

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: 25/01193/FUL

Highway Reference Number: 2025/1193/04/H

Application Address: Land South of Burroughs Road Ratby Leicestershire

Application Type: Full

Description of Application: Retrospective change of use of agricultural land into a dog walking field with associated fencing, gate, parking area and shelter.

GENERAL DETAILS

Planning Case Officer: Faizal Jasat

Applicant: Mr Rawner

County Councillor: Groby & Ratby ED - Cllr Ozzy O'Shea

Parish: Ratby

Road Classification: PRoW - Restricted Byway

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).

Advice to Local Planning Authority

Background

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

'Retrospective change of use of agricultural land into a dog walking field with associated fencing, gate, parking area and shelter.'

The proposals are on land south of Burroughs Road, Ratby, Leicestershire.

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

- Application Form;
- Block Plan;
- Shelter Details; and
- Planning, Design and Access Statement.

Proposals

This is a retrospective application that seeks to regularise the change of use of agricultural land into a dog walking field with associated fencing, gate, parking area and shelter. The site is situated on Burroughs Road, approximately 1.5km to the west of the junction of Burroughs Road / Main Street.

It should be noted that the approximately the first 1.1km from the junction of Burroughs Road / Main Street along Burroughs Road is adopted highway. From this point to the site is classed as a restricted byway, which is technically for the use of non-motorised vehicles. From undertaking a land registry search, part of this byway is under the ownership of the Woodland Trust, a further part of the byway comes under the ownership of a further third-party unknown to the LHA.

Taking the above into consideration, given that the byway is within private land, the LHA have no comments to make in relation to access onto Burroughs Road and the internal layout given the distance from the public highway.

Paragraph 4.1 of the Planning, Design and Access Statement (PDAS) states that:

'The proposal is for the continued use of the site as a dog walking field, which is accessible by appointment only and the entrance gate to the dog walking field is set back approximately 40m from Burroughs Road, allowing the farmer to continue accessing the surrounding fields. The entrance gate to the dog walking field is secured with a combination padlock and monitored by a solar-powered CCTV camera. Only one customer can book the field per hour for 55 minutes (to prevent overlap of visitors). Slots are available from 6am to 10pm daily.'

Taking this into consideration, this equates to a maximum of two trips per hour along Burroughs Road. As such, it would be difficult for the LHA to demonstrate that the proposals would have a material impact upon the public highway in these site-specific circumstances.

For the reasons set out above, the LHA would not seek to resist the proposals.

Note

Whilst the byway is within third-party ownership, this would not affect the granting of planning permission. However, it may be prudent for the Applicant to ascertain the owners of the byway to ensure there are no right of access, or other issues accessing the site if not already done so.

Date Received
22 December 2025

Case Officer
Neal Chantrill

Reviewer
BD

Date issued
14 January 2026