

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: 26/00728/OUT

Highway Reference Number: 2026/0728/04/H

Application Address: The Oaks Kirkby Lane Newbold Verdon Leicester Leicestershire LE9 9LN

Application Type: Outline (with access)

Description of Application: Outline planning permission for the erection of two self-build dwellings (all matters reserved except access)

GENERAL DETAILS

Planning Case Officer: Ashleigh Gade

Applicant: Mr David Abernethie

County Councillor: Mallory ED - Mark Bools CC

Parish: Newbold Verdon

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 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) have been consulted by the Local Planning Authority (LPA) on outline planning application 26/00728/OUT for the erection of two dwellings at The Oaks, Kirkby Lane, Newbold Verdon.

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

- Planning Application Form submitted to the LPA 5 August 2026;
- David Granger, 'Outline Planning Proposals sheet 1 of 2,' drawing no. 26.4656.02A;
- David Granger, 'Outline Planning Proposals sheet 2 of 2,' drawing no. 26.4656.03B;
- MEC, 'Proposed Access Arrangements and Swept Path Assessments,' drawing no. 30501_08_020_01;
- Stat Planning, 'Planning, Design & Access Statement,' dated August 2026; and

- MEC, 'Transport Technical Note,' dated June 2026.

Site Access / Trip Generations

The site is located on Kirby Lane, an adopted unclassified road subject to the national speed limit. The proposal involves the use of the existing access to serve a new dwelling, while continuing to provide access to the existing dwelling known as The Oaks. In addition, a new vehicular access is proposed to the north of the site to serve a further dwelling.

The Applicant's Transport Technical Note explains that the site will be divided into northern and southern elements. The southern element will be served by the existing access, which will be upgraded to form a shared driveway serving The Oaks and one of the proposed dwellings. The northern element will be served by a new access, providing access to a single dwelling. This access is proposed approximately 30m south of the junction of Hunts Lane and Desford Road (B582).

The LHA have reviewed drawing number 26.4656.03B and note that the existing southern access will be widened to become 4.25m wide and the new northern access will be 3.5m wide, both will have 0.5m added if bounded by a wall, fence, hedge, line of trees or similar. All access arrangements should accord with [Table 13](#) of the [Leicestershire Highways Design Guide \(LHDG\)](#) and the LHA are satisfied that the proposed accesses are in accordance.

As new dropped kerbs are necessary, the Applicant will be required to apply to the LHA for a vehicle crossover (dropped kerb) permit. Further details of the requirements can be found at: <https://www.leicestershire.gov.uk/roads-and-travel/cars-and-parking/vehicle-access-dropped-kerbs>. The Applicant should note that the approval of planning permission does not guarantee permission for the required works permit.

It should be noted that the accesses should be surfaced in hardbound material such as tarmac for a minimum of 5m from behind the highway boundary. Should gates be proposed, they should be set back a minimum distance of 5 metres where they open inwards and 6 metres where they open outwards. This is to ensure the public highway is not obstructed if a vehicle is parked on the access in front of the gates.

The proposals do show that the Applicant will need to remove a section of grassed highway verge to create the new northern access. Whilst this may be acceptable there may be statutory undertaker apparatus located within the verge fronting the site; the Applicant will need to undertake surveys and potentially works to relocate these services. Any additional cost that arises as a result of this would be entirely at the Applicant's expense.

The LHA have reviewed the visibility splays provided on drawing number 30501_08_020_01 and welcomes the results of the speed survey undertaken between March and April 2026 provided in the Transport Technical Note which recorded the 85th percentile speeds of 31.1mph northbound and 29.5mph southbound of Kirby Lane. For the Northern element of the proposed site, visibility splays of 2.4m x 38m (up to the B582 junction) to the north and 2.4m x 54m to the south have been provided. For the Southern elements, visibility splays of 2.4m x 43m to the north and 2.4m x 54m to the south have been provided. The LHA conducted a site visit on the 2 October 2026 and are satisfied that the splays provided are achievable without crossing third-party land and accord with [Table 6](#) of the LHDG when considering the 85th percentile speeds recorded by the survey. This is providing that the existing hedgerow is cut back and maintained, and the LHA will look to secure this in perpetuity by a planning condition.

Although the proposals will generate a slight increase in the number of trips being generated, the LHA are satisfied that the development would not result in a severe or unacceptable impact on the local highway network.

Highway Safety

The LHA have reviewed their Personal Injury Collision (PIC) data. This shows there has been one PIC which was classified as 'serious' recorded within 500m of the site within the last five years (whereby data is available up to August 2026). This occurred at the junction of Hunts Lane / Desford Road and Kirby Lane. The LHA is satisfied that the development proposal is unlikely to exacerbate the likelihood of further such incidents occurring subject to the delivery of a safe and suitable access.

Internal Layout

Whilst the internal layout is not to be considered as part of this outline application the Applicant should note that for any future application, parking requirements as set out within [Table 28](#) of the LHDG.

A dwelling with up to three bedrooms should have a minimum of two spaces and a dwelling with four or more bedrooms should have a minimum of three spaces. Spaces should measure a minimum of 2.4m x 5.5m with an additional 0.5m strip for each side bound by a wall/ hedge/ fence etc to accord with [Figure 44](#) of the LHDG. For a garage to count as a parking space, internal dimensions should measure 3m x 6m for a single garage or 6 x 6m for a double.

Turning provision should also be incorporated within the site to enable vehicles to enter and exit in a forward direction, in the interest of highway safety and the LHA welcomes that turning heads have been provided for each dwelling in drawing number 30501_08_020_01.

Transport Sustainability

Although the proposed development is located in a rural area, it is within approximately 1 mile of the villages of Newbold Verdon and Desford which each host a range of amenities and services such as schools, doctors' surgeries and convenience stores. Although there is not a footway directly adjacent to the site, this is considered an existing situation and is also experienced by the existing dwellings opposite the proposed development. A grass verge does lead to the footpath adjacent to the B582 which provides a connection to both villages. Alternatively, a public right of way located approximately 200m south of the site offers a pedestrian route across adjoining fields to Newbold Verdon and Desford.

In addition, bus services operate along the B582, with a bus stop located within approximately 100m of the site. These services provide regular connections to Desford, Newbold Verdon, Market Bosworth and Leicester,

The LHA is satisfied for the Local Planning Authority to include this transport context in its wider sustainability considerations for the site.

Conditions

1. Notwithstanding the submitted plans, the proposed southern access shall have a width of a minimum of 4.25 metres for a distance of at least 5 metres behind the highway boundary and shall be surfaced in a bound material with 6 dropped kerbs (5.5m). The proposed northern access shall have a width of a minimum of 2.75 metres and shall have 4 dropped kerbs (3.7m). Any gates shall be hung a minimum of 5m from highway and shall be hung as to open away from the highway. The access arrangements once provided shall be maintained at all times.

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 (2026).

2. No part of the development hereby permitted shall be occupied until such time as vehicular visibility splays of 2.4m x 43m to the north and 2.4m x 54m to the south (southern access) and 2.4m x 38m to the north and 2.4m x 54m to the south (northern access) have been provided. 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 accesses 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 (2026).

Date Received **Case Officer**
15 September 2026 **Joe Walker**

Reviewer
SH

Date issued
6 October 2026