

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: 25/00990/FUL

Highway Reference Number: 2025/0990/04/H/R3

Application Address: Land Off Station Road, Bagworth

Application Type: Full

Description of Application: Re-consultation. Full Planning Permission for the Erection of 46 Dwellings, Formation of Access, Associated Landscaping and Attenuation Pond

GENERAL DETAILS

Planning Case Officer: Alex Jelley

Applicant: A R Cartwright Limited

County Councillor: Markfield, Desford & Thornton ED - Charles Whitford CC

Parish: Bagworth & Thornton

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

*'Erection of 46 dwellings, formation of access, associated landscaping and attenuation Pond.'
The proposals are on land off Station Road, Bagworth, Leicestershire.'*

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 previously responded to the LPA several times in relation to this site, latterly on 9 June 2026 requesting further information in relation to the adoptability of the site. In response to the LHAs observations the Applicant has provided the following document:

- LCC Highways Response Tracker

The submitted drawing titled 'Site Layout', drawing number 04L again demonstrates that the proposed footway to the north of the site terminates within the highway (outlined in bold) as shown below:



This should terminate within the site.

Material Planning Considerations

The LHA previously highlighted that the Applicant has not provided a Stage One Road Safety Audit. The Applicant within their 'Response Tracker (RT)':

'Following 'in principle' agreement from LCC Highways to the access arrangements and internal layout, PF will issue a GG119 compliant Stage 1 RSA Brief for sign-off prior to sending to the independent audit team.'

The LHA directs the Applicant to the section of the LHDG titled ['When road safety audits are required by the council'](#). This states:

'The council will normally require a Stage 1 Road Safety Audit to be carried out when a planning application is submitted.'

Given the above, the LHA will be unable to provide final observations until this has been provided along with a suitability worded designers response and any amended plans that may be required in these site-specific circumstances.

Adoptability

Items requiring action prior to planning approval

The LHA previously stated:

'There are less than six plots fronting onto / being directly served by the road for plots 19,20,21 & 26, in line with Policy 5 of the LHDG this should be redesigned to increase the number of frontages or not be proposed for adoption. Therefore, the Applicant should confirm if this part of the layout is proposed for adoption or will remain private.'

The Applicant has stated within their RT:

'The access road physically fronts four dwellings (Plots 19–21 and 26). However, in functional and operational terms it serves eight dwellings in total, as the remaining four units (Plots 22–25) are wholly reliant on this same access.'

Therefore, the access road must properly be assessed as serving eight dwellings when considering its suitability for adoption and its compliance with Policy 5 of the LHDG.

On this basis, the design and function of the access road align with the criteria set out in Policy 5 for circumstances in which the Council will adopt a residential access.

LCC Highways guidance seeks a minimum of six dwellings directly fronting or serving a street for the Council to adopt.'

The LHA guides the Applicant to bullet point two of [Policy 5](#) of the LHDG which states:

'The Council will adopt new roads that:

- directly serve/front a minimum of 6 residential dwellings. To be counted both the plot's front door and vehicular access is required to be directly served from the proposed adoptable highway of said road. For clarity, where the front door or vehicular access is served off another road or private road, they would not be included in the total.'*

As such this area should be designed to adoptable standards or this area will remain private.

The LHAs previous observations stated:

'Speed control measures will need to be designed into the road layout. In this instance, the maximum distance between speed control measures, junctions or 90-degree bends is approx. 60m. Further information can be found within Table 20 of the LHDG. The bends o/s plots 4 and 27 do not meet the requirements for a speed control feature as their inner radius exceeds 8m.'

Further to the comment above, the minimum plateau length of vertical speed control measures should be 8m, and the ramps should not conflict with the access drives of the dwellings. For further information, please see Figure 31 of the LHDG.'

The Applicant has stated within their RT:

'Adjacent to plots 4 and 27 a raised plateau has been proposed with a minimum length of length of 14.8m and 9.5m respectively which can be seen on PF Drawing 109538 - PEF – ZZ - XX - D - H – 00005 P03 and is attached at Appendix 2.'

The above accords with the LHDG.

The LHAs previous observations stated:

'A turning head should be provided at the end of all cul-de-sacs or wherever vehicles would otherwise have to reverse over 20m or more. Please see Figure 12 of the LHDG for further information.'

The Applicants RT states:

'The submitted vehicle-tracking evidence confirms that all cul-de-sac-style private drives whether proposed for adoption or to remain unadopted—have been designed with an appropriate turning-head arrangement. As a result, vehicles are able to enter, turn within, and exit these private drives without the need to reverse more than 20 metres.'

Unfortunately, this is not acceptable for the purposes of adoption by the Leicestershire County Council (LCC). Turning heads need to be within the adopted highway as LCC would have no control of turning heads within private land, which in theory could be gated in the future. As an example, please see below:



For the purposes of adoption, a turning head would be required as per the hashed area above within the proposed adopted area, not within areas to remain private. It should also be noted that should the spur road that includes plots 19–21 and 26 be re-designed to have six direct frontages, this area too would require a turning head in accordance with [Figure 12](#) of the LHDG.

The LHA previously stated that:

'The Applicant should please provide refuse vehicle tracking of the site in accordance with the section of the LHDG titled 'Swept Path Analysis'

The Applicant has stated within the RT:

'All vehicle tracking (refuse vehicle, fire tender and car) has been undertaken using a minimum modelling speed of 15 kph in the forward direction and 2.5 kph in reverse, as set out on PF drawings 109538-PEF-ZZ-XX-D-H-00002 P04 and 109538-PEF-ZZ-XX-D-H-00004 P02 presented in Appendix 2.'

However, whilst tracking has been provided, the refuse vehicle must remain within land to be adopted for it to be acceptable, this includes being able to turn within the adoptable area.

The visitor parking bays proposed within the highway extents still require removing from the layout or the Applicant will be liable for a commuted sum to enable the adoption. Whilst the RT states these are to be removed, they are still shown on the drawings.

The Applicant should demonstrate the vehicle crossover areas for plots 5-8, 43-36 and the pumping station match that of 1-4 where it is shown as footway.

Items which can be captured at the S38 application stage, as a part of the detailed design

- Any isolated and/or interconnecting footpaths would not typically be considered for adoption. If they were to be offered for adoption, they may incur an additional commuted sum.

Additional Comments (i.e. items the applicant should be aware of when making the detailed S38 application):

- Consideration of root barrier/deflection treatment will be required when proposing trees/shrubs adjacent to the footway.
- No consideration has been made of the suitability of parking facilities (availability, location, physical attributes, etc.), pedestrian visibility etc.
- At this stage it is not possible to comment on the vertical alignment, drainage, materials or proposed construction details.

Date Received
23 June 2026

Case Officer
Neal Chantrill

Reviewer
BD

Date issued
17 July 2026