

**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.

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**APPLICATION DETAILS**

Planning Application Number: 24/01066/FUL

Highway Reference Number: 2024/1066/04/H/R1

Application Address: Land West Of Westfield Avenue Earl Shilton Leicestershire

Application Type: Full

Description of Application: Re-consultation. Erection of 18 dwellings with associated access, car parking, landscaping and drainage

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**GENERAL DETAILS**

Planning Case Officer: Matt Jedruch

Applicant: Mr Jim Rawlings

County Councillor: Richard Allen

Parish: Earl Shilton

Road Classification: Adopted Unclassified

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**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 does not consider that the application as submitted fully assesses the highway impact of the proposed development and further information is required as set out in this response. Without this information the Local Highway Authority is unable to provide final highway advice on this application.

**Advice to Local Planning Authority**

**Background**

The Local Highway Authority (LHA) have been re-consulted on an application for the 'Erection of 18 dwellings with associated access, car parking, landscaping and drainage' on Land West Of Westfield Avenue Earl Shilton Leicestershire.

The LHA previously requested the Applicant provide further information in observations dated 8<sup>th</sup> January 2025.

The Applicant has subsequently submitted the following documents via the Local Planning Authority (LPA) which have been reviewed:

- Radford Architectural Services Parking Plan. Drawing Number 3187-280 Rev A.
- Radford Architectural Services Materials Plan. Drawing Number 3187-250 Rev A.

The LHA note that Radford Architectural Services Planning Layout (Drawing Number 3187-200 Rev A), has been re-submitted to the planning portal (13/03/2025), however this planning layout

was commented on in previous observations. The Planning Layout therefore does not reflect the changes shown on the Materials Plan.

### **Site Access**

As per previous observations, the LHA note that the Applicant wishes to put the site forward for adoption by the LHA. Westfield Avenue is currently awaiting S38 agreement for adoption of the roads. In order for this development proposal to be suitable for adoption, Westfield Lane must be adopted beforehand.

If the Applicant does not intend for the development to be adopted, then the access would need to be a dropped kerb with a continuation of the footway either side rather than a bellmouth access.

### **Internal Layout**

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 Leicestershire Highway Design Guide (LHDG), which is available at <https://www.leicestershirehighwaydesignguide.uk>.

Westfield Avenue is currently a private road, owned by Avant Homes. Whilst the developer has Technical Approval for their site, which means that it accords with the design standards set out in the LHDG. They have not yet entered into a S38 agreement for adoption of the roads.

The general layout proposed by this new development clashes with elements of the Technically Approved drawings, including the alteration to the originally proposed industrial access to the West side of Westfield Avenue, and the location and length of speed control features approved within the design. In turn, alterations to speed tables and junctions would have a knock-on impact to drainage features, such as gullies, which have already been installed on site. This should therefore be considered by the Applicant.

The LHA welcome that drawing 3187-280 Rev A (Parking Plan) now shows pedestrian visibility splays as previously requested. Notwithstanding this, the LHA continue to consider that the internal layout does not fully accord with the LHDG, and the site is therefore not suitable for adoption as currently proposed. The Applicant should therefore consider the below points, as well as refer to guidance in the LHDG on the requirements for adoptable roads in Leicestershire.

- The developer has shown a 'Shared Access Way' serving plots 1-12. Whilst this is within the scope for adoption under the Leicestershire Highways Design Guide, the shared surface serves only 5 direct frontages (numbers 2, 3, 4, 5 and 8). The LHDG states for a site to be considered for adoption a road must directly serve/front at least 6 residential dwellings.
- The proposed crossing point on the junction radius will not be acceptable due to the confusion which would be experienced by visually impaired users.

The Applicant is advised to consult <https://www.leicestershirehighwaydesignguide.uk/highway-layouts-and-design/developments-served-private-drives-and-areas> and <https://www.leicestershirehighwaydesignguide.uk/highway-layouts-and-design/road-layouts-and-design/general-layout-and-geometry-residential-sites> for further guidance.

The LHA have reviewed drawing 3187-280 Rev A (Parking Plan) and welcome the quantum and dimensions of parking proposed align with guidance in the LHDG.

**Informative**

- If planning permission is granted the Applicant would be required to provide one travel pack per dwelling (currently £52.85 per pack, if supplied by LCC, or should the Applicant provide their own, a £500 fee for LCC to review the travel pack) which contains an application form for two six-month bus passes in order to encourage sustainable travel to and from the site. Currently, the cost of a bus pass for an Arriva service is £510 per pass.

**Date Received**  
**17 March 2025**

**Case Officer**  
**Amy Stone**

**Reviewer**  
**BD**

**Date issued**  
**26 March 2025**