

**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.

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**APPLICATION DETAILS**

Planning Application Number: 24/01158/OUT

Highway Reference Number: 2024/1158/04/H/R3

Application Address: Land Off Brascote Lane Brascote Lane Newbold Verdon Leicestershire

Application Type: Outline (with access)

Description of Application: Re-consultation. Outline planning application for up to 135 dwellings with associated landscaping, open space, drainage infrastructure and associated works (all matters reserved except access)

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**GENERAL DETAILS**

Planning Case Officer: Matt Jedruch

Applicant: Richborough

County Councillor: Mallory ED - Mark Bools CC

Parish: Newbold Verdon

Road Classification: Class C

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**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 re-consulted by Hinckley & Bosworth Borough Council as the Local Planning Authority (LPA) on an outline planning application for the erection of up to 135 dwellings with associated landscaping, open space, drainage infrastructure and associated works at land off Brascote Lane, Brascote Lane, Newbold Verdon. All matters other than access are reserved at this stage.

The LHA previously requested additional information was submitted by the Applicant within its observations dated 10<sup>th</sup> February and 8<sup>th</sup> August 2025. Most recently, the LHA required the Applicant to provide further improvements to the site access on to Brascote Lane, given the total number of dwellings which would be located off a single point of access.

The LHA has reviewed the following additional information submitted by the Applicant in support of the proposals:

- Technical Note (dated 8<sup>th</sup> September 2025 and authored by Hub Transport Planning)
- Hub drawing number T24516.001 (Proposed Brascote Lane Speed Reduction Scheme)

The LHA advises the LPA to refer to the LHA's previous observations in respect of all matters other than the site access/ off-site works which are considered below.

### **Site Access/ Off-Site Works**

The LHA previously advised that based on the Applicants trip generation figures, for a total of 374 dwellings there would be up to 255 two-way trips (28 arrivals and 227 departures) in the AM peak and 258 two-way trips in the PM peak (194 arrivals and 64 departures). This would all be from a single point of access and, in the absence of any other guidance on junction design and the speed of traffic passing the site, the Design Manual for Roads and Bridges was considered by the LHA to be the most appropriate guidance to follow in respect of junction type design in these circumstances.

The Applicant concluded that a ghost right turn lane was not necessary to serve the site off Brascote Lane, however the LHA advised the Applicant one would be necessary to cater for the additional development traffic. Alternatively, should the Applicant not be able to fit this in within the extents of the public highway and land under their control, the Applicant should consider alternative access arrangements or a self-enforcing speed reduction scheme, which would reduce the speed of traffic in the vicinity of the junction.

The submitted Technical Note details that there would not be sufficient width within the highway to achieve a design compliant ghost right turn lane at the access. On this basis, the Applicant has submitted Hub drawing number T24516.001, which details a package of speed reducing measures including a reduction in the speed limit to 30mph, village gateway treatment and speed cushions along Brascote Lane.

After reviewing the plans, the LHA would advise the LPA that the Applicant has not provided an independent Stage 1 Road Safety Audit (RSA1) of the proposals, or a Designer's Response to any problems raised. On this basis, the LHA advises while it is satisfied the principle of a traffic calming scheme along Brascote Lane is deliverable and would be a suitable alternative to a ghost right turn lane, the proposals and specific details as to what measures are implemented may need to change following the RSA1.

It should be noted at this stage that Leicestershire County Council no longer specifies the use of red coloured surfacing at gateways due to the ongoing maintenance issues that they present, and this would therefore need to be removed from the drawing. In addition, the Applicant will need to confirm that there is at least a 750mm gap between the cushions and the edge of the carriageway as per Local Transport Note 1-07.

The LHA highlight that whilst traffic calming measures on Brascote Lane are accepted under the site-specific circumstances, any further development relying on the single point of access to Brascote Lane, without provision of an additional vehicular access and despite the 6.75m wide access width, may be of concern to the LHA. Any further applications relying on the single point of vehicular would be considered on a case-by-case basis.

The Applicant should also be aware of the informatics provided further below in respect of the access/ off-site works.

The LHA note that while Hub drawing number T20517 001 Rev. C has been submitted detailing the access to the site from the adopted highway on to Brascole Lane, a drawing detailing the two internal access points from approved development 22/00277/OUT has not been provided.

Internally, the development would be accessed via the continuation of two internal development roads (STR05 – ACCESS ROAD and STR14 - ACCESS ROAD) proposed as part of reserved matters application reference 24/00854/REM. The LHA advises a condition detailing a 5.50m access road with 2.0m footways on either side would be acceptable given the proposals would be a continuation of the roads which are currently proposed as cul de sacs.

The LHA acknowledge that the access to Brascole Lane may be constructed prior to commencement of the proposed development given the approved development is under construction, however given that the access currently has not been constructed a condition is considered necessary.

## **Conditions**

1. No development shall commence on the site until such time as a construction traffic management plan, including as a minimum details of the routing of construction traffic, wheel cleansing facilities, vehicle parking facilities, and a timetable for their provision, has been submitted to and approved in writing by the Local Planning Authority. The construction of the development shall thereafter be carried out in accordance with the approved details and timetable.

REASON: To reduce the possibility of deleterious material (mud, stones etc.) being deposited in the highway and becoming a hazard for road users, to ensure that construction traffic does not use unsatisfactory roads and lead to on-street parking problems in the area.

2. Notwithstanding Hub drawing number T24516.001, no part of the development shall be occupied until such time as a scheme to reduce the speed of traffic on Brascole Lane in the vicinity of the site access which has been subject to a Stage 1 Road Safety Audit and Designer's Response has been submitted to and agreed in writing with the LPA. The approved scheme shall then be implemented in full prior to occupation of the first dwelling.

REASON: To mitigate the impact of the development, in the general interests of highway safety and in accordance with the National Planning Policy Framework (2024).

3. Notwithstanding the submitted plans, the proposed two internal accesses to the development shall have a minimum carriageway width of 5.50 metres, a 2.0 metre wide footway on both sides and shall be surfaced in a bound material.

REASON: To ensure that vehicles entering and leaving the site may pass each other in a slow and controlled manner, in the interests of general highway safety and in accordance with the National Planning Policy Framework (2024).

4. No part of the development hereby permitted shall be occupied until such time as the access arrangements on to Brascole Lane shown on Hub drawing number T20517.001 Rev C have been implemented in full.

REASON: To ensure that vehicles entering and leaving the site may pass each other clear of the highway, in a slow and controlled manner, in the interests of general highway safety

and in accordance with the National Planning Policy Framework (2024).

5. No part of the development hereby permitted shall be occupied until such time as vehicular visibility splays of 2.4 x 160 have been provided at the site access on to Brascote Lane. These shall thereafter be permanently maintained with nothing within those splays higher than 0.6 metres above the level of the adjacent footway/verge/highway.

REASON: To afford adequate visibility at the access to cater for the expected volume of traffic joining the existing highway network, in the interests of general highway safety, and in accordance with the National Planning Policy Framework (2024).

6. No part of the development hereby permitted shall be occupied until such time as site drainage details have been provided to and approved in writing by the Local Planning Authority. Thereafter surface water shall not drain into the Public Highway and thereafter shall be so maintained.

REASON: To reduce the possibility of surface water from the site being deposited in the highway causing dangers to road users in accordance with the National Planning Policy Framework (2024).

7. The Travel Plan shall be carried out in accordance with the details contained within reference T24516 (Rev. B dated 5<sup>th</sup> July 2024 and authored by Hub). A Travel Plan Co-ordinator shall be appointed from commencement of development until 5 years after first occupation. The Travel Plan Co-ordinator shall be responsible for the implementation of measures as well as monitoring and implementation of remedial measures.

REASON: To reduce the need to travel by single occupancy vehicle and to promote the use of sustainable modes of transport in accordance with the National Planning Policy Framework (2024).

8. No development shall take place until a scheme for the treatment of the Public Right of Way Footpath S26 has been submitted to and approved in writing by the Local Planning Authority. A scheme shall include management during construction (including proposed temporary route(s)); ensuring plans reflect the correct legally-recorded PRoW alignments, or any legal diversion order to ensure they do so in future; and any new construction works and other enhancement. Physical construction should address width, surfacing, drainage, structures, signposting, and impacts of any landscaping and boundary treatments in accordance with the principles set out in the Leicestershire County Council's adopted guidance on Development and Public Rights of Way. 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 105 of the National Planning Policy Framework Dec 2024.

## **Contributions**

To comply with Government guidance in NPPF and commensurate with Leicestershire County Council Planning Obligations Policy the following contributions would be required in the interests of highway safety, encouraging sustainable travel to and from the site, achieving modal shift targets, and reducing car use:

1. Travel Packs; to inform new residents from first occupation what sustainable travel choices are in the surrounding area (can be supplied by LCC at £52.85 per pack per plot). If not supplied by LCC, a sample Travel Pack shall be submitted to and approved in writing by LCC which will involve an administration charge of £500.

Justification: To inform new residents from first occupation what sustainable travel choices are available in the surrounding area.

Suggested trigger point: Prior to the occupation of the first dwelling.

2. Six month bus passes, two per dwelling (two application forms to be included in Travel Packs and funded by the developer); to encourage new residents to use bus services, to establish changes in travel behaviour from first occupation and promote usage of sustainable travel modes other than the car (can be supplied through LCC at an average of £605 per pass for an Arriva service).

Reason: To encourage new residents to use bus services as an alternative to the private car to establish changes in travel behaviour from first occupation.

Suggested trigger point: Payment of 25% of total obligated contribution paid prior to the occupation of the first dwelling. Remaining 75% of total obligated contribution paid prior to occupation of 25% of total dwellings, except payment may be deferred by agreement with the County Council.

3. STARS for (Sustainable Travel Accreditation and Recognition Scheme) monitoring fee of £6,000.

Reason: To enable Leicestershire County Council to provide support to the appointed Travel Plan Co-ordinator, audit annual Travel Plan performance reports to ensure that Travel Plan outcomes are being achieved, and to take responsibility for any necessitated planning enforcement.

Suggested trigger point: Prior to the occupation of the first dwelling.

4. A contribution of £64,306 towards appropriate surfacing of Footpath S26 and provision of appropriate street lighting.

Justification: To improve the accessibility of Footpath S26 between the site and Barlestoke village.

Suggested trigger point: Prior to occupation of the first dwelling.

## **Informative**

- Planning Permission does not give you approval to work on the public highway. To carry out off-site works associated with this planning permission, separate approval must first be obtained from Leicestershire County Council as Local Highway Authority. This will take the form of a major section 184 permit/section 278 agreement. It is strongly recommended that you make contact with Leicestershire County Council at the earliest opportunity to allow time for the process to be completed. The Local Highway Authority reserve the right to charge commuted sums in respect of ongoing maintenance where the item in question is above and

beyond what is required for the safe and satisfactory functioning of the highway. For further information please refer to the Leicestershire Highway Design Guide which is available at <https://www.leicestershirehighwaydesignguide.uk/>

- To erect temporary directional signage you must seek prior approval from the Local Highway Authority in the first instance (telephone 0116 305 0001).
- All proposed off site highway works, and internal road layouts shall be designed in accordance with Leicestershire County Council's latest design guidance, as Local Highway Authority. For further information please refer to the Leicestershire Highway Design Guide which is available at <https://www.leicestershirehighwaydesignguide.uk/>
- Planning Permission is required for any construction access onto a classified road, unless it is in strict accordance with the development access planning approval. To carry out off-site works associated with a construction access onto a classified road, separate approval must first be obtained from Leicestershire County Council as Local Highway Authority. This will take the form of a major section 184 permit. However, if planning consent has not been secured in respect of the construction access, the section 184 application will be refused.
- All S278 works in Leicestershire require core samples of the existing road pavement during the Technical Approval process. This is to ensure that the full area of existing carriageway is suitable for the intensification of use, and that there are no underlying road pavement issues which are not evident on the surface, for example a perished binder layer. The cores also assist with ensuring that the pavement design matches the existing, for example you may propose a 40mm surface course, but the existing is 50mm. We would not want a 10mm layer of existing material left in situ. Any UKAS accredited lab is suitable, their website has a useful search function that can filter geographically for local providers.
- Confirmation that statutory undertakers are not affected by the works should be provided. This should be either a websearch plan showing that they have no assets in the area of works, or if they do have assets in the area a formal NRSWA C3 response from the Statutory Undertaker stating that they are unaffected. If Statutory Undertakers are affected please provide the response letter , estimate of works and plan of the works. This can be undertaken at the detailed design stage of the scheme.
- For information at this stage, in accordance with LHDG Tables 3 and 4 the longitudinal gradient at junctions should not exceed 1:30 for the first 10m.
- The existing drainage system should be proven by a CCTV survey to ensure it is running free of blockages and suitable for the proposed changes. The survey should cover the existing highway drainage system to where it outfalls / joins the Severn Trent Water system. A drainage system will be required to ensure that surface water from the development does not flow in to the highway. This can be undertaken at the detailed design stage of the scheme.
- Full width carriageway resurfacing is required across the entire length of the proposed junction. This will eliminate joints and potential weak points in the carriageway and also reduce the chances of differential settlement. This can be allowed for at the detailed stage of the scheme.

- 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.
- 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.
- 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.
- 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](mailto:networkmanagement@leics.gov.uk) at least 12 weeks before the temporary diversion is required.
- Public Rights of Way must not be further enclosed in any way without undertaking discussions with the Highway Authority (0116) 305 0001.
- 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.
- 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**  
9 September 2025

**Case Officer**  
Ben Dutton

**Reviewer**  
DH

**Date issued**  
23 September 2025