

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/R1

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

Application Type: Full

Description of Application: Re-consultation. Erection of a pipe manufacturing facility with associated storage

GENERAL DETAILS

Planning Case Officer: Matt Jedruch

Applicant: C/O Agent

County Councillor: Market Bosworth ED - Joshua Melen CC

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 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), subject to the conditions and/or planning obligations outlined in this report.

Advice to Local Planning Authority

Background

The Local Highway Authority (LHA) has been re-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 previously advised within its observations dated 12th May 2025 that additional information was required in support of the proposals, notably:

- 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 (PRoW) improvements.

The LHA has reviewed the following documents, which have been submitted by the Applicant with the view to resolving the LHA's outstanding comments:

- Transport Note (TN) referenced ADL/AM/5321/TN/03B and authored by ADL Traffic & Highways.

Site Access

The LHA previously advised the Applicant would need to undertake 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)). The Applicant has stated in paragraph 2.2 that the latest drawings are provided within Appendix 6.0 of the original Transport Assessment and these are currently going through the technical approval process.

The LHA accepts the proposals shown on ADL drawing numbers 5321-101.1 Rev. A, 5321-101.2 and 5321-101.3 Rev. A. As previously advised however, given the scale of the proposed development, the Applicant would not be required to construct the ghost right turn lane shown on drawing 5321-101.1 Rev. A, and only the works to provide kerb lines and widening on Brascote Lane would be required.

Highway Safety

As advised previously, the LHA considers the proposals are unlikely to exacerbate an existing road safety concern.

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.

Internal Layout

The LHA previously advised that based on the Leicestershire Highway Design Guide (LHDG), 100 car parking spaces would be required within the site. Given the level of parking proposed is only a fifth of the minimum parking provision required, the proposals would also reduce the level of available parking for other permitted uses on the site. Concerns were also raised that there could be a parking problem at shift changeover times either for the proposed development or the wider site. The LHA requested the Applicant to provide additional information in respect of parking and a further parking area.

The Applicant has responded within Part 6 of the TN that whilst it is acknowledged that another B2 operator could require additional parking, given the niche nature of the site in the event FP McCann were to vacate, two scenarios are likely. One is that a similar operator would occupy the site and the other is that planning permission would be required to change the site and its buildings to reflect the industry specific requirements from another operator.

The Applicant considers in the first scenario, the parking demands would likely be similar and in the other, this would be considered as part of any planning application.

In addition to the above, the Applicant has stated there are hardstanding areas that can accommodate additional parking demand should it become apparent that additional parking is required. The Applicant has also highlighted that as part of the construction of application reference 23/00926/FUL within the wider site, parking has been relocated elsewhere within the site.

Within paragraph 6.7 of the TN, the Applicant has stated suitable overflow areas would be provided within the site should the car park ever be full and staff would be informed of where these are and that no parking would be permitted externally or locations where it would detrimentally affect the operations of the business.

Overall, the LHA accepts the above and considers with overflow parking provision available as well as the narrow nature of the adopted section of Brascote Lane, it is unlikely the development would lead to on-street parking problems in the area.

The LHA previously advised that a total of 14 HGV spaces would be required and that while it was stated there would be suitable space to accommodate HGV's, it was unclear where this would be. The Applicant has stated within the TN that similarly to the car parking situation, the site-specific operations do not result in an accumulation of HGVs for significant periods of time. Vehicles would arrive to deliver or pick up and then immediately leave the site. The Applicant has however shown an HGV overflow storage area to the south of the site within the TN.

Transport Sustainability

The LHA previously requested the Applicant to submit a Travel Plan to accompany the proposals. The Applicant has stated that whilst they would be happy to do so, given the limited public transport options to/ from the site it is questioned what value this would offer. Whilst a Travel Plan would usually be required for the scale of development proposed, on reflection, the LHA accept that this would potentially have little benefit given the location of the site under the site-specific circumstances.

The Applicant has however stated cycling would be the most realistic sustainable travel choice to encourage and that cycle discount vouchers could be explored and offered to staff. The LHA advise it would still be beneficial for the Applicant to provide Travel Packs, as despite the location, these could highlight methods of sustainable travel such as car sharing, walking/ rights of way network and cycling to staff.

Public Rights of Way

The LHA previously requested additional information in respect of improvements which could be made to the Public Rights of Way (PRoW) network in the vicinity of the site.

The recently submitted Transport Note ref.: ADL/AM/5321/TN/03B includes section 8.0 on Public Rights of Way. It notes that *"Possible improvements to the public rights of way (PROW) and their connections along Brascote Lane were discussed historically for the tile factory application when submitting discharge of condition application 23/00622/DISCON in relation to Condition 13 for 'signage and management'."*

On the LPA's planning portal for application reference 23/00622/DISCON, document reference 'C13 Applicants Response to PROW Comments' dated 28th July 2023, the Applicants final word on this was *"We will certainly consider this suggestion as a possible future improvement (subject to co-operation from neighbouring landowners) but we will not be providing any additional details at this point."* It was on this basis that the issue was raised again in this context.

The Applicant has stated within the TN that their position on the potential for further improvements has not changed, however they do not believe further improvements are necessary in order for planning permission to be granted. In addition, the Applicant has stated that they would require third party land to deliver linkages to existing routes and there would also be legal processes to divert the PRoW separate to the application.

The TN states the Applicants have not been made aware of any prevailing issues regarding the safe use of the existing bridleway. However, this is because the present situation discourages public use of the bridleway. In most situations it is accepted that non-motorised users are best kept separate from vehicle traffic, which is essentially what is requested by the LHA. As noted Cadeby Parish Council, and Newbold Verdon Parish Plan Group previously highlighted the bridleway east of Naneby Hall farm was well used in the past, when the temporary footpath diversion for quarry operations provided a shortcut so pedestrians could completely avoid the industrial traffic on Brascote Lane, Cadeby. This shortcut option is now no longer available but could be recreated.

In terms of the legal processes and diverting the PRow, the Applicant should note that this has never been what is being requested in this situation. As the previous LHA comments noted “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.” That simple legal process is wholly separate and involves no cost to the applicant apart from their staff time.

Whilst the LHA accepts that as part of this application it could not justify further work in respect of improvements to the PRow network given third party land and the additional level of traffic being generated, it should be noted that any future applications along the route which result in an intensification in use by vehicular traffic, particularly HGV's, could necessitate further improvements in order to separate vehicles and non-motorised users.

The LHA advises it would be willing to work with the Applicant outside of the planning arena to secure improvements to the PRow network. The PRow team can be contacted on (0116) 305 0001 or footpaths@leics.gov.uk.

Conditions

1. No part of the development shall be occupied until such time as the offsite works shown on ADL drawing numbers 5321-101.1 Rev. A (with the exception of the ghost right turn lane on the A447 Ashby Road), 5321-101.2 and 5321-101.3 Rev. A have been implemented in full.

REASON: To mitigate the impact of the development, in the general interests of highway safety and in accordance with the National Planning Policy Framework (2024)

2. No development shall commence on the site until such time as a construction traffic management plan, including as a minimum details of 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 shall thereafter be carried out in accordance with the approved details and timetable.

REASON: To reduce the possibility of deleterious material (mud, stones etc.) being deposited in the highway and becoming a hazard for road users, to ensure that construction traffic does not lead to on-street parking problems in the area.

3. The development hereby permitted shall not be occupied until such time as the parking and turning facilities have been implemented in accordance with KEDD drawing number KD.FPPF.1.D.003. Thereafter the onsite parking and turning provision shall be kept available for such uses in perpetuity.

REASON: To ensure that adequate off-street parking provision is made to reduce the possibility of the proposed development leading to on-street parking problems locally (and to

enable vehicles to enter and leave the site in a forward direction) in the interests of highway safety and in accordance with the National Planning Policy Framework (2024).

4. The development hereby permitted shall not be occupied until such time as secure cycle parking shall be provided in accordance with details first submitted to and agreed in writing by the Local Planning Authority. Thereafter the onsite cycle parking provision shall be kept available for such use(s) in perpetuity.

REASON: To promote travel by sustainable modes in accordance with the National Planning Policy Framework (2024).

Informative

- It is an offence under Section 148 and Section 151 of the Highways Act 1980 to deposit mud on the public highway and therefore you should take every effort to prevent this occurring.
- The Public Right(s) of Way must not be re-routed, encroached upon or obstructed in any way without authorisation. To do so may constitute an offence under the Highways Act 1980.
- The Public Right(s) of Way must not be further enclosed in any way without undertaking discussions with the Highway Authority (0116) 305 0001.
- If the developer requires a Right of Way to be temporarily diverted, for a period of up to six months, to enable construction works to take place, an application should be made to networkmanagement@leics.gov.uk at least 12 weeks before the temporary diversion is required.
- Any damage caused to the surface of a Public Right of Way, which is directly attributable to the works associated with the development, will be the responsibility of the applicant to repair at their own expense to the satisfaction of the Highway Authority.
- No new gates, stiles, fences or other structures affecting a Public Right of Way, of either a temporary or permanent nature, should be installed without the written consent of the Highway Authority. Unless a structure is authorised, it constitutes an unlawful obstruction of a Public Right of Way and the County Council may be obliged to require its immediate removal.

Contributions

Please note that the exact monetary values will need to be agreed prior to the signing of the Section 106 agreement and may be subject to indexation.

To comply with Government guidance in NPPF and commensurate with Leicestershire County Council Planning Obligations Policy the following contributions would be required in the interests of encouraging sustainable travel to and from the site, achieving modal shift targets, and reducing car use:

1. Travel Packs, one per employee; to inform new employees from first occupation what sustainable travel choices are in the surrounding area (can be supplied by LCC at £52.85

per pack). If not supplied by LCC, a sample Travel Pack shall be submitted to and approved in writing by LCC which will involve an administration charge of £500.

Reason: To inform new employees from first use what sustainable travel choices are available in the surrounding area.

Suggested trigger point: Prior to first occupation/ first use of the employment development.

Date Received
4 June 2025

Case Officer
Ben Dutton

Reviewer
DH

Date issued
7 July 2025