

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: 25/01099/FUL

Highway Reference Number: 2025/1099/04/H

Application Address: 200A High Street Earl Shilton Leicester Leicestershire LE9 7LQ

Application Type: Full

Description of Application: Erection of a single storey self-build bungalow (re-submission of 22/00965/FUL)

GENERAL DETAILS

Planning Case Officer: Sullivan Archer

Applicant: Mr And Mrs Moore

County Councillor: Earl Shilton ED - Martin Richard England CC

Parish: Earl Shilton

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 by the Local Planning Authority (LPA) on a full application for the erection of a single storey self-build bungalow at 200A High Street, Earl Shilton. The LHA understand the application is a re-submission of application reference 22/00965/FUL, which was granted planning permission by the LPA on 7th October 2002.

The proposals are identical to those previously granted planning permission by the LPA and the LHA would not seek to resist the current application. The application site on the north side adjoins the route of public right of way Footpath U87 which runs along an alley between the properties. If the development is to involve any changes to the boundary between the site and the public right of way, a condition regarding boundary treatment will be required as detailed further below.

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 Elevations & Site Plan Layout

(Drg No. 4194) (submitted: 13.11.2025). Thereafter the onsite parking and turning provision shall be kept available for such use(s) 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. Prior to the start of construction, any change to site boundaries (both temporary and permanent) where these affect public footpath U87, must be approved by the Local Planning Authority in accordance with the principles set out in the Leicestershire Highway Design Guide on Development and Public Rights of Way.
<https://www.leicestershirehighwaydesignguide.uk/highway-layouts-and-design/public-rights-way>

Reason: In the interests of protecting and enhancing Public Rights of Way and access in accordance with Paragraph 105 of the National Planning Policy Framework 2024.

Informative

- a) 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.
- b) 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.
- c) 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.
- d) 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.
- e) Public Rights of Way must not be further enclosed in any way without undertaking discussions with the Highway Authority (0116) 305 0001.
- f) 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.
- g) 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**
17 December 2025 **Ben Dutton**

Reviewer
DH

Date issued
7 January 2026