

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: 25/00643/FUL

Highway Reference Number: 2025/0643/04/H

Application Address: 141 Heath Lane Earl Shilton Leicester Leicestershire LE9 7PF

Application Type: Full

Description of Application: Change of use from dwelling house (Use Class C3) to residential children's home (Use Class C2) to accommodate a maximum of three children under the age of 18 years old and the inclusion of a bin store and cycle shelter.

GENERAL DETAILS

Planning Case Officer: Sullivan Archer

Applicant: Mr Zunaid Akbar Anwar

County Councillor: Earl Shilton ED - Martin Richard England CC

Parish: Barwell

Road Classification: Adopted Unclassified

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 116 of the National Planning Policy Framework (2024), 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:

'Change of use from dwelling house (Use Class C3) to residential children's home (Use Class C2) to accommodate a maximum of three children under the age of 18 years old and the inclusion of a bin store and cycle shelter.'

The proposals are at 141 Heath Lane, Earl Shilton, Leicestershire, LE9 7PF.

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.

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

- Application Form;
- Site Location Plan;
- Planning and Design and Access Statement dated 30 June 2025; and
- Existing and Proposed Plans received by the LPA on 1 July 2025.

Site Access

The site is situated on the southern extent of Heath Lane, approximately 54m to the northeast of the junction of Heath Lane / The Drive. Heath Lane is an adopted, unclassified road subject to a 30mph speed limit.

Whilst the Applicants are not proposing any access amendments. The Applicant has not provided any detailed access drawings. Given this is an existing situation, the LHA would not request any further access details.

However, it is noted that the drawing titled 'Proposed Block Plan', drawing number 002 demonstrates a vehicle parked to the northwest of the site as detailed within Figure 1 below.

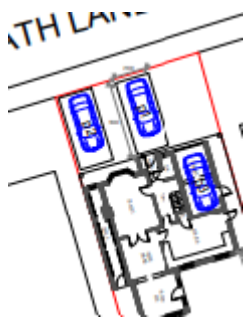


Figure 1

The LHA points out to the Applicant that whilst there is historical evidence of vehicles parking within this area, the LHA notes there are no dropped kerbs to facilitate the vehicular crossover at this location as demonstrated within Figure 2 below.



Figure 2

As such, it is an offence under Section 184 of the Highways Act 1980, to cross a kerb, verge or footway in a motor vehicle except at a crossing point that has been approved by Leicestershire County Council (LCC).

Should the LPA be minded to grant the proposals, the Applicant is advised that, notwithstanding planning consent, a separate application would be required to be made to the LHA for an extended Vehicular Access (VA) in the form of dropped kerbs. Further information can be found at:

<https://www.leicestershire.gov.uk/roads-and-travel/cars-and-parking/vehicle-access-dropped-kerbs>.

Highway Safety

The LHA has reviewed its Personal Injury Collision (PIC) database and identified one PIC within 500m of either side of the access on Heath Lane.

A single PIC is not considered to be representative of a trend or pattern and therefore the PIC is regarded as an 'isolated incident'. The LHA are therefore of the opinion that there are no existing highway safety issues that would likely be exacerbated by the proposals

Internal Layout

The existing dwelling is afforded four bedrooms, however, should the LPA be minded to grant the proposals this would be reduced to three, with one bedroom converted to a staff room as demonstrated on the plan titled 'Proposed First Floor Plan', drawing number 006.

The Applicant has indicated within the 'Planning and Design and Access Statement (PDAS)' that there would be three children homed at the site with one staff member. The PDAS also goes on to state that there would only be two members of staff on-site during shift change overs. It is also noted the PDAS states that staff members are collected from home and / or encouraged to utilise public transportation. There is also secure, undercover storage on the site with space for five cycles which is welcomed by the LHA.

The drawing titled 'Proposed Block Plan', drawing number 002 demonstrates off-street parking for three vehicles, two to the front of the dwelling and one within the integrated garage. Whilst the garage does not conform to the LHDG guidelines in terms of dimensions, this is considered an existing situation and is therefore acceptable in these site-specific circumstances. Garage dimension information can be found with the section titled [Garages and Gated Accesses](#) of the LHDG.

The LHA are satisfied that as demonstrated on 'Proposed Block Plan', drawing number 002 there is adequate space to the front of the dwelling for three vehicles in accordance with [Figure 44](#) of the LHDG in terms of parking space dimensions.

Given the above, the LHA are satisfied there is adequate off-street parking for the proposed developments as per [Table 29\(b\)](#) of the LHDG.

For the reasons set out above, the LHA would not seek to resist the proposals subject to the following conditions.

Conditions

1. The development hereby permitted shall not be occupied until such time as the parking has been implemented in accordance with Proposed Block Plan, drawing number 002. Thereafter the onsite parking provision shall be kept available for such use 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 in the interests of highway safety and in accordance with the National Planning Policy Framework (2024).

Informative

- Planning Permission does not give you approval to work on the public highway. Therefore, prior to carrying out any works on the public highway you must ensure all necessary licences/permits/agreements are in place. For further information, please telephone 0116 305 0001. It is an offence under Section 148 and Section 151 of the Highways Act 1980 to deposit mud on the public highway and therefore you should take every effort to prevent this occurring.

Date Received
4 July 2025

Case Officer
Neal Chantrill

Reviewer
BD

Date issued
24 July 2025