

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: 26/00315/FUL

Highway Reference Number: 2026/0315/04/H

Application Address: Land Off Hall Lane Hall Lane Odstone Leicestershire

Application Type: Full

Description of Application: Full application for alterations to the previously approved scheme (23/01048/FUL) for the change of use and extension of an agricultural building to a self build residential dwelling (class C3 use)

GENERAL DETAILS

Planning Case Officer: Joseph Fleetwood HBBC

Applicant: B&C Lampard Partnership

County Councillor: Market Bosworth ED - Joshua Melen CC

Parish: Shackerstone

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), on a full application for alterations to the previously approved scheme (23/01048/FUL) for the change of use and extension of an agricultural building to a self-build residential dwelling (class C3 use). The proposals are located at Land Off Hall Lane Hall Lane Odstone Leicestershire.

The LHA have reviewed the following documents that have been submitted by the Applicant in support of the proposals:

- Application form (dated 01/04/2026)
- Planning Statement (Prepared by Andrew Large Surveyors dated 31.03.2026)
- Existing Plans and Elevations (Drawing number ALS087 - EP01)
- Location Plan (Drawing number ALS087 - LP01)

- Sketch Plan (Drawing number ALS087 - SP01)
- Proposed plans and elevations (Drawing number ALS087 - PP01)

The LHA acknowledges the relevant planning history at the site which is noted below:

- 23/01048/FUL - Change of use of a building from agricultural to residential and associated works (Permitted – August 2024). The LHA advised approval subject to conditions.

The LHA notes from the Planning Statement of the current application (26/00315/FUL) that the proposals include increasing the extension and utilising a tanked construction design in comparison to the previous application under 23/01048/FUL. In addition, the LHA understand that two new openings on the front elevation and new windows to the gables elevations have been removed and replaced with conservation recessed roof lights.

It should be noted that officers from the LHA conducted a site visit on 12/05/2026.

Site Access

The applicant is proposing to access the property off an unnamed minor gated public road, which is maintainable “ratione tenurae” (at private expense by the occupier of the land adjoining the road), although the LHA is responsible for protecting the public’s right of way along the whole route. The gated road is a public highway open to all traffic and subject to national speed limit. From the centre of Odstone, the gated road runs directly off Hall Lane, which is an unclassified road maintainable at public expense by the LHA and subject to a 30 mph speed limit by virtue of street lighting.



Gated public road to access development

It should be noted that the gate is not demonstrated on the submitted plans. Due to the ‘ratione tenurae’ status of the track, the road is a public right of access, used by vehicles, pedestrians and horse riders, and as such the gate should be removed.

Table 13 of the [Leicestershire Highway Design Guide \(LHDG\)](#) states that for one dwelling, the access should have a minimum effective width of 2.75m. The LHA is satisfied from the Location Plan (Drawing number ALS087 - LP01) that the access has a minimum effective width of 2.75m.

However, noting the length of the access drive, due consideration should be given to waste collection provision. It is noted that no bin collection points are proposed, and that the access drive would not have a minimum drive width of 5 metres, have suitable turning heads and/or be constructed to carry a refuse vehicle in accordance with the LHDG. Nevertheless, this is not a material consideration for the LHA and as such would be a matter for the Applicant/LPA to discuss with the Waste Collection Authority.

Public Right of Way

Beyond Hall Lane, the route is a “green lane” which currently has no sealed surface. The route is part of the Leicestershire Round long-distance walking trail and so there is greater use by pedestrians than is typical in such a rural location. In addition, public right of way Footpath S69 starts from the route 130 metres west of the end of Hall Lane.

The Planning Statement references the National Planning Policy Framework. NPPF paragraph 100 says: *Planning policies and decisions should protect and enhance public rights of way and access, including taking opportunities to provide better facilities for users, for example by adding links to existing rights of way networks including National Trails.*

In the 23/01048/FUL application, the LHA accepted the findings of the applicant that whilst the proposed development will create several vehicle movements from the change of use application - these can be offset against those from its existing lawful use as an agricultural building. In which case the development’s impact on pedestrian use of the route is likely to be modest, though the significant presence of the public emphasises the need for the recommended informatives to be included in full within the LHA’s Decision Notice, should the proposals be permitted.

Highway Safety

The LHA has checked its Personal Injury Collision (PIC) database and there have been no recorded PICs in the vicinity of the proposed site access within the last five years.

The LHA therefore has no pre-existing highway safety concerns regarding this location.

Internal Layout

The Applicant is proposing a three bedroom dwelling. Residential parking should be provided in accordance with [Table 28](#) of the LHDG. Two off-street car parking spaces should be provided for dwellings with up to 3 bedrooms.

The LHA is satisfied that the Applicant has provided sufficient off-street parking provision in accordance with [Table 28](#) of the LHDG and will seek to secure this via the condition below.

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 the Proposed Site Plan drawing number ALS087 - SP01. 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 (2024).

Informatives

If Planning Permission is granted, the following notes should be drawn to the applicant's attention:

- a) 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.
- b) A 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.
- c) A separate application for a diversion of an existing Public Right of Way 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 Public Rights of Way until a Diversion Order has become operative.
- d) 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.
- e) Public Rights of Way must not be further enclosed in any way without undertaking discussions with the Highway Authority (0116) 305 0001.
- f) Any damage caused to the surface of a public access routes, 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.
- g) 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 Local Highway Authority.

Date Received
20 April 2026

Case Officer
Ania Mokrani

Reviewer
AS

Date issued
15 May 2026