

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: 25/00796/FUL

Highway Reference Number: 2025/0796/04/H

Application Address: Mayfield Twycross Road Sibson Nuneaton Leicestershire CV13 6LB

Application Type: Full

Description of Application: Erection of two detached dwellings with new vehicular access

GENERAL DETAILS

Planning Case Officer: Ashleigh Gade

Applicant: Mr Jack Hemmings

County Councillor: Market Bosworth ED - Joshua Melen CC

Parish: Sheepy

Road Classification: Class A

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 & Bosworth Borough Council (HBBC), on a planning application which seeks the:

'Erection of two detached dwellings with new vehicular access.'

The proposals are at Mayfield, Twycross Road, Sibson, Leicestershire, CV13 6LB.

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 reviewed the following documents as part of these observations:

- Application Form;
- Site Location Plan;
- Design and Access Statement dated August 2025;
- Proposed Vehicle Access, drawing number 630/225/05; and

- Site Plan, drawing number 630/225/01 Rev A.

Site Access

The Applicant is proposing one x two-bedroom dwelling to the north of the site and one x four-bedroom dwelling to the south of the site.

The dwelling to the north would be accessed via Glebe Lane, and the southern dwelling would be accessed via Twycross Road (A444).

Glebe Lane Access

Whilst Glebe Lane is in the most part a private lane, the access is within the highway extent. It is also where Public Right of Way (PRoW) T26 which runs through the site adjoins Glebe Lane (This matter will be dealt with later within these observations). If the Applicant does not believe the access is within the highway extent, they should contact NDI@leics.gov.uk who can provide the Applicant with the definitive maps that demonstrate the highway extent.

The LHA notes there is an existing field access at this location with a dropped kerb vehicular access in situ.

Having scaled from the drawing titled 'Site Plan', drawing number 630/225/01 Rev A the LHA finds the effective access width to be approximately 3.4m, this complies with [Table 13](#) of the LHDG.

Whilst the Applicant has not provided any visibility splay drawings, the LHA have taken into consideration that the access is existing and it could not be demonstrated that the proposals would lead to an intensification of use of the access. As such, given this is considered an existing situation, no further information is required in this regard.

The Applicant should provide hard surfacing for a minimum distance of 5m behind the highway boundary. This can be secured via condition.

Whilst no gates are indicated within the submitted documents, given this is where PRoW T26 adjoins Glebe Lane, if it is the Applicants intent to install gates at this location the Applicant should contact the PRoW team via footpaths@leics.gov.uk as soon as possible.

The Applicant will need to provide drainage at the highway boundary to ensure water does not run onto the public highway. This could be secured via condition.

Twycross Road (A444) Access

Twycross Road (A444) is an adopted, classified A road subject to a 40mph speed limit. Twycross Road (A444) forms part of the LHA's Resilient Network, whereby it is considered essential for economic activity and key services in the event of extreme weather events, major incidents and other disruption. Because of its importance, Twycross Road (A444) is also listed as 'Priority 1' as part of the LHA's winter gritting route.

For information, routes considered within the LHA Resilient Network comprise diversion routes for motorways and dual carriageways or are key access roads to important infrastructure, such as hospitals, food distribution centres, power suppliers and water treatment or pumping stations. The key aim is to ensure that access is always maintained on the Resilient Network for traffic, wherever

reasonably practicable.

Given the access is onto an A classified road the LHA would consider whether the proposals could be considered contrary to '[HDM policy 2: access to the existing highway network](#)' of the LHDG. The LHA will apply a risk-based assessment of proposals for new accesses onto the existing highway network and alterations to and / or intensification of existing accesses so that they do not result in unacceptable road safety and operational concerns.

The Applicant has demonstrated on the drawing titled 'Proposed Vehicle Access', drawing number 630/225/05 a minimum effective access width of 4.5m. Whilst this could be considered over engineered for the scale of development, it does accord with Table 13 of the LHDG. As such, the LHA would not request any amendments in regard to access width.

The Applicant has provided the drawing titled 'Proposed Vehicle Access', drawing number 630/225/05. This demonstrates visibility splays of 2.4m by 120m to the south of the proposed access and 2.4m by 107m to the north of the proposed access. Whilst this would accord with [Table 6](#) of the LHDG for the posted 85th percentile speed of the road, the LHA holds information on file that speeds at this location are higher than the posted speed of 40mph.

As such, the Applicant should commission a speed survey to demonstrate that the achievable splay lengths would be sufficient for the measured 85th percentile vehicle speeds. This would need to be carried out using an Automatic Traffic Counter – not Manual Speed Survey – to avoid influencing driver behaviour. A permit is required to carry out any traffic count/speed survey on the public highway within Leicestershire, which can be obtained by contacting ndi@leics.gov.uk.

However, the LHA would advise that Leicestershire County Council offer a data collection service including a large traffic count database which may negate the need for the Applicant to undertake a further speed survey in this location. Details of previous survey data available can be obtained by contacting ndi@leics.gov.uk in the first instance.

A detailed, scaled visibility splay drawing should then be provided and based on the measured 85th percentile speed of the road in accordance with Table 6 of the LHDG.

Visibility splays should be drawn over the Applicants or highway land to a point 1m into the carriageway, there should be nothing over 0.6m in height within these splays as per [Figure 7](#) of the LHDG.

Given the importance of the A444, the Applicant should also provide a Stage One Road Safety Audit as per the section of the LHDG titled '[Road Safety Audit Stages](#)'. A designer's response would also be required, along with any amended plans if necessary.

The Applicant should provide hard surfacing for a minimum distance of 5m behind the highway boundary. This can be secured via condition.

Whilst no gates are indicated within the submitted documents, given the proposed access would be onto a classified A road, gates would be required to be set back a minimum distance of 5m from the boundary and be inward opening only. This is required to ensure vehicles could pull fully clear of the highway. This can be secured via condition.

The LHA notes the Applicant has demonstrated an Aco drainage system adjacent to the carriageway within the highway extent of the drawing titled 'Proposed Vehicle Access', drawing

number 630/225/05. Whilst drainage is welcomed, the LHA requests the Applicant provides this where the Applicants curtilage meets the highway boundary. This could be dealt with via condition.

Highway Safety

The LHA have reviewed Personal Injury Collision (PIC) database within 500m in all directions from the proposed site access onto Twycross Road which were recorded within the most recent five-year period. This PIC was unfortunately recorded as fatal.

Whilst any fatality is regrettable, the PIC is considered an isolated incident and does not appear to be part of any wider patterns or trends within the study area.

The LHA has given consideration to the circumstances of the above PIC and is satisfied that the development proposal is unlikely to exacerbate the likelihood of further such incidents occurring. However, the acceptability of the proposals would be contingent on the delivery of a safe and suitable access as required by the National Planning Policy Framework (2024) to ensure that new highway safety issues would not be introduced to the vicinity.

Internal Layout

Glebe Lane Layout

The proposed dwelling onto Glebe Lane would be afforded two-bedrooms. Having reviewed the drawing titled 'Site Plan', drawing number 630/225/01 Rev A the Applicant is proposing two off-street parking spaces, this accords with [Table 28](#) of the LHDG.

Whilst the dimensions of the off-street parking spaces demonstrated on 'Site Plan', drawing number 630/225/01 Rev A, do not accord with [Figure 44](#) of the LHDG in terms of length, the LHA are satisfied that there is adequate space within the site for the parking and turning to be facilitated within the site.

Twycross Road Layout

The proposed dwelling onto Twycross Road would be afforded four-bedrooms. Having reviewed the drawing titled 'Site Plan', drawing number 630/225/01 Rev A the Applicant is proposing two off-street parking spaces within the site and a double garage. However, it does not appear that any plans have been provided that demonstrate the internal layout of the proposed garage. For a garage to be counted towards the off-street parking provision, the internal dimensions should be 6m (length) by 6m (width) for a double garage and 6m (Length) by 3m (Width) for a single garage as per the section of the LHDG titled '[Garages and Gated Accesses](#)'. As such, the garage can not currently be counted towards the off-street parking provision.

Again, whilst the off-street parking spaces are not demonstrated as being in accordance with Figure 44 of the LHDG. The LHA are satisfied that there is adequate space within the site for the off-street parking for three vehicles in accordance with Table 28 (Quantum of off-street parking spaces), and Figure 44 (Dimensions and on-site turning) of the LHDG.

Given the above, no further information would be required in this respect.

Public Rights of Way (PRoW) T26

As previously stated, the application site includes PRoW footpath T26. Pink dashes on the overlay demonstrated below in Figure 1 show the legally recorded alignment passing through one house and all being in a different location from the proposed plan.



Figure 1 - Overlay

The routes of public footpaths, bridleways etc. are legally 'fixed' by the Definitive Map of public rights of way, the official record. For historical reasons, physical routes on the ground or the site of stiles or gates may be different. However, planning applications must be based on the legal alignments.

Diverting a PRoW needs a separate legal order made by the LPA (not the LHA). A separate application for this needs to be submitted and confirmed before the development is substantially complete.

If the legal alignments are not addressed or diverted, the PRoWs routes will remain inside the boundaries of the new properties or buildings. That will be highlighted in official "searches" connected with property purchases; it may delay or halt sales and may be grounds for making claims against developers for compensation or mis-selling.

The PRoW should comprise of a two-metre surfaced width with a one-metre grass verge either side in accordance with the LHDG on [Development and Public Rights of Way](#). This is currently demonstrated as 1.5m on the plan titled 'Site Plan', drawing number 630/225/01 Rev A.

Should the applicant decide to seek a legal diversion to change the PRoW alignment to fit within a development comparable to what is currently proposed, the Applicant should be aware of the other ways in which the current proposals conflict with the LHDG annex on Development and Public Rights of Way.

The LHA advises the Applicant to contact the PRoW team via footpaths@leics.gov.uk for further information.

Date Received
16 September 2025

Case Officer
Neal Chantrill

Reviewer
BD

Date issued
9 October 2025