



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

From: Andy Jinks (Regional Director)
Operations Directorate
West Midlands Region
National Highways



To: Hinckley & Bosworth Borough Council

CC:



Council's Reference: 23/00613/FUL

Location: Hydes Pastures Watling Street Hinckley Leicestershire LE10 3ED

Proposal: Proposed Bio-CNG vehicle fuelling station comprising fuel dispenser islands, plant compound, landscaping, access, associated highway works and associated development

National Highways Ref: NH/23/01830

Referring to the consultation on a planning application dated 27 June 2023 referenced above, in the vicinity of the 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: 19/07/23
Name: Russell Gray	
Position: Spatial Planner	
National Highways The Cube, 199 Wharfside Street, Birmingham, B1 1RN	
	

¹ Where relevant, further information will be provided within Annex A.

Annex A **National Highways' assessment of the proposed development**

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

This Outline planning application is for the development of up to 50 residential dwellings (all matters reserved except for access). The application site is adjacent to Kennel Road, which is local highway, and is around 350 metres north of the junction of Kennel Lane with the A5. The vehicular access to the site is proposed via a new priority-controlled junction off Kennel Lane.

Application History

National Highways were approached for pre-application consultation on 24 November 2022 for the proposed development. A response was issued on 15 December 2022 which raised a number of concerns and points of clarification required to be submitted as part of any planning application.

Consultation Response and Reasoning

Traffic Impact

The impact on the A5 in this location is assessed in the Transport Assessment as trips that are diverted and not generated by the development. However, given the developments proximity to the Longshoot and Dodwells junctions, and the capacity sensitivity at these junctions, National Highways considers it necessary that this developments transport impacts are assessed in line with the Longshoot and Dodwells modelling protocols consistent with other developments in the area.

It is proposed a meeting to discuss the requirements of the modelling protocol is held jointly with National Highways, Leicestershire County Council, and Warwickshire County Council at the earliest available opportunity.

Access Arrangement

National Highways has significant concerns regarding the safe operation of currently proposed access and egress arrangements. National highways would welcome confirmation of alternative access and egress optioneering that has been undertaken.

Visibility

The proposed access currently impedes the visibility splay from the BP filling station to the East which, although minor is undesirable on safety grounds. Furthermore, the visibility distance requirements have been determined based upon the speed limit of the A5. A speed survey should be carried out to determine the 85th percentile speed in order to establish whether the required standards have been met.

A review of the approved design for the mitigation works under application 21/0199/HYB at the rail bridge that shall lower the carriageway should also be reviewed in accordance with DMRB CD109 as the vertical sight lines may be impacted as a result.

Swept Path Analysis

Drawing 22-240-002 rev F shows vehicles approaching from the East, turning left into the site having to perform a 'swing out' manoeuvre potentially encroaching onto the hatched markings and towards the path of any right turning vehicle. Furthermore, having undertaken this manoeuvre, the drawing shows a high probability of overrunning onto the westbound kerb side. Similarly for vehicles exiting the site turning right the drawing shows overrunning on the eastbound kerb side. For vehicles turning right into the site from the west the swept path analysis shows a similar 'swing out' manoeuvre is required, impacting upon the eastbound running lane. For vehicles turning left exiting the building heading westbound the swept path shows potential for overrunning on the westbound kerb side and potential conflict with an oncoming articulated vehicle entering the right turn lane.

Bridge height and improvement works

As part of the approval for application 21/0199/HYB, improvements including the alteration of carriageway/rail bridge height are conditioned as mitigation for the site. As the accident record submitted as part of the Transport assessment, and Leicestershire Council's pre-application response demonstrate, bridge strikes from HGV's are a severe impact in this location.

Concern is raised as to whether the proposed application site can operate prior to these mitigation works with consideration of the safety impact on the SRN, given the vehicle types the proposed development attracts.

Road Safety Audit Stage 1

The proposed access shall be subject to Road Safety Audit Stage 1 in accordance with Design Manual for Roads and Bridges GG 119, subject to submission of an acceptable design.

Walking Cycling Horse-riding Assessment and Review

The development should undertake a review in accordance with Design Manual for Roads and Bridges GG142 (or apply for an exemption).

Drainage

The submitted Flood Risk assessment and drainage proposals are under review by National Highways asset leads, and an updated response will be provided following review.

Lighting

The submitted lighting plans are under review by National Highways asset leads, and an updated response will be provided following review.

Informative Note

The Department for Transport updated the Circular 02/13 'Strategic road network and the delivery of sustainable development', and as of January 2023, the new circular 01/22 shall be applied to planning application consultations for which National Highways is a statutory consultee.

Based on the above, we recommend that the application not be determined for a period of three months from the date of this notice. This is to enable the applicant to provide further information with regards to the information/requirements detailed above and the potential impacts on the SRN.

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.