

**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: 25/00741/CONDIT

Highway Reference Number: 2025/0741/04/H

Application Address: Land East of Stretton Croft Wolvey Road Burbage Leicestershire

Application Type: Variation of Condition (s73)

Description of Application: Application to vary condition 9 (A5 improvements) and discharge condition 16 (CEMP) of planning permission 23/01023/HYB

GENERAL DETAILS

Planning Case Officer: Tim Hartley

Applicant: C/O Agent

County Councillor: Burbage ED - Cllr Barry Walker

Parish: Burbage

Road Classification: Class A

Substantive Response provided in accordance with article 22(5) of The Town and Country Planning (Development Management Procedure) (England) Order 2015:

No objection

No objection to the variation of Condition 9 or the discharge of Condition 16.

Advice to Local Planning Authority

Background

The Local Highway Authority (LHA) has been consulted by Hinckley & Bosworth Borough Council as the Local Planning Authority on an application to vary condition 9 (A5 improvements) and discharge condition 16 (Construction Environmental Management Plan) of planning permission 23/01023/HYB. The LHA has also been consulted by Rugby Borough Council for the same proposals under application reference R25/0661. The LHA has provided an identical response to the one below.

The LHA has reviewed the following documents submitted by the Applicant in support of the proposals:

- Covering Letter dated 24th June 2025
- Construction Traffic Management Plan dated July 2025 (Reference 101653-DCE-XX-XX-RP-T-5001 and authored by Dice)
- Google Earth Satellite Image of Site (Circa 2016)

Condition 9

For the avoidance of doubt, Condition 9 reads as follows:

No part of the development hereby permitted shall commence until the proposed A5 access and improvements to the A5/Wolvey Road junction shown on DTP drawing number TP/3711622/SK004 Revision D have been implemented and open to traffic. The required works shall include provision for a hardwired communications link into the existing signals at the M69 Junction 1 and shall comply with the requirements of the Design Manual for Roads and Bridges (DMRB), including those relating to Road safety Audit (RSA) and Walking, Cycling, Horse-Riding Assessment and review (WCHAR). All remaining off-site highway works shown on drawing DTP/3711622/SK004 Revision D shall be implemented in full prior to the development being brought into use.

Reason: To ensure that the A5 trunk road and M69 motorway continue to serve their purpose as part of the national system of routes for through traffic in accordance with Section 10 (2) of the Highways Act 1980 by minimising disruption on the Strategic Road Network resulting from traffic entering and emerging from the application site and in the interests of road safety in accordance with Policy DM17 of the Site Allocations and Development Management Policies Development Plan Document (2016), Section 9 of the National Planning Policy Framework (2024) and Department for Transport Circular 01/2022.

A pre-commencement condition is required to minimise disruption on the Strategic Road Network and in the interests of road safety.

The Applicant wishes to vary the condition to:

*No part of the development hereby permitted shall **commence-be occupied** until the proposed A5 access and improvements to the A5/Wolvey Road junction shown on DTP drawing number DTP/3711622/SK004 Revision D have been implemented and open to traffic. The required works shall include provision for a hardwired communications link into the existing signals at the M69 Junction 1 and shall comply with the requirements of the Design Manual for Roads and Bridges (DMRB), including those relating to Road safety Audit (RSA) and Walking, Cycling, Horse-Riding Assessment and review (WCHAR). All remaining off-site highway works shown on drawing DTP/3711622/SK004 Revision D shall be implemented in full prior to the development being brought into use.*

Highways Comments:

The Applicant has stated within their covering letter that they wish for condition 9 to be varied to allow for the proposed A5 access and improvements to the A5/Wolvey Road junction to be constructed prior to occupation rather than prior to commencement of the development. This would allow for construction of the proposed development to commence without delay. This is also proposed due to the Applicant intending for construction traffic to access the site from Wolvey Road as opposed to the proposed site access.

Given the LHA advised a condition which required the access arrangements to be constructed prior to occupation, it has no objection to the proposed variation of condition 9. Nevertheless, it is noted National Highways, who are responsible for the A5 Watling Street, required the wording prior to commencement of the development. Therefore, the LPA is strongly advised to seek the advice of National Highways on the proposed variation of Condition 9.

Condition 16

For the avoidance of doubt, Condition 16 reads as follows:

Prior to commencement of development a Construction Environmental Management Plan incorporating a Construction Traffic Management Plan shall be submitted to and agreed in writing by the Local Planning Authority in consultation with National Highways. The Plan shall detail how, during the site preparation and construction phase of the development, the impact on existing residential premises and the environment shall be prevented or mitigated. The Plan shall detail how such controls will be monitored. The Plan shall include details on the following:

- a) Construction site layout showing clearly designated areas for the parking of vehicles for site operatives and visitors; areas for the loading and unloading of plant and materials (i.e. deliveries/waste); storage of plant and materials used in constructing the development; areas for managing waste; and wheel washing facilities;*
- b) Construction phasing;*
- c) An HGV routing plan to include likely origin/destination information, potential construction vehicle numbers, construction traffic arrival and departure times, and construction delivery times (to avoid peak hours;*
- d) Clear and detailed measures to prevent debris, mud and detritus being distributed onto the local highway and Strategic Highway Network;*
- e) Mitigation measures in respect of noise, odour, smoke, light contamination, land contamination and disturbance during the construction phase including vibration and noise limits, monitoring methodology, screening, a detailed specification of plant and equipment to be used and construction traffic routes;*
- f) A scheme to minimise dust emissions arising from construction activities on the site. The scheme shall include details of all dust suppression measures and the methods to monitor emissions of dust arising from the development;*
- g) Waste management;*
- h) Protection measures for hedgerows and grasslands; and*
- i) A procedure for the investigation of complaints and details of the responsible person (e.g. site manager/office) who can be contacted in the event of a complaint. Thereafter, all construction activity in respect of the development shall be undertaken in full accordance with such approved details.*

Reason: To ensure that the A5 trunk Road and M69 motorway continue to serve their purpose as part of the national system of routes for through traffic in accordance with Section 10 (2) of the Highways Act 1980 by minimising disruption on the Strategic Route Network resulting from traffic entering and emerging from the application site and in the interests of road safety in accordance with Policy DM17 of the Site Allocations and Development Management Policies Development Plan Document (2016), Section 9 of the National Planning Policy Framework (2024), and Department for Transport Circular 01/2022, and in the interests of the amenity of neighbouring residents in accordance with Policies DM7 and DM10 of the Site Allocations and Development Management Policies Development Plan Document (2016) and paragraph 135 of the National Planning Policy Framework (2024).

A pre-commencement condition is required to minimise disruption on the Strategic Road Network, in the interests of highway safety and to minimise loss of amenity for neighbouring residents.

Highways Comments:

The LHA did not specifically advise the requirement for a Construction Traffic Management Plan (CTMP) as part of the proposals given the site would be accessed off the strategic road network.

However, the LHA has reviewed the submitted CTMP, which states construction traffic would access the site off Wolvey Road (south of the A5), the majority of which is adopted by Leicestershire County Council.

The Applicant is proposing to route construction traffic to/ from the site via the A5. Given the location of the site, all construction vehicles would be restricted to the main/ strategic routes via the existing weight restrictions in Burbage and surrounding areas. The LHA considers there would be no need or justification for construction traffic to travel through the existing restrictions in place.

The Applicant has stated wheel washing facilities would be provided at site exits which is welcomed by the LHA given the construction access is proposed off Wolvey Road. Details of the site compound/ staff parking have also been provided within Appendix A of the CTMP and the Applicant has confirmed all loading/ unloading will occur within the site.

Given the above, the LHA has no objection to the discharge of Condition 16 however again, as per further above, it is strongly advised the advice of National Highways is sought on the document given construction traffic would ultimately be turning on to/ off the A5.

Date Received
11 August 2025

Case Officer
Ben Dutton

Reviewer
DH

Date issued
1 September 2025