

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: 26/00299/FUL

Highway Reference Number: 2026/0299/04/H

Application Address: Sparkenhoe Farm Main Road Upton Nuneaton Leicestershire CV13 6JX

Application Type: Full

Description of Application: Extension to provide new kitchen, cheese sales, cold store and additional parking

GENERAL DETAILS

Planning Case Officer: Sullivan Archer

Applicant: Keith Reynolds

County Councillor: Market Bosworth ED - Joshua Melen CC

Parish: Sheepy

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 paragraph 116 of the National Planning Policy Framework (2024).

Advice to Local Planning Authority

Background

The Local Highway Authority (LHA) has been consulted by the Local Planning Authority (LPA) on an application seeking an extension to provide new kitchen, cheese sales, cold store and additional parking located at Sparkenhoe Farm, Main Road, Upton, Nuneaton, Leicestershire, CV13 6JX.

The LHA has reviewed the following submitted documents as part of this response:

- Application Form;
- Location & Site Plans, drawing number 2026/169/10;
- Existing Plan of Adjacent Building, drawing number 2026/169/17;
- Ground Floor Plan, drawing number 2026/169/11; and
- Design and Access Statement dated March 2026.

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.

Site Access

The site access is located on Main Road which is an adopted road subject to a 30mph speed limit and 7.5t weight restriction. The Applicant is not proposing any changes to the existing access arrangements.

The LHA conducted a site visit on 18 May 2026 and measured the access to be 7 metres wide where it meets the highway boundary. The access track to the main site also serves as a public right of way, footpath T24a (this will be addressed further below).

The track towards the site measures approximately 6 metres in width. The access currently serves Sparkenhoe Farm, a tearoom, a small shop, store and an office. The Applicant proposes an extension for the addition of a kitchen, larger shop area and a cheese store. The Applicant is also proposing an additional parking area to the south of the site.

Taking into consideration the types of existing traffic accessing the site such as large agricultural vehicles, the LHA is satisfied that the existing access arrangements can accommodate any possible increase in traffic associated with the proposals.

Highway Safety

The LHA has reviewed its Personal Injury Collision (PIC) data for the previous five years and there have been no recorded collisions within 500 metres of the site access. Therefore, the LHA has no pre-existing highway safety concerns at this location.

Trip Generation/ Internal Layout

The site has one existing parking area for customers and a new parking area is proposed as part of this application. No number of existing or proposed parking spaces has been specified and the LHA noted on the site visit that there are currently no markings for parking spaces.

In accordance with [Table 29\(c\)](#) of the LHDG, food retail (use class E(a)) with a floorspace of up to 1,000sqm should have one parking space per 9sqm. Given the small amount of internal floorspace, the LHA is satisfied that the existing and proposed parking areas can accommodate the expected number of vehicles visiting the site.

The opening hours of the café and shop is Wednesday to Saturday 9am to 2:30pm. The LHA are aware that it would be unlikely for trips to the café and shop to take place during the typical weekday peak hours of 8am and 9am and 5pm and 6pm.

Taking into consideration the types of existing traffic accessing the site, and any possible additional trips associated with the proposed development, the LHA is satisfied that this will not lead to an unacceptable impact on highway safety, or the residual cumulative impacts on the road network would be severe.

Public Right of Way (PRoW)

The application site includes, and is accessed by, a wide driveway from Upton's Main Road between the properties Hunters Barn, and Sparkenhoe Cottage. The wide driveway is the farm access and is also the route of public right of way Footpath T24a. The building extension is some

way to the north of this, but the site of the additional car parking is next to the driveway / public right of way on the southern side. The footpath route may see only limited use by the public. However, there is no separate path for pedestrians. Therefore, anyone involved in constructing the car park needs to be aware of, and bear in mind, that pedestrians have a legal right to go past the site safely and freely at all times. Please note the 'Informatives' below to ensure the continued safe use of the PRow.

Noting the proposed work, the LHA is satisfied that the use of Public Footpath T24a will not be significantly affected.

Informatives

If Planning Permission is granted, the following notes should be drawn to the applicant's attention:

- a) Prior to construction, measures should be taken to ensure that users of the Public Right of Way are not exposed to any elements of danger associated with construction works.
- b) Public Rights of Way must not be re-routed, encroached upon, or obstructed in any way without authorisation. To do so may constitute an offence under the Highways Act 1980.
- c) If there are any Public Rights of Way which the applicant considers impracticable to retain on their existing lines, a separate application for diversion is required. It should be submitted under the Town and Country Planning Act 1990 to the Local Planning Authority. The applicant is not entitled to carry out any works directly affecting the legal line of a Public Right of Way until a Diversion Order has been confirmed and become operative.
- d) If the developer requires a Right of Way to be temporarily diverted, for a period of up to six months, to enable construction works to take place, an application should be made to networkmanagement@leics.gov.uk at least 12 weeks before the temporary diversion is required.
- e) Public Rights of Way must not be further enclosed in any way without undertaking discussions with the Highway Authority (0116) 305 0001.
- f) Any damage caused to the surface of a Public Right of Way, which is directly attributable to the works associated with the development, will be the responsibility of the applicant to repair at their own expense to the satisfaction of the Highway Authority.
- g) No new gates, stiles, fences, or other structures affecting a Public Right of Way, of either a temporary or permanent nature, should be installed without the written consent of the Highway Authority. Unless a structure is authorised, it constitutes an unlawful obstruction of a Public Right of Way, and the County Council may be obliged to require its immediate removal.

Date Received
6 May 2026

Case Officer
Emma Peacock

Reviewer
BD

Date issued
26 May 2026