

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: P/21/2639/2

Highway Reference Number: 2021/2639/02/H/R6

Application Address: Land North of Barkby Road Syston Leicestershire

Application Type: Outline (with access)

Description of Application:

Re-consultation. Outline application for up to 195 dwellings with all matters reserved except access.

GENERAL DETAILS

Planning Case Officer: Liam Ward

Applicant: Taylor Wimpey (UK) Ltd

County Councillor: Mr Tom Barkley

Parish: Syston

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 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 111 of the National Planning Policy Framework (2021), 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 on an outline with access planning application for up to 195 dwellings to be located on land north of Barkby Road, Syston. The site is draft allocation HA3 in the emerging CBC local plan.

The LHA's previous and fourth set of observations dated 27 January 2023 can be summarised as follows:

- The LHA requested changes to be made to the proposed site access ghost island right turn lane and a revised Stage 1 Road Safety Audit (RSA) and Designer's Response (DR) for the junction.
- The LHA also required changes to be made to the Roundabout option which was put forward to demonstrate that the issuing of planning permission for this application and the associated

proposed right turn lane access proposed would not prejudice the delivery of development to the south of Barkby Road (Draft allocation HA1 in the emerging CBC Local Plan).

- The LHA noted that the Applicant had suggested that a Public Transport Strategy (PTS) could be secured by way of a condition.
- The LHA requested for the modelling files for junctions assessed to be submitted so that the LHA could review and verify the models. It was highlighted that that the LHA may seek mitigation at the off-site junctions following a review of the models.
- Finally, the LHA also requested for a sensitivity test which should consider the cumulative impacts of all of the draft allocation sites included in the Draft Charnwood Local Plan, which will include sites in Syston and Queniborough in particular. This was requested for the LHA to obtain a wider view of all of the allocated sites development traffic would impact the local highway network.

Since the LHA's comments of 27 January 2023, the LHA have had correspondence and discussion with the Applicant and the Local Planning Authority (LPA) on the aforementioned matters.

This fifth highways response is provided following review of the following documents and drawings which have now been submitted to the LPA in support of this planning application:

- Response to Leicestershire County Council Highways Comments Technical Note (TN) dated 27th January 2023 prepared by DTA;
- Proposed Site Access Right Turn Lane Northern Site, Drawing no. 20060-02 Rev F;
- Potential Future Roundabout Access, Drawing no. 20060-06 Rev A;
- Stage 1 Road Safety Audit dated 30th May 2023 prepared by Road Safety Consulting LTD appended as Appendix D, G and I part of the TN.
- Mitigations Schemes Summary Note (MSSN) uploaded to CBC's planning website on 28/07/2023 prepared by DTA which includes the following drawings;
 - Preliminary Melton Road Junction Signal, Drawing 20060-03;
 - Fosse Way – High Street Junction Potential Improvements Drawing 20060-08-02 Rev B; and
 - Goodes Lane – Melton Road Potential Improvements, Drawing 20060-08 Rev B.

Site Access

The LHA are now content that whilst satisfactory minor changes have been made to the access, as demonstrated on Drawing 20060-02-02 Rev F, there are no fundamental changes to the overall scheme and therefore a revised RSA and DR is no longer required. The access arrangements are now suitable to be secured by a condition.

The LHA also consider that the proposed Roundabout option as demonstrated on Drawing no. 20060-06 Rev A is deliverable in principle as there are no constraints in providing a design compliant roundabout junction in the future.

Junction Capacity Assessments

Following discussion at a meeting with the LHA on 24th March 2023, the Applicant undertook a sensitivity test to establish the implications of allowing for future growth on the network by applying TEMPro to the end of the Local Plan period (i.e., 2037). The TEMPro growth figure has applied a further 14% of traffic growth and relates to an additional 1,300 houses within and around Syston. The application site and adjacent allocated site HA2 traffic flows, which is also the subject of a live planning application, have also been included in the test.

The results of the modelling for all cases including the sensitivity test are demonstrated in the table below which has been extracted from the submitted TN.

Junction	Base Year (2021/2022)	2027 Base	2027 + Development	2037 (Base Sensitivity)	2037 + Development
Site Access	-		Within capacity (highest RFC of 0.33 and Q of 1) Development flows (excluding HA1) through junction: 147 AM, 146, PM	Highest RFC of 0.23 Q of 0	Highest RFC of 0.35 Q of 1
1. High Street/Melton Road/Barkby Road	Within capacity (highest RFC of 0.84 and Q of 5)	Approaching capacity (highest RFC of 0.91 and Q of 8)	Approaching capacity (highest RFC of 0.95 and Q of 12) Development flows through junction: 48 AM, 48, PM	Highest RFC of 1.04 Q of 27	Highest RFC of 1.09 Q of 39
2. Barkby Road/ Queniborough Road	Within capacity (highest DoS of 71.6% and Q of 9)	Within capacity (highest DoS of 81.7% and Q of 16)	Within capacity (highest DoS of 86.4% and Q of 18) Development flows through junction: 60 AM, 60, PM	Highest DoS of 88.6% Q of 12	Highest DoS of 93.5% Q of 14
4. Barkby Road/ Pembroke Avenue	Within capacity (highest RFC of 0.34 and Q of 1)	Within capacity (highest RFC of 0.37 and Q of 1)	Within capacity (highest RFC of 0.44 and Q of 1) Development flows through junction: 87 AM, 87, PM	Highest RFC of 0.42 Q of 1	Highest RFC of 0.50 Q of 1
5. Goodes Lane/ Melton Road;	Within capacity (highest RFC of 0.82 and Q of 7)	Approaching capacity (highest RFC of 0.89 and Q of 11)	Nearing capacity (highest RFC of 0.97 and Q of 20) Development flows through junction: 40 AM, 39, PM	Highest RFC of 1.03 Q of 34	Highest RFC of 1.09 Q of 53
6. Fosse Way/ High Street	Within capacity (highest DoS of 78.2% and Q of 18)	Within capacity (highest DoS of 92.0% and Q of 24)	Approaching capacity (highest DoS of 94.5% and Q of 26) Development flows through junction: 44 AM, 44, PM	Highest DoS of 103.3% Q of 42	Highest DoS of 105.7% Q of 49

The sensitivity test has been provided to give the LHA an insight into how the junctions might worsen in the future with wider traffic growth. The results demonstrate that junctions 1, 5 and 6 are shown to operate above practical capacity in the 2027 base and then worsen in the 2027 + Development scenario, as a result of the traffic associated with the proposed development. The performance of all junctions generally worsens with the 2037 base sensitivity and 2037 + Development scenarios as would be expected. However, the 2037 scenarios are not material with respect to requests for mitigation, as the LHA would normally only consider the 2027 scenarios, as these are the closest to the year of planning application plus five years and which are most relevant to a development of this scale.

Off-Site Implications

Further to an initial review of the results the junction capacity assessments under the 2027+ development scenario, the LHA considered that improvements were required at the following junctions (1, 5 and 6 above), where it considered the impacts to be significant against paragraph 110 of the National Planning Policy Framework (NPPF, 2021), and therefore necessary to avoid a severe impact in the context of paragraph 111 of NPPF:

- High Street/Melton Road/Barkby Road – an increase from 0.91 RFC to 0.95 RFC
- Goodes Lane/Melton Road – an increase from 0.89 RFC to 0.97 RFC
- Fosse Way/High Street – an increase from 92% DoS to 94.5%. The Practical Reserve

Capacity (PRC) also reduces with the development in place.

Accordingly, the Applicant has proposed mitigation schemes at each of the three junctions which are detailed within the Applicant's Mitigations Schemes Summary Note (MSSN). The LHA comment as follows:

Proposed Mitigation Scheme at High Street / Melton Road / Barkby Road

The junction is currently an off-set mini-roundabout with a mixture of pedestrian crossing facilities (uncontrolled / controlled (signal) / controlled (zebra)) in very close proximity.

The junction layout is constrained by third party land ownership, the oblique angle of Barkby Road, existing site accesses, on-street parking provision (including disabled bays), servicing requirements, and high pedestrian demand.

The proposed mitigation scheme as demonstrated on Drawing 20060-03 consists of the conversion of the existing mini roundabout junction to a traffic signal-controlled junction with crossing facilities.

The scheme has been subject to an RSA which is contained within Appendix D of the MSSN. The RSA raised nine problems in total. Whilst the LHA agrees that some of the RSA issues could be satisfactorily dealt with, others are more problematic. Furthermore, the LHA also has fundamental concerns over how the scheme would operate in practice given the aforementioned constraints and does not consider that the modelling results below can be achieved (see Table 1 below which has been extracted from the MSSN).

Table 1: Melton Road/ Barkby Road/ High Street

Scenario	Results Summary	
	Existing Layout	Improvement Scheme
2027	Approaching capacity (highest RFC of 0.91 and Q of 8)	
2027 + Development	Approaching capacity (highest RFC of 0.95 and Q of 12)	
2037	Highest RFC of 1.04 Q of 27	Highest DOS 0.96 Q of 15
2037 + Development	Highest RFC of 1.09 Q of 39	Highest DOS 0.98 Q of 15

The LHA have reviewed the modelling and found the following errors:

- In order to retain parking provision (including disabled bays) and servicing provision to existing properties on High Street, the length of the left lane would need to be reduced in the model from 51.8m to 9m. This would have a significant impact on capacity and
- Some of the saturation flows used are not correct and when corrected which will further reduce capacity

The LHA has reconsidered the need for mitigation at this location. Given that the impact of the development is predicted to increase the queue by 4 vehicles on the High Street arm only in the pm peak only, the LHA cannot demonstrate that this impact will be severe and accepts that a scheme of mitigation is not necessary at this location.

Proposed Mitigation Scheme at Goodes Lane / Melton Road

This junction is currently a priority T-junction. The modelling identifies that, as traffic flows increase in the future, vehicles turning right into Goodes Lane block through traffic travelling north along Melton Road.

The proposed mitigation scheme is demonstrated on drawing 20060-08 and it is proposed to provide a ghost right turn lane at the junction.

The scheme will require some localised widening of the road and the removal of some on-street parking. This would require a Traffic Regulation Order (TRO) at a cost of £7,500. The Applicant has undertaken parking surveys which are contained in Appendix E of the MSSN which confirms that the parking bays are lightly used and accordingly considers that a TRO has a reasonable likelihood of success in this instance.

The scheme has been subject to an RSA contained within Appendix E of the MSSN and amended where necessary as a result of the findings. The RSA raised one issue in total which is summarised below, including the DR.

Issue 1 (4.1) noted that the removal of the parking bays outside the Syston Day Nursery on Melton Road could result in displaced parking, with parents/carers alternatively parking on Goodes Lane. The RSA considered that this is likely to increase the number of pedestrians with small children needing to cross Melton Road. The RSA recommendation is that an appropriate pedestrian facility is provided and that a measure may include but not be limited to incorporating a pedestrian refuge within the hatched area of the junction.

The designer accepts the recommendation and considers that appropriate pedestrian provision can be made at this location.

Notwithstanding the above, the LHA does not consider that the inclusion of a pedestrian crossing facility in the scheme is a minor change which could be incorporated at the detailed design stage, although it is likely that a suitable scheme can be developed. Accordingly, the LHA has advised a condition which requires further design work to be undertaken at this location prior to proceeding to detailed design as part of the S278 process.

The junction has been assessed in Junctions 10 with the results contained within Appendix F of the MSSN. Table 2 below which has been extracted from the MSSN shows a summary of the results.

Table 2: Goodes Lane/ Melton Road junction

Scenario	Results Summary	
	Existing Layout	Improvement Scheme
2027	Approaching capacity (highest RFC of 0.89 and Q of 11)	Within capacity (highest RFC of 0.72 and Q of 3)
2027 + Development	Nearing capacity (highest RFC of 0.97 and Q of 20) Development flows through junction: 40 AM, 39, PM	Within capacity (highest RFC of 0.78 and Q of 3) Development flows through junction: 40 AM, 39, PM
2037	Highest RFC of 1.03 Q of 34	Approaching capacity (highest RFC of 0.84 and Q of 5)
2037 + Development	Highest RFC of 1.09 Q of 53	Approaching capacity (highest RFC of 0.91 and Q of 7)

Having reviewed the modelling, the LHA consider that a ghost right turn improvement scheme would mitigate the development impact on the junction in 2027.

Proposed Mitigation Scheme at Fosse Way / High Street

This is an existing signal-controlled junction. The proposed mitigation scheme is demonstrated on drawing 20060-08-2 and consists of:

- Widening the northbound approach to provide carriageway space for an ahead vehicle to pass a vehicle waiting to turn right into the High Street;
- Relaxing the radii kerb between the Fosse Way southbound approach and the High Street to ease the left turn into the High Street;
- The relocation of the stop lines on all three approaches; and
- Extending the footway on the northeast side into the High Street to allow the uncontrolled pedestrian crossing on the High Street to be relocated further east.

The scheme has been subject to an RSA contained within Appendix I of the MSSN and amended where necessary as a result of the findings. The RSA raised two issues in total which are summarised below, including the designer's response.

The recommendation for both issues is to cut back or remove vegetation which lies within the public highway. The designer accepts the recommendation.

The LHA are content both issues can be addressed during the detail design stage.

The junction has been assessed in LinSig with the results contained within Appendix H of the MSSN. Table 3 below which has been extracted from the MSSN shows a summary of the results.

Table 3: Fosse Way/ High Street junction

Scenario	Results Summary	
	Existing Layout	Improvement Scheme
2027	Within capacity (highest DoS of 92.0% and Q of 24)	Within capacity (highest DoS of 88.0% and Q of 22)
2027 + Development	Approaching capacity (highest DoS of 94.5% and Q of 26)	Approaching capacity (highest DoS of 92.4% and Q of 25)
2037	Highest DoS of 103.3% Q of 42	Nearing capacity (highest DoS of 98.7% and Q of 33)
2037 + Development	Highest DoS of 105.7% Q of 49	Nearing capacity (highest DoS of 101.0% and Q of 37)

Having reviewed the modelling, the LHA consider the proposed improvement scheme will mitigate the development impact on the junction in 2027. The LHA seeks to secure delivery of the scheme by planning condition.

Footpath J37

The LHA have advised a suitably worded condition to identify improvements to PROW J37.

Transport Sustainability

The LHA and Applicant have discussed and agreed a contribution of £450,000 towards supporting improvements to the 100 service and/or to contribute towards other wider improvements to bus services/ Demand Responsive Transport (DRT). This contribution is covered within the wider Interim Charnwood Transport Contribution Strategy request below.

Conditions

1. No development shall commence on the site until such time as a Construction Traffic Management Plan, including as a minimum details of 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 hereby permitted shall be occupied until such time as the access arrangements shown on Proposed Site Access Right Turn Lane Northern Site, Drawing no. 20060-02 Rev F 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 (2021).

3. No part of the development hereby permitted shall be occupied until such time as vehicular visibility splays of 2.4 metres by 120 metres to the right (eastbound approach) and 2.4 metres by 75 metres to the left (westbound approach) have been provided at the site access. 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 (2021).

4. No part of the development shall be occupied until such time as the offsite works shown on Fosse Way – High Street Junction Potential Improvements Drawing 20060-08-02 Rev B 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 (2021).

5. Notwithstanding the details shown in Drawing 20060-08- Rev B, a revised drawing should be submitted to and agreed in writing by the Local Planning Authority, incorporating the advice in the Stage 1 Road Safety Audit reference RSC/EB/DL/22142 dated 30th May which recommends that an appropriate pedestrian facility be provided. The revised scheme shall be implemented prior to first occupation of the development.

REASON: To mitigate the impact of the development, in the general interests of highway safety and in accordance with the National Planning Policy Framework (2021).

6. No development shall take place until a scheme for the treatment of the Public Right of Way J37 within the development site, to the site boundary between the northeast of the site and Queniborough Road, and between the west of the site and north of John Frear Drive has been submitted to and approved in writing by the Local Planning Authority. Such a scheme shall include

provision for the management of the PROW during construction, details of surfacing, width, structures, signing and landscaping in accordance with the principles set out in the Leicestershire County Council's Guidance Notes for Developers. The scheme shall be implemented prior to first occupation.

REASON: to protect and enhance Public Rights of Way and access in accordance with Paragraph 98 of the National Planning Policy Framework 2021.

7. The agreed Residential Travel Plan SJT/JLA/RM/RT 20060-02b dated 23rd September 2021 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 (2021).

Contributions

To comply with Government guidance in the NPPF and commensurate with Leicestershire County Council Planning Obligations Policy, the following contributions are required:

8. Travel Packs; 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 per plot). 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.

Advised Trigger: 100% of contribution paid Prior to Commencement of Development.

Justification: To inform new residents from first occupation what sustainable travel choices are available in the surrounding area.

9. Six-month bus passes, two per dwelling (two application forms to be included in Travel Packs and funded by the developer); to encourage new residents to use bus services, to establish changes in travel behaviour from first occupation and promote usage of sustainable travel modes other than the car. These can be supplied through LCC at a current average cost of £360.00 per pass.

Advised Trigger: 25% of total obligated contribution paid Prior to 1st Occupation. Remaining 75% of total obligated contribution paid prior to occupation of 25% of total dwellings, except payment may be deferred by agreement with the County Council.

Justification: To encourage residents to use bus services as an alternative to the private car.

10. STARSfor (Sustainable Travel Accreditation and Recognition Scheme) monitoring fee of £6,000.

Justification: To enable LCC 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.

11. A Construction Traffic Routing Agreement to be submitted to and approved in writing by the Local Highway Authority. During the period of construction, all traffic to and from the site shall use the agreed route at all times.

Justification: To ensure that all construction traffic associated with the development does not use unsatisfactory roads to and from the site.

12. A £7,500 contribution towards the TRO for removal of the existing demarcated on-street parking provision on the southeast bound and northwest bound carriageway on Melton Road in order to facilitate the junction improvements as indicatively shown on drawing number 20060-08 Rev B.

Justification: In the general interest of highway safety in accordance with the National Planning Policy Framework (2021).

13. A contribution under the Interim Charnwood Transport Contribution Strategy of £2,445,323.71.

Justification: To contribute towards mitigating the wider impacts of the development on the highway and transport network within Charnwood Borough, which otherwise cumulatively with other developments would be severe as identified through evidence prepared by Charnwood Borough Council to underpin its Local Plan

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).
- Prior to construction, measures should be taken to ensure that users of the Public Right of Way are not exposed to any elements of danger associated with construction works.
- The Public Right 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.
- If there are any Public Rights of Way which the applicant considers impracticable to retain on their existing lines, a separate application for diversion is required. It should be submitted under the Town and Country Planning Act 1990 to the Local Planning Authority. The applicant is not entitled to carry out any works directly affecting the legal line of a Public Right of Way until a Diversion Order has been confirmed and become operative.
- The Public Right 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
28 July 2023

Case Officer
Suraj Dave

Reviewer
RH

Date issued
17 August 2023