**From:** Suraj Dave <Suraj.Dave@leics.gov.uk>
**Sent:** Thursday, April 13, 2023 11:50 AM
**To:** Nichola Willder - TW Strategic Land <Nichola.Willder@taylorwimpey.com>
**Cc:** Gary Tucker - TW Strategic Land <Gary.Tucker@taylorwimpey.com>; Liam Ward <Liam.Ward@charnwood.gov.uk>; Simon Tucker <SJT@dtatransportation.co.uk>; Adrian Whiteman <Adrian.Whiteman@leics.gov.uk>
**Subject:** RE: HA3 - Land North of Barkby Road (LPA Ref: P/21/2639/2)

Good Morning Nichola,

We have now had an opportunity to discuss this application with colleagues and it has been concluded that we do not consider the suggested ‘improvement’ conditions approach to be acceptable on the basis that without additional information being provided at application stage, it is not clear if the necessary mitigation is deliverable. To provide further advice to CBC (either condition or contribution) we will need to see evidence of site specific schemes i.e. detailed design (taking on board any previous LHA comments), supporting junction modelling, RSA and Designer’s Response for the following junctions:

• High Street/Melton Road/Barkby Road;

• Goodes Lane/Melton Road (taking into consideration the LHA’s design comments); and

• Fosse Way/High Street

This site specific mitigation is considered necessary to make the development acceptable, alongside a wider highway and transport contribution as identified in the CBC emerging Local Plan.

Kind Regards,

**Suraj Dave**

**Senior Transport Planner**

Highway Development Management

Leicestershire County Council

Tel: 0116 305 5682

Email: suraj.dave@leics.gov.uk

***Please note that the contents of this email including any attachments are offered as my officer opinion and will not prejudice any future decision the Highway Authority may make in relation to this matter.***

**From:** Nichola Willder - TW Strategic Land <Nichola.Willder@taylorwimpey.com>
**Sent:** 06 April 2023 17:29
**To:** Adrian Whiteman <Adrian.Whiteman@leics.gov.uk>; Suraj Dave <Suraj.Dave@leics.gov.uk>
**Cc:** Gary Tucker - TW Strategic Land <Gary.Tucker@taylorwimpey.com>; Liam Ward <Liam.Ward@charnwood.gov.uk>; Simon Tucker <SJT@dtatransportation.co.uk>
**Subject:** RE: HA3 - Land North of Barkby Road (LPA Ref: P/21/2639/2)

Afternoon Adrian/Suraj

Further to our email exchanges last week I wondered if you had issued your response as I don’t think I have seen anything come through and it’s the bank holiday tomorrow.

Kind Regards

**Nichola Willder | Senior Strategic Land & Planning Manager| Taylor Wimpey Strategic Land**

Mobile: 07977190776 | e: nichola.willder@taylorwimpey.com

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**From:** Adrian Whiteman <Adrian.Whiteman@leics.gov.uk>
**Sent:** 31 March 2023 10:31
**To:** Nichola Willder - TW Strategic Land <Nichola.Willder@taylorwimpey.com>
**Cc:** Gary Tucker - TW Strategic Land <Gary.Tucker@taylorwimpey.com>; Suraj Dave <Suraj.Dave@leics.gov.uk>; Liam Ward <Liam.Ward@charnwood.gov.uk>; Simon Tucker <SJT@dtatransportation.co.uk>
**Subject:** RE: HA3 - Land North of Barkby Road (LPA Ref: P/21/2639/2)
**Importance:** High

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Hi Nichola,

I respond on Suraj’s behalf.

I note all of your comments, however clearly the LHA will only issue highway observations that it is comfortable with. That being said, I don’t have any significant issues with the condition as worded, just tweaks.

Liam has advised that, given the LHA currently anticipates being able issue observations advising approval subject to conditions and obligations, he is comfortable that we issue our observations by the end of next week. This is also on the basis that it will give Suraj a bit more time to try and resolve some of the issues, mainly with regard to the Melton Road / High Street / Barkby Road Junction.

Our observations, whilst fairly advanced, will not therefore be issued today.

Regards,

Adrian

**Adrian Whiteman** (he/him)

Principal Transport Planner

Highway Development Management

Highways & Transport Commissioning Service

Leicestershire County Council

Tel: (0116) 305 0001

DD: (0116) 305 5461

Email: adrian.whiteman@leics.gov.uk

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**From:** Nichola Willder - TW Strategic Land <Nichola.Willder@taylorwimpey.com>
**Sent:** 31 March 2023 09:53
**To:** Suraj Dave <Suraj.Dave@leics.gov.uk>; Liam Ward <Liam.Ward@charnwood.gov.uk>; Simon Tucker <SJT@dtatransportation.co.uk>
**Cc:** Adrian Whiteman <Adrian.Whiteman@leics.gov.uk>; Gary Tucker - TW Strategic Land <Gary.Tucker@taylorwimpey.com>
**Subject:** RE: HA3 - Land North of Barkby Road (LPA Ref: P/21/2639/2)
**Importance:** High

Dear Suraj

Thank you for your email. I will just like to take the opportunity to set out TW’s position.

For expediency we provided without prejudice improvements to two junctions. The outputs of the junction modelling confirms that whilst these junctions may be approaching capacity with the development the change in junction operation is not material. In accordance with Para 110d of the NPPF, mitigation need only be considered where there are “significant impacts”. That is clearly not the case here in our view and there is case law which supports that conclusion. However clearly the County have reached a different conclusions as they are requesting mitigation. In principle that could be accepted provided it is reasonable in kind and scale (NPPF Para 57). The schemes and conditions need to reflect that test.

We suggest that the following conditions with regards Goodes Lane / Melton Road and Fosse Road / High Street junctions

1. Prior to development commencing, a scheme for the improvements relating to the XXXX junction shall be submitted and agreed in writing with the Local Planning Authority. The scheme shall include the following:
	1. Detailed design for the improvements;
	2. Road Safety Audit; and
	3. Informed by phased junction modelling, the trigger that the works are required to be implemented by.
2. The improvements to the junction of XXXX shall be implemented in full, in accordance with the scheme agreed with the Local Planning Authority’ pursuant to Condition [1] above.

In terms of the second point you raise Suraj on the Melton Road / High Street / Barkby Road Junction, I am hoping by now that a decision has been made in line with what we discussed in the meeting as set out in the minutes below. I think the point was made at the meeting that the wider modelling for the Local Plan confirms that the flows in Syston are likely to decrease and that works to improve capacity here would conflict with wider strategic objectives and therefore mitigation was not considered appropriate or necessary. If that is now not LCC’s view and contributions are being sought for all three junction this could only be achieved by requesting an off-site commuted sum through S106 agreement and the costs per scheme is split proportionally across the three allocations in Syston (HA1, HA2 and HA3). To suggest an approach that would mean that HA3 alone would have to bear the costs for improving all three junctions through a condition is not reasonable, necessary or proportionate and as such would not in our view meet the CIL tests.

Please do contact myself or Simon if you would like to discuss. I know you have a lot on so thank you again for prioritising the response to this application and I look forward to seeing your final response later today.

Kind Regards

**Nichola Willder | Senior Strategic Land & Planning Manager| Taylor Wimpey Strategic Land**

Mobile: 07977190776 | e: nichola.willder@taylorwimpey.com

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**From:** Suraj Dave <Suraj.Dave@leics.gov.uk>
**Sent:** 30 March 2023 15:11
**To:** Liam Ward <Liam.Ward@charnwood.gov.uk>; Simon Tucker <SJT@dtatransportation.co.uk>
**Cc:** Adrian Whiteman <Adrian.Whiteman@leics.gov.uk>; Nichola Willder - TW Strategic Land <Nichola.Willder@taylorwimpey.com>; Gary Tucker - TW Strategic Land <Gary.Tucker@taylorwimpey.com>
**Subject:** FW: HA3 - Land North of Barkby Road (LPA Ref: P/21/2639/2)

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Afternoon Liam,

Please see an example draft condition below for the junction mitigations where there is no scheme.

***‘No Part of the development herby permitted shall be occupied until such time as improvements to the junction of XXXX have been agreed in writing with the Local Planning Authority and implemented in full.***

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

If you have any concerns, please let us know by mid-morning tomorrow.

@Simon Tucker in relation to point 7 in your email below, we haven’t been able to resolve this matter yet, so may have to offer a similar condition to the above if we are unable to resolve it tomorrow.

Thanks,

Kind Regards,

**Suraj Dave**

**Senior Transport Planner**

Highway Development Management

Leicestershire County Council

Tel: 0116 305 5682

Email: suraj.dave@leics.gov.uk

***Please note that the contents of this email including any attachments are offered as my officer opinion and will not prejudice any future decision the Highway Authority may make in relation to this matter.***

**From:** Simon Tucker <SJT@dtatransportation.co.uk>
**Sent:** 27 March 2023 16:55
**To:** Suraj Dave <Suraj.Dave@leics.gov.uk>; Adrian Whiteman <Adrian.Whiteman@leics.gov.uk>
**Cc:** Liam Ward <Liam.Ward@charnwood.gov.uk>; Gary Tucker - TW Strategic Land <Gary.Tucker@taylorwimpey.com>; Nichola Willder - TW Strategic Land <nichola.willder@taylorwimpey.com>
**Subject:** HA3 - Land North of Barkby Road (LPA Ref: P/21/2639/2)

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Adrian / Suraj (and Liam),

Thank you for your time on Friday, I have set out my notes of our discussion below for agreement:

1. Deadline for final consultation response from LCC to application – Friday 31st March.
2. Site Access arrangements (DTA Drawing 20060-02 F and 20060-02-2 F) are agreed and will be secured by planning condition.
3. TW proposals for public transport contribution is agreed. This amounts to £450,000 in total, payable in 6 x £75,000 annual instalments commencing prior to 50th occupation. Whilst this is based on costs of enhancing Service 100, LCC would like flexibility within the wording to spend funds on other measures (for example DRT). This is agreeable to TW and precise details can be covered at S106 drafting stage.
4. LCC welcome the sensitivity tests provided by TW. ST confirmed that these were particularly robust because the strategic Transport Assessment evidence base for the local plan confirms traffic flows will reduce through Syston as a result of wider interventions included in the IDP.
5. LCC consider mitigation is required at two locations as a result of the development and are seeking a commitment (under 278 / condition) for these to be provided by the development.
	1. Goodes Lane / Melton Road. ST explained the without prejudice scheme involved creating a right turn pocket to ease blocking by right turners into Goodes Lane. LCC consider the scheme needs further detailed review, design and RSA (comments received from SD on 24th and under review by DTA).
	2. Fosse Road / High Street. ST explained the without prejudice scheme involved localised widening to provide more stop line capacity at the signals. LCC consider the scheme needs further detailed review, design and RSA.
6. In the meantime, LCC advised that to support the planning application they would be proposing a condition that would secure the refinement and implementation of the scheme. GT advised that it would be TWs intention to agree the detailed design of the junction improvements with LCC in the period post committee and prior to signing the S106 in order to have clarity of associated costs. GT suggested that if the off-site schemes were agreed with LCC prior to the S106 being signed there may be no requirement for a condition and the works can be secured through the S106 or the drawing numbers added to drafted conditions.
7. In relation to the Melton Road / High Street / Barkby Road Junction, ST explained that works to improve capacity here would conflict with wider strategic objectives and therefore none was considered necessary. LCC to review position and confirm by 29th March 2023.
8. Strategic Contribution. LCC confirmed that a contribution towards strategic improvements would be sought from the development. The method for arriving at this figure is still being discussed by officers at LCC and Charnwood (with a meeting being held on Wednesday 29th March), so it was likely that the final response from LCC would refer the need for a payment with the details “TBC”. TW seek a firmer commitment on scale of costs – LCC to confirm.
9. LCC to share proposed conditions with Liam Ward who would share with TW for discussion.

Simon

Kind regards

Simon Tucker



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