

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: 24/01023/FUL

Highway Reference Number: 2024/1023/04/H/FSA/R1

Application Address: 46 Forest Road Markfield Leicestershire LE67 9UN

Application Type: Full

Description of Application: Re-consultation. Dropped kerb and hardstanding

GENERAL DETAILS

Planning Case Officer: Sophie Iliffe

Applicant: Miss Amelia Martin

County Councillor: Cllr Peter Bedford MP

Parish:

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 the residual cumulative impacts of the development are severe in accordance with the National Planning Policy Framework (2024) and the Local Planning Authority is advised to consider refusal on transport/highway grounds for the reasons outlined in this report.

Advice to Local Planning Authority

The Local Highway Authority (LHA) advises the following reason for refusal:

- 1. The Applicant has failed to demonstrate that safe and suitable access for all users would be provided as required by paragraphs 115 and 116 of the National Planning Policy Framework (2024).**

Background

The Local Highway Authority (LHA) have been reconsulted by Hinckley & Bosworth Borough Council as the Local Planning Authority (LPA) on a full application for a dropped kerb and hardstanding at 46 Forest Road, Markfield. The LHA previously referred the LPA to its Standing Advice guidance on 13th December 2024. The Applicant has subsequently submitted a drawing which details 2.4 x 43m visibility splays at the access. This was uploaded to the LPA's planning portal on 4th February 2025.

Site Access

The driveway access is proposed off Forest Road, a C classified road subject to a 30mph speed limit. The road is subject to a 7.5 tonne weight restriction and street lighting is present in the area.

Based on [Table 6](https://www.leicestershirehighwaydesignguide.uk/) of the Leicestershire Highway Design Guide ([LHDG] available at <https://www.leicestershirehighwaydesignguide.uk/>), for a road where measured vehicle speeds are between 26 to 30mph, vehicular visibility splays of 2.4 x 43m are required in each direction at the site access.

The LHA advises that the submitted drawing detailing vehicular visibility splays is not to the 1:500 scale stated, and the splay to the southeast has not been constructed correctly. Nevertheless, it is clear that the proposed visibility splays cross third-party land (land which does not fall within land under the Applicant's control or the public highway) in each direction. The LHA has reviewed its own mapping system and believes that the Applicant could achieve vehicular visibility of no more than approximately 2.4 x 5.0m in each direction when considering land under the control of the Applicant and the public highway only.

The Applicant has not provided any speed survey data within the vicinity of the proposed driveway access and the LHA do not hold records of a speed survey in the vicinity. Based on Table 6 of the LHDG, where vehicle speeds of between 11-15mph are recorded, a visibility splay of 17.0m would be required. Notwithstanding the absence of a speed survey and after visiting the site, the likely achievable splays of 2.4 x 5.0m are insufficient. Furthermore, 1x1m pedestrian visibility splays could not be achieved in accordance with [Table 13](#) of the LHDG due to third party land.

Given the above, the LHA advises it objects to the proposals on the grounds of highway safety as both pedestrian and vehicular visibility could not be provided given the constraints of the red line boundary and nor could they be maintained in perpetuity. This could result in vehicles pulling out on to the highway with severely restricted pedestrian and vehicular visibility, which would be to the detriment of highway safety.

Highway Safety

Based on available records to the LHA, there has been one recorded Personal Injury Collision within 500m either side of the site access within the last five years. This occurred on London Road between Croftway and Birchfield Avenue in January 2024. The PIC involved a reversing vehicle and a pedestrian and was recorded as 'slight' in severity.

As detailed in the 'site access' section above, a safe and suitable site access, as required by paragraph 115 of the National Planning Policy Framework (NPPF) (2024), is not achievable and therefore the proposals could have an unacceptable impact on highway safety.

Internal Layout

Drawing number 24/MPAM/01 details the internal layout of the proposals.

Based on the [Design Principles for Off-Street Parking](#) section of the LHDG, a parking space requires a minimum length of 5.50m and minimum width of 2.4m, with an additional width of 1.0m if bounded on both sides (0.5m on each side). In this instance the proposed parking space is bound by a wall. After reviewing the drawing, the LHA is satisfied the site could accommodate one vehicle.

Closing

The Applicant has failed to demonstrate a safe and suitable access for all users, which is contrary to the requirements of paragraph 115 of the NPPF. Due to the significant shortfall in visibility, vehicles exiting the access would be required to significantly overhang into the highway in order to see vehicles approaching from a suitable distance. The lack of pedestrian visibility splays poses an unacceptable risk to pedestrian safety due to the risk of conflict between

vehicles accessing and egressing the site and passing pedestrians. The proposal forms an unacceptable impact on highway safety, and is therefore contrary to paragraphs 115 and 116 of the NPPF.

Date Received
5 February 2025

Case Officer
Ben Dutton

Reviewer
DH/RD

Date issued
10 March 2025