

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: 24/01016/P3CQ

Highway Reference Number: 2024/1016/04/H/R2

Application Address: 45 Bagworth Road Newbold Heath Newbold Verdon Leicester Leicestershire LE9 9NB

Application Type: Full

Description of Application: Re-consultation. Conversion of existing barn to 2 residential units

GENERAL DETAILS

Planning Case Officer: David Spring

Applicant: Mr & Mrs Simon Kirby

County Councillor: Ross Hills

Parish: Newbold Verdon

Road Classification: Class B

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 has been re-consulted by Hinckley & Bosworth Borough Council as the Local Planning Authority (LPA) on a full application for the conversion of an existing barn to two residential units at 45 Bagworth Road, Newbold Heath, Newbold Verdon. The LHA previously advised within its observations dated 10th January 2025 that further information was required from the Applicant in support of the application, notably in respect of:

- visibility splays at the site access;
- trip generation for the barn and how this would differ as a result of the proposed two dwellings; and
- parking/ turning for the remaining stables/ menage.

The Applicant has subsequently submitted an e-mail dated 28th January 2025 with the view to addressing the LHA's comments.

Site Access

The Applicant has submitted ADL drawing number 5564-04 which details the available visibility at the site access to a point 1.0m into the carriageway, along with details of the highway boundary extents. The LHA previously advised that visibility splays of 2.4 x 160m to the south of the access and 2.4 x 120m to the north of the access would be required. The LHA are now satisfied that the visibility splays can be achieved in each direction.

Overall, the LHA accept the site access proposals, which would include widening, surfacing and setting back gates from the highway.

Highway Safety

The LHA previously advised there had been one serious PIC within 500m of either side of the site access. The PIC occurred at the junction of Bagworth Road with Merrylees Road. The LHA advises this is considered to be an isolated incident and it considers the proposals are unlikely to exacerbate an existing highway safety concern.

Trip Generation

The Applicant has provided further information in respect of trip generation. Overall, the LHA accept that the conversion of the barn to two dwellings is unlikely to result in a material change in the level of traffic using the access.

Internal Layout

The Applicant has submitted ADL drawing number ADL_5564-06, which shows turning for the menage/ stables which are outside of the red line boundary. Overall, the LHA accepts that adequate parking and turning is available at the site.

Transport Sustainability

The LHA previously advised it is satisfied for the LPA to consider transport sustainability alongside its own sustainability considerations for the site.

Conditions

1. Notwithstanding the submitted plans, the proposed access shall have a width of a minimum of 7.25 metres, and shall be surfaced in a bound material with a 7.3 metre dropped crossing. The access once provided shall be so maintained at all times.

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).

2. No part of the development hereby permitted shall be occupied until such time as vehicular visibility splays of 2.4 x 160 metres to the south of the access and 2.4 x 120 metres to the north of the access have been provided at the site access. 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).

3. The development hereby permitted shall not be occupied until such time as the parking and turning facilities have been implemented in accordance with ADL drawing number 5564-05. Thereafter the onsite parking and turning provision shall be kept available for such uses 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).

4. 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 5.0 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).

5. The development hereby permitted shall not be occupied until such time as the existing gates to the vehicular access have been permanently removed. Notwithstanding the provisions of Part 2 of Schedule 2, Article 3 of the Town and Country Planning (General Permitted Development) (England) Order 2015 (or any Order revoking and re-enacting that Order) no vehicular access gates, barriers, bollards, chains or other such obstructions shall be erected within a distance of 5 metres of the highway boundary, nor shall any be erected within a distance of 5 metres of the highway boundary unless hung to open away from the highway.

REASON: To enable a vehicle to stand clear of the highway in order to protect the free and safe passage of traffic including pedestrians in the public highway in accordance with the National Planning Policy Framework (2024).

Informative

- Planning Permission does not give you approval to work on the public highway. Therefore, prior to carrying out any works on the public highway you must ensure all necessary licences/permits/agreements are in place. For further information, please telephone 0116 305 0001. It is an offence under Section 148 and Section 151 of the Highways Act 1980 to deposit mud on the public highway and therefore you should take every effort to prevent this occurring.
- 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
12 February 2025

Case Officer
Ben Dutton

Reviewer
DH

Date issued
03 March 2025