

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: 23/00655/FUL

Highway Reference Number: 2023/0655/04/H

Application Address: Land Adjacent To 12 Newquay Close Hinckley Leicestershire

Application Type: Full

Description of Application:

Change of use of land to provide 4no gypsy and traveller pitches including day rooms with associated landscaping.

GENERAL DETAILS

Planning Case Officer: Sullivan Archer

Applicant: Mr David Winter

County Councillor: Cllr Michael Mullaney

Parish: Hinckley

Road Classification: Class A

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 the residual cumulative impacts of the development are severe in accordance with the National Planning Policy Framework (2021) and the Local Planning Authority is advised to consider refusal on transport/highway grounds for the reasons outlined in this report.

The LHA advises the following reasons for refusal:

1. This proposal, if permitted, would lead to an intensification of vehicular movements turning onto and off the A47 Normandy Way, which is a busy high-speed road, where the turning manoeuvres could be an additional source of danger to road users, which is not in the interests of highway safety, and is contrary to Policy IN5 of the Leicestershire Highway Design Guide and paragraphs 110 and 111 of the National Planning Policy Framework (2021).
2. The applicant has failed to demonstrate that an appropriate and safe vehicular access would be provided to the proposed development contrary to paragraphs 110 and 111 of the National Planning Policy Framework (NPPF) (2021).

Advice to Local Planning Authority

Background

The Local Highway Authority (LHA) is in receipt of a consultation for a full application for the change of use of land to provide 4no. gypsy and traveller pitches including day rooms with associated landscaping at land adjacent to 12 Newquay Close, Hinckley.

Site Access

The LHA must be satisfied that a safe and suitable access can be achieved to the site in accordance with paragraph 110 of the National Planning Policy Framework (NPPF).

The proposed development would be accessed off the A47 Normandy Way via an existing agricultural access. The A47, which is a key strategic link between Leicester and the A5 Hinckley, is a single carriageway road subject to the national speed limit. In the vicinity of the proposed development the A47 has an off-carriageway footway/cycleway and is unlit. Given the nature of the highway in this location, the LHA has concerns on the impact on other road users regarding any intensification use of the access in this location.

When assessing any planning application the LHA must consider its impact on the local highway network against both the National Planning Policy Framework (NPPF, 2021) and local guidance, the Leicestershire Highway Design Guide (LHDG), which is available at: <https://resources.leicestershire.gov.uk/lhdg>.

Given the location of the proposed development, Part 1, Section IN5, 'Our access to the road network policy' of the LHDG is particularly relevant. This section sets out the LHA requirements and principles for new accesses for vehicles or the increased use of existing accesses onto A and B class roads. For the avoidance of doubt, the following extract is taken from paragraph 1.26 Section IN5 of the LHDG:

Access to A- and B-class roads

- 1.26 We will normally apply restrictions on new accesses for vehicles and the increased use of existing accesses on:
- roads with a speed limit above 40 mph (that is 50mph, 60mph or 70mph) or where measured vehicle speeds are in excess of 40mph;
 - roads with a speed limit of 40mph or less which are essentially rural in nature;
 - routes where the access would affect bus-corridor or bus-priority measures being put in place;
 - roads that are at or near capacity (cannot carry more traffic); and
 - roads where there is an existing problem with road safety.

Figure 1: Extract from paragraph 1.26 of Section IN5 of the LHDG.

The Applicant has stated that there are no alterations proposed to the existing access arrangements. Based on Kevin Todd Architectural Ltd drawing number 2023031-PL-010, the LHA have scaled that the site access would be approximately 4.30m wide, which is considered to be insufficient to allow two vehicles to pass in the event one or both were towing a touring caravan for example. This could result in a vehicle having to reverse back on to the A47 or wait on the A47 to

allow another vehicle to egress the site, to the detriment of pedestrian and highway safety. Furthermore, no details in respect of the available visibility splays or swept path analysis of a vehicle towing a touring caravan for example have been provided.

The Applicant has not provided any speed survey results along the A47 Normandy Way in support of the proposed development. Nevertheless, the LHA has checked its own database and recorded speeds on this section of the A47 are more than 40mph (see results from speed survey below). Therefore, the LHA does not consider that visibility splays based on Manual for Streets requirements would be appropriate, and the LHA would expect the Applicant to provide visibility splays in accordance with Part 3 Table DG4 of the LHDG. This indicates that for a road with a speed limit of 60mph visibility splays of 2.4m x 215m would be required if vehicle speeds are commensurate with the speed limit. The Applicant has not shown this is achievable or provided any evidence from an up-to-date speed survey that recorded 85th percentile speeds are lower, which could justify reduced visibility splays.

Traffic Survey

Notwithstanding the above, the LHA has checked its own database for this section of the A47 and there was an Automatic Traffic Counter (ATC) approximately 35m to the west of the site access. The 12 hour counts for one week in March 2023, which is currently the latest data available, show there were a total of between 12,615 and 13,653 two-way movements over a 12 hour period (07:00 – 19:00). Tables 1- 3 summarises the typical AM, PM and 12-hour flows.

	Eastbound Flows 08:00 – 09:00	Westbound Flows 08:00 – 09:00	Two-way total
Monday 27 th March 2023	616	707	1323
Tuesday 28 th March 2023	629	717	1346
Wednesday 29 th March 2023	616	725	1341
Thursday 30 th March 2023	605	719	1324
Friday 31 st March 2023	603	696	1299

Table 1: AM peak hour flows at proposed access.

	Eastbound Flows 08:00 – 09:00	Westbound Flows 08:00 – 09:00	Two-way total
Monday 27 th March 2023	757	666	1423
Tuesday 28 th March 2023	747	669	1416
Wednesday 29 th March 2023	765	669	1434
Thursday 30 th March 2023	777	690	1467
Friday 31 st March 2023	742	589	1331

Table 2: PM peak hour flows at proposed access.

	Eastbound Flows 07:00 – 19:00	Westbound Flows 07:00 – 19:00	Two-way total
Monday 27 th March 2023	6405	6210	12615
Tuesday 28 th March 2023	6559	6474	13033
Wednesday 29 th March 2023	6530	6502	13032
Thursday 30 th March 2023	6721	6583	13304
Friday 31 st March 2023	6863	6790	13653

Table 3: 12 hour flows (07:00 - 19:00) at proposed access.

Speed Survey

As referenced above a speed survey was undertaken in the same location from 25 October 2021 to 10 November 2021. This is the latest speed survey data available to the LHA which has been undertaken in the vicinity of the site access. The Automatic Traffic Count results identified 85th percentile vehicles speeds (for 12 hours between 07:00 - 19:00) of 49.4mph westbound and 53.0mph eastbound.

In accordance with the LHDG, based on the recorded 85th percentile speeds, the required visibility splays at the proposed site access would be 2.4m x 160m. This is based on speeds of 45 to 53 mph. While the Applicant has not demonstrated these are possible, the LHA considers appropriate visibility should be achievable within the extents of the public highway.

Trip Generation

The Applicant has not provided any trip generation for the proposed development. Therefore the LHA has reviewed the trip generation calculations which were considered as part of LPA application reference 21/00560/FUL.

The 2021 planning application was for an identical size of development that is being applied for as part of this planning application. The LHA undertook its own traffic count on Tuesday 14 and Wednesday 15 June 2022, to ascertain the level of trips that development generated. The results indicated between 29 – 35 daily trips used the access to that site. Given this, and the fact the LHA's own speed survey demonstrates that the measured speeds in the vicinity of the site access are in excess of 40mph, the LHA considers the proposals would be contrary to section IN5 of the LHDG. This is due to the proposals being likely to lead to an increase in turning movements in this location, some of which could also be vehicles towing caravans, which would be to the detriment of highway safety.

Highway Safety

Based on available records to the LHA, there have been two recorded Personal Injury Collisions (PIC's) within 500m of the site access on Normandy Way within the last five years. One PIC occurred in December 2018 and was classified as serious, with vehicle 2 travelling eastbound (towards Earl Shilton) colliding into the rear of vehicle 1 which was parked at the time.

The other PIC occurred in January 2020 and was recorded as slight. This involved four vehicles, including a right turning vehicle at the junction of Normandy Way with Cornwall Way. A total of eight PIC's have occurred at the signalised junction of Normandy Way with Ashby Road (A447/B4667), which included one serious and seven slight.

This reiterates the LHA's concerns that the proposals could be of detriment to highway safety.

Internal Layout

Kevin Todd Architectural Ltd drawing number 2023031-PL-010 provides details of the internal layout of the site. The LHA is satisfied that there would be sufficient space for vehicles to park within the site and that the proposals are unlikely to generate vehicle parking within the highway. It is also considered that there is sufficient space for vehicles to turn within the site to allow access and egress in a forward gear.

Transport Sustainability

The site is an approximate 690m walk from bus stops served by regular bus services between Nuneaton and Leicester, however other facilities such as a convenience store and schools are over a 1 km walk.

Closing

The LHA has highway safety concerns regarding increased turning movements on/off the existing access from the A47 Normandy Way. Therefore the LHA would ask the LPA to consider refusing the planning application for the reasons outlined above.

Date Received
13 July 2023

Case Officer
Ben Dutton

Reviewer
AW

Date issued
21 August 2023