

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: 25/00199/FUL

Highway Reference Number: 2025/0199/04/H

Application Address: Land Adjacent 232 Ashby Road Hinckley Leicestershire

Application Type: Full

Description of Application: Erection of 25 dwellings, new access off Normandy Way, amenity space, parking and community orchard

GENERAL DETAILS

Planning Case Officer: Emma Baumber

Applicant: C/O Agent

County Councillor: Cllr Michael Mullaney

Parish:

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 the residual cumulative impacts of the development are severe in accordance with the National Planning Policy Framework (2024) and the Local Planning Authority is advised to consider refusal on transport/highway grounds for the reasons outlined in this report.

Reason for advising refusal:

1. The proposals submitted by the Applicant are prejudicial to the delivery of a highway improvement scheme at the A47 Normandy Way/ A447 Ashby Road/ B4667 Ashby Road signalised junction. The Applicant has therefore failed to demonstrate any significant impacts from the development on the transport network (in terms of capacity and congestion), or on highway safety, can be mitigated, contrary to Policy 2 of the Leicestershire Highway Design Guide and paragraph 116 of the National Planning Policy Framework (2024).

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 25 dwellings, a new access off Normandy Way, amenity space, parking and a community orchard at land adjacent to 232 Ashby Road, Hinckley.

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

- Transport Statement ([TS] reference 29480-TRAN-0801, dated March 2025 and authored by MEC); and
- BRP Architects drawing number M170-BRP-00-00-DR-A-0102 Rev. P02 (Site Plan – Proposed).

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.

Policy 2: Access to the highway network

The LHA would draw the Applicant's attention to the Highway Development Management (HDM) Policy 2 in the LHDG, 'access to the existing highway network'. HDM Policy 2 states that:

'The council will apply a risk-based assessment of proposals for new accesses onto the existing highway network and alterations to and / or intensification of existing accesses so that they do not result in unacceptable road safety and operational concerns.'

The policy context goes on to state:

'To ensure the provision of safe and suitable accesses for all users, the council will employ a risk-based approach to assessing the impact of proposals on new connections or alterations to the existing road network.'

The council encourages early engagement to discuss issues related future accesses onto the network.

In consideration of safety and efficient operation, the council will assess access proposals using a risk-based approach that considers relevant data including whether a proposal sits on Leicestershire's Resilient Network, vehicle volumes and speed limit, actual speeds and collision records alongside other relevant transport information provided by the Applicant.

The A47 Normandy Way provides a key strategic link between Leicester and the A5 (Hinckley).

Given the recorded speeds of passing traffic (41.5mph eastbound and 40.3mph westbound) and the location of the site access on the A47 Normandy Way, which is a highly trafficked road with a total of approximately 27,750 vehicle trips through the junction between 07:00 – 19:00, and forming part of both the Major Road and Resilient Networks, as well as the number of Personal Injury Collisions (PIC's) in the vicinity of the access, the LHA considers the policy is relevant to the proposals. Furthermore, given the proposals could have an impact on junction capacity of the A47 Normandy Way/ A447 Ashby Road/ B4667 Ashby Road signalised junction and prejudice the delivery of a junction improvement scheme, the LHA believe the proposals would also be contrary to Policy 2 of the LHDG on this basis. Further information is provided on vehicle speeds; traffic volumes and PIC's within this report.

Notwithstanding the above, the LHA provides the following comments on the access design.

Site Access

Details of the site access are shown on MEC drawing number 29480_08_020_01 Rev. B, which is provided in Appendix E of the TS and included in Figure 1 below:

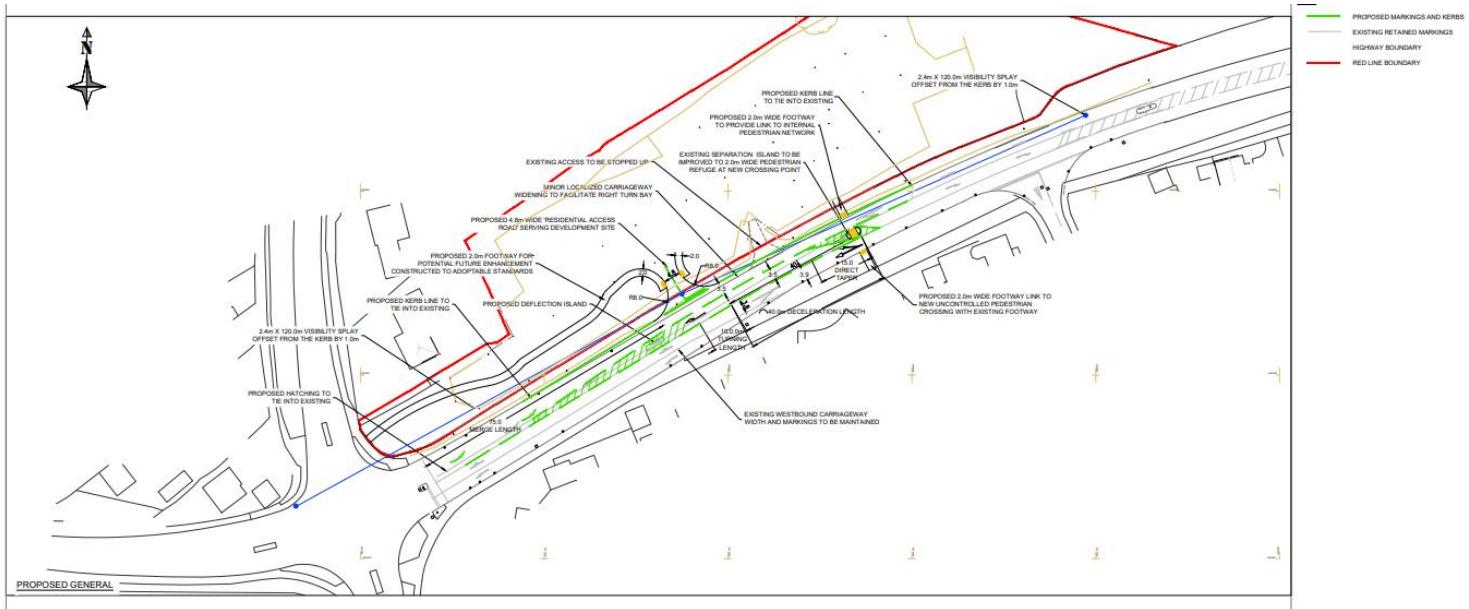


Figure 1: Site Access.

Access to the site is proposed off Normandy Way, a highly trafficked A classified road (A47) subject to a 40mph speed limit. The A47 Normandy Way forms part of the Department for Transport's Major Road Network¹ and Leicestershire County Council's Resilient Network². The Applicant proposes to permanently close the existing access to the site, which serves allotments, and replace it with a new 4.8m wide access slightly further to the west and a ghost right turn lane. It does not appear the existing access has been in regular use to serve the allotments for a considerable amount of time and on a site visit on 3rd June 2025, it was observed the access was blocked with concrete barriers. The Application form details that there are no car parking spaces within the existing allotment site.

To inform the access design, the Applicant has undertaken a speed survey as part of an Automatic Traffic Count (ATC) on Normandy Way, adjacent to the existing site access. The speed survey was undertaken between 8th and 14th February 2025 and recorded the following average 85th percentile speeds:

- 41.5mph eastbound and 40.3mph westbound.

The Applicant has not confirmed the precise location the survey was undertaken however, the LHA holds records of a survey permit to the immediate east of the existing access for the Applicants survey dates.

The drawing shows a merge length of 75m for eastbound traffic exiting the A47 Normandy Way/ A447 Ashby Road/ B4667 Ashby Road signalised junction. Design Manual for Roads and Bridges (DMRB) CD123, para. 7.12.1 states that where it is necessary to reduce the number of lanes on the exit arm, a single lane should be reduced over a distance of 100 metres starting at or beyond

¹ <https://maps.dft.gov.uk/major-road-network/index.html>

² <https://www.leicestershire.gov.uk/roads-and-travel/road-maintenance/the-resilient-network>

the limit of the junction intervisibility zone. The Applicant has responded to this point in Paragraph 3.9 of the TS and included the following points:

- The merger would achieve a length of 75m which is considered suitable to CD123 Figure 7.12.1 given lane continuity to east of the junction intervisibility zone is not significantly less than a “recommended” 100m by the standard; and
- This will allow approximately 13 No. car lengths (75m / 5.75m) to be accommodated in free flow conditions of around 40mph 85th percentile speeds which is considered a suitable distance for vehicles to merge before the lane becomes single carriageway.

The LHA advise that it has concerns in respect of reducing the merge length as this could result in a reduction in the level of traffic using the merging lane. Given existing capacity concerns at the junction, the reduction in the length of the merging lane could have implications on the operation and capacity of the junction should less drivers choose to use it.

The LHA is also aware of a junction improvement scheme required as part of application reference 22/00318/OUT (475 dwellings, land north of Normandy Way and east of Stoke Road, Hinckley). Condition 30 of the appeal decision (Appeal Ref: APP/K2420/W/23/3323113) states:

'No part of the development hereby permitted shall be occupied until such time as either the offsite works shown on Dwg No T19595-007 Rev C Ashby Rd/A47 Proposed Junction Improvements have been implemented in full, or an alternative scheme that mitigates the impacts of the development has been submitted to and approved in writing by the local planning authority and thereafter implemented in accordance with the approved scheme'.

That application identified that the junction would be operating over its capacity in the AM peak in 2026 with committed development in place, and that the proposed development would exacerbate the situation. Furthermore by 2032, capacity at the junction was forecast to have deteriorated further and to the point that it would operate overcapacity in both the AM and PM peaks with that proposed development in place. The proposed scheme would present a nil detriment solution for the trips generated by that development. Currently an alternative scheme is being investigated by Leicestershire County Council to accommodate the wider growth in the area, however the LHA advises the proposed development access could prejudice the delivery of either scheme, given the proximity of the site access to the existing junction and the requirement to reduce the length of the merging lane.

The LHA cannot see any reasonable way to resolve this concern as the site access could not be relocated further west towards the signalised junction and to relocate it further east would impact on the existing ghost right turn lane for the existing Cornwall Way estate.

Visibility Splays

Based on the recorded vehicle speeds referenced above and [Figure 6](#) of the LHDG, visibility splays of 2.4 x 120m would be required to the west of the site access and 2.4 x 73m to the east. The Applicant has shown visibility splays of 2.4 x 120m in each direction, which is considered acceptable to the LHA. Visibility would be achievable subject to the removal of the existing hedgerow along the site frontage between the site access and the A47 Normandy Way/ A447 Ashby Road/ B4667 Ashby Road signalised junction. This is proposed on BRP Architects drawing number M170-BRP-00-00-DR-A-0102 Rev. P02.

Stage 1 Road Safety Audit

The Applicant has stated that the proposed access arrangements would require further discussion with Leicestershire County Council and a Stage 1 Road Safety Audit (RSA1). The LHA advise that an independent RSA1, along with a Designer's Response to any problems raised and (if necessary) a revised drawing is required as part of the application as per the [road safety audit policy](#) section of the LHDG.

Swept Path Analysis

Swept path analysis of the site access is shown on MEC drawing number 29480_08_020_02 available within Appendix D of the TS. The vehicle speeds and dimensions used for the swept paths meet the requirements of the LHDG. However, the LHA advise the black hatching makes it difficult to see if the vehicle overruns the kerb line. This would therefore require removal.

The 4.8m access width is in accordance with [Table 3](#) of the LHDG for the number of dwellings proposed. However, for the refuse lorry left and right turns out of development, the vehicle must use the entire width of the access to perform the manoeuvre. Vehicles turning left into the development would be forced to wait for the vehicle to exit which could result in traffic tailing back towards the signalised junction. Under the site-specific circumstances, the LHA advise an increased access width would be accepted so that opposing vehicles can pass one another.

DMRB CD123 para 5.6.3 requires corner radii of 15m with corner taper of 1 in 6 over 30m at ghost island junctions, the Applicant would therefore need to seek to implement this into the design.

Highway Safety

In terms of highway safety, the Applicant has obtained PIC data from Leicestershire County Council for between 1st January 2019 and 14th December 2024. This indicated the following:

- 9 No. 'slight', 2 No. 'serious' and 1 No. 'fatal' severity-class PICs were recorded within the vicinity of the site. This included 10 No. collisions at the junction of the A47 Normandy Way / Ashby Road;
- Regrettably, the fatal collision occurred on the A47 Normandy Way westbound approach to the junction and involved three vehicles.
- Of the remaining 9 No. collisions which occurred at the A47 Normandy Way / Ashby Road junction, 6 No. (all 'slight' in severity) involved vehicles in the act of a right turn manoeuvre, one of which occurred before 2020.
- The remaining 3 No. collisions at this junction do not appear to follow a trend.
- The additional PIC occurred at the A47 Normandy Way/ Cornwall Way junction and was recorded as slight. This involved four vehicles, one of which was turning right and occurred in January 2020.

After reviewing its own records, the LHA are not aware of any additional PICs along the A47 Normandy Way 500m either side of the site access. The PIC data shows a high volume of PICs at the A47 Normandy Way/ A447 Ashby Road/ B4667 Ashby Road signalised junction, highlighting the high level of traffic which travels through. This is also evidenced by a traffic count held by Leicestershire County Council which was undertaken on Tuesday March 19th 2024. This indicates a total flow of 27,750 vehicles travelling through the junction between 07:00 – 19:00.

Trip Generation

The Applicant has undertaken a trip generation exercise within Part 4 of the TS in order to outline the number of vehicle trips which could be generated by the proposals. This is provided in Table 1.

Time Period	Trip Rates (per unit)		Trip Generation (25 units)		
	Arrive	Depart	Arrive	Depart	Total
AM Peak (0800-0900)	0.118	0.354	3	9	12
PM Peak (1700-1800)	0.269	0.126	7	3	10

Table 1: Development Vehicle Trip Rates and Trip Generation (extracted from the Applicants TS).

Whilst the LHA considers the proposed trip rates to be low, it is accepted that even if these were raised to match trip rates accepted by the LHA for other residential developments, the scale of development would not generate in the region of 30 two-way trips (e.g. 15 arrivals and 15 departures) in either peak hour. Therefore, the LHA consider neither a trip distribution exercise nor a capacity assessment of the site access to be necessary.

The Applicant has not provided trip rates for the existing allotment use, however the LHA believes the number of vehicle trips generated by the allotments, is likely to be lower than those for residential use. Furthermore, given there is no car park within the allotment site and the access appears to not have been used for some time, the LHA believe it is possible some users who drive to the site would likely consider parking on Cornwall Way and access the site on foot.

Off-Site Implications

The LHA has raised concerns in respect of how the site access could prejudice a highway improvement scheme at the junction in the site access section further above.

Notwithstanding this it should be noted that to avoid isolated and unadopted footways being provided within the site, the LHA would have accepted a footway alongside the edge of the A47 Normandy Way leading to/ from the existing footway to the west and the proposed central refuge to the east of the proposed access if the proposed development was acceptable.

Internal Layout

The LHA has reviewed the site layout shown on BRP Architects drawing number M170-BRP-00-00-DR-A-0102 Rev. P02. The Applicant has indicated on the submitted application form that they wish for the internal development road to be adopted.

The acceptability of an adopted road layout is subject to a Section 38 agreement in accordance with the Highways Act (1980). For the site to be suitable for adoption, the internal layout must be designed fully in accordance with the LHDG. The LHA advise that currently, the internal road would not be considered for adoption and would need to remain in private ownership. Whilst adoptability is not a material planning consideration and would not be a reason for the LHA to resist the proposals, notwithstanding the LHAs advice of refusal, it is advised that the following amendments would be required at this stage in the event planning permission was to be granted:

- The turning head proposed outside plots 5-10 is unnecessarily large and would need redesigning, [Figure 12](#) of the LHDG provides further information. However, this would likely result in the number of plot frontages dropping below the minimum of six which are required for the development to be considered for adoption.

- Further to the above, in line with [Policy 5](#) of the LHDG, the entire development should be redesigned to increase the number of frontages, or not be proposed for adoption as currently the site serves little highway merit.
- The radii at the junctions and turning heads should be detailed on the plan, to ensure they are in accordance with the LHDG.
- As per the Off-site Implications section further above, any isolated and/or interconnecting footpaths would not typically be considered for adoption. If they were to be offered for adoption, they may incur an additional commuted sum. It is suggested the Applicant may wish to consider providing 2.0m wide footways alongside the edge of the A47 Normandy Way, rather than the current isolated arrangement.
- [Swept path analysis](#) of a refuse collection vehicle turning within the site would need to be provided

Additional Comments:

- Consideration of root barrier/deflection treatment would be required when proposing trees/shrubs adjacent to the footway.
- At this stage it is not possible to comment on the vertical alignment, drainage, materials or proposed construction details.

Parking Provision

The LHA considers the number of parking spaces per plot and the dimensions of each parking space to be in accordance with the LHAs [off-street residential car parking standards](#) and [design principles for off-street parking](#) guidance within the LHDG.

In addition, dropped kerbs are shown where private driveways or shared private drives cross the footway and there would be suitable vehicular splays at these. The Applicant should however detail 1x1m pedestrian visibility splays where private drives or shared private drives meet the adopted highway.

Transport Sustainability

The site is an approximate 360m walk to bus stops served by regular bus services between Nuneaton and Leicester and a 700m walk to the nearest primary school.

Closing

The LHA consider the site access proposals would be contrary to Policy 2 of the LHDG when considered against a risk-based approach given the importance of the route a key strategic link on the County highway network at a location where the number of PIC's, speed and volume of vehicles is high, vehicle speeds and PIC history.. The proposals would prejudice the delivery of a junction improvement scheme which is required to ensure a nil detriment impact of a nearby residential development in the area, or an alternative scheme lead by Leicestershire County Council to account for congestion and accommodate wider growth in the area. This is due to limiting/ reducing the amount of merging space that could be provided on the western arm of the A47 Normandy Way, which could subsequently reduce the level of use by passing traffic and therefore the number of vehicles traveling through the junction at any one time, particularly in the peak hours. The LHA believe the Applicant has failed to demonstrate the proposals would not exacerbate these concerns.

In addition, the proposal itself would be expected to have an impact on junction capacity of the A47 Normandy Way/ A447 Ashby Road/ B4667 Ashby Road signalised junction, where as outlined above, there are existing capacity concerns, which are being addressed.

The LPA is therefore advised that the application should be refused on the grounds that it has not been demonstrated any significant impacts from the development on the transport network (in terms of capacity and congestion), or on highway safety, can be mitigated, contrary to Policy 2 of the Leicestershire Highway Design Guide and paragraph 116 of the National Planning Policy Framework (2024).

Date Received
10 April 2025

Case Officer
Ben Dutton

Reviewer
DH/RD

Date issued
04 July 2025