

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: 23/01172/FUL

Highway Reference Number: 2023/1172/04/H/R1

Application Address: Hill Farm Fenn Lanes Fenny Drayton Nuneaton Leicestershire CV13 6BJ

Application Type: Full

Description of Application:

Re-consultation. Change of use of agricultural buildings and associated hardstanding to flexible commercial/business use (use class E(g) and storage and distribution (Class B8), including diversion of access road, ancillary car parking, landscaping and other works.

GENERAL DETAILS

Planning Case Officer: Sullivan Archer

Applicant: Mr B Williams

County Councillor: Bertie Harrison-Rushton

Parish: Witherley

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 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) have been re-consulted on full application 23/01172/FUL for the change of use of agricultural buildings and associated hardstanding to flexible commercial/business use (use class E(g) and storage and distribution (Class B8), including diversion of access road, ancillary car parking, landscaping and other works. The application site is situated at Hill Farm, Fenn Lanes, Fenny Drayton, Leicestershire, CV13 6BJ.

The LHA previously responded to the Local Planning Authority (LPA) on 11 January 2024 requesting further information, this included but is not limited to:

- Detailed access drawings;
- Existing and expected trip generation to the site;
- Vehicle visibility splays demonstrated over Applicants or highway land;
- Revised scaled drawings demonstrating appropriate quantum of HGV and off-street car parking for phases 1 and 2;
- Parking spaces in accordance with Part 3 of the Leicestershire Highway Design Guide (LHDG), and Highway Requirements for Development Part 4 (HRfD4); and
- Demonstrate on-site turning in accordance with Figure DG13 of Part 3 of the LHDG.

Site Access

In response to the LHA's observations provided to the LPA, the Applicant has provided 'Site Plan As Proposed Detail Access Arrangements', drawing number 22 108 K0008 P1. After reviewing the aforementioned plan, the LHA find the access accords with Figure DG20 of Part 3 of the LHDG in terms of effective access of 6m for a minimum distance of 15m behind the highway, and control radii.

The 'Site Plan As Proposed Detail Access Arrangements', drawing number 22 108 K0008 P1 also demonstrates vehicular visibility splays of 2.4m by 160m in either direction of the site access in accordance with Table DG4 of Part 3 of the LHDG.

The Applicant has also provided within Appendix 1 of the 'Highway Statement' drawing 'Location Plan', drawing number 22 108 L0101 P1. This demonstrates the vehicular visibility splays over the Applicants and highway land.

Trip Generation

The Applicant has provided within 'Section 3' of the 'Highway Statement' information in relation to existing and proposed trips rates relating to the site.

Table 3.1 (below) demonstrates the TRICS data for the proposals

	Phase 1 B8 Commercial Storage Use			Phase 2 E(g) Research and Development/Light Industrial Use		
	Arrivals	Departures	Total	Arrivals	Departures	Total
AM Peak	2	3	5	7	4	11
PM Peak	2	5	6	3	8	11
Daily Total	25	26	51	53	53	106

The information contained within Table 3.1 demonstrates AM/PM peaks of 5 and 6 trips respectively for phase 1, and 11 for phase 2 in the AM/PM peaks. With totals of 51 trips for phase 1 and 106 trips for phase 2. The LHA have assessed the TRICS data contained within the 'Highway Statement' and would not dispute its findings.

The LHA have also taken into consideration trips the extant use would generate as highlighted in 'Section 3' of the 'Highway Statement'.

Internal Layout

The LHA have reviewed the submitted documents and deduce from this that the Applicant is applying for phase 1 and phase 2 (split into parts A and B) as indicated below:

- Phase 1 – B8 use;
- Phase 2a – Research & Development (R&D); and
- Phase 2b – Light Industrial.

The Applicant has provided the following documents:

- Highway Statement;
- Site Plan As Proposed Detail Phase 1 - B8 - Drawing number 22 108 K0002 P2;
- Site Plan As Proposed Detail Phase 2a – R&D - Drawing number 22 108 K0004 P2; and
- Site Plan As Proposed Detail Phase 2b - Light Industrial – Drawing number 22 108 K0006 P2.

Having reviewed the above documents the LHA find the proposals accord with Paragraphs 3.151 (quantum of off-street car parking), 3.165 (car parking space dimensions), Figure DG13 (on-site turning) of Part 3 of the LHDG and HRfD4.

Taking all of the above into consideration the LHA would not seek to resist the proposals subject to the following conditions.

Conditions

1. No part of the development hereby permitted shall be brought into use until such time as the access arrangements and vehicular visibility splays of 2.4 metres by 160 metres have been provided as shown on Site Plan As Proposed Detail Access Arrangements – drawing number 22 108 K0008 P1 have been implemented in full. These shall thereafter be permanently maintained with nothing within the visibility splays higher than 0.6 metres above the level of the adjacent footway/verge/highway.

REASON: To ensure that vehicles entering and leaving the site may pass each other clear of the highway, in a slow and controlled manner, and to afford adequate visibility at the access to cater for the expected volume of traffic joining the existing highway network in the interests of general highway safety and in accordance with the National Planning Policy Framework (December 2023).

2. No part of the development hereby permitted that fall within Use Class B8 (General industrial) as defined within the Town and Country Planning (Use Classes) Order 1987 (as amended) shall be brought into use unless the parking arrangements as set out within Site Plan As Proposed Detail Phase 1 - B8 - Drawing number 22 108 K0002 P2 have been provided in full. Once provided these should be maintained and available for use in perpetuity.

REASON: To ensure that adequate off-street parking provision is made which is appropriate to the use of the building, 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).

3. No part of the development hereby permitted that fall within Use Class E(g) (Commercial, Business and Service) Research & Development, as defined within the Town and Country Planning (Use Classes) Order 1987 (as amended) shall be brought into use unless the parking arrangements as set out within Site Plan As Proposed Detail Phase 2a – R&D - Drawing number 22 108 K0004 P2 have been provided in full. Once provided these should be maintained and available for use in perpetuity.

REASON: To ensure that adequate off-street parking provision is made which is appropriate to the use of the building, 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).

4. No part of the development hereby permitted that fall within Use Class E(g) (Commercial, Business and Service) Light Industry as defined within the Town and Country Planning (Use Classes) Order 1987 (as amended) shall be brought into use unless the parking arrangements as set out within Site Plan As Proposed Detail Phase 2b - Light Industrial – Drawing number 22 108 K0006 P2 have been provided in full. Once provided these should be maintained and available for use in perpetuity.

REASON: To ensure that adequate off-street parking provision is made which is appropriate to the use of the building, 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).

Informative

- Planning Permission does not give you approval to work on the public highway. Therefore, prior to carrying out any works on the public highway you must ensure all necessary licences/permits/agreements are in place. For further information, please telephone 0116 305 0001. It is an offence under Section 148 and Section 151 of the Highways Act 1980 to deposit mud on the public highway and therefore you should take every effort to prevent this occurring.

Date Received
18 March 2024

Case Officer
Neal Chantrill

Reviewer
BD

Date issued
25 March 2024