

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 Growth, Environment & Transport.

APPLICATION DETAILS

Planning Application Number: 25/00431/P3CR

Highway Reference Number: 2025/0431/04/H/R4

Application Address: Fox Covert Farm Main Street Congerstone Nuneaton Leicestershire CV13 6LZ

Application Type: Change of Use

Description of Application: Re-consultation. Notification to determine if Prior Approval is required for the change of use of an agricultural building to use class B2/B8

GENERAL DETAILS

Planning Case Officer: Sullivan Archer

Applicant: Mr William Naylor

County Councillor: Market Bosworth ED - Joshua Melen CC

Parish: Shackerstone

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 Policy TR6(4) of the National Planning Policy Framework (2026), 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 reconsulted on a notification to determine if Prior Approval is required for the change of use of an agricultural building to use class B2/B8 at Fox Covert Farm, Main Street, Congerstone, Nuneaton, Leicestershire, CV13 6LZ.

The LHA previously provided highway observations to this application in a response dated 7th November 2025, where concerns were raised on the achievable visibility at the newly proposed access. The LHA subsequently required the submission of a speed survey to obtain recorded 85th percentile passing speeds and further consideration of visibility splays.

It is noted that these most recent highway observations are not currently available to view on the Local Planning Authority's (LPA) planning portal, however the LHA is satisfied that these previous observations were supplied to the Applicant.

Since the submission of previous highway observations, the LHA has engaged with the Applicant and LPA to ensure that the revised access proposals are considered safe and suitable for all users and vehicles likely to access the site. Details of the LHAs remaining requirements were made via email dated 20th February 2026.

In support of this re-consultation the Applicant has submitted the following relevant documents:

- General Arrangement Plan by Lennon Transport Planning (drawing number JG/434/AD/25-02 Rev P03); and
- General Arrangement and Swept Path Analysis by Lennon Transport Planning (drawing number JG/434/AD/25-03 Rev P0).

Site Access

The LHA welcome the submission of a speed survey undertaken in the vicinity of the proposed site access between the dates of 5th and 11th December 2025. The results of this survey are summarised below in Table 1:

Table 1: Summarised speed survey results

	Recorded 85 th percentile speed (mph)
Northbound	29.3
Southbound	30.3
Two- way	29.9

To accompany these speed survey results the Applicant has calculated safe stopping distances (SSD) to determine visibility splay lengths. Using the parameters of a driver reaction time of 1.5s and a deceleration rate of 0.45g the LHA's SSD calculations largely mirror the splay length requirements of 2.4m x 41.59m south of the access and 2.4m x 43.61m north of the access (when adjusted for bonnet length). The LHA consider these calculations to be acceptable.

The calculated splay lengths have been demonstrated on the General Arrangement plan (drawing number JG/434/AD/25-02 P03).

The splay to the south of 2.4m x 42m crosses the frontage of the farmhouse on Main Street, however it has been confirmed and proven that the existing vegetation has been cleared which is welcomed to ensure the maximum achievable splays.

For the northern splay, the LHA has previously confirmed that achievable splays are acceptable for vehicle approaching the access along Main Street. For those approaching from Barton Road, the LHA accepts that approaching speeds will be low as vehicles will be required to emerge onto Main Street. Therefore, the LHA in this instance will accept the splays demonstrated on drawing number JG/434/AD/25-02 Rev P05.

To secure the visibility splays in perpetuity, the LHA will advise a planning condition at the end of these highway observations.

In the most recent submission dated 7th and 23rd July 2026 respectively, the Applicant has submitted swept path analysis of a 16.48m long HGV turning into the site from the north and south directions (drawing number JG/434/AD/25-03 Rev P02). It is also noted that the site access offers and increased 6m radii to accommodate these movements which is welcomed based on the response provided to the Applicant by email dated 20th February 2026.

Nevertheless the swept- path manoeuvres have not been demonstrated for HGVs egressing the site. For vehicles exiting to the north, the LHA has no concern that this manoeuvre can be achieved. For vehicles travelling south out of the access it is noted that this manoeuvre will require crossing the centreline of Main Street. Whilst the LHA seek to minimise this occurring wherever possible, it is noted that the access has been improved and there is limited scope to increase the turning radii further due to the proximity of the nearby dwelling. Additionally, it is accepted that HGV movements to and from the site will be limited in frequency. The LHA therefore conclude that due to these site-specific circumstances, the LHA will accept the site access arrangements as currently proposed and will condition these details at the end of these highway observations.

Finally, the LHA raise the existing gated site access off Main Street, which has been identified as significantly substandard for intensification because of further development. It has been advised in previous highway observations for applications on this site that this access should be stopped up in the interest of highway safety.

Highway Safety

Given the length of time since the LHAs previous highway observations, it has reassessed its record of recorded Personal Injury Collisions (PICs) within 500m of the site (all directions).

It remains that there are no recorded PICs, so the LHA have no outstanding highway safety concerns the proposed development with exacerbate.

Internal Layout

As stated in the LHA's previous highway observations it advised for parking to be provided in accordance with Table 29(a) of the LHDG the on a worst- case scenario of all three units being B2 use the LHA would expect nine car parking spaces and one lorry parking space to be provided and demonstrated based on the site location being 'out of town'.

It is unfortunate that no further consideration or demonstration of these parking spaces has been provided on a revised site plan.

Given the space within the red- line and blue- line boundaries, the LHA note there should be scope for parking to be accommodated clear of the public highway. It is the responsibility of the Applicant to provide this parking capacity and to ensure that there is no displaced parking on the public highway. The LHA will there for set a minimum parking allocation for users of the site based upon Table 29(a) of the LHDG, to be secured by the way of a planning condition. This should be for an absolute minimum of one parking space for HGVs and four car parking spaces. Notwithstanding this, the LHA would welcome and recommend increasing this parking provision to 11 car parking spaces as stated in previous highway observations.

Conditions

1. No part of the development hereby permitted shall be occupied until such time as the access arrangements shown on General Arrangement drawing number JG/434/AD/25-02 P03 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 (2026).

2. No part of the development hereby permitted shall be occupied until such time as vehicular visibility splays of 2.4 metres by 42 metres south of the access and 2.4 metres by 44 metres north of the access have been 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 (2026).

3. The development hereby permitted shall not be occupied until such time as off street car and HGV parking provision with turning facilities has been provided, hard surfaced and demarcated for four cars and one HGV. 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 (2026).

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
5 August 2026

Case Officer
Michael Biggin

Reviewer
DH

Date issued
20 August 2026