

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: 25/00344/FUL

Highway Reference Number: 2025/0344/04/H

Application Address: 38 Almeys Lane Earl Shilton Leicester Leicestershire LE9 7AJ

Application Type: Full

Description of Application: Change of use from dwellinghouse to Sui Generis (Use as large HMO) and addition of a side extension

GENERAL DETAILS

Planning Case Officer: Sullivan Archer

Applicant: Mrs Carlota Larrosa

County Councillor: Earl Shilton ED - Martin Richard England CC

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

'Change of use from dwellinghouse to Sui Generis (Use as large HMO) and addition of a side extension.'

The proposals are at 38 Almeys Lane, Earl Shilton, Leicestershire, LE9 7AJ.

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 LHA have reviewed the following documents as part of these observations:

- Application form;
- Site location plan;
- Planning Statement;
- Design and Access Statement; and
- Floor plans Rev C.

Proposals

The application site is on the southern extent of Amleys Lane, approximately 200m to the west of High Street. Amleys Lane is an adopted, unclassified road subject to a 30mph speed limit.

The LHA note from the submitted documents that the dwelling is currently utilised as a three-bedroom HMO, the proposals seek to increase the number of bedrooms to seven.

The Applicant has stated there is room to the front the dwelling for the parking of five vehicles and no access amendments are proposed. The LHA note that spaces to the front of the dwelling would not comply with the parking space dimensions as set out within [Figure 44](#) of the LHDG in terms of length. This said, there is evidence demonstrating vehicles have parked within this area historically, as such this would be considered an existing situation.

However, it is noted there are no dropped kerb vehicular access to the front of the dwelling. The Applicant should be aware that it is an offence under Section 184 of the Highways Act 1980, to cross a kerb, verge or footway in a motor vehicle except at a crossing point that has been approved by Leicestershire County Council (LCC).

Should the LPA be minded to grant the proposals, the Applicant is advised that, notwithstanding planning consent, a separate application would be required to be made to the LHA for an extended Vehicular Access (VA) in the form of dropped kerbs. Further information can be found at:

<https://www.leicestershire.gov.uk/roads-and-travel/cars-and-parking/vehicle-access-dropped-kerbs>.

It appears there are third party services within the footway in the form of service chambers, these may be required to be re-located or strengthened. If this is the case it will be entirely at the Applicants expense

[Table 28](#) of the LHDG states that for an HMO for six or more occupants there should be one car parking space per resident. However, the LHA have taken the following into consideration:

- The bedsit nature of the HMO;
- The town centre location of the development with all the amenities on offer;
- Bus stops close-by providing a regular bus service to the Leicester and the surrounding settlements; and
- The LHA would find it difficult to demonstrate a shortfall of two off-street parking spaces would lead to a severe impact of the public highway contrary to Paragraph 116 of the National Planning Policy Framework (NPPF) (2024) in the event of an appeal.

The Applicant has also stated cycle parking provision would be provided. Whilst this is welcomed by the LHA this should be of a Sheffield or similar type. This can be secured via condition.

The Applicant has stated within the Design and Access Statement that hard surfacing will be provided. This should be 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. This can be secured via condition.

Highway Safety

The LHA has reviewed its Personal Injury Collision (PIC) database and identified one PIC along the entire length of Amleys Lane.

A single PIC is not considered to be representative of a trend or pattern and therefore the PIC is regarded as an 'isolated incident'. The LHA are therefore of the opinion that there are no existing highway safety issues that would likely be exacerbated by the proposals.

Conditions

1. Notwithstanding the submitted documents, the Applicant should provide five off-street car parking spaces within the site. These shall be provided prior to the first occupation of the development. Once provided these should be available for use and maintained 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).

2. The development hereby permitted shall not be occupied 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 five 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)

3. The development hereby permitted shall not be occupied until such time as secure cycle parking shall be provided in accordance with details first submitted to and agreed in writing by the Local Planning Authority. Thereafter the onsite cycle parking provision shall be kept available for such use in perpetuity

REASON: To promote travel by sustainable modes 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
27 June 2025

Case Officer
Neal Chantrill

Reviewer
BD

Date issued
8 July 2025