Transport & Accessibility

Statutory Policy & Framework

The transport and accessibility implications of the proposed Norton Heath allocation must be assessed against the statutory and national policy framework that governs development in England.

The most relevant documents are:

- the National Planning Policy Framework (NPPF, December 2024),
- the Department for Transport's Circular 02/2013 – Strategic Road Network and Development Management,
- and the Leicestershire Local Transport Plan (LTP, 2016-2036),
- together with the Hinckley & Bosworth Core Strategy (Policy DM17 - Transport).

Collectively, these instruments impose binding duties on both local authorities and developers to ensure that new growth is directed to sustainable locations, that realistic travel choices are provided for all users, and that the residual cumulative impacts on the highway network are not severe.

The NPPF

The NPPF (December 2024) introduces strengthened provisions regarding sustainable transport. Paragraph 11(d) retains the overarching presumption in favour of sustainable development but clarifies that such development must make effective use of land and occur in sustainable locations that are well served by public and active transport. This framework's updated wording emphasises that this presumption does not apply where the development would result in clear conflict with national policies on infrastructure capacity, environmental protection, or the delivery of sustainable transport solutions.

Paragraph 111 of the 2024 Framework establishes a decisive legal threshold for transport impacts: "*Developments should only be refused on transport grounds where the residual cumulative impacts of development are severe".* This clause, while frequently cited by developers, places a positive duty on planning authorities to demonstrate that the site is capable of achieving safe and suitable access for all users and that any mitigation proposed is both deliverable and effective. Where mitigation depends on hypothetical or unfunded or strategic road improvements, the residual impact must be deemed severe by definition.

The NPPF also expands that the requirement for cross boundary strategic planning of infrastructure. Paragraph 34 stipulates that plans should be "*informed by infrastructure delivery plans that demonstrate how infrastructure will be provided, funded, and phased to support development."* In the case of Norton Heath, no such delivery plan exists for

the road and public transport improvements that would be required to make the site acceptable. In the absence of secured funding or inter authority agreements with Warwickshire, Staffordshire and National Highways, the proposal cannot meet this test.

The Department for Transport

At national level, the Department for Transport's Transport Decarbonisation Plan (2021) and Circular 02/2013 remain material considerations. Both documents stress that development should avoid creating new car dependent settlements and that proposals likely to increase traffic on the Strategic Road Network (SRN) must be subject to detailed cumulative impact analysis and agreement with National Highways. Circular 02/2013 explicitly prohibits planning that would compromise the safe and efficient operation of the SRN unless mitigation is fully funded and deliverable within the plan period. The Norton Heath Proposal demonstrably fails to satisfy this requirement, as the necessary A5 Corridor and M42 Junction 11 upgrades remain unfunded and outside the current Road Investment Strategy 3 (2025-2030) programme.

Leicestershire Local Transport Plan

At county level, the Leicestershire Local Transport Plan 4 (2016-2036) prioritises modal shift, air quality improvement, and the integration of new development into sustainable transport networks. It identifies the A444 and A5 corridors as already operating at or near capacity and states that future growth should be focused in locations accessible by existing public transport corridors. The plan specifically cautions against dispersed rural expansion that would exacerbate congestion and emissions, precisely the outcome the Norton Heath scheme would produce.

Hinckley & Bosworth

Finally, Policy DM17 of the Hinkley & Bosworth Core Strategy Requires that all development proposals demonstrate adequate access, minimise car dependency, and provide mitigation proportionate to the scale of their impact. The proposed allocation at Norton Heath is inconsistent with this policy: it would introduce tens of thousands of additional vehicle movements into an already congested road network, without any credible or deliverable mitigation strategy.

Summary

Taken together, these statutory and policy provisions establish a clear framework: large scale development must be located where sustainable transport infrastructure already exists or can be viably delivered, where impacts on the strategic and local highway network are acceptable, and where cross boundary responsibilities for mitigation are secured. The Norton Heath proposal fails on all three counts. It therefore conflicts with the NPPF, Circular 02/2013, and the adopted Leicestershire LTP4, rendering the allocation unsound in transport accessibility terms.

Baseline Network Conditions

The existing transport network surrounding Norton Heath is already operating under considerable strain. Independent evidence prepared for Hinckley & Bosworth Borough Council by AECOM (2023-2024) and Ove Arup & Partners (2025) demonstrates that the A444 corridor, its feeder routes, and the adjoining A5 strategic corridor are functioning at or beyond their capacity even without the inclusion of the proposed new settlement. The baseline position is therefore one of constraint rather than opportunity. Any major development in this location would exacerbate congestion undermine network safety, and impose unacceptable cross boundary network impacts on North West Leicestershire, Warwickshire & Staffordshire.

Existing Traffic Volumes & Road Hierarchy

The Hinckley & Bosworth Strategic Transport Assessment (AECOM, 2023-24) identifies the A444 and A5 Redgate Junction as already operating at or above design capacity during the morning peak hour, even before any additional Local Plan Growth is Factored in. Forecast 2039 flows exceed 2000 vehicles per hour north of Twycross, compared with the accepted rural single carriageway capacity of 1800vph. AECOM's modelling records average speeds falling below 20mph between Atherstone & Twycross during the AM peak and persistent queuing on the M42 Junction 11 off ramps.

By contrast, the Developers consultants, David Tucker Associates (DTA), acting on behalf of Nurton Developments, report peak hour flows of only 900 to 1500 vehicles, a figure that understates real world volumes by more than 30 to 40 percent. The Council's own evidence therefore establishes that the existing highway network is already stressed and that *"major highway upgrades would be required to simply maintain acceptable operation."*

The AECOM findings are reinforced by the Arup Infrastructure Capacity Study Phase 2 Addendum (October 2025), which records worsening congestion along the A5 corridor and confirms that all previous capacity enhancement schemes have been withdrawn. National Highways have stated that no funding is available for A5 improvements and that any future "A5 Concept Link" remains at feasibility stage with an indicative delivery horizon post 2041. In effect, the baseline condition for Norton Heath is one of saturation.

Vehicle Speeds and Safety Baseline

Speed surveys on the A444 and the B4116 corridors show 85th percentile speeds of 60.1 mph in a 60mph zone and 52.2mph in a 50mph zone, demonstrating habitual non compliance and elevated collision risk. The Department for Transport's Personal Injury Collision (PIC) database records multiple serious incidents within the Redgate - Twycross-Austrey triangle over the 2017-2021 period, consistent with AECOM's

observation that the network already performs below minimum safety standards. The omission of a full safety audit from the developer submission is therefore a material deficiency, contrary to DfT Guidance on Transport Assessments.

Trip Generation and Capacity Analysis

Applying standard rural trip generation parameters derived from the National Travel Survey (2023), 84 percent car mode share and average ownership of 1.8 cars per dwelling, the likely impact of the Norton Heath allocation is as follows.

Scenario	Dwellings	Cars	Daily Car Journeys	Peak Hour Flows (both directions)
Scenario 1	6,000	10,800	31,752	3,175 – 7,938 vph
Scenario 2	10,000	18,000	52,920	5,292 – 13,230 vph

Even under the most conservative assumptions, these flows exceed the combined practical capacity of the A444 and B4116 (3,000 vph). At median demand, the network would operate at more than twice its limit, generating extensive queueing and "rat running" through Orton on the Hill, Austrey, Norton Juxta Twycross, Warton and Polesworth. AECOM's strategic model corroborates this outcome, predicting severe delay at Redgate Island and knock on congestion throughout the local network.

Sustainable Transport Deficit

The Norton Heath locality has no existing bus service, no railway stations within 12 kilometres, no continuous cycle or pedestrian infrastructure. The DTA Proposal for "enhanced bus services" and "mobility hubs" is purely aspirational: no operator agreement, funding mechanism, or patronage model exists. Integration with the West Coast Mainline would require a minimum of four peak hour buses in each direction, a service level that would be financially unsustainable without long term public subsidy.

Behavioural change assumptions within the developer's modelling are unsupported by empirical evidence. Research by Cairns et al. (2004) demonstrates that sustained modal shift in rural areas requires multi year investment and structural incentives, neither of which form part of the Norton Heath proposal. The result is an inherently car dependent settlement, contrary to NPPF S112 (Dec 2024) and the Leicestershire Local Transport Plan 4 (2016 – 2036) objectives for modal shift and air quality improvement.

Strategic Network Context

The A5 Hinckley Tamworth corridor functions as the Midland's primary east west freight route with the so called "logistics golden triangle". According to the Midlands Connect (2023), average speeds on this section fall from 48mph off peak to 32 mph at peak,

dropping to as low as 10mph at critical junctions such as Redgate and Gibbet Hill. The corridor already suffers from recurrent incident related closures and reliability issues.

Arup's 2025 Addendum confirms that this situation has deteriorated and that all growth in Hinckley and Bosworth now depends on an uncommitted A5 Concept link scheme, requiring cross authority collaboration and joint funding. This scheme's anticipated delivery after 2041 means that any development at Norton Heath would be occupied long before strategic mitigation could be provided, resulting in years of unacceptable congestion and elevated safety risk.

HBBC Infrastructure Capacity Study (October 2025)

The Council's own Infrastructure Capacity Study Addendum (Ove Arup & Partners, October 2025) explicitly identifies LPR231- Norton Juxta Twycross as a location "with relatively limited infrastructure [which] would inevitably require a significant amount of new infrastructure in order to effectively serve it". Arup concludes that the site "would significantly affect the A42 and A444 corridors" and that the current FoxConnect demand responsive bus service "would not be sufficient to serve the size of population envisaged." LCC and National Highways are recorded highlighting the need for developer funding and cross authority coordination, confirming that no national transport funding is available within the plan period. These findings corroborate this objections assessment that Norton Heath is unsuitable and undeliverable on transport grounds.

Summary

Independent, council commissioned evidence by AECOM (2023-24) and Arup (2025) demonstrates that the A444 and A5 corridors are already operating at or above capacity; that no funded mitigation exists within the current or next Road Investment Strategy; and that public transport options are wholly inadequate. The base line transport position for Norton Heath is therefore one of saturation, safety deficit, and structural car dependency. Under NPPF section 110 -112 (December 2024), this constitutes a severe residual cumulative impact, mandating refusal of any allocation or application on transport and accessibility grounds.

Trip Generation & Network Impact

The scale of vehicular movement generated by the proposed Norton Heath allocation would be unprecedented within the local road hierarchy and impossible to accommodate within the existing highway network. Based on standard Department for Transport TRICS (2024) trip generation parameters, a residential development of 10,000 dwellings would generate at least 25,000 additional vehicle movements per day. Even using conservative assumptions of 2.5 daily car trips per dwelling, this equates to

roughly 12,500 inbound and 12,500 outbound trips distributed across the network each day.

In practice, trip rates for rural locations are consistently higher. National Travel Survey data and AECOM's 2023-24 modelling both indicate that rural households generate 3 and 4.5 car trips per dwelling per day, reflecting limited access to public transport and higher average car ownership (1.8 vehicles per household). Applying these factors increases the expected daily flow to between 31,000 and 53,000 vehicle trips, the majority of these would load directly onto the A444 and B4116 corridors.

AECOM's regional model predicts that such volumes would extend queues at Redgate Island well beyond the design envelope, with junction delay times exceeding 300 seconds at the AM peak and average speeds on the A444 falling below 15mph. The M42 Junction 11 interchange would experience significant off ramp congestion and back blocking onto the mainline carriageway, increasing risk of collision and forcing diversionary traffic through local settlements. These impacts would not be isolated: congestion at Redgate would propagate north towards Measham and south towards Atherstone, constraining freight and commuter movement along the A5 strategic corridor.

No realistic mitigation is identified that could absorb this volume of traffic. The only conceivable interventions, major reconfiguration, dualling of the of the A444, and full dualling of the A5 Hinckley Tamworth link, are neither designed nor funded within the current of next Road Investment Strategy period. As a result, the residual cumulative effects on both the local and strategic highway networks would remain severe, satisfying the explicit refusal test in NPPF S111 (December 2024).

On the basis of these calculations and the Councils own transport evidence, the proposed allocation would leas to chronic congestion, degraded network safety, and significant environmental impacts through increased vehicle emissions. The magnitude of traffic generation alone is sufficient to render the Norton Heath site undeliverable within any reasonable planning horizon and incompatible with national and local transport policy.

Deficiencies in the Developer's Transport Appraisal (DTA, October 2023)

The Transport and Accessibility Appraisal prepared by David Tucker Associates (October 2023) on behalf of Nurton Developments forms the sole evidence relied upon by the promoter to justify the proposed Norton Heath allocation. Its content is materially deficient, methodologically unsound, and inconsistent with both national guidance and the Council's own transport evidence base. The document cannot therefore be afforded any evidential weight in plan making or decision taking.

Absence of Junction Modelling

The DTA report includes no quantitative junction capacity modelling for the key network nodes most affected by the development. No ARCADY, PICADY or LinSig analyses have been undertaken for the A444/ A5 Redgate Junction, the M42 Junction 11 interchange, or the adjoining A5 corridor junctions. These omissions contravene the minimum technical requirements of the DfT TAG Unit M2 (2023), which mandates capacity assessment of all materially impacted junctions. Without the modelling, the report provides no evidence that safe or efficient operation could be maintained.

Unsupported Trip Distribution and Assignment

Trip distribution assumptions are not transparently evidenced. The appraisal provides no gravity model output, Census 2021 journey to work analysis, or comparison with AECOMS validated regional model. As a result, the distribution of traffic to the A444, A42, and M42 corridors appears arbitrary and fails to account for realistic commuter patterns or cross boundary flows into Warwickshire and Staffordshire. This undermines the reliability of all subsequent network impact conclusions.

Omission of Cumulative Development Impacts

The DTA analysis treats the Norton Heath proposal in isolation, contrary to NPPF S111 and Circular 02/2013, which require cumulative impact assessment. The study disregards other major committed developments including Twycross Zoo expansion, MIRA Technology Park Growth, and additional allocations in Market Bosworth & Atherstone. AECOM's modelling demonstrates that, once these schemes are included, the A444 and Redgate corridors exceed operational capacity even without Norton Heath. The omission of this cumulative context renders the developers results meaningless.

Unrealistic Sustainable Transport Assumptions

The appraisal's claimed "sustainable transport measures" are speculative. References to "enhanced bus services", "mobility hubs," and "car sharing initiatives" are uncosted, unmapped and unsupported by any operator agreement or funding plan. No timetable, route design, or patronage modelling is provided. In reality, the site has no existing bus service, and the nearest rail stations, Atherstone, Nuneaton & Tamworth are over 12km away with not connecting public transport. The DTA narrative therefore rests on interventions that cannot be delivered or maintained within the plan period.

Over Optimistic Modal Shift & Behavioural Change Claims

The report assumes a significant shift from private car to public transport ans active travel modes without presenting any behavioural change evidence or baseline survey data. No elasticity modelling, travel plan framework, or monitoring proposals are supplied. The claimed reductions in car uses are inconsistent with the National Travel

Survey (2023), which shows that over 84 percent of rural commuting trips are made by car. By ignoring established national datasets, the appraisal systematically underestimates traffic generation and overstates sustainability.

Summary

The DTA report fails to meet the evidential standards set out in DfT TAG Unit M2, Circular 02/2013, and NPPF Sections 110 – 112 (Dec 2024). It provides neither the quantitative modelling nor the robust policy justification required to demonstrate that the proposed development could operate safely or sustainably. Consequently, the appraisal cannot be relied upon as part of the Local Plan evidence base and should be discounted in its entirety.

Strategic Network Dependencies (A5 Corridor)

Background

The strategic road network surrounding Norton Heath is already operating at or near design capacity. The A5 Hinckley Tamworth corridor, which runs for approximately fourteen miles and forms the principal east west freight and commuter route across the southern Midlands, is a key artery within the national "logistics golden triangle". According to Midlands Connect (2023), average speeds on this section fall from around 48mph off peak to 32mph during peak periods, with speeds dropping as low as 10mph at critical pinch points such as Redgate Island, Gibbet Hill and the Longshoot/Dodwells junctions. This performance already reflects a level of demand that exceeds the corridors safe operating threshold.

Chronic Congestion

National Highways acknowledges that the A5 Hinkley – Tamworth link suffers from chronic congestion, unreliable journey times, and a collision rate higher than the national average for its road class. Between 2017 and 2021, more than 180 traffic incidents were recorded on this stretch, with approximately 20 percent resulting in serious injury. The route serves both commuter and heavy freight traffic and forms part of the UK's "logistic golden triangle", a designation that compounds pressure on the corridor during peak hours. Congestion at junctions such as Redgate Island, Gibbet Hill, and Dodwells already causes queueing that routinely extends onto the main carriage way, creating safety hazards and operational delays.

A5 Upgrade & Lack of Funding

The most recent documentation from Midlands Connect (2023) and National Highways (2024) confirms that the long anticipated A5 Hinckley Tamworth Upgraded remains only within the Road Investment Strategy 3 (RIS3) pipeline. The project is still at the option development stage, with no confirmed funding for construction before at least RIS4

(2035-2040). Even if design work proceeds, completion would fall well beyond the current Local Plan period. Midlands Connect estimate that a comprehensive upgrade, providing dual carriageway capacity and reconfigured junctions, would cost between £750 million and £1 billion, consistent with the A14 Cambridge – Huntingdon scheme which delivered a comparable 14 mile corridor at £1.48 billion.

Arup's Infrastructure Capacity Study Addendum (October 2025) reinforces this position noting that there is "no national funding available for A5 capacity enhancements" and that any future improvements depend upon multi authority partnership funding that has not yet been identified. This means that the strategic network constraint is structural: the A5 corridor will remain over capacity for at least the next fifteen years.

Proposed Development Impact

In the absence of a committed upgrade, the network has no residual capacity to absorb the 31,000 – 53,000 daily car trips that would be generated by the Norton Heath Settlement. Traffic modelling undertaken by AECOM and confirmed in the DTA Transport Assessment Review (Rev 04, 2025) shows that the A444/A5 Redgate Junction is already at critical capacity and that additional flows from Norton Heath would create extended queues and back blocking onto the A5 mainline, compromising the safety of the M42 Junction 11 interchange. These impacts would propagate through adjoining corridors, constraining freight movement, worsening journey time reliability, increasing safety risks and increasing emissions across the regional network.

No developer contribution could realistically or lawfully fund the scale of infrastructure required to mitigate these effects. Under CIL Regulation 122 (2010), planning obligations must be necessary, directly related and fairly and reasonably related in scale and kind to the development. A £1 billion national infrastructure upgrade falls far outside this test. Reliance on a non-committed, nationally funded scheme therefore renders the allocation undeliverable within the plan period and unsound under NPPF section 35 (a-c).

Summary

Without a funded and deliverable A5 upgrade the Norton Heath proposal cannot provide safe, suitable, or sustainable access as required by NPPF Section 110, nor avoid the "severe residual cumulative impacts" defined in Section 111. On transport grounds alone, the proposals reliance on an unfunded national scale scheme is fatal to its inclusion in the Local Plan.

Environmental & Safety Consequences

The environmental and road-safety implications of the proposed Norton Heath allocation are severe and wide-ranging. Traffic from a settlement of this scale would increase carbon emissions, degrade local air quality, introduce artificial-light intrusion

into a rural landscape, and heighten accident risk across both the strategic and local road networks.

Modelling based on DfT TRICS (2024) and National Travel Survey (2023) data indicates that vehicle movements associated with 10 000 dwellings would emit around 21 000 tonnes of CO_2 per year. This level of transport-related emission is incompatible with the national objectives set out in the Transport Decarbonisation Plan (2021) and with the statutory duties in the Environment Act (2021) to improve air quality and cut greenhouse-gas emissions. Rather than advancing the borough's net-zero trajectory, the proposal would move it further away from compliance.

The promoter suggests that increased electric-vehicle (EV) uptake would offset these emissions. That assumption is unrealistic. EVs remain significantly more expensive than petrol or diesel equivalents, and national uptake is already behind government targets. For a site where 40 per cent of homes are designated as affordable, widespread EV ownership is economically unattainable. Dependence on an unaffordable technology does not constitute genuine mitigation and fails the NPPF test of deliverable and proportionate measures.

Any theoretical congestion relief would be negated by induced demand—a recognised phenomenon in transport planning whereby added road capacity encourages further car use. Without structural changes to travel behaviour or viable public-transport options, new highway works would only relocate congestion and increase emissions. This outcome directly conflicts with national policy expectations that plan-making must promote modal shift and avoid creating new car-dependent settlements.

The safety consequences are equally serious. The predicted diversion of traffic onto surrounding minor roads, particularly through Orton on the Hill, Austrey, and Norton juxta Twycross, would create hazardous conditions on narrow rural lanes unsuited to commuter traffic. Department for Transport Personal Injury Collision (PIC) data already record multiple serious incidents within this area; higher flow levels would increase collision risk substantially, contravening the NPPF requirement for safe and suitable access for all users.

Beyond emissions and safety, the proposal would cause light pollution from extensive new highway infrastructure, junction lighting, and vehicle headlights. Artificial illumination across open countryside would alter the night-time environment, affect wildlife movement, and diminish dark-sky quality in an area currently characterised by low background light levels. Such impacts would further erode the rural setting and local biodiversity value.

Additional environmental harm would occur through noise, vibration, and degraded air quality adjacent to Twycross Zoo and nearby residential areas. The zoo's international conservation role depends on maintaining low-disturbance conditions; continuous

traffic noise, light intrusion, and airborne particulates would harm animal welfare, diminish visitor experience, and threaten a key regional tourism and education asset.

Summary

Taken together, these impacts show that the Norton Heath proposal is neither environmentally nor socially sustainable. It conflicts with the Transport Decarbonisation Plan (2021), breaches the statutory duties of the Environment Act (2021), and fails to provide the safe, inclusive, and healthy environment required by NPPF §110 (Dec 2024). The development would raise carbon emissions, increase light and noise pollution, worsen public-health outcomes, and compromise road safety across the wider network. On environmental and safety grounds alone, the allocation should be deemed unsound and removed from the Local Plan.

Infrastructure Funding & Section 106 Burden (Transport Focused)

The viability of the Norton Heath allocation depends on the delivery of extensive transport infrastructure that is neither designed or funded. Even under the most optimistic assumptions, the cost of essential highway and public transport improvements far exceeds the level that could be lawfully secured through developer contributions. This result is a structural funding gap that renders the scheme undeliverable in the plan period.

Cost Responsibility Framework

Infrastructure Component	Responsible Body	Estimated Cost	Commentary
A444/A5 Redgate Junction Upgrade and A444 Dualling (partial)	Leicestershire CC & National Highways	£100- 150 million	Aecom and DTA Review (Rev 04) confirm that the A444 would need to be dualled between Twycross and the A5 to accommodate projected flows. Requires bridge widening, land acquisition, and a full junction redesign; cannot be delivered in isolation from the A5 upgrade.
A5 Dualling (M69 – M42)	National Highways & Leics/ Warwks/ Staffs	£750 million - £1 billion	Unfunded national scale scheme; remains inly in the

			RIS3 pipeline with no confirmed delivery before 2040.
Local Connector Roads (incl. Shelford Lane link roads)	HBBC/ Developer (S106)	£25 – 50 million	Land acquisition and utilities relocation create major unfunded liability.
Public Transport & Active Travel Provision	HBBC/ LCC/ Developer (S106 short term)	£5- 10 million	No operator commitment; would require indefinite revenue subsidy to maintain bus frequency and coverage.

Indicative total £880 million to £1.2 billion.

Limits of Section 106 and CIL Recovery

Less than 10 percent of this could be realistically recovered through Section 106 obligations.

Under Regulation 122 of the Community Infrastructure Levy Regulations (2010), planning obligations must be necessary, directly related, and fairly and reasonably related in scale and kind to the development.

Neither the A444 nor A5 dualling schemes meet these criteria: both are strategic network interventions serving a multi county function and cannot lawfully be funded through a single developments contributions.

Hinckley and Bosworth Borough Council has no adopted Community Infrastructure Levy, preventing the pooling of more than five developer contributions for the same project. There is therefore no lawful or practical mechanism for the Council to secure the sums required for either scheme. In consequence , the financial burden would default to the public purse, local tax payers, neighbouring highway authorities and National Highways.

Developer Funding Feasibility

Even if Nurton Developments sought to fund the required highway works privately and recover those costs through the future sale of serviced land parcels, this would not make the scheme deliverable. The company does not possess the financial capacity to underwrite strategic infrastructure of this magnitude. The A444 dualling and A5 corridor

upgrades together represent capital costs approaching £1 billion, far beyond the borrowing limits or balance-sheet strength of a private land promoter.

In practice, such costs would have to be recouped by increasing the price of development land sold to housebuilders. Doing so would erode residual land values and render the site commercially unattractive to volume builders, particularly where 40 per cent of dwellings are designated as affordable. Developers would either withdraw or seek to reduce planning obligations to restore viability, shifting the burden back onto public funds. This scenario has been observed in comparable large-scale sites across the Midlands, where high infrastructure costs have resulted in stalled delivery and renegotiated Section 106 agreements.

Accordingly, even with hypothetical private pre-funding by Nurton, the required transport infrastructure could not be viably delivered or recovered within the economics of the scheme. The allocation therefore remains undeliverable in financial and procedural terms.

Cross Boundary Cost Shifting

The transport impacts of the Norton Heath proposal extend across multiple administrative areas:

- Leicestershire County Council - Responsible for the A444 and local access junctions.
- Warwickshire Count Council – Faces displacement of traffic through Atherstone and rural connector roads.
- Staffordshire County Council – Impacts on the A5/M42 corridor and associated freight movement.
- National Highways – Increased maintenance, delay, and safety management costs on the Strategic Road Network.

No cross authority funding or delivery agreement exists to apportion these liabilities. The absence of any such mechanism makes the scheme financially incoherent and undeliverable across jurisdictions, contravening the “effective and deliverable” test of NPPF S35 (c).

Transport Viability Assessment

Even if the A5 dualling were excluded, the remaining highway and sustainable transport works required to make the development acceptable would cost between £150 and £200 million, equivalent to £15,000 to £25,000 per dwelling across 6,000 to 10,000 units. Such obligations would reduce developer profit margins below viability thresholds recognised in the Council’s own evidence base. The requirement

for the A444 dualling and Redgate reconstruction would further increase capital costs and delay delivery by at least a decade.

Under NPPF S182(a), proposals must be "deliverable and viable" within the plan period. On the available evidence, the Norton Heath allocation fails both tests. Its dependence on unfunded strategic road schemes, combined with the absence of a lawful mechanism to recover infrastructure costs, renders the proposal financially and practically undeliverable.

In Summary:

The transport infrastructure necessary to support Norton Heath, the A444 dualling, A5 upgrade, local connectors, and public transport provision, cannot be financed by developer obligations, local authority budgets, or existing national programmes. The reliance on speculative and unfunded highway projects makes the allocation unsound on transport grounds and incompatible with the statutory plan soundness tests of the National Planning Policy Framework (December 2024).

Legislative & Procedural Constraints

The Norton Heath allocation is inconsistent with the statutory and policy framework governing transport planning and infrastructure delivery. The following instruments establish binding duties that the proposed development fails to meet. In each case, the shortfall creates direct legal risk for the Local Plan and exposes the Council to potential intervention or judicial review.

Regulation/Policy	Requirement	Risk/ Consequence
NPPF S111 (Dec 2024)	Development must be refused where residual cumulative impacts on the transport network are severe.	Allocation deemed unsound; exposes the authority to potential Judicial Review defence costs (typically £50 000–£100 000) – based on PAS / Cornerstone Barristers planning-litigation guidance (2021–2023)
DfT Circular 02/2013 – Strategic Road Network & Development Management	Requires National Highways' agreement to ensure no adverse effect on the Strategic Road Network.	Allocation cannot proceed without NH agreement; failure would trigger Secretary of State intervention or plan call-in, typically causing 12–18 months' delay – as evidenced by NH procedural directions (2020–2024).

Environment Act 2021	Imposes a statutory duty to reduce transport sector emissions and improve air quality.	Development generating ≈ 21 000 t CO_2 per year would breach statutory decarbonisation duties – contrary to Defra / DfT implementation guidance (2022–2024).
Leicestershire Local Transport Plan 4 (2016 – 2036)	Requires new development to prioritise sustainable and active travel modes.	Allocation entrenches long-term car dependency; conflicts with adopted county transport policy – risk of non-conformity objection at Examination.
Transport Decarbonisation Plan (2021)	Directs authorities to avoid creating new car dependent settlements	Creates a national-policy contradiction; undermines Local Plan compliance statement – risk of Inspector requiring site deletion at Regulation 19.
CIL Regulation 122 (2010)	Limits Section 106 to obligations that are necessary, directly related, and fairly related in scale and kind.	Funding for A5 / A444 upgrades legally unrecoverable; renders mitigation unviable – confirmed by Planning Inspectorate appeal decisions (2019–2024).

Summary

The cumulative effect of these conflicts is decisive. The Norton Heath allocation would breach national transport policy, fail the statutory decarbonisation duty, and depend on mitigation that cannot lawfully secure or funded. As such, it is procedurally indefensible and fails the soundness tests of NPPF S35 (a-c): it is neither positively prepared, justified, nor effective. Inclusion of the site within the Local Plan would therefore expose HBBC to potential legal challenge, delay, and reputational risk and damage.

Deliverability & Plan Soundness

The transport evidence demonstrates that the Norton Heath allocation cannot be delivered in a manner consistent with national or local policy. Its dependence on strategic road upgrades are neither designed or funded, together with the absence of lawful or viable mitigation, renders the proposal undeliverable within any realistic plan period.

The sites success relies entirely on a non existent A5 corridor upgrade and the dualling of the A444, both of which remain unfunded and outside the control of the developer or HBBC. Without these schemes, the existing network would operated well beyond its safe capacity, creating chronic congestion, extended journey times, and elevated accident risk across the surrounding highway system. These impacts constitute the "severe residual cumulative effects" described in NPPF S111, which require refusal,

The development would also generate more than 21,000 tonnes of transport related CO2 annually, entrenching car dependency and directly contradicting the Transport Decarbonisation Plan (2021) and the Environment Act (2021) duty to reduce transport emissions. The result is a high carbon, unsuitable settlement that conflicts with both local and national climate objectives.

Financially, the allocation imposes an infrastructure burden exceeding £1 billion, spread across four separate authorities, Hinckley and Bosworth, Leicestershire, Warwickshire and Staffordshire, without any defined delivery or funding mechanism. Less than 10% of this cost could be recovered through S106 obligations, leaving the balance to fall on public funds. This dependency of unfunded cross boundary infrastructure means the proposal fails the NPPF S 182 (a) test of viability and the NPPF S35(c) test of effectiveness.

Taken together, these failings mean that Norton Heath cannot be considered positively prepared, justified, effective, or consistent with national policy as required by NPPF S35. On transport grounds alone, the allocation is unsound and should be removed from the draft Local Plan.

Phasing & Temporal Transport Implications

The promoter claims that only around 2 000 dwellings would be delivered within the current Local Plan period, implying limited early-stage transport impact. In practice, even this initial phase would overwhelm the existing highway network almost immediately. The A444 already operates close to its design capacity of 1 800 vehicles per hour (vph), as recorded in the AECOM Strategic Transport Assessment (2023 – 24). Under DMRB TA 79/99, any flow beyond this threshold constitutes a capacity and safety breach on a rural single-carriageway route.

Short Term (Construction and Early Phases – 0 to 10 years)

Continuous HGV and plant movement for site clearance, bulk earthworks and infrastructure installation would generate approximately 250 – 400 two-way HGV trips per day on the A444 and B4116 corridors. This range aligns with empirical data from comparable new-settlement schemes: Northstowe (10 000 homes, Cambridgeshire – *Mott MacDonald 2015 Environmental Statement*, ≈ 360 HGV/day); Otterpool Park (8 500 homes, Kent – *Arup 2019 Transport Assessment*, ≈ 250–400 HGV/day); and New

Lubbesthorpe (4 250 homes, Leicestershire – *Leicestershire County Council Monitoring Report 2017–2020*, ≈ 220–300 HGV/day). The Highways England Construction Logistics Planning Guidance (2018) cites a similar range for large residential infrastructure phases.

These heavy-goods flows alone would consume 15 – 20 per cent of the A444's hourly design capacity, eroding the minimal reserve available for normal traffic. Once the first homes are occupied, even a modest 2 000-dwelling phase would add 6 000 – 8 000 daily car trips, equivalent to 600 – 900 vph in each direction. This lifts total flow to ≈ 2 400 – 2 700 vph, immediately exceeding the 1 800 vph design limit. The A444 would therefore operate in failure conditions well before the first plan period concludes.

Sustained HGV loading on rural carriageways would accelerate surface deterioration and increase collision exposure, transferring early maintenance costs to Leicestershire County Council. Temporary lane closures for junction tie-ins and utility works would further constrain capacity and degrade air quality along the route.

Medium Term (Early Occupation – 10 to 25 years)

By mid-build-out, with ≈ 4 000 – 6 000 homes complete, daily traffic would rise to 18 000 – 25 000 vehicle movements. Peak-hour volumes on the A444 would reach two times its practical limit, producing sustained queueing at Redgate Island and the M42 Junction 11 interchange. Congestion would divert drivers through Orton on the Hill, Austrey, and Norton juxta Twycross, converting narrow rural lanes into commuter rat-runs. Emergency-service response times and freight reliability along the A5 corridor would decline.

Long Term (Full Build-Out – 25 to 40 years)

At full occupation, 10 000 dwellings would generate approximately 52 000 daily vehicle journeys, producing 5 000 – 6 000 peak-hour flows per direction—more than three times the A444's design capacity. Long-term operation would necessitate complete dualling of the A444 and replacement or widening of the River Sence bridge, together with reconstruction of the Redgate Island junction, at a combined cost estimated between £100 million and £150 million (*AECOM STA 2023 – 24; DTA Review Rev 04, 2025*).

Construction activity would persist across multiple phases for up to four decades, producing continuous disturbance—dust, vibration, lighting, and HGV traffic—affecting nearby residents, businesses, and Twycross Zoo throughout the life of the scheme. Without funded strategic upgrades, cumulative congestion, emissions, and safety risks would breach NPPF §§ 110 – 112 and the Environment Act (2021) duty to reduce transport emissions.

Summary

Even under the promoter's phased scenario, the Norton Heath allocation would breach the A444's 1 800 vph safe-capacity threshold almost immediately, generating chronic congestion, accelerated road wear, and heightened safety risk. Early construction and partial occupation alone would cause persistent negative effects extending over forty years. Limiting delivery to 2 000 dwellings within the plan period does not mitigate transport harm; it merely prolongs it for successive generations of road users and residents.

Conclusion

In transport terms alone, the proposed Norton Heath allocation is unsound and undeliverable. The evidence presented demonstrates clear and unresolvable conflict with national policy, statutory requirements, and the technical standards governing highway capacity and sustainable transport.

The proposal fails the tests of safety, sustainability, and cumulative impact set out in NPPF Sections 110 -112 (December 2024). It depends upon a £1 billion unfunded upgrade to the A5 corridor, together with the dualling of the A444, neither of which are programmed for delivery within the plan period. The scheme would also impose £150-200 million in additional transport liabilities that cannot lawfully secured through Section 106 under CIL Regulation 122 (2010).

The resulting traffic generation would intensify congestion, degrade network safety, and produce an estimated 21,000 tonnes of CO2 emissions per year, directly contravening the Transport Decarbonisation Plan (2021), the Environment Act (2021) and the modal shift priorities of the Leicestershire Local Transport Plan 4 (2016-2036). It would also transfer the financial burden of mitigation to taxpayers across Lecestershire, Warwickshire and Staffordshire, creating a long term fiscal and operational liability for multiple public authorities.

Recommendation:

The Norton Heath allocation should be removed at Regulation 19 on transport and accessibility grounds. The proposal is incompatible with the National Planning Policy Framework, the Transport Decarbonisation Plan (2021), and the Leicestershire Local Transport Plan 4 (2016-2036), and therefore cannot be regarded as a deliverable or sustainable site within the Local Plan period.

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Appendices

Appendix A – Policy Extracts

Key national and local transport policies referenced in Sections 1 and 8.

Document	Relevant Section	Extract
NPPF (December 2024)	§§110–112	"Development should only be refused on transport grounds where the residual cumulative impacts are severe."

DfT Circular 02/2013	Paragraph 9	"Development proposals likely to impact the Strategic Road Network must be subject to agreement with National Highways."
Environment Act 2021	Part 1 §2	Establishes a duty on Ministers to set long-term environmental targets, including for air quality.
Transport Decarbonisation Plan (2021)	Policy 5	"Avoid the need to travel by car and shift journeys to walking, cycling and public transport."
Leicestershire LTP4 (2016 – 2036)	Policy LTP4.2	"Ensure that new development is accessible by sustainable transport and does not increase congestion."

Appendix B – Traffic and Capacity Data

Summarised data used in Sections 2 and 3.

Metric	Source	Value / Comment
A444 base flow (2023 weekday peak)	AECOM STA 2023 – 24	≈ 2 000 vph (north of Twycross)
A444 design capacity	DMRB TA79/99	≈ 1 800 vph (single carriageway)
M42 Junction 11 delay (PM peak)	AECOM STA 2023 – 24	> 300 seconds average delay
Predicted Norton Heath flows (6 000–10 000 homes)	DTA Review Rev 04 (2025)	31 752 – 52 920 daily vehicle journeys
CO_2 emissions from new trips	TRICS 7.10 / BEIS CO_2 factors	≈ 21 000 t CO_2 per year

Appendix C – Calculation Methods

1. Trip Generation

Based on **TRICS 7.10 (DfT 2024)** suburban/rural edge datasets.

Average = 2.5 vehicle trips per dwelling × 10 000 dwellings = 25 000 trips/day.

Sensitivity range (NTS 2023 rural average 3.1–4.3) = 31 000–43 000 trips/day.

2. CO_2 Estimation

Mean trip length = 8.8 miles (14.2 km).

Average car emission factor (2023 fleet) = 0.180 kg CO_2/km.

→ 43 000 trips × 14.2 km × 0.180 kg = ≈ 21 000 t CO_2/year.

3. Capacity Comparison

A444 practical capacity = 1 800 vph; B4116 ≈ 900 vph.

Combined capacity ≈ 2 700 vph vs forecast 5 000 – 13 000 vph (Section 3).

Appendix D – Safety Evidence

Summary of recorded collisions and baseline risk.

Location	Period	Recorded Incidents	Severity (% Serious)	Source
A444 / A5 Redgate Island	2017 – 2021	48	21 % Serious	DfT STATS19 Dataset
A444 north of Twycross	2017 – 2021	32	19 % Serious	DfT STATS19 Dataset
B4116 Austrey – Orton	2017 – 2021	27	18 % Serious	Leics CC Road Safety Team

Interpretation: baseline risk is already above the rural A-class average (14 % serious); projected traffic growth would further elevate exposure.

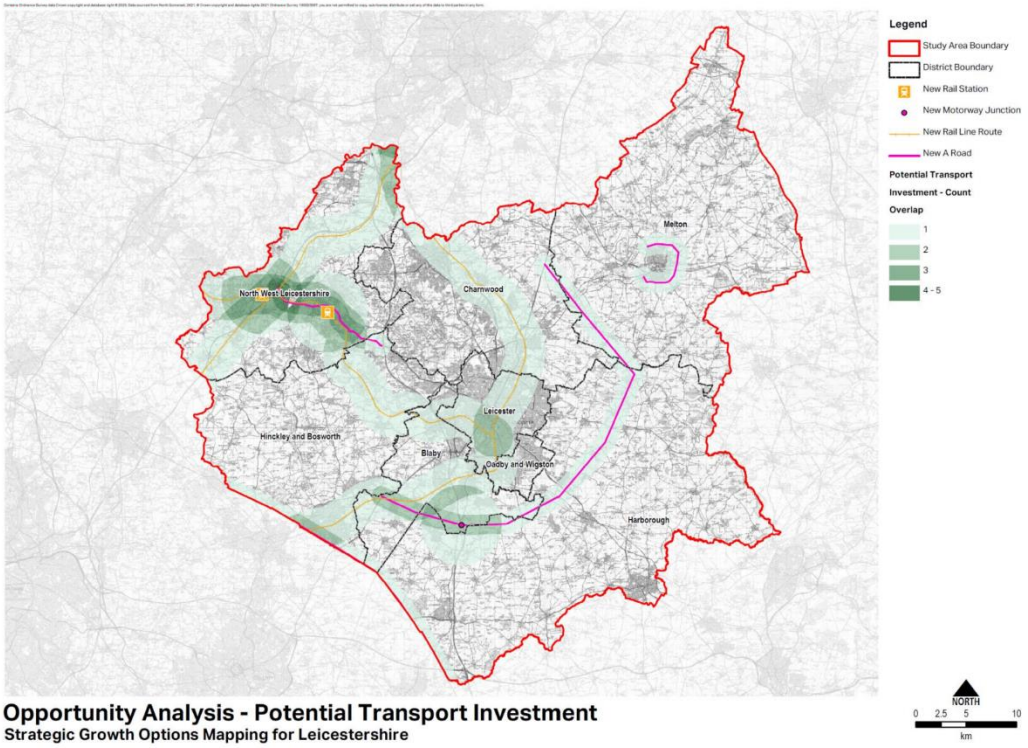
Appendix E – Cost Summary (Transport Elements)

Scheme	Lead Authority	Estimated Capital Cost	Status / Funding
A5 Dualling (M69 – M42)	National Highways + Midlands Connect	£750 m – £1 bn	RIS3 pipeline only; no funding before 2040
A444 Dualling + River Sence Bridge	Leics CC / HBBC	£100 – 150 m	No scheme design or funding identified
Redgate Junction Reconstruction	Leics CC / NH	£25 – 50 m	Dependent on A5 scheme delivery
Local Connector Roads (Shelford Lane corridor)	HBBC / Developer	£25 – 50 m	S106 potential only; no secured funding
Public Transport & Active Travel Measures	HBBC / LCC / S106	£5 – 10 m	Would require permanent revenue subsidy

Total indicative cost ≈ £880 m – £1.2 bn (≤ 10 % recoverable via Section 106)

Appendix F – Mapping

Figure 4.12 Potential Future Transport Infrastructure



Opportunity Analysis - Potential Transport Investment
Strategic Growth Options Mapping for Leicestershire

4b Norton Juxta Twycross

Strategic Sites - Norton Juxta Twycross (4b)
Strategic Growth Options Mapping for Leicestershire

Table 47 4b Norton Juxta Twycross

Criterion
Environment
Landscape
Heritage
Transport
Utilities and Infrastructure
Housing
Economy

Conclusion - Unsuitable Area for Strategic Growth

Appendix G – Abbreviations

AECOM – HBBC's strategic-transport consultant
ARCADY/PICADY/LinSig – DfT junction-capacity models
DTA – David Tucker Associates
HBBC – Hinckley & Bosworth Borough Council
LCC – Leicestershire County Council
NH – National Highways
NPPF – National Planning Policy Framework
RIS – Road Investment Strategy
SRN – Strategic Road Network
TRICS – Trip Rate Information Computer System

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