

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: 23/00508/FUL

Highway Reference Number: 2023/0508/04/H

Application Address: Kyngs Golf And Country Club Station Road Market Bosworth Nuneaton
Leicestershire CV13 0NP

Application Type: Full

Description of Application: Erection of 9 single storey holiday lodges with vehicle parking and associated works

GENERAL DETAILS

Planning Case Officer: Matt Jedruch

Applicant: Statue Homes Ltd

County Councillor: Bertie Harrison-Rushton

Parish: Market Bosworth

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 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 111 of the National Planning Policy Framework (2021), 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 consulted on full application 23/00508/FUL for the erection of nine single storey holiday lodges with vehicle parking and associated works at Kyngs Golf And Country Club, Station Road, Market Bosworth.

The LHA acknowledge that this application represents a resubmission of application reference. 21/01473/FUL to which the LHA advised conditional approval through the response issued 3 February 2022. Application reference. 21/01473/FUL was subsequently refused by the Local Planning Authority (LPA), 23 December 2022 on non-highway related matters.

It is also noted that the site is subject to extant permission granted 15 June 2020 under application reference. 19/01437/FUL for the erection of a multi-purpose clubhouse and six holiday lodges. As part of application reference 19/01437/FUL the LPA imposed conditions that ensured the

provision and perpetual maintenance of vehicular visibility splays of 65 metres X 2.4 metres on either side of the access (Condition 26) and improvements to the access junction and surrounding footways (Condition 2).

Site Access

Access to the site is proposed off Station Road, a 'C' classified road subject to a 30 mph speed limit via the existing priority access junction to Kyngs Golf Club.

The Applicant has advised that access improvements that were stipulated under Condition 18 of application reference. 02/00685/COU (proposed golf course, club house and parking) are to be undertaken as part of this proposal and these proposals include the addition of a ghost right turning lane.

Given the scale of the proposed development, the LHA considers the existing access arrangement is acceptable to cater for the level of traffic generated by nine holiday lodges. Equally should the access improvements detailed above under application reference. 19/01437/FUL be implemented then the LHA is satisfied the amendments would be suitable to cater for the holiday lodges.

Highway Safety

There has been one Personal Injury Collision within 500 metres on either side of the site access within the last five years which was recorded as being 'slight' in severity.

The LHA are satisfied that there are no spatial trends / patterns in the data, and are therefore satisfied that there are no existing highway safety issues in the vicinity which could be exacerbated by the proposals.

Public Rights of Way

265 metres of the proposed access track is used by Public Footpath S68 which is part of the Leicestershire Round long distance walking trail. Also Public Footpath S70 crosses the access track and the golf course, and the site of the proposed lodges site is adjacent to Public Footpath S69.

The LHA advise that there is a need for a detailed discussion regarding the treatment of the Public Rights of Way and an appropriate condition has been advised below to facilitate this. In devising a Rights of Way scheme the Applicant will be required to safely manage the interactions between walkers and golfers and between walkers and visitors to the lodges.

The Applicant will also be required to improve accessibility on footpaths by replacing stiles with gates or gaps.

Further information can be obtained by contacting Leicestershire County Council on (0116) 305 0001 or via footpaths@leics.gov.uk.

Trip Generation

The LHA consider that the proposed development is unlikely to generate a substantial level of additional traffic on the surrounding highway network.

Internal Layout

Housemartin Designs drawing No. HMD/PD/0505/01 shows the provision of two off-road parking spaces to serve each one or two bedroom holiday lodge which the LHA confirm is in accordance with the requirements specified in Highway Requirements for Development Part 4.

Each parking space is shown to measure 6.5 metres X 2.5 metres which is in accordance with Part 3, Paragraph 3.165 of the Leicestershire Highway Design Guide and adequate turning space has also been proposed.

Conditions

1. The development hereby permitted shall not be occupied until such time as the parking and turning facilities have been implemented in accordance with Housemartin Designs drawing number HMD/PD/0505/01. Thereafter the onsite parking (and turning) provision shall be kept available for such use 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 (2021).

2. No development shall take place until a scheme for the treatment of the Public Rights of Way has been submitted to and approved in writing by the Local Planning Authority. Such a scheme shall include provision for their management during construction, surfacing and drainage, width, structures, signposting and landscaping in accordance with the principles set out in the Leicestershire County Council's Guidance Notes for Developers.

REASON: To ensure the Public Right of Way is safe and available during the period of construction and throughout the lifetime of the development, in accordance with Policy DM17 of the Site Allocations and Development Management Policies Development Plan Document (2016) and to enhance Public Rights of Way and access in accordance with Paragraph 100 of the National Planning Policy Framework (2021).

Informative

- a) Prior to construction, measures should be taken to ensure that users of the Public Rights of Way are not exposed to any elements of danger associated with construction works.
- b) Public Rights of Way must not be re-routed, encroached upon or obstructed in any way without authorisation. To do so may constitute an offence under the Highways Act 1980.
- c) If there are any Public Rights of Way which the applicant considers impracticable to retain on their existing lines, a separate application for diversion is required. It should be submitted under the Town and Country Planning Act 1990 to the Local Planning Authority. The applicant is not entitled to carry out any works directly affecting the legal line of a Public Right of Way until a Diversion Order has been confirmed and become operative.

d) If the developer requires a Right of Way to be temporarily diverted, for a period of up to six months, to enable construction works to take place, an application should be made to networkmanagement@leics.gov.uk at least 12 weeks before the temporary diversion is required.

e) Public Rights of Way must not be further enclosed in any way without undertaking discussions with the Highway Authority (0116) 305 0001.

f) Any damage caused to the surface of a Public Right of Way, which is directly attributable to the works associated with the development, will be the responsibility of the applicant to repair at their own expense to the satisfaction of the Highway Authority.

g) No new gates, stiles, fences or other structures affecting a Public Right of Way, of either a temporary or permanent nature, should be installed without the written consent of the Highway Authority. Unless a structure is authorised, it constitutes an unlawful obstruction of a Public Right of Way and the County Council may be obliged to require its immediate removal.

Date Received
8 June 2023

Case Officer
Simon Herbert

Reviewer
BD

Date issued
28 June 2023