

**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: 25/00354/FUL

Highway Reference Number: 2025/0354/04/H/R1

Application Address: Land Adj The Trinity Centre Marchant Road Hinckley Leicestershire LE10 0LQ

Application Type: Full

Description of Application: Re-consultation. Erection of 72 bed residential care facility (C2) with associated access, car parking, ambulance drop off area and landscaping

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**GENERAL DETAILS**

Planning Case Officer: Emma Baumber

Applicant: Tamsin Cottle

County Councillor: St Marys ED - Cllr Stuart Bray

Parish:

Road Classification: Adopted Unclassified

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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 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 Hinckley & Bosworth Borough Council as the Local Planning Authority (LPA) on a full application for the erection of a 72-bed residential care facility (C2) with associated access, car parking, ambulance drop off area and landscaping at land adjacent to The Trinity Centre, Marchant Road, Hinckley.

The LHA previously advised within its observations dated 30<sup>th</sup> May 2025 that additional information was required by the Applicant, notably:

- Further drawings in respect of the site access arrangements onto Marchant Road to reflect those required as part of application 18/01237/FUL;
- Additional information in respect of the proposed access including a 6.0m radii and access width, along with visibility splays;

- Updated trip rates to exclude surveys undertaken at weekends and clarity as to how the comparison between the trips generated by application reference 18/01237/FUL and the current proposals have been derived;
- It is suggested a footway widening scheme along Coventry Road is provided as part of the application; and
- An updated Construction Management Plan.

The Applicant has subsequently submitted the following additional information to the LPA in support of the proposals:

- Transport Assessment Revision C (dated 23<sup>rd</sup> July 2025 and authored by Encon Associates);
- Construction Management Plan Revision B (dated 21/07/25 authored by Rasico Consulting);
- G4 Architects drawing number A001 Rev. A (Location Plan); and
- G4 Architects drawing number A006 Rev. A (Proposed Entrance from Marchant Road).

### **Site Access**

The LHA previously requested an access with a 6m width and junction radii at the site access to the care home. As advised previously, the site would be accessed via the new development spine road permitted as part of application reference 18/01237/FUL, which links Marchant Road with Trinity Vicarage Road.

Details of the site access arrangements are provided on G4 Architects drawing number A003 Rev. C available within Appendix A of the TA. Visibility splays, along with swept path analysis of a refuse collection vehicle and an ambulance are provided on Encon Associates drawing numbers 05 Rev. A and 06 Rev. A respectively within Appendix H of the TA.

The LHA accepts the revised access proposals and that appropriate visibility splays could be achieved for a 25mph design speed at the site access.

The LHA previously advised in the event this development comes forward prior to the wider site, the Applicant will also need to construct the site access onto Marchant Road. This is detailed on Encon Associates drawing number A3907-05 Rev. H and included within Appendix D of the Transport Statement (Rev. J, dated 23<sup>rd</sup> September 2019) submitted as part of application reference 18/01237/FUL.

As detailed within the highway observations dated 23<sup>rd</sup> and 27<sup>th</sup> September 2019 for that application, this would require removal of the existing turning head and the extinguishment of highway rights in the area. The LHA would advise that the area cannot be physically blocked off until the area is formally stopped up by the order; this would be illegal and would render the S247 process invalid.

Furthermore, footway widening would be required along Marchant Road, as detailed within Encon Associates drawing number A3907-05 Rev. H and Encon Associates drawing number A3907-08, which was submitted to the LPA on 24<sup>th</sup> September 2019 as part of that application. Within the LHA's observations dated 27<sup>th</sup> September 2019, it is stated that the footway improvements would require amendments to existing Traffic Regulation Orders (double yellow lines) on Marchant Road such as extending the length on the western side of the road. On this basis, the LHA advise a contribution of £7,500 will be required to enable the relocation of parking restrictions in association with the removal of the turning circle and widening the footway on Marchant Road.

The Applicant has now submitted G4 Architects drawing number A006 Rev. A, which matches the works shown on Encon Associates drawing number A3907-05 Rev. H. The LHA advises this work will only be necessary if the access to Marchant Road has not already been constructed as part of the wider development.

### **Highway Safety**

As advised previously, the LHA advise the proposals are unlikely to exacerbate an existing highway safety concern on the network.

### **Trip Generation**

The LHA previously requested updated TRICs trip rates given those proposed used trip rates from both weekdays and weekends. In addition, clarity as to how the comparison between the trips generated by application reference 18/01237/FUL and the current proposals were derived was requested.

The Applicant has updated TRICs analysis, which is now accepted by the LHA.

The comparison between the permitted level of trips and the proposed development has then been updated by the Applicant as detailed in Table 1 below:

Time Period	Vehicle trips							
	Permitted		Proposed		Comparison (Arrive and Depart)		Net Change	
	Arrive	Depart	Arrive	Depart	Permitted	Proposed	Net	%
AM Peak 08:00-09:00	8	27	12	21	35	33	-2	-6%
PM Peak 17:00-18:00	24	12	17	13	36	30	-6	-17%
Total 00:00-24:00	148	150	151	154	298	305	7	3%

**Table 1:** Vehicle comparisons between the permitted scheme against the proposed site (extracted from Table 13 within the Applicants TA).

The LHA accept the Applicants comparison and note that the care home proposals would result in a minor reduction in the number of two-way vehicular trips during the AM and PM peaks, however there is predicted to be a minor increase in the number of two-way vehicular trips overall in comparison to the permitted development at the site. The LHA considers the changes in traffic volumes to be negligible and that no further assessment in terms of the developments impact on the surrounding highway network is required.

### **Off-Site Implications**

The LHA previously advised as part of application reference 18/01237/FUL, Condition 31 states:

*‘No part of the development hereby permitted shall be occupied until such time as a 3m wide footway along the Coventry Road and Trinity Lane site frontage is implemented in full in accordance with details to be agreed in writing with the Local Planning Authority’.*

The LHA advised the condition on the basis that there is an objective to provide a 3m wide footway cycleway along the north side of Coventry Road in the future. On the basis the site fronts Coventry Road, the LHA advised that a similar condition would likely be required as part of this application.

The Applicant questioned the LHA as to whether this requirement was more relevant to the apartment development and not the care home. On reflection the LHA accepts this is considered more relevant to the residential development and would therefore not require a similar condition as part of this application.

### **Internal Layout**

Details of the site access arrangements are provided on G4 Architects drawing number A003 Rev. C.

As advised previously, as part of the wider development, the spine road linking Marchant Road and Trinity Vicarage Road is to be put forward for adoption. The section of spine road within the red line boundary of this application site connects to Marchant Road only. The LHA strongly advises that this is constructed to adoptable standards however it should be noted that this would not be considered for adoption in isolation if it was just constructed to serve the residential care facility and the wider development did not come forward.

The Applicant has proposed a total of 20 car parking spaces, which includes three accessible and two electric car charging spaces. An ambulance parking space has also been provided. The widening of the access has resulted in the loss of one car parking space, however the LHA would not seek to resist the proposals on the loss of this parking space, or an under provision of parking for the site given the sustainable town centre location of the site, as outlined previously.

### **Transport Sustainability**

As advised previously, the LHA accepts the submitted Travel Plan. A monitoring fee of £6,000.00 is required for the site for which using Modeshift STARS is advised.

In addition, the LHA request one x Travel Pack (at a cost of £52.85 per pack or a proofreading fee of £500.00 payable to Leicestershire County Council should the Applicant provide their own pack) per employee, which contains an application form for 1 x six-month bus pass (currently £605 for an Arriva service).

In addition, the LHA request secure, undercover cycle parking is provided within the site which can be secured via an appropriately worded condition.

### **Construction Management Plan (CMP)**

The Applicant has now detailed the loading and unloading area within the site, which is welcomed by the LHA. In addition, correct road names have been referenced within Part 60/120.

The LHA therefore accepts the Applicants CMP.

### **Conditions**

1. Construction of the development and routing of construction traffic, shall be in accordance with Construction Management Plan Revision B (dated 21/07/25 authored by Rasico Consulting).

REASON: To reduce the possibility of deleterious material (mud, stones etc.) being deposited in the highway and becoming a hazard for road users, to ensure that construction traffic does not use unsatisfactory roads and lead to on-street parking problems in the area.

2. No part of the development hereby permitted shall be occupied until such time as the access arrangements onto the wider development spine road shown on G4 Architects drawing number A003 Rev. C have been implemented in full.

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

3. No part of the development hereby permitted shall be occupied until such time as the access arrangements onto Marchant Road shown on G4 Architects drawing number A006 Rev. A have been implemented in full.

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

4. No part of the development hereby permitted shall be occupied until such time as vehicular visibility splays of 2.4 metres by 33 metres have been provided at the site access onto the wider development spine road and 2.4m metres by 56 metres in a southerly direction and 2.4 x 24 metres in a northerly direction onto Marchant Road. 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).

5. The development hereby permitted shall not be occupied until such time as the parking and turning facilities have been implemented in accordance with G4 Architects drawing number A003 Rev. C. 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).

6. No part of the development hereby permitted shall be occupied until such time as site drainage details have been provided to and approved in writing by the Local Planning Authority. Thereafter surface water shall not drain into the Public Highway and thereafter shall be so maintained.

REASON: To reduce the possibility of surface water from the site being deposited in the highway causing dangers to road users in accordance with the National Planning Policy Framework (2024).

7. The development hereby permitted shall not be occupied until such time as the access drive (and any turning space) has been surfaced with tarmacadam, or similar hard bound material (not loose aggregate) for a distance of at least 10 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).

8. No part of the development hereby permitted shall be first occupied until a [an amended] framework/full Travel Plan which sets out actions and measures with quantifiable outputs and outcome targets has been submitted to and agreed in writing by the Local Planning Authority. Thereafter the agreed Travel Plan shall be implemented in accordance with the approved details.

REASON: To reduce the need to travel by single occupancy vehicle and to promote the use of sustainable modes of transport in accordance with the National Planning Policy Framework (2024).

### **Contributions**

Please note that the exact monetary values will need to be agreed prior to the signing of the Section 106 agreement and may be subject to indexation.

To comply with Government guidance in NPPF and commensurate with Leicestershire County Council Planning Obligations Policy the following contributions would be required in the interests of highway safety, encouraging sustainable travel to and from the site, achieving modal shift targets, and reducing car use:

1. A contribution of £7,500 for a Traffic Regulation Order to enforce the relocation of parking restrictions in association with the removal of the turning circle and widening the footway on Marchant Road.

Justification: To ensure that legal orders are in place to support the delivery of the proposed highway works and in the interests of highway safety.

Suggested trigger point: Prior to construction.

2. A contribution of £6,000 prior to first use of the development for the monitoring of the Travel Plan and the effects of the development using the County Council's monitoring programme payable prior to the occupation of any part of the development hereby permitted of any part of the development hereby permitted.

Reason: To enable Leicestershire County Council to provide support to the appointed Travel Plan Co-ordinator, audit annual Travel Plan performance reports to ensure that the Travel Plan targets are met.

Suggested trigger point: Prior to first use.

3. Travel Packs; to inform new employees from first use what sustainable travel choices are in the surrounding area (can be supplied by LCC at £52.85 per pack per plot). If not supplied by LCC, a sample Travel Pack shall be submitted to and approved in writing by LCC which will involve an administration charge of £500.

Justification: To inform new employees from first use of development what sustainable travel choices are available in the surrounding area.

Suggested trigger point: Prior to first use of the development.

4. Six month bus passes, one per employee (one application forms to be included in Travel Packs and funded by the developer); to encourage new employees to use bus services, to establish changes in travel behaviour from first occupation and promote usage of sustainable travel modes other than the car (can be supplied through LCC at an average of £605 per pass for an Arriva service).

Justification: To encourage new employees to use bus services as an alternative to the private car to establish changes in travel behaviour from first use.

Suggested trigger point: Prior to first use of the development.

### **Informative**

- Planning Permission does not give you approval to work on the public highway. To carry out off-site works associated with this planning permission, separate approval must first be obtained from Leicestershire County Council as Local Highway Authority. This will take the form of a major section 184 permit/section 278 agreement. It is strongly recommended that you make contact with Leicestershire County Council at the earliest opportunity to allow time for the process to be completed. The Local Highway Authority reserve the right to charge commuted sums in respect of ongoing maintenance where the item in question is above and beyond what is required for the safe and satisfactory functioning of the highway. For further information please refer to the Leicestershire Highway Design Guide which is available at <https://www.leicestershirehighwaydesignguide.uk/>
- Planning permission does not give you approval to work on the public highway. If the proposal requires the permanent removal ("stopping up") or diversion of highway to enable the development to take place, then you must complete the legal processes required before commencing works. Further information is available at: - <https://www.leicestershire.gov.uk/roads-and-travel/local-authority-searches/highway-extinguishments> If you are unsure whether your proposal affects public highway, you can establish the Highway Authority's formal opinion of the adopted highway extent in relation to the proposal. Further information is available at <https://www.leicestershire.gov.uk/hre>
- If the roads within the proposed development are to be offered for adoption by the Local Highway Authority, the Developer will be required to enter into an agreement under Section 38 of the Highways Act 1980. Detailed plans will need to be submitted and approved, the Agreement signed and all sureties and fees paid prior to the commencement of development. The Local Highway Authority reserve the right to charge commuted sums in respect of ongoing maintenance where the item in question is above and beyond what is required for the safe and satisfactory functioning of the highway. For further information please refer to the Leicestershire Highway Design Guide which is available at <https://www.leicestershirehighwaydesignguide.uk/>

If an Agreement is not in place when the development is commenced, the Local Highway Authority will serve Advanced Payment Codes in respect of all plots served by all the roads within the development in accordance with Section 219 of the Highways Act 1980. Payment of the charge must be made before building commences. Please email

road.adoptions@leics.gov.uk in the first instance.

- To erect temporary directional signage you must seek prior approval from the Local Highway Authority in the first instance (telephone 0116 305 0001).
- A minimum of 6 months' notice will be required to make or amend a Traffic Regulation Order of which the applicant will bear all associated costs. Please email road.adoptions@leics.gov.uk to progress an application.
- All proposed off site highway works, and internal road layouts shall be designed in accordance with Leicestershire County Council's latest design guidance, as Local Highway Authority. For further information please refer to the Leicestershire Highway Design Guide which is available at <https://www.leicestershirehighwaydesignguide.uk/>

**Date Received**  
**25 July 2025**

**Case Officer**  
**Ben Dutton**

**Reviewer**  
**DH**

**Date issued**  
**15 August 2025**