

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/R1

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

Application Type: Full

Description of Application: Re-consultation. 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 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) has been re-consulted on a planning application at Clovelly, Merrylees Road, Thornton, for the change of use from C2 to a school for special needs children (F1) and the construction of nine timber buildings.

The LHA previously responded to this application on 7th September 2023, advising that further information would be required to fully assess the impact of the proposed development on the highway network.

The additional information requested was as follows:

- A scaled access drawing which demonstrates that the site access would be in accordance with Part 3 of the Leicestershire Highway Design Guide (LHDG);

- Confirmation as to whether any gates are proposed to the site access and, if so, indicate their position on the scaled access drawing;
- Details which show whether the access would slope towards that highway and, if so, details which demonstrate that surface water would not drain into the highway;
- Confirmation as to the surfacing of the site access;
- A comparative trip generation assessment; and
- A scaled plan which demonstrates the parking and turning facilities within the site.

The LHA understands that the following documentation has since been submitted by the Applicant:

- Existing Site Plan (Northern Planning & Design, drawing number 0723 001);
- Proposed Site Plan (Northern Planning & Design, drawing number 0723 002);
- Visibility Splay (Northern Planning & Design, drawing number 0723 003);
- 'Traffic Monitoring, Clovelly House School' (dated 18th October 2023 on the Local Planning Authority's website);
- 'Trip Generation Report' (dated 18th October 2023 on the Local Planning Authority's website); and
- Flood Risk Assessment (aegaea, reference AEG03106_LE67_Thornton_01).

Site Access

The LHA has reviewed the Proposed Site Plan and is satisfied that a minimum effective width of 4.8 metres is achievable for the site access. Furthermore, whilst not demonstrated, the LHA is satisfied that 2 metre by 2 metre pedestrian visibility splays could be achieved on both sides of the site access.

The LHA has reviewed the data from the Automatic Traffic Count (ATC) Survey contained within the 'Trip Generation Report' and calculates average 85th percentile vehicle speeds of 37mph northeastbound and 39mph southwestbound. In accordance with Table DG4 and Figure DG2a of Part 3 of the LHDG, vehicular visibility splays of 2.4 metres by 65 metres are required in both directions. The LHA is satisfied that such splays could be achieved.

The Applicant has not indicated whether there would be gates to the site access, although the LHA notes from the amended drawings that no gates are indicated. The LHA is satisfied for this to be conditioned on any grant of planning permission (see 'conditions' section).

The Topographical Survey drawing (CLB surveys, A21-4431-1) contained within Appendix A of the Flood Risk Assessment indicates a slight fall in land levels towards the public highway at the point of the access. As such, suitable drainage measures at the site access should be provided to prevent surface water from draining into the highway. The LHA is satisfied for this to be conditioned on any grant of planning permission (see 'conditions' section).

The LHA is satisfied for the surfacing to be secured by way of condition (see 'conditions' section).

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 LHA therefore has no existing highway safety concerns in the vicinity of the site.

Trip Generation

As the development proposed in the application is retrospective, the Applicant has undertaken a Traffic Count of vehicles accessing and egressing the site access between 4th -8th September 2023 and 11th - 15th September 2023. The LHA has reviewed the data collected, and is satisfied that the traffic generated by the development would not materially impact on the surrounding road network. Consequently, no additional capacity assessment work is required.

Internal Layout

The LHA has reviewed the Proposed Site Plan drawing and notes that only 15 off-street car parking spaces have been demonstrated, short of the 17 required under the 'Highway Requirements for Development' section of the LHDG as advised in the previous highway observations. In addition, the LHA notes that the parking configuration is tight, and that spaces measure 2.4 metres by 4.8 metres, which is short of LHDG requirements but in accordance with the absolute minimum requirements of Figure 8.19 of Manual for Streets.

Nevertheless, when compared to the Existing Site Plan, the LHA is mindful that the proposed parking and turning facilities would be an improvement from the current situation. Considering this, in conjunction with the lack of PICs that have been recorded in the vicinity in the last five years (see 'highway safety' section), the LHA does not consider that it could demonstrate a severe impact on parking and turning grounds in the context of paragraph 111 of the National Planning Policy Framework (2023).

Conditions

1. Within three months of the date of this decision notice, drainage details shall be provided to and approved in writing by the Local Planning Authority. Thereafter the approved scheme should ensure that surface water shall not drain into the Public Highway and thereafter shall be so maintained.

REASON: To reduce the possibility of surface water from the site being deposited in the highway causing dangers to road users in accordance with the National Planning Policy Framework (2023).

2. Within three months of the date of this decision notice, the site access shall be amended (as necessary) to have a width of a minimum of 4.8 metres, a gradient of no more than 1 in 12 for a distance of at least 5.0 metres behind the highway boundary and shall be surfaced in a bound material for a distance of at least 5.0 metres behind the highway boundary. The access once provided shall be so maintained at all times.

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).

3. Within three months of the date of this decision notice, vehicular visibility splays of 2.4 metres by 65.0 metres shall be provided at the site 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).

4. Within three months of the date of this decision notice, 2.0 metre by 2.0 metre pedestrian visibility splays shall be 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 (2023).

5. Within three months of the date of this decision notice, the parking and turning facilities as shown on Northern Planning & Design drawing number 0723 002 shall be implemented. 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 (2023).

6. 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 (2023).

Date Received
19 October 2023

Case Officer
Daniel Putnam

Reviewer
DH

Date Issued
2 November 2023