

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

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

Application Type: Full

Description of Application:

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 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) have been 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.

Site Access

The Applicant seeks to utilise the existing site access. This is situated on the northern extent of Fenn Lanes, approximately 700m to the northeast of the settlement of Fenny Drayton. Fenn

Lanes at the location of the site access is an adopted, classified C road subject to a 50mph speed limit.

The Applicant has not provided a detailed site access drawing. Given the proposals are likely to lead to an intensification of trips to the site, the access should accord with Figure DG20 of Part 3 of the Leicestershire Highway Design Guide (LHDG), a copy of which can be found at:

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

After reviewing 'Location Plan', drawing number 22-108-L0101-P1 and undertaking a site visit on 8 January 2024, the LHA finds the access where it meets the public highway is approximately 20m in width. Figure DG20 of Part 3 of the LHDG states the minimum effective access width should be at least 6m in width for the first 15m behind the public highway. However, the existing access narrows to approximately 3.5m. As such, the Applicant should provide a revised, scaled drawing demonstrating the access in accordance with Figure DG20 of Part 3 of the LHDG. The revised drawing should also demonstrate a minimum 6m control radii both side of the access.

The Applicant has not provided a detailed, scaled vehicular visibility splay drawing. Vehicular visibility splays should be in accordance with Table DG4 of Part 3 of the LHDG for the posted 85th percentile speed of the road (50mph). Given this, vehicular visibility splays of 2.4m by 160m should be provided in both directions. These should also be in accordance with figure DG2a of Part 3 of the LHDG to a point 1m into the carriageway, and over highway or land under the owners control and not third party land.

The LHA measured the vehicular visibility splays during their site visit on 8 January 2024 and found vehicular visibility to the northeast of the access well in excess of 2.4m by 160m. The LHA note that whilst there is also vehicular visibility well in excess of 2.4m by 160m to the southwest of the access, it has not been demonstrated that it is over highway or land under the Applicants control for the whole extent of the vehicular visibility splay. As such, the Applicant should provide a revised scaled drawing demonstrating this. The LHA would also request the land required for the vehicular visibility splays to the southwest is included within the redline. This is requested given there is a hedge line that if allowed to grow could obscure the vehicular visibility splay to the southeast. Having this land within the red line would allow for the splay to be conditioned allowing for the vehicular visibility splay to be maintained in perpetuity.

The LHA notes there are three trees within the visibility splays as demonstrated below.



However, the LHA have taken into consideration that this is an established access, with well in excess of the required vehicular visibility splays for the posted 85th percentile speed of the road. Given this, in these site specific circumstances, the removal of the trees is not necessary at this time.

The proposals may require that the Applicant removes a section of grassed highway verge to facilitate the access widening. Whilst this may be acceptable there may be statutory undertaker apparatus located within the verge fronting the site; the applicant will need to undertake surveys and potentially works to relocate these services. Any additional cost that arises as a result of this would be entirely at the Applicant's expense.

Highway Safety

There have been no Personal Injury Collisions (PICs) recorded within 500m in either direction of the site access within the the last 5 years.

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

Internal Layout/Trip Generation

The LHA seeks clarification from the Applicant as to the proposed use of the site. This is due to off-street car parking levels being based upon the 'Highway Requirements for Development (HRfD) Part 4 document which can be found at:

<https://resources.leicestershire.gov.uk/sites/resource/files/field/pdf/faq/2019/2/13/Highway-requirements-for-development-part-4-parking-standards%20Refer-to-part3-sectionDG14-first.pdf>.

The LHA considers the proposed use class would appear to be in line with use class B1 of which there are two levels of car parking requirements.

- Research and development - One car space per 30 sq. metres. One lorry space per 500 sq. metres; and
- Light Industry - One car space per 50 sq. metres. Where there is a substantial element of offices this shall be considered separately. One lorry space per 200 sq. metres.

Once this has been determined the Applicant should provide a revised scaled drawing demonstrating the appropriate amount of parking for cars and HGV's.

Car parking space dimensions should be in accordance with Paragraph 3.165 of Part 3 of the LHDG. This states a minimum parking size 2.4m x 5.5m should be provided, add 0.5m if bounded by a wall, fence, hedge, line of trees or other similar obstructions on 1 side, 1m if bounded on both sides.

HGV parking spaces should be a minimum of 18m by 5m.

On-site turning within the site should accord with Figure DG13 of Part 3 of the LHDG, this requires a minimum 6m aisle width.

Plan 'Site Plan as Proposed Phase 2', drawing number 22-108-K0003-P1 also appears to demonstrate HGV's clashing with the proposed outdoor storage area, this too should be amended to ensure HGV's can safely turn around within the site in accordance with Figure DG13 of Part one of the LHDG.

As previously stated, the Applicant is seeking to change the use of two agricultural buildings to flexible commercial/business use (use class E(g) and storage and distribution (Class B8). Whilst the LHA appreciates the buildings would generate trips in their own right, it is also considered that a number of additional trips to the site are likely to be via the A444 to the southwest of the site. Given this is a highly trafficked part of the highway network, with several PIC's recorded within the last five year period at the junction of Fenn Lanes / A444, the LHA requests the Applicant provided existing and proposed trip rates to the site, including during the AM / PM peak hours.

The LHA notes that the access drive into the site is approximately 350m in length. It is also noted that the access drive is approximately 3.85m in width for the majority of the length of the access drive. Whilst the LHA welcomes the inclusion of a passing bay, the Applicant should indicate how they intend to manage vehicles including HGV's accessing and egressing the site. This is to ensure vehicles, are not stationary within the highway obstructing the flow of traffic along Fenn Lanes.

The Applicant states that a section of new internal road is to be created to separate farm and business traffic. The Applicant should ensure this is a minimum of 3.7m in width as per Paragraph 3.197 of Part 3 of the LHDG to ensure emergency vehicles can access the farm area. This however, is not a material consideration for the LHA.

Date Received
18 December 2023

Case Officer
Neal Chantrill

Reviewer
BD

Date issued
11 January 2024