

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: 23/00711/FUL

Highway Reference Number: 2023/0711/04/H/R2

Application Address: The Blue Bell Inn 39 High Street Desford Leicester Leicestershire LE9 9JF

Application Type: Full

Description of Application:

Re-consultation. Change of use from cafe (Class E(b)) and residential (Class C3) to convenience foodstore (Class E(a)). Construction of two storey side extension, two-storey and single storey rear extensions (following the demolition of existing single-storey element to rear of 37 High Street/2A Main Street and store to rear of public house) with associated car parking, landscaping and other works

GENERAL DETAILS

Planning Case Officer: Matt Jedruch

Applicant: Mr Matthew Roe

County Councillor: Cllr Peter Bedford

Parish: Desford

Road Classification: Class B

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) previously advised within its observations dated 14 September 2023 that the following additional information should be submitted to the Local Planning Authority for further consideration by the LHA:

- A Stage 1 Road Safety Audit of the site access arrangements, along with a Designer's Response and revised drawing (if necessary) to any problems raised;
- Clarification in respect of Personal Injury Collision (PIC) data and the dates assessed;
- Further consideration of the TRICs trip rates for a cafe and a convenience store, particularly during the weekends in respect of the convenience store as these are considered low;
- A review of the parking accumulation studies following provision of updated trip rates;

- Clarification as to why the public house parking accumulation assessment was not undertaken on a Friday;
- A capacity assessment of the site access;
- Further clarity within the Car Park and Delivery Management Plan (CP&DMP) in respect of how deliveries/ refuse collection would be undertaken for the public house, as well as staff parking;

The Applicant has submitted a response to LCC highways comments document, which was received by the LPA on 23 November 2023 and also an Addendum Note (reference 5428, dated 6 December 2023).

Site Access

The Applicant has submitted an independent Stage 1 Road Safety Audit ([RSA1] dated 22 October 23 and authored by Highway Associates) of the site access as previously requested by the LHA. This, along with revised trip rate information has enabled the LHA to undertake a more detailed review of the site access arrangements.

The RSA1 raises three problems as follows:

1. Reduced visibility at the access which could cause junction conflict. An increased visibility splay is recommended.
2. An excessive crossing width at the site access could increase risk of vulnerable road users to vehicle conflict. An uncontrolled pedestrian crossing is recommended which should be located further inset into the junction bellmouth where crossing widths are suitably reduced.
3. Insufficient crossing provision over the B582. Suitable crossing provision is recommended as part of the scheme.

The Applicant has responded to the points as follows:

1. The new access location is situated slightly east of the existing access crossover and therefore reflects a betterment on the westernmost existing access with regard to achievable visibility which is ultimately constrained by the positioning of the existing building positioning. There is no evidence of a road safety issue at the existing access points and that the visibility splay (2.4 x 33m) would be suitable for vehicle speeds of up to 25mph. Given the alignment of the eastbound carriageway, vehicle speeds are unlikely to be higher than this. In addition, the Applicant has stated the proposals provide a reduction in the number of crossovers at the site which will only improve the road safety at the site and its access.
2. The Applicant has advised that the crossing distance is only 10.8m. A pedestrian walking at the average walking speed of 1.4m/s would take only 7-8 seconds to cross the access. In addition, the Applicant states the revised highway code came into effect in January 2022, and included changes to the hierarchy of road users. Specifically Rule H2 states "At a junction you should give way to pedestrians crossing or waiting to cross a road into which or from which you are turning." On this basis, it is not considered that crossing the site access will be difficult or unsafe. The Applicant continues that the reduction of access crossovers to one formalised site access reduces the number of potential conflict points, and hence provides a betterment to the footway along the site frontage.

3. The Applicant has stated that dropped kerbs and tactile paving could be provided at the narrowest point of High Street, adjacent to the pub situated to the east of the site access. The crossing distance is only 5.6m at this point and hence a pedestrian walking 1.4m/s will only take four seconds to cross the road.

ADL Drawing number 5428-04 has been submitted detailing revised access arrangements including a dropped kerb access arrangement and an uncontrolled pedestrian crossing point over the B582.

Overall, given the proposals centralise two existing access points to a single point of access and the fact the new access is located further east than one of the existing points of access, the LHA consider the access arrangements to be generally acceptable. Notwithstanding this, the LHA would request an access with a kerbed radii and tactile paving and this should be provided on a revised drawing, along with details of the uncontrolled crossing on the B582. The LHA also advise that consideration should be given to the location of this crossing point in respect of nearby double height kerbs and footway levels.

Highway Safety

The LHA previously requested clarity as to what dates the Applicants PIC analysis covered. It is understood this covered between 2017 - 2021 inclusive. The Applicant has however advised that Crashmap has been updated to include 2022 data and the additional PIC highlighted by the LHA, which occurred at the Manor Road (B582)/ Main Street/ High Street (B582) junction. This involved a right turning vehicle and another vehicle and was recorded as serious.

Overall, while the PIC's in the area are regrettable, the LHA accepts that there are not any existing patterns or trends of PIC's which suggest that there is an existing road safety issue on the surrounding road network near the site which would require mitigation as a result of the proposals. In addition, given the two existing Co-op stores would close as a result of the proposals, the LHA accepts that the majority of trips to the new store would be on the network already.

Trip Generation

The LHA previously advised further consideration was undertaken of the TRICs trip rates for a cafe and a convenience store, particularly during the weekends in respect of the convenience store as these were considered to be low.

Cafe/ Sandwich Shop

The Applicant has reviewed the TRICs database for a cafe using 'neighbourhood centre' locations. Previously a 'town centre' location had been selected, which the LHA considered to be less relevant to the village of Desford. The Applicant has selected an independent cafe in Worthing in order to undertake a revised assessment. The results, along with a parking accumulation assessment are provided in Table 1.

	Average Trip Rate Per 100sqm		Vehicular Trips (105sqm)			Parking Accumulation
	In	Out	In	Out	Two-way	
08:00-09:00	1.149	0	1	0	1	1
09:00-10:00	2.299	1.149	2	1	3	2
10:00-11:00	9.195	4.598	10	5	15	7
11:00-12:00	4.598	5.747	5	6	11	6
12:00-13:00	6.897	3.448	7	4	11	9
13:00-14:00	8.046	5.747	8	6	14	11
14:00-15:00	0	0	0	0	0	11
15:00-16:00	1.149	4.598	1	5	6	7
16:00-17:00	0	2.299	0	2	2	5
Total	33.333	27.586	34	29	63	-

Table 1: Trip rates (cafe, 105 sqm).

The analysis has indicated that the existing 105 sqm cafe could generate up to 14 two way vehicle trips during a lunchtime peak hour and between one and two trips during the AM and PM peak hours respectively.

The Applicant has advised the overall daily figures would not differ materially from the Table 5A within the original Transport Statement. The parking accumulation for the café would be higher however, in part due to the vehicle arrivals at 10am and there being a higher arrival trip rate than departures. The LHA accepts the Applicants revised trip rates for the existing cafe.

The LHA also previously advised the Applicant could undertake an actual survey of customers to the cafe in order to establish the type and level of trips. The Applicant has suggested that given the low level of traffic associated with the existing café use based on TRICS, it is considered unlikely that a survey of the café would materially change the overall conclusions of the TS.

Overall, while it is disappointing an actual survey has not been undertaken, the LHA accepts the TRICS trip rates under the site specific circumstances.

Residential dwelling

The LHA previously accepted the existing three bed dwelling would not generate any material level of vehicular trips.

Proposed Convenience Store

The LHA previously advised it was unclear why the Applicant had only selected trip rate data for between 10 January 2010 and 25 September 2019 and why more recent surveys (excluding those highlighted by TRICS as being affected by the Covid-19 pandemic) were not considered. In addition, it was advised that the LHA's own assessment identified Saturday trip rates being considerably higher than those presented by the Applicant.

The Applicant has reviewed TRICS data for a convenience store and also included sites within both suburban areas and neighbourhood centres where possible. Any surveys up to September 2022 have also been included in the search and TRICS has not highlighted any sites which were affected by the Covid 19 pandemic.

The Applicant has stated the revised TRICS data suggests that the weekday assumptions were robust, however the Saturday traffic generation could be higher than previously forecast. Previously, the Applicants analysis detailed 655 two way trips between 06:00 - 23:00 during a weekday and 359 two way trips during a Saturday. The revised analysis indicates 514 two way trips on a weekday and 604 two way trips on a Saturday.

Overall, given the revised trip rates include more up to date sites and also neighbourhood centres where surveys are available on TRICS, these are considered to be acceptable. The Applicant has not considered trip rates for a Friday as previously requested, however given the level of parking provision is now considered to be acceptable as detailed further below in the 'Internal Layout' section, the LHA do not require further consideration of this under the site specific circumstances.

Public House

In order to establish the level of trips the existing Public House could generate, the Applicant has used TRICS. The LHA advises that it would usually expect an actual survey to be undertaken of an existing business in the first instance as opposed to the use of TRICS.

Based on the Applicants parking accumulation survey of the public house, which was based on actual data, it is accepted that the public house is likely to generate negligible if any levels of traffic during the AM peak. Under the site specific circumstances, the LHA consider the weekday PM and Saturday peaks TRICS figures to be acceptable.

Combined convenience store and public house trip rates

Combined trip rates for the proposed convenience store and existing public house for a weekday and a Saturday are provided in Tables 2 and 3 respectively below and are considered to be acceptable:

	Convenience Store (Table 2A)		Public House (Table 2C)		Total		
	In	Out	In	Out	In	Out	2-Way
05:00 – 06:00	3	2	-	-	3	2	5
06:00 – 07:00	6	6	-	-	6	56	12
07:00 – 08:00	15	14	-	-	15	14	29
08:00 – 09:00	20	20	-	-	20	20	40
09:00 – 10:00	16	14	-	-	16	14	30
10:00 – 11:00	15	14	1	1	16	15	31
11:00 – 12:00	15	15	6	2	21	17	38
12:00 – 13:00	20	20	10	4	30	24	54
13:00 – 14:00	16	15	8	8	24	23	47
14:00 – 15:00	15	16	5	8	20	24	44
15:00 – 16:00	17	16	5	6	22	22	44
16:00 – 17:00	19	17	9	5	28	22	50
17:00 – 18:00	22	23	13	11	35	34	69
18:00 – 19:00	23	23	15	11	38	34	72
19:00 – 20:00	19	19	14	13	33	32	65
20:00 – 21:00	10	12	7	11	17	23	40
21:00 – 22:00	6	7	3	8	9	15	24
22:00 – 23:00	2	1	2	8	4	9	13
23:00 – 24:00	0	1	1	5	1	6	7
Total	259	255	99	100	358	355	713

Table 2: Combined weekday trips

	Convenience Store (Table 2B)		Public House (Table 2D)		Total		
	In	Out	In	Out	In	Out	2-Way
05:00 – 06:00	1	0	-	-	1	0	1
06:00 – 07:00	3	1	-	-	3	1	4
07:00 – 08:00	8	7	-	-	8	7	15
08:00 – 09:00	21	20	1	0	22	20	42
09:00 – 10:00	20	20	2	1	22	21	43
10:00 – 11:00	20	20	4	3	24	23	47
11:00 – 12:00	24	23	6	2	30	25	55
12:00 – 13:00	28	28	10	6	38	34	72
13:00 – 14:00	20	20	13	11	33	31	64
14:00 – 15:00	22	21	9	12	31	33	64
15:00 – 16:00	20	21	9	11	29	32	61
16:00 – 17:00	20	18	10	10	30	28	58
17:00 – 18:00	27	32	13	10	40	42	82
18:00 – 19:00	20	18	11	11	31	29	60
19:00 – 20:00	20	19	12	10	32	29	61
20:00 – 21:00	11	14	7	8	18	22	40
21:00 – 22:00	13	14	4	10	17	24	41
22:00 – 23:00	4	5	3	7	7	12	19
23:00 – 24:00	0	1	1	4	1	5	6
Total	302	302	116	115	418	417	835

Table 3: Combined Saturday trips

Junction Capacity Assessments

The LHA previously advised that following further consideration of trip rates, the Applicant may need to undertake a capacity assessment of the site access. Given the proposed convenience store could generate an additional 40 two way trips in the AM weekday peak (08:00 - 09:00) and 45 two way trips in the PM weekday peak (17:00 - 18:00), which would be over and above any existing level of traffic generated by the public house at these times, the LHA consider a capacity assessment of the access is necessary. Furthermore, the access is on to a B classified road. Whilst the Applicant considers a capacity assessment is not necessary, such an exercise has been undertaken within the submitted Addendum Note.

The Applicant undertook a traffic count of the Manor Road (B582)/ Main Street/ High Street (B582) mini-roundabout on Thursday 3 March and Saturday 5 March 2022. Traffic flows on the B582 High Street arm have been used for the capacity assessment.

The survey was undertaken at a time that the LHA required uplift factors to be applied to baseline traffic data to take into account a reduction in traffic on the network due to the Covid-19 pandemic. The Applicant has not clarified whether uplift factors have been applied to the the traffic flow data and this is therefore required. Leicestershire County Council also does not appear to hold records of a survey permit at this location for the survey dates. LCC would have provided uplift factors to the Applicant once a survey permit had been obtained. The LHA therefore advise the Applicant to contact NDI@leics.gov.uk in order to retrospectively obtain a permit and Covid-19 uplift factors.

The Applicant has also stated that the surveyed 2023 traffic flows have ben uplifted using TEMPRO traffic growth factors to the opening year of 2025. The LHA has reviewed traffic growth factors and those used by the Applicant and these appear slightly lower than those obtained by the LHA. Therefore clarification in respect of the years used and whether these are for the Hinckley & Bosworth 005 area should be provided as well as the growth factors potentially being revised.

it also does not appear consideration nearby committed development has been undertaken. This includes at least application reference 22/01227/OUT (120 dwellings, Ashfield Farm, Kirkby Road, Desford), which has been allowed at appeal. Application 23/00061/OUT (100 dwellings, Land Adjacent To Lockey Farm Hunts Lane Desford) which is currently at appeal should also be considered as a sensitivity test Both these applications were speculative development.

Notwithstanding the results of the Applicants capacity assessment, the LHA requests this is subsequently revised.

Internal Layout

The proposed internal layout remains as shown on Corporate Architecture Limited drawing number 5166/JP/21/005 Rev. P2, with 38 car parking spaces being proposed. The LHA provides further advice in respect of parking provision below.

Existing Cafe/ Sandwich Shop

The Applicant has reviewed trip rates for the cafe and this has indicated the existing cafe could have a higher level of on-street parking than previously suggested, with a peak demand of up to 11 vehicles.

Residential Dwelling

As previously advised, the LHA consider a three bed dwelling would usually require two car parking spaces. The existing dwelling relies on on-street parking.

Existing Public House

The LHA previously advised that it would be beneficial for the Applicant to provide details in respect of the internal floorspace of the existing public house. The Applicant has clarified that the public floorspace is 142.6sqm. On this basis, based on the Highway Requirements Part 4 document available within the LHDG, the existing public house would require 47 car parking spaces and an additional three spaces for resident and staff parking.

Currently, on the basis the public house has 33 parking spaces, there is a shortfall of 17 car parking spaces.

Proposed Convenience Store

As per the LHA's previous observations, based on the Highway Requirements Part 4 document, nine car parking spaces would be required for the proposed convenience store.

Overall Car Parking Demand

The LHA has outlined the parking situation for both the existing situation and the proposed situation in Table 4.

	Existing situation	Proposed situation	Difference
On-street parking (shortfall)	31	21	-10
Off-street parking	33	38	+5

Table 4: Comparison of on-street and off-street parking demand for the existing and proposed situation.

The Applicant has updated their parking accumulation study of the car park to reflect the change in the level of trips generated by the proposed convenience store as requested by the LHA. This has

indicated a maximum demand of 25 car parking spaces being occupied on a 'neutral weekday' and 37 car parking spaces on a Saturday.

The LHA previously questioned why an assessment was not undertaken of the existing car park on a Friday as this is typically when the public house and also the convenience store could be at their busiest during the week, and parking demand be at its greatest. The Applicant has advised that the busiest trading day for the public house is a Saturday, and an assessment was undertaken on a Thursday to reflect a typical 'neutral weekday'. While a parking accumulation survey on a Friday would still be preferable to the LHA, on the basis of Table 4, the LHA consider that while there is still a shortfall in parking provision for the public house and convenience store as a whole based on guidance, the proposals are unlikely to result in an increase in demand for off-street parking in the area when considering the existing situation. Furthermore, there are existing parking restrictions in the centre of Desford which should prevent inappropriate parking on the B582 and surrounding area.

Car Park & Delivery Management Plan

The LHA previously requested clarity as to how deliveries would be made for the public house, along with swept path analysis as this was not provided. The Applicant has provided details of the vehicle which is used by the draymen and that deliveries are once a week before 12PM when the public house is not open or trading. Parking for the vehicle would also be managed prior to arrival and the Applicant has highlighted that the parking accumulation assessment has detailed that there would be space within the car park without any detriment.

The LHA request that the detail for the public house deliveries are included within the Car Park & Delivery Management Plan so that this document could be advised as a condition in the event it is mindful to advise approval of the proposals in the future.

In terms of staff parking within the highway, as previously advised, the LHA would usually expect this to be provided for within the site. Notwithstanding this, as detailed above, the LHA accepts the proposed level of parking is unlikely to result in an increase in on-street parking demand compared to the current situation. The Applicant has also stated that the majority of existing staff at the two existing stores live locally within the village would be re-located to the new store and therefore chose to commute by sustainable modes of travel.

Closing

The LHA advise that the following additional information is required to be submitted to the LPA, for consideration by the highway authority:

- An updated site access drawing detailing kerbed radii instead of a dropped kerb arrangement, tactile paving at the junction and an uncontrolled pedestrian crossing point.
- An updated capacity assessment which includes Covid-19 uplift factors and committed development as well as a sensitivity test.
- An updated CP&DMP to include the information on how parking for deliveries to the public house would be managed.

Date Received
20 December 2023

Case Officer
Ben Dutton

Reviewer
DH

Date issued
11 January 2024