

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: 24/00747/HOU

Highway Reference Number: 2024/0747/04/H/R4

Application Address: The Moorings Ibstock Road Odstone Hinckley Leicestershire LE10 0QG

Application Type: Householder

Description of Application: Re-consultation. Two storey rear extension, entrance porch, double garage and new access driveway

GENERAL DETAILS

Planning Case Officer: Tim Hartley

Applicant: Mr And Mrs M And C Burnham

County Councillor: Bertie Harrison-Rushton

Parish: Shackerstone

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 the Local Planning Authority (LPA), Hinckley & Bosworth Borough Council (HBBC), on a planning application which seeks the:

'Two storey rear extension, entrance porch, double garage and new access driveway.'

The proposals are at The Moorings, Ibstock Road, Odstone, Hinckley, Leicestershire, LE10 0QG.

The LHA have responded to the LPA numerous times in the form of emails and formal observations, latterly on 28 March 2025. This was to advise approval subject to conditions and contributions in matters relating to the highway.

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.

The Applicant undertook a further speed survey between 4 April 2025 and 10 April 2025. This was at a location considered to demonstrate a more reflective 85th percentile speed at the location of the proposed access.

The Applicant has now provided the following further information:

- Speed survey raw data;
- Proposed Site Plan, drawing number PL-05F; and
- Proposed Plans & Elevations, drawing number PL-03C.

This speed survey demonstrated recorded 85th percentile speeds of 21mph northbound and 24.2mph southbound. The LHA have examined the raw data and would not dispute the findings.

Drawing Proposed Site Plan, drawing number PL-05F demonstrates vehicular visibility splay lengths of 2.4m by 23m to the south of the access and 2.4m by 26m to the north of the access.

Visibility splays are based upon [Table 6](#) of the LHDG which states that for measured 85th percentile speeds of between 21mph-25mph visibility splays of 2.4m by 33m should be provided. The LHA have calculated that visibility splays based upon Manual for Streets 2 are 2.4m by 26.46m based upon a recorded 85th percentile speed of 21mph adjusted for bonnet length to the south, and 2.4m by 31.88m based upon a recorded 85th percentile speed of 24.2mph adjusted for bonnet length to the north. These equate to a 3.46m shortfall to the south and 5.88m shortfall to the north of the access.

The LHA would therefore request the Applicant provides a visibility splay of a minimum 2.4m by 32m to the north. This is due to the fact the Applicant has previously demonstrated they can achieve 2.4m by 65m on drawing 'Proposed Site Plan', drawing number PL-05E considered within the LHAs previous observations provided to the LPA on 28 March 2025.

The LHA do have concerns relating to the shortfall of 3.88m to the south of the access. However, paragraph 10.5.9 of the Manual for Street Two (MfS2) states that unless there is local evidence to the contrary a reduction in visibility below recommended levels will not necessarily lead to a significant problem. The LHA have therefore taken the above and the site-specific circumstances below into consideration:

- The recorded 85th percentile speed of 21 mph;
- The proximity of the proposed access to the junction;
- The unlikelihood of overtaking manoeuvres at this location;
- The lack of any PIC data within the vicinity of the proposed access which could demonstrate an existing concern with road safety;
- The small-scale nature of the development on what could not be considered a highly trafficked road.

As such, the LHA do not consider a refusal could be defended at an appeal in these site-specific circumstances.

For the reasons set out above, the LHA would not seek to resist the application subject to the following conditions.

Conditions

1. No part of the development hereby permitted shall be brought into use until such time as the access arrangements and the parking and turning facilities have been implemented as shown on Proposed Site Plan, drawing number PL-05F have been implemented in full and thereafter shall be kept available for such use in perpetuity.

REASON: To ensure that vehicles entering and leaving the site may pass each other in a slow and controlled manner and 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 general highway safety and in accordance with the National Planning Policy Framework (2024).

2. The development hereby permitted shall not be brought into use until such time as vehicular visibility splays of 2.4 metres by 23 metres to the south and 2.4 metres by 32 metres to the north 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).

3. The development hereby permitted shall not be brought into use until such time as the access drive has been 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).

4. 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 vehicular access gates, barriers, bollards, chains or other such obstructions shall be erected within a distance of 6 metres of the highway boundary, nor shall any be erected within a distance of 5 metres of the highway boundary unless hung to open away from the highway.

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).

Informative

- 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.

Date Received
15 April 2025

Case Officer
Neal Chantrill

Reviewer
BD

Date issued
1 May 2025