

**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.

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**APPLICATION DETAILS**

Planning Application Number: 25/00803/FUL

Highway Reference Number: 2025/0803/04/H

Application Address: Land Adjacent 3 Peckleton Lane Desford Leicestershire

Application Type: Full

Description of Application: Erection of a self-build dwelling, demolition of existing garages and alteration of parking arrangements

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**GENERAL DETAILS**

Planning Case Officer: Sullevan Archer

Applicant: Mr And Mrs G Priestnall

County Councillor: Markfield, Desford & Thornton ED - Charles Whitford CC

Parish: Desford

Road Classification: Class C

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**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 does not consider that the application as submitted fully assesses the highway impact of the proposed development and further information is required as set out in this response. Without this information the Local Highway Authority is unable to provide final highway advice on this application.

**Advice to Local Planning Authority**

**Background**

The Local Highway Authority (LHA) has been consulted by the Local Planning Authority (LPA), Hinckley and Bosworth Borough Council (HBBC), on a planning application which seeks the:

*'Erection of a self-build dwelling, demolition of existing garages and alteration of parking arrangements'*

The proposals are at Land Adjacent 3 Peckleton Lane, Desford, Leicestershire.

The LHA have reviewed the following documents as part of these observations:

- Application form;
- Site location plan

- Design and Access Statement, dated 30<sup>th</sup> June 2025
- Proposed Site Plan, drawing number A25-002.103
- Proposed Floor Plans, drawing number A25-002.104
- Planning Statement, dated August 2025

The Applicant is proposing the erection of a self-build 4 bedroom dwelling, the demolition of existing garages and alteration of parking arrangements at Land adjacent to 3 Peckleton Lane, Desford, Leicestershire which is a classified C-road subject to a 30mph speed limit.

### **Site Access – proposed new dwelling**

The LHA has concerns that the proposals regarding the new access to the dwelling appear to be within the highway extent.

If the Applicant contests the LHAs assessment that the proposed location of the site is highway land, the Applicant is strongly advised to obtain a plan demonstrating the definitive map of the highway extents by contacting the Highway Records and Enquiries team at the LHA via [HRE@leics.gov.uk](mailto:HRE@leics.gov.uk) and quoting reference 'HRE 2510017'.

The proposals for the new access should therefore be relocated within the Applicants land accordingly, and revised drawing should be submitted to the LPA.

### **Stopping Up**

Should the Applicant wish for the access to remain in their current proposed location within the highway boundary, the Applicant is advised to apply to 'Stop Up' the highway under S247 of the Town and Country Planning Act 1990. The Applicant should note that the existence of highway rights differs from ownership and both coexist. Highway rights remain in perpetuity until they are formally and legally stopped up.

From the submitted information it is unclear as to whether the applicant intends to submit an application under S247 of the Town and Country Planning Act 1990 for this area to be stopped up. It should be noted that the granting of planning permission does not guarantee a successful application under this power. Further information, including details on the process can be found on <https://www.leicestershire.gov.uk/roads-and-travel/local-authority-searches/highway-extinguishments>

The LHA advises that a S247 application is an entirely separate process to the planning process, and Leicestershire County Council (LCC) would be consulted on such an application. It should be noted that there may be services, either belonging to the LHA or third-party statutory undertakers that require repositioning or future access rights to.

In the event that the S247 application is successful, the LHA would require works to be carried out in order to delineate the amended highway boundary. Any works required as a result of a S247 application, or this planning application would need to be undertaken to the satisfaction of the relevant utility company and LCC at the full expense of the Applicant, the cost of which could be significant.

Parking provision should generally be provided as two parking spaces for a dwelling with up to three bedrooms and three parking spaces for a dwelling with four or more bedrooms with spaces measuring a minimum of 2.4 x 5.5m with an additional 0.5 metre strip where bound by a wall/hedge/fence or other similar obstruction. Garage dimensions should also be in accordance with Leicestershire Highway Design Guide

(LHDG). <https://www.leicestershirehighwaydesignguide.uk/highway-layouts-and-design/developments-served-private-drives-and-areas> The plans submitted appear to show the parking spaces within the highway extent, with the parking spaces extending into highway land.

It is also noted that there are a telegraph pole and utilities sited adjacent to the proposed access, should these require relocation, it should be noted that this will be entirely at the Applicants expense.

To accord with Table 13 of the LHDG <https://www.leicestershirehighwaydesignguide.uk/highway-layouts-and-design/developments-served-private-drives-and-areas>, the access should preferably not have a gradient exceeding 1:20 for the first 5 metres, and should never exceed 1:12. The LHA requests that the a topographical drawing is submitted which demonstrates that the proposed access would accord with this requirement.

It should be noted that whilst a 1:12 gradient is acceptable to Table 13, the LHA's 'Dropped Kerb' Information Pack refers to a maximum gradient of 1:20. The dropped kerb process is, however, separate from planning permission.

Furthermore, given the substandard depth of the parking area to the proposed dwelling (taking into account the above), it is unlikely an application to extend the dropped kerb to allow for that parking space will be accepted.

Where the access driveway slopes towards the highway, measures must be in place to prevent surface water from draining into the public highway. The Applicant should therefore demonstrate that the proposed access would not result in surface water draining into the public highway. These details will need to be submitted with any further application.

In order to facilitate the proposed drop crossing, the Applicant would need to apply for a vehicle crossover (dropped kerb) permit. Further details of the requirements can be found at: <https://www.leicestershire.gov.uk/roads-and-travel/cars-and-parking/vehicle-access-dropped-kerbs>

The Applicant should note that the approval of planning permission does not guarantee permission for the required works permit. This process comes with its own criteria which must be met in order to gain a successful permit application. It should be noted that it is unlikely that the Applicant would be issued a permit for a dropped kerb, due to the aforementioned reasons

## **Highway Safety**

There have been no Personal Injury Collisions (PICs) recorded within 500m of the site within the last most recent five-year period for which data is available.

## **Parking for residential properties 4,6,8 High Street**

It is noted that currently properties 4,6,8 High Street have an informal arrangement for parking, which includes a small double garage which is not currently used due to its size.

An existing access for the above is accessed via Peckleton Lane.

Proposals are for the demolition of the garages and to rationalise the parking for the above properties.

Parking provision should generally be provided as two parking spaces for a dwelling with up to three bedrooms and three parking spaces for a dwelling with four or more bedrooms with spaces measuring a minimum of 2.4 x 5.5m with an additional 0.5 metre strip where bound by a wall/hedge/fence or other similar obstruction. Garage dimensions should also be in accordance with Leicestershire Highway Design Guide

(LHDG). <https://www.leicestershirehighwaydesignguide.uk/highway-layouts-and-design/developments-served-private-drives-and-areas>.

<b>Date Received</b>	<b>Case Officer</b>	<b>Reviewer</b>	<b>Date issued</b>
<b>16 September 2025</b>	<b>Emma Lennon</b>	<b>BD</b>	<b>20 October 2025</b>