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

Leicestershire County Council

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

APPLICATION DETAILS:

Planning Application Number: 23/00713/FUL

Highway Reference Number: 2023/0713/04/H

Application Address: 10 The Hollow Earl Shilton Leicester Leicestershire LE9 7NA

Application Type: Full

Description of Application: Proposed new apartment to include 4 self contained flats with associated amenity space and parking

---

GENERAL DETAILS

Planning Case Officer: Satbir Jandu

Applicant: Mr and Mrs Cassidy

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 application 23/00713/FUL for the erection of two studio apartments, one, one bedroom flat and one, two bedroom flat at 10, The Hollow, Earl Shilton.

Trip Generation

The LHA understand that the existing use at the site is a car park serving the existing shops that front the site. The car park has previously been available for public use although due to issues surrounding vehicles blocking the delivery access this is no longer the case and the car park is now for private use only by the owners/ employees of the shops.

The LHA also note that the site is subject to approved planning application reference. 22/000789/FUL for first floor amendments to create two, one bedroom apartments.

Application reference. 22/000789/FUL was approved subject to conditions 11 November 2022. Condition 3 attached to the afore mentioned application states that three parking spaces are to be provided to serve the two apartments. The submitted plans for this application show that these spaces will be displaced by the proposed development.

Perfect Planning, Design and Access Statement (DAS), 2 May 2023 advises that eight parking spaces are to be provided with four spaces for the proposed development and four spaces for shop employees. The DAS does not reference the approved flats on the first floor.

No existing parking plan has been submitted and therefore the level of extant permitted use is not clear. The LHA request that the Applicant provides trip generation based on the extant permission and the proposed development.

The DAS quotes application reference. 18/00987/OUT in support of this application which was located opposite the proposed development and was for the erection of 17 flats. The LHA advise that each application is assessed on its individual merits and that the previous use of the access for application reference. 18/00987/OUT was a 75 space car park to serve a public house. Given the approximate size of the car park for this application it is unlikely that the two sites are comparible.

Site Access

The site is located on The Hollow, an adopted, 'C' classified road subject to a 20 mph speed limit. Perfect Planning. drawing No. 487/002 Rev. B shows an access that is bounded on both sides and measures 4.5 metres in width.

Due to the site constraints it is evident that it is not possible for an access width to be provided that is in accordance with Leicestershire Highway Design Guide (LHDG) standards.

The Applicant is requested to detail the achievable vehicular and pedestrian visibility splays from the site access in accordance with Part 3, Table DG4 and Part 3, Figure DG17 of the LHDG.

The LHA acknowledge the statement made in the DAS that due to the town centre location dedicated parking for the proposed development may not be required. Whilst it would be preferable for off-road parking spaces to be provided to serve the proposed development this provision could be outweighed by the potential dangers to pedestrians that the proposal could create.

If a safe and suitable access cannot be provided then the proposals may require revision so that no off-road parking is provided. The suitability of the access is dependent on the level of intensification of an existing access that the proposed development would create as detailed above in the 'trip generation' section.

Public Rights of Way

Public Footpath U87 runs adjacent to the proposed development. Whilst the LHA are satisfied that the use and enjoyment of Public Footpath U87 will not be significantly affected any changes to the existing boundary treatment currently separating the application site from Public Footpath U87, must be approved by the Local Planning Authority in accordance with the principles set out in the Leicestershire County Council’s Guidance Notes for Developers.

Highway Safety

There has been three recorded Personal Injury Collisions (PIC's) on The Hollow, High Street and Wood Street (collectively) in the previous five years. One of the PIC's was recorded as being 'slight' in severity, another recorded as 'serious' in severity and the third PIC regrettably resulted in a fatality.

Whilst the LHA acknowledge none of the above PIC's occurred in the immediate vicinity of the proposed access the acceptability of the proposals would be contingent on the proposals themselves being acceptable in highway safety terms. As per the 'Site Access' section above, the LHA does not yet consider that a safe and suitable access has been satisfactorily demonstrated.

Internal Layout

Drawing No. 487/002 Rev. B shows the provision of eight off-road parking spaces which the LHA confirm have been designed in accordance with Part 3, paragraph 3.165 of the LHDG.

The Applicant has advised that four spaces are to serve the proposed development with the other four spaces provided for shop employees. As discussed above application reference. 18/00987/OUT was approved 11 November 2022 on condition that three spaces will be provided to serve the two first floor flats.

The LHA request that an amended drawing is submitted that demonstrates how the parking provision will be allocated.

The LHA also note that the proposed location for the refuse bin store exceeds the maximum 25 metre carry distance as stipulated in Part 3, paragraph 3.196 of the LHDG. The LHA request that the bin store is located so that it is within the maximum carry distance as the placement of bins awaiting collection on the footway would not be suitable in this location.

Date Received	Case Officer	Reviewer	Date issued
24 July 2023	**Simon Herbert**	**BD**	**11 August 2023**