

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: 24/00560/HYB

Highway Reference Number: 2024/0560/04/H/R2

Application Address: Land Off Station Road Market Bosworth Leicestershire

Application Type: Hybrid

Description of Application: Re-consultation. Hybrid planning application seeking full planning permission for residential development of 138 dwellinghouses along with landscaping, public open space, drainage infrastructure and new access following demolition of two existing dwellinghouses; and outline planning permission (all matters reserved except for point of access) for 0.55ha of employment uses (Classes E (g) (i, ii and iii), B2 and B8)

GENERAL DETAILS

Planning Case Officer: Tim Hartley

Applicant: Helen Dawkins

County Councillor: Bertie Harrison-Rushton

Parish: Market Bosworth

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) has been re-consulted by Hinckley & Bosworth Borough Council as the Local Planning Authority (LPA) on a Hybrid planning application for:

Full planning permission for residential development of 138 dwellinghouses along with landscaping, public open space, drainage infrastructure and new access following demolition of two existing dwellinghouses; and outline planning permission (all matters reserved except for point of access) for 0.55ha of employment uses (Classes E (g) (i, ii and iii), B2 and B8).

The site is located at land off Station Road, Market Bosworth.

The LHA previously advised it had no objection to the proposals subject to conditions and contributions within its observations dated 17th February 2025. It was however advised that roads within the internal layout of the development were not designed to an adoptable standard.

The applicant has submitted the following additional information with the view to resolving the LHA's outstanding points:

- Nineteen47 drawing number 008 Rev. D (Technical Planning Layout);
- Nineteen47 drawing number 008-01 Rev. D (Coloured Planning Layout);
- Nineteen47 drawing number 008-02 Rev. D (Boundary Treatments Plan);
- Nineteen47 drawing number 008-04 Rev. D (surface Materials Plan); and
- Nineteen47 drawing number 008-05 Rev. D (Car Parking Plan).

The LHA advise that as part of these observations, it has only commented on the internal layout of the site and the previous observations dated 17th February 2025 otherwise remain in full.

Internal Layout

As advised previously, the applicant has applied for full planning permission for the residential element of the proposals only and at this stage, the layout of the employment element of the site is not to be determined. The LHA has reviewed Nineteen47 drawing numbers 008 Rev. D and Nineteen47 drawing number 008-04 Rev. D.

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 that currently, the road layout would not be designed to an adoptable standard and would need to remain private. The amendments stated within the Internal Geometry section further below will be required.

Pedestrian Access

The LHA has no further comments in respect of the pedestrian access on to Heath Road at this time.

Internal Geometry

- The internal layout of the site has been reviewed against the details of Table 3 within the [Leicestershire Highway Design Guide](#), which outlines the road types and dimensions for adoption within Leicestershire.
- An updated Technical Planning Layout has been provided showing forward visibility and some road dimensions. The applicant is again reminded that 25m forward visibility splays are required throughout. In the absence of dimensions on each of the forward visibility splays shown, it is not clear whether the applicant has now altered these to 25m. It would appear that forward visibility at the proposed S bend remains under 25m. The forward visibility splay at the bend at plot 123 has not been shown.
- The applicant may need to consider whether parking may occur on the widened footway areas required for forward visibility at the 90 degree bends on loop lane. The applicant should provide a low-level vehicle deterrent to prevent parking in the visibility splays.

- It is unclear from the planning drawings whether bend widening has been applied at all bends above 10 degrees.
- In addition, the designer has stated that an S bend would control speed. This is not listed within the LHDG as a geometrical speed control feature. The applicant has retained this feature, offering no additional speed control on this length of road.
- Speed at which Swept Path Analysis have been tracked is not detailed on the drawings or within the Technical Note.
- The LHA have previously advised that the footpath link to Heath Road would not be considered for adoption due to the lack of connectivity to the adopted highway at Heath Road. This remains the position. If the applicant were able to obtain and dedicate sufficient land at the proposed point of connection at Heath Road, the applicant is reminded that the footway would need to be street lit in accordance with the current regulations, in order to be considered for adoption.

Conditions

1. No part of the development shall be occupied until such time as the offsite works shown (Proposed chicanes and uncontrolled pedestrian crossing point across Station Road) on ADC drawing number ADC3226-DR-002 Rev. P6 have been implemented in full.

REASON: To mitigate the impact of the development, in the general interests of highway safety and in accordance with the National Planning Policy Framework (2024).

2. No development shall commence on the site until such time as a construction traffic management plan, including as a minimum details of the routing of construction traffic, wheel cleansing facilities, vehicle parking facilities, and a timetable for their provision, has been submitted to and approved in writing by the Local Planning Authority. The construction of the development shall thereafter be carried out in accordance with the approved details and timetable.

REASON: To reduce the possibility of deleterious material (mud, stones etc.) being deposited in the highway and becoming a hazard for road users, to ensure that construction traffic does not use unsatisfactory roads and lead to on-street parking problems in the area.

3. No part of the development hereby permitted shall be occupied until such time as the access arrangements shown on ADC drawing number ADC3226-DR-002 Rev. P6 have been implemented in full.

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 (2024).

4. The residential development hereby permitted shall not be occupied until such time as the parking and turning facilities have been implemented in accordance with Nineteen47 drawing number 008-05 Rev. D. 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).

5. No part of the development hereby permitted shall be occupied until such time as vehicular visibility splays of 2.4 metres by 73 metres have been provided at the site access. 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 access 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 (2024).

6. No part of the development hereby permitted shall be occupied until such time as 1.0 metre by 1.0 metre pedestrian visibility splays have been provided on the highway boundary on both sides of the access with nothing within those splays higher than 0.6 metres above the level of the adjacent footway/verge/highway and, once provided, shall be so maintained in perpetuity.

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

7. No part of the development hereby permitted shall be first occupied until an amended Framework Travel Plan which sets out actions and measures with quantifiable outputs and outcome targets has been submitted to and agreed in writing by the Local Planning Authority. Thereafter the agreed Travel Plan shall be implemented in accordance with the approved details.

REASON: To reduce the need to travel by single occupancy vehicle and to promote the use of sustainable modes of transport in accordance with the National Planning Policy Framework (2024).

8. 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).

9. 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).

10. Prior to occupation of any part of the development hereby permitted, a Public Transport Strategy shall be submitted to the Local Planning Authority, agreed in writing and implemented in full to provide public transport along the length of Station Road in order to serve the development and take into consideration the wider local bus network. The submitted scheme shall include:

- hours of operation and service frequencies (minimum hourly service Monday – Saturday 7am-7pm);
- measures to cover the full operation of the service for the minimum period of the duration of the Framework Travel Plan;
- routing of the service;
- details of any impact on the existing wider bus route/ service in order to provide the extended service; and
- provision of necessary off-site infrastructure, including 2 x new pole and flags, raised kerbs, information display cases and bus stop markings on Station Road.

REASON: To ensure adequate steps are taken to provide a choice in mode of travel to and from the site.

Contributions

Please note that the exact monetary values will need to be agreed prior to the signing of the Section 106 agreement and may be subject to indexation.

To comply with Government guidance in NPPF and commensurate with Leicestershire County Council Planning Obligations Policy the following contributions would be required in the interests of highway safety, encouraging sustainable travel to and from the site, achieving modal shift targets, and reducing car use:

1. A £7,500 contribution toward the Traffic Regulation Order consultation process for the relocation of the existing 7.5 Tonne (except for loading) weight restriction on Station Road in accordance with ADC drawing number ADC3226-DR-002 Rev. P6.

Reason: In the interests of highway safety.

Suggested trigger point: Prior to construction.

2. A contribution of £11,337.50 prior to commencement of development for the monitoring of the Framework Travel Plan and the effects of the development using the County Council's monitoring programme payable prior to the occupation of any part of the development hereby permitted of any part of the development hereby permitted.

Reason: To enable Leicestershire County Council to provide support to the appointed Travel Plan Co-ordinator, audit annual Travel Plan performance reports to ensure that the Travel Plan targets are met.

Suggested trigger point: Prior to first occupation.

3. Appointment of a Travel Plan Co-ordinator from commencement of development until five years after the occupation of the last unit. The Travel Plan Co-ordinator shall be responsible for the implementation of measures as well as monitoring and implementation of remedial

measures.

REASON: To ensure effective implementation and monitoring of the Travel Plan submitted in support of the Planning Application.

4. Travel Packs, one per dwelling/ employee; to inform new residents/ employees from first occupation what sustainable travel choices are in the surrounding area (can be supplied by LCC at £52.85 per pack). If not supplied by LCC, a sample Travel Pack shall be submitted to and approved in writing by LCC which will involve an administration charge of £500.

Reason: To inform new residents/ employees from first use what sustainable travel choices are available in the surrounding area.

Suggested trigger point: Prior to first occupation/ first use of the residential/ employment development.

5. Six month bus passes, two per dwelling (application forms to be included in Travel Packs and funded by the developer)/ one per employee; to encourage new residents/ employees to use bus services, to establish changes in travel behaviour from first occupation and promote usage of sustainable travel modes other than the car (can be supplied through LCC at £510.00 per pass).

Reason: To encourage new residents/ employees to use bus services as an alternative to the private car to establish changes in travel behaviour from first occupation.

Suggested trigger point: Payment of 100% paid prior to the occupation of the residential/ employment development. However, payment of 75% of the total contribution for each development may be deferred to a later date by agreement of a timescale with the County Council.

Informative

- Planning Permission does not give you approval to work on the public highway. To carry out off-site works associated with this planning permission, separate approval must first be obtained from Leicestershire County Council as Local Highway Authority. This will take the form of a major section 184 permit/section 278 agreement. It is strongly recommended that you make contact with Leicestershire County Council at the earliest opportunity to allow time for the process to be completed. The Local Highway Authority reserve the right to charge commuted sums in respect of ongoing maintenance where the item in question is above and beyond what is required for the safe and satisfactory functioning of the highway. For further information please refer to the Leicestershire Highway Design Guide which is available at <https://www.leicestershirehighwaydesignguide.uk/>
- 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).
- A minimum of six months' notice will be required to make or amend a Traffic Regulation Order of which the applicant will bear all associated costs. Please email road.adoptions@leics.gov.uk to progress an application.
- All proposed off site highway works, and internal road layouts shall be designed in accordance with Leicestershire County Council's latest design guidance, as Local Highway Authority. For further information please refer to the Leicestershire Highway Design Guide which is available at <https://www.leicestershirehighwaydesignguide.uk/>

Date Received
25 March 2025

Case Officer
Ben Dutton

Reviewer
DH

Date issued
2 April 2025