

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: 24/00274/FUL

Highway Reference Number: 2024/0274/04/H/R1

Application Address: Manor View Aston Flamville Road Burbage Hinckley Leicestershire LE10 3AA

Application Type: Full

Description of Application: Re-consultation. Extensions and alterations of existing ancillary building to form early years day nursery (Class E) with associated car parking

GENERAL DETAILS

Planning Case Officer: Joseph Fleetwood HBBC

Applicant: Mrs J Jelfs

County Councillor: Cllr Barry Walker

Parish: Burbage

Road Classification: Class C

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

The Local Highway Authority does not consider that the application as submitted fully assesses the highway impact of the proposed development and further information is required as set out in this response. Without this information the Local Highway Authority is unable to provide final highway advice on this application.

Advice to Local Planning Authority

Background

The Local Highway Authority (LHA) has been re-consulted by Hinckley & Bosworth Borough Council as the Local Planning Authority (LPA) on a full application for extensions and alterations of an existing ancillary building to form an early years day nursery (Class E) with associated car parking. The proposals are located at Manor View, Aston Flamville Road, Burbage, Hinckley.

The LHA previously advised additional information was required in respect of the proposals within its observations submitted to the LPA on 16th April 2024. Notably, the following points:

- Clarification on the location of the Applicants speed survey;
- Further consideration of the site access arrangements, including to visibility splays and existing vegetation/ parking as well as the location of the access;
- Provision of an RSA1 for any new access proposals as well as a designer's response to any problems raised;
- Consideration of the proximity of the roundabout proposed as part of application 23/00673/OUT; and

- Further information in respect of the proposed parking arrangements as it appears that the proposals to formalise the 'existing' parking arrangements do not reflect what is actually present on-site and may actually result in additional parking spaces being constructed.

The Applicant has submitted an e-mail to the LPA dated 18th April 2024 with the view to resolving the above points, along with Savoy Consulting drawing number DWG-03 which details the visibility splays and parking arrangements.

Site Access

The LHA previously requested clarification as to the location of the speed survey which was undertaken by the Applicant to inform the visibility splays. The Applicant has confirmed this was undertaken in the immediate vicinity of the site access. The LHA therefore accept the Applicants speed survey.

The LHA requested clarity as to what the 2.4 x 109m visibility splay in each direction was provided. This has been removed from Savoy Consulting drawing number DWG-03 by the Applicant. It was previously highlighted that the visibility splay to the southeast of the access crosses over existing hedgerow, trees, fencing and gates associated with land within the Applicants red line boundary. The LHA advise it would require nothing within the splays higher than 0.6 metres above the level of the adjacent footway/verge within the visibility splay. On this basis, the LHA advised the Applicant to remove the existing hedgerow/ trees/ fencing and gates which fall within the visibility splay. The Applicant has responded stating they would be agreeable to nothing within the visibility splays over 0.6m height and that this could be conditioned. The parking spaces which were previously shown to fall within this splay have also been removed. On the basis the Applicant agrees to the visibility splay requirements, the LHA advise it is likely the hedgerow fronting the site, as well as the fence/ gates to an existing access are likely to require removal.

The LHA previously advised to the northwest, the visibility splay appeared to cross third party land i.e. the neighbouring field, and was obstructed by the existing hedgerow, which also restricted the available visibility on the site visit. The Applicant's revised drawing, which shows the visibility splays off-set 1.0m into the carriageway, still appear to show the visibility splay (blue line) falling within third party land and being obstructed by the neighbouring hedgerow, as shown in Figure 1 below.

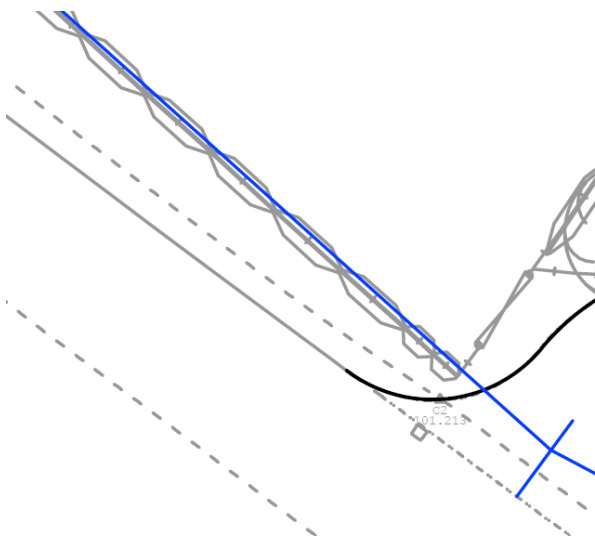


Figure 1: Northwestern visibility splay.

In addition, the LHA previously advised is was aware of application reference 23/00673/OUT for up to 343 dwellings at land opposite and south of pumping station, Aston Flamville Road, Burbage. As part of that application, a roundabout is proposed immediately to the northwest of the site access. That application was granted planning permission on 8th April 2024. The LHA suggested that given the proposals would intensify the use of the existing access and due to concerns with visibility splays in the current location and the proximity of the proposed roundabout, the Applicant should seek to relocate the site access further to the southeast of the site. The Applicant has not addressed the LHA's concerns in respect of visibility splays to the northwest, or the proximity of the proposed roundabout from the access. The LHA cannot currently see any reason why the site access could not be relocated. As advised previously, the LHA would require a Stage 1 Road Safety Audit for any new or amended access arrangements.

Internal Layout

The LHA previously advised that 57 car parking spaces were proposed within the site and that this was formalising what was already on-site at present. The LHA advised no detailed breakdown as to the level of staff on site at any one time had been provided, however it was considered the proposed level of parking exceeded the requirements set out within the Highway Requirements for Development Part 4' document within the Leicestershire Highway Design Guide and would be acceptable.

The LHA also requested clarification as to the current level of usage of the parking area throughout the day. It was advised there appeared to be a dance studio which shares the same access and presumably the same parking area would be shared. The LHA sought clarification as to whether the opening times differ for each use for example and, if not, the maximum number of attendees at the dance studio. The Applicant has advised that the dance studio is only open in the evenings between 16:30 and 20:00 hours and caters for a maximum of two couples at any one time.

As advised further above as part of the Site Access comments, the LHA previously advised six car parking spaces appear to fall within the south-eastern visibility splay at the site access, which was highlighted to be of concern for the LHA. It was also advised the submitted drawing also detailed the spaces in the same location as existing trees. In addition, it was highlighted a number of car parking spaces are shown along and close up to the north-western boundary of the site, where trees are also detailed. The LHA requested clarity in respect of the parking provision, as based on a site visit, the drawing did not appear to accurately reflect the existing situation and it was considered unclear whether additional parking is in fact being constructed/ proposed.

The Applicant has now submitted Savoy Consulting drawing number DWG-03, which has removed the six parking spaces which were previously shown within the visibility splay at the site access. The LHA advises that while the parking arrangements are considered to be acceptable and could accommodate parking for both the dance studio and nursery, the revised drawing still shows several car parking spaces along and close up to the north-western boundary of the site, where trees are also detailed. The LHA believe the drawing does not accurately reflect the existing situation and the Applicant has not addressed this comment. Therefore, the LHA maintains its belief that these spaces are currently not present on-site and should the drawing be conditioned by the LPA, the spaces would need to be constructed. The LHA advise the LPA that the proposals as shown could result in the removal of a number of trees within the site along its north-western boundary.

Closing

The LHA requires the Applicant to submit additional information to the LPA in respect of the following points, for further consideration by the LHA:

- Further consideration of the site access in terms of visibility splays and the location
- Provision of an RSA1 for any new access proposals as well as a designer's response to any problems raised; and
- Consideration of the proximity of the roundabout proposed as part of application 23/00673/OUT.

Date Received
13 May 2024

Case Officer
Ben Dutton

Reviewer
DH

Date issued
15 May 2024