

Response provided under the delegated authority of the Director of Environment & Transport.

APPLICATION DETAILS

Planning Application Number: 25/01143/REM

Highway Reference Number: 2025/1143/04/H

Application Address: Land North Of Normandy Way Hinckley Leicestershire

Application Type: Reserved Matters

Description of Application: Application for Reserved Matters (site layout, scale, appearance, and landscaping) of outline planning application 24/00264/OUT for 415 dwellings with associated internal road layout, car parking, drainage, and landscaping. Discharge of Outline Planning Conditions 2 (Reserved Matters); 4 (Finished Floor Levels); 6 (Materials); 9 (Tree Retention and Protection); 12 (CEMP); 13 (CTMP); 14 (Lighting); 16 (Waste Storage); 17 (Surface Water Drainage); 18 (Surface Water Management); 19 (Surface Water Maintenance); 20 (Infiltration Testing); 21 (Noise); 22 (Cycle Storage); and, 30 (Hedgerow Improvements).

GENERAL DETAILS

Planning Case Officer: Hinckley and Bosworth Borough Council

Applicant: Mr David Gray

County Councillor: Hollycroft ED - Ann Pendlebury CC

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 on a reserved matters planning application which relates to outline planning permission 24/00264/OUT for 415 dwellings, land north of Normandy Way, Hinckley.

Site Access

The site access has been determined as part of the outline planning permission.

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.

In order to aid the design process, the LHA have reviewed the following submitted drawing(s):

- Drawing HA656/101Ce – Planning Layout Composite; and
- Drawing HA656/23 Parking Analysis Plan.

Parking

The LHA note that the parking provision for 388 plots out of the 415 is in accordance with the LHA's parking standards which equates for 93.5% of the development. The LHA would encourage the Applicant to try and ensure that the parking provision accords with standards for as many dwellings as possible.

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 Applicant should ensure visibility splays are entirely within highway e.g. bends adjacent B45/B42/B154, please refer to the LHDG at <https://www.leicestershirehighwaydesignguide.uk/highway-layouts-and-design/road-layouts-and-design/visibility-splays-and-bend-widening#widening>.
- The LHA has had difficulty assessing the bend widening at this scale. Can the Applicant please ensure bend widening throughout as appropriate, please refer to the LHDG at <https://www.leicestershirehighwaydesignguide.uk/highway-layouts-and-design/road-layouts-and-design/visibility-splays-and-bend-widening#widening>.

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:

- Private drives should be severed as private developments are typically in the form of a cul-de-sac. Private 'through' routes must not be provided as they are more likely to be used by the public, possibly adding to the liabilities and future problems for residents. Please refer to the LHDG at <https://www.leicestershirehighwaydesignguide.uk/highway-layouts-and-design/developments-served-private-drives-and-areas>.
- For a site layout to be considered for adoption, roads must directly serve a minimum of six plots – typically determined by front door access. The Mews should be reviewed if the Applicant proposes these for adoption.
- Turning heads (potentially temporary) are required on Main Avenue at the site boundary.
- Can the Applicant please provide tracking for a bus to future proof for bus provision.
- If bus access is already envisaged, please detail the bus stop locations.

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:

- Speed control should be rationalised throughout to achieve 60m spacing as currently some distances between features are too far and some too close.
- The Applicant will need to agree details for tree planting (tree pit, nursery and species spec etc).
- LTN1/20 cycle facilities are welcomed; notwithstanding, the Applicant will need to consider in detail how this is dealt with at the junction of the Main Avenues.

The Applicant is advised to note the following points:

- Consideration of root barrier/deflection treatment will be required when proposing trees/shrubs in or adjacent to the footway.
- No consideration has been made of the suitability of access, parking facilities (availability, location, physical attributes, etc.), private drives, bin collection, pedestrian visibility etc.
- At this stage it is not possible to comment on the vertical alignment, drainage, materials or proposed construction details.

- In line with the LHA's road safety audit policy, please note that a Stage 2 RSA will be required when the S38 application is made to the LHA.

Date Received
8 December 2025

Case Officer
Suraj Dave

Reviewer
AW

Date issued
15 January 2026