

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: 24/00593/FUL

Highway Reference Number: 2024/0593/04/H/R1

Application Address: Units 1-3 The Sidings Merrylees Road Desford Leicestershire LE9 9FE

Application Type: Full

Description of Application: Re-consultation. Change use of industrial unit (Class B2) to gymnastics club (Class E)

GENERAL DETAILS

Planning Case Officer: Joseph Fleetwood HBBC

Applicant: Mr Joshua Bull

County Councillor: Cllr Peter Bedford

Parish: Bagworth & Thornton

Road Classification: Unadopted / Private

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) is in receipt of a consultation for a full application for a change of use of an industrial unit (Class B2) to gymnastics club (Class E) at Units 1-3 The Sidings, Merrylees Road, Desford, Leicestershire.

The LHA responded to a previous consultation on this application on 22nd July 2024 asking for further information to be submitted from the applicant on the following matters:

- Transport Statement/Assessment
- Details of the existing occupancy of the industrial estate alongside the anticipated occupancy.
- Access details such as vehicular visibility and pedestrian visibility splays
- Automatic speed survey data
- The parking assessment/traffic impact assessment referred to by the applicant.

Transport Statement/Assessment

The applicant has submitted a Transport Statement (TS) for the proposed development. The applicant has given details for the existing use trip generation and proposed use trip generation of the site. The applicant has also compared existing trips rates and proposed trip rates based on the number of students attending the site.

In the Transport Statement received by the LPA on 5th August 2024 the applicant states under 'Existing Use Trip Generation' the below information.

- *Methodology: Based on typical trip generation rates for industrial units.*
- *Average Daily Trips: Approximately 47 trips.*
- *Peak Hour Trips: Approximately 5 trips.*

Furthermore, within the same Transport Statement under 'Proposed Use Trip Generation' the applicant states the following information.

- *Methodology: Based on typical trip generation rates for gymnastics clubs, with 180 students.*
- *Average Daily Trips: Approximately 54 trips per day.*
- *Peak Hour Trips: Approximately 18 trips per peak hour.*

On the basis it is unclear where the Applicant has derived their trip generation figures for the industrial unit, the LHA have used the TRIC® database to compare the above existing trip use generation for the site. The LHA note the data shows the amount of trips generated by the extant industrial use of the site based on its own assessment is greater than what the applicant states above.

When compared to the proposed use trip generation information submitted by the applicant, the data does not suggest a material intensification of the site access. Therefore, the LHA find the above trip generation information submitted by the applicant to be sufficient.

Site Access

The site is accessed via the access road The Sidings, an unadopted road subject to a 30 mph speed limit. The Sidings meets the adopted highway at its junction with Merrylees Road. The Sidings serves a number of businesses and there has been no information submitted as part of this application to the LHA that indicates any new or altered access arrangements at the junction with Merrylees Road.

Merrylees Road is subject to the national speed limit and based on Part 3 Table DG4 of the LHDG, visibility in both directions should be 2.4m x 215m. The LHA noted in its previous response that such a visibility splay could not be achieved to the east of the access and the Applicant would be required to undertake an automatic traffic count (ATC) speed survey at the junction in order to ascertain if appropriate visibility could be achieved in line with recorded vehicle speeds.

The LHA have assessed the speed survey results and the 85th percentile of speeds demonstrated is as follows.

- Eastbound = 85th percentile of vehicle speeds = 40.5mph.

- Westbound = 85th percentile of vehicle speeds = 37.2mph.

Based on the above results the LHA note visibility splays of 2.4m x 65m in both directions from the site access point would be sufficient in accordance with Table DG4 Part 3 of the LHDG. The LHA believe sufficient visibility is achievable at the site access. Therefore, the LHA believe the existing site access arrangements are suitable to serve the proposed development.

Highway Safety

Based on records available to the LHA, there have been no Personal Injury Collisions recorded along The Sidings within the last five years. The LHA therefore advise there are no pre-existing highway safety concerns in the vicinity of the site which could be exacerbated by the proposed development.

Internal Layout

The LHA have reviewed the most recent submitted application form and note the applicant proposes a provision to 20 vehicular parking spaces to serve the existing site.

In most recent observations dated 22nd July 2024, the LHA asked the applicant to submit the traffic impact assessment referred to in the document titled 'BullGnG Parking Provisions' to justify the provision proposed. The applicant submitted a revised document titled 'BullGnG Parking Provisions' to the LHA for consideration.

The LHA note in the applicant's email to the LPA on 5th August 2024 that the applicant has assessed parking provision using dimensions of 4.8m x 2.3m per parking space.

The LHA have assessed the amount of parking available on site using based on a width of 2.4 metres in accordance with LHDG guidance and note that 19 parking spaces are available. There is therefore a shortfall of one parking space when compared to the applicant's proposal.

The existing situation as observed by the LHA on a site visit conducted on 27 August 2024 showed sufficient parking available on site and on the private road leading up to the site. After also taking into consideration the highway safety record of the site and the location of the site, the LHA is unable to demonstrate that the development proposal if permitted will result in a severe impact upon the highway network and would not seek to object on this basis.

Conditions

1. The development hereby permitted shall not be first used until such time as the parking facilities have been implemented in accordance with the parking layout detailed on the document titled 'BullGnG Parking Provisions' uploaded to the planning portal on 5th August 2024. Thereafter the onsite parking provision shall be kept available for such uses in perpetuity.

REASON: To ensure that adequate off-street parking provision is made to reduce the possibility of the proposed development leading to on-street parking problems locally and to enable vehicles to enter and leave the site in a forward direction in the interests of highway safety and in accordance with the National Planning Policy Framework (2023).

Date Received
5 August 2024

Case Officer
Oliver Rivera

Reviewer
BD

Date issued
28 August 2024

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