

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 Growth, Environment & Transport.

APPLICATION DETAILS

Planning Application Number: 26/00762/OUT

Highway Reference Number: 2026/0762/04/H

Application Address: Land West of Leicester Road Earl Shilton Leicestershire

Application Type: Outline

Description of Application: Outline application for the siting of 4 static holiday lodges (all matters reserved)

GENERAL DETAILS

Planning Case Officer: Sullivan Archer

Applicant: Mr Robert Finch And Faye Vincent

County Councillor: Earl Shilton ED - Martin Richard England CC

Parish: Earl Shilton

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 Policy TR6(4) of the National Planning Policy Framework (2026), 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 consulted by the Local Planning Authority (LPA), Hinckley & Bosworth Borough Council (HBBC), on a planning application which seeks the:

‘Outline application for the siting of 4 static holiday lodges (all matters reserved).’

The proposals are on land west of Leicester Road, Earl Shilton, Leicestershire.

Note – The LHA have included hyperlinks to relevant sections of the Leicestershire Highway Design Guide ([LHDG](#)) within this report. These are identified in bold, underlined and in blue text.

There has been one previous relevant application at the site detailed below:

25/00830/OUT - Outline planning permission for the change of use of agricultural land to commercial uses (Use Classes B2, B8 and E) and the provision of 19 commercial units (All Matters Reserved). The LHA advised approval in matters relating to the highway on 8 December 2025. However, the LPA subsequently refused the application on 13 March 2026 on non-highway grounds. The Applicant appealed the decision; however, the appeal was dismissed by the Planning Inspectorate on 10 August 2026.

The LHA have reviewed the following documents as part of these observations:

- Application Form
- Site Location Plan
- Plans and Elevations
- Site Plan
- Alternative Indicative Layout and
- Design and Access Statement

Site Access

The Applicant seeks to utilise the existing albeit amended access onto Leicester Road which is classified C road subject to a 50mph speed limit.

Whilst the access is not for consideration at this time, the LHA have reviewed the drawing titled 'Site Plan, and note the Applicant is proposing an 8.15m wide access for a distance of approximately 21.5m behind the public highway. The Applicant also proposes junction radii of 15m. Whilst it is accepted that the LHA do not have any specific guidance for this type of development, the LHA are satisfied that given Leicester Road is a busy classified C road, subject to a 50mph speed limit providing access to the settlement of Earl Shilton, the principle of the access is acceptable.

The LHA are satisfied that visibility splays of 2.4m by 215m in either direction of the access can be achieved entirely within the public highway. These are suitable for speeds of up to 62mph, this would accord with [Table 6](#) of the LHDG.

However, the acceptability of the proposals would be contingent on the submission at the reserved matters stage of an independent Stage One Road Safety Audit of the access, with a Designer's Response provided to any problems raised and, if necessary, a revised drawing.

Highway Safety

The LHA have reviewed their Personal Injury Collision (PIC) data for the last five-year period. The subject area was from the site access for 500m to the southwest and northeast of the access. Within this area there have been two reported PICs, one classed as slight and one as serious.

Whilst the LHA can find no patterns or trends within the data that the proposals are likely to exacerbate, the acceptability of the proposals would be contingent on the delivery of a safe and suitable access and access route as required by the National Planning Policy Framework to ensure that new highway safety issues would not be introduced to the vicinity.

Internal Layout

The internal layout of the development is not for consideration at this stage. However, the site would remain private and has therefore not been studied in detail. Given the size and scale of the proposals and the site, it is highly unlikely the development would lead to overspill parking on the public highway.

Consideration should be given to refuse collection, and the LHA would advise the Applicant that any bin collection points should be located outside of the highway boundary and visibility splays.

Public Right of Way (PRoW) T92

As previously stated, the internal layout is not being considered at this time. Should a reserved matters application be forthcoming, the Applicant should take the following into consideration:

The indicative plan provided demonstrates the application would bisect the legally recorded alignment of public right of way Footpath T92 as can be seen within Figure 1 below:

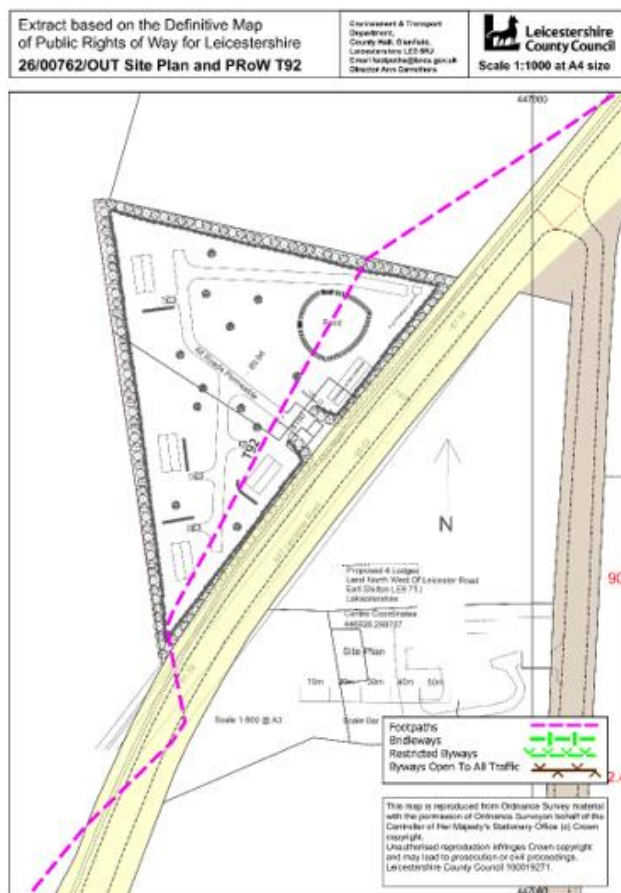


Figure 1 – Indicative Plan / PRoW overlay

The above demonstrates the submitted Site Map overlaid with pink dashes showing the legally recorded alignment of the PRoW. Whilst the PRoW is not being addressed at this time, should a reserved matters application be forthcoming this should not obstruct the legal alignment contrary to the Highways Act 1980 section 143.

The routes of public footpaths, bridleways etc. are legally 'fixed' by the Definitive Map of public rights of way, the official record. For historical reasons, physical routes on the ground may vary or not be physically present at all, however, planning applications must reflect the legal alignments.

The alternative is that all the affected section of public right of way would need legally diverting. Diverting a PRow related to planning requires a separate legal order made by the LPA (not the LHA). A separate application would need to be submitted and confirmed before the development is substantially complete. It should be noted in normal circumstances such orders can take over a year to complete all their legal stages.

The yellow and brown tinted areas on the plan represent the recorded adopted highway extent. Whilst the plan is accurate as to the corner points of the site, it shows the Leicester Road as straight rather than its actual alignment which is a gradual concave curve. Because of this, the boundary hedges appear much thinner near the site entrance than the corners.

Conditions

1. 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.

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://www.leicestershirehighwaydesignguide.uk/>
- Public Rights 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.

Date Received
4 September 2026

Case Officer
Neal Chantrill

Reviewer
BD

Date issued
23 September 2026