

**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: 23/00763/FUL

Highway Reference Number: 2023/0763/04/H

Application Address: Clovelly Merrylees Road Thornton Coalville Leicestershire LE67 1AP

Application Type: Full

Description of Application: Retrospective application to change the use from C2 to a school for special needs children (F1) and the construction of 9 timber buildings

GENERAL DETAILS

Planning Case Officer: Sullivan Archer

Applicant: Mrs Jennifer Collighan

County Councillor: Cllr Peter Bedford

Parish: Bagworth & Thornton

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 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 (LHA) has been consulted on a planning application at Clovelly, Merrylees Road, Thornton, for a change of use from C2 to a school for special needs children (use class F1) and the construction of nine timber buildings. The LHA understands that the application is retrospective.

The LHA acknowledges the relevant planning history at the site which is noted below:

- 16/01134/COU - Change of use from residential property (C3) to a children's home with education (C2) for up to 3 children and erection of educational facility – Approved February 2017
- 18/00657/FUL - Roof extension and alterations to children's home to provide first floor accommodation – Approved September 2018
- 20/01049/CLE - Certificate of Lawful Existing Use for the use of Clovelly as class C2 (intensification of 16/01134/COU) – Certificate refused October 2020

Site Access

Access to the site is from Merrylees Road which is a classified C road subject to a 30mph speed limit. The Application Form (dated 4th August 2023) indicates that no alterations are proposed to the existing access arrangements.

The Application Form indicates that the proposed school has 10 pupils, 12 full-time staff and two part-time staff. Consequently, it would follow that the change of use has resulted in a material increase in trips to and from the site.

No detailed access drawing has been submitted for consideration. The Applicant is requested to demonstrate that the access is safe and suitable to cater for the proposed development, and in accordance with Part 3 of the Leicestershire Highway Design Guide (LHDG). To this end, the LHA advises that the access should have the following characteristics:

- A minimum effective width of 4.8 metres, with 10 dropped kerbs, to allow for two-way movements.
- Pedestrian visibility splays of 2.0 metres by 2.0 metres on both sides of the access drawn in accordance with Figure DG19 of Part 3 of the LHDG.
- Vehicular visibility splays in accordance with Figure DG2a of Part 3 of the LHDG, with the splays starting from a 2.4 metre setback from the carriageway edge. The splays should not cross any third-party land, and the tips of the splays should be off-set from the edge of the carriageway by 1.0 metre. Splay lengths should be in accordance with Table DG4, which are based on 85th percentile vehicle speeds. The Applicant is advised to commission a speed survey to demonstrate that the splay lengths would be sufficient for the measured 85th percentile vehicle speeds. This would need to be carried out using an Automatic Traffic Counter – not Manual Speed Survey – to avoid influencing driver behaviour. A permit is

required to carry out any traffic count/speed survey on the public highway within Leicestershire, which can be obtained by contacting ndi@leics.gov.uk . Alternatively, Leicestershire County Council offer a data collection service including a large traffic count database. Details of the services available can be obtained by contacting ndi@leics.gov.uk .

Compliance with the above should be demonstrated on a scaled access drawing.

The Applicant should confirm whether it is proposed to install gates to the vehicular access and, if so, indicate their position on the scaled access drawing. The Applicant should set any gates back a sufficient distance from the highway boundary to enable the largest vehicle expected to visit the site to stand clear of the highway whilst the gates are opened / closed.

Where the access slopes towards the highway, measures must be in place to prevent surface water from draining into the public highway. The Applicant should therefore demonstrate that the proposed access would not result in surface water draining into the public highway. These details can either be submitted for consideration under the current application or, alternatively, following any grant of planning permission by way of condition.

The access should be hardbound (e.g. bituminous, concrete, or block paving) for a distance of at least the first five metres behind the highway boundary. The LHA would seek to secure this by way of condition should any grant of planning permission be forthcoming.

Highway Safety

The LHA has checked its Personal Injury Collision (PIC) database and there have been no recorded PICs in the last five years that occurred within 500 metres in either direction of the proposed access.

The acceptability of the proposals would, however, be contingent on the delivery of a safe and suitable access as required by the National Planning Policy Framework (2023) to ensure that new highway safety issues would not be introduced to the vicinity.

Trip Generation

No detailed trip generation assessment has been submitted for the existing use and the proposed use. The LHA requests that such an assessment is undertaken and submitted for consideration. Given the nature of the development, the LHA advises that a 'first principles' approach is undertaken to demonstrate trip generation.

Should the proposed development generate 30 or more trips during either the morning or evening peak hours (08:00 – 09:00 and 17:00 – 18:00), the LHA may request that junction modelling be undertaken. Off-site mitigation may then be sought where required and appropriate.

Internal Layout

The Application Form and 'Parking Provision' document (dated 4th August 2023) indicates that the site has 17 off-street car parking spaces, however this has not been demonstrated on a scaled plan. The LHA requests that a scaled parking plan is submitted for consideration. The size and layout of car parking spaces should be in accordance with Figure DG13 of Part 3 of the LHDG.

In terms of parking quantum, the 'Highway Requirements for Development: Part 4' ('HRfD') section of the LHDG states that schools should have:

“One car space per member of teaching staff plus three additional spaces. Where a community wing is to be provided for daytime use a minimum of 5 additional spaces shall be provided. Provision for access to hard surfaced play areas will be required to provide additional parking for “out of hours” functions.”

It is not clear whether the 12 full-time staff and two part-time staff are teaching staff. Nevertheless, the LHA is satisfied that 17 parking spaces would be a sufficient quantum and in accordance with HRfD standards.

Given the nature of the proposed development in conjunction with the classified nature of Merrylees Road, turning facilities should be provided in accordance with paragraph 3.195 and Figure DG19 of Part 3 of the LHDG. Adequate turning space should therefore be demonstrated within the parking plan, which does not conflict with off-street parking spaces.

Transport Sustainability

Whilst the site is within 800 metres of bus stops with services to Leicester and Coalville, the LHA notes that this section of Merrylees Road does not have footways, and there is no cycle infrastructure provisions in the vicinity. Nevertheless, the LHA is satisfied for the Local Planning Authority to include this transport context in its wider sustainability considerations for the site.

Public Rights of Way

It is noted that Public Right of Way (PROW) Footpath R73 runs adjacent to the development site. The LHA is satisfied that this PROW would not be adversely affected by the proposed development.

Links

Leicestershire Highway Design Guide (LHDG) -

<https://resources.leicestershire.gov.uk/environment-and-planning/planning/leicestershire-highway-design-guide>

Date Received
15 August 2023

Case Officer
Daniel Putnam

Reviewer
DH

Date Issued
7 September 2023