

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: 23/00596/FUL

Highway Reference Number: 2023/0596/04/H/R2

Application Address: Swedish Cottage Leicester Road Earl Shilton Leicester Leicestershire LE9 7TJ

Application Type: Full

Description of Application: Re-consultation. Change of use and alteration to existing commercial building (Class E) to meeting hall (Class F1) with associated access, parking and ancillary works.

GENERAL DETAILS

Planning Case Officer: Joseph Fleetwood HBBC

Applicant: Mostyn Gospel Hall Trust

County Councillor: Richard Allen

Parish: Earl Shilton

Road Classification: Adopted Unclassified

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 (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 for the second time by the Local Planning Authority on application 23/00596/FUL for the change of use to form a meeting hall and the formation of a new vehicular access to serve the existing dwelling at Swedish Cottage, Leicester Road, Earl Shilton.

Through the previous responses issued 18 July 2023 and 15 August 2023, which should be read in conjunction with this response, the LHA queried aspects of the proposals pertaining to the existing and proposed access and also the post-development capacity of the site and the number of vehicular trips the proposal may generate.

Site Access

The site is located on an adopted, unclassified road that is officially known as 'From C5117 Leicester Road to houses to C5117 Leicester Road' and is subject to a 60 mph speed limit. At either end the road joins Leicester Road, which is an adopted, 'C' classified road, subject to a 50 mph speed limit which provides a link between Earl Shilton and the A47.

The LHA welcome that David Grainger drawing No. 23.4266.08A shows that the gate for the existing access will now be set back five metres from the public highway and that this area will be surfaced in a hard-bound material.

For the proposed new access to serve the existing dwelling the afore mentioned drawing shows a vehicular visibility splay of 72 metres to the west and 48 metres to the east with both splays measured from a setback distance of 2.4 metres from the highway.

In respect of the visibility splay to the east, it is noted that there is a tight bend to the east and vehicles travelling around the bend will not be travelling at the maximum permitted speed.

Therefore the LHA accept the proposed visibility splays for the new access under the site specific circumstances.

Highway Safety

There has been no recorded Personal Injury Collisions (PIC's) in the previous five years on the road which the proposed development is located. There has also been no PIC's during the same period in the vicinity of either junction with Leicester Road.

Therefore the LHA has no pre-existing highway safety concerns at this location.

Trip Generation

The Applicant has advised that the hall is to provide a meeting place for groups of around 45-50 people and that any larger gatherings will be held at larger meeting halls elsewhere.

The LHA accept that the proposed development does not represent an unacceptable intensification of an existing access when compared to the sites existing use.

Internal Layout

Drawing No. 23.4266.08A shows the provision of 13 parking spaces (including two disabled spaces) with each measuring 5.5 metres by 2.4 metres which the LHA advise in accordance with Part 3, paragraph 3.165 of the Leicestershire Highway Design Guide. The LHA also welcome that there is sufficient space afforded for vehicles to turn so that the highway is approached in a forward gear.

Paragraph 3.7 of the Planning, Design and Access Statement (DAS), created by KC Planning and Development, June 2023 states that a car share plan is proposed that will see the local congregation arriving and departing the meeting hall in a total of nine vehicles.

Whilst it is unlikely that it would be reasonable or enforceable to apply an NPPF compliant

planning condition that limits the number of vehicles that use the access the LHA welcome the Applicants intention to limit the number of vehicles accessing the site.

In addition, it is acknowledged that surrounding the site on both sides of the carriageway are 12 hour stay parking bays which would be suitable to accommodate any occasional overspill parking demand.

The LHA acknowledge and welcome that the parking provision for the existing dwelling of a double garage and two off-road parking spaces is to remain unchanged.

Conditions

1. No part of the development hereby permitted shall be occupied until such time as the access arrangements shown on David Grainger drawing number 23.4266.08A 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 (2023).

2. No part of the development hereby permitted shall be occupied until such time as vehicular visibility splays of 2.4 metres by 72 metres to the East and 2.4 metres by 48 metres to the West have been provided at the residential access. 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 (2023).

3. The development hereby permitted shall not be occupied until such time as the access drives have been 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 (2023).

4. No vehicular access gates, barriers, bollards, chains or other such obstructions shall be erected within a distance of 5 metres of the highway boundary and any gates shall be hung to open away from the highway.

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 (2023).

5. The development hereby permitted shall not be occupied until such time as the parking and turning facilities have been implemented in accordance with David Grainger drawing number

23.4266.08A. 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 (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
24 August 2023

Case Officer
Simon Herbert

Reviewer
BD

Date issued
7 September 2023