

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: 25/00312/HOU

Highway Reference Number: 2025/0312/04/H/FSA

Application Address: 13 The Square Bagworth Coalville Leicestershire LE67 1DQ

Description of Application: Detached garage

GENERAL DETAILS

Planning Case Officer: Sophie Iliffe

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 (LHA) previously considered a similar scheme under 22/01074/HOU for a detached double garage and associated ancillary space and referred it to the Standing Advice, September 2011 document.

After reviewing the submitted documents, the LHA consider the LHAs previous comments relevant. These have been replicated below with updated Leicestershire Highway Design Guide (LHDG) and National Planning Policy Framework (NPPF) references.

The Local Highway Authority refers the Local Planning Authority to current standing advice provided by the Local Highway Authority dated September 2011.

The LHA advises the LPA to consider the following:

- Double garages should be in accordance with the Leicestershire Highway Design Guide (LHDG). This states double garages should be 6m by 6m. This information can be found [here](#).
- Access surfacing should be hard bound for a minimum of 5m behind the highway boundary to prevent the potential depositing of loose materials onto the highway.
- Drainage should be provided within the site so that surface water does not drain onto the Public Highway.

It is noted that Public Right of Way R57 runs along the front of the proposed access. As such, should the LPA be minded to grant the proposals permission the LHA requests the following condition and informatives are added.

Condition

1. No development shall take place until a scheme for the treatment of the public right of way has been submitted and approved in writing by the Local Planning Authority. Such a scheme

shall include management during construction and any changes to boundaries, surfacing, structures, signing, or landscaping that may affect it accordance with the principles in the County Council's Guidance on Development and Public Rights of Way <https://resources.leicestershire.gov.uk/sites/resource/files/field/pdf/faq/2018/6/5/Rights-of-way-guide.pdf>. Thereafter the development shall be carried out in accordance with the agreed scheme and timetable.

Reason: to protect and enhance Public Rights of Way and access in accordance with Paragraph 100 of the National Planning Policy Framework 2024.

Informatives

- a) Prior to construction, measures should be taken to ensure that users of the Public Right(s) of Way are not exposed to any elements of danger associated with construction works, including vehicle movements and parking on the street called The Square.
- 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. 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
1 April 2025

Case Officer
Neal Chantrill

Reviewer
BD

Date Issued
11 April 2025