

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 Growth, Environment & Transport.

APPLICATION DETAILS

Planning Application Number: 25/00931/FUL

Highway Reference Number: 2025/0931/04/H/R4

Application Address: Cliffe Hill Farm Little Shaw Lane Markfield Leicestershire LE67 9PP

Application Type: Full

Description of Application: Re-consultation. Development of a logistics park for storage and distribution (Class B8), general industry (Class B2), ancillary office space (Class E) and associated infrastructure.

GENERAL DETAILS

Planning Case Officer: Emma Baumber

Applicant: Mr David Baker-Brook

County Councillor: Markfield, Desford & Thornton ED - Charles Whitford CC

Parish: Markfield

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 re-consulted by Hinckley & Bosworth Borough Council as the Local Planning Authority (LPA) on a full application for the development of a logistics park for storage and distribution (Class B8), general industry (Class B2), ancillary office space (Class E) and associated infrastructure at Cliffe Hill Farm, Little Shaw Lane, Markfield. The LHA previously advised within its observations dated 27th March 2026 the following additional information was required:

- Additional information/ detail in respect of the site ingress/ egress arrangements and off-site works as necessary;
- Potentially additional Personal Injury Collision analysis over a wider study area depending on the results of the transport modelling work;
- Provision of the Pan Regional Transport Model (PRTM) modelling work including traffic diagrams and furnished flows for review;

- Junction capacity assessments and junction models of all affected junctions and, if necessary, details of any mitigation schemes to improve capacity;
- Provision of an updated Framework Travel Plan; and
- Further clarification in respect of the Public Right of Way (PRoW) through the site.

The Applicant then submitted a Transport Assessment Addendum (TAA) dated 18th June 2026. The LHA advised on 1st July 2026 that the following further information would be required for a more detailed review of the proposals by the LHA:

- The Applicant has stated within Paragraph 2.1 of the TAA that an updated Stage 1 Road Safety Audit will be submitted in due course. This is required by the LHA to enable further consideration of the proposed off-site works;
- The raw data for all traffic counts included within the Applicant's study junctions;
- Junction modelling files to enable these to be checked by the LHA; and
- The PRTM forecasting report, as this has not been included within the TAA.

The LHA has reviewed the following additional documents submitted by the Applicant in support of the proposals:

- Transport Assessment Addendum (TAA) dated 18th June 2026 and authored by Ridge;
- Framework Travel Plan Rev. F, dated 5th June 2026 and authored by Ridge;
- Technical Note 5 (Furnessing and Forecasting Methodology) dated 14th May 2026 and authored by Aecom;
- Ridge drawing number T22523 002 Rev. N (Proposed A50 site access swept path analysis 01);
- Ridge drawing number T22523 005 Rev. L (Toucan Crossing Stopping Sight Distances);
- Ridge drawing number T22523 009 Rev. B (A50 Forward Visibility to ne Slip Road Merge Layout);
- Updated Stage 1 Road Safety Audit Report (RSA1) (Proposed Toucan Crossing and Site Access on A50) dated 23rd June 2026 and authored by RSK Associates;
- Updated Stage 1 Road Safety Audit Report (Whitwick Road/ A50 Westbound Slip Road) dated 26th June 2026 and authored by RSK Associates;
- UMC Architects drawing number 24473-UMC-ZZZZ-ZZ-DR-A-061 Rev. C04 (Site Masterplan); and
- Uncertainty Log (Rev. 1.0).

Site Access

A50 Ingress

Details of the site ingress are shown on Ridge drawing number T22523 001 Rev. O which is available in the RSA1, and the swept path analysis is provided on Ridge drawing number T22523 002 Rev. N, available from the LPA's planning website.

The LHA advises the following points:

- A 1.0m grass verge is proposed for the shared use cycleway on the north side on the A50, but as per LTN1-20 Table 6-1 an absolute minimum width of 1.5m is required. This should be amended by the Applicant.

- The link between the site ingress and PRoW R1 alongside the A50 appears to have been removed. The LHA request this is surfaced, as detailed in the Public Rights of Way section further below.
- Flaring is now shown for the southern arm of the roundabout as requested.
- The Applicant's justification for the roundabout being designed as a compact roundabout, but with an ICD greater than 36m is accepted by the LHA. The Applicant justifies this greater ICD as being required to accommodate an 18.55m length articulated vehicle. Exit widths of 5.5m are now provided which the LHA agree would allow the HGV to pass a broken-down vehicle.
- Swept path analysis is accepted by the LHA.

Whitwick Road Egress

Details of the Whitwick Road egress are provided on Hub drawing number T22523 004 Rev. G, available within the Drawings section of the TAA.

- The LHA has no further comments to make on the drawing at this time.

Highway Safety

It was previously acknowledged by the Applicant that further investigation into highway safety may be required following the PRTM modelling work. The Applicant has advised within the TAA that the highway safety section of the previous Transport Assessment (Rev. C) already includes all the junctions within the area of influence and that no changes to the scope of the assessment are required, therefore the previous analysis remains current and appropriate.

The Applicants Personal Injury Collision (PIC) analysis was considered by the LHA within its observations dated 4th December 2025. The LHA accepted that the proposals are unlikely to exacerbate an existing highway safety concern and this included consideration of an additional four PIC's within the Applicants study area which the LHA had identified since March 2025.

The LHA has undertaken a further review of PIC data (until end of July 2026) and a further 11 PICs have been recorded since this time, with the most recent on record being in June 2026. These included seven slight, three serious and one fatal PIC. Regrettably, the fatal (occurring in March 2025) and one of the serious PIC's occurred on the M1 mainline between the junction on/ off slip roads.

Three of the PIC's including one serious and two slight in severity, occurred on the section of A50 between M1J22 and the Launde Road/ Leicester Road/ A50 Leicester Road/ Markfield Lane roundabout (Field Head roundabout). The serious PIC involved two vehicles travelling in opposing directions on the eastbound carriageway. The slight PIC's involve a rear end shunt on the eastbound carriageway close to the Field Head roundabout and a collision involving three vehicles across both carriageways of the A50.

Two PIC's occurred at the Whitwick Road, Copt Oak Road (B591) signalised junction. The first, which was recorded as slight in severity, involved a rear end shunt close to the junction on Whitwick Road. The second was recorded as serious and involved a single vehicle leaving the carriageway at the junction.

Three PIC's, which were all recorded as slight in severity occurred at the A511 Little Shaw Lane/ Stanton Lane/ A511 Shaw Lane/ B591 Copt Oak Road roundabout (Flying Horse roundabout). These involved a rear end shunt on the eastbound carriageway, east of the roundabout, a collision

between a vehicle pulling out of a junction and another vehicle on the roundabout, and a collision between two vehicles on the roundabout, one of which was changing lanes.

The remaining PIC occurred at the Whitwick Road junction with the A50 westbound on/ off slip roads. This involved a single vehicle and was recorded as slight in severity.

The LHA advise that whilst all PIC's are regrettable, there does not appear any emerging patterns or trends with the further data included. Furthermore, the Flying Horse and Field Head junctions form part of the [A511 Growth Corridor](#) works, of which the LHA advise the proposed development is very likely to need to contribute towards. The Applicant is also proposing a signalisation scheme at the Whitwick Road junction with the A50 westbound on/ off slip roads and improvements to the westbound A50 on slip road as detailed further below.

This is however subject to a safe and suitable access arrangements and off-site works being provided.

Trip Generation and Distribution

Trip Generation

As previously advised, the LHA accept the Applicants trip rates on the basis of a maximum of 20% B2 usage within the site. The LHA understand the LPA would seek to impose a condition to this effect.

Trip Distribution

To distribute the development traffic through the network, the Applicant has used Leicestershire County Council's [Pan Regional Transport Model](#) (PRTM). The LHA has previously been awaiting the Applicant's modelling work; however this has now been completed.

The LHA has worked with the Applicant throughout the pre-application stage and agreed the Base Year Model Review and Uncertainty Logs. It should be noted the uncertainty includes the following committed development within Markfield:

- P/21/1260/2 (Charnwood Borough Council)/ 21/00787/OUT (Hinckley & Bosworth Borough Council) - 93 dwellings, Land North East Of Ashby Road, Markfield

The following developments are not included within the uncertainty log:

- 20/01283/FUL – 282 dwellings, Land Off London Road, Markfield
- P/22/1031/2 - 115 dwellings, Land South of Markfield Lane, Field Head, Markfield
- 25/00676/OUT – 135 dwellings, Land South Of Jacqueline Road, Field Head, Markfield
- 25/01157/OUT – 67 dwellings, Land Opposite Industrial Estate, Hill Lane, Markfield

With regards to application reference 20/01283/FUL, the LHA advise that this appears to have been omitted from the Uncertainty Log despite being granted planning permission. That application was assessed using PRTM. The LHA advise the traffic flows for the development will require consideration by the Applicant.

The LHA advise that the remaining applications were not committed (with application 25/01157/OUT still to be determined by the LPA to date) or had further work to do in terms of trip distribution at the time the initial PRTM work had commenced.

The LHA is liaising with the Applicant on this matter.

The LHA advise that whilst the Applicant has submitted Technical Note 5 (Furnessing and Forecasting Methodology), a Forecasting Report which illustrates the area of influence, flow diagrams which detail the assigned trip distribution throughout the wider area (not just the area of influence), or the forecast traffic flow changes for example has not been provided. This would be highly beneficial to the LHA to understand the wider picture as to where on the network PRTM is routing development traffic during the AM and PM peaks, not just within the area of influence.

Given that PRTM is a strategic model which is not validated on turning counts, its results need to be applied to recent junction turning survey results to develop turning flows which are suitable for detailed junction assessment. Technical Note 5 includes traffic flows which have been developed from these sources using a 'Furnessing' methodology which was undertaken by Aecom. The LHA has reviewed this and advises that whilst the methodology appears acceptable, there is no definition of the convergence criteria and a lack of reporting on this for each junction and vehicle type (lights and heavies). This should be provided by the Applicant for review and approval.

Junction Capacity Assessments

The Applicant has stated the area of influence within the PRTM modelling identified the following junctions for further assessment:

1. Proposed Whitwick Road/Site Egress priority junction;
2. Whitwick Road/A50 Eastbound (EB) Off-Slip/A50 EB On-Slip priority junction;
3. Whitwick Road/A50 Westbound (WB) Off-Slip/A50 WB On-Slip priority junction;
4. Copt Oak Road Signals;
5. Flying Horse Roundabout (committed scheme as part of the A511 Growth Corridor Improvements); and
6. M1 Junction 22 (survey date 15/10/2025)

Given the site access off the A50 is ingress only, there is no requirement for this to be modelled.

The Applicant has provided the raw data for the M1J22 junction, which was assessed on 15th October 2025. The raw data is included within Technical Note 6. The LHA holds a survey permit on record and has spot checked the data against the 2025 baseline scenario within Technical Note 5 and this is considered acceptable. The LHA requests clarification as to when the junction counts were undertaken at all other junctions, along with provision of the raw data for these as this does not appear to be available.

It should be noted junction capacity assessments should be undertaken of all key junctions where approximately 30 or more two-way trips are likely to be generated because of the proposed development in either the AM or PM peaks. The Applicant has not undertaken a capacity assessment of the Field Head roundabout, which the LHA feel given its proximity to the site and the level of traffic which could be generated by the proposals, is needed. In the absence of a Forecasting Report and flow diagrams which indicate where the development traffic is routing throughout the wider area, the LHA initially question how the roundabout would not fall within the area of influence given it is on a key route between the site and Leicester.

This leads the LHA to question whether PRTM has routed traffic away from the roundabout via Priory Lane and roads within the Ulverscroft area and Hill Lane/ London Road/ Ratby Lane in future year scenarios due to being these being quicker alternatives. Furthermore, the LHA would strongly

advise this roundabout is assessed regardless of whether 30 or more two-way trips are generated given that the roundabout forms part of the A511 Growth Corridor works and the cumulative impact of development in the wider area causing capacity concerns.

The following modelling scenarios have been considered by the Applicant:

- 2025 Baseline;
- 2028 Future Base (Opening Year);
- 2028 Future Base (Opening Year) + Proposed Development;
- 2030 Future Base;
- 2030 Future Base + Proposed Development;
- 2036 Future Base; and
- 2036 Future Base + Proposed Development

The LHA accepts the scenarios which have been considered. It is noted that the PRTM future year scenarios consider the improvements which are to be delivered by the A511 Growth Corridor works to be in place. Whilst this scenario is welcomed by the LHA, it is requested a scenario is provided whereby the Growth Corridor works are not in place, to understand the impact of the proposals on the network if the current scenario was to remain.

Whilst the LHA advises additional work is required for a more conclusive response to be provided on each junction, after reviewing the submitted models, the LHA is largely satisfied the modelling of the junctions has been undertaken correctly. Comments on specific junctions, where necessary are provided below and a more detailed response will be provided following completion of the additional work.

Junction 3

As detailed in Section 3.5 of the Applicants TAA, junction 3 is shown to operate over capacity in the AM peak in the following scenarios:

- 2030 Future Base + Proposed Development;
- 2036 Future Base; and
- 2036 Future Base + Proposed Development

The junction is forecast to operate within capacity during all PM peak scenarios, including those above.

The Applicant has highlighted that with the proposed improvements as part of the A511 Growth Corridor scheme implemented at the Flying Horse roundabout, the number of right turn movements from Whitwick Road north arm onto the westbound A50 increases. This is evidenced by right turning traffic increasing from 45 PCU's in the 2025 Baseline AM scenario to 214 PCUs in the 2028 Future Base AM scenario. The Applicant also highlights in the 2036 Future Base scenario, the junction would be overcapacity in the AM peak with delays of approximately two minutes. The Applicant has accepted the proposed development would worsen the operation of the junction and therefore proposed the signalisation scheme detailed further below as mitigation.

In the 2030 Future Base + Proposed Development scenario, delays of approximately four minutes are forecast to occur on the Whitwick Road (north) right turn to the A50 westbound slip road arm. This is opposed to approximately 15 seconds without the development in place. In the 2036 Future

Base + Proposed Development scenario, there could be delays of over 10 minutes on the same arm, as opposed to approximately two minutes without the development in place.

When modelling the proposed scheme, the Applicant has considered the pedestrian crossings to be called every fourth cycle, or five minutes. It is clear from the modelling within Table 5 of the TAA that with the proposed scheme in place, the junction would operate within capacity in all scenarios. The Applicant has also highlighted that the maximum queue length would be approximately 21 vehicles or 120 metres, which would not block back to junction 2.

Notwithstanding the further modelling works required, the LHA advises the following at this stage:

- The model shows no left turn traffic from the slip road to Whitwick Road south. If this is the case, the LHA strongly advises the full signalisation of the slip road and a pedestrian crossing over its full length. There could also be scope to tighten the junction up and reduce the crossing width, removing the need for the central refuge. This would be highly beneficial as opposed to having a controlled crossing over half of the slip road only, which is an unusual layout and would not usually be accepted by the LHA.
- Notwithstanding the above point, for Arm 1, the right turn storage entered in the model (four Passenger Car Units) should be checked, three PCU's may be more accurate.
- The phase delay on a stage 1 to 2 move for phase C should be removed as that will give more time for right turners to clear the junction before phase B gains right of way.

Junction 4

The Applicant has advised that the cycle time for the 2025 Baseline scenario was left at 70 seconds, which is the cycle time in the model that was provided by LCC. For the future scenarios, the cycle time was optimised to accommodate changes to both the volume and distribution of traffic through the junction.

The Applicant has stated that the junction is forecast to operate close to theoretical capacity during all future year scenarios. However, the impact of the proposed development on the operation of the junction is minimal because the largest increase to delay of 23 seconds would occur on the Whitwick Road (N) approach between the 2036 with and without development scenarios. Therefore, the Applicant considers the impact of the development not to be severe in line with the NPPF and is not proposing any mitigation because of the development.

The LHA note that the junction capacity appears to improve between the 2030 Future Base and 2030 Future Base + Proposed Development scenarios and requests clarity as to why this may be the case. It is also noted in the 2036 Future Base + Proposed Development scenario, capacity reduces from -1.87 without the development in the AM peak to -8.3.

At this stage it is advised it would be beneficial for the Applicant to contribute towards MOVA validation at the junction, which would be approximately £2,000.

Junction 5

The junction has been assessed on the basis that improvements proposed by LCC as part of the A511 Growth Corridor works have been implemented in the future year scenarios. With the improvements in place, the junction is shown to operate within capacity in all scenarios and the development traffic having minimal impact.

Junction 6

The LHA notes that Technical Note 7 has recently been submitted to the LPA by the Applicant, which covers this junction. This has not been reviewed by the LHA in detail at this stage. The LHA advises that based on the submitted modelling it has reviewed, in both the base and proposed LINSIG models, Arm 6, Lane 2 should be left turn only (not ahead and left). Also Arm 2, Lane 2 should be left only (not ahead and left). This has previously been raised in National Highways observations but does not seem to have been rectified as part of what the LHA has reviewed.

The Applicant should amend and rerun the junction model with the correct configuration.

A50 Pedestrian Crossings

The Applicant has advised on the A50 eastbound exit approach, which replicates the impact of the proposed toucan crossing on the eastbound carriageway, the largest mean maximum queue of 21 Passenger Car Units is forecast to occur in the nearside lane during the 2036 Future Base + Proposed Development scenario, which is the equivalent to c.120m. While this means that the queue could slightly encroach on the circulatory, the following key points are:

- The results are based on the toucan crossing being called every fourth cycle (i.e., every four to five minutes), which is robust and likely to overestimate the number of demands across both peak periods;
- The end of the queue would not block back other movements taking place on the circulatory (noting that the nearside and middle lanes on the M1 Southbound Off-Slip are both designated for left turn movements only);
- LinSig can only model fixed green times; whereas M1 Junction 22 currently operates with a dynamic signal system (MOVA/SCOOT) which can adjust green times given to each approach every cycle to balance and manage queue lengths; and
- Other design elements such as on-crossing detectors, kerbside detectors and queue detectors can be implemented to manage the queues appropriately.

Whilst the above is accepted in principle, pending the additional modelling work, it should be noted the LHA will require MOVA control for the new pedestrian crossings on the A50, which would link the proposed crossing signals in both directions to the M1J22 signals. This would prevent situations where, for example, westbound traffic is held at the pedestrian crossing whilst the signals at the roundabout junction change to green and then the roundabout signals change to red once the crossing signals turn to green causing further delays to drivers and reducing the capacity of the roundabout.

The LHA is satisfied this can be considered at detailed design in the event the proposals are granted planning permission by the LPA.

Off-Site Implications

Proposed A50 Toucan Crossings

Details of the proposed Toucan crossings over the A50 are now shown on Ridge drawing number T22523 005 Rev. L, available from the LPA's planning website.

- The forward visibility to the signal heads on this updated drawing is noted and accepted, and in accordance with Traffic Signs Manual Chapter 6 and the Design Manual for Road and Bridges (DMRB). Existing signs will need to be relocated but the LHA is satisfied this can be addressed at the detailed design stage.

- The new location for the proposed toucan crossing, and the relocated bus stop layby on the westbound side of the carriageway, are noted and accepted.

A50 Westbound On-Slip/ Whitwick Road Junction Improvements/ Departures Submission Pro-forma

The Applicant is now proposing to partially signalise the junction, as shown on Ridge drawing number T22523 003 Rev. L, which is available from the LPA's planning website. This is due to the junction operating over capacity in future AM peak scenarios as detailed further above. The latest on-slip drawings are shown on Ridge drawing numbers T22523 006 Rev. D, available within the Drawings section of the TAA and T22523 009 Rev. B, from the LPA's planning website.

The LHA advised within its 27th March 2026 observations that an updated Departure Submissions Pro-forma which addressed the previously raised comments was required for the A50 Westbound On-Slip/ Whitwick Road junction. The Applicant has advised that the slip road design has been updated to be based on DMRB CD122 Layout A Option 1 (Figure 3.14a). A 75m nose length and 130m entry taper are provided in accordance with DMRB CD122 Table 3.21. Therefore, a departure is no longer required. The LHA accept this amendment, and a departure is no longer required.

Ridge drawing number T22523 003 Rev. L

- Whilst it appears this may be the case from the LHA's own records, the Applicant is requested to confirm that the 215m length forward visibility splay for the A50 westbound slip approach to the junction falls within the adopted highway boundary.
- Whitwick Road is derestricted (60mph), and so therefore in accordance with DMRB CD109 visibility splay lengths of 215m would be required to the signal heads. The drawing shows 59m northbound and 99m southbound. The Applicant has stated within Paragraphs 3.5.9 and 3.5.10 of the TAA that speed surveys along Whitwick Road were undertaken in March 2026 using an Automatic Traffic Count. The results of the speed survey showed a measured 85th percentile speed for northbound traffic of 37.3mph and southbound traffic of 39.0mph. Visibility is therefore based on the measured speeds. Notwithstanding this, the Applicant has not provided the raw speed survey data or the location and date of the survey, this is required for review and approval.
- The proposed locations for the signal heads should be shown on the drawing, along with the Junction Intervisibility Zone as per DMRB CD123 Para 7.4.

Ridge drawing numbers T22523 006 Rev. D / T22523 009 Rev. B

- Drawing T22523 006 Rev. D now shows that a single lane will be provided for the slip road which corresponds with the proposals to signalise the Whitwick junction.
- Drawing 009 rev B shows that there is sufficient forward visibility to the start of the slip road, for vehicles travelling westbound on the A50. DMRB CD109 allows relaxations to the Stopping Sight Distance, and a one-step relaxation to 215m has been achieved by the Applicant (232m is shown).

A511 Growth Corridor Scheme

The LHA advise it is highly likely to require a financial contribution towards the Coalville Transport Strategy.

Internal Layout

As advised previously, the Applicant intends for the internal access roads to remain in private Ownership. The LHA therefore have no further comments on the layout currently.

Transport Sustainability

The LHA previously requested updates to the Framework Travel Plan. These have now been addressed within the revised FTP. The LHA therefore advises the FTP is acceptable.

The Applicant has previously provided confirmation that Arriva would be happy to re-route the service through the site subject to the private internal development roads being provided to an adoptable standard, along with appropriate maintenance by a management company and a winter maintenance regime. As previously advised by the LHA, this will need to be secured as an obligation on the developer, and it will require clarity on wording as to how this could be done. The Applicant has confirmed they are happy to work with the LHA and LPA to agree this.

The Applicant has also confirmed that they are happy with the proposed Travel Pack, six-month bus pass and FTP contributions.

Public Rights of Way

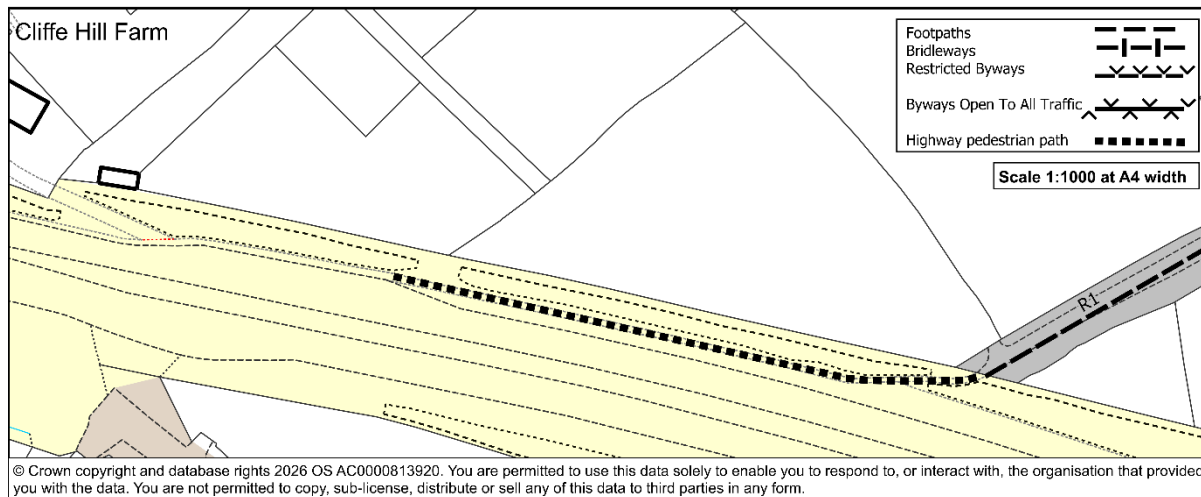
As previously advised, the proposed site egress road crosses Public Footpath R1. The LHA's response dated 27th March 2026 detailed the site's impact on the public rights of way (PRoW) and connected paths. The Applicants TAA and Ridge drawing number T22523 001 Rev. N address the PRoW comments.

The LHA welcome the fingerposts shown on Ridge drawing number T22523 001 Rev. N. There can be additional pedestrian direction signs for footway routes, but they must be in addition to, rather than instead of PRoW signposts, as fingerposts to indicate the route of the PRoW where it leaves the road (private or public) are a statutory requirement of the Countryside Act 1968, and where developers create a need for extra signs, they are responsible for the costs.

The LHA previously advised the extent of the legally adopted footway, as shown on the mapping provided by LCC in their response and also on LCC's online definitive map, shows that the PRoW ends at the top of the bank (south of the site access road) defined by a gate as shown on the topographical survey in Ridge drawing number T22523 001 Rev. N. The extent of the legally adopted PRoW is proposed to be tarmacked to this point.

However, the informal route along the A50 verge shown in Ridge drawing number T22523 001 Rev. N does not form part of the PRoW network. Given that there is some usage, the informal route is proposed to be retained with a dropped kerb crossing over the site access road to connect it with the proposed shared footway/cycleway. However, fingerposts, which will be provided to LHDG drawing SD/FP/7, are shown on the drawing to direct users through the development between the proposed toucan crossing and the PRoW rather than via the informal route. While this route would be c.30m longer than travelling via the informal route along the A50 verge, it would have much lower traffic flows, which would significantly improve the amenity of the route for all users.

The Applicant's references to an 'informal path' confuse the route's physical appearance with its legal status, as shown by the map excerpt here:



The yellow and brown tints show the extent of adopted highway land. The grey tint is the extent of the public right of way. Under common law the public's rights extend to the whole area of the highway extents, whether 'adopted' or on the Definitive Map (see *R v United Kingdom Electric Telegraph Co Ltd (1862)*), also public highways are fundamentally continuous and connect with one another (see *Eyre v New Forest Highway Board (1892)*).

On the map extract the route shown as a 'Highway pedestrian path' was deliberately constructed as part of the building of the A50 Markfield Bypass in the late 1960s to restore a pedestrian link between Altar Stones Lane, via the A50 pedestrian crossing points and tarmac footway, to the truncated Cottage Lane which became a public right of way for pedestrians only. This constructed pedestrian path has the same legal status as an adopted footway, either at the roadside or as a 'remote footway'; the only difference is it does not have a tarmac surface. There are informal routes on roadside verges, but this is not one.

The Applicant has advised previously that the site ingress and egress roads are to remain in private ownership and not become adopted public highway. Therefore, legally, pedestrian access on those routes is 'by permission' rather than 'by right'. So those routes cannot be guaranteed alternatives to ones that have a public highway status. Ultimately the integrity of the public pedestrian highway network must be protected. To tarmac up to a certain point, and then deliberately create a 'No man's land' beyond that, seems contrary to the highway law and planning law outlined above. The LHA also notes in the revised drawing T22523 001 Rev. O, the link appears to have been removed altogether.

To partially repeat the LHA's March 2026 Response:

"In line with the NPPF, to enhance rights of way the rest of the route to link with PRow R1 should have a tarmac surface. The [Highway pedestrian path] will need to be upgraded to meet design and construction standards set out in the LHDG. For these works to be adequately monitored and delivered in accordance with these criteria the works to the highway [pedestrian path] will likely need to be included in a Section 38/278 Agreement."

The link would need to be hard bound and continue from the new site ingress, alongside the A50 and up the existing slope to Cottage Lane, maintaining the existing slope to Cottage Lane.

Construction Traffic

Construction traffic and how HGV's/ construction vehicles would access the site is not a material planning consideration. The LHA would not be able to seek to resist the proposals based on construction traffic, the type of vehicles used, or the route HGVs would take to access the site.

Nevertheless, the LHA would advise the LPA, that in the event it is mindful to advise approval of the proposed development, the LHA would require a condition for a Construction Management Plan (CMP) to be submitted and approved prior to any construction works on the site. As a minimum the CMP should include details of the routing of construction traffic to/ from the site, along with details of parking and wheel washing facilities. Alternatively, the Applicant could provide such a document at this stage.

It should be noted that existing access points and some roads bordering the site may not be considered suitable for an intensification in use by construction traffic. To carry out off-site works associated with a construction access onto a classified road, separate approval must first be obtained from Leicestershire County Council as Local Highway Authority. This will take the form of a major section 184 permit. However, if planning consent has not been secured in respect of the construction access, the section 184 application will be refused. The Applicant may therefore wish to consider the construction access as part of this application, unless the proposed development ingress/ egress would be used. Any construction access directly on to the M1 would need to be discussed with National Highways.

Closing

The LHA requires the Applicant to submit additional information to the LPA in respect of the following points, for further consideration by the LHA:

- Amendments to the A50 ingress to ensure a 1.5m verge is provided between the carriageway and the shared use footway/ cycleway;
- Provision of the Forecasting Report which illustrates the area of influence, flow diagrams which detail the assigned trip distribution throughout the wider area and the forecast traffic flow changes;
- Provision of the survey dates and raw survey data for all surveyed junctions other than M1J22;
- Consideration of the impact of the development on at least the Field Head roundabout;
- Inclusion of traffic from application 20/01283/FUL in all future year capacity assessment scenarios;
- Provision of a future year scenario without the A511 Growth Corridor works in place;
- Amendments to junction modelling as detailed;
- Amendments to the A50 westbound on-slip/ off-slip/ Whitwick Road Junction signalisation scheme as detailed;
- Surfacing of the PRow link between the site ingress and footpath R1; and
- Potentially provision of a Construction Traffic Management Plan and (if necessary) construction access details.

Date Received
16 July 2026

Case Officer
Ben Dutton

Reviewer
DH

Date issued
29 September 2026