

**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: 26/00097/CONDIT

Highway Reference Number: 2026/0097/04/H

Application Address: Land North Of Hill Top Farm Hill Top Earl Shilton Leicestershire

Application Type: Variation of Condition (s73)

Description of Application: Application to vary condition 21 (access arrangements) and 23 (offsite highway works) of planning permission 21/00135/OUT. Amendments required due to S278 technical approval

GENERAL DETAILS

Planning Case Officer: Ashleigh Gade

Applicant: Mr Lewis Monksfield

County Councillor: Earl Shilton ED - Martin Richard England CC

Parish: Earl Shilton

Road Classification: Class C

Substantive Response provided in accordance with article 22(5) of The Town and Country Planning (Development Management Procedure) (England) Order 2015:

Objection

Objection to the variation of conditions 21 and 23

Advice to Local Planning Authority

Background

The Local Highway Authority (LHA) has been consulted by Hinckley & Bosworth Borough Council as the Local Planning Authority (LPA) on an application to vary condition 21 (access arrangements) and 23 (offsite highway works) of planning permission 21/00135/OUT.

The Lha has reviewed the following document submitted by the Applicant in support of the proposals:

- Technical Note (TN) dated 23rd December 2025 (reference TN001 and authored by PJA)

Condition 21

For the avoidance of doubt, condition 21 is provided below:

No part of the development hereby permitted shall be occupied until such time as the access

Arrangements shown on Prime drawing number P21008-100-2 Rev D 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 (2021).

Highways Comments:

It should be noted the submitted application form states the Applicant wishes the condition to be varied to:

No part of the development hereby permitted shall be occupied until the approved Section 184 access Ref 24000-190D/191C & 192A has been fully implemented to allow access to the site.

However, the submitted Technical Note states that they wish for 'up to 50% of the proposed development', rather than 'no part' of the development to be occupied to allow the S278 works to be refined and given that they believe a suitable access exists at present in the interim period.

The Applicant has not submitted drawing references 24000-190D/191C & 192A as part of this application, which would be required by the LHA and clarity is required in respect of the wording proposed for the variation of condition 21.

Nevertheless, the LHA understands that the access has been constructed as a temporary access and is therefore not constructed to a suitable standard to allow for construction and residential traffic for a prolonged amount of time. Furthermore, there is no provision for pedestrians at the existing construction access junction as part of the proposed temporary arrangement, putting pedestrians in conflict with construction and residential traffic, which would be unacceptable.

The LHA advises that [swept path analysis](#) would be required to demonstrate that HGV's could safely ingress and egress the site in all directions without conflict with other vehicles such as a refuse collection vehicle, given the Applicant is proposing shared use with residential traffic. Swept path analysis would need to be undertaken at a speed of 15kph, with the Applicant detailing the speeds used on the drawing. The LHA therefore object to the variation of condition 21.

The LHA advise that any amendments to the temporary construction access would require a S278 agreement and would be subject to detailed design.

Condition 23

For the avoidance of doubt, condition 23 is provided below:

No part of the development shall be occupied until such time as the offsite works, the shared use footway and uncontrolled pedestrian crossing point shown in general accordance with Prime drawing number Prime drawing number P21008-100-2 Rev D have been implemented in full.

Reason: To mitigate the impact of the development, in the general interests of highway safety and in accordance with the National Planning Policy Framework (2021).

Highways Comments:

The submitted application form states the Applicant wishes the condition to be varied to:

No more than 80% of the dwellings hereby permitted shall be occupied until the off-site works, including the shared-use footway and the uncontrolled pedestrian crossing point, as shown in general accordance with drawing 09924.GA.01 Rev A, have been implemented in full.

The LHA advise the submitted drawing does not detail the off-site works which are required to the south of the development, including the uncontrolled pedestrian crossing point over Leicester Road to the Church Street junction, which would also need to be implemented at the same time. The drawing is therefore not accepted by the LHA. The LHA raised concerns with regards to the proximity of the site access to the Shilton Road junction as part of application reference 21/00135/OUT, therefore if works to this junction did not commence prior to occupation, this would be of concern. The LHA therefore advises that the off-site works would need to be delivered at the same time as the site access arrangements.

The LHA advise the following comments on PJA drawing number 09924.GA.01 Rev. A

- No Stage 1 Road Safety audit has been provided, which should be included as part of this submission, along with the designer's responses to any issues raised in the audit.
- The proposals rely on the existing 30mph speed limit being moved northwards, so that the ghost right turn lane for the northern site can be designed to a 30mph design speed, so that the visibility splays between the two access do not conflict with one another, and so that the visibility splays proposed for the southern access (Hill Top Farm) can be provided. The LHA has advised as part of the original applications at the site that a 30mph speed limit would not be accepted in this location.

The LHA advise it has concerns that due to the lack of site frontage, the road is unlikely to feel like a natural 30mph road and that drivers are unlikely to adhere to any reduction in the speed limit to 30mph just with gateway treatment proposed. Furthermore, the police may raise concerns that the speed limit would not be appropriate for similar reasons.

Given the, above, the LHA advise that traffic calming measures would need to be proposed on Leicester Road to reduce the speed of traffic in both directions. The LHA would require at least Vehicle Activated Signs in both directions. Any traffic calming measures and costs associated with reducing the speed limit would be at the expense of the Applicant.

- No swept path analysis has been shown, which further adds to the concerns over the speed limit extension proposed above.
- The LHA would also question why the ghost island right turn pocket (deceleration length, direct taper length and turning length) needs to be amended, as this infrastructure is north of the Hill Top Site. Potentially only amendments to the width of the right turn lane, and the tapers south of the ghost right turn lane are required to fit in the Hill Top access? Although reducing the length of the deceleration lane would help to reduce vehicle speeds for right turners, it is not considered it would have any effect on vehicles travelling straight on.
- The 50m length visibility splays shown for the ghost island right turn lane are not in accordance with the Design Manual for Roads and Bridges (DMRB) for a design speed of 30mph. For a design speed of 50kph the desirable minimum Stopping Sight Distance as per DMRB CD109 Table 2.10 is 70m.

- However for 85th percentile vehicle speeds of up to 35mph, a 54m length splay is required as per [Table 6](https://www.leicestershirehighwaydesignguide.uk/) of the Leicestershire Highway Design Guide (LHDG - <https://www.leicestershirehighwaydesignguide.uk/>). This would be more appropriate for the northern access, and it is suggested the splay length should also be used for the Hill Top Farm access, which currently shows splays of 47m (30mph in LHDG Table 6)
- Swept paths would need to be provided for the updated ghost island right turn lane lining arrangements. The applicant would need to show that vehicles do not overrun the access road centreline, and that vehicles using the right turn lane do not kick out into the straight ahead lane.
- Swept paths should also be provided for the Hill Top Farm access.
- The proposed 3m wide cycleway requires uses to cross the proposed Hill Top Farm access. A wider width of crossing should be provided compared to that shown on the drawings, that is more in-line with the footway. The current crossing is off the desire line and would require cyclists to undertake a number of tight turning manoeuvres

The LHA advise it also has concerns that construction of the site access/ ghost right turn lane following occupation of the site is likely to cause difficulties with residents accessing the site should it be occupied, given the works would most likely require a full road closure and this would be the single point of access to the site.

Given all the above, the LHA advises it currently objects to the variation of conditions 21 and 23.

Date Received
10 February 2026

Case Officer
Ben Dutton

Reviewer
DH

Date issued
22 April 2026