

**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: 24/01066/FUL

Highway Reference Number: 2024/1066/04/H

Application Address: Land West of Westfield Avenue Earl Shilton Leicestershire

Application Type: Full

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

---

**GENERAL DETAILS**

Planning Case Officer: Matt Jedruch

Applicant: Mr Jim Rawlings

County Councillor: Richard Allen

Parish: Earl Shilton

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 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 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.

In support of this application the Applicant has submitted the following relevant documents:

- MEC Transport Statement.
- Design & Access Statement dated October 2024.
- Application Form.
- Parking Plan. Drawing Number 3187-280.
- Planning Layout. Drawing Number 3187-200.

The LHA note the relevant planning history of the site;

- 14/01279/OUT - Residential development of up to 350 dwellings, 0.6 ha of employment starter units, expansion of existing community facilities, access, open space and indicative landscaping (outline - access only). Permitted – July 2017. The LHA note under this permission that the area to be developed under 24/01066/FUL previously was proposed to serve a 5000 m2 employment space.

### **Site Access**

The site will be accessed off Heath Lane, an unclassified road subject to a 30-mph speed limit.

The LHA note that the Applicant has stated in the submitted Application Form that they wish 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.

### **Highway Safety**

There have been no Personal Injury Collisions (PICs) recorded to have taken place within a 500m proximity of the site, within the public highway in the most recent five-year period.

### **Trip Generation**

The Applicant has used the TRICS database to derive trip rates and proposed trip generation for the proposed 18 dwellings during the AM and PM peak periods in Table 4.3 of the Transport Statement, as seen below:

**Table 4.3 Residential Trip Rates**

Time Period	Trip Rates (per unit)		Trip Generation (18 units)		
	Arrive	Depart	Arrive	Depart	Total
AM Peak (08:00-09:00)	0.167	0.439	3	8	11
PM Peak (17:00-18:00)	0.412	0.264	7	5	12

The LHA are satisfied the proposed figures are appropriate and note that the projected rates are significantly lower than those approved under 14/01279/OUT for the 5000 m2 employment space.

### **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.

Notwithstanding this, the LHA 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.

- All dimensions should be shown on future submissions in order for more detailed feedback to be given
- Proposed Access for plots 1-12 - Access to a private drive serving 12 dwellings could be considered as a dropped crossing in line with the LHDG. The 6m radius junction proposed would be considered suitable, however, the applicant needs to consider providing further crossing points for pedestrians travelling from the development North into the wider site (for example to access footpaths or Public Open Space) as a footway cannot be constructed within the Root Protection Area of the existing large tree (this was established during construction of the spine road). Correct visibility splays for a junction need to be shown.
- Proposed Access for plots 13-15 – pedestrian visibility splays should be demonstrated.
- Proposed Access for plots 16/17/18 – pedestrian visibility splays should be demonstrated.
- All frontages should be served by a 2m wide footway, unless accessed from a shared surface.
- Driveways shown at the edges of raised speed tables will not be acceptable, due to the presence of a ramp.
- Any shared private drive serving more than 5 but no more than 25 dwellings shall be a minimum of 4.8 metres wide for at least the first 5 metres behind the highway boundary and a drop crossing of a minimum size, as shown in the LHDG, at its junction with the adopted road carriageway.
- Any roads which are proposed to be put forward as part of a Section 38 agreement should have gradients which conform to the standards set out in the LHDG.
- All drainage should be in accordance with the LHDG and gully positions should be shown on a plan. It must be ensured that surface water from private land does not run or pool in the public highway.

The LHA have reviewed the 'Parking Plan' and note that whilst the quantum of parking is in accordance with LHDG standards, the dimensions should be amended to measure a minimum of 2.4 x 5.5m with an additional 0.5m where bound by a wall/ hedge/ fence etc., to accord with the LHDG.

Details of a pedestrian link between the proposed housing development and the existing footway should also be provided. The LHA would typically require a 2.0m wide footway to be provided alongside the edge of the carriageway to the site access.

### **Transport Sustainability**

The site is located in the town of Earl Shilton, with access to local amenities and services such as shops and opportunities for leisure.

The nearest bus stops are located approximately 300 metres from the site with regular services to and from Leicester and Coventry.

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

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**  
**10 December 2024**

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

**Reviewer**  
**BD**

**Date issued**  
**8 January 2025**