

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: 25/01104/FUL

Highway Reference Number: 2025/1104/04/H

Application Address: HLCS Hillside Sibson Road Ratcliffe Culey Atherstone Leicestershire CV9 3PH

Application Type: Full

Description of Application: Change of use of a caravan and associated land from agricultural use to residential use (retrospective)

GENERAL DETAILS

Planning Case Officer: Joe Fleetwood

Applicant: Mr A Smith

County Councillor: Market Bosworth ED - Joshua Melen CC

Parish: Witherley

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 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 (LHA) has been consulted on a full application for the change of use of a caravan and associated land from agricultural use to residential use at HLCS, Hillside, Sibson Road, Ratcliffe Culey, Atherstone. The LHA understands this is a retrospective application and based on the submitted application form, the change of use was substantially completed on 15th September 2025.

The LHA has reviewed the following documents submitted in support of the proposals:

- Planning Statement (Received by the LPA on 17th November 2025);
- Parking Provision Document (Received by the LPA on 17th November 2025); and
- Apex Strategies drawing number T1336-002 (Proposed Block Plan).

The LHA is aware of application reference 23/00987/CLP at the site for a proposed lawful development certificate for the siting of a caravan for agricultural use. The Application was granted planning permission by the LPA on 15th December 2023. The LHA were not consulted on those proposals.

Based on the submitted Planning Statement, the mobile home has been granted permission for a Welfare Unit to be used when attending the site. The application was put together to assist the Applicant's personal circumstances. The Applicant has also stated there were no conditions or restrictions on the certificate granted with regards to whether this should be permitted to a certain number of days or even if there could be overnight stays. There is no development required, no further buildings to be added and no increase in footfall or traffic considerations compared to that of the site being visited daily by the family.

Site Access

Access to the site would be via the existing access onto Sibson Road, a C classified road subject to the national speed limit. The Applicant does not propose amendments to the existing site access arrangements. Whilst visibility splays have not been detailed and the access is located on the inside of a bend close to the brow of a hill, it is accepted that the change of use is unlikely to result in a material increase in traffic in comparison to the current use of the caravan.

In these site-specific circumstances, the LHA do not require additional information in respect of the site access arrangements and would not seek to resist the proposals on this basis.

Highway Safety

Based on available records to the LHA, there have been no recorded Personal Injury Collisions along Sibson Road within 500m either side of the site access within the last five years.

Internal Layout

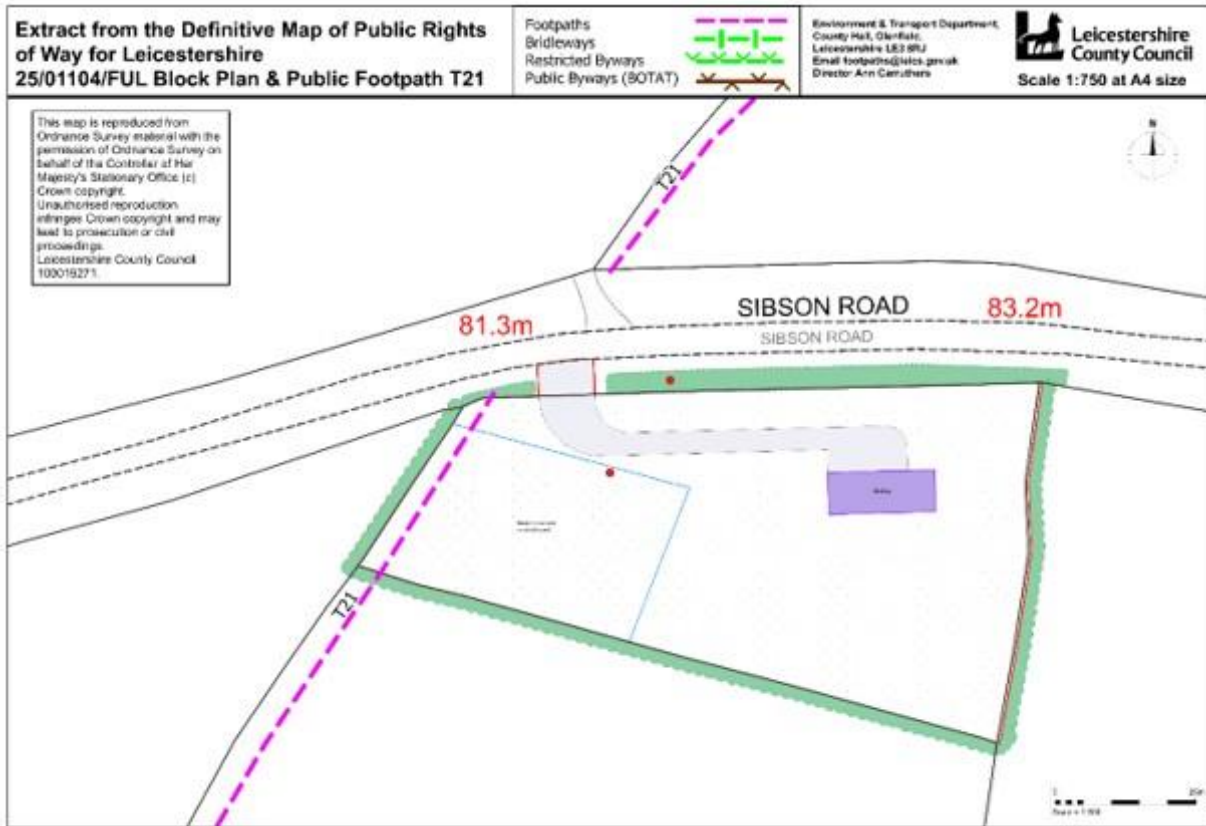
Apex Strategies drawing number T1336-002 details the internal layout of the site. The LHA is satisfied there is sufficient parking and turning space proposed within the site for at least two vehicles.

Transport Sustainability

The site is in a remote, rural location and occupiers of the caravan are likely to be dependent on the private car for everyday journeys. In the view of the LHA, the site is therefore not in a sustainable location in transport terms. Nevertheless, the LHA is satisfied for the LPA to include this transport context in its wider sustainability considerations for the site.

Public Rights of Way

The application site includes public right of way Footpath T21 which runs inside the western edge of the site as shown here by the Block Plan overlaid with the Definitive Map of public rights of way, the official legal record.



Historically, rather than a separate northern exit for the footpath, public right of way users have gone through the main field entrance. The LHA is aware of recent work possibly connected with this application: a new access point has been created for the footpath; a new fence has been installed parallel with the footpath and the adjoining hedge cut back; the LHA's roadside footpath sign appears to have been moved westwards to be near this new access; and, as the new access point is beside the roadside ditch some form of single plank has been laid down for the public to cross the roadside ditch at the new access point. This crossing will require further improvements by the Applicant, however the LHA advises this can be conditioned.

Conditions

1. Within three months of planning permission being granted, the parking and turning facilities shall have been implemented in accordance with Apex Strategies drawing number T1336-002. 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).

2. Within 3 months of planning permission being granted, a scheme for the treatment of Public Right of Way T21 shall be submitted to and approved in writing by the Local Planning Authority. Such a scheme shall include provision for boundary treatment including any gates and other barriers, any planting and maintenance of vegetation, signing and a clear 3 metre width, together with a timetable for its implementation. Thereafter, the development shall be carried out in accordance with the agreed scheme and timetable.

REASON: In the interests of amenity, safety and security of users of the Public Right of Way in accordance with the National Planning Policy Framework (2024).

Informative

- Prior to construction, measures should be taken to ensure that users of the Public Right 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 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 **Case Officer**
26 November 2025 **Ben Dutton**

Reviewer
DH

Date issued
7 January 2026