

**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.

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**APPLICATION DETAILS**

Planning Application Number: 26/00304/CONDIT

Highway Reference Number: 2026/0304/04/H

Application Address: Land South Of The A5 Padge Hall Farm Hinckley Leicestershire

Application Type: Variation of Condition (s73)

Description of Application: Application to vary conditions 10,12,13,14,15 of planning permission 21/01191/HYB. Amendments the phasing of highways works

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**GENERAL DETAILS**

Planning Case Officer: Christopher Brown

Applicant: Mr Robert Gilmore

County Councillor: Hollycroft ED - Ann Pendlebury CC

Road Classification: Class A

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**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 conditions 12, 14 and 15

**Objection**

Objection to the variation of Conditions 10 and 13.

**Advice to Local Planning Authority**

**Background**

The Local Highway Authority (LHA) has been consulted on a s73 variation of conditions application to vary the following conditions which are attached to planning permission 21/01191/HYB (Approved on 21<sup>st</sup> December 2023) Land at Padge Hall Farm located to the south of the A5, Hinckley.

- 10 (a scheme of works at A5 Dodwells roundabout);
- 12 (pedestrian footway along the northern side of the A5);
- 13 (scheme of works for the lowering of the A5 carriageway);
- 14 (pedestrian and cycle access); and
- 15 (way finding strategy)

The development site is mostly within Warwickshire. However, the county boundary with Leicestershire runs through the northern part of the site, therefore a small area, including the approved vehicle access onto the A5 falls within Leicestershire.

The development benefits from a hybrid planning consent under the following planning permissions:

- Rugby Borough Council (RBC) planning permission reference R21/0985, dated 20 December 2023;
- Hinckley & Bosworth Borough Council (HBBC) planning permission reference 2101191/HYB, dated 21 December 2023; and
- Nuneaton & Bedworth Borough Council (NBBC) planning permission reference 038340, dated 24 April 2024.

The LHA has also been consulted on variation of conditions application R24/0081 by RBC and will respond to that application in a separate response.

The LHA understand that the planning conditions stipulate that the highway works associated with the Padge Hall Farm development should be delivered prior to the development first being brought into use. This s73 application seeks to vary the conditions to allow the occupation of Unit 1 prior to the highway works being completed. Unit 1 would be occupied by Tesco who would relocate from their existing unit on the A47 Dodwells Road approximately 600m to the north of the Padge Hall Farm site.

The Applicant states the existing traffic movement in the area relating to the Dodwell Road warehouse will remain as existing, with no significant increase to the road network in the near future following the relocation to the new facility.

Tesco have confirmed that following the vacation of the unit on Dodwells Road, the owner of the warehouse intends on refurbishing the unit and that it won't be occupied until April 2027 at the earliest. Notwithstanding this, the LHA consider there is no mechanism to prevent the unit from being occupied prior to April 2027. If occupied sooner, this could result in additional traffic on both the LHA's highway network and National Highways' Strategic Road Network (SRN).

The LHA provided a positive recommendation to the hybrid application dated 27<sup>th</sup> February 2023. Whilst the LHA did advise conditions 14 and 15, It did not advise of the conditions 10,12 and 13.

Notwithstanding the above, the LHA comment on the variation of conditions proposed.

The highway observations are in response to the following documents which have been submitted to HBBC and are available to view on their planning website.

- Covering Letter prepared by Oxalis Planning dated 29<sup>th</sup> March 2026;
- Letter prepared by Tesco Stores Limited uploaded to HBBC's planning website dated 31<sup>st</sup> March 2026;
- Technical Note prepared by ADC Infrastructure Limited, dated 24<sup>th</sup> March 2026;

For the avoidance of doubt, conditions 10, 12, 13, 14 and 15 have been reproduced below.

## **Condition 10**

### **Existing Condition**

*Prior to the development first being brought into use, a scheme of works at A5 Dodwells roundabout as shown on drawing 1839-DR-007 Rev P5 (or as amended by a Road Safety Audit or Detailed Design), having first been submitted to and approved in writing by the Local Planning Authority (LPA) in consultation with National Highways, shall be provided in accordance with the approved details.*

### **Proposed Condition**

*With the exception of Unit 1, prior to the remaining Units being brought into use, a scheme of works at A5 Dodwells roundabout as shown on drawing 1839-DR-007 Rev P5 (or as amended by a Road Safety Audit or Detailed Design), having first been submitted to and approved in writing by the Local Planning Authority (LPA) in consultation with National Highways, shall be provided in accordance with the approved details*

### **Highways Comments:**

The LHA support NH's request for updated trip generation for the current Tesco site including the floor area. Trip distribution for unit 1 should also be provided for review. Accordingly, the LHA currently objects to the variation of condition 10.

## **Condition 12**

### **Existing Condition**

*Prior to the development hereby permitted first being brought into use, the pedestrian footway along the northern side of the A5 between the Nutts Lane Rail Bridge to the site access (as approved under Condition 11) will be implemented in full and available for use in accordance with the approved plans.*

### **Proposed Condition**

*With the exception of Unit 1, prior to the remaining Units being brought into use, the pedestrian footway along the northern side of the A5 between the Nutts Lane Rail Bridge to the site access (as approved under Condition 11) will be implemented in full and available for use in accordance with the approved plans.*

### **Highways Comments:**

The LHA support NH's conclusion that the pedestrian footway along the northern side of the A5 between the Nutts Lane Rail Bridge to the site access can be implemented after the occupation of Unit 1 without having a severe impact on the SRN as per NH's advice.

## **Condition 13**

### **Existing Condition**

*The scheme of works for the lowering of the A5 carriageway under the Nutts Lane railway bridge, as shown on drawing 1839-DR-100 Rev P2, having first been submitted to and approved in writing by the Local Planning Authority (LPA) in consultation with National Highways, shall be completed prior to any part of the development hereby approved being first brought into use. The works shall be carried out in accordance with the approved details.*

#### Proposed Condition

*The scheme of works for the lowering of the A5 carriageway under the Nutts Lane railway bridge, as shown on drawing 1839-DR-100 Rev P2, having first been submitted to and approved in writing by the Local Planning Authority (LPA) in consultation with National Highways, shall be completed, with the exception of Unit 1, prior to the remaining Units being first brought into use. The works shall be carried out in accordance with the approved details.*

#### **Highways Comments:**

The LHA will comment further on the variation of condition 13 once in receipt of the proposed trip distribution for unit 1. Network Rail should also confirm they are content with the variation of the condition. Accordingly, the LHA currently objects to the variation of condition 10.

#### **Condition 14 (Rugby Condition 24)**

##### Existing Condition

*No part of the development shall be first brought into use until such time as the pedestrian and cycle access as generally shown on drawing number ADC1839-DR-021 Rev P2 has been implemented in full.*

*Reason: To mitigate the impact of the development, in the general interests of highway safety and encouraging sustainable access in accordance with the National Planning Policy Framework (2021).*

##### Proposed Condition

*Unit 1 shall not be brought into use until such time as the pedestrian and cycle access as generally shown on drawing number ADC839-DR025 rev P2 (Phase 1) has been implemented in full. No part of the remainder of the development shall be first brought into use until such time as the pedestrian and cycle access as generally shown on drawing number ADC1839-DR-026 rev P1 (Phase 2) has been implemented in full.*

#### **Highway Comments:**

The LHA understand that this condition is a pre-occupation condition relating to the provision of pedestrian and cycle links from Unit 1. These works include a 3m wide footway between Unit 1 and the bus stops on the A5 and a 3m wide footway/cycleway linking Unit 1 with the proposed Non-Motorised Users (NMU) facilities at the Dodwells roundabout.

It is understood that in order to facilitate Unit 1 being occupied it is proposed to vary these planning conditions to phase the proposed NMU works. The first phase of works is shown on drawing number ADC1839-DR-025 rev P2.

In addition, the 3m wide footway/cycleway and the emergency access route will be provided between Unit 1 and the Dodwells roundabout. Notwithstanding, as the Dodwells roundabout improvements will not be implemented within the Phase 1 timetable the footway/cycleway and emergency access will not connect to the Dodwells roundabout.

The Applicant therefore proposes that the condition is varied to stipulate that the Phase 1 works are delivered prior to the occupation of Unit 1. This will ensure that employees and visitors to Unit 1 will have direct access to the bus stops.

On the basis of the above, the LHA have no objection to the variation of condition 14.

### **Condition 15**

#### **Existing Condition**

*No part of the development shall be first brought into use until such time as the way finding strategy as generally shown on drawing number ADC1839- DR-020 Rev P2 has been agreed in writing with the Local Planning Authority (in consultation with the relevant highway authorities) and implemented in full.*

#### **Proposed Condition**

*With the exception of Unit 1, prior to the remaining Units being brought into use until such time as the way finding strategy as generally shown on drawing number ADC1839- DR-020 Rev P2 has been agreed in writing with the Local Planning Authority (in consultation with the relevant highway authorities) and implemented in full.*

### **Highways Comments:**

The condition relates to a way finding strategy at Dodwells Roundabout. The strategy consists of a signage scheme which specifically directs pedestrians and cyclists across new Toucan crossings on the western side of the Dodwells roundabout.

The Toucan crossings will be provided as part of the scheme of works at the Dodwells roundabout as specified in the condition. The Applicant therefore proposes that condition 15 is also varied in line with the proposed variation to planning condition 10.

The LHA consider the way finding strategy can be agreed and implemented after the occupation of unit 1 without having a severe impact on the SRN as per NH's advice or the LHA's highway network.

#### **Additional Comments**

The LHA note that a further Technical Note (TN) provided in June appears have been submitted to NH, however there is no record of the TN on HBBC's planning website, nor have the LHA received a further consultation with the document.

It appears from NH's comments dated 24 June 2026, NH have requested further information regarding the survey used to calculate the trip generation for the current Tesco site.

Trip distribution appears to have been submitted, and NH are content with the approach however cannot accept a reduction in trips from the existing Tesco unit as NH cannot control when it may become occupied again. This supports the LHA's opinion above.

In relation to condition 10, NH recommends that the A5 Dodwells is modelled using the previously used VISSIM model to assess the potential impacts at roundabout because of the change to condition 10. The LHA would be supportive of this recommendation.

In relation to condition 13, it appears that NH are now in principle, content with the change in this condition, providing a confirmation from Network Rail is provided showing that they are content with the change. The LHA will await confirmation from Network Rail as well as the requested the trip distribution.

**Date Received**  
**14 April 2026**

**Case Officer**  
**Suraj Dave**

**Reviewer**  
**AW**

**Date issued**  
**12 August 2026**