

**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: 24/00769/FUL

Highway Reference Number: 2024/0769/04/H

Application Address: Kyngs Golf And Country Club Station Road Market Bosworth Nuneaton Leicestershire CV13 0NP

Application Type: Full

Description of Application: Change of use of land and the siting of 9 single storey holiday lodges with vehicle parking and associated works (Revised Scheme 23/00508/FUL)

---

**GENERAL DETAILS**

Planning Case Officer: Matt Jedruch

Applicant: Statue Homes LTD

County Councillor: Bertie Harrison-Rushton

Parish: Market Bosworth

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 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 115 of the National Planning Policy Framework (December 2023), subject to the conditions and/or planning obligations outlined in this report.

**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:

*'Change of use of land and the siting of 9 single storey holiday lodges with vehicle parking and associated works (Revised Scheme 23/00508/FUL).'*

The proposals are at Kyngs Golf and Country Club, Station Road, Market Bosworth, Leicestershire, CV13 0NP.

There have been numerous applications at the site as detailed below:

23/00508/FUL - Erection of nine single storey holiday lodges with vehicle parking and associated works. The LHA advised approval with conditions on 28 June 2023 in matters relating to the highway. This application was subsequently refused by the LPA on the 17 July 2023 on non-highway matters. The Applicant appealed the decision, however, this was dismissed by the Planning Inspectorate on 8 July 2024.

21/01473/FUL – Erection of nine single storey holiday lodges with vehicle parking and associated works. The LHA advised approval with conditions on 3 February 2022 in matters relating to the highway. This application was subsequently refused by the LPA on 23 December 2022 on non-highway related matters.

The LHA have reviewed the submitted documents as listed below:

- Application Form;
- Design and Access Statement;
- Proposed Site Layout Plan, drawing number HMD/PD/0505/01 ;
- Site Location Plan;
- Proposed Floor Plan and Elevations, Lodge Type A, drawing number HMD/PD/0505/03; and
- Proposed Floor Plan and Elevations, Lodge Type B, drawing number HMD/PD/0505/02.

The Applicant has stated within Paragraph 6.4 of the 'Design and Access Statement (DAS)' the following:

*'The highways impact of the proposals were found to be entirely acceptable by Leicestershire County Council under previously refused planning application ref: 23/00508/FUL in their consultation response dated 28 June 2023, and by the Inspector at the associated appeal. As the proposals are unaltered from a design perspective, it is anticipated that a similar consultation response will be received during the consultation process of this application.'*

Having reviewed the documents submitted as part of this application, the LHA can find no material changes when compared against the previously submitted documents attached to 23/00508/FUL in relation to the highway. As such, the LHA considered the previously submitted observations provided the LPA in relation to 23/00508/FUL on 28 June 2023 to be still relevant.

### **Site Access**

Access to the site is proposed off Station Road, a 'C' classified road subject to a 30mph speed limit via the existing priority access junction to Kyngs Golf Club.

Given the scale of the proposed development, the LHA considers the existing access arrangement is acceptable to cater for the level of traffic likely to be generated by the proposed nine holiday lodges.

### **Highway Safety**

There has been two Personal Injury Collision's (PIC's) within 500 metres on either side of the existing site access recorded within the last five years, these were identified as being 'slight' in severity.

The LHA are satisfied that there are no spatial trends / patterns in the data, and are therefore satisfied that there are no existing highway safety issues in the vicinity which could be exacerbated by the proposals.

### **Trip Generation**

The LHA consider that the proposed development is unlikely to generate a substantial level of additional traffic on the surrounding highway network.

### **Internal Layout**

The drawing 'Housemartin Designs', drawing No. HMD/PD/0505/01 shows the provision of two off-road parking spaces to serve each of the proposed one and two-bedroom holiday lodges. The LHA are satisfied this accords with the requirements as set out within the 'Highway Requirements for Development Part 4 (HRfD4) document, a copy of which can be found at:

<https://resources.leicestershire.gov.uk/sites/resource/files/field/pdf/faq/2019/2/13/Highway-requirements-for-development-part-4-parking-standards%20Refer-to-part3-sectionDG14-first.pdf>.

Each parking space is shown to measure 6.5m (Length) by 2.5m (Width) which is in accordance with Paragraph 3.165 (Parking Space Dimension) and Figure DG13 (On-Site Turning and Aisle Width) of Part 3 of the Leicestershire Highway Design Guide (LHDG). A copy of the LHDG can be found at <https://resources.leicestershire.gov.uk/lhdg>.

### **Public Rights of Way (PRoW) S68, S69 and S70**

It appears that 265 metres of the proposed access track is used by Public Footpath S68 which is part of the Leicestershire Round long-distance walking trail. Also, Public Footpath S70 crosses the access track and the golf course, and the site of the proposed lodges site is adjacent to Public Footpath S69.

The LHA advise that there is a need for a detailed discussion regarding the treatment of the Public Rights of Way and an appropriate condition has been advised below to facilitate this. In devising a Rights of Way scheme the Applicant will be required to safely manage the interactions between walkers and golfers and between walkers and visitors to the lodges.

The Applicant will also be required to improve accessibility on footpaths by replacing stiles with gates or gaps.

Further information can be obtained by contacting Leicestershire County Council on (0116) 305 0001 or via [footpaths@leics.gov.uk](mailto:footpaths@leics.gov.uk).

## **Conditions**

1. The development hereby permitted shall not be occupied until such time as the parking and turning facilities have been implemented in accordance with Housemartin Designs drawing number HMD/PD/0505/01. Thereafter the onsite parking and turning provision shall be kept available for such use 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 (December 2023).

2. No development shall take place until a scheme for the treatment of the Public Rights of Way S68, S69 and S70 has been submitted to and approved in writing by the Local Planning Authority. Such a scheme shall include provision for their management during construction, surfacing and drainage, width, structures, signposting and landscaping in accordance with the principles set out in the Leicestershire County Council's Guidance Notes for Developers.

REASON: To ensure the Public Right of Way is safe and available during the period of construction and throughout the lifetime of the development, in accordance with Policy DM17 of the Site Allocations and Development Management Policies Development Plan Document (2016) and to enhance Public Rights of Way and access in accordance with Paragraph 100 of the National Planning Policy Framework (December 2023).

## **Informative**

- Prior to construction, measures should be taken to ensure that users of the Public Rights of Way are not exposed to any elements of danger associated with construction works.
- Public Rights of Way must not be re-routed, encroached upon or obstructed in any way without authorisation. To do so may constitute an offence under the Highways Act 1980.
- If there are any Public Rights of Way which the applicant considers impracticable to retain on their existing lines, a separate application for diversion is required. It should be submitted under the Town and Country Planning Act 1990 to the Local Planning Authority. The applicant is not entitled to carry out any works directly affecting the legal line of a Public Right of Way until a Diversion Order has been confirmed and become operative.
- If the developer requires a Right of Way to be temporarily diverted, for a period of up to six months, to enable construction works to take place, an application should be made to [networkmanagement@leics.gov.uk](mailto:networkmanagement@leics.gov.uk) at least 12 weeks before the temporary diversion is required.
- Public Rights of Way must not be further enclosed in any way without undertaking discussions with the Highway Authority (0116) 305 0001.
- Any damage caused to the surface of a Public Right of Way, which is directly attributable to the works associated with the development, will be the responsibility of the applicant to repair at their own expense to the satisfaction of the Highway Authority.

- No new gates, stiles, fences or other structures affecting a Public Right of Way, of either a temporary or permanent nature, should be installed without the written consent of the Highway Authority. Unless a structure is authorised, it constitutes an unlawful obstruction of a Public Right of Way and the County Council may be obliged to require its immediate removal.

**Date Received**  
**10 September 2024**

**Case Officer**  
**Neal Chantrill**

**Reviewer**  
**BD**

**Date issued**  
**25 September 2024**