

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: 23/00613/FUL

Highway Reference Number: 2023/0613/04/H/R3

Application Address: Land South Of A5 Watling Street & West Of Petrol Filling Station Hinckley
Leicestershire LE10 3ED

Application Type: Full

Description of Application: Re-consultation. Proposed Bio-CNG vehicle fuelling [sic] station comprising fuel dispenser islands, plant compound, landscaping, access, associated highway works and associated development.

GENERAL DETAILS

Planning Case Officer: Satbir Jandu

Applicant: CNG Fuels Ltd

County Councillor: Cllr David Bill MBE

Parish: Hinckley

Road Classification: Class A

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) have been re-consulted by the Local Planning Authority (LPA), Hinckley and Bosworth Borough Council (HBBC), on the above application. This application is for a proposed Bio-CNG vehicle fueling station comprising fuel dispenser islands, plant compound, landscaping, access, associated highway works and associated development located at Land South of A5 Watling Street & West of Petrol Filling Station, Hinckley.

Within its previous observations dated 23 April 2024, the LHA requested further information from the Applicant with regards to the site access. In addition, the LHA requested clarification from the LPA that the planning permission sought would not enable conversion to a standard petrol filling station without a separate planning consent. Finally, the LHA advised that once a revised, acceptable site access design was submitted, and clarification from the LPA was provided, that the LHA would provide further comment on the information submitted.

The LPA have subsequently confirmed that a suitably worded condition has been agreed and will be imposed on the application which provides assurance that the proposed CNG station cannot be converted into a Petrol Filling Station (PFS) in the future without separate planning permission.

The Applicant has since submitted the following additional documents in support of this application:

- Email sent to the LPA dated 17 May 2024;
- Construction Management Plan, prepared by Odyssey dated May 2024; and,
- Designer's Response to Stage 1 Road Safety Audit, prepared by Odyssey dated May 2024.

The LHA provides comments as follows under the various sub-headings on the understanding that a suitably worded condition is to be imposed. This will prevent the proposed CNG station cannot be converted into a PFS in the future without separate planning permission.

Site Access

The proposed site would be accessed via a priority junction on the A5 (Watling Street) which is subject to a 50mph speed limit at the point of the site access and is the responsibility of National Highways (NH), forming part of the Strategic Road Network (SRN).

Within its previous observations dated 23 April 2024, the LHA requested that a Stage 1 Road Safety Audit and satisfactory Designers response was submitted in support of the site access proposals.

From review of the submitted Designer's Response to Stage 1 Road Safety Audit (which also includes the Stage 1 Road Safety Audit within the document), the LHA notes that the designers responses to the two issues as raised by the Stage 1 Road Safety Audit team have been accepted by NH in their role as the authority for the SRN, within which this application seeks to achieve the site access from.

The LHA is therefore content with the proposed left in, right out site access arrangement.

Whilst the LHA acknowledge the site access is via the A5 SRN and not the LHA's highway network in the interest of highway safety, the LHA advise of a site access condition below.

Highway Safety

Within its initial observations dated 2 August 2023, the LHA commented on the Personal Injury Collision (PIC) data submitted and reviewed in support of this application. From review the LHA queried as to whether the proposed development could operate prior to the mitigation works to the rail bridge/carriageway height over the A5 which are proposed as part of the planning permission reference 21/0199/HYB.

The LHA subsequently acknowledges that the left in, right out site access arrangements, as detailed on the previously submitted drawing titled 'PROPOSED LEFT IN / RIGHT OUT ACCESS ON A5 WATLING STREET' (drawing number 22-240-007 Rev H dated 28 February 2024), would seek to prevent development accessing/egressing the site to/from the west, where the low bridge is situated. It is therefore not expected that any CNG related trips would require HGVs to route under the low bridge to the west.

Furthermore, as covered elsewhere within this report, Watling Street (A5) forms part of the SRN and as such is the responsibility of NH. The LHA notes that within the most recent consultation response (Dated 24 May 2024), NH have recommended that conditions should be attached to any planning permission that may be granted.

In addition, as covered below under 'Highway Impact Assessment', it is noted that NH consider the development trips to be bypass trips (i.e. trips that are already on the network) and not new trips, which the LHA does not contest in this site and application specific circumstance.

Highway Impact Assessment

Within its initial observations dated 2 August 2024, the LHA requested further information with regards to the vehicle trip generation, junction capacity assessment and with regards to the anticipated traffic impact from the proposed development.

The LHA notes that a revised highway impact assessment has been undertaken as detailed within the previously submitted Transport Statement Addendum (TSA) prepared by Odyssey dated March 2024 (Revision A). From a review of the proposed trip distribution, as detailed within appendix C of the submitted TSA, the LHA notes that all anticipated development trips are contained within the SRN and do not distribute to the west of the proposed development. In addition, the LHA understands, from correspondence with NH, that it is considered that development trips would be bypass trips (i.e. trips that are already on the network).

As such the LHA does not object to the highway impact assessment undertaken in support of this application in this site and application specific circumstance.

Internal Layout

Within its initial observations dated 2 August 2023, the LHA noted that the Applicant had stated that the site would not permit HGV's to use the site as a rest stop and would monitor this via CCTV. Also to discourage this, the LHA understood that no HGV parking area was proposed and signage indicating this will be installed. Further, the LHA advised that no driver facilities including toilets/cafe were proposed. The LHA then concluded that space was proposed on site to allow vehicles who have wrongly entered to turn around and egress the site.

From review of the Swept Path Analysis (SPA) drawings, as provided within the previously submitted TSA, the LHA notes that an 18.55 metre HGV can access and egress the proposed site layout in a forward gear.

Furthermore, the LHA notes that paragraph 2.7.1. of the submitted TSA states the following:

'The previously submitted Transport Statement proposed that the site layout would accommodate five vehicle parking spaces which would be used on an ad-hoc basis by occasional maintenance vehicles. However, due to the inclusion of a gas odouriser on-site, one of the parking spaces has been removed. Accordingly, the development proposals now include only four vehicle parking spaces.'

The LHA notes from review of the previously submitted drawing titled 'PROPOSED LEFT IN / RIGHT OUT ACCESS ON A5 WATLING STREET' (drawing number 22-240-007 Rev H dated 28 February 2024), that four vehicle parking spaces at a measured 3.5 meters x 6 meters are proposed.

As such, the LHA is content with the internal layout proposed and has advised a suitably worded condition to secure this.

Conditions

- 1) No part of the development hereby permitted shall be occupied until such time as the access arrangements shown on PROPOSED LEFT IN / RIGHT OUT ACCESS ON A5 WATLING STREET drawing number 22-240-007 Rev H 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).

- 2) The development hereby permitted shall not be occupied until such time as the parking and turning facilities have been implemented in accordance with drawing titled "PROPOSED LEFT IN / RIGHT OUT ACCESS ON A5 WATLING STREET" (drawing number 22-240-007 Rev H dated 28 February 2024). Thereafter the onsite parking and turning provision shall be kept available for such use(s) 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 (December 2023).

- 3) 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.

Date Received
13 May 2024

Case Officer
Perry Miller

Reviewer
SD

Date issued
04 June 2024