

Jane Steel

From: David Spring
Sent: 20 December 2024 16:56
To: Planning Folder New
Subject: FW: 24/01016/P3CQ- Conversion of existing barn to 2 residential units
Attachments: Rev vis splay 2024-12-17 SK-PL-001.3 Copy.pdf; Red blue site plan 2024-12-20 SK-PL-001.1 Rev B.pdf; Rev site plan 2024-12-17 SK-PL-001.2 Rev A Copy.pdf

From:
Sent: 20 December 2024 15:59
To: David Spring <David.Spring@hinckley-bosworth.gov.uk>
Cc: '
Subject: RE: 24/01016/P3CQ- Conversion of existing barn to 2 residential units

Hi again David,

It was very helpful to talk through the issues and what more is required on this application. I completely agree that we need to bring this to a conclusion and note that you have now had a letter from the solicitor acting for my clients clarifying the position with their neighbours. My apologies for the length of this email, but I am anxious to cover off all of the remaining concerns.

In respect of the highway issues, I have discussed this at length over many weeks with the retained highway consultants ADL with whom I have worked for some 20 plus years on far more contentious sites than that at Newbold Heath. I should also add that ADL consulted with Leicestershire County highways before the current application was submitted as we were anxious to identify potential issues from the outset. We have therefore tried to engage with officers in accordance with Government guidance. We understand the sector has been under pressure, but it has been extremely difficult to make progress.

We obviously fully respect the need to ensure any development does not seriously prejudice highway safety but it is our contention with this (and the previous larger application) that the impacts are very limited. I should add that the Automatic Traffic Count (ATC) undertaken to record the traffic and volumes and speeds on Bagworth Road located close to the site access between 26th October and 1st November 2022 indicated that the 85th percentile recorded speeds were 46.7mph northbound and 41.7mph southbound. We were previously referred to Table DG4 of the Leicestershire Highway Design Guide, where 85th percentile vehicle speeds are between 36-40mph, a visibility splay of 65m is required, while if measured 85th percentile speeds are between 41 - 44mph, visibility splays of 120m are required. This latest application provides for a far less intensive use and any attendant risk is also therefore reduced and we show that **160** metre visibility splays are possible in each direction (see below and attached plan).

Furthermore, my clients have been advised by a Parish Councillor that funds have been allocated from the nearby wind generator operator for an additional speed camera on the northbound carriageway south of the application site which is expected to reduce speeds further. It is not unreasonable to conclude that splays of 120 metres or even 65 metres may be possible once the additional equipment is installed.

It is noted that the Highways Authority states that the barn was consented only on a personal basis. This is not disputed and we have never suggested that it could or has been used for commercial use. Personal use is accepted.

Trip Generation

We have been asked to provide further information on the likely trip generation.

Over time the use of the property has altered for a number of reasons. The property is a multi-use property such that in addition to the applicants currently residing in number 45, they also have interests in small scale agriculture and equestrian activities. At the time the barn was consented, the paddock was also used for growing hay and other arable crops as well as being used for grazing purposes and Mrs Kirby was a very active competitive horsewoman. Hay and other produce as well as a range of equipment and vehicles to support both the agricultural and equestrian uses were housed in the barn. Number 45 Bagworth Road is a small two bedroom property but it is the use of my client's land that has resulted in significantly greater traffic movements than might be the case for someone occupying the property solely for residential purposes.

To clarify matters further. The applicants Mr and Mrs Kirby's intention is to relocate into one of the properties resulting from conversion of the barn. They will then probably sell number 45 and either sell or let out the second new converted unit.

Mrs Kirby has pursued various forms of equestrian activities as a very passionate hobby over the years. In recent years however her time has been more limited as she operates her own small health related business and her interest in the sport has been impacted somewhat. They have stables at the rear of number 45 which is occupied by the one remaining horse Millie. There is an understandable emotional attachment to Millie who is now far too old to compete at the age of 26 years and the stables would be retained along with the new property to house Millie.

At the time consent for the barn was approved my clients advise me that Mrs Kirby owned two horses (Mille and Jackson) which she exercised regularly. She also competed regularly in multiple dressage competitions including the National Championships with Millie. Millie is now aged 26 years and cannot be used for competition at such an advanced age and she is retired from competitive sport.

Jackson was also used regularly for hunting but sadly passed away a few years ago.

The Kirbys owned a number of 7 ½ ton long wheelbase horse trucks over time as well as horse boxes which were towed by a 4 wheel drive vehicle. Mrs Kirby advises me that use of the large horsebox trucks was undertaken on a daily basis in the past. Clearly these vehicles as well as the agricultural vehicles to manage the paddock which would have been relatively slow moving and which would have had to use the gated entrance would have provided a far greater hazard than would occur with predominantly domestic use of the property. There is no longer a need for such vehicles and there is far less need for the storage and equipment associated with both agricultural use and equestrian purposes.

The grazing of sheep that occurs on the paddock are not owned by the applicants and there is very limited need to use the barn in connection with them. Movement of the sheep is also infrequent although an improved access will aid this.

It is understood that highway standards cannot possibly cover all possible scenarios. In theory, a three-bedroom house could be occupied by a family that operates multiple cars. Similarly, personal experience shows (I live in a rural location with both livery and personal use for horses all around me) that even personal use of stables and facilities can cause significant trips. It is not uncommon for horse owners to enter into arrangements with other riders who cannot afford their own horses who are taken on help to look after and exercise owners' horses in consideration of riding the horses themselves. As a result, multiple vehicles can visit sites over the course of a day in addition to the owners. Other neighbours of mine with maneges - especially when the owners have high level experience, sometimes offer tuition and assistance to other friends and associates.

It was this observation that prompted the comment that the trips might actually reduce. The residual position is that the previous highly intensive use by slow moving large vehicles using a substandard access has reduced dramatically. Any new occupier of Number 45 would be FAR more likely to result in a substantially less frequency and type of use. In addition, my clients' usage has reduced substantially. It is accepted however that hypothetically, the provision of a further one additional house could result in more rather than less trips depending upon the constitution and interest of the incumbent families. The net increase is however very limited.

As they have become more mature, their needs have also changed – hence the application to convert the barn which you will note is future proofed by locating the bedrooms at ground floor (Mr Kirby suffers with his knees) and

they are anxious to make the best possible use of the property they own for their later years. The applicants do not have children living at home and as they advance into their sixties they are looking towards retirement, developing their own home to modern standards of thermal efficiency with a layout that takes account of their physical needs is appealing. This is also a responsible move that accords with the general thrust of government policy helping to reduce the demands upon health services.

This understandable desire has also coincided with a recognition by Government that there is a substantial need for new housing as evidenced in the National Planning Policy Framework very recently issued which I have now considered. Indeed, recent coverage of the large development to the south at Newbold Verdon highlighted that the Council at that time could not demonstrate a 5 year housing land supply. Whilst this may now have been addressed, the thresholds have been increased in many cases under the new Government policy and the importance of windfall sites has been highlighted. The current emphasis is the re-use of existing developed land for residential purposes especially within or adjoining existing settlements. As you will be aware, development of new houses (including converted structures) for older and disabled people in locations that will enhance or maintain the vitality of rural communities is specifically provided for in the new guidance.

With regards to the other issues identified in highways consultations:

Vehicular Visibility Splays

A revised drawing is enclosed showing that appropriate viewing distances are possible. Note also my comments above about the proposed additional speed camera, etc. There is mention in the consultation of the need for further speed surveys after the visibility splays have been shown. There is no explanation as to why this may be required as we are not aware of any significant changes in the road layouts and ADL confirm to me that they do not understand why this should be necessary.

Site Access

A further drawing is attached showing that it would be possible to improve the entrance as required by the Highway Authority. This provides for the widening of the access and hard surface for 5 metres into the site with drainage. This plan also identifies the narrow footpath access serving the neighbour as you have requested.

Parking and Turning Areas

It is noted that it is accepted that both sufficient parking and turning space is provided for. The plans further detail this. Note that separate parking is included for number 45.

The Site Areas

Plan SK-PL-001.1 further clarifies ownerships and shows the application site in red including the access and parking as requested. The remainder of my clients' ownership is included within the blue line area.

I trust that we have now covered the issues exhaustively. All of the issues have been addressed and any possible conflict with the design guide guidance is marginal at best (and that is before an additional speed camera is installed). We have previously indicated that we might be prepared to enter into discussion over such additional measures or in moving or improving the existing measures and this remains the case. This is despite the fact that the measured speeds were only marginally above the guidance in the County Council's standards. ADL further advise me that Leicestershire County Council have previously taken a pragmatic view on other similar sites which they have worked on together and we are therefore at a loss as to why this should not be the case with the current application. We are very disappointed with the reluctance to engage over these issues over the significant time we have dealt with this property during the two applications.

We remain available at any time if there is anything further, but trust that this can now be brought to a satisfactory conclusion.

My compliments of the season to you.

Kind regards,

Bryan Youlden
BA Hons (T&CP), Dip Surv., MRICS

