

**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: 25/00354/FUL

Highway Reference Number: 2025/0354/04/H/R2

Application Address: Land Adj The Trinity Centre Marchant Road Hinckley Leicestershire LE10 0LQ

Application Type: Full

Description of Application: Re-consultation. Erection of 72 bed residential care facility (C2) with associated access, car parking, ambulance drop off area and landscaping

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**GENERAL DETAILS**

Planning Case Officer: Emma Baumber

Applicant: Tamsin Cottle

County Councillor: St Marys ED - Cllr Stuart Bray

Parish:

Road Classification: Adopted Unclassified

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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 a full application for the erection of a 72-bed residential care facility (C2) with associated access, car parking, ambulance drop off area and landscaping at land adjacent to The Trinity Centre, Marchant Road, Hinckley.

The Applicant has subsequently submitted the following additional information to the LPA:

- Response to Highways Comments letter dated 2<sup>nd</sup> September 2025.
- Construction Management Plan Revision C (dated 08/09/25 authored by Rasico Consulting);

The LHA has provided observations addressing the above two documents only. For more detailed comments on the site, including the access and internal layout, the LPA is directed to the LHA's previous comments on the application.

## **Transport Sustainability**

The LHA previously advised that it required one x Travel Pack (at a cost of £52.85 per pack or a proofreading fee of £500.00 payable to Leicestershire County Council should the Applicant provide their own pack) per employee, which contains an application form for one x six-month bus pass (currently £605 for an Arriva service). This was in addition to the two other contributions which were a Travel Plan Monitoring Fee, and a contribution towards amending Traffic Regulation Orders (TRO) on Marchant Road.

The Applicant has stated that while they are committed to the financial requirements for the TRO and Travel Plan monitoring, they will not commit to the travel packs or bus passes. This is due to:

- The sustainable town centre location of the brownfield site;
- The Applicant is committed to employing staff within a 3-4 mile radius;
- The existing sustainable travel infrastructure such as cycle paths and proximity to bus stops/ The Crescent bus station;
- The Applicants proposals for cycle parking, changing rooms, showers and lockers for staff
- The provision of a Travel Plan;
- If bus passes were offered at the Hinckley site, the Applicant would need to offer bus passes to every site, which encompasses 1500 staff. The Applicant claims no other care home operated by them has had to provide Travel Packs or bus passes as part of the planning process; and
- The Applicant states they could purchase one Travel Pack and ensure this is subject to a session with staff during the induction process, or alternatively LCC could deliver a sustainable travel session to staff if they choose.

The LHA has reviewed the submitted letter, however, maintains its position that Travel Packs and an application for a bus pass should be provided for each employee. The LHA highlight these would only be required for the first tranche of employees, and not an ongoing commitment for the lifetime of the development. In addition, the bus pass application would have an expiry date, after which the employee could no longer apply for the offer. The Travel Pack/ Bus Pass is aimed at encouraging a change in travel habits for the new employees at the start of the development, with the aim of encouraging individual employees to continue using bus transport to/ from the site after the free bus pass has expired and as opposed to the private car. This could be especially beneficial to employees who live a few miles away from the site who may otherwise decide to drive to the site as opposed to walking or cycling, given Hinckley is well served by public transport.

Based on the submitted application form, there would be a total of 38 employees when including both part time and full-time staff, therefore a provision of 38 Travel Packs/ bus passes would need to be committed to by the Applicant. However, based on the LHA's experience, a take-up rate of 10% - 20% for bus passes is considered to be high, therefore whilst the Applicant would need to commit to the provision of 38 bus passes, in reality, not all staff would choose to apply for a bus pass and may have alternative methods of travel to work, including walking, cycling and car sharing as well as the private car.

The LHA do not consider the obligations to be setting a precedent for other sites owned by the Applicant given they would be a requirement of a planning application for a new development in the area and not an ongoing commitment. The request is considered consistent with other similar scale proposals in the county where such contributions have been secured and agreed, such as:

## **Blaby District Council**

- 23/0091/FUL | Demolition of 5 and 7 Groby Road and erection of a 74 bed care home (Use Class C2) with associated access, parking, landscaping and infrastructure.  
5 And 7 Groby Road, Glenfield, Leicestershire, LE3 8GN.
- 21/0512/FUL | Demolition of existing residential care home (existing Kathleen Rutland Home) and erection of 3 storey residential care home with associated landscaping | Kathleen Rutland Home, 117 Hinckley Road, Leicester Forest East, Leicestershire, LE3 3PF.

## **Melton Borough Council**

- 21/00415/FUL | Redevelopment of Pera Business Park garden to 70 bed dementia care home and 22 extra care apartments with associated parking and landscaping, with access via the existing business park entrance. This application seeks detailed planning consent for a state of the art, forward thinking dementia 77 bed care home and associated extra care 30 apartments. The proposed site currently forms part of the Pera Business Park and therefore the application is seeking consent for change of use from employment to C2 | Pera Business Park, Nottingham Road, Melton Mowbray, LE13 0PB.

The LHA have made similar requests as part of cross boundary Hinckley & Bosworth Borough Council reference 23/01144/FUL/ Charnwood Borough Council reference P/23/2197/2 for the construction of a 72 bedroom residential care home (C2) and associated solar panel, access, parking and landscaping at Land Off Leicester Road, Markfield, Leicestershire LE67 9RE. That application has not yet been determined.

The LHA also requested such provisions as part of Harborough District Council application reference 22/00692/FUL | Erection of a 72 bed residential care home for the elderly and associated external works - Land Adjacent The Nurseries, Fleckney Road, Kibworth Beauchamp, Leicestershire, however that application was refused by the Local Planning Authority. It should be noted the Applicant for those proposals was Tanglewood Care Services Ltd who are understood to be the developer for this application site.

Finally, it is highlighted that Travel Packs and bus passes were secured as part of the S106 agreement for the original proposals (66 apartments and seven dwellings) at the site under H&BBC application reference 18/01237/FUL.

Whilst the Applicant states that they are also contributing towards Travel Plan monitoring, site access improvements and TRO costs, the LHA highlight the TRO costs and access improvements would only be required in the event the wider development had not already constructed the access and associated improvements onto Marchant Road. This would be an inevitable requirement for any development at the site given a safe and suitable access is required.

Given the above, the LHA consider it to be entirely reasonable to maintain the request for Travel Packs and bus passes for the proposed development. The LHA therefore continues to advise approval of the proposals subject to conditions and contributions on the basis the Applicant accepts the Travel Pack and bus pass contributions.

## **Construction Management Plan**

The LHA has reviewed Construction Management Plan Revision C and has no further comments to make. The LHA has updated the advised Construction Traffic Management Plan condition to reflect the updated document below.

## **Conditions**

1. Construction of the development and routing of construction traffic, shall be in accordance with Construction Management Plan Revision C (dated 08/09/25 authored by Rasico Consulting).

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. No part of the development hereby permitted shall be occupied until such time as the access arrangements onto the wider development spine road shown on G4 Architects drawing number A003 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).

3. No part of the development hereby permitted shall be occupied until such time as the access arrangements onto Marchant Road shown on G4 Architects drawing number A006 Rev. A 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).

4. No part of the development hereby permitted shall be occupied until such time as vehicular visibility splays of 2.4 metres by 33 metres have been provided at the site access onto the wider development spine road and 2.4m metres by 56 metres in a southerly direction and 2.4 x 24 metres in a northerly direction onto Marchant Road. 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).

5. The development hereby permitted shall not be occupied until such time as the parking and turning facilities have been implemented in accordance with G4 Architects drawing number A003 Rev. C. Thereafter the onsite parking and turning provision shall be kept available for such use(s) 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).

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 development hereby permitted shall not be occupied until such time as the access drive (and any turning space) has been surfaced with tarmacadam, or similar hard bound material (not loose aggregate) for a distance of at least 10 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).

8. No part of the development hereby permitted shall be first occupied until a [an amended] framework/full Travel Plan which sets out actions and measures with quantifiable outputs and outcome targets has been submitted to and agreed in writing by the Local Planning Authority. Thereafter the agreed Travel Plan shall be implemented in accordance with the approved details.

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).

### **Contributions**

Please note that the exact monetary values will need to be agreed prior to the signing of the Section 106 agreement and may be subject to indexation.

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. A contribution of £7,500 for a Traffic Regulation Order to enforce the relocation of parking restrictions in association with the removal of the turning circle and widening the footway on Marchant Road.

Justification: To ensure that legal orders are in place to support the delivery of the proposed highway works and in the interests of highway safety.

Suggested trigger point: Prior to construction.

2. A contribution of £6,000 prior to first use of the development for the monitoring of the Travel Plan and the effects of the development using the County Council's monitoring programme payable prior to the occupation of any part of the development hereby permitted of any part

of the development hereby permitted.

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 the Travel Plan targets are met.

Suggested trigger point: Prior to first use.

3. Travel Packs; to inform new employees from first use 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 employees from first use of development what sustainable travel choices are available in the surrounding area.

Suggested trigger point: Prior to first use of the development.

4. Six month bus passes, one per employee (one application forms to be included in Travel Packs and funded by the developer); to encourage new employees 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).

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

Suggested trigger point: Prior to first use of the development.

## **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/>
- Planning permission does not give you approval to work on the public highway. If the proposal requires the permanent removal ("stopping up") or diversion of highway to enable the development to take place, then you must complete the legal processes required before commencing works. Further information is available at: - <https://www.leicestershire.gov.uk/roads-and-travel/local-authority-searches/highway-extinguishments> If you are unsure whether your proposal affects public highway, you can establish the Highway Authority's formal opinion of the adopted highway extent in relation to the proposal. Further information is available at <https://www.leicestershire.gov.uk/hre>

- If the roads within the proposed development are to be offered for adoption by the Local Highway Authority, the Developer will be required to enter into an agreement under Section 38 of the Highways Act 1980. Detailed plans will need to be submitted and approved, the Agreement signed and all sureties and fees paid prior to the commencement of development. 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/>

If an Agreement is not in place when the development is commenced, the Local Highway Authority will serve Advanced Payment Codes in respect of all plots served by all the roads within the development in accordance with Section 219 of the Highways Act 1980. Payment of the charge must be made before building commences. Please email [road.adoptions@leics.gov.uk](mailto:road.adoptions@leics.gov.uk) in the first instance.

- To erect temporary directional signage you must seek prior approval from the Local Highway Authority in the first instance (telephone 0116 305 0001).
- A minimum of 6 months' notice will be required to make or amend a Traffic Regulation Order of which the applicant will bear all associated costs. Please email [road.adoptions@leics.gov.uk](mailto:road.adoptions@leics.gov.uk) to progress an application.
- 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/>

**Date Received**  
**17 September 2025**

**Case Officer**  
**Ben Dutton**

**Reviewer**  
**DH**

**Date issued**  
**3 October 2025**