

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: 23/01177/FUL

Highway Reference Number: 2023/1177/04/H/R2

Application Address: Land At Crabtree Farm Hinckley Road Barwell Leicestershire

Application Type: Full

Description of Application: Re-consultation. Residential development of 45 dwellinghouses with garage and associated driveway, open space, landscaping, drainage and LEAP (Revised scheme 22/01053/FUL)

GENERAL DETAILS

Planning Case Officer: Tim Hartley

Applicant: BCL

County Councillor: Ross Hills

Parish: Barwell

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 116 of the National Planning Policy Framework (2024), 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 the following four full applications at land at Crabtree Farm, Hinckley Road, Barwell. All four applications are from the same Applicant.

- 23/01175/FUL - Residential development of 51 dwellings with associated access and parking (revised scheme of 21/00695/FUL);
- 23/01177/FUL - Residential development of 45 dwellinghouses with garage and associated driveway, open space, landscaping, drainage and LEAP (Revised scheme 22/01053/FUL);
- 23/01184/FUL - Residential development of 16 dwellinghouses with associated garages, driveway, open space, landscaping, drainage and LEAP; and
- 23/01186/FUL - Residential development of 14 dwellinghouses with associated garages, driveway, open space, landscaping, drainage and LEAP

The LHA have previously submitted observations to the LPA in respect of all four applications on 27th March and 30th September 2024. Most recently, the LHA advised the following information was required in respect of the proposals:

- The LHA strongly advised the Applicant should consider and provide a single point of access to the site on to Hinckley Road, the design of which should be subject to a Stage 1 Road Safety Audit;
- Analysis of PIC data for all study junctions;
- Additional capacity assessments of at least the Hinckley Road/ A447 Ashby Road/ Rogues Lane and the A47 Normandy Way / A447 Ashby Road / B4667 Ashby Road signalised junction, as well as a single point of access onto Hinckley Road;
- Consideration of committed developments within the capacity assessments;
- Amendments to the internal layout of the proposals; and
- Provision of a Travel Plan for the site.

The LHA advise that as per the previous responses, submitted to the LPA on 27th March and 30th September 2024, an identical response has been provided in respect of all four applications.

Since the previous observations, the LHA has been liaising with the Applicant and the LPA on the proposals and has also reviewed the following drawing which has been submitted to the LPA in support of the proposals:

- Geoff Perry Associates Limited drawing number 005 Rev F (Overall Site Layout); and
- Construction Environmental Management Plan dated December 2023

It should be noted that since the previous observations for this application were submitted, an updated version of the Leicestershire Highway Design Guide (LHDG) has been released in December 2024. The references provided within these observations refer to the updated version, which is available at <https://www.leicestershirehighwaydesignguide.uk/>. The updated version of the LHDG does not however result in any additional requirements for the Applicant in comparison to if the previous guidance was followed.

Site Access

The Applicant has stated to the LHA that they will not be providing a single point of access to the site from Hinckley Road. Whilst the LHA advises this is disappointing, as it would minimise the number of conflict points on Hinckley Road, the LHA consider it would not be able to defend a reason for refusal of the proposals based on the grounds of highway safety at an appeal. This is on the basis that the two points of access have already been approved as part of previous individual applications at the overall site, and the minimal increase in traffic which would be using the two access points over and above the level which could be generated by the approved developments.

The site layout drawing (Geoff Perry Associates Limited drawing number 005 Rev F) is the most recent drawing to show the site access arrangements. As stated previously, the LHA advise that 2.4 x 65m visibility splays will be required in each direction at both access points onto Hinckley Road. The LHA also advise that an adoptable and continuous 2.0m wide footway will be required alongside the edge of the carriageway linking the eastern and western access points together and connecting into existing footway provision to the east of the easternmost access on Hinckley Road. Such provision is not shown on the most recent site access drawing. Furthermore, it should be noted that the previous applications at the overall site have detailed uncontrolled pedestrian

crossing points (dropped kerbs) with tactile paving either side of both the eastern and western accesses onto Hinckley Road. These are not shown on the latest drawing and the LHA advise that these would still be required.

The LHA consider both the pedestrian footway link and uncontrolled crossing points could be secured by means of a suitably worded condition.

Off-Site Implications/ Highway Safety/ Junction Capacity Assessments

In terms of the off-site impact of the proposals, the Applicant has been liaising with the LHA and further consideration has been given as to what additional assessment would be required. Since 96 dwellings are already approved at the site and could be constructed due to existing planning consents, the proposals represent an additional 30 dwellings over and above the committed level of development at the site. Whilst these are spread across individual applications, should the 30 additional dwellings be considered as part of a single planning application, they would not typically require a detailed Transport Statement to accompany the proposals, as per Table 1 of the LHDG. Furthermore, whilst work is ongoing in respect of a junction improvement scheme at the A47 Normandy Way / A447 Ashby Road / B4667 Ashby Road signalised junction, there is currently not scheme designed by Leicestershire County Council which the LHA could reasonably request the Applicant to contribute towards.

Given the above, under the site-specific circumstances, the LHA considers that no further assessment of the off-site impact of the proposals could be justified and that it would not be possible to demonstrate the proposals would have a severe impact on the surrounding highway network in the event of an appeal.

In correspondence with the LPA, it is understood the Applicant proposed a contribution of £320 per dwelling, stated to be the same as was agreed as part of application 15/00188/OUT (Erection of up to 850 dwellings, 500m² of retail units, a primary school, community facilities including sports pitches, parkland, children's play areas, allotments, sustainable urban drainage systems, a new access and associated infrastructure, Land North East Of Triumph Motorcycles Ltd, Normandy Way, Hinckley). The LHA cannot clarify where that figure has arisen or how it has been derived by the Applicant. Nevertheless, given the above and that it would only be reasonable to seek highway contributions for the additional 30 dwellings, the LHA have no evidence to justify such a contribution under the site-specific circumstances.

The LHA do however consider that the Applicant should contribute one Travel Pack per dwelling (currently £52.85 per pack if supplied by LCC) and two x six-month bus passes (currently £510 per pass for an Arriva service) for the additional 30 dwellings proposed as part of application 23/01184/FUL and 23/01186/FUL. The LHA understand the Applicant would be agreeable to this.

Internal Layout

The Applicant has submitted Geoff Perry Associates Limited drawing number 005 Rev F which provides details of the overall site layout for the four planning applications.

As advised previously, the acceptability of an adopted road layout is subject to a Section 38 agreement in accordance with the Highways Act (1980). For the site to be suitable for adoption, the internal layout must be designed fully in accordance with the LHDG.

The LHA advise that currently the proposed spine roads would not be suitable for adoption and that the below amendments would be required at the application stage to ensure that plot locations are not affected. Whether or not the internal road layout is suitable for adoption is not however a

material planning consideration and would not be a reason for the LHA to resist the proposals.

- The current design layout fails to provide the required bend widening on the bends within the development. The Applicant will need to amend the plan to include bend widening and detail this on the plan. Further information on bend widening can be found within the LHDG reference link <https://www.leicestershirehighwaydesignguide.uk/highway-layouts-and-design/road-layouts-and-design/visibility-splays#widening>.
- The location dropped crossing points which are to be installed on site. Should be detailed on the drawing.
- 25m forward visibility through bends will need to be detailed on a drawing. This must be contained within the highway boundary. Further information can be found within the LHDG at <https://www.leicestershirehighwaydesignguide.uk/highway-layouts-and-design/road-layouts-and-design/visibility-splays>.
- Similarly, 25m visibility splays will need to be detailed at all junctions within the development on a drawing. These must also be contained within the highway boundary. Further information is available from the above LHDG link.
- It is noted the Applicant is proposing a 4m and 6m radii at the turning head on the spine road, which fails to comply with the LHDG. The layout will need to be amended to detail the appropriate turning head radii requirements. Further information can be found within the LHDG at <https://www.leicestershirehighwaydesignguide.uk/design-layouts/road-design-and-layout/turning-headpoint>.
- The Applicant will need to detail the junction radii to be installed on site at all junctions within the development. Further information relating to junction radii can be found within the LHDG at <https://www.leicestershirehighwaydesignguide.uk/highway-layouts-and-design/road-layouts-and-design/junction-type-geometry-and-spacing>.
- The Applicant will need to provide a tracking plan to detail junctions, bends and turning heads. A minimum design speed of 15 kph going forwards and 2.5 kph going backwards is to be used when analysing swept paths. At turning heads the slower, default swept path vehicle speed is acceptable. Swept path analysis details are required for a 11.2m long refuse vehicle at turning heads (unless the borough or district already uses a larger vehicle, in which case that vehicle should be used) to ensure they can be satisfactorily navigated.

Additional Comments

- Root protection will need to be installed where trees and bushes are located at the back of the highway boundary in private land. Trees must also have a minimum of 2m clear stem where they are located near the highway.
- Records show there is a water course running through the development site. The Applicant will need to contact the Local Lead Flooding Authority at Flooding flooding@leics.gov.uk, if the proposed works affect the existing water course.
- If the Applicant is required to culvert a water course under the proposed public highway, LCC will require a 3m easement to be provided at each end and either side of this feature.

- Gradients should conform to the standards set out in Table DG1: General geometry of residential roads (internal) in the Leicestershire Highway Design Guide (LHDG).

Parking Provision

The LHA previously advised several plots which require three parking spaces have the spaces provided in a tandem arrangement, which is discouraged by the LHA, however these plots are generally located off the proposed adopted highway. The LHA therefore considered it unlikely the plots would generate a considerable amount of on-street parking. The LHA considers parking provision within the overall site to be acceptable.

As previously advised, it is noted that 1m x 1m pedestrian visibility splays have not been detailed from the back of the footway where driveways / shared private drives meet the pedestrian footway. Nevertheless, it is considered this could be conditioned.

Construction Environmental Management Plan (CEMP)

The Applicant has submitted a Construction Environmental Management Plan (CEMP), which provides details in respect of wheel washing facilities and the hours of operation for the site.

The LHA notes that wheel washing facilities would be situated a minimum of 10m from the highway, which is welcomed however it is suggested that there would be different measures in use depending on the prevailing weather conditions and vehicle movements. The LHA request that at least pressure washing facilities are always available on-site and that these should be available from the start of construction until the development is complete.

Whilst it is stated contractor visitor and parking areas would be situated within the compound area within the site, details of the site compound or number of parking spaces available have not been provided. It is also unclear at what stage of construction the facilities would be available. It should also be confirmed that appropriate parking and turning for delivery vehicles would be available.

Finally, details in respect of the routing of construction traffic have not been provided. This would be required by the LHA.

Notwithstanding the above, the LHA advises a revised Construction Management Plan could be secured by way of a suitably worded planning condition.

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 development hereby permitted shall be occupied until such time as the access arrangements on to Hinckley Road, Crabtree Road and Powers Road shown on Geoff Perry Associates Limited drawing number 005 Rev F 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 (2024).

3. No part of the development shall be occupied until such time as details of:
 - a. Uncontrolled pedestrian crossing points over Hinckley Road either side of the eastern and western access; and
 - b. A 2.0m wide footway along the edge of Hinckley Road between the eastern and western access and tying in with existing footway provisions on the southern side of Hinckley Road

have been submitted to and agreed in writing by the Local Planning Authority. The approved scheme shall be implemented prior to any dwelling being occupied with access off Hinckley Road

REASON: To mitigate the impact of the development, in the general interests of highway safety and in accordance with the National Planning Policy Framework (2024).

4. No part of the development hereby permitted shall be occupied until such time as vehicular visibility splays of 2.4 metres by 65 metres have been provided at the two site accesses on Hinckley Road. These shall thereafter be permanently maintained with nothing within those splays higher than 0.6 metres above the level of the adjacent footway/verge/highway.

REASON: 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 (2024).

5. The development hereby permitted shall not be occupied until such time as the parking (and turning facilities) have been implemented in accordance with Geoff Perry Associates Limited drawing number 005 Rev F. Thereafter the onsite parking and turning provision shall be kept available for such uses 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 (2024).

6. Any dwellings that are served by private access drives (and any turning spaces) shall not be occupied until such time as dropped kerb accesses have been provided. The private access drives should be surfaced with tarmacadam, or similar hard bound material (not loose aggregate) for a distance of at least 5 metres behind the highway boundary 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 (2024).

7. 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 the access 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 (2024).

8. Notwithstanding the provisions of Part 2 of Schedule 2, Article 3 of the Town and Country Planning (General Permitted Development) (England) Order 2015 (or any Order revoking and re-enacting that Order) no gates, barriers, bollards, chains or other such obstructions shall be erected to the vehicular access.

REASON: To enable a vehicle to stand clear of the highway in order to protect the free and safe passage of traffic including pedestrians in the public highway in accordance with the National Planning Policy Framework (2024).

Contributions

The contributions below apply to applications 23/01184/FUL and 23/01186/FUL only, which total 30 dwellings.

Please note that the exact monetary values will need to be agreed prior to the signing of the Section 106 agreement and may be subject to indexation.

To comply with Government guidance in the National Planning Policy Framework (NPPF 2023) 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, one per dwelling; 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.

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

Suggested trigger point: Prior to the occupation of the first dwelling.

2. Six month bus passes, two per dwelling (two 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 (can be supplied through LCC at a cost of approximately £510 per pass).

Reason: To encourage new residents to use bus services as an alternative to the private car to establish changes in travel behaviour from first occupation.

Suggested trigger point: Payment of 25% of total obligated contribution paid prior to the occupation of the first dwelling. Remaining 75% of total obligated contribution paid prior to occupation of 25% of total dwellings, except payment may be deferred by agreement with the County Council.

Informatives

- 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://www.leicestershirehighwaydesignguide.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://www.leicestershirehighwaydesignguide.uk/>.

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).
- All proposed off site highway works, and internal road layouts shall be designed in accordance with Leicestershire County Council's latest design guidance, as Local Highway Authority. For further information please refer to the Leicestershire Highway Design Guide which is available at <https://www.leicestershirehighwaydesignguide.uk/>.

Date Received
11 December 2024

Case Officer
Ben Dutton

Reviewer
DH

Date issued
3 January 2025