



TECHNICAL NOTE

EXISTING STANTON LANE ACCESS

21 SHAW LANE, MARKFIELD

DOCUMENT CONTROL

project number: ADC1252			report reference: ADC1252-RP-A	
version	date	author	reviewer	comments
1		David Cummins		internal draft
2	30/10/2024	David Cummins	Akhila Martha	first issue to the client team
3	03/12/2024	David Cummins		minor amendment about switched gates

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1.0 INTRODUCTION

- 1.1 Hinckley & Bosworth Borough Council granted consent to CJ Upton & Sons' planning application 18/00658/HYB by decision notice dated 8 January 2021¹ (**Appendix B**). This technical note has been prepared to support an application to vary conditions on the consent related to the access proposals.
- 1.2 The planning consent requires the development to be accessed via two junctions. The first is the existing Upton Steel access on Stanton Lane, although the consent requires changes to the existing layout. The second is a new access junction around 105m west of the existing access.
- 1.3 Condition 1 required the development to be carried out in accordance with the submitted plans and details, including the following:
 - Access Design 22614_08_020_01 Rev E received on 12 November 2018
- 1.4 Condition 30 stated:

“No part of Phase 1 of the development hereby permitted under the Full aspect of the application shall be brought in to use until such time as the access arrangements shown on M-EC drawing number 22614_08_020_01 Rev E have been implemented in full.”
- 1.5 The drawing referenced above is in **Appendix A**. It shows the existing access on Stanton Lane and the changes that are required. The applicant no longer believes those changes are necessary, and therefore seeks to vary the conditions requiring them. The applicant contends that the existing layout is adequate, although the gates will be switched around, and this Technical Note supports that position.

¹ 18/00658/HYB | Hybrid planning application comprising outline permission (access, scale and landscaping) for the erection of up to 5000 sqm of B8 storage and full permission for extension to existing manufacturing unit (B2/B8) with associated access, landscaping and drainage works. | 21 Shaw Lane Markfield Leicestershire LE67 9PU

2.0 APPLICATION HISTORY

Submitted information and a first response

- 2.1 The planning application was validated on 4 July 2018. It was accompanied by a Transport Statement². Appendix B of the Transport Statement contained the proposed development layout, a copy is below (**Figure 1**). Phase 1 of the proposals was to build Unit 1 and the connecting canopy to the existing Upton Steel unit. Phase 2 was to build two new units (Units 2 and 3).

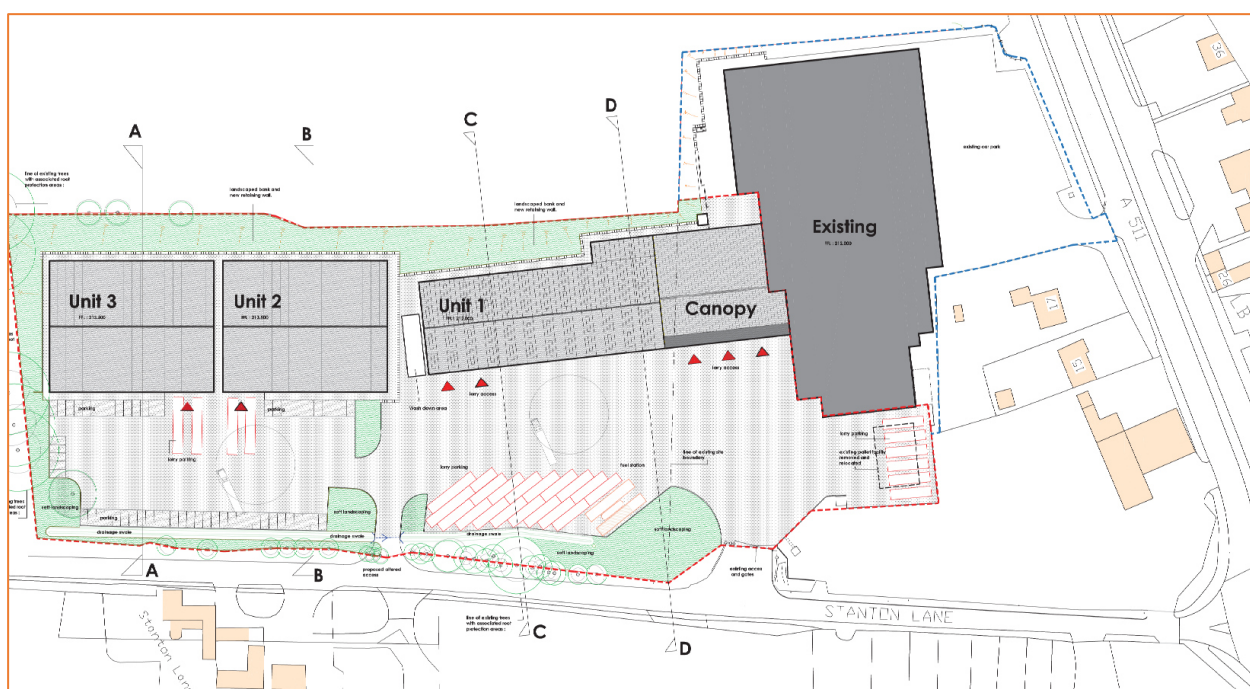


Figure 1: development layout, from the Transport Statement, showing the two accesses on Stanton Lane

- 2.2 The existing Upton Steel service yard access on Stanton Lane was to be retained unchanged. A new (second) access was to be provided around 105m west of the existing access. Of the new access, paragraph 5.1 of the Transport Statement noted, “The site will be accessed via the creation of a new priority junction on Stanton Lane, as demonstrated by Drawing No. 22614_08_020_01 In accordance with DMRB TD 42/95 (paragraph 7.17b) the access will comprise a 7.3m wide access with 15m radii, and 1:10 tapers over a distance of 25m.”
- 2.3 A first highways consultation response was received from Leicestershire County Council dated 2 August 2018, a copy is in **Appendix C** of this report. It noted the new access design to be acceptable in principle. However, it went on to say:
- “The submitted HGV Tracking drawing MEC 22614_08_010_01 indicates HGVs will ‘overrun’ into the opposite carriageway at the new access, and also that this happens at the existing access, which has quite a restricted radii to the north. The LHA does not wish to see HGV vehicles overrunning into the opposite carriageway where it can be avoided, so would wish the accesses to be redrawn such that overrunning is negated / reduced. Albeit that the existing access is existing, the LHA also thinks that this could be improved by moving the access slightly to the south and thereby moving the centre line of the access, maybe by moving the pedestrian access gate to the north / opposite side of the access, or by remodelling the access slightly within the available red-line boundary i.e. removing the closeness to the restrictive radii to the north.*

² Transport Statement, June 2018, reference 22614/06-18/5931

Revised details submitted, and a second and final response

- 2.4 In response, the applicant submitted further information, uploaded to the planning portal on 12 November 2018. It included drawing 22614_08_020_01 Rev E that showed changes to the existing access (a copy is in Appendix A of this report). The access was redesigned along the lines of the new access, described above. That meant a narrower access road and bellmouth. Also submitted was a Landscape Strategy plan, showing how the space adjacent to the narrower access road would be landscaped (**Figure 2**).



Figure2: Landscape Strategy plan showing the two accesses, with the reworking to the existing access

- 2.5 As a result, LCC produced a second highways consultation response dated 29 November 2018 **Appendix D**. It raised no objections subject to conditions and contributions. On the site access it stated:

“Since the LHAs initial comments revised information has been received:

- The two accesses have been redesigned to minimise overrunning into the opposite carriageways, and now comply with standards.*

The LHA finds the submitted information sufficient to address the previous concerns, and is therefore not seeking to resist the application.”

- 2.6 The observations went on to recommend conditions securing the access design, which were brought into the decision notice and are quoted above.

3.0 HIGHWAY CONDITIONS AT THE EXISTING ACCESS

Existing layout

- 3.1 The existing access is shown in **Figure 3** below. Photos taken on 13 September 2024 show each half of the junction, which is the same as on Streetview (**Figures 4 and 5**).



Figure 3: Google Streetview of the existing access



Figure 4: photos taken 13/9/2024 of the western side of the access



Figure 5: photos taken 13/9/2024 of the eastern side of the access

- 3.2 The access is kerbed both sides. The western radius is around 15m, but the eastern radius is smaller. From the topographical survey, at the gates the width of the road between kerblines is 14.3m. The wide gates are in two halves. The eastern half swings from a post in the verge behind the kerb. The western half swings from a post in the road, and there is a pedestrian gate to its side, although it isn't used.

LCC's concern

- 3.3 From the previous section, it is clear that LCC's only concern about the existing access was the tight kerb radius on its northern side, and hence the potential for exiting HGVs turning left to overrun into the southbound carriageway.

HGV tracking

- 3.4 The tracking of an HGV at the existing access is shown in Drawing 22614_08_010_01 in Appendix C. It is the drawing submitted with the application, where the existing access is unchanged. A left turning HGV overruns the southbound carriageway.
- 3.5 The tracking of an HGV at the amended existing access is shown in the approved Drawing 22614_08_020_01 RevE in Appendix A. While it is over a shorter length, a left turning HGV still overruns the southbound carriageway. Thus, the issue remains. LCC's second set of highways comments note the overrunning is minimised. They do not say it is removed. Thus, the consented position is still for overrunning to occur.

Speeds on Stanton Lane

- 3.6 The Transport Statement that accompanied the planning application reported on the results of a handheld radar gun speed survey undertaken on Stanton Lane along the site frontage on Friday 10 June 2016 between 09:30 and 11:15. The table below shows the results.

Table 1: Speed Survey Results Summary

	Northbound	Southbound
Mean Average (mph)	31.8	39.1
85th %ile (mph)	35.8	44.7
85th %ile Wet Weather Adjustment (mph)	33.3	42.2

Traffic flow on Stanton Lane

- 3.7 The Transport Statement did not include a traffic count on Stanton Lane. However, a Transport Assessment that ADC Infrastructure undertook in support of Bardon 2 reported a traffic count at the Flying Horse Roundabout undertaken by LCC on Thursday 28 February 2019. The inflow and outflow to each arm of that junction is shown in the table below.

Arm Summary

LEICESTERSHIRE MCC - 00008025838 - A511/B591 Flving Horse Roundabout - Thursday, February 28, 2019

Copt Oak Road (B591)

Towards Junction		Away From Junction		Both Directions	
Total	3031	Total	3802	Total	6833
AM Peak 07:30	420	AM Peak 07:30	419	AM Peak 07:30	839
PM Peak 15:45	340	PM Peak 16:45	548	PM Peak 16:30	862

Little Shaw Lane (A511)

Towards Junction		Away From Junction		Both Directions	
Total	14776	Total	14007	Total	28783
AM Peak 07:30	1672	AM Peak 07:15	1540	AM Peak 07:15	3169
PM Peak 17:15	1719	PM Peak 17:00	1533	PM Peak 16:45	3203

Stanton Lane

Towards Junction		Away From Junction		Both Directions	
Total	1492	Total	1508	Total	3000
AM Peak 07:30	223	AM Peak 07:30	145	AM Peak 07:30	368
PM Peak 15:15	169	PM Peak 14:45	172	PM Peak 15:15	338

Shaw lane (A511)

Towards Junction		Away From Junction		Both Directions	
Total	15994	Total	15976	Total	31970
AM Peak 07:15	1691	AM Peak 07:30	1907	AM Peak 07:30	3530
PM Peak 17:00	1822	PM Peak 17:15	1752	PM Peak 16:45	3516

- 3.8 The traffic volumes on Stanton Lane were as follows.

• AM peak hour	223 northbound	145 southbound
• PM peak hour	169 northbound	172 southbound
• 24 hours	1,492 northbound	1,508 southbound

- 3.9 These are low traffic volumes. There is a peak hourly southbound flow of 172 vehicles, which is an average of one vehicle every 21 seconds. Traffic doesn't evenly spread itself, and the Flying Horse Roundabout is controlled by signals, releasing traffic in pulses. Therefore, gaps between vehicles will be longer and shorter than the average figure of 21 seconds. Nevertheless, the average figure demonstrates that there would be plenty of opportunities for an HGV to turn left out of the existing access, overrun the southbound carriageway, and not conflict with approaching vehicles, during the busiest hour of the day, the PM peak hour. Outside of the PM peak hour, traffic volumes are lower, and gaps longer.
- 3.10 These are the existing traffic volumes on Stanton Lane. They include the existing vehicles travelling to and from Upton Steel's service yard. The Transport Statement that accompanied the planning application forecast the amount of additional traffic created by the Unit 1. It forecast the following number of additional traffic movements.

Table 3: Trip Rate Analysis for Proposed Uptonsteel Building

TRICS Land Use Category		AM Peak (08.00 – 09.00)		PM Peak (17.00 – 18.00)		Daily Total (07:00 – 19:00)	
		Arr.	Dep.	Arr.	Dep.	Arr.	Dep.
Proposed Development: 'Employment – Ind. Estate'	GFA per 100sqm	1.066	0.458	0.403	0.736	6.433	6.388
	2034sqm	22 trips	9 trips	8 trips	15 trips	131 trips	130 trips
Total trips		31 trips		23 trips		261 trips	

- 3.11 These are relatively modest traffic increases - 31 traffic movements in a morning peak hour, and 23 in an evening peak hour. Upton Steel noted that the proposed use of Unit 1 is to accommodate existing machinery from their current building, and the anticipated number of vehicle movements would be less than forecast.
- 3.12 Furthermore, these figures include traffic movements of all types. In other words, they are additional staff movements, visitors, as well as operational HGV movements. The figures weren't broken down. However, most of these movements are likely to be additional staff movements during the peak hours, using the staff car park at the front of the site, accessed from the A511. The number of extra HGVs using the Stanton Lane accesses would be a small proportion of the total. The forecasts are both arrivals and departures, and yet the only movement of concern is the left turning departures on Stanton Lane, which would be an even smaller proportion of the total. The internal configuration also makes it possible for Unit 1's HGVs to use the new access rather than the existing access. Overall, therefore, the hourly increase in left turning HGVs at the existing access would be marginal.
- 3.13 The Transport Statement noted that Upton Steel's operations typically mean that HGVs depart site between 05:30 and 08:00 and return between 15:00 and 18:00. So most departing movements occur in the morning, outside of peak times, when traffic volumes on Stanton Lane are lower than the PM peak hour volumes noted above.

Visibility at the existing access

- 3.14 The existing visibility at the existing access is shown by the photos below (**Figures 6 and 7**). They were taken at the kerbline, and from a 2.4m setback from the give-way line. Although LCC's

Highway Design Guide says that visibility from industrial accesses should be measured from 4.5m back, the reality is that HGV cabs have a much smaller bonnet depth and 2.4m is ample. Thus, there is adequate visibility to and from oncoming vehicles, such that HGV drivers can safely assess the conditions before pulling out of the access.



Figure 6: visibility at the existing access to the left from a 2.4m setback (top) and at the kerbline (bottom)



Figure 7: visibility at the existing access to the right from a 2.4m setback (top) and at the kerbline (bottom)

3.15 The Transport Statement reported accident records purchased from LCC for the five-year period between 1 January 2013 and 7 April 2018. On Stanton Lane, there were no accidents at the Upton Steel access. Crashmap shows that in the 24 years from 1999 to 2022 there have been no accidents at the existing Upton Steel access (**Figure 8**). Therefore, the left turn overrunning does not cause a road safety problem.



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4.0 PROPOSED SWITCHED GATE POSITIONS

- 4.1 Despite the applicant's position that the existing Stanton Lane access is adequate without change, they note the suggestion made by LCC in their first consultation response of 2 August 2018 (para 2.3 above). That suggestion was to switch the pedestrian gate from the southern to the northern side of the access. Doing so would move the centreline of the vehicle access southwards. Exiting HGVs would be moved southwards, away from the northern kerbline with the tighter radius, giving them more space to undertake the left turning manoeuvre.
- 4.2 Upton Steel therefore propose to rehang the same gates, switched around as described above. The works are shown on **Drawing 1252-ADC-ZZ-XX-DR-Z-0103-S1-P01**, and can be secured by a revised condition.
- 4.3 The change would more than mitigate the marginal increase in the number of HGVs exiting left that overlap into the southbound carriageway. It would be a better solution than that conditioned in the application, which also moved the vehicle access southwards but significantly reduced the bellmouth area and therefore the space available for manoeuvring.

5.0 SUMMARY AND CONCLUSIONS

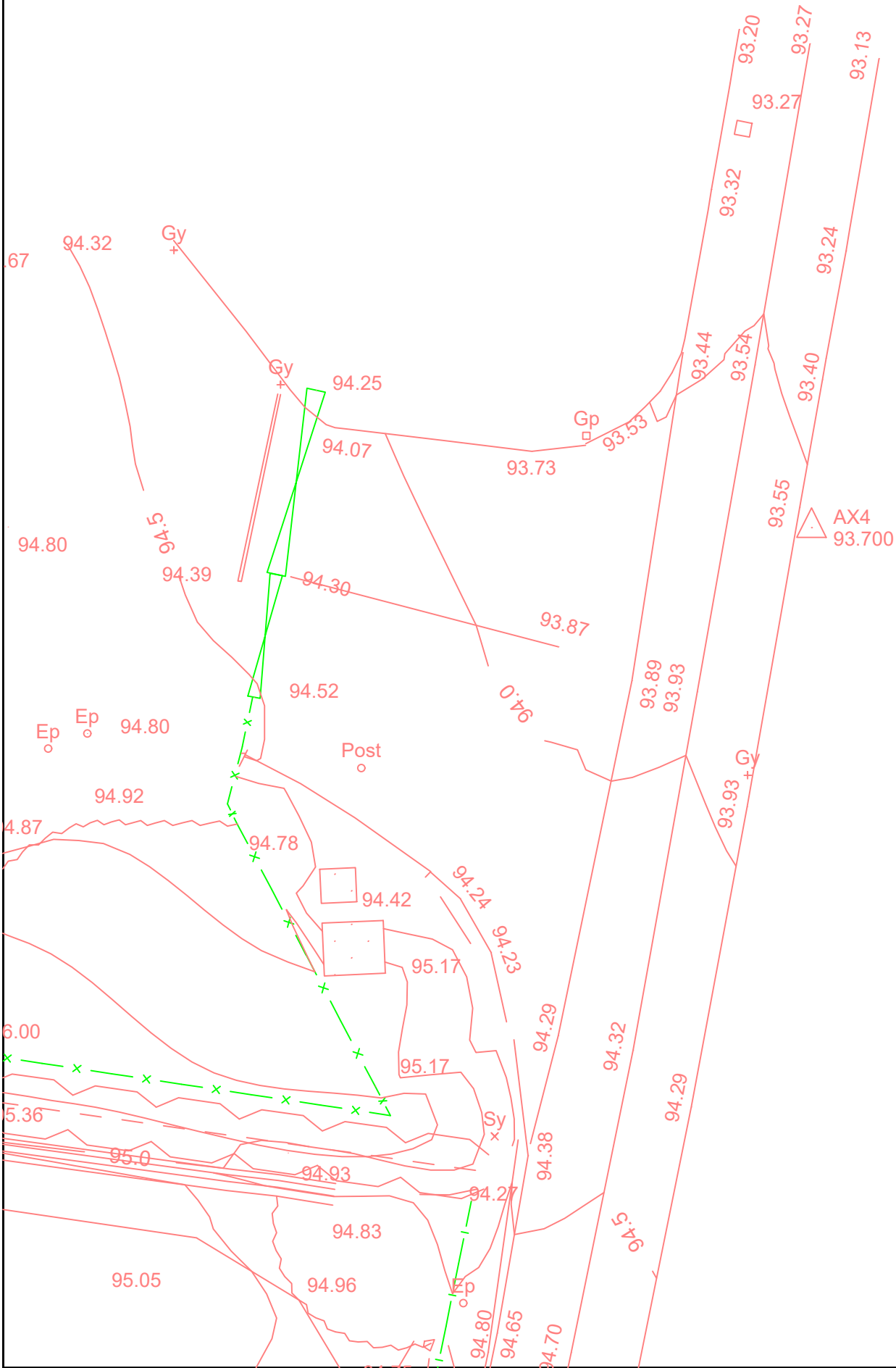
- 5.1 Upton Steel's existing service yard access is on Stanton Lane. As part of their planning consent to build three new units, they are required to provide a new access on Stanton Lane. They are also required to change the existing access, making it smaller. Upton Steel no longer believe the changes to the existing access are necessary, and this report explains why that is the case.
- 5.2 Leicestershire County Council are the local highway authority. In reviewing the planning application, they raised only one concern about the existing access, which is that exiting HGVs turning left overrun the southbound carriageway. The changes proposed to the existing junction do not eliminate that concern, and although the length of overrun would be reduced, left turning HGVs would still overrun into the southbound carriageway. Despite that, LCC accepted the changes to the existing access.
- 5.3 Upton Steel contend that there is minimal road safety risk associated with the left turning movements. They have been occurring for years, and there have been no accidents at the existing access in 24 years. Traffic speeds on Stanton Lane comply with the speed limit, and visibility at the access is adequate.
- 5.4 Traffic volumes on Stanton Lane are low. It is only exiting HGVs turning left that overrun the southbound carriageway. The average gap in the southbound traffic flow during the worst case evening peak hour is 21 seconds. HGVs tend to leave the site early in the morning, outside peak times, when traffic volumes are lower and gaps longer. HGVs are already making the left turn movement, and it is only the uplift in movements due to the new Unit 1 that would increase the risk. However, the uplift from Unit 1 will only create a very small number of left turning HGVs. The change in risk is marginal.
- 5.5 Despite that, Upton Steel will rehang the existing gates, moving the pedestrian access to the north and realigning the vehicle centreline southwards. The proposed works are shown on **Drawing 1252-ADC-ZZ-XX-DR-Z-0103-S1-P01** and can be secured by condition. Retaining the existing bellmouth area, and not reducing it, will provide additional space for HGVs to turn left. Changing the gates would more than mitigate the marginal increase in risk from a marginal increase in the number of HGVs turning left out of the existing access.
- 5.6 Overall, the existing risk of conflicts with southbound traffic on Stanton Lane would not be materially altered by the development proposals. The conditioned works do not eliminate the risk in any case. The NPPF says that development should only be prevented if it has an unacceptable impact on highway safety. It cannot reasonably be said that not introducing the consented works would switch highway safety from acceptable to unacceptable. The extra left turning HGVs do not have an unacceptable impact on highway safety, and the conditioned works are not necessary.

DRAWINGS

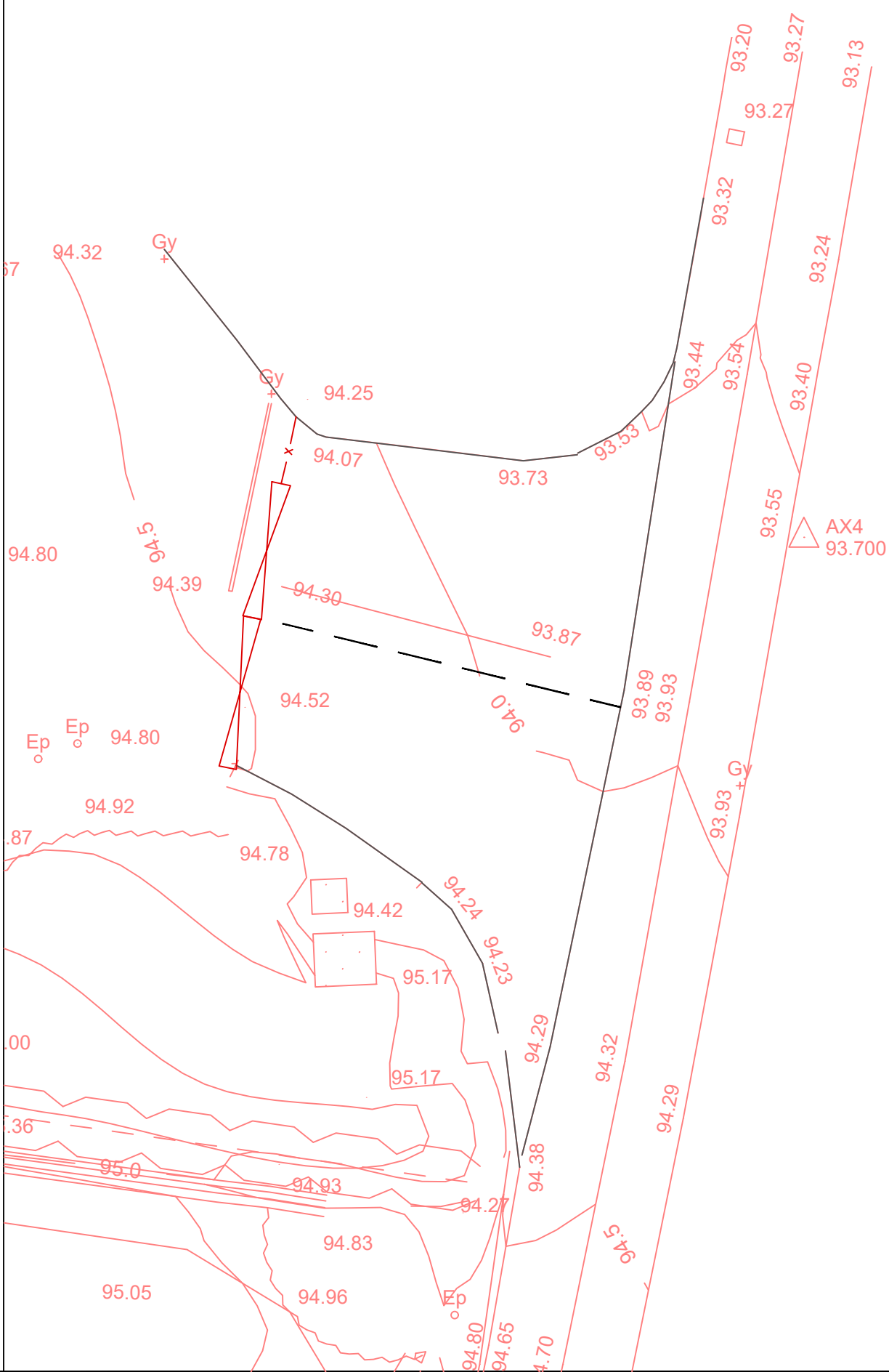
1252-ADC-ZZ-XX-DR-Z-0103-S1-P01
Proposed and Existing Gate Location Comparison



Existing Layout



Proposed Layout



Notes

1. Do not scale this drawing. All dimensions must be checked/ verified on site. If in doubt ask.

2. This drawing is to be read in conjunction with all relevant architects, engineers and specialists drawings and specifications.

3. All dimensions in metres unless noted otherwise. All levels in metres unless noted otherwise.

4. Any discrepancies noted on site are to be reported to the engineer immediately.

Legend

Proposed Vehicle Gate

Existing Vehicle Gate

Proposed Fence

Existing Fence

Proposed Centre Line

Kerb Line

Rev

Date

Description

Dr

Ch

Client:

Upton Steel

Project:

Upton Steel, Shaw Lane, Coalville

Title:

Proposed And Existing Gate Location Comparison

Size:

A3

Scale:

1:250

Status:

PRELIMINARY

Project

Originator

Volume

Level

Type

Role

Number

Status

Revision

1252 - ADC-ZZ-XX-DR- Z -0103

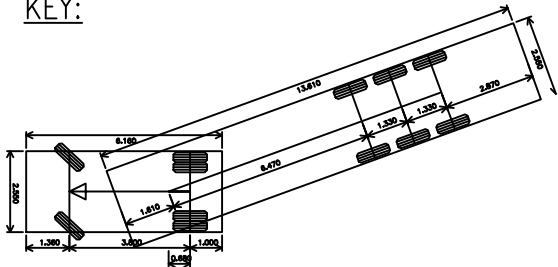
S1

P01

APPENDIX A

DRAWING 22614_08_020_01_REV E

KEY:



NOTES:

- DO NOT SCALE THIS DRAWING.

Vehicle name	Articulated Vehicle (FTA 1998)
Description	Designing for deliveries, FTA 1998
Overall length (m)	16.480
Overall width (m)	2.550
Maximum track width (m)	2.470
Kerb to kerb radius (m)	6.550
Maximum articulation (degrees)	90.0

2.4m x 103m
VISIBILITY SPLAY
WITH 1m OFFSET
FROM KERBLINE

EXISTING TREES TO BE REMOVED
AND HEDGEROW TO BE TRIMMED
IN ORDER TO PROVIDE ACCESS
AND ADEQUATE VISIBILITY SPLAYS

ACCESS COMPRISES 1:10 TAPERS
OVER 25m DISTANCE IN
ACCORDANCE WITH PARAGRAPH
7.17b OF DMRB TD 42/95

2.4m x 70m
VISIBILITY SPLAY
WITH 1m OFFSET
FROM KERBLINE

REV	AMENDMENTS	DRN	CHK	DATE
E	TRACKING ADDED	PT	TR	02.10.18
D	JUNCTION REPOSITIONED TO THE NORTH	DMH	TR	30.10.18
C	JUNCTION MOVED NORTH	DMH	TR	17.10.18
B	JUNCTION MOVED SOUTH	DP	PT	12.10.18
A	AMENDMENTS TO JUNCTION TO IMPROVE HGV MOVEMENTS FOLLOWING TRACKING	DG	TR	10.08.18

PROJECT: LAND OFF STANTON LANE,
MARKFIELD

DRAWING TITLE: ACCESS DESIGN

CLIENT: UPTONSTEEL

DRAWING NUMBER: 22614_08_020_01

REVISION: E	SHEET SIZE: A3	SCALE: 1:500
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DRAWN BY: SW	CHECKED BY: TR	DATE: 11.05.2018
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STATUS: PRELIMINARY

M-EC
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LICENCE NUMBER 100055865.

APPENDIX B

DECISION NOTICE 8/1/2021

Hinckley & Bosworth Borough Council

Town and Country Planning Act 1990

Hybrid Planning Permission

Name and Address of Applicant

CJ Upton And Sons
21 Shaw Lane
Markfield
Leicestershire
LE67 9PU

Name and Address of Agent (if any)

Mr James Hicks
Pegasus Group
4 The Courtyard
Church Street
Lockington
Derbyshire
DE74 2SL

Part I - Particulars of Application

Date of Application

28 June 2018

Application No.

18/00658/HYB

Particulars and location of development :

Hybrid planning application comprising outline permission (access, scale and landscaping) for the erection of up to 5000 sqm of B8 storage and full permission for extension to existing manufacturing unit (B2/B8) with associated access, landscaping and drainage works.

21 Shaw Lane Markfield Leicestershire LE67 9PU

Part II - Particulars of decision

In dealing with the application, through ongoing negotiation the local planning authority have worked with the applicant in a positive and proactive manner by offering a pre-application advice service and by seeking solutions to problems arising in relation to dealing with the planning application and this has resulted in the approval of the application. The Local Planning Authority has therefore acted pro-actively to secure a sustainable form of development in line with the requirements of the National Planning Policy Framework (paragraph 38) and in accordance with the Town and Country Planning (Development Management Procedure) (England) Order 2015 (as amended).

In pursuance of its powers under the Town and Country Planning Act 1990, the Hinckley and Bosworth Borough Council grants permission for the carrying out of the development referred to in Part I hereof in accordance with the application form and plans submitted, subject to the following conditions :-

1. The Development shall be carried out in accordance with the submitted plans and details in the following schedule:
 - Site Location Plan Dwg. No. 7627-03-001 Rev C received on 12 November 2018.
 - Landscape Strategy Dwg. No. 18.1352.002 Rev A received on 12 November 2018.
 - Proposed Site Plan and Sections Dwg. No.7627-03-004 Rev F received on 13 December 2018.
 - Access Design 22614_08_020_01 Rev E received on 12 November 2018
 - Access Design 22614_08_020_03 Rev A received on 12 November 2018
 - Flood Lighting Scheme LL1034/001 Rev A received 7 November 2018.

IMPORTANT - PLEASE READ THE NOTES AT THE END OF THIS DOCUMENT

- Tree Protection Plan Dwg. No. 18.1352.003 submitted received on 28 June 2018
 - Proposed Sections 7627-03-010 Rev A received on 28 June 2018
 - Proposed Elevations 7627-03-006 Rev E received on 28 June 2018
 - Proposed Ground Floor Plan 7627-03-005 Rev E received on 28 June 2018
 - Existing Plans and Elevations 7626-03-003 received on 28 June 2018
 - Existing Site Plan 7627-03-002 received on 28 June 2018
2. No part of the development hereby permitted shall be occupied until such time as vehicular visibility splays of 103 metres to the north and 70 metres to the south have been provided at the site access serving that phase. 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 (2019) and Policy DM17 of the Site Allocations and Development Policies Document (2016).
3. Development implemented within each phase shall not be occupied until such time as the parking, turning and layout arrangements shown on Proposed Site Plan / Sections Dwg. No. 7627-03-004 Rev F received on 13th December 2018 for that phase have been implemented in full. Thereafter the onsite parking and turning provision serving each phase shall be so maintained in perpetuity.
- Reason:** To ensure that vehicles entering and leaving the site may pass each other clear of the highway, in a slow and controlled manner; that adequate off-street parking provision is made to reduce the possibility of the proposed development leading to on-street parking problems locally; to enable vehicles to enter and leave the site in a forward direction; in the interests of general highway safety and in accordance with the National Planning Policy Framework (2019) and Policy DM17 of the Site Allocations and Development Policies Document (2016).
4. 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 vehicular access gates, barriers, bollards, chains or other such obstructions shall be erected within a distance of 15 metres of the highway boundary, nor shall any be erected within a distance of 15 metres of the highway boundary unless hung to open away from the highway.
- 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 (2019) and Policies DM17 of the Site Allocations and Development Policies Document (2016).
5. No development within any phase shall take place until such time as a surface water drainage scheme for that phase of development has been submitted to, and approved in writing by, the Local Planning Authority.
- Reason:** To prevent flooding by ensuring the satisfactory storage and disposal of surface water from the site in accordance with Policy DM7 of the Site Allocations and Development Policies Document (2016).
6. No development within any phase shall take place until such time as details in relation to the management of surface water on site during construction of that phase of development has been submitted to, and approved in writing by, the Local Planning Authority
- Reason:** To prevent an increase in flood risk, maintain the existing surface water runoff quality, and to prevent damage to the final surface water management systems through the entire development construction phase in accordance with Policy DM7 of the Site Allocations and Development Policies Document (2016).
7. No development within any phase shall take place until such time as details in relation to the long-term maintenance of the substantial surface water drainage system for that phase of development have been submitted to, and approved in writing by, the Local Planning Authority.
- Reason:** to establish a suitable maintenance regime, that may be monitored over time; that will ensure the long-term performance, both in terms of flood risk and water quality, of the sustainable drainage system within the proposed development in accordance with Policy DM7 of the Site Allocations and Development Policies Document (2016).

8. No development approved by this planning permission shall take place until such times as infiltration testing has been carried out to condition (or otherwise) the suitability of the site for the use of infiltration as a drainage element, and the flood risk assessment (FRA) has been updated accordingly to reflect this in the drainage strategy.

Reason: To demonstrate that the site is suitable (or otherwise) for the use of infiltration techniques as part of the drainage strategy in accordance with Policy DM7 of the Site Allocations and Development Policies Document (2016).

9. Before any development commences on any part of the site, including site works of any description, tree and hedgerow protection measures shall be carried out in accordance with the Tree Protection Plan Dwg. No. 18.1352.003 received on 28th June 2018 and the Arboricultural Impact Assessment received on the 28th June 2018. The development shall then be implemented in accordance with the approved Tree Protection Plan relevant to the phase of development.

Reason: To ensure that the trees and hedgerows to be retained on site are adequately protected during and after construction in the interests of the visual amenities of the area and biodiversity in accordance with Policy DM6 and DM10 of the Site Allocations and Development Management Policies Development Plan Document (2016).

10. Within 12 months of the first use of the development hereby approved, the Woodland Management Plan received on 12th October 2018 should be implemented in accordance with section 6 of the Plan. Prior to its implementation written confirmation should be sent to the Local Planning Authority.

Reason: To ensure the proposal contributes to the delivery of the National Forest Strategy in accordance with Policies 21 and 22 of the Core Strategy and Policy DM4 of the Site Allocations and Development Policies Document (2016).

11. Within 5 years of the implementation of the Woodland Management Plan a review shall be submitted to and approved in writing by the Local Planning Authority. The Strategy shall include a review of:

- The objectives set out in section 3 of the Woodland Management Plan and;
- Set new objectives for the long term management of the woodland.

Reason: To ensure the proposal contributes to the delivery of the National Forest Strategy in accordance with Policies 21 and 22 of the Core Strategy and Policy DM4 of the Site Allocations and Development Policies Document (2016).

12. Prior to occupation of the building given consent in phase 1, details of the noise barrier shown on Dwg. No. 7627-03-004 Rev F received on 13th December 2018 shall be submitted to and approved in writing by the Local Planning Authority. The details shall include:-

- Barrier specification and location
- Confirmation of the mitigation provided by the structure and the resultant noise levels at the nearest residential premises.

The noise barrier shall then be installed prior to first use of the development, and maintained thereafter unless agreed otherwise by the local planning authority.

Reason: To ensure the development does not have an adverse impact on the amenities of surrounding properties in terms of noise to accord with Policy DM10 and DM7 of the Site Allocations and Development Policies Document (2016).

13. Prior to the first use of any building, a programme for the installation of white noise reversing alarms to be fitted to Upton Steel operational vehicles, should be submitted to and agreed in writing by the Local Planning Authority, all vehicles used in the operation of the business shall be fitted with the agreed alarm in accordance with the agreed programme and maintained thereafter.

Reason: To ensure the development does not have an adverse impact on the amenities of surrounding properties in terms of noise to accord with Policy DM10 and DM7 of the Site Allocations and Development Policies Document (2016).

14. No development within any phase shall commence until a scheme for the investigation of any potential land contamination of land in that phase has been submitted to and agreed in writing by the Local Planning Authority which shall include details of how any contamination shall be dealt with. The approved scheme shall be implemented in accordance with the agreed details and any remediation works so approved shall be carried out prior to each phase being occupied.

Reason: To ensure the development does not have an adverse impact from pollution to accord with

15. If during development, contamination not previously identified is found to be present at the site, no further development shall take place until an addendum to the scheme for the investigation of all potential land contamination is submitted to an approved in writing by the Local Planning Authority which shall include details of how the unsuspected contamination shall be dealt with. Any remediation works so approved shall be carried out prior to the site first being occupied.

Reason: To ensure the development does not have an adverse impact from pollution to accord with Policy DM7 of the Site Allocations and Development Policies Document (2016).

16. Prior to commencement of development within any phase, a Construction Environmental Management Plan for that phase of development shall be submitted to and agreed in writing by the Local Planning Authority. The plan shall detail how, during the site preparation and construction phase of the development, the impact on existing residential premises and the environment shall be prevented or mitigated from dust, odour noise, smoke, light and land contamination. The plan shall detail how such control will be monitored and a procedure for the investigation of complaints. The agreed details shall be implemented throughout the course of that phase of the development.

Reason: To ensure the development does not have an adverse impact from pollution to accord with Policy DM7 of the Site Allocations and Development Policies Document (2016).

17. Site preparation and construction shall be limited to the following hours; Monday to Friday 07:30 to 18:00, Saturday 08:00 to 13:00 and no working on Sundays and Public Holidays.

Reason: To ensure the development does not have an adverse impact from pollution to accord with Policy DM7 of the Site Allocations and Development Policies Document (2016).

18. The development shall be carried out in complete accordance with the Ecological Appraisal (fprc, dated August 2018), received on 14th August 2018. All works shall be in accordance with the Reasonable Avoidance Measures contained within that appraisal.

Reason: To ensure the development contributes to enhancement and management of biodiversity of the area to accord with Policy DM6 of the adopted Hinckley and Bosworth Site Allocations and Development Plan Document (2016).

19. Prior to development commencing details of the species mix for the soft landscaping areas including biodiverse grass sward as shown on Landscape Strategy Dwg. No. 18.1352.002 Rev A received on 12th November 2018 shall be submitted to and agreed in writing by the Local Planning Authority. The landscape strategy shall be implemented in accordance with the agreed species mix and maintained as such thereafter.

Reason: To ensure the development contributes to enhancement and management of biodiversity of the area to accord with Policy DM6 of the adopted Hinckley and Bosworth Site Allocations and Development Plan Document (2016).

20. All planting, seeding or turfing shown on the approved landscaping details under condition 19 shall be carried out during the first available planting and seeding seasons (October - March inclusive) following the approval of the landscaping scheme. Any trees or shrubs which, within a period of 5 years of being planted die are removed or seriously damages or diseased shall be replaced in the next planting season with others of a similar size and species.

Reason: In the interests of visual amenity, and to ensure that the work is carried out within a reasonable period and thereafter maintained, to accord with, Policies DM4, DM10, of the Site Allocations and Development Policies Document (2016).

21. No part of the development hereby permitted shall be brought in to use other than in accordance with the agreed Travel Plan submitted on 28th June 2018 and shall be occupied in accordance with the approved details thereafter.

Reason: To reduce the need to travel by single occupancy vehicle and to promote the use of sustainable modes of transport in accordance with Policy DM17 of the Site Allocations and Development Policies Document (2016) and the National Planning Policy Framework (2019).

Outline Planning Permission - Conditions

22. An application for the approval of reserved matters shall be made within five years from the date that the building given consent in phase one is first brought in to use and not before. The development shall be begun not later than two years from the date of approval of the last of the reserved matters to be approved.

Reason: To comply with the requirements of Section 92 of the Town & Country Planning Act 1990 (as amended) and Policy DM1 of the Site Allocations and Development Policies Document (2016).

23. Approval of the following details (hereinafter called "reserved matters") shall be obtained from the Local Planning Authority in writing before any development is commenced:

- a) The layout of the site including the way in which buildings, routes and open spaces are provided and the relationship of these buildings and spaces outside the development
- b) The appearance of the development including the aspects of a building or place that determine the visual impression it makes

The development shall be implemented in accordance with the approved details.

Reason: To ensure a satisfactory appearance and impact of the development to accord with Policies DM1 and DM10 of the adopted Site Allocations and Development Management Policies DPD

24. No part of phase 2 shall be occupied until such time as the pedestrian crossing works shown on M-EC drawing number 22614_08_020_03 Rev A has been implemented in full.

Reason: To mitigate the impact of the development, in the general interests of pedestrian and highway safety and in accordance with the National Planning Policy Framework (2019) and Policy DM17 of the Site Allocations and Development Policies Document (2016).

25. Any reserved matters applications for the consideration of appearance that include fixed external plant and/or machinery should include details of a scheme for protecting nearby dwellings from noise from the proposed development. Such mitigation works shall be carried out in accordance with the approved details before the permitted development comes in to use.

Reason: To ensure the development does not have an adverse impact from pollution to accord with Policy DM7 of the Site Allocations and Development Policies Document.

26. Updated ecology surveys are to be completed in support of reserved matters applications, where original ecological surveys are more than two years old. Each reserved matter shall be accompanied by an ecology survey no more than two years old.

Reason: To ensure the development contributes to enhancement and management of biodiversity of the area to accord with Policy DM6 of the adopted Hinckley and Bosworth Site Allocations and Development Plan Document

27. No development shall commence on site until such time as the existing and proposed ground levels of the site, and proposed finished floor levels have been submitted to and agreed in writing by the local planning authority. The development shall then be implemented in accordance with the approved details.

Reason: To ensure that the development has a satisfactory appearance and in the interests of visual amenity in accordance with Policy DM10 of the Site Allocations and Development Policies Document (2016).

28. The development subject of this application shall only be used for storage and distributions purposes to meet the operational needs of Upton Steel and shall not be used by any other persons or for any other purposes falling within Class B8 of the Town and Country Planning (Use Classes) Order 1987 (as amended).

Reason: To ensure that the use remains compatible with the surrounding area to accord with Policies DM1 of the Site Allocations and Development Policies Document (2016) and Paragraph 80 and 84 of the National Planning Policy Framework (2019).

Full Planning Permission – Conditions

29. The development hereby permitted shall be begun before the expiration of three years from the date of this permission.

Reason: To comply with the requirements of Section 51 of the Planning and Compulsory Purchase Act 2004.

30. No part of Phase 1 of the development hereby permitted under the Full aspect of the application shall be brought in to use until such time as the access arrangements shown on M-EC drawing number 22614_08_020_01 Rev E 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 Policy DM17 of the Site Allocations and Development Management Policies DPD and the National Planning Policy Framework (2019).

31. Prior to any works above slab level, representative samples of the types and colours of materials to be used on the exterior of the building shall be deposited with and approved in writing by the Local Planning Authority. The development shall be implemented in accordance with the approved materials.

Reason: To ensure that the development has a satisfactory external appearance and in the interests of visual amenity to accord with Policies DM4 and DM10 of the Site Allocations and Development Management Policies DPD.

32. Prior to the commencement of any works in respect of the installation the vehicle wash, full details of the vehicle wash shall be submitted to and approved in writing by the Local Planning Authority. The details shall include the predicted noise levels associated with the use of the station. the vehicle wash shall thereafter be operated in full accordance with the agreed details.

Reason: To ensure the development does not have an adverse impact on the amenities of surrounding properties in terms of noise to accord with Policy DM10 and DM7 of the Site Allocations and Development Policies Document.

33. No mechanical vehicle wash shall be used other than between the hours of 07:00 and 18:00 Monday to Friday, 08:00 and 13:00 on Saturdays and no use on Sundays and Public Holidays. Mechanical vehicle washing will be contained to the wash down area as shown on Dwg. No.7627-03-004 Rev E.

Reason: To ensure the development does not have an adverse impact on the amenities of surrounding properties in terms of noise to accord with Policy DM10 and DM7 of the Site Allocations and Development Policies Document.

34. Prior to the commencement of any works in respect of the installation of the fuel station, full details of the fuel station shall be submitted to and approved in writing by the Local Planning Authority. The details shall include the predicted noise levels associated with the use of the station, the fuel station shall thereafter be operated in full accordance with the approved details.

Reason: To ensure the development does not have an adverse impact on the amenities of surrounding properties in terms of noise to accord with Policy DM10 and DM7 of the Site Allocations and Development Policies Document.

Notes to Applicant

1. The approved development may require Building Regulations Approval, for further information please contact the Building Control team via e-mail at buildingcontrol@hinckley-bosworth.gov.uk or call 01455 238141.

2. **Drainage**

The scheme shall include the utilisation of holding sustainable drainage (SuDS) techniques with the incorporation of sufficient treatment trains to maintain or improve the existing water quality; the limitation of surface water run-off to equivalent greenfield rates; the ability to accommodate surface water run-off on-site up to the critical 1 in 100 year return period event plus an appropriate allowance for climate change, based upon the submission of drainage calculations and the responsibility for the future maintenance of drainage features.

Full details for the drainage proposal should be supplied, including but not limited to, headwall details, pipe protection details (e.g. trash screens), long sections and full model scenarios for the 1 in 1, 1 in 30 and 1 in 100 year plus climate change return periods.

Details should demonstrate how surface water will be managed on site to prevent an increase in flood risk during the various construction stages of development from initial site works through to completion. This shall include temporary attenuation, additional treatment, controls maintenance and protection. Details regarding the protection of any proposed infiltration areas should also be provided.

Details of the SuDS Maintenance Plan should include for routine maintenance, remedial actions and monitoring of the spate elements of the system, and should also include procedures that must be implemented in the even of pollution incidents within the development site.

The results should conform to BRE Digest 365 Soakaway Design. The LLFA would accept the proposal of an alternative drainage strategy that could be used should infiltration results support an

alternative approach.

If there are any works proposed as part of an application which are likely to affect flows in a watercourse or ditch, then the applicant may require consent under Section 23 of The Land Drainage Act 1991. This in addition to any planning permission that may be granted. Guidance on this process and a sample application form can be found at the following: <http://www.leicestershire.gov.uk/Flood-risk-management>

3. Highways

Planning Permission does not give you approval to work on the public highway. To carry out off-site works associated with this planning permission, separate approval must first be obtained from Leicestershire County Council as Local Highway Authority. This will take the form of a major section 184 permit/section 278 agreement. It is strongly recommended that you make contact with Leicestershire County Council at the earliest opportunity to allow time for the process to be completed. The Local Highway Authority reserve the right to charge commuted sums in respect of ongoing maintenance where the item in question is above and beyond what is required for the safe and satisfactory functioning of the highway. For further information please refer to the Leicestershire Highway Design Guide which is available at <https://resources.leicestershire.gov.uk/lhdg>

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

4. Contamination

In relation to condition 14 and 15 advice from Health and Environment Services can be viewed via the following web address; <http://www.hinckley-bosworth.gov.uk/contaminatedsite> which includes the Borough Council's policy on the investigation of land contamination. Any scheme submitted shall be in accordance with this policy.



Date : 08 January 2021

Nicola Smith
Planning Manager
Development Management

NOTES

1. It will be most helpful if the application number shown overleaf is quoted in all correspondence.
2. If you consider that this decision has been made invalidly through the Council failing to follow a procedure correctly, not having the legal power to make the decision in the way it did or through its decision being so unreasonable as no reasonable local authority would make the same decision based on the same facts, then you may enter a claim for judicial review to quash the decision. In order to proceed with a claim for judicial review an initial application for permission will need to be made to the Administrative Court, this application is required to be made "promptly and in any event within three months of the decision". The initial permission application will decide if you have an arguable case, whether you are sufficiently materially affected by the decision to bring the claim. If you are granted permission to bring the claim it will proceed to a full hearing at the Administrative Court. Although there is no requirement for you to do so it is highly recommended that you seek independent legal advice before bringing forward a claim for Judicial Review.
3. If you are aggrieved by the decision of the Local Planning Authority to grant permission subject to conditions, you may appeal to the Secretary of State for the Environment in accordance with Section 78 of the Town and Country Planning Act 1990 within six months (see para 2a below) of the date of this notice. (Appeals must be made on a form which is obtainable from the Planning Inspectorate, Temple Quay House, 2 The Square, Temple Quay, Bristol, BS1 6PN, tel. 0303 444 5000 or online at <https://www.gov.uk/planning-inspectorate>). You must use a Planning Appeal Form when making your appeal. If requesting forms from the Planning Inspectorate, please state the appeal form you require. The Secretary of State has power to allow a longer period for the giving of a notice of appeal but he will not normally be prepared to exercise this power unless there are special circumstances which excuse the delay in giving notice of appeal. The Secretary of State is not required to entertain an appeal if it appears to him that the permission for the proposed development could not have been granted by the Local Planning Authority, or could not have been so granted otherwise than subject to the conditions imposed by them, having regard to the statutory requirements as set out in Section 78 of the Town and Country Planning Act 1990, to the provisions of the development order, and to the directions given under the order. He does not in practice refuse to entertain appeals solely because the decision by the Local Planning Authority was based on a direction given by him. Appeals- new time rules. Appeals relating to applications made to the Local Planning Authority on, or after, 5th September 2003 must be made within six months of the date of this notice.
4. If an enforcement notice is served relating to the same or substantially the same land and development as in your application and if you want to appeal against your local planning authority's decision on your application then, you must do so in accordance with the guidance found using the following link <https://www.gov.uk/appeal-enforcement-notice>.
5. If permission to develop land is granted subject to conditions, whether by the Local Planning Authority or by the Secretary of State for the Environment, and the owner of the land claims that the land has become incapable of reasonably beneficial use in its existing state and cannot be rendered capable of reasonably beneficial use by the carrying out of any development which has been or would be permitted, he may serve on the Council a purchase notice requiring that Council to purchase his interest in the land in accordance with the provisions of Part VI of the Town and Country Planning Act 1990.
6. In certain circumstances, a claim may be made against the Local Planning Authority for compensation, where permission is refused or granted subject to conditions by the Secretary of State on appeal or on a reference of the application to him. The circumstances in which such compensation is payable are set out in Section 114 of the Town and Country Planning Act 1990.
7. This permission covers only consent under the Town and Country Planning Acts and does not give permission to demolish a Listed Building, for which separate consent is required. Amongst other things the consent of the Council of the district in which the land is situated may be required under the Building Regulations and if the proposals affect land within the limits of the highway (that is between the highway fences or hedges) the separate consent of the Highway Authority may also be required. Steps to obtain the necessary further consents should be taken before proceeding with the development.

SHOPS, OFFICES, FACTORIES, EDUCATIONAL BUILDINGS & BUILDINGS TO WHICH THE PUBLIC ARE TO BE ADMITTED : ACCESS AND PROVISION FOR THE DISABLED PERSONS

- 1 The Local Planning Authority is required to bring to your attention the requirements of the Disabled Persons 1981, Building Regulations 1991 "Access and facilities for Disabled People" document M and the Chronically Sick & Disabled Act 1970 (as amended 1976) (Sections 4.7.8 and 8A) requiring the provision of access facilities, car parking and toilets for the disabled and the provision of signing indicating what provision has been made for disabled persons within the building. Your attention is also drawn to the Code of Practice B.S 5619 "Design of Housing for the convenience of Disabled People", 1978 and Code of Practice, B.S. 5810 : 1979, "Access for the Disabled to buildings" available from the British Standards Institution, 2 Park Street, London W1A 2BS. (Tel 071-629-9000) and (in so far as educational buildings are concerned), to Design Note 18 "Access for the Physically Disabled to Educational Buildings."
- 2 The buildings to which these requirements apply are :-
 - a) Buildings to which the public are to be admitted to which Section 4 of the Chronically Sick & Disabled Act 1970 (as amended 1976) applies.
 - b) Offices, Shops & Railway Premises as defined in the Offices, Shops & Railway Premises Act 1963 or premises deemed to fall within the Act.
 - c) Factories as defined by Section 175 of the Factories Act 1961.
Educational Buildings as defined by Section 29B of the Disabled Persons Act 1981.

PPNOTES (02/07/2014)



Hinckley & Bosworth
Borough Council

Start Notice

Important Information – Please keep this with your decision notice

Please read the above decision notice carefully and ensure that you understand and comply with the requirements of any planning conditions imposed.

If you require any further information about why a particular planning condition has been imposed or in respect of what information is needed to discharge your condition please contact the case officer who will be happy to advise of the requirements and information required.

We carry out a programme of site monitoring to check compliance with conditions in order to proactively manage the development and to ensure development is carried out in accordance with the planning permission granted.

Please ensure that any application for the discharge of pre-commencement conditions are carried out in a timely manner as this may take up to 8 weeks depending on the requirements of the condition. Please also be aware there is a charge to discharge conditions per request which means you can discharge conditions individually or group details together as a single request to discharge multiple planning conditions. The fee for discharging these pre-commencement conditions, can be found on the [planning portal](#).

We would be grateful if you could email the development address and application reference number with your contact details and the intended start date by email to planning@hinckley-bosworth.gov.uk or complete the form on the reverse.

Hinckley & Bosworth Borough Council
Hinckley Hub, Rugby Road, Hinckley, Leicestershire, LE10 0FR
TEL: 01455 238141 EMAIL: planning@hinckley-bosworth.gov.uk



Hinckley & Bosworth
Borough Council

Development Details

Planning application ref:	18/00658/HYB
Proposal:	Hybrid planning application comprising outline permission (access, scale and landscaping) for the erection of up to 5000 sqm of B8 storage and full permission for extension to existing manufacturing unit (B2/B8) with associated access, landscaping and drainage works.
Site Location:	21 Shaw Lane Markfield Leicestershire LE67 9PU

Date when work is intended to start:	
Have all pre-commencement conditions been discharged?	
Signed:	Print Name:

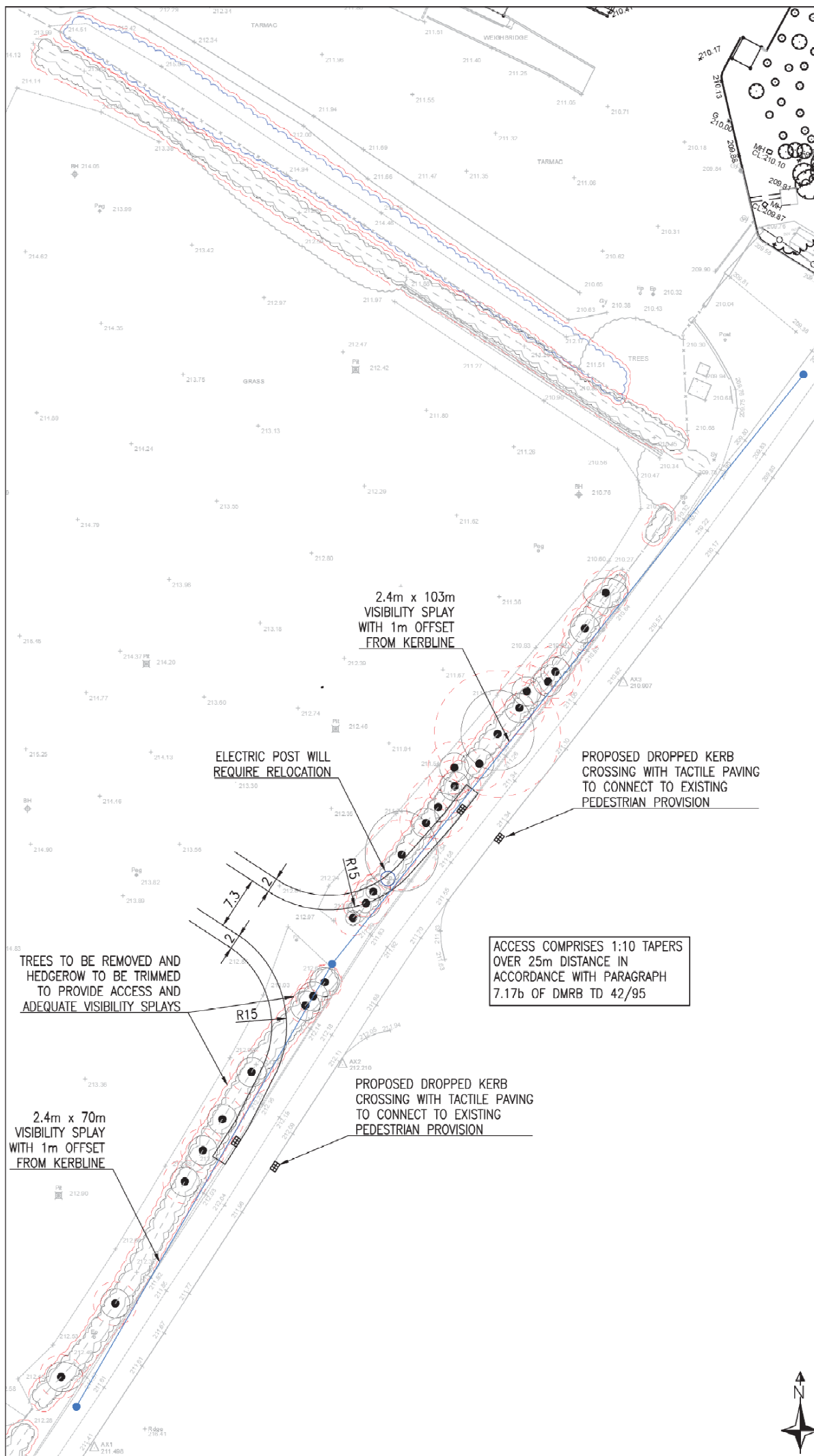
Your contact details (or attach letterhead/business card):

Name:	
Address:	
Telephone:	
Mobile:	
Email:	

Hinckley & Bosworth Borough Council
Hinckley Hub, Rugby Road, Hinckley, Leicestershire, LE10 0FR
TEL: 01455 238141 EMAIL: planning@hinckley-bosworth.gov.uk

APPENDIX C

LCC CONSULTATION RESPONSE 2/8/2018

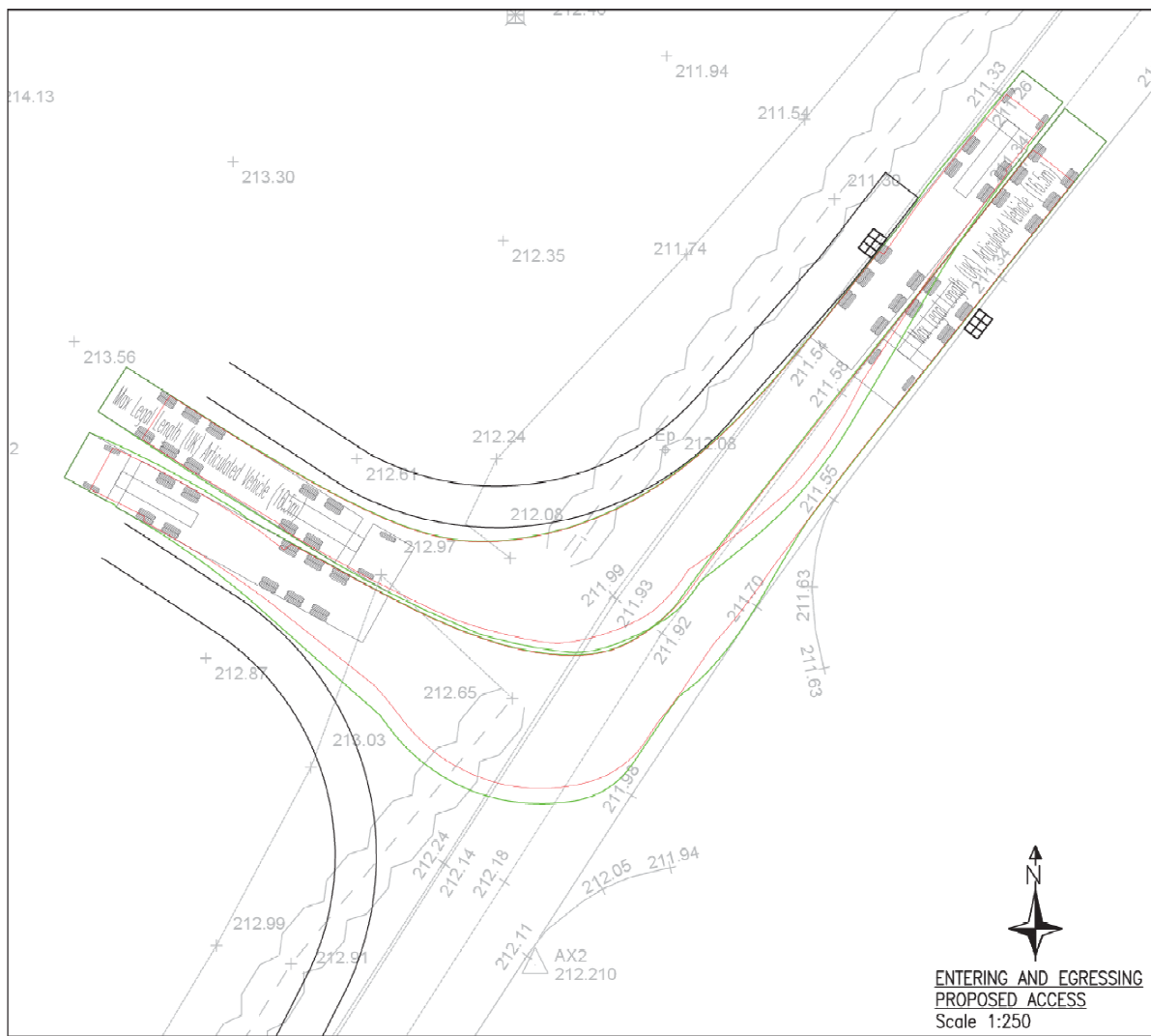


NOTES:

1. DO NOT SCALE THIS DRAWING.

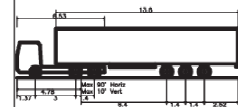
ROOT PROTECTION ZONE

REV	AMENDMENTS	DATE	DRAWN
1	ISSUED FOR TENDERS	11.05.2018	
PROJECT: LAND OFF STANTON LANE, MARKFIELD			
DRAWING TITLE: ACCESS DESIGN			
CLIENT: UPTONSTEEL			
DRAWING NUMBER: 22614_08_020_01			
DRAWN BY: SW	CHECKED BY: TR	DATE: 11.05.2018	
STATUS: PRELIMINARY			
 Consulting Development Engineers Leicester Sheffield Milton Keynes Nottingham Leeds T: 01928 664750 F: 01928 664751 T: 01928 664752 F: 01928 664753 T: 01928 664754 F: 01928 664755			
ORDINANCE DRAINAGE © CHURCH COMPLEMENT FOR ALL RIGHTS RESERVED © CHURCH COMPLEMENT FOR ALL RIGHTS RESERVED			

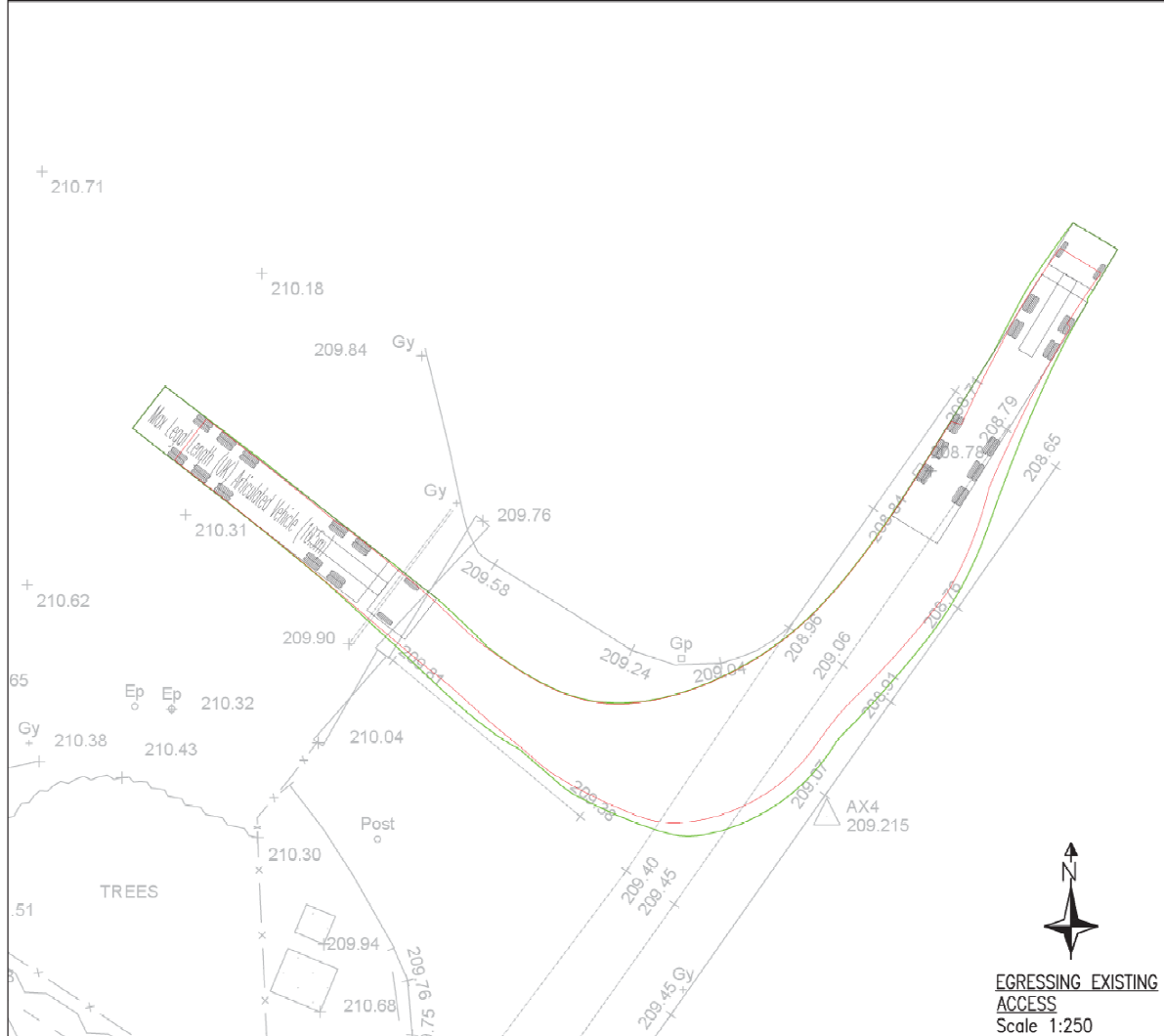


NOTES:

1. DO NOT SCALE THIS DRAWING.
2. DRAWING DEMONSTRATES A HGV ENTERING THE PROPOSED ACCESS AND EGRESSING THE EXISTING ACCESS, WHICH IS THE CURRENT PROPOSAL FOR THE FULL APPLICATION FOR BUILDING 1 TO BE UTILISED BY UPTONSTEEL.
3. DRAWING ALSO DEMONSTRATES TWO-WAY MOVEMENTS AT THE PROPOSED ACCESS, WHICH MAY BE A FUTURE SCENARIO FOR THE TWO BUILDINGS SUBJECT TO THE OUTLINE APPLICATION.



Max Legal Length (UK) Articulated Vehicle (16.5m)
Overall Length 16.500m
Overall Width 2.550m
Overall Body Height 4.581m
Min Body Ground Clearance 0.411m
Max Track Width 2.500m
Lock to Lock Time 8.000m
Kerb to Kerb Turning Radius 6.530m



REV	AMENDMENTS	DATE
1	LAND OFF STANTON LANE, MARKFIELD	
2	HGV TRACKING	
3	UPTONSTEEL	
4	22614_08_010_01	
5	A3	AS SHOWN
6	SW	TR
7	DATE	15.05.2018
8	STATUS	PRELIMINARY
9	MEC	
10	Consulting Development Engineer	
11	ORIGINATOR: STANTON LANE, MARKFIELD	
12	DATE: 15.05.2018	
13	PROJECT: 22614_08_010_01	
14	DATE: 15.05.2018	
15	PROJECT: 22614_08_010_01	
16	DATE: 15.05.2018	
17	PROJECT: 22614_08_010_01	
18	DATE: 15.05.2018	
19	PROJECT: 22614_08_010_01	
20	DATE: 15.05.2018	

**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: 18/00658/HYB

Highway Reference Number: 2018/0658/04/H

Application Address: 21 Shaw Lane, Markfield, Leicestershire

Application Type: Hybrid

Description of Application: Hybrid planning application comprising outline permission (access, scale and landscaping) for the erection of up to 5000 sqm of B8 storage and full permission for extension to existing manufacturing unit (B2/B8) with associated access, landscaping and drainage works.

GENERAL DETAILS

Planning Case Officer: Rhiannon Hill

Highway Case Officer: Gill Moore

Applicant: CJ Upton & Sons

County Councillor: Cllr Peter Bedford

Parish: Markfield

Road Classification: Class C

Date of Highway Response: 2 August 2018

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 adequately assesses the highway impact of 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 and is unable to advise whether this application is acceptable and any conditions and/or contributions which would be required to make it acceptable in highways terms.

Advice to Local Planning Authority

Background

The Local Highway Authority [LHA] understands the application is as described above, and also that the Full part of the application includes a new access onto the 60mph section of Stanton Lane; and that the Outline part of the application does not share a boundary/frontage with the public highway.

A full Transport Assessment should have been submitted to support a proposal of this size; however the submitted Transport Statement [TS] seems to cover sufficient information so this document is what the LHA has assessed and commenting on in this report.

Site Access

The site Access Design drawing by MEC drawing number 22614_08_020_01 is drawn in accordance with DMRB TD 42/95 which is acceptable in principle to the LHA. The pedestrian crossing proposals are also acceptable in principle. The LHA note that to achieve the required visibility splays this may require substantial removal of mature hedge. The Applicant will need to confirm this with the LPA.

However, more information is required with regards to various elements of the submitted TS and drawings please see details below:

TS section 2.7 to 2.8: It is unclear where the traffic surveys were taken, the TS states 'along the site frontage' and no data point is included in the ATC results in appendix D. The LHA therefore requires that new surveys are undertaken at the new / proposed access i.e. outside the equestrian centre/farm opposite the proposed access and within the 60mph zone. These surveys can then inform an amended TS and access drawing if necessary i.e. if the speeds differ from those in the submitted TS, the visibility splays on the access drawings may need to be amended according to the recorded speeds.

Note: traffic surveys can be commissioned through LCC by contacting NDI@leics.gov.uk.

TS section 5.7 to 5.9: The LHA understands that the equestrian centre holds events twice weekly and at these times Stanton Lane may be quite busy, therefore the new traffic surveys need to encompass a whole week rather than the shorter two and quarter hour time period so far submitted; and should include turning movements at the equestrian centre in order that the LHA can assess if these sections of the TS are valid.

The Applicant will need to provide new traffic survey information taken at the proposed new access, for a neutral one week period, including turning movements into/out of the equestrian centre.

The submitted HGV Tracking drawing MEC 22614_08_010_01 indicates HGVs will 'overrun' into the opposite carriageway at the new access, and also that this happens at the existing access, which has quite a restricted radii to the north. The LHA does not wish to see HGV vehicles overrunning into the opposite carriageway where it can be avoided, so would wish the accesses to be redrawn such that overrunning is negated / reduced. Albeit that the existing access is existing,

the LHA also thinks that this could be improved by moving the access slightly to the south and thereby moving the centre line of the access, maybe by moving the pedestrian access gate to the north / opposite side of the access, or by remodelling the access slightly within the available red-line boundary i.e. removing the closeness to the restrictive radii to the north.

In addition, and depending on the outcome of the turning count surveys mentioned above, the LHA would prefer the Applicant to move the proposed new access in order that it is 'staggered' from the equestrian access opposite, this would prevent a 'cross-roads' situation. Alternatively consideration should be given to the whole site using the one, improved, northern access - which would be within the 40mph zone, with circulatory movements kept within the site.

The LHA can advise that the width of 7.3m with radii 15m are acceptable in principle, subject to tracking/no overrunning.

The LHA require new access drawing(s) that show no/reduced 'overrunning' into the opposite carriageway at both accesses; or the one remaining access.

Note: Road Safety Audit(s) [RSA1(s)] and designer responses will be required for all new/amended access drawing(s).

Highway Safety

The Personal Injury Collision (PIC) data for the last 5 years has been reviewed and the LHA would not seek to resist the application on highway safety grounds.

Trip Generation and Junction Capacity Assessments

TS section 4.0: This section indicates that 541 daily vehicle trips will be made from/to the site. The LHA does not agree that this is not a 'significant impact'; the two close-by roundabouts at the junctions of A511 / B591 immediately to the north of the site, and further west the junction at A511 / B585 are both already congested at times, and these 541 additional trips are likely to make this situation worse. The LHA presently has an improvement scheme for the A511 corridor that is being developed, this scheme has been drawn up to help reduce congestion and improve throughput of traffic on the A511. The scheme includes amendments to the turning movements at the junction of A511 / B591, which will mean that vehicles exiting Stanton Lane will not be able to turn right towards the M1, or go straight on towards the B591. This will mean that any of the new proposed trips from the site that may wish to make these movements will have to turn left / west and make a 'u-turn' at the B585 roundabout, therefore the LHA cannot accept the Applicant's conclusion [section 4.11] without supporting highway analysis. The LHA therefore requests that the two roundabouts at junctions A511 / B591 and B585 are modelled in Linsig in order to support the hypothesis stated in the TS, and so that the LHA can assess what impact the HGV/employee traffic will have on the network.

The Applicant will need to provide local Linsig modelling of these two junctions, taking into account the revised junction priorities in the future scenario; the future scheme model can be obtained from LCC.

Off-Site Implications

Based on the information submitted the main off-site implications are the impact on the junctions as mentioned above, which may require mitigation funding contribution towards junction improvements; and the footpath crossings, which are already indicated on the access drawings.

Internal Layout

The LHA can confirm that the proposed quantum of car parking, and the turning arrangements are acceptable; and that should it be required that the proposals were to be amended to just use the existing access, with buildings 2 & 3, being accessed through the site, this would also be acceptable in principle, subject to amendments to prevent overrunning as already mentioned above.

Highway Observations reviewed by: David Hunt

Date: 2 August 2018

APPENDIX D

LCC CONSULTATION RESPONSE 29/11/2018

**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: 18/00658/HYB

Highway Reference Number: 2018/0658/04/H/R3

Application Address: 21 Shaw Lane, Markfield, Leicestershire

Application Type: Hybrid

Description of Application: Re-consultation. Hybrid planning application comprising outline permission (access, scale and landscaping) for the erection of up to 5000 sqm of B8 storage and full permission for extension to existing manufacturing unit (B2/B8) with associated access, landscaping and drainage works.

GENERAL DETAILS

Planning Case Officer: Rhiannon Hill

Applicant: CJ Upton & Sons

County Councillor: Cllr Peter Bedford

Parish: Markfield

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 residual cumulative impacts of development can be mitigated and are not considered severe in accordance with the National Planning Policy Framework 2018 (NPPF), subject to the Conditions and Contributions as outlined in this report.

Advice to Local Planning Authority

Background

The Local Highway Authority [LHA] understands this is a Hybrid planning application comprising outline permission (access, scale and landscaping) for the erection of up to 5000 sqm of B8 storage and full permission for extension to existing manufacturing unit (B2/B8) with associated access, landscaping and drainage works. The Full part of the application includes a new access onto the 60mph section of Stanton Lane; and that the Outline part of the application does not share a boundary/frontage with the public highway.

Based on the proposal and scale of development being applied for, the LHA would expect the Applicant to submit a Transport Assessment. However the Applicant has submitted a Transport Statement [TS] which details the impact of the development and therefore the LHA observations are based on the TS.

The LHA has made previous comments on the application dated 2 August 2018; in which the main issues of concern where:

1. Traffic survey location;
2. Traffic survey incorporating the equestrian centre opposite;
3. HGVs 'overrunning' into the opposite carriageway of Stanton Lane when accessing / egressing the site;
4. The new site access creating a 'cross-roads' with the equestrian centre;
5. Traffic generation and impact on local highway network;
6. Internal layout i.e. whether a single / joint access could be considered - in order to alleviate point 4 above.

Since the initial comments were issued the LHA and Applicant have been in lengthy correspondence in order to seek to redress the issues raised in the earlier comments.

Site Access

Since the LHAs initial comments revised information has been received;

- the two accesses have been redesigned to minimise overrunning into the opposite carriageways, and now comply with standards;
- traffic survey data has been provided at the equestrian centre access;
- a Road Safety Audit 1&2 has been provided for the proposed new access; and
- the southern access has been moved such that it does not conflict directly with the equestrian centre opposite.

The LHA finds the submitted information sufficient to address the previous concerns, and is therefore not seeking to resist the application.

Highway Safety

The Personal Injury Collision (PIC) data for the last 5 years has been reviewed; there was one slight incident recorded in the general vicinity of the site, however, the LHA are satisfied that the traffic from the site would not severely affect highway safety.

Trip Generation, Junction Capacity Assessments and Off-Site Implications

Section 4 of the TS concludes that the Full aspect of the application will generate a maximum of 31 trips in the am peak [08:00 - 09:00]; that the Outline aspect of the application will generate a maximum of 32 trips, also in the am peak; making a total of 541 new daily trips overall. The existing equestrian generates an average of 16 maximum peak hour trips.

Many of these 541 new trips will load onto the A511 and the roundabouts at the A511 / B591 and A511 / B585 junctions. These two junctions are targeted for improvement as part of the Coalville Growth Corridor Strategy, a package of works which to date has seen LLEP, LCC Capital and Developer funding. Underpinning the Strategy are individual junction analysis' and conceptual designs. To date, the analysis has demonstrated that these junctions are currently close to or over capacity at peak times. Without intervention the junctions would continue to deteriorate over the planned period, up to 2031. Additional traffic associated with this development i.e. the 541 forecast trips, will worsen congestion and delays. The LHA therefore requests that the Applicant be required to contribute towards their additional impact on these junctions; the contribution is proposed as £1.20 per sqft; which is based on other approved applications contributions in the area.

Internal Layout

The LHA is satisfied that the parking, turning and layout arrangements shown on HSSP Architects Proposed Site Plan / Sections drawing number 7627-03-004 Rev E will adequately provide for the parking needs of the proposed expansion and new businesses.

Transport Sustainability

As detailed in the submitted Travel Plan the development aims to improve sustainable travel, and acknowledges the proximity of local bus stops at the Flying Horse roundabout. In order to make these facilities more attractive to users and therefore encourage more use of these stops by the new and existing employees the LHA requests that the stops be improved with the provision of raised kerbs and Real Time Information display boards.

The following comments are provided on the submitted Travel Plan:

- the Applicant/Developer should use www.choosehowyoumove.co.uk to promote local schemes to employees; and
- should make LCC aware when the Travel Plan Coordinator is appointed to their post along with contact details once they have been appointed.

Conditions

1. No part of Phase 1 of the development hereby permitted under the Full aspect of the application shall be occupied until such time as the access arrangements shown on M-EC drawing number 22614_08_020_01 Rev E 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 (2018).

2. No part of Phase 2 of the development hereby permitted under the Outline aspect of the application shall be occupied until such time as the access arrangements shown on M-EC drawing number 22614_08_020_03 Rev A 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 (2018).

3. No part of the development hereby permitted shall be occupied until such time as vehicular visibility splays of 103 metres to the north and 70 metres to the south have been provided at the site accesses. 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 (2018).

4. No part of the development hereby permitted shall be occupied until such time as the parking, turning and layout arrangements shown on HSSP Architects Proposed Site Plan / Sections drawing number 7627-03-004 Rev E have been implemented in full. Thereafter the onsite parking and turning provision shall be so maintained in perpetuity.

REASON: To ensure that vehicles entering and leaving the site may pass each other clear of the highway, in a slow and controlled manner; that adequate off-street parking provision is made to reduce the possibility of the proposed development leading to on-street parking problems locally; to enable vehicles to enter and leave the site in a forward direction; in the interests of general highway safety and in accordance with the National Planning Policy Framework (2018).

5. 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 vehicular access gates, barriers, bollards, chains or other such obstructions shall be erected within a distance of 15 metres of the highway boundary, nor shall any be erected within a distance of 15 metres of the highway boundary unless hung to open away from the highway.

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 (2018).

6. No part of the development shall be occupied until such time as the pedestrian crossing offsite works shown on M-EC drawing number 22614_08_020_01 Rev E and M-EC drawing number 22614_08_020_03 Rev A have been implemented in full.

REASON: To mitigate the impact of the development, in the general interests of pedestrian and highway safety and in accordance with the National Planning Policy Framework (2018).

7. The new vehicular access hereby permitted shall not be used for a period of more than one month from being first brought into use unless any existing vehicular access(es), or part thereof, on Stanton Lane that become redundant as a result of this proposal have been closed permanently and reinstated in accordance with details first submitted to and agreed in writing by the Local Planning Authority.

REASON: In the interests of highway and pedestrian safety in accordance with the National Planning Policy Framework (2018).

8. No part of the development hereby permitted shall be occupied until such time as site drainage details have been provided to and approved in writing by the Local Planning Authority.

Thereafter 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 (2018).

Contributions

To comply with Government guidance in NPPF the following contributions would be required in the interests of encouraging sustainable travel to and from the site, achieving modal shift targets, reducing car use; and mitigating the impact of the development traffic on the local highway network:

1. A contribution of £1.20 per square foot of approved development, maximum £64,582.80 (53,819 sqft) plus indexation, towards improvements to the wider highway network along the defined A511 corridor, specifically the junctions at A511 / B591 immediately to the north of the site, and the junction at A511 / B585 further west. To accommodate the wider growth in the area as identified in the Coalville Growth Corridor Strategy.

2. Improvements to nearest two bus stops (including raised and dropped kerbs to allow level access); to support modern bus fleets with low floor capabilities – total of £3500 per stop.

3. Contribution towards equipping the nearest bus stop with Real Time Information (RTI) system; to assist in improving the nearest bus service with this facility, in order to provide a high quality and attractive public transport choice to encourage modal shift – total of £5500 per stop.

4. A monitoring fee of £6000.00 to enable Leicestershire County Council to provide support to the developers Travel Plan Coordinator; audit annual Travel Plan performance reports to ensure Travel Plan outcomes are being achieved and for it to take responsibility for any necessitated planning enforcement.

Informatives

1. Planning Permission does not give you approval to work on the public highway. To carry out off-site works associated with this planning permission, separate approval must first be obtained from Leicestershire County Council as Local Highway Authority. This will take the form of a major section 184 permit/section 278 agreement. It is strongly recommended that you make contact with Leicestershire County Council at the earliest opportunity to allow time for the process to be completed. The Local Highway Authority reserve the right to charge commuted sums in respect of ongoing maintenance where the item in question is above and beyond what is required for the safe and satisfactory functioning of the highway. For further information please refer to the Leicestershire Highway Design Guide which is available at <https://resources.leicestershire.gov.uk/lhdg>

2. 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
13 November 2018

Case Officer
Gill Moore

Reviewer
DH

Date issued
29 November 2018