

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: 25/00306/FUL

Highway Reference Number: 2025/0306/04/H

Application Address: FP McCann Brascote Lane Cadeby Nuneaton Leicestershire CV13 0BB

Application Type: Full

Description of Application: Erection of a pipe manufacturing facility with associated storage

GENERAL DETAILS

Planning Case Officer: Matt Jedruch

Applicant: C/O Agent

County Councillor: Bertie Harrison-Rushton

Parish: Cadeby

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:

The Local Highway Authority does not consider that the application as submitted fully assesses the highway impact of the proposed development and further information is required as set out in this response. Without this information the Local Highway Authority is unable to provide final highway advice on this application.

Advice to Local Planning Authority

Background

The Local Highway Authority (LHA) has been consulted by Hinckley and Bosworth Borough Council as the Local Planning Authority (LPA) on a full application for the erection of a pipe manufacturing facility with associated storage at FP McCann, Brascote Lane, Cadeby.

The LHA has reviewed the following documents, which have been submitted by the Applicant in support of the proposals:

- Application Form (received by the LPA on 25th March 2025);
- Transport Assessment (TA) Reference ADL/AM/5321/11A, dated March 2025 and authored by ADL Traffic & Highways;
- Kedd Ltd drawing number KD.FPPF.1.D.002 (Current situation); and
- Kedd Ltd drawing number KD.FPPF.1.D.003 (Proposed Site Layout Plan).

The LHA is aware of the following recent planning applications at the overall FP McCann site:

- ***20/00357/OUT - Development of commercial units (18,580sqm use Classes B2 and/or B8) and associated infrastructure.***

The LHA advised refusal of the proposals on the grounds of highway safety due to the Applicant failing to demonstrate a safe and suitable access route to the site along Brascote Lane and the proposals leading to an intensification in turning movements onto and off the A447. The application was subsequently withdrawn.

- **22/00420/FUL - Proposed erection of a roof tile manufacturing facility.**

The LHA advised no objection subject to conditions, including the provision of a ghost right turn lane at the A447/ Brascote Lane junction and improvements to Brascote Lane. The application was approved by the LPA on 27th April 2023.

- **23/00926/FUL - Proposed replacement of office and welfare facility, reconfiguration of parking, installation of solar panels and 2no. EV charging points and associated works.**

The LHA advised no objection on the basis there would not be any additional staff employed as a result of the proposals. The application was approved by the LPA on 22nd December 2023.

- **23/01050/FUL - Proposed steel fabrication workshop.**

The LHA advised no objection on the basis the proposals would not result in an intensification in traffic due to no additional employees/ visitor trips or movements for materials anticipated in or out of the site. The application was approved by the LPA on 22nd December 2023.

Note – The LHA have included hyperlinks to relevant sections of the [Leicestershire Highway Design Guide](#) (LHDG) within this report. These are identified in bold, underlined and in blue text.

Site Access

The site is accessed via a private road, which is a continuation of Brascote Lane, an unclassified road subject to the national speed limit. Brascote Lane connects to Ashby Road, an A classified road (A447) subject to a 50mph speed limit.

The submitted TA states that Brascote Lane, is required to be improved as part of application reference 22/00420/FUL, along with the Brascote Lane/ A447 Ashby Road junction, where a ghost right turn lane is required.

Given the scale of the proposals and the anticipated trip generation, the LHA advise that the Applicant will be required to implement the same improvements to the access route along Brascote Lane which were conditioned as part of application reference 22/00420/FUL (ADL drawing number 5321-19 (Response to Stage 1 Road Safety Audit)) in the event the LHA and LPA are mindful to advise approval of the proposals. The LHA would advise the Applicant that this drawing is submitted as part of the application for consistency/ clarity.

Highway Safety

The Applicant has obtained Personal Injury Collision (PIC) data from Leicestershire County Council between 1st January 2019 and 31st July 2024 for the study area identified in Appendix 2.1 of the TA. Two PIC's have been identified by the Applicant, both of which occurred on the A447.

The first PIC was recorded as slight and occurred in June 2019 involving a collision between two vehicles, with one vehicle overshooting the Brascote Lane junction. The second PIC was recorded as serious, which occurred in December 2022 on the A447, approximately 80m south of its junction

with Brascote Lane. This involved a collision between two vehicles travelling in opposite directions with road conditions described as frosty/ icy.

The LHA has reviewed its records for Brascote Lane and the A447, 500m either side of its junction with Brascote Lane. Regrettably, the LHA is aware of a fatal PIC on the A447 which occurred approximately 350m south of its junction with Brascote Lane. This occurred in November 2024 and involved an HGV and another vehicle travelling in opposite directions.

The LHA has reviewed the circumstances surrounding each PIC and accepts that there does not appear to be any specific patterns which are likely to be exacerbated by the proposals. On this basis, the LHA considers the proposals are unlikely to exacerbate an existing road safety concern.

Trip Generation

The Applicant has advised that the proposed development could generate a maximum material output of approximately 116T over a 24-hour shift per day, in a worst-case scenario, assuming that the extrusion lines and injection moulders are operating at 100% capacity.

Based on this output, the Applicant has calculated the maximum number of HGV trips the proposed development could generate, as shown in Table 1 below:

	Max Theoretical Material Output	Trip Generation (Daily)		
		Materials	Production	Total
Extrusion Lines	112T per day	112T ÷ 29T per tanker = 3.86 trips × 2 = 7.72 trips (two-way)	112T ÷ 20T per load = 5.60 trips × 2 = 11.2 trips (two-way)	18.92 trips (two-way)
Injection Moulding	30T per week (4.3T per day)	4.3T ÷ 29T per tanker = 0.15 trips × 2 = 0.30 trips (two-way)	4.3T ÷ 20T per load = 0.21 trips × 2 = 0.42 trips (two-way)	0.72 trips (two-way)
Total	116T per day	8.02 (i.e. 8 two-way trips)	11.62 (i.e. 12 two-way trips)	20 trips (two-way)

Table 1: Potential maximum HGV trip generation (extracted from the Applicants TA).

The Applicant has stated that in a worst-case scenario, the proposals could generate a maximum of eight (two-way) 29T tanker trips and 12 two-way 20T HGV artic trips (i.e. 20 total HGV trips two-way) on a 24-hour basis. This equates to an average of less than one (two-way) HGV trip every hour, over a 24-hour period.

Whilst the Applicant has applied for 24-hour operation, consideration has also been given to 16-hour operation, which could result in 1.25 (two-way) HGV trips per hour.

Consideration has also been given to the level of trips which could be generated by staff. Up to 60 members of staff could be employed as a result of the proposals and the Applicant proposes the following shift patterns:

- Shift 1 06:00 – 14:00;
- Shift 2 14:00 – 22:00; and

- Shift 3 22:00 – 06:00.

There would be up to 20 employees working on each shift and given the shift patterns, trips would be outside of peak hours on the road network. In the event all staff were to drive their own vehicle, up to 120 two-way trips (60 arrivals and 60 departures) could be generated.

The total proposed trip generation for 24- and 16-hour working is provided in Table 2:

		Cars (Staff)	HGVs	Total
24-Hour	08:00-09:00	0	0.83	0.83
	17:00-18:00	0	0.83	0.83
16-Hour	08:00-09:00	0	1.25	1.25
	17:00-18:00	0	1.25	1.25
Daily		120	20	140

Table 2: Total proposed two-way trip generation (extracted from the Applicants TA).

The LHA accept the proposed trip rates and anticipated level of trips.

Off-Site Implications

As detailed further above under the Site Access section, the Applicant will be required to implement the same road improvement scheme to Brascote Lane, which was conditioned as part of application 22/00420/FUL. The LHA advise that Brascote Lane in its current form is not suitable to cater for additional development traffic, therefore the same improvements are considered necessary prior to occupation of the proposed development.

Whilst the improvements to Brascote Lane would be considered appropriate to cater for the proposed development and application reference 22/00420/FUL, the LHA advise that the impact of any further development proposed off Brascote Lane and the suitability of the measures to cater for further development traffic would be considered on a case by case basis given there are still sections of the road, particularly around Rock Cottage and the private section (which is also a Bridleway), are considered narrow.

The LHA advise the ghost right turn lane at the A447/ Brascote Lane junction would not be required specifically as part of these proposals, given the overall number of trips which are anticipated to be generated by the proposals, which are just under half the level anticipated as part of application 22/00420/FUL.

Internal Layout

Details of the sites internal layout are shown on Kedd Ltd drawing number KD.FPPF.1.D.003. The Applicant has stated within paragraph 5.3.3 that 20 parking spaces would be allocated to the 20 staff which would be on-site within the existing parking area at the north of the site. Of the 20 spaces, two would be accessible spaces.

Based on [Table 29\(a\)](#) of the LHDG, an out of any town development with B2 use would require a minimum of 1 parking space per 55sqm. For a development with an internal floorspace of 5,490sqm 100 car parking spaces would therefore be required. Given the level of parking is a fifth of the minimum parking spaces required as per the LHDG, and provision would reduce the level of parking available for the other permitted uses on-site as it is within the same car park, the LHA advise the Applicant should seek to provide further information and a further parking area. Whilst it is acknowledged only 20 employees are anticipated for each shift, it is unclear where staff for the

next shift would park at shift changeover times for example. This could also be a problem for the wider site if parking provision is reduced.

In terms of HGV provision, a minimum of one space for every 400sqm would be required, resulting in a total of 14 spaces. Whilst paragraph 5.3.4 within the TA states there will be suitable space on site to accommodate HGVs based on expected operational demand, it is unclear where this would be. This should be clarified on a site plan.

The Applicant has stated they would provide an additional 12 cycle parking spaces within a secure, undercover parking area, which is welcomed and can be secured by condition.

Transport Sustainability

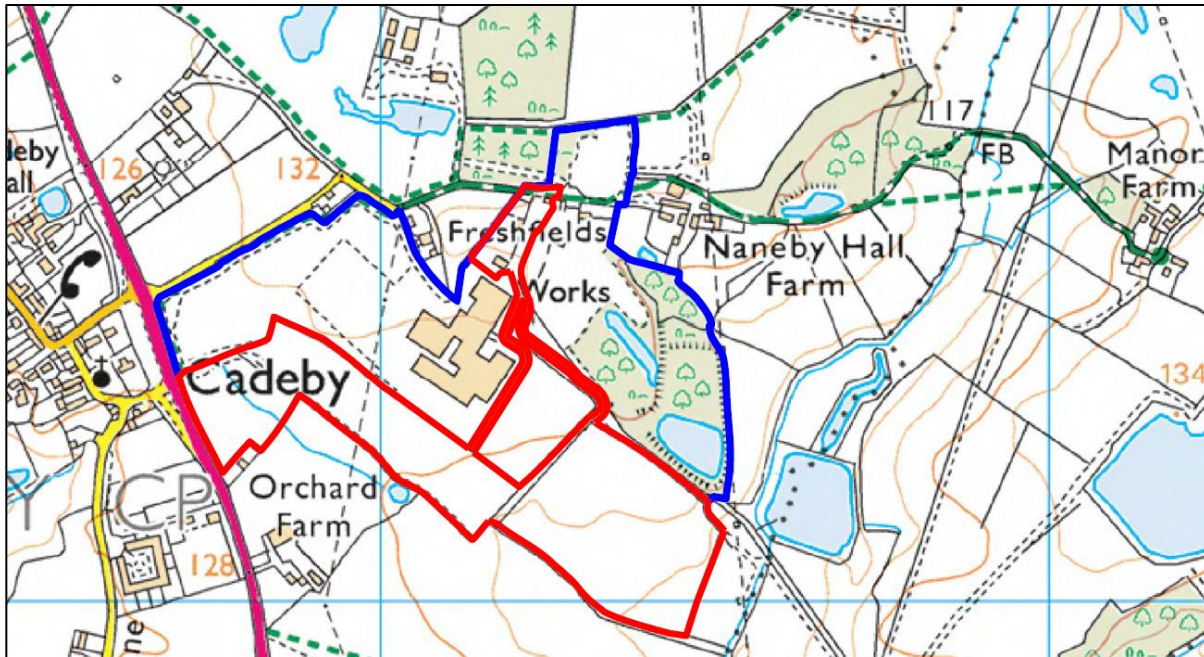
Given the scale of the proposals, a Travel Plan will be required, as per [Table 1](#) of the LHDG. Should the Applicant not submit this as part of revised information, the LHA will require a condition for the travel plan to be provided prior to first use of the development. In addition, a £6,000 Travel Plan monitoring fee would be required. The Applicant would also be required to provide Travel Packs to all employees, which would currently be £52.85 per pack, if supplied through LCC, or attract a £500 fee for the pack to be reviewed.

The site is in a rural area and remote from facilities such as nearby shops. Furthermore, there is no longer a bus service running along the A447 close to the site. In the view of the LHA, this reduces the transport sustainability of the site as it is likely that employees would need to rely on the use of the private car to travel to and from the site. The LHA would usually require a six-month bus pass per employee if a bus service was running past the site.

Notwithstanding the above, the LHA would be happy for the LPA to consider transport sustainability alongside its other sustainability considerations for the site.

Public Rights of Way

The application site red line boundary includes a section of Brascote Lane used by public right of way Bridleway S25. West of that the adopted section of Brascote Lane is paralleled by public right of way Footpath S66 on the Applicant's land. Also, the northern edge of the applicant's land adjoins Footpath S16. This is shown below on the applicant's Location Plan which uses Ordnance Survey 1:25,000 mapping on which public rights of way are marked by green dashes (though the route of Footpath S66 is largely hidden by the blue line boundary of the applicant's other land). However, these public rights of way do not all connect directly so pedestrians must walk along Brascote Lane mixing with the site traffic, that will be intensified by the current application. Simple changes to the rights of way network are needed to better separate the vehicular traffic and pedestrian use and ensure public safety.



The application site is now mainly agricultural land, though part was used for sand and gravel extraction as part of the former Cadeby Quarry. The quarry operated from 1964 until 2021 and various public rights of way (PRoW) were permanently or temporarily diverted due to its operation. The applicant's new roof tile factory is on the site of the quarry processing plant. That adjoins the long-standing precast concrete plant now owned by the applicant.

National Planning Policy Framework (NPPF) para 105 requires that:

'Planning policies and decisions should protect and enhance public rights of way and access, including taking opportunities to provide better facilities for users, for example by adding links to existing rights of way networks including National Trails'.

Accompanying the NPPF is Planning Practice Guidance (PPG) including Rights of Way circular 1/09 which has the same legal status as the NPPF. The NPPF, PPG and Circular 1/09 are applied locally by the LHDG annex on Development and public rights of way at:

<https://www.leicestershirehighwaydesignguide.uk/highway-layouts-and-design/public-rights-way>.

The NPPF requires development 'protect and enhance' in the three contexts of (i) natural, built and historic environment (para 8c), (ii) biodiversity and geodiversity (para 192), and (iii) public rights of way and [outdoor] access (para 105). Similar considerations apply in each case. The linking of 'protect *and* enhance' shows both aspects are required. There needs to be both mitigation and public benefits on the land within, surrounding, or related to the application site and commensurate with the scale of the development.

In the 1992 case *South Lakeland DC v Secretary of State for the Environment* the court ruled 'enhance' is distinct from preserving or protecting but both aspects should be construed together. In the OED the plain meaning of protect is to 'preserve or guarantee by means of formal or legal measures' and enhance is to 'intensify, increase, or further improve the quality, value, or extent of'. In the PRoW context the NPPF explicitly mentions '*... adding links to existing rights of way networks including National Trails ...*' showing that adding public rights of way routes is as valid for enhancement as any physical improvements.

There was a safer, more direct link from Bridleway S25 to Footpath S16, avoiding Brascote Lane, between the mid-1960s and the mid-2010s when Footpath S16 was subject to a long-term temporary diversion to allow for quarry operations. It appears that link was well-used. In 2012 it was used for a circular walk route in a book of country walks published by the Newbold Verdon Parish Plan Group. Around that time, with the support of Cadeby Parish Council, the Parish Plan Group lobbied the LHA for the direct path link to be retained. However, it was not formally enshrined in the quarry restoration plans etc. and subsequently the quarry operator sold or leased some areas of land involved to the applicant.

The roof tile factory application 22/00420/FUL included a Biodiversity Enhancement Area establishing a mosaic of habitats in the northern area of that site, immediately adjoining Footpath S16. Application 23/00622/DISCON sought discharge of some of those conditions. The LHA response dated 28 July 2023 included the request for a safer, more direct pedestrian link by creating a new public footpath along the inside eastern edge of the Biodiversity Enhancement Area, subject to the agreement of whoever owns the land which Footpath S16 crosses over. The applicant then responded that they were not able to address the proposal at that stage, but said they would consider it as a possible future improvement. The current application and further intensification of Brascote Lane seems an appropriate context to make the request again. It should be noted that a new section of public footpath can be formalised by a simple legal process that avoids the costs and potential delays of a footpath diversion/extinguishment scheme.

If further information is required please contact the County Council on (0116) 305 0001 or footpaths@leics.gov.uk.

Closing

Once the additional information referenced above has been submitted to the LPA, the LHA should be in a position to consider the proposals further:

- Provision of ADL drawing number 5321-19 (Response to Stage 1 Road Safety Audit);
- Further clarity in respect of parking provision, notably during shift changeover times, as well as details of HGV parking areas;
- Provision of a Travel Plan; and
- Additional information in respect of the public right of way improvements as detailed above.

Date Received
9 April 2025

Case Officer
Ben Dutton

Reviewer
DH

Date issued
12 May 2025