

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: 24/00747/HOU

Highway Reference Number: 2024/0747/04/H/R3

Application Address: The Moorings Ibstock Road Odstone Hinckley Leicestershire LE10 0QG

Application Type: Householder

Description of Application: Re-consultation. Two storey rear extension, entrance porch, double garage and new access driveway

GENERAL DETAILS

Planning Case Officer: Grant Perks

Applicant: Mr And Mrs M And C Burnham

County Councillor: Bertie Harrison-Rushton

Parish: Shackerstone

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 re-consulted by the Local Planning Authority (LPA), Hinckley & Bosworth Borough Council (HBBC), on a planning application which seeks the:

'Two storey rear extension, entrance porch, double garage and new access driveway.'

The proposals are at The Moorings, Ibstock Road, Odstone, Hinckley, Leicestershire, LE10 0QG.

The LHA have responded to the LPA numerous times in the form of emails and formal observations, latterly on 14 March 2025. This is due to the lack of vehicular visibility to the southwest.

In response to the LHAs observation, the Applicant has provided the following document:

- Proposed Site Plan, drawing number PL-05E.

The LPA have also provided an email dated 18 March 2025 with further information.

Site Access

As previously stated, the LHA had concerns relating to the achievable visibility splay to the southwest of the site. These were raised due to the findings of a speed survey which demonstrated a recorded 85th percentile speed of 33.4mph northbound. This required a 2.4m by 54m visibility splay be provided to the southwest, however, only approximately 2.4m by 29m could be achieved over the Applicants land and highway land. The only way to achieve an appropriate visibility splay to the southwest would be over third-party land.

After liaising with the LPA, the LHA understand that the Applicant would need to enter into a unilateral undertaking with the landowner. This would be to:

- a) Reduce the height of the adjacent landowner hedge to a maximum 0.6m within the visibility splay; and
- b) Not to do anything or allow anything to be done on the third-party land that obstructs, or interferes with the visibility splay.

However, it is understood that should the proposals be approved, the decision notice would be released by the LPA following a resolution by the Applicant to secure the southwest visibility splay.

For the reasons set out above the LHA would not seek to resist the application subject to the following conditions and contribution.

Conditions

1. No part of the development hereby permitted shall be brought into use until such time as the access arrangements and the parking and turning facilities have been implemented as shown on Proposed Site Plan, drawing number PL-05E have been implemented in full and thereafter shall be kept available for such use in perpetuity.

REASON: To ensure that vehicles entering and leaving the site may pass each other in a slow and controlled manner and 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 general highway safety and in accordance with the National Planning Policy Framework (2024).

2. The development hereby permitted shall not be brought into use until such time as vehicular visibility splays of 2.4 metres by 54 metres to the southwest and 2.4 metres by 65 metres to the northeast have been provided at the site access. 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.

REASON: To afford adequate visibility at the access to cater for the expected volume of traffic joining the existing highway network, in the interests of general highway safety, and in accordance with the National Planning Policy Framework (2024).

3. The development hereby permitted shall not be brought into use until such time as the access drive has been surfaced with tarmacadam, or similar hard bound material (not loose aggregate) for a distance of at least 5 metres behind the highway boundary and, once provided, shall be so maintained in perpetuity.

REASON: To reduce the possibility of deleterious material being deposited in the highway (loose stones etc.) in the interests of highway safety and in accordance with the National Planning Policy Framework (2024).

4. Notwithstanding the provisions of Part 2 of Schedule 2, Article 3 of the Town and Country Planning (General Permitted Development) (England) Order 2015 (or any Order revoking and re-enacting that Order) no vehicular access gates, barriers, bollards, chains or other such obstructions shall be erected within a distance of 6 metres of the highway boundary, nor shall any be erected within a distance of 5 metres of the highway boundary unless hung to open away from the highway.

REASON: To enable a vehicle to stand clear of the highway in order to protect the free and safe passage of traffic including pedestrians in the public highway in accordance with the National Planning Policy Framework (2024).

Contributions

In order to secure the required vehicular visibility splay on third party land to the southwest of the proposed site access as indicated on Proposed Site Plan, drawing number PL-05E, the third-party landowner shall be required to:

- a) Reduce the height of the adjacent landowner hedge to a maximum 0.6m within the visibility splay; and
- b) Not to do anything or allow anything to be done on the third-party land that obstructs or interferes with the visibility splay.

Informative

Planning Permission does not give you approval to work on the public highway. Therefore, prior to carrying out any works on the public highway you must ensure all necessary licences/permits/agreements are in place. For further information, please telephone 0116 305 0001. It is an offence under Section 148 and Section 151 of the Highways Act 1980 to deposit mud on the public highway and therefore you should take every effort to prevent this occurring.

Date Received
18 March 2025

Case Officer
Neal Chantrill

Reviewer
BD

Date issued
28 March 2025