

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: 25/00768/FUL

Highway Reference Number: 2025/0768/04/H/R1

Application Address: Finneys Hill Heath Road Leicester Leicestershire LE67 1DG

Application Type: Full

Description of Application: Re-consultation. Change of use of land to a gypsy caravan site for 4 mobile homes

GENERAL DETAILS

Planning Case Officer: Emma Baumber

Applicant: Mr Leon McDonagh

County Councillor: Markfield, Desford & Thornton ED - Charles Whitford CC

Parish: Bagworth & Thornton

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:

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 re-consulted by Hinckley & Bosworth Borough Council as the Local Planning Authority (LPA) on a full application for the change of use of land to a gypsy caravan site for four mobile homes at Finneys Hill, Heath Road, Leicester.

The LHA previously contacted the LPA via e-mail on 29th September 2025 requesting clarity on whether the Applicant remained in control of land on the opposite side of Heath Road which assisted in providing the visibility splay to the southeast of the access, and was considered by the Planning Inspector as part of the appeal for application reference 09/00995/COU (referred to further below).

The LHA is aware of several planning applications at the site, the most recent being application reference 25/00149/FUL for an extension to the gypsy site to accommodate two additional pitches. The LHA advised refusal of those proposals on two grounds. The first being the Applicant had failed to demonstrate a safe and suitable access. The second reason was that the proposals could lead to an increase in turning manoeuvres onto a national speed limit road, where the horizontal alignment and the proximity of adjacent boundaries are such that the access lacks appropriate

visibility for the speed of traffic on the main road and the turning manoeuvres could be an additional source of danger to road users. That application was withdrawn by the Applicant on 28th May 2025.

Prior to the above application, the LHA were consulted by the LPA on application 20/01350/FUL for the change of use of agricultural land/gypsy site to ten residential park homes. The LHA advised refusal of that application on the basis the Applicant had failed to demonstrate a safe and suitable access and on highway safety grounds on 20th April 2021. That application was subsequently withdrawn on 12th May 2021.

In respect of the above two applications, the Applicant did not provide any information as to whether the land on the opposite side of Heath Road considered as part of the appeal for application 09/00995/COU was still under their control, and the area was not included in their red line boundary.

Application 09/00995/COU was for the change of use of land to a private gypsy site for four caravans. The LHA advised refusal of that application on highway safety grounds and the LPA subsequently refused that application on 17 February 2010. The Applicant appealed the decision (reference APP/K2420/A/10/2124138), which the Inspector allowed in August 2010. When determining the appeal, the Inspector considered a visibility splay that crossed a small section of land on the opposite side of Heath Lane, which was declared at the appeal and owned by the Appellant to that application.

Following the LHA's email to the LPA on 29th September 2025, the Applicant has submitted an e-mail to the LPA dated 28th November 2025 which considers the available visibility at the site access, without the land on the opposite side of Heath Lane.

The LHA advises the proposed layout received by the LPA on 13th August 2025 offers sufficient parking and turning space for each pitch. It is noted however that the existing hardstanding is overgrown and may require replacement. The LHA also advise that the access would need to be hard bound (e.g. tarmac, concrete or block paving, not loose gravel) for a minimum of 11.0m behind the highway boundary, with any gates set back the same distance and opening inwards only.

The LHA advise that given the appeal decision for application 09/00995/COU, if the Applicant was to confirm they were in control of the land on the opposite side of Heath Lane to provide the southeastern visibility splay considered at the appeal, the LHA would see no difference between the two applications and have no objection to the proposals given the appeal decision. The Applicant has however not provided any further information regarding this, making it difficult for the LHA to provide further advice at this time.

Date Received **Case Officer**
18 December 2025 **Ben Dutton**

Reviewer
DH

Date issued
12 February 2026