access. One of which was classified as 'slight' in severity and the other classified as 'serious' in severity. The LHA has considered the circumstances of the above PICs and is satisfied that the development proposal would not exacerbate the likelihood of further such incidents occurring.

The acceptability of the proposals would, however, be contingent on the delivery of a safe and suitable access as required by the National Planning Policy Framework (2023).

Trip Generation

The Applicant has advised that the hall is to provide a meeting place for groups of around 38-45 people and that any larger gatherings will be held at larger meeting halls elsewhere.

The LHA accept that the proposed development does not represent an unacceptable intensification of an existing access when compared to the sites existing use.

Internal Layout

Residential development of up to 6 dwellings (outline -access only)

The LHA note that this part of the application is 'outline – access only', therefore, the LHA have no comments to make on the internal layout at this stage.

Full application for change of use of commercial building (Class E) to meeting hall (Class F1) with associated parking

The LHA have reviewed the drawing titled 'Planning Proposals Sheet 2 of 4', drawing no. 23.4266.18 shows the provision of 13 parking spaces (including two disabled spaces) with each measuring 5.5 metres by 2.4 metres which the LHA advise in accordance with Part 3, Paragraph 3.165 of the LHDG. The LHA also welcome that there is sufficient space afforded for vehicles to turn so that the highway is approached in a forward gear.

Off-site Implications

The LHA advise the neighbouring developments 20/00916/FUL and 21/00135/OUT will need to be taken into consideration as they could result in the layout of Leicester Road changing considerably in the future. Both applications have been granted planning permission.

Currently, this proposed development could be considered remote from Earl Shilton and pedestrian connectivity would be via a narrow, unlit footway alongside Leicester Road which is of concern to the LHA. The Applicant should give full consideration to the changes the two nearby developments could implement on Leicester Road and how these may impact their own proposals. Given works have not yet started on-site for those developments, the LHA request that the applicant should demonstrate how pedestrian links between the site and Earl Shilton for example would be provided/ improved both with and without the neighbouring developments in place.

Date Received
24 January 2024

Case Officer
Harry McNicholas

Reviewer
BD

Date issued
04 March 2024