

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: 26/00113/REM

Highway Reference Number: 2026/0113/04/H

Application Address: Land West Of Workhouse Lane Burbage Leicestershire

Application Type: Reserved Matters

Description of Application: Application for the approval of Reserved matters (Layout, Scale, Appearance, Landscaping) of outline planning permission 20/01012/OUT for residential development of up to 40 dwellings

GENERAL DETAILS

Planning Case Officer: Hinckley and Bosworth Borough Council

Applicant: Mrs Rebecca Crann

County Councillor: Burbage ED - Cllr Barry Walker

Parish: Burbage

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) has been consulted by the Local Planning Authority (LPA), Hinckley and Bosworth Borough Council, on a reserved matters application on Land West Of Workhouse Lane Burbage Leicestershire. This application is for approval of reserved matters for layout, scale, appearance and landscaping of outline permission ref. 20/01012/OUT for 40 dwellings.

The LHA acknowledges the relevant planning history at the site which is noted below:

- 20/01012/OUT | Residential development up to 40 dwellings, public open space and associated Infrastructure (Outline - access only) | Land West of Workhouse Lane Burbage Leicestershire. Permitted on appeal March 2023.

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

- Pegasus Group – Surface Treatment Plan. Drawing Number P25-2857_DE_004-08B;
- Pegasus Group – Planning Layout. Drawing Number P25-2857_DE_02F; and
- Pegasus Group – Car Park & Cycle Storage. Drawing Number P25-2857_DE_004-04A.

Internal Layout

The acceptability of an adopted road layout is subject to a Section 38 (S38) 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/>.

The Applicant is advised that any review of the site layout provided by the LHA prior to determination of this planning application does not prejudice any future S38 application made to the LHA post granting of planning consent. Furthermore, adoptability of a site cannot be formally established until such time as S38 technical approval has been obtained through the S38 technical appraisal process with the LHA following the grant of planning permission. A site layout design submitted as part of a planning application which addresses all comments below does not guarantee a successful S38 application.

To aid the design process, the LHA have reviewed the following submitted drawing:

- Pegasus Group – Surface Treatment Plan. Drawing Number P25-2857_DE_004-08B.

Adoptability of a site is not a material planning consideration. The comments below are therefore separated into 'material planning considerations', which are required to be addressed pre-determination of this application, irrespective of adoptability, and 'adoptability' comments, which the Applicant may choose to address during the planning process in order to work towards a layout that meets the requirements for a S38 application.

Further information regarding sites that remain in private ownership and that are not adopted by the LHA can be found within the LHDG at <https://www.leicestershirehighwaydesignguide.uk/approvals-road-adoptions-and-commuted-sums/roads-are-remain-private>.

Material Planning Considerations

The LHA consider that the internal layout does not accord with the LHDG and the site is therefore not suitable for planning permission as currently proposed. The Applicant should therefore consider the following points:

- The carriageway is required to accord with [Table 3](#) of the LHDG. A note of the maximum number of plots served from each road should be added. Larger width carriageways would potentially be acceptable to futureproof the site and allow for expansion down the line (currently all roads are 5.5m in width and the LHA would ordinarily require 4.8m). Without expansion these would incur a commuted sum.
- Speed control measures will need to be re-designed into the road layout. In this instance, the maximum distance between speed control measures, junctions or 90-degree bends is approximately 60m. Further information can be found in [Table 20](#) of the LHDG. The current speed table could be extended towards the entrance for suitability.

- The minimum plateau length of vertical speed control measures should be 8m, the ramps should not conflict with the access drives of the dwellings. Further information can be found in [Figure 31](#) of the LHDG.
- Forward visibility splays are required to be demonstrated, with the areas within the splays conveyed as highway, in accordance with [Figure 8](#) of the LHDG.
- All turning heads will need to be re-designed, in line with [Figure 12](#) of the LHDG.
- 2m footways should be provided on both sides of the carriageway, particularly where there are plots fronting onto the highway (for example outside plots 12-15). A 1m service margin can be provided at location(s) where 2m footways are not necessary, for example along the side road adjacent to the green space area and the end of turning heads. 2m footways are also not required at the end of turning heads; a 1m service margin will suffice.
- Refuse vehicle tracking of the site should be provided upon resubmission.
- The private drive for plots 29-32 does not align with [Table 13](#) of the LHDG.

Adoptability comments

The LHA consider that the internal layout does not fully accord with the LHDG and the site is therefore not suitable for submission of a S38 application post granting of planning consent as currently presented. Whilst it is not a requirement for these matters to be addressed during the planning application stage, the Applicant may wish to consider addressing the following points in order to demonstrate a layout more likely to be suitable for an application for adoption under S38:

- There are less than six plots fronting onto/being directly served by the 'Residential access way' to the south of the site. In line with [Policy 5](#) of the LHDG this should be redesigned to increase the number of frontages, or not be proposed for adoption.
- Tactile paved uncontrolled pedestrian crossings should be provided and shown at junctions/where appropriate. These must be positioned one full height kerb away from any other access.

The Applicant is advised that the above matters are expected to result in changes to plot positions; should the application be determined with the site layout as currently presented and the Applicant subsequently wishes to put forward the roads for adoption under S38, this could result in the requirement for a Non-Material Amendment or S73 Variation of Condition application being required to be submitted to the LPA to meet the required LHDG standards.

The following elements of the proposals do not accord with the LHDG, however, as these are not expected to alter plot positions, it is expected that these can be addressed as part of a future S38 technical appraisal process:

- The radii at the junctions and turning heads should be detailed on the plan, to ensure they are in accordance with the LHDG. Junction radii should be 6m for any side roads, as per [Table 9](#) of the LHDG. Radii for turning heads should typically be 8m as per [Figure 12](#) of the LHDG.

- 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.
- Grassed 1m service margins are not acceptable, any grass verge areas should be a minimum of 2m in width and be in excess of 10m² in area.

The Applicant is advised to note the following points:

- Consideration of root barrier/deflection treatment will be required when proposing trees/shrubs adjacent to the footway.
- At this stage it is not possible to comment on the vertical alignment, drainage, materials or proposed construction details.

Parking

The LHA have reviewed P25-2857_DE_004-04A and note the following points to be addressed for the parking to be in accordance with the LHDG:

- Parking spaces should measure 2.4m by 5.5m as per [Figure 44](#) of the LHDG, with an additional 0.5m if bounded by a wall, fence, hedge, line of trees or other similar obstructions on 1 side, 1m if bounded on both sides. Plots 1, 2, 27, 28, 32, 33 and 37, do not align with this guidance and should be amended.
- Pedestrian visibility splays should be provided at each driveway edge to ensure suitable visibility. These should be kept free from obstruction over 0.6m as per [Figure 17](#) of the LHDG.

Date Received
13 February 2026

Case Officer
Amy Stone

Reviewer
DH

Date issued
10 March 2026