

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: 24/00854/REM

Highway Reference Number: 2024/0854/04/H/R4

Application Address: Land East of The Windmill Inn Brascote Lane Newbold Verdon Leicestershire

Application Type: Reserved Matters

Description of Application: Re-consultation. Application for Reserved Matters (site layout, scale, appearance, and landscaping) of outline planning application 22/00277/OUT for 239 dwellings with associated internal road layout, car parking, drainage, and landscaping.

GENERAL DETAILS

Planning Case Officer: Matt Jedruch

Applicant: Ms Esther Wiles

County Councillor: Ross Hills

Parish: Newbold Verdon

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 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) have been re-consulted by Hinckley & Bosworth Borough Council as the Local Planning Authority (LPA) on a Reserved Matters application (appearance, landscaping, layout, scale) of outline application 22/00277/OUT for a residential development of up to 239 dwellings. The site is located at land east of the Windmill Inn. Brascote Lane, Newbold Verdon.

The LHA has reviewed the following documents submitted by the Applicant in support of the proposals:

- General Arrangement, drawing number 23042-015-Rev E.

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.

These observations should be read in conjunction with several previous sets of observations provided to the LPA. The LHA welcome the amendments, however, there are still a few outstanding issues that prevent the internal layout from being of an adopted standard.

As previously stated, since the LHA's previous observations were submitted to the LPA for this application, formal observations have been submitted for application reference 24/01158/OUT (135 dwellings – Land off Brascote Lane, Newbold Verdon) on 10 February 2025. That development would be accessed via the internal roads for this site. The LHA wish to make both the LPA and Applicant aware that the LHA have advised the layout of this site should be future proofed to accommodate the further development, in the event that is also granted planning permission. Failure to provide an adoptable road layout as part of this application would mean that the internal road network for that development would also not be considered for adoption.

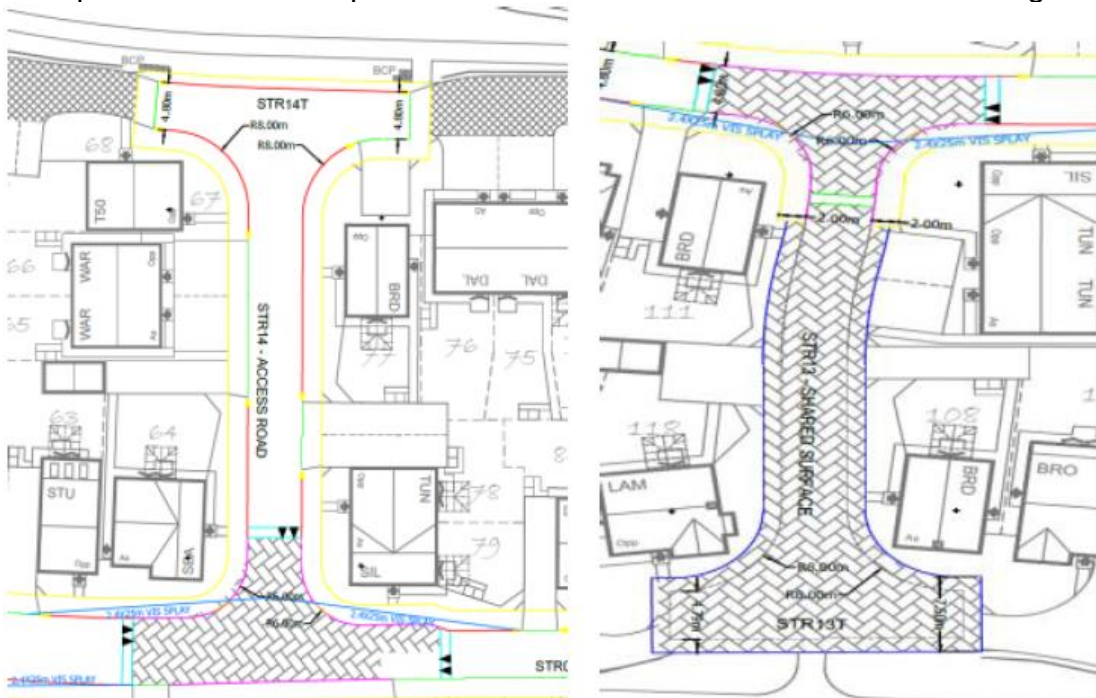
Internal Layout

As advised previously, the acceptability of an adopted road layout is subject to a Section 38 agreement in accordance with the Highways Act (1980). For the site to be suitable for adoption, the internal layout must be designed fully in accordance with the [LHDG](#).

The LHA advise again that currently the proposals would still not be suitable for adoption. Whilst the Applicant has undertaken a number of changes to the layout and the LHA is in a position to advise no objection subject to conditions, the following amendments would be required at this stage prior to the application being determined should the Applicant wish for the internal layout to be considered for adoption:

Unadoptable road design - The design plan details that the roads shown below, fail to serve the required number of direct frontage access points (minimum of 6 or more) as detailed in (LHDG) ref the link below design principles.

With reference to STR 14, Plot 79 does not have direct frontage access on to STR14 therefore the road does not serve 6 plots directly, information can be found [here](#). It should be noted even if the road provides access to private drives this is not counted as direct frontage access.



Future development - We note the developer may look to use roads STR14 to extend the development in the future, the developer will need to note that LCC will not adopt this road as it fails to serve the required number of direct frontage access points.

Forward visibility - Please detail the forward visibility that can be achieved at the bend detailed below.



Please note! Gradients should conform to the standards set out in Table DG3: further information can be found [here](#).

Conditions

1. The development hereby permitted shall not be occupied until such time as the parking and turning facilities have been implemented in accordance with General Arrangement, drawing number 23042-015-Rev E. Thereafter the onsite parking provision shall be so maintained 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 (2024).

2. Any dwellings that are served by private access drives (and any turning spaces) shall not be occupied until such time as the private access drive that serves those dwellings has been provided in accordance with the Leicestershire Highway Design Guide. The private access drives should be surfaced with tarmacadam, or similar hard bound material (not loose aggregate) for a distance of at least 5 metres behind the highway boundary and, once provided, shall be so maintained in perpetuity.

Reason: To reduce the possibility of deleterious material being deposited in the highway (loose stones etc.) in the interests of highway safety and in accordance with the National Planning Policy Framework (2024).

3. The development hereby permitted shall not be occupied until such time as 1 metre by 1 metre pedestrian visibility splays have been provided on both sides of the private driveways or shared private drive serving each plot. Nothing within these splays shall be higher than 0.6 metres above the level of the back of the footway/verge/highway and, once provided, these splays shall be so maintained in perpetuity.

Reason: In the interests of pedestrian safety and in accordance with the National Planning Policy Framework (2024).

4. No part of the development hereby permitted shall be occupied until such time as site drainage details have been provided to and approved in writing by the Local Planning Authority. Thereafter surface water shall not drain into the Public Highway and thereafter shall be so maintained.

Reason: To reduce the possibility of surface water from the site being deposited in the highway causing dangers to road users in accordance with the National Planning Policy Framework (2024).

5. Notwithstanding the provisions of Part 2 of Schedule 2, Article 3 of the Town and Country Planning (General Permitted Development) (England) Order 2015 (or any Order revoking and re-enacting that Order) no gates, barriers, bollards, chains or other such obstructions shall be erected to the vehicular access.

Reason: To enable a vehicle to stand clear of the highway in order to protect the free and safe passage of traffic including pedestrians in the public highway in accordance with the National Planning Policy Framework (2024).

Informatives

- 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.
- The proposed road layout does not conform to an acceptable standard for adoption and therefore it will not be considered for adoption and future maintenance by the Local Highway Authority. The Local Highway Authority will, however, serve Advance Payment Codes in respect of all plots served by (all) the private road(s) within the development in accordance with Section 219 of the Highways Act 1980. Payment of the charge must be made before building commences. Please note that the Highway Authority has standards for private roads which will need to be complied with to ensure that the Advanced Payment Code may be exempted and the monies returned. Failure to comply with these standards will mean that monies cannot be refunded. For further details please email road.adoptions@leics.gov.uk. Signs should be erected within the site at the access advising people that the road is a private road with no highway rights over it.

- To erect temporary directional signage you must seek prior approval from the Local Highway Authority in the first instance (telephone 0116 305 0001).

Date Received
21 February 2025

Case Officer
Neal Chantrill

Reviewer
BD

Date issued
13 March 2025