

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: 23/00573/FUL

Highway Reference Number: 2023/0573/04/H/R4

Application Address: Land To The West Of Normandy Way Hinckley Leicestershire

Application Type: Full

Description of Application: Re-consultation. Full planning application for 153 dwellings with a vehicular access from the factory access road and existing roundabout on the A47, drainage, landscaping, public open space, ground remodelling and supporting infrastructure and utilities.

GENERAL DETAILS

Planning Case Officer: Matt Jedruch

Applicant: Sally Smith

County Councillor: Cllr David Bill MBE

Parish:

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:

The Local Highway Authority advice is that, in its view, the impacts of the development on highway safety would not be unacceptable, and when considered cumulatively with other developments, the impacts on the road network would not be severe. Based on the information provided, the development therefore does not conflict with paragraph 115 of the National Planning Policy Framework (December 2023), subject to the conditions and/or planning obligations outlined in this report.

Advice to Local Planning Authority

Background

The Local Highway Authority (LHA) has been reconsulted by the Local Planning Authority (LPA), Hinckley and Bosworth Borough Council (HBBC), on a full planning application for 153 dwellings with a vehicular access from the factory access road and existing roundabout on the A47 on land to the west of Normandy Way, Hinckley. This document forms the LHA's fourth response to the planning application. The LHA's previous highway observations asking for further information were issued on 5 July 2023, 22 December 2023, and 15 May 2024.

In response to the previous highway comments, the applicant has now submitted further documents and plans to the LPA on 24 May 2024 and 24 June 2024 which are listed below:

- Response to LCC Highways Comments from Bloor Homes dated 24 April 2024;
- Response to LCC Highways from Agent dated 24 May 2024;
- Capricorn Transport Planning, document ref: C21021, 'Highways Technical Note 7 (HTN7) 'Hinckley West Development', submitted to the Local Planning Authority on 24 June 2024;
- Capricorn Transport Planning Consulting drawing number: C21021-DR101, 'Development Access Option 1', Revision B, dated 19 June 2024;
- Capricorn Transport Planning Consulting drawing number: C21021-DR102, 'Development Access Option 1 – Vehicle Swept Path', Revision B, dated 19 June 2024;
- Capricorn Transport Planning Consulting drawing number: C21021-DR104, 'Normandy Way / Outlands Drive Toucan Crossing', Revision A, dated 19 June 2024;
- Capricorn Transport Planning Consulting drawing number: C21021-DR105, 'A47 / Roston Drive Roundabout Northern Exit – Artic Swept Path', dated 19 June 2024; and
- Bloor Homes drawing number: MI100-HL-101FUL-C, 'Highways Layout – Full', dated 11 January 2024.

The LHA confirmed in previous highway observations that the following elements of the proposed development were acceptable:

- Highway Safety;
- Trip Generation / Distribution; and
- Transport Sustainability.

Further comments on the additional evidence are provided below.

Site Access

The LHA provided design comments in its previous responses to the application on the proposed site access. The applicant has updated the drawing in line with the LHA comments dated 15 May 2024. The revised site access arrangements are shown on drawing number: C21021-DR101, Revision B.

Swept Path

In the highway observations dated 15 May 2024, the LHA advised the applicant that the length of the Max Legal Length Articulated Vehicle has increased from 16.5m to 18.55m. The applicant has acknowledged this change and provided a revised swept path analysis with the longer HGV on drawing number: C21021-DR102, Revision B.

After a review of the latest plans the LHA is pleased to confirm that the principles of the main site access arrangements for the proposed development are acceptable subject to minor changes during the Section 278 technical approval process.

Highway Impact

In the previous highway response dated 14 May 2024 the LHA provided observations on the geometry of the junction models and confirmed that the traffic flow scenarios needed updating. The applicant has now provided a revised set of traffic flows. The LHA has checked the updated junction capacity assessments and provides more comments below.

Junction Capacity Assessments

Using the revised flows described above the applicant has conducted detailed assessments using industry standard junction assessment software at the following junctions:

1. A47 Normandy Way / Outlands Drive
2. A47 Normandy Way / Greenfinch Road
3. Triumph Motorcycles / Development Access east and west
4. A47 Normandy Way / Triumph Motorcycles / Roston Drive (existing)
5. A47 Normandy Way / Roston Drive (proposed with pedestrian crossing)
6. A47 Normandy Way / A447 Ashby Road
7. A47 / A5 Dodwells Roundabout

The LHA has checked the revised junction models and the LHA is satisfied with the geometry of the models submitted. Further details of the junction capacity assessments are available in Appendix D of the HTN7, however the LHA provides a summary of the key junctions below.

To mitigate the impact of the development and encourage walking / cycling, the applicant has also submitted three highway improvement schemes. The LHA has provided initial comments on the schemes and applicant has now submitted updated plans / further information which is considered in more detail below.

Off-Site Implications

A47 Normandy Way / Roston Drive

In line with the applicant's analysis of the results, the LHA note that A47 Northbound (Arm D) of the junction will be over-capacity in the 2028 PM+development scenarios with a queue of 11 passenger car units (pcu). The applicant has also considered a 2036 PM with development scenario, and this indicates that the same arm will operate over capacity with a queue of 26 pcus.

However the LHA consider the impact in the 2028 scenario to be acceptable as the applicant is delivering a Toucan crossing as part of the proposed development which will provide enhanced pedestrian/cycle facilities.

Furthermore drawing number: C21021/DR105 shows that the various swept paths can be satisfactorily accommodated, using a vehicle speed of 15kph and the larger 18.55m length Articulated Lorry, so the scheme of mitigation is acceptable.

A47 / A5 Dodwells Roundabout Mitigation

The applicant has provided a response to the LHA's previous points raised in HTN7. The LHA has checked this additional information and is satisfied with the responses provided by the applicant. A

condition is advised below for the improvement works to be delivered prior to first occupation of any part of the development.

Notwithstanding the above the applicant should note that planning permission does not give you approval to work on the public highway. Therefore, prior to conducting any works on the public highway it must be ensured that all necessary licences/permits/agreements are in place. Given the location of the proposed development and mitigation scheme the applicant should also contact National Highways to discuss the works and traffic management requirements on the Strategic Road Network.

Normandy Way / Outlands Drive junction

As part of the proposals the applicant has submitted a scheme to provide a toucan crossing at the Normandy Way / Outlands Drive junction. The applicant has now provided a revised scheme and commentary on the changes made to drawing number: C21021/DR104 Revision A.

The LHA has checked the additional information and the updated drawing and can confirm it is acceptable. Nevertheless the applicant should note the following:

- The LHA still have concerns that the crossing will cause confusion for motorists and pedestrians. Although the latest technical note states that pedestrians will be able to cross in one movement, the design is such that pedestrians may expect to have to wait on the central island (especially if the central pedestrian indicator units are no longer showing a green man indication).
- Whilst it is acknowledged that the island will protect right turning traffic and reduce the scope for overtaking, the LHA would advise that the island may need to be split (a D shaped island should be provided on each side of the crossing studs and the central tactile paving should be removed). On-crossing detection should be provided to ensure pedestrians have time to make their crossing, but a stub pole should also be provided on the D shaped islands if a pedestrian becomes “stranded” in the central area and needs to make another demand for the crossing.

A condition for the delivery of this scheme is included at the end of this response, but the comments above can be discussed with the LHA as part of the S278 detailed design process.

Other Considerations

A47 Normandy Way / A447 Ashby Road

The LHA highlighted that there was an impact at the junction from the proposed development and therefore a fair and reasonable contribution may be required from the applicant.

The LHA is still progressing a scheme of mitigation at this junction, however based on the information provided by the applicant, the LHA have undertaken detailed analysis of the proposed development impact at the junction. This review suggests that the development traffic will not be significant in terms of current forecast operation, and that accordingly the LHA do not consider in this case that a Section 106 contribution would meet the tests.

Internal Layout

The LHA has reviewed the internal layout of the proposed development as shown on drawing number: MI100-HL-001-FUL, Revision C against the Leicestershire Highway Design Guide (LHDG) and can confirm that the outstanding issues identified in the earlier highway observations have

been addressed. Furthermore the parking provision and private drives for the proposed development are acceptable.

Therefore the internal layout is considered acceptable for the purposes of the planning application and future adoption by the LHA subject to the applicant entering into an agreement with Leicestershire County Council under Section 38 of the Highways Act 1980.

Travel Plan

The applicant has confirmed that they are willing to accept a condition to submit a revised TP subject to receiving the appropriate planning permission. The LHA accept this approach.

Public Transport Strategy

The applicant secured planning permission for Parcel 1 for the erection of up to 850 dwellings, 500m² of retail units, a primary school, community facilities, a new access and associated infrastructure in May 2018. The LHA understands the applicant is seeking to discharge condition 10 (Public Transport Strategy) attached to planning permission 15/00188/OUT under LPA ref: 24/00546/DISCON.

The LHA has objected to the Discharge of Condition application; however the LHA would advise the applicant that once the PT strategy has been approved for phase 1 of the development the PT strategy will need to be updated for this parcel of the development subject to the applicant obtaining planning permission.

Closing

Based on the all the information submitted the applicant has demonstrated that a safe and suitable access to serve the proposed development could be delivered in line with Paragraph 114 of the National Planning Policy Framework. The applicant has also tested the impact of the proposed development on the local highway network and the LHA considers that the residual cumulative impacts of development can be mitigated subject to the inclusion of the following conditions and contributions.

Conditions

1. No development shall commence on the site until such time as a construction traffic management plan, including as a minimum details of the routing of construction traffic, wheel cleansing facilities, vehicle parking facilities, and a timetable for their provision, has been submitted to and approved in writing by the Local Planning Authority. The construction of the development shall thereafter be carried out in accordance with the approved details and timetable.

Reason: To reduce the possibility of deleterious material (mud, stones etc.) being deposited in the highway and becoming a hazard for road users, to ensure that construction traffic does not use unsatisfactory roads and lead to on-street parking problems in the area.

2. No part of the residential development hereby permitted shall be occupied until such time as the access arrangements shown on Capricorn Transport Planning Consulting drawing number: C21021-DR101, 'Development Access Option 1', Revision B, dated 19 June 2024 have been implemented in full.

Reason: To ensure that vehicles entering and leaving the site may pass each other clear of the highway, in a slow and controlled manner, in the interests of general highway safety and in accordance with the National Planning Policy Framework (December 2023).

3. No part of the development shall be occupied until such time as the offsite works are provided in general accordance with Capricorn Transport Planning Consulting drawing number: C21021-DR104, 'Normandy Way / Outlands Drive Toucan Crossing', Revision A, have been implemented in full.

Reason: To mitigate the impact of the development, in the general interests of highway safety and in accordance with the National Planning Policy Framework (December 2023).

4. No part of the development shall be occupied until such time as the offsite works are provided in general accordance with PJA Transport drawing number: 07839-TR-A-0001 at the 'A47 / A5 Dodwells Roundabout' have been implemented in full.

Reason: To mitigate the impact of the development, in the general interests of highway safety and in accordance with the National Planning Policy Framework (December 2023).

5. No part of the development hereby permitted shall be first occupied until an amended Travel Plan which sets out actions and measures with quantifiable outputs and outcome targets has been submitted to and agreed in writing by the Local Planning Authority. Thereafter the agreed Travel Plan shall be implemented in accordance with the approved details.

Reason: To reduce the need to travel by single occupancy vehicle and to promote the use of sustainable modes of transport in accordance with the National Planning Policy Framework (December 2023).

6. Notwithstanding the details in the submitted Travel Plan and Transport Assessment, an updated Public Transport Strategy for a minimum duration of five years shall be submitted to and approved in writing by the Local Planning Authority to include full details of the proposed destinations, routes, days and hours of operation, frequency and duration of provision of daily bus service(s) to serve Parcel 2 of the development and arrangements for the periodic review of the above, prior to occupation of the first dwelling. The bus service(s) shall be provided thereafter in accordance with the approved Strategy.'

Reason: To reduce the need to travel by single occupancy vehicle and to promote the use of sustainable modes of transport in accordance with the National Planning Policy Framework (December 2023).

7. No residential unit shall be occupied until the parking and any turning facilities associated with that unit have been implemented in accordance Bloor Homes drawing number: Bloor Homes drawing number: MI100-HL-101FUL-C, 'Highways Layout – Full'. Thereafter the onsite parking provision shall be so maintained in perpetuity.

Reason: To ensure that adequate off-street parking provision is made to reduce the possibility of the proposed development leading to on-street parking problems locally and to enable vehicles to enter and leave the site in a forward direction in the interests of highway safety and in accordance with the National Planning Policy Framework (December 2023).

8. Any dwellings that are served by private access drives and any turning spaces shall not be occupied until such time as the private access drive that serves those dwellings has been provided in accordance with Figure DG17 of the Leicestershire Highway Design Guide. The private access drives should be surfaced with tarmacadam, or similar hard bound material (not loose aggregate) for a distance of at least five metres behind the highway boundary and, once provided, shall be so maintained in perpetuity.

Reason: To ensure that vehicles entering and leaving the site may pass each other clear of the highway, and to reduce the possibility of deleterious material being deposited in the highway (loose stones etc.) in the interests of highway safety and in accordance with the National Planning Policy Framework (December 2023).

9. No part of the development hereby permitted shall be occupied until such time as 1.0 metre by 1.0 metre pedestrian visibility splays have been provided on the highway boundary on both sides of all private accesses with nothing within those splays higher than 0.6 metres above the level of the adjacent footway/verge/highway and, once provided, shall be so maintained in perpetuity.

Reason: In the interests of pedestrian safety and in accordance with the National Planning Policy Framework (December 2023).

10. The development hereby permitted shall not be occupied until such time as the access road has been surfaced with tarmacadam and once provided, shall be so maintained in perpetuity.

Reason: To reduce the possibility of deleterious material being deposited in the highway (loose stones etc.) in the interests of highway safety and in accordance with the National Planning Policy Framework (December 2023)

11. No part of the development hereby permitted shall be occupied until such time as site drainage details have been provided to and approved in writing by the Local Planning Authority. Thereafter surface water shall not drain into the Public Highway and thereafter shall be so maintained.

Reason: To reduce the possibility of surface water from the site being deposited in the highway causing dangers to road users in accordance with the National Planning Policy Framework (December 2023).

Contributions

To comply with Government guidance in the National Planning Policy Framework (NPPF) and Leicestershire County Council Planning Obligations Policy the following contributions would be required in the interests of encouraging sustainable travel to and from the site, achieving modal shift targets and mitigating the impacts of the development.

1. Travel Packs; to inform new residents from first occupation what sustainable travel choices are in the surrounding area (can be supplied by LCC at £52.85 per pack). If not supplied by LCC, a sample Travel Pack shall be submitted to and approved in writing by LCC which will involve an administration charge of £500.00.

Justification: To inform residents from first occupation what sustainable travel choices are available in the surrounding area.

2. Six-month bus passes, one per residents (application forms to be included in Travel Packs and funded by the developer); to encourage new residents to use bus services, to establish changes in travel behaviour from first occupation and promote usage of sustainable travel modes other than the car. This can be supplied through LCC at (average) £490.00 per pass.

Justification: In the interests of encouraging sustainable travel to and from the site, achieving modal shift targets, reducing car use.

3. A Residential Travel Plan monitoring fee of £6,000 for Leicestershire County Council's Travel Plan Monitoring System.

Justification: To enable Leicestershire County Council to provide support to the appointed Travel Plan Co-ordinator, audit annual Travel Plan performance reports to ensure that Travel Plan outcomes are being achieved, and to take responsibility for any necessitated planning enforcement.

4. Appointment of a Travel Plan Co-ordinator from commencement of development until five years after the occupation of the last unit. The Travel Plan Co-ordinator shall be responsible for the implementation of measures as well as monitoring and implementation of remedial measures.

Justification: To ensure effective implementation and monitoring of the Travel Plan submitted in support of the planning application.

Informative

- Planning Permission does not give you approval to work on the public highway. To carry out off-site works associated with this planning permission, separate approval must first be obtained from Leicestershire County Council as Local Highway Authority. This will take the form of a major section 184 permit/section 278 agreement. It is strongly recommended that you make contact with Leicestershire County Council at the earliest opportunity to allow time for the process to be completed. The Local Highway Authority reserve the right to charge commuted sums in respect of ongoing maintenance where the item in question is above and beyond what is required for the safe and satisfactory functioning of the highway. For further information please refer to the Leicestershire Highway Design Guide which is available at <https://resources.leicestershire.gov.uk/lhdg>
- The applicant should be advised to contact Leicestershire County Council's Network Management team at the earliest opportunity to discuss access to the road network to carry out works. The team can be contacted at: networkmanagement@leics.gov.uk
- If the roads within the proposed development are to be offered for adoption by the Local Highway Authority, the Developer will be required to enter into an agreement under Section 38 of the Highways Act 1980. Detailed plans will need to be submitted and approved, the Agreement signed and all sureties and fees paid prior to the commencement of development. The Local Highway Authority reserve the right to charge commuted sums in respect of ongoing maintenance where the item in question is above and beyond what is required for the safe and

satisfactory functioning of the highway. For further information please refer to the Leicestershire Highway Design Guide which is available at <https://resources.leicestershire.gov.uk/lhdg>

If an Agreement is not in place when the development is commenced, the Local Highway Authority will serve Advanced Payment Codes in respect of all plots served by all the roads within the development in accordance with Section 219 of the Highways Act 1980. Payment of the charge must be made before building commences. Please email road.adoptions@leics.gov.uk in the first instance.

- To erect temporary directional signage you must seek prior approval from the Local Highway Authority in the first instance (telephone 0116 305 0001).

Date Received
06 June 2024

Case Officer
David Hunt

Reviewer
RD

Date issued
09 July 2024