

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: 24/00756/FUL

Highway Reference Number: 2024/0756/04/H

Application Address: Hansom Cab Brookfield Road Burbage Hinckley Leicestershire LE10 2LL

Application Type: Full

Description of Application: Creation of new access and reconfigured car park

GENERAL DETAILS

Planning Case Officer: David Spring

Applicant: C/O Boyer

County Councillor: Cllr Barry Walker

Parish: Burbage

Road Classification: Class B

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 (HLA) has been consulted by Hinckley & Bosworth Borough Council as the Local Planning Authority (LPA) on a full application for the creation of new access and reconfigured car park at Hansom Cab, Brookfield Road, Burbage.

The LHA has reviewed the following documents submitted by the Applicant in support of the proposals:

- Covering Letter dated 26th April 2024 (reference 24.8010);
- Concept drawing number 3521-10 (Existing Site Plan); and
- Concept drawing number 3521-11 (Proposed Site Plan)

Site Access/ Off-Site Implications/ Internal Layout

The proposals would result in the Applicant re-locating the site access approximately 50m further to the southwest on Brookfield Road, an unclassified road subject to a 30mph speed limit.

The submitted covering letter states the Applicant seeks to relocate the access to help facilitate the redevelopment of the site, upgrading current facilities to create an attractive and inviting destination for patrons, helping to retain and attract new customers. It is also stated the proposals would help

support the continued use of the public house to serve its local community. The LHA is not currently aware of any planning proposals which would require the relocation of the site access.

Based on available records to the LHA, the existing turning head at the site forms part of the adopted highway (adopted in 2016) and it is unclear whether the Applicant is aware of this. As such, the turning head area of highway would need to be stopped up as part of any proposals. This would need to be under Section 247 of the Town & Country Planning Act 1990. Applications to stop up the highway under S247 cannot be done retrospectively, so the Applicant cannot undertake any works until the stopping up order has been made. This is processed by the Department for Transport, with further information available at:

<https://www.gov.uk/government/publications/stopping-up-and-diversion-of-highways>.

The Applicant would also need to acquire title to the land, if they haven't already done so, as the stopping up application reverts control of the land to its original landowner and not the Applicant. In addition, any underground services which would require relocation at the request of utility services because of the highway being stopped up would need to be at the full expense of the Applicant, the cost of which could be significant.

The proposals would also require amendments to the existing Traffic Regulation Orders (TRO's) along Brookfield Road. The costs associated with amending a TRO would be at least £7,500 and would need to be met by the Applicant.

The LHA considers that the relocation of the turning head approximately 50m further south could impact on other businesses on Brookfield Road and result in larger vehicles having to reverse a considerable distance along the highway to turn around. This would be to the detriment of highway safety. Typically, the LHA would expect a turning head to be located at the end of a cul de sac as per the existing location.

On this basis, the LHA suggests that the Applicant considers leaving the turning head in place and, should the access to the site require relocation, consideration as to the impact the loss of any existing parking spaces could have on the business. For example, the Applicant could undertake parking surveys on the busiest weekday evening (e.g. a Friday) and the busiest day of the weekend to show whether there is sufficient excess capacity within the site to accommodate the loss of any existing spaces.

In addition, the Applicant could consider whether there is an excess of parking spaces at the site when comparing the existing level of parking to the following guidance available within the Leicestershire Highway Design Guide (LHDG), Highway Requirements for Development document available at <https://resources.leicestershire.gov.uk/lhdg>:

There shall be 1 customer car space per 3 sq. metres of public area (excluding services, lobbies, toilets, cloakrooms, etc.). In addition, staff parking will be required at the rate of 1 car space for each residential member of staff, plus 1 car space per 40 sq. metres of public area for non-residential staff. There shall be an absolute minimum provision of 20 car spaces. Space shall be provided for loading and unloading of service and delivery vehicles clear of the public highway.

Consideration could also be given to reconfiguring the layout of the parking spaces within the site to maximise the number of parking spaces available.

It should be noted that should the existing turning head be retained, there would be no requirement for a new turning head to be provided. As such, the Applicant would need to demonstrate appropriate visibility splays at the access in accordance with Part 3, Table DG4 of the LHDG.

Highway Safety

Based on available records to the LHA, there has been one Personal Injury Collision (PIC) recorded on Brookfield Road within the last five years. This occurred in August 2022 and was recorded as slight. The PIC involved a vehicle and an e-scooter turning out of one of the businesses.

While the LHA considers the proposals would be unlikely to exacerbate the existing situation, it does have concerns that the proposals could introduce a new highway safety issue in respect of reversing vehicles, in particular larger vehicles which could be associated with the industrial units along the road.

Closing

In summary the LHA would advise the Applicant to consider a redesigned site which retains the existing turning head at the end of Brookfield Road.

Date Received
8 August 2024

Case Officer
Ben Dutton

Reviewer
DH

Date issued
18 September 2024