

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: 25/00925/NMA

Highway Reference Number: 2025/0925/04/H/R1

Application Address: Land East Of The Windmill Inn Brascote Lane Newbold Verdon Leicestershire

Application Type: Non-material amendment

Description of Application: Re-consultation. Non material amendment to condition 20 of application no 22/00277/OUT to amend the trigger for implementation of off-site highway works from prior to 1st occupation to the 25th occupation

GENERAL DETAILS

Planning Case Officer: Matt Jedruch

Applicant: Ms Esther Wiles

County Councillor: Mallory ED - Mark Bools CC

Parish: Newbold Verdon

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:

No objection

No objection to the non-material amendment of Condition 20.

Advice to Local Planning Authority

Background

The Local Highway Authority (LHA) have been re-consulted by Hinckley & Bosworth Borough Council as the Local Planning Authority (LPA) on the non-material amendment to condition 20 of application no 22/00277/OUT to amend the trigger for implementation of off-site highway works from prior to first occupation to the 25th occupation. The LHA previously objected to the proposals on 29th October 2025 on the basis the Applicant had failed to submit any information as to how safe and suitable access would be provided to enable the occupiers of the first 25 dwellings to safely access their properties.

The LHA has reviewed the following additional document submitted by the applicant in support of the proposals:

- Persimmon Homes drawing number SK01 (Temporary Access General Arrangement).

Condition 20

Condition 20 is provided below for the avoidance of doubt:

Prior to first occupation of the development, the access arrangements shown on drawing Ref T20517.001 Rev C shall have been implemented in full. This shall include vehicular visibility splays of 2.4m x 160m at the site access point. 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.

Highways Comments:

The Applicant has stated within the submitted application form:

'To enable Persimmon Homes to complete the offsite works detailed discussions are ongoing with Leicestershire County Council Highways team regarding agreeing a section 278 agreement. A 278 agreement has not yet been signed. Delays have been met due to overlapping existing 278 agreements. Without a S278 agreement the works cannot be carried out. As we work towards a solution this application ensures that we do not breach the condition as we experience uncontrolled delays.'

The submitted drawing details a 6.75m wide dropped kerb access in the same location as the main site access which is subject to a S278 agreement. In addition, a temporary 2.0m wide pedestrian route is being provided alongside the temporary carriageway. The LHA advises that given the temporary access is in the same location as the permanent access subject to the S278 application and also complies with or exceeds the guidance for an unadopted residential drive serving up to 25 dwellings, which is detailed within [Table 13](#) of the Leicestershire Highway Design Guide, it would not seek to resist the proposals under the site specific circumstances. It is advised that visibility splays of 2.4 x 160m will be required in both directions of the temporary access, as per the requirements of the permanent S278 access.

The LHA advise both the LPA and the Applicant that the temporary access would still be subject to a temporary S184 agreement, therefore the Applicant should continue to prioritise progress on the S278 agreement for the permanent access. Furthermore, given the scale of the development, the LHA advise at this stage is unlikely to accept any additional development over and above the 25 dwellings from the temporary access in the interests of highway safety. The LHA would also not seek to adopt the internal development roads whilst the temporary access is in place, which includes the roads which would be served by application reference 24/01158/OUT.

The LHA suggest the condition includes reference to Persimmon Homes drawing number SK01.

Informative

Planning Permission does not give you approval to work on the public highway. To carry out off-site works associated with this planning permission, separate approval must first be obtained from Leicestershire County Council as Local Highway Authority. This will take the form of a temporary section 184 permit. It is strongly recommended that you make contact with Leicestershire County Council at the earliest opportunity to allow time for the process to be completed. The Local Highway Authority reserve the right to charge commuted sums in respect of ongoing maintenance where the item in question is above and beyond what is required for the safe and satisfactory functioning of the highway. For further information please refer to the Leicestershire Highway Design Guide which is available at <https://www.leicestershirehighwaydesignguide.uk/>

Date Received
6 November 2025

Case Officer
Ben Dutton

Reviewer
DH

Date issued
26 November 2025