



National Highways Planning Response (NHPR 22-12) Formal Recommendation to an Application for Planning Permission

From: Andy Jinks (Regional Director)
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To: Hinckley & Bosworth Borough Council

CC: transportplanning@dft.gov.uk
spatialplanning@nationalhighways.co.uk

Council's Reference: 23/00673/OUT

Location: Land Opposite And South Of Pumping Station Aston Flamville Road
Burbage Leicestershire

Proposal: Residential development of up to 343 dwellings (Class C3), including provision of public open space, associated infrastructure and all matters reserved except access (access only) (re-submission of 22/01037/OUT)

National Highways Ref: NH/23/01939

Referring to the consultation on a planning application dated 19 July 2023 referenced above, in the vicinity of the M69 and A5 trunk road that forms part of the Strategic Road Network, notice is hereby given that National Highways' formal recommendation is that we:

- a) ~~offer no objection (see reasons at Annex A);~~
- b) recommend that conditions should be attached to any planning permission that may be granted (see Annex A – National Highways recommended Planning Conditions & reasons);
- c) ~~recommend that planning permission not be granted for a specified period (see reasons at Annex A);~~
- d) ~~recommend that the application be refused (see reasons at Annex A)~~

Highways Act 1980 Section 175B is/is not relevant to this application.¹

This represents National Highways' formal recommendation and is copied to the Department for Transport as per the terms of our Licence.

Should the Local Planning Authority not propose to determine the application in accordance with this recommendation they are required to consult the Secretary of State for Transport, as set out in the [Town and Country Planning \(Development Affecting Trunk Roads\) Direction 2018](#), via transportplanning@dft.gov.uk and may not determine the application until the consultation process is complete.

The Local Planning Authority must also copy any consultation under the 2018 Direction to PlanningM@nationalhighways.co.uk.

Signature: 	Date: 29/01/24
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¹ Where relevant, further information will be provided within Annex A.

Annex A National Highways recommended Planning Conditions & reasons

National Highways has been appointed by the Secretary of State for Transport as a strategic highway company under the provisions of the Infrastructure Act 2015 and is the highway authority, traffic authority and street authority for the Strategic Road Network (SRN). The SRN is a critical national asset and as such we work to ensure that it operates and is managed in the public interest, both in respect of current activities and needs as well as in providing effective stewardship of its long-term operation and integrity.

Development Proposal

Residential development of up to 343 dwellings (Class C3), including provision of public open space, associated infrastructure and all matters reserved except access (access only) (re-submission of 22/01037/OUT)

Consultation Response and Reasoning

Further to our previous response of 29 January 2024 and the current planning appeal proceeding under application reference 22/01037/OUT, the applicant has submitted documentation to this application consultation that has addressed the matters of concern for National Highways.

Consequently, National Highways recommends that the Council apply the following conditions should permission be granted:

Condition 1

No development shall commence on the site until such time as a construction traffic management plan, including as a minimum, details of the routing of construction traffic, wheel cleansing facilities, vehicle parking facilities, and a timetable for their provision, has been submitted to and approved in writing by the Local Planning Authority. The construction of the development thereafter shall be carried out in accordance with the approved details and timetable.

Reason

To reduce the possibility of detritus material (mud, stones, etc.) being deposited on 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 issues, as well as avoiding peak hour deliveries and departures from the site.

Condition 2

No development shall commence until the active and sustainable travel mitigation measures contained within the Transport Statement of Common Ground dated 12 January 2024 (initially provided under planning application ref 2/01037/OUT) submitted in support of this application are implemented unless otherwise agreed by the Local Planning Authority.

Reason

To reduce the need to travel by private vehicle and promote the use of sustainable modes of transport in accordance with the National Planning Policy Framework.

Standing advice to the local planning authority

The Climate Change Committee's [2022 Report to Parliament](#) notes that for the UK to achieve net zero carbon status by 2050, action is needed to support a modal shift away from car travel. The NPPF supports this position, with paragraphs 73 and 105 prescribing that significant development should offer a genuine choice of transport modes, while paragraphs 104 and 110 advise that appropriate opportunities to promote walking, cycling and public transport should be taken up.

Moreover, the build clever and build efficiently criteria as set out in clause 6.1.4 of [PAS2080](#) promote the use of low carbon materials and products, innovative design solutions and construction methods to minimise resource consumption.

These considerations should be weighed alongside any relevant Local Plan policies to ensure that planning decisions are in line with the necessary transition to net zero carbon.