

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: 23/01090/OUT

Highway Reference Number: 2023/1090/04/H/R2

Application Address: Land At Cliffe Lane Markfield Leicestershire

Application Type: Outline (with access)

Description of Application: Re-consultation. Outline Application for the construction of employment units (Use Classes E(g)(i), E(g)(ii), B2 and B8) (some matter reserved except for access).

GENERAL DETAILS

Planning Case Officer: Matt Jedruch

Applicant: Mr H Milner

County Councillor: Cllr Peter Bedford

Parish: Stanton-under-Bardon

Road Classification: Adopted Unclassified

Substantive Response provided in accordance with article 22(5) of The Town and Country Planning (Development Management Procedure) (England) Order 2015:

The Local Highway Authority Advice is that, in its view, the impacts of the development on highway safety would not be unacceptable, and when considered cumulatively with other developments, the impacts on the road network would not be severe. Based on the information provided, the development therefore does not conflict with paragraph 115 of the National Planning Policy Framework (December 2023), subject to the conditions and/or planning obligations outlined in this report.

Advice to Local Planning Authority

Background

The Local Highway Authority (LHA) has been re-consulted by Hinckley & Bosworth Borough Council as the Local Planning Authority (LPA) on an outline application for the construction of employment units (Use Classes E(g)(i), E(g)(ii), B2 and B8) on land at Cliffe Lane, Markfield.

The LHA previously advised the LPA additional information was required from the Applicant within its observations dated 19th December 2023 and 18th July 2024. Most recently the following additional information was requested:

- Amendments to the site access design and swept path analysis of a larger HGV;
- A capacity assessment of M1 J22;
- Consideration of a pedestrian footway between the Cliffe Lane access and the nearby service station; and
- An updated Travel Plan.

The Applicant has subsequently submitted the following information with the view to resolving the LHA's previous comments:

- 23/01090/OUT – Transport Assessment Addendum ([TAA] Received by the LPA on 10th September 2024)
- Framework Travel Plan (Received by the LPA on 10th September 2024)

Site Access

Cliffe Lane access

Details of the site access arrangements are provided on Edwards & Edwards drawing number 12305/001 Rev. D, included within Appendix A of the TAA. The Applicant has amended the site access design broadly in line with the LHA's previous comments.

In addition, swept path analysis has been provided within Appendix B of the TAA, showing a larger HGV at a 15kph design speed entering and exiting the access from all directions. The LHA advises that whilst the swept path analysis shows that a HGV would over-run the centre line, the drawings show adequate forward visibility between opposing movements, so that collisions between vehicles where they are overrunning the centreline should be avoided. Nevertheless, 1 in 10 tapers have been provided on the access road itself, but not on the section of the junction between the radius kerb and the main road, as shown in Figure DG6 of the LHDG. Providing this taper would help to reduce the amount of overrunning of the main road centreline by a left turning vehicle. This could be considered at detailed design.

As previously advised by the LHA, whilst a visibility splay of 2.4 x 146m is shown to the south of the site access, the LHA can confirm a visibility splay of 2.4 x 159m would be achievable in this direction, which would be acceptable to the LHA.

Shaw Lane (A511) access

The drawing details that existing vehicular access on to Shaw Lane would be permanently closed because of the proposals and would only be accessible by pedestrians. In addition, a 2.0m wide footway link would be provided between the access and the existing bus stop alongside the existing bus lay-by. The Applicant has not amended any of the proposals to this access and the proposals were previously accepted by the LHA.

Highway Safety

The LHA previously advised the proposals were unlikely to exacerbate an existing highway safety concern.

Trip Generation and Distribution

The LHA previously accepted the Applicant trip generation and distribution analysis. Notwithstanding this, the Applicant has revised trip rates, in particular HGV trips and HGV trip distribution at the request of National Highways, as detailed within Section 1.3 of the TAA. This has resulted in trip rates being increased and a change in the Applicants trip distribution. The LHA do not object to the amended analysis.

Junction Capacity Assessments

The LHA previously requested a capacity assessment of M1 J22 was undertaken. The Applicant has obtained the latest junction model from LCC and used traffic counts from January 2023 to establish the level of background traffic. This was factored up to 2024 and 2029 levels using TEMPro traffic growth factors, as advised previously.

Details of the modelling results are provided within section 1.4 of the TAA. The junction was modelled in 2024 and 2029 for:

- Baseline – no development traffic
- Scenario 1 – preferred trip volumes as set out in the original TA
- Scenario 2 – sensitivity test with revised trip generation assumptions

The Applicant states the results show that whilst traffic from the development will result in a small reduction in Practical Reserve Capacity and a small increase in delay the junction will continue to operate within reserve capacity in 2024 and 2029 in all scenarios tested. The LHA has reviewed the junction modelling and consider this to be acceptable.

It is noted that National Highways have provided a response to the LPA dated 4th October 2024 which provides several comments on the junction modelling and advises planning permission is not granted while the Applicant submits additional information. The Applicant has subsequently been liaising with LCC in respect of the modelling and amendments have been made in line with National Highways comments. The LHA advises that the amendments improve the junction capacity and that it could not demonstrate the proposals would have a severe impact on the operation of the junction. Nevertheless, the LHA's advice should not prejudice any subsequent advice which may be forthcoming from National Highways, particularly in respect of the M1 northbound and southbound arms.

As previously advised, the Applicant has advised that they would be happy to contribute towards the Coalville Transport Strategy to mitigate the impact of the development on the A511/ A50 corridor without further assessment of additional junctions. The LHA can confirm that a contribution towards the Coalville Transport Strategy will be required, and the amount required will be calculated upon clarification of the developable area of the site from the LPA.

Off-Site Implications

The LHA previously advised that a 2.0m wide footway between the site access and the service station egress should be considered by the Applicant. The Applicant has stated that a link between the site to the bus stops on the A511, which by extension would also connect to the service station ingress is already to be provided and therefore a link to the egress of the service station is not necessary. In addition, the Applicant states whilst the layout of the site is yet to be determined, the likely position of the buildings within the site means that a link via the A511 is more likely to be convenient for site users than accessing via Cliffe Lane. This is accepted by the LHA.

Internal Layout

As advised previously, the internal layout of the development is not to be considered at this stage.

Transport Sustainability

The LHA have reviewed the submitted Framework Travel Plan (FTP) and advise that the following points will require further consideration before this could be accepted.

- The FTP should provide a thorough assessment of the condition and directness of routes to local amenities such as shops and healthcare facilities, as well as the suitability of cycle crossings and pedestrian routes. This evaluation should consider factors such as pavement quality, surface drainage, gradients, vegetation overhang, and lighting to ensure that active travel is both practical and appealing.

- It is noted that the nearest bus stop is approximately 45 metres from the proposed pedestrian access to the site and is accessible via a 2-metre footway along the southern side of the A511. However, the plan does not specify walking distances within the site. If the footpaths connect to the access road carriageway, the maximum walking distance to the bus stop is estimated to be around 400 metres, which is within acceptable accessibility thresholds. Additionally, this bus stop is well-served by frequent Arriva commercial services (29/29A/29B/X29). It is also acknowledged that six-month bus passes will be provided to employees, which is a positive measure to encourage public transport use.
- While the FTP sets a clear target to reduce single-occupancy vehicle (SOV) use by 10% over the five-year lifespan of the Framework Travel Plan, there are no specific targets for increasing the use of sustainable travel modes. To strengthen the plan's commitment to modal shift, we recommend setting quantified targets for increasing cycling, walking, and bus travel mode shares. This will ensure that the reduction in SOV use is supported by measurable growth in sustainable travel options.

Addressing these points will ensure the Travel Plan aligns with sustainability goals and supports the desired modal shift.

The Framework Travel Plan Monitoring Fee required for this site will be the sum of £11,337

Public Rights of Way

As advised previously, to encourage the health and well-being of people working on the application site by taking walks during lunchtimes at least during the summer periods, the Applicant should consider including a pedestrian path and gate allowing direct access from the site onto the public footpath R100.

Conditions

1. No development shall commence on the site until such time as a construction traffic management plan, including as a minimum details of the routing of construction traffic, wheel cleansing facilities, vehicle parking facilities, and a timetable for their provision, has been submitted to and approved in writing by the Local Planning Authority. The construction of the development shall thereafter be carried out in accordance with the approved details and timetable.

REASON: To reduce the possibility of deleterious material (mud, stones etc.) being deposited in the highway and becoming a hazard for road users, to ensure that construction traffic does not use unsatisfactory roads and lead to on-street parking problems in the area.

2. No part of the development shall be first used until such time as the offsite works shown on Edwards & Edwards drawing number 12305/001 Rev. D (closure of the existing A511 Little Shaw Lane access and provision of a pedestrian footway) have been implemented in full.

REASON: To mitigate the impact of the development, in the general interests of highway safety and in accordance with the National Planning Policy Framework (December 2023).

3. No part of the development hereby permitted shall be first used until such time as the access arrangements on to Cliffe Lane shown on Edwards & Edwards drawing number 12305/001 Rev. D 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 (December 2023).

4. No part of the development hereby permitted shall be first used until such time as vehicular visibility splays of 2.4 x 73m to the north of the access and 2.4 x 159 metres to the south of the access have been provided at the site access on to Cliffe Lane. 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 (December 2023).

5. 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 on Cliffe 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 (December 2023).

6. No part of the development hereby permitted shall be first used until an amended framework Travel Plan which sets out actions and measures with quantifiable outputs and outcome targets has been submitted to and agreed in writing by the Local Planning Authority. Thereafter the agreed Travel Plan shall be implemented in accordance with the approved details.

REASON: To reduce the need to travel by single occupancy vehicle and to promote the use of sustainable modes of transport in accordance with the National Planning Policy Framework (December 2023).

Contributions

Please note that the exact monetary values will need to be agreed prior to the signing of the Section 106 agreement and may be subject to indexation.

1. A financial contribution towards improvements to the wider highway network in Coalville as considered appropriate by the relevant Local Planning Authorities.

Reason: To accommodate the wider growth in Coalville, including the impact from this development.

Suggested trigger point: Prior to first use of the first unit.

2. To comply with Government guidance in NPPF and commensurate with Leicestershire County Council Planning Obligations Policy the following contributions would be required in the interests of encouraging sustainable travel to and from the site, achieving modal shift targets, and reducing employee car use:

- a. Travel Packs, one per employee; to inform new residents from first occupation what sustainable travel choices are in the surrounding area (can be supplied by LCC at

£52.85 per pack). If not supplied by LCC, a sample Travel Pack shall be submitted to and approved in writing by LCC which will involve an administration charge of £500.

Reason: To inform new employees from first use what sustainable travel choices are available in the surrounding area.

Suggested trigger point: Prior to first use of the development.

- b. Six month bus passes, one per employee (one application form to be included in Travel Packs and funded by the developer); to encourage new employees to use bus services, to establish changes in travel behaviour from first occupation and promote usage of sustainable travel modes other than the car (can be supplied through LCC at an average of £510.00 per pass).

Reason: To encourage new residents to use bus services as an alternative to the private car to establish changes in travel behaviour from first occupation.

Suggested trigger point: Payment of 100% paid prior to the occupation of the development. However, payment of 75% of the total contribution may be deferred to a later date by agreement of a timescale with the County Council.

- c. Appointment of a Travel Plan Co-ordinator from commencement of development until 5 years after first use. The Travel Plan Co-ordinator shall be responsible for the implementation of measures, as well as monitoring and implementation of remedial measures.

Justification: To ensure effective implementation and monitoring of the required Travel Plan.

- d. Modeshift Stars travel plan monitoring fee of £11,337.50.

Reason: To enable Leicestershire County Council to provide support to the appointed Travel Plan Co-ordinator, audit annual Travel Plan performance reports to ensure that Travel Plan outcomes are being achieved, and to take responsibility for any necessitated planning enforcement.

Suggested trigger point: Prior to the first use of the development.

Informative

- 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>

- To erect temporary directional signage you must seek prior approval from the Local Highway Authority in the first instance (telephone 0116 305 0001).
- All proposed off site highway works, and internal road layouts shall be designed in accordance with Leicestershire County Council's latest design guidance, as Local Highway Authority. For further information please refer to the Leicestershire Highway Design Guide which is available at <https://resources.leicestershire.gov.uk/lhdg>
- Prior to construction, measures should be taken to ensure that users of the Public Right(s) of Way are not exposed to any elements of danger associated with construction works.
- The Public Right(s) of Way must not be re-routed, encroached upon or obstructed in any way without authorisation. To do so may constitute an offence under the Highways Act 1980.
- The Public Right(s) of Way must not be further enclosed in any way without undertaking discussions with the Highway Authority (0116) 305 0001.
- If the developer requires a Right of Way to be temporarily diverted, for a period of up to six months, to enable construction works to take place, an application should be made to networkmanagement@leics.gov.uk at least 12 weeks before the temporary diversion is required.
- Any damage caused to the surface of a Public Right of Way, which is directly attributable to the works associated with the development, will be the responsibility of the applicant to repair at their own expense to the satisfaction of the Highway Authority.
- No new gates, stiles, fences or other structures affecting a Public Right of Way, of either a temporary or permanent nature, should be installed without the written consent of the Highway Authority. Unless a structure is authorised, it constitutes an unlawful obstruction of a Public Right of Way and the County Council may be obliged to require its immediate removal.

Date Received **Case Officer**
11 September 2024 **Ben Dutton**

Reviewer
DH

Date issued
31 October 2024