

Tritax Symmetry (Hinckley) Limited

HINCKLEY NATIONAL RAIL FREIGHT INTERCHANGE

The Hinckley National Rail Freight Interchange Development Consent Order

Project reference TR050007

Applicant's response to Deadline 6 Submissions [part 3 - LCC]

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27 February 2024

Planning Act 2008

The Infrastructure Planning (Applications: Prescribed Forms and Procedure) Regulations
2009 Regulation 5(2)(q)

Application by Tritax Symmetry (Hinckley) Limited for an Order Granting Development Consent for the Hinckley National Rail Freight Interchange – Deadline 6 submission

Comments on Deadline 5 submissions

Examination Library Reference	Document Name	LCC Comments	Applicant's Response
REP5-003	2.4H Hinckley NRFI Works Plans (Sheet 8 of 8)	<p>The Applicant has updated the works plan to include for a reduced scheme of mitigation at the Cross in Hand roundabout which now excludes any improvements on the LCC network (A4303). LCC have been reviewing the 2023 survey data and furnessing methodology for this junction alongside National Highways and Warwickshire County Council. Initial reviews have identified concerns with the interpretation of the survey data and the associated furnessing methodology. These have been raised with the Applicant team but to date no satisfactory response has been received to allow resolution of this matter. Therefore, it remains unclear if the proposed scheme of mitigation is appropriate.</p>	<p>The mitigation proposed through the amended surveys at Cross-in-Hand has been subject to sensitivity testing on the flows furnished from the PRTM. This was raised directly by WCC and further discussions and additional modelling has been uploaded to the BWB Sharepoint site and shared with the TWG on 6 February 2024.</p> <p>Specific to the Cross-in-Hands; the reassigned traffic provided an improvement in capacity and throughput. This has been shared with WCC and has been agreed to be satisfactory. WCC have advised they may now no longer require the proposed mitigation, however this has not been reviewed and agreed by NH or LCC and therefore the works are to remain within the DCO with amendments to requirement 5 to allow all parties to agree whether the works are not required to be undertaken and to secure that alternatives may be delivered if necessary. The amendment to the requirement is included in the Applicant's final dDCO submitted at Deadline 7 (document reference: 3.1D) and explained in the Explanatory Memorandum (document reference: 3.1C).</p>
REP5-004	2.29B Hinckley NRFI Geometric Design Strategy Record	<p>LCC cannot locate a tracked version of this document either on the SharePoint site or within the Examination Library. However, LCC committed to reviewing the document alongside a detailed design review and to providing an update to the EXA at Deadline 6. LCC has completed its review and full comments are appended below. The ExA will note a number of concerns in respect of design compliance, some of which can be addressed at a detailed design stage, and others which are more fundamental in respect of highway safety and/or deliverability and may require amendments to the red line boundary. At a meeting on 15th February 2024 the Applicant team committed to addressing some of the comments. However, it is unclear whether this will be completed within the timeframe of the examination.</p> <p>LCC received updated RSA briefs from the Applicant team on 15th February 2024 to accurately reflect drawing submissions. LCC have signed these briefs and</p>	<p>The only changes to this document at Deadline 5 were to the appended drawings and so no tracked version was provided.</p> <p>All of the design comments appended below were discussed at a meeting with LCC on 15th February 2024 and a written response provided to LCC on 16th February. Many of the comments are repetitive and reference has been made to a single response where items repeat or ask for information which has been provided within the examination and which has been sign posted separately to LCC (such as the drainage strategies within the Environmental Statement). In addition, numerous items were agreed between the parties at the meeting on 15th February, however where these items are still noted in the comments below, they have been answered as "agreed in the meeting" and reference made to this. The responses to the comments appended below expand upon those provided to LCC in writing after the meeting with further detail and clarification added where appropriate. It was agreed in the meeting of 15th February that any design updates required were to be captured after the formalisation of the Stage 1 Road Safety Audit for which the brief was signed on 20th February alongside any actions arising from the RSA.</p>

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		returned to the Applicant team. Given the design comments raised by LCC, and previous problems raised by the Audit team that have not been addressed, LCC await the findings of the Stage 1 Road Safety Audits with interest.	
REP5-005	Hinckley NRFI M69 Junction 2 Overbridge Structural Record Drawings	The submission includes historic drawings of the M69 J2 structures. Whilst this is welcomed, the documents as submitted do not demonstrate that the addition of south facing slip roads can be accommodated without impacting on these structures. LCC's concerns remain as originally set out in its Written Representations (REP1-152) and repeated throughout the examination process. This could be resolved if the Applicant were to simply overlay the slip road proposals with the historic structural information.	The Applicant has confirmed in writing on numerous occasions and most recently in ISH6 that the new slip roads do not affect the existing structures. In addition, the 1:500 plans appended to the GDSR (document reference: 2.29B, REP5-004) label the existing structure and that it is unaffected. At ISH6 it was agreed that the structural record drawings would be provided and these were issued at Deadline 5 (document reference: 2.31, REP5-005). Subsequently, in a meeting on 15 th February, a request was made by LCC for an overlay drawing showing the existing structural record information and the proposed slip roads. Whilst the Applicant does consider that this has previously been requested and believes it has answered all of the requests of LCC for confirmation that the proposed works do not affect the existing bridge structure to date, the Applicant has included the requested overlay plan in its Deadline 6 submission (document reference: 2.31.1, REP6-003).
REP5-006	Hinckley NRFI Outwoods Level Crossing Footbridge – Illustrative Design	LCC welcomes the submission of an indicative drawing showing a ramped footbridge in place of the Outwoods level crossing. LCC note that in principle, and subject to the bridge being constructed to the appropriate standards, Network Rail is willing to assume ownership and maintenance of the structure post completion subject to LCC assuming responsibility for maintenance and replacement of surfacing to the bridge deck and stairway treads and, to the extent required, public footway lighting (REP5-088). In principle, LCC would consider adopting the surfacing to the bridge deck, stairway treads and any lighting to the PRoW subject to compliance with LCC adopted highway design standards and payment of an associated commuted sum.	This is noted and agreed. The protective provisions within the dDCO for the benefit of LCC (Part 3 of Schedule 13) do provide for the PRoW to be delivered in compliance with LCC adopted highway design standards and for payment of the commuted sum. This provision had been specifically added for clarity in the version of the protective provisions issued to LCC on 6 February and highlighted to LCC in a meeting prior to Deadline 6.
REP5-010 REP5-011	6.2.8.1C Hinckley NRFI ES Appendix 8.1 Transport Assessment - part 15 of 20 - Sustainable Transport Strategy and Plan and Appendices	LCC notes the inclusion of Table 1. Commitments to bus services do not appear to include frequency. Moreover, it is stated that they will be diverted into the site. This contradicts the Strategy at para 10.9 where it is stated that services buses with serve the A47 link road with access to the site provided by a private shuttle bus. However, there is not a shuttle bus commitment in the table.	The Shuttle Service was included in the STS report. The amendment for Deadline 7 (document reference: 6.2.8.2E) ensured this was included in the summary of commitments.

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		<p>LCC remain at a loss as to the reluctance of the Applicant to include financial commitments as identified within the Strategy e.g., bus passes, within the draft Unilateral Undertaking. Moreover, some commitments e.g., provision of travel packs appear to be missing from the table.</p> <p>The inclusion of cycle infrastructure within the site is welcomed. However, it is unclear how this connects to the existing limited provision, and provision as identified as "enhancements" but not delivered until occupation of 105,001sqm of floorspace.</p> <p>LCC note commitment to carrying out a number of feasibility reviews. Whilst the principle is welcomed, there does not appear to be any commitment to their implementation.</p> <p>LCC note at para 10.22 the withdrawal of the fund available in the event that modal shift targets are not met.</p>	<p>Travel Packs are included within the Framework Site Wide Travel Plan (document reference: 6.2.8.2D) however have been added to the STS commitment table for DL7. The STS commits to the 6-month bus pass as discussed with LCC- this is secured under the requirements of the DCO (document reference: 3.1D) as part of the STS (document reference: 6.2.8.2E) because they will be provided directly with the bus service provided and not via LCC. There is no requirement to duplicate commitments in the Unilateral Undertaking when they are secured through a management plan which is secured by DCO requirement. This is not in line with planning guidance and would serve only to confuse clarity of compliance with commitments.</p> <p>The STS commitments secure that reviews are carried out on an annual basis regarding mode share and implementation of measures.</p> <p>The site infrastructure connects with identified cycle routes in the vicinity of HNRFI which are adequate and appropriate. The enhancements have been identified to boost mode share as occupancy grows within the site.</p> <p>The review, monitoring and implementation will dictate the investment needed to achieve the mode shift target rather than commit to a fixed amount at this stage.</p>
REP5-013	6.2.8.2C Hinckley NRFI ES Appendix 8.2 Framework Travel Plan	<p>LCC note the inclusion of Figure 5-4. The figure is misleading. It suggests potential enhancements to the cycle network to provide access to the site. However, the Applicant has not committed to potential enhancements 3, 4a, 4b, 5, 6, 9 and 9a.</p> <p>As noted above, commitments to bus services do not appear to include frequency.</p> <p>LCC note at para 8.26 the withdrawal of the £100,000 fund available in the event that modal shift targets are not met.</p>	<p>The STS (document reference: 6.2.8.1E) provides the rationale behind the routes and identification of enhancements. The STS is clear in respect of which enhancements have been committed to. This has been replicated in the Framework Site Wide Travel Plan for information.</p> <p>The timetables are indicative at this stage but provide an illustration of the timings. These are public services and subject to changes which are outside the Applicant's control. However, commitments 1,2 and 3 within the STS (document reference: 6.2.8.1E) Table 1 commit the Applicant to providing a level of service.</p>

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			The review, monitoring and implementation will dictate the investment needed to achieve the mode shift target rather than commit to a fixed amount at this stage.
REP5-015	6.2.11.2C Hinckley NRFI ES Appendix 11.2 Public Rights of Way Appraisal and Strategy	LCC note the minor change to this document to remove wording from paragraph 1.86 to a new paragraph at 1.93. This clearly does not change LCC's position as set out at REP1-152 and as repeated throughout the examination process.	The Applicant has added further detail to the PRow Strategy (document reference: 6.2.11.2D) at paragraphs 1.95 and 1.98 clarifying that the design detail will be secured through Requirements 4, 21 and 29.
REP5-018	6.3.11.14B Hinckley NRFI ES Appendix 11.14 Public Rights of Way and Informal Open Space Strategy	It remains clear to LCC what has been amended on this drawing, with the exception of the re- location of the bus lay-by to the development side of the A47 link road.	As noted in the Applicant's responses at Deadline 6 (document reference: 18.19, REP6-020), the bus lay-by adjustment was the only amendment to doc ref 6.3.11.14A. Doc ref 6.3.11.14B included the change to the footpath/cycleways adjacent to the A47 Link Road from permissive paths to adopted highway. A further update to Figure 11.14 is provided at Deadline 7 (document reference: 6.3.11.14C) which includes an additional bridleway link connecting the A47 footpath/cycleway to Burbage Common Road to enhance connectivity and provide route options.
REP5-021	S106 Heads of Terms/Unilateral Undertaking	LCC comments on the latest draft Unilateral Undertaking which was provided to LCC by the Applicant on 19 th February 2024 are as appended below. LCC comments on the draft were provided to the Applicant on 19 th February 2024. LCC await a response. Also appended below is an updated table of LCC s106 Heads of Terms which demonstrates the current position in respect of inclusion in the draft Unilateral Undertaking.	The Applicant has responded separately to LCC's comments on the Unilateral Undertaking below in this document. The final version of the Unilateral Undertaking is submitted at Deadline 7 (document reference 9.2A) and the Applicant's final position on that document is set out in (document reference: 9.3).
REP5-038	Applicant's Response to ExA's Further Written Questions [Appendix B – Protective Provisions position table]	LCC note the Applicant's response to the LCC Protective Provisions. LCC have continued to respond to all requests to revised documents and have facilitated meetings where requested. LCC submitted its comments to the ExA at Deadline 5 (REP5-075).	Noted. The Applicant's final version of the protective provisions is in its final dDCO submitted at Deadline 7 (document reference 3.1D) and its position is explained in the Explanatory Memorandum (document reference: 3.2C). The provisions now include the latest agreed position with the highway authorities that the parties may agree between themselves that one of the highway authorities may assume responsibility for approval of Work No. 16.
REP5-023 REP5-024	17.4C - HGV Route Management Plan & Strategy & Appendices	LCC note the inclusion of Table 1. However, this is not tracked in the track change version of the document. LCC cannot accept its contents on the basis of fundamental outstanding issues as detailed below, and LCC remain concerned about the adverse impact of HGV traffic from the development through local villages.	The Applicant maintains that the approach to the HGV Route Management Strategy and Plan commits to significant monitoring and management of effects related to HNRFI. The Applicant has amended the HGV Route Management Plan and Strategy (document reference: 17.4E) for Deadline 7 submission.

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		<p>It is noted that the Strategy is to be administered and monitored by the Travel Plan Co-Ordinator. The Travel Plan Co-Ordinator's details are to be published on websites for the public to contact. It is unclear what percentage of the Co-Ordinator's role would be dedicated to this on the basis that the primary function should be ensuring ambitious targets set out in the Site.</p> <p>Wide Framework Travel Plan relied upon for modal shift and justification for not providing off-site mitigation are met.</p> <p>The revised Strategy includes at Para 5.26 a £200,000 commitment to mitigate if the Strategy does not work. This "commitment" is not reflected in the Unilateral Undertaking submitted to LCC as above. In addition, as discussed at ISH6, it is unclear to LCC what measures £200,000 could realistically fund. Despite Table 1 of this document stating that this information can be found in Table 2, this information appears to be missing (Table 2 refers to Parking Guidance).</p> <p>The appendices (REP5-024) now include the location plans of ANPR cameras. Two cameras are proposed on LCC's network, one in Sapcote (ANPR camera location 1), the other in Elmesthorpe (ANPR camera location 2). It is unclear how these cameras will identify HGV breaches through the local villages as listed at para 3.13 (REP5-023). The camera locations as proposed will not pick up more than one breach per vehicle i.e., an HGV travelling through the village of Sharnford or Broughton Astley and then through Sapcote will only be identified by the camera in Sapcote despite having breached prohibited routes through other villages. Conversely, an HGV could travel along a prohibited route e.g., through Hinckley town centre and not be detected by any camera whatsoever.</p> <p>Moreover, there are no drawings submitted that show cameras at the accesses to the development site to identify "matches" or at the Unit locations. Therefore, the proposal appears to be incomplete. In addition, the camera proposed in Elmesthorpe (ANPR camera location 2) (REP5-024) needs to be relocated beyond the extents of the access visibility splay to Thorney Fields Farm.</p>	<p>The Travel Plan Coordinator role will be dedicated to transport impacts of the site and the measures to reduce the Site's overall effects on the surrounding locality. The coordination between the two documents is seen as important. Administration of each element (STS/Framework Site Wide Travel Plan and the HGV Route Strategy and Plan is envisaged to absorb 50% of the Travel Plan Coordinator's time).</p> <p>The Applicant will manage a fund of £200,000 to pay for additional measures that the HGV Strategy Steering Group considers necessary to further discourage HGVs routing via Sapcote and/or other measures such as strategic signage/TRO's etc on any other routes. The Applicant believes this is an adequate fund, that will be topped up on an annual basis with any occupier fines collected for breaching the HGV Route Management Plan & Strategy. Table 2 was incorrectly referenced; this should have cross referenced Table 3 on page 37 of the document referred to. This has been rectified in the HGV Route Management Plan and Strategy (document reference: 17.4E). The Applicant has also added an obligation in the Unilateral Undertaking where it commits to provide evidence of the establishment of the fund and to administer the fund in accordance with the principles explained in the HGV Routeing Management Plan and Strategy. This is reflected in the final version of the Unilateral Undertaking submitted at Deadline 7 (document reference: 9.2A).</p> <p>Additional camera locations have been added to the Deadline 7 HGV Route Management Plan and Strategy (document reference: 17.4E). This includes the B4669 and B4668 towards Hinckley and The</p>

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		<p>The prohibited routes listed at para 3.14 and repeated within Table 1 do not appear to reflect the camera locations i.e., the lists do not contain prohibited routes within Warwickshire despite 5no. ANPR cameras being proposed within the County.</p> <p>The thresholds set out in the management stages in Table 1 and paras 5.46 to 5.52 do not appear to be rigorous enough to prevent breaches, and recurrence of breaches. Moreover, a minimum fine level should be set at £1,000 not up to £1,000 to act as a deterrent.</p> <p>At paras 5.39 and 5.40 the Strategy details the enforcement action to be taken by Blaby District Council. This appears to be breaches of the Strategy as a whole and is ill defined.</p> <p>The Strategy as drafted places a burden on Council's and consequently the public purse in respect of contact from members of the public reporting breaches, monitoring, and enforcement. This does not appear to be clearly defined and it remains unclear if there is a commitment from the Applicant to reimburse the full cost of enforcing a private developer Strategy with no burden to the taxpayer.</p>	<p>Common in Barwell. The Sapcote camera covers the eastern villages as this is the primary access route to the site from Broughton Astley and Sharnford. The first camera on the B581 and B4669 west of the M69 will capture any HGVs travelling on the prohibited route. One breach is recorded per trip and the Travel Plan Coordinator will assign based on the occupier's documents and report.</p> <p>The HGV Route Management Plan and Strategy has always stated the following and this is still the case in paragraph 6.14 of 17.4E submitted at Deadline 7: ANPR cameras will be located on site-maintained infrastructure, so that HGVs entering/exiting each individual occupier's demise can be adequately recorded. This will be either be at the entrances to individual service yards, or on the boundary of private access roads.</p> <p>And hence until such time as the detailed layouts of each occupier's demise are known the exact position of these cameras can't be fixed. The detail can be provided prior to occupation.</p> <p>The Camera on the B581 has been moved and included in Deadline 7 submission and prohibited routes added in liaison with WCC (Hinckley NRFI Route Management and Strategy) (document reference: 17.4E).</p> <p>The number of cameras has been increased to ensure all routes are covered to and from the HNRFI. Warwickshire prohibited routes have been added in liaison with WCC and camera location identified, subject to positioning. This can be found in the most recent document 17.4E (document reference: 17.4E).</p> <p>Fine levels are set in line with existing weight limit breaches as set out in Paragraph 5.50. This is an appropriate level based on these.</p> <p>These paragraphs outline the Planning Powers Blaby have related to enforcement. All breaches are reported to the HGV Steering Group as part of the reporting by the Applicants Travel Plan Coordinator, but fining and detailed monitoring are the responsibility of the Applicant.</p> <p>The Strategy Commitments clearly set out in Table 1 the responsibilities of the Applicant in monitoring and enforcement of fines and reporting to the Steering Group. Involvement of the</p>

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			Authorities is by way of attendance at yearly steering group meetings during which any remedial action would be agreed and the Applicant has, as LCC is aware, committed in the s106 Agreement and Unilateral Undertaking (document reference: 9.2A) to contribute to the Councils' attendance at these monitoring meetings. The burden on the public purse, if anything, is minimal.
REP5-027	18.6.8B Narborough Level Crossing Traffic Modelling (Appendices)	LCC note that the Applicant has submitted the November 2023 survey data previously requested totalling 430 pages. However, the Applicant has not summarised existing queue lengths in terms of numbers, nor defined what the additional impact of barrier downtime will be on these queue lengths as requested based on these November 2023 surveys at Deadline 5 (REP5-075) and as discussed at ISH6. Therefore, the impact of the development on the local road network in this location remains unclear both in respect of vehicular impact and the additional wait times for those who are unable to use the stepped footbridge.	As has been reiterated previously: The report (document reference: 18.6.8A, REP4-118) clearly contains the analysis of additional barrier downtimes on the queue length. This is quantified and tabulated within the reports and is as discussed with the TWG on the 13 November 2023. A considerable amount of analysis has been done to project the impacts to the 2036 with observed and modelled flows. Individual hourly models have also been carried out to assess the barrier downtimes and its impact on queuing. The November re-survey was fully assessed, and worst-case information was used- However, this was recorded during the original October survey. The 430 pages referred to were generated by the further additional requests for surveys received from LCC which the Applicant went to considerable length and expense to secure. The Applicant has also provided a further response to the ExA WQ 2.11.19 in relation to specific timings of barrier downtimes and the arrival of HNRFI trains forecast across a 24-hour period. This provides additional clarity on clearance of queues at the busiest times.
REP5-030	18.13.2 Applicants response to deadline 3 submissions (Appendix B - Transport 2023 Update)	LCC note the submission of local junction model outputs by the Applicant to reflect the 2023 survey data.	Noted
REP5-052	18.18 Hinckley NRFI M1 J21 Modelling Note & Appendices	This Modelling Note appears to replicate much of the information provided by the Applicant at REP4-131. LCC's comments remain as per their deadline 5 response (REP5-075) as copied below: The Applicant has modelled M1 J21/M69 J3 in Linsig with Lutterworth East mitigation. The assessment concludes that the proposed development would not have a material impact on the operation of the junction and no further mitigation will be required despite the modelling showing a detrimental impact on the Local Road Network. However, this places a reliance on the delivery of the Lutterworth East scheme (which cannot be guaranteed) and a reliance on a reduction of 10-13% of development traffic routing through the junction based on the effects of the	The LUE mitigation works themselves were primarily provided to avoid queues on the M1J21 northbound approach and have been secured via planning condition. The traffic for LUE is already included in the PRTM 2.2 WoD and WD models. Consequently, the baseline for HNRFI modelling should also include the associated mitigation works. However, a scenario based on the existing arrangement has also been assessed. (Albeit this still includes the LUE traffic) As agreed with the TWG, traffic surveys were undertaken at M1J21 on 29th November 2023 and the same agreed furnishing methodology was used to produce 2036 WoD and WD turning flows. (Peak hour flows have reduced by 11% and 13% during peak periods compared with the 2019 survey/base model.)

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		<p>Sustainable Transport Strategy. This assumption cannot be relied upon.</p> <p>It should be noted that whilst the Lutterworth East Transport Assessment concluded that the mitigation proposed mitigated the impact of the Lutterworth East development, it did not provide any additional capacity for other development. Moreover, it concluded that the junction would continue to operate over capacity, noting the intention of the scheme was to offset the highway safety implications of Lutterworth East traffic queuing on the M1 mainline having exceeded the capacity of the M1 J21 northbound off slip.</p> <p>The junction has not been modelled in VISSIM as requested and a Linsig model will not replicate complex movements at this junction as consistently advised by LCC and NH and as discussed at ISH6.</p>	<p>At the request of LCC, a theoretical assessment has also been undertaken where no background traffic diverts. This does not follow the agreed methodology used for all other junctions within the Transport Assessment. Therefore, it is provided as a sensitivity test only. It would not inform the assessment of the HNRFI and its mitigation package. Rather, it would inform the requirements of an unidentified, unfunded and uncommitted improvement scheme. Hence, undertaking the assessment is considered an unreasonable requirement and contrary to Circular 01/2022</p> <p>The modelling demonstrates the magnitude of impact is negligible in both scenarios and whilst the junction operation is worse without the committed LUE improvements, the impact on queues and delay remains marginal. Hence, the impact is not considered to be 'severe', and it is maintained that highway mitigation is not justified.</p> <p>The Applicant has not changed its approach nor rationale in the pre and post submission process. Additional clarity has been provided and re-surveys were done at the insistence of Transport Working Group authorities. The Applicant has never proposed to undertake a micro-simulation model. It is important to note that LCC has a 2016 PARAMICS model which lacks validation and covers the extensive network around Junction 21. This was not used in the determination of LUE works at J21, with LCC as the applicant. The limited impact and movements the HNRFI has on Junction 21 has meant that the modelling and the impact review is adequate for the conclusions drawn.</p>

Hinckley National Rail Freight Interchange
 Leicestershire County Council Design Review Comments as presented to the Applicant
 team on 14.02.2024 and as discussed at a meeting with the Applicant team on
 15.02.2024

HIGH LEVEL COMMENTS

No	LCC Comments	Applicant's Comment
The main concerns identified are as follows:		
i)	Roundabout 1 is not justified on the basis that it is only provided to facilitate a sharp deviation in the horizontal alignment of the A47 link road at this location. As designed, this will prove an added maintenance burden to LCC and will attract additional commuted sums if not designed out.	The Applicant disagrees. Roundabout 1 is necessary for the authorised development to enable the internal development road to be constructed from this roundabout in the event that the masterplan requires. The limits of deviation to Work No. 4 and the parameters plan allow for this eventuality and traffic modelling was submitted at D6 (document reference: 22.1) as requested by LCC to show this.
ii)	A 60mph speed restriction is proposed to the single carriageway section of the A47 link road over a distance of approximately 600m between the proposed B4668 Leicester Road roundabout and the proposed rail bridge crossing. There is concern that the speed restriction change would be at an inappropriate location and inconsistent with the speed restriction proposals either side. Consideration should be given to a consistent 40mph speed restriction throughout.	This length is proportionate for a rural derestricted carriageway. There is around 650m of 60mph road (which is above the recommended minimum length between changes in speed limit) with no junctions or other features serving solely as a link between the B4668 and the development to the south of the railway bridge. The Applicant has undertaken design speed calculations in accordance with CD109 and these work out as 100kph design speed which is equivalent to 60mph. The geometry for this section is compliant with 100kph design speed in CD109. The Applicant has concerns about imposing a 40mph speed limit as there are numerous examples of such roads with low speeds limits where road user compliance is very poor. This section has been shown as derestricted speed limit since the public consultation and throughout the application and the comments raised on 14 th February by LCC appear to be the first comment made on this matter. The Applicant would also note that there is provision within Article 17(6) for the LHA to vary speed limits should they wish using the 1984 Act. As a result, the Applicant does not propose to amend the scheme at this late stage.
iii)	Poor connectivity for active travel users	The Applicant disagrees. This point has been addressed in the Applicant's previous responses at D5 and D6. See the Sustainable Transport Strategy (document reference: 6.2.8.1E) for an illustration of active travel routes to and from the development via the link road.
iv)	It is noted that for two junctions, B581 Broughton Road/Coventry Road and A47 Normandy Road/Ashby Road there is a S278 scheme which has been subject to ongoing technical review. The designs submitted do not reflect the s278 submissions and indeed reduce capacity.	LCC has been aware of the Applicant's position on the B581 Broughton Road/Coventry Road junction since before the Examination began. This scheme has been modelled using the PRTM flows and the agreed planning uncertainty log inputs to 2036. The submitted junction mitigates the impact of the HNRFI development and does not compromise its functionality in the future scenarios. The core difference between the plans is a short flare on the eastern arm Broughton Road included on the other developer's S278 - this does not compromise capacity according to the modelled outputs. Requirement 5(2) of the dDCO (document reference: 3.1D) clearly sets out that should the S278 not be delivered, then the proposed scheme will be delivered in its place by the Applicant. This was discussed and explained by the Applicant in ISH2.

No	LCC Comments	Applicant's Comment
		<p>In respect of the A47 Normandy Road/Ashby Road junction, the Applicant notes that the applicant for the permission 22/0318/OUT has recently (18 Jan 2024) successfully appealed the LPA decision APP/K2420/W/23/3323113 which includes some proposed highway works at this junction. That scheme, including the northbound route does not appear to the Applicant to be deliverable due to reliance on third party land and is yet to receive technical approval. It is noted that the condition 30 of the Appeal decision states (Applicant highlight): <i>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.</i> The Applicant's proposed works mitigate the HNRFI development, however, as explained above, a new paragraph has been included in requirement 5 of the Applicant's final dDCO which would allow the Applicant and the highway authority, should LCC so desire, to agree that the Applicant's scheme is not delivered and still ensure that appropriate security is in place for an alternative scheme to be delivered, with the Applicant still contributing to ensure that the HNRFI impact is mitigated.</p>
v)	<p>Adequate allowance would need to be made for Road Restraint Systems and verge widths, as potentially required by a RRRAP assessment and CD127 requirements. It is unclear if this can be accommodated within the red line application boundary.</p>	<p>When discussed at the 15th February meeting, this comment was made in relation to the A47 link road and associated junctions and so the Applicant's response is made on that basis. There is space within the red line for adequate VRS without affecting visibility and sight lines and this will be designed in detail at detailed design stage. It was agreed at the meeting on 15th February with LCC that the Applicant would look at a road restraint risk assessment for the bridge and any other pinch points where VRS may be required where highway works are close to the order limits. This will be provided in the next design iteration following consent.</p>
vi)	<p>For the proposed 'off-site' mitigation scheme on B4669 Leicester Road Sapcote, there are fundamental safety concerns. These would require the designer to reconsider and amend the proposals.</p>	<p>The Applicant disagrees. The Applicant's case against the relevant points are set out in this document and in its D6 submission separately (See document 18.19 item 29-32).</p>
vii)	<p>For the proposed 'off-site' mitigation scheme on B4669 Leicester Road Sapcote, there are fundamental safety concerns. These would require the designer to reconsider and amend the proposals.</p>	<p>This is a repeat of comment vi) above.</p>
2. Detailed Comments		
2.1 Dwg No HRF-BWB-HGN-HW01-DR-CH-0100 S2-P02 GA Sheet 1 – A47 link road/B4669		
2.1.1	<p>Forward visibility (SSD) to proposed give way lines at the roundabout needs to be shown.</p>	<p>Noted throughout. The Applicant is confident that suitable forward visibility is achievable throughout as this has been checked during the preliminary design and the achieved forward visibility set out within the text of the GDSR (example table extract below). This will be shown on the drawings within the next design iteration following consent.</p>

No	LCC Comments	Applicant's Comment																																				
		<table border="1"> <thead> <tr> <th colspan="4">Roundabout 1 Northbound Approach (Design speed: 70kph)</th> </tr> <tr> <th>Requirement</th> <th>Criteria</th> <th>Actual provided</th> <th>Departure from Standard?</th> </tr> </thead> <tbody> <tr> <td>Visibility on approach</td> <td>120m for 180m (1.5 x SSD)</td> <td>≥ 120m for 180m</td> <td>No</td> </tr> <tr> <td>Visibility on entry</td> <td>40m at 15m back from give way line</td> <td>≥ 40m at 15m back from give way line</td> <td>No</td> </tr> <tr> <td>Visibility to right on entry</td> <td>40m from give way line and 15m back from give way line</td> <td>≥ 40m at 15m back from give way line</td> <td>No</td> </tr> <tr> <td>Entry path curvature</td> <td>≤ 100m</td> <td>82.87m</td> <td>No</td> </tr> <tr> <td>Entry angle</td> <td>20° to 60°</td> <td>32°</td> <td>No</td> </tr> <tr> <td>Entry radius</td> <td>20m to 100m</td> <td>20m</td> <td>No</td> </tr> <tr> <td>Lane width on entry</td> <td>3-4.5m</td> <td>2x4.5m</td> <td>No</td> </tr> </tbody> </table>	Roundabout 1 Northbound Approach (Design speed: 70kph)				Requirement	Criteria	Actual provided	Departure from Standard?	Visibility on approach	120m for 180m (1.5 x SSD)	≥ 120m for 180m	No	Visibility on entry	40m at 15m back from give way line	≥ 40m at 15m back from give way line	No	Visibility to right on entry	40m from give way line and 15m back from give way line	≥ 40m at 15m back from give way line	No	Entry path curvature	≤ 100m	82.87m	No	Entry angle	20° to 60°	32°	No	Entry radius	20m to 100m	20m	No	Lane width on entry	3-4.5m	2x4.5m	No
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2.1.2	Geometric Design Strategy Record (GDSR) document advises design speeds of 70 kph based on 40mph speed restriction for vehicles approaching in a South-Westerly direction. This length of B4668 currently has a 50mph speed restriction and so proposed design speeds on the existing B4668 should be supported by 85th %ile speed measurements. Although it is proposed to extend the existing 40mph speed restriction to the South-West of the proposed roundabout, there would be no guarantee that this would sufficiently reduce speeds where required.	As this will be a new junction with a new speed limit, 85th %ile speeds will not be representative of the scenario as it will be in future. That said, the forward visibility in this case exceeds that required for a 70kph design speed (as set out within the GDSR document) (document reference: 2.29B, REP5-004) and indeed 80kph design speed.																																				
2.1.3	Clarification required regarding ICD and central island diameters. The GDSR indicates a central island diameter of 30m but this appears to be 28m on the plan based on the entry path radius shown. Has the roundabout got a 1m overrun strip?	The plan is correct. No overrun strip is proposed. The Applicant will amend the GDSR report post consent as this is a typographical error and does not affect the conclusions drawn within the document.																																				
2.1.4	The approach tapers for the diverge into the segregated left turn lane needs to be shown.	The approach taper is 1:15 as per CD 116 Table 6.32 for design speed above 60kph.																																				
2.1.5	No vehicle tracking appears to have been provided, and this must be submitted for review, taking into account multi-lane manoeuvres around the junction.	The Applicant will include this in the next design iteration following consent.																																				
2.1.6	Forwards visibility splays over the required SSD need to be shown to demonstrate compliance with CD116. The splay would need to be within the proposed highway boundary.	SSD to give way lines for the approach arms are set out in the GDSR tables. Visibility is achievable within highway boundary.																																				
2.1.7	On the North-Eastern arm the tie-in to the existing central hatched markings needs to be shown.	This is a matter for detailed design.																																				
2.1.8	On the proposed A47 link road the speed restriction is shown as increasing from 40mph to derestricted approximately 100m South of the B4668 roundabout junction. There is concern that that this would encourage higher vehicle speeds in a location where vehicles are merging from 2 lanes to 1.	The lane reduction taper is designed to CD 127 Table 2.28 for a design speed of 100kph which is appropriate for the derestricted speed limit.																																				
2.1.9	The proposed highway works will require diversion and/or protection of existing statutory utilities equipment and the developer will need to ensure that all existing services within the verge are identified and liaise with the relevant statutory undertaker.	Noted. These discussions are ongoing and appropriate provisions are included in the dDCO for statutory undertakers and any necessary diversions.																																				
2.1.10	No interim RSA information appears to have been provided for this proposal, and this would need to be submitted along with designer's response to any problems raised.	This comment related to the new roundabout on the B4668. This area was reviewed during the interim RSA and is included in the formalised, signed off RSA 1 brief.																																				
2.1.11	Potential safety concern at the proposed access for G&T site. More detail is required to ensure vehicles access and egress the site in a safe and controlled manner. Swept Path Analysis also required.	Visibility splays are shown on the drawings for this and are compliant with the design speed of this section of the B4668 (180m). The Applicant can provide tracking at the																																				

No	LCC Comments	Applicant's Comment
		next design iteration following consent to illustrate the size of vehicles that are capable of using the access.
2.2 Dwg No HRF-BWB-HGN-HW02-DR-CH-0100 S2-P02 GA Sheet 2 – A47 link road		
2.2.1	A merge length has been shown for the reduction from 2 lanes to 1 at the end of the segregated left turn lane. The proposed distance of the merge needs to be indicated on the drawing. Similar to comment 2.1.9 above there is concern regarding the proposed change in speed restriction at this location. Would it be better to have the merge inside the 40mph limit section rather than outside it?	The lane reduction taper is designed to CD 127 Table 2.28 for a design speed of 100kph which is appropriate for the derestricted speed limit.
2.2.2	Safety margin between cycle track needs to comply with LTN1/20 Table 6-1 requirements for 60mph speed restriction (2.0m absolute minimum). Buffer strip is only 1.0m wide which is OK for 40mph but not 60mph.	The LTN 1/20 table is for segregation to cycle tracks and not safety margins to shared footway/cycleways. This said, it is reasonable to use the hard strip as part of the safety margin (see CD 143) and with that and the safety margin on the footway/cycleway, there is 2m to the running lane. Width of the offset to the running lane will be dimensioned on the next design iteration.
2.2.3	Outlets for the attenuation ponds not shown. Will the area of proposed attenuation ponds be enough for the surface water. Drainage strategy/calculations would be required for review by the LCC drainage team. This comment also applies to other drawings.	The drainage strategy, including outfalls is shown in the Environmental Statement (document reference: 6.3.14.6, APP-341). The detailed drainage design will be completed at the detailed design stage.
2.2.4	Existing watercourses appear to be crossed by the new road. Clarification required as to how these are to be treated. Overall drainage strategy to be advised. OWC would be required.	<p>The A47 Link Road will include culverts beneath the carriageway that will preserve watercourse and floodplain connectivity. These will ensure that flood risk to the road is managed, and that flood risk to land outside of the Order Limits is not negatively affected. This is set out in the Flood Risk Assessment (document reference: 6.2.14.1, APP-209). APP-341 shows the culverting of the watercourses in question. The detailed design of these culverts will be completed at detailed design stage.</p> <p>Surface water runoff from the Link Road will be directed to a series of attenuation basins/ponds, which will outfall to the local watercourses at the equivalent greenfield runoff rate, thus ensuring that downstream flood risk is not detrimentally affected. The basins/ponds will provide the necessary attenuated storage for the required design storms. This approach is outlined within the Sustainable Drainage Statement (reference: 6.2.14.2C). The detailed design of the drainage infrastructure will be completed at detailed design stage.</p> <p>The Environment Agency and Lead Local Flood Authority have confirmed that they are comfortable with the approach to managing flood risk and surface water.</p>
2.2.5	Mention of a footbridge on the OS in close proximity to the proposed site. Will this and any associated footway routes be impacted?	The footbridge referred to is outside the order limits (shown to the north of the link road on the OS mapping) and the Applicant confirms this is not affected. Routes are shown on the PROW strategy and the AROW plans are not affected here.
2.3 Dwg No HRF-BWB-HGN-HW03-DR-CH-0100 S2-P02 GA Sheet 3 – A47 link road		
2.3.1	Proposed embankment – geotechnical investigation and earthworks design required.	Noted. This will be addressed during detailed design.
2.3.2	RRRAP Assessment will be required. The designer will at this stage need to give consideration to VRS requirements, which will potentially affect visibility splays and the red line boundary.	See response to high level comment v above.
2.3.3	The drawing indicates the road cross-section to be S2 rural single carriageway to CD127. This would require a 2.5m verge width which doesn't appear to have been provided to the Eastern verge.	This is a very minor amendment which will not have a significant effect on the scheme and can be picked up at the detailed design stage.

No	LCC Comments	Applicant's Comment
2.3.4	The 60mph section ends here which means it is relatively short so is it worth retaining. Simplify to 40mph throughout the section from drawings 1 to 4?	See response to high level comment ii above.
2.3.5	Similar to comment 2.2.3, outlets for the attenuation ponds not shown. Will the area of proposed attenuation ponds be enough for the surface water. Drainage strategy/calculations would be required for review by the LCC drainage team. This comment also applies to other drawings.	See response to comment 2.2.3.
2.4 Dwg No HRF-BWB-HGN-HW04-DR-CH-0100 S2-P02 GA Sheet 4 – A47 link road		
2.4.1	Rail bridge, underpass and retaining wall – comments from LCC Structures team required.	Noted. As discussed in meeting of 15 th February, LCC structures team liaison feedback will follow at detailed design and will follow the normal CG300 process following consent.
2.4.2	RRRAP Assessment also required taking into account proposed structure. The designer will need to give consideration to VRS requirements, which will potentially affect visibility splays.	See response to high level comment v above.
2.4.3	Visibility to/from proposed pedestrian crossing on inside of bend needs to be shown. Also concern regarding visibility restriction in the vertical plane due to the crest curve over the rail bridge just to the South of this crossing provision.	Compliant visibility is achievable at the crossing. The Applicant will show visibility to this crossing at the next design iteration following consent. In the vertical plane there are no relaxations below desirable minimum so there will be no restrictions to visibility at this crossing with respect to the design speed of the road.
2.4.4	Concern that 40mph speed restriction would not be sufficient to control speeds for 70kph design speed.	70kph design speed is appropriate in urban settings for 40mph speed limit per CD 109 table 2.5. This also seems to be a contradiction of the comments suggesting reducing the derestricted speed limit to 40mph.
2.4.5	Should the connection between the bridleway and the cycle facility be more than just a simple dropped crossing as shown here?	The Applicant considers this to be an appropriate crossing. Suitable wayfinding signage will be provided.
2.5 Dwg No HRF-BWB-HGN-HW05-DR-CH-0100 S2-P02 GA Sheet 5 – A47 link road including bridge over railway		
2.5.1	Retaining wall – comments from LCC Structures team required.	See response to comment 2.4.1 above.
2.5.2	RRRAP Assessment also required taking into account proposed retaining wall and earthworks embankment.	See response to high level comment v above.
2.5.3	Concern that 40mph speed restriction would not be sufficient to control speeds for 70kph design speed.	See response to high level comment ii above.
2.5.4	Bridge will not be considered for adoption by LCC.	<p>As the Local Highway Authority the Applicant would expect that LCC would adopt a bridge carrying the adopted highway. Network Rail have confirmed that LCC maintain the following overbridges over Network Rail infrastructure in Leicestershire:</p> <ul style="list-style-type: none"> • Coalville Relief Rd Overline Bridge SK417152 • Fosse Road Overline Bridge SP528965 • Syston Northern By-pass, A607 SK630129 <p>The Applicant is also aware that as part of works currently being undertaken by LCC to construct the North and East Melton Mowbray Distributor Road, they are adopting a vehicular bridge over a railway line. The Applicant notes that this is a common arrangement throughout the UK and would highlight the recently completed Roade Bypass constructed as part of the Northampton Gateway Rail Freight Interchange scheme as well as recent schemes in Staffordshire, Cambridgeshire, Leicester City, Derbyshire, Wigan and elsewhere that the Applicant and its advisors have had direct involvement with where the Local Highway Authority have adopted bridge structures over Network Rail and other infrastructure where these structures carry adopted highway. The Applicant therefore considers that it is</p>

No	LCC Comments	Applicant's Comment
		appropriate for LCC to adopt structures that support adopted highway associated with the HNRFI development.
2.6 Dwg No HRF-BWB-HGN-HW06-DR-CH-0100 S2-P02 GA Sheet 6 – A47 link road roundabout 3		
2.6.1	Approach visibility SSD to roundabout give way line needs to be shown to each arm.	See response to 2.1.1 and tables within the GDSR (document reference: 2.29B, REP5-004) document.
2.6.2	Stepped accesses to bridleway to be removed.	This is outside the proposed highway boundary and provides a convenient link from the footway/cycleway to the bridleway via a public footpath. The Applicant's intention is to leave this in.
2.6.3	Splitter Island layouts shown on South-West and North-East arms are incomplete.	The Applicant disagrees. This was discussed at the meeting on 15 th February and can be amended at detailed design if required.
2.6.4	Vehicle tracking analysis has been provided on Dwg No HRF-BWB-HGN-HW06-DR-CH-0115 and indicates multi-lane manoeuvres for the Max Legal Articulated vehicle. Tracking appears acceptable although clarification required from the designer as to the speed setting used for the tracking analysis (to be advised on the drawing).	Tracking for all HGVs has been undertaken at 10km/h forward around junctions.
2.6.5	7.0m entry width on North arm means 10m wide circulatory area exceeds 120% ratio?	As discussed in the meeting on 15 th February, this requirement is for the widest entry so as designed the entry width to circulatory width is compliant.
2.6.6	No drainage information provided with regards to the surface water on the proposed roundabout and the connected arms.	The drainage strategy, including outfalls is appended to the Environmental Statement (document reference: 6.3.14.4A, REP4-083). The detailed drainage design will be completed at the detailed design stage.
2.7 Dwg No HRF-BWB-HGN-HW07-DR-CH-0100 S2-P02 GA Sheet 7 – A47 link road including bus interchange		
2.7.1	Central reservation width to dual carriageway to be indicated on drawing.	Central reserve width is 3m. This will be dimensioned on the next design iteration.
2.7.2	Design layout dimensions for entries and exits from dual carriageway to bus layby to be shown.	Noted. To be dimensioned in next design iteration.
2.7.3	Vehicle tracking has been provided on Dwg No HRF-BWB-HGN-HW07-DR-CH-0115 and indicates bus manoeuvres entering and existing the bus layby. Clarification required from the designer as to the size of bus used for the tracking analysis.	See response 2.6.4 above.
2.7.4	Forward visibility to proposed toucan crossing to be shown on the drawing.	Toucan crossing is on a straight section of road with significant visibility available well in excess of 120m desirable minimum.
2.7.5	For the proposed diversion of watercourse Ordinary Watercourse Consent will be required.	Article 49 of the draft DCO sets out the disapplication of Section 23 of the Land Drainage Act (1990) in Leicestershire in connection to the Proposed Scheme. Instead, Article 21 of the dDCO requires that "the undertaker must not work on, over, under or near an ordinary watercourse (within 3 metres of the landward toe of the bank), make changes to any structure that helps control water or discharge any water into any watercourse except with the approval of the lead local flood authority, and such approval may be given subject to such terms and conditions as the lead local flood authority may reasonably impose but must not be unreasonably withheld". The Lead Local Flood Authority have confirmed that they are comfortable with the content of the draft DCO relating to flood risk and water environment.
2.8 Dwg No HRF-BWB-HGN-HW08-DR-CH-0100 S2-P02 GA Sheet 8 – A47 link road including roundabout 2		
2.8.1	Central reservation width to dual carriageway to be indicated on drawing.	See response to 2.7.1 above.
2.8.2	Concern regarding shared footway/cycleway provision adjacent to embankment provision. Fencing to protect against falls required.	The embankments are 1: 3 gradient and it is unusual to provide edge protection, particularly where there is a verge. This can be discussed further and implemented at detailed design if required.

No	LCC Comments	Applicant's Comment
2.8.3	Vehicle tracking has been provided on Dwg No HRF-BWB-HGN-HW08-DR-CH-0115 and indicates multi-lane manoeuvres for the Max Legal Articulated vehicle. Clarification required from the designer as to the speed setting used for the tracking analysis.	See response to 2.6.4 above.
2.8.4	Additional verge width required adjacent to footway/cycleway unless retaining wall design is modified to reduce size of vertical drop.	There will be adequate edge protection for pedestrians and cyclists at the retaining wall and suitable vehicle restraint provided. The Applicant will share details of this with structural team at LCC at detailed design stage through the CG300 process for structural approval.
2.8.5	There appears to be an access from the A47 link road to a building which is greyed out on the drawing? Clarification is required.	Any access here would be subject to agreement at detailed design but would more likely be gained from the southwestern arm of roundabout 2.
2.8.6	It is unclear why the section of footway/cycleway on the southern radii of the roundabout appears to be only 2m in width?	This should be 3m and can be amended at detailed design within the constraints of the parameters and limits of deviation set out on the relevant plans.
2.8.5	<p>RSA problems identified as below; Problem 4</p> <p>Location: Roundabout 2 – proposed uncontrolled pedestrian crossings.</p> <p>Summary: The RSA1 identified narrow crossings on a shared route risk cycle to pedestrian collisions. A 3m wide shared footway/cycleway is proposed along the northern side of the link road. However, the crossing point and route across the northern splitter island appear to be narrow and may not be of sufficient width to safely accommodate pedestrian and cycle movements. This risks cycle to pedestrian collisions.</p> <p>Recommendation: The RSA recommended that all crossings linking shared footway/cycleway routes are of sufficient width to safely accommodate shared use.</p> <p>Design Organisation Response: The designer agreed with RSA Recommendation and stated that all crossings on the link road have been reviewed to ensure the width of splitter islands and refuges is suitable.</p> <p>LCC Comment: Proposed crossing widths across splitter island and central reserve need to be shown on the GA drawing for each of the crossing locations to confirm that this has been suitably addressed.</p>	The widths of the crossings are dimensioned on the drawings. Sufficient width is available for pedestrians and cyclists to wait on the splitter islands while crossing and the Applicant considers these are sufficient for cyclists and pedestrians to wait comfortably (noting the LTN 1/20 Table 5-1 cycle design vehicle at 2.8m long) and do not risk cycle to pedestrian collisions. The toucan crossing central reserve width is 3m.
2.9 Dwg No HRF-BWB-HGN-HW09-DR-CH-0100 S2-P02 GA Sheet 9 – A47 link road including roundabout 1		
2.9.1	Proposal for diverted water course results in an excessive length of culvert. Alternative proposals for this should be considered.	As discussed in the meeting on 15 th February, the exact route, location of accesses and form of this culvert are to be agreed during the detailed design within the constraints of the environmental statement.
2.9.2	Roundabout provision on this drawing is only to facilitate sharp deviation in route, and this two-arm roundabout serves no purpose other than to avoid the need for a tight bend on the main alignment. There is no future development access provided for. CD116 guidance requires a roundabout should have 3 or more arms. Alternatives to this proposal that avoid unnecessary roundabout provision would need to be considered at this location.	See response to high level comment above.

No	LCC Comments	Applicant's Comment
2.9.3	Forward visibility to roundabout give-way lines need to be indicated on drawing.	See response to 2.1.1 above.
2.9.4	Concern regarding shared footway/cycleway provision adjacent to embankments and retaining provision. Fencing to protect against falls required.	See response to 2.8.4 above.
2.9.5	RRRAP also required.	See response to high level comment v above.
2.9.6	Comments from LCC Structures team required regarding retaining wall provision.	See response to 2.4.1 above.
2.9.7	Vehicle tracking has been provided on Dwg No HRF-BWB-HGN-HW09-DR-CH-0115 and indicates multi-lane manoeuvres for the Max Legal Articulated vehicle. Clarification required from the designer as to the speed setting used for the tracking analysis.	See response to 2.6.4 above.
2.9.8	Potential issue with visibility to the proposed Pegasus crossing as you exit the roundabout southbound.	The location of the crossing is close to the roundabout exit so the requirement is that the signals and stop line are visible from the entry arm to the right and the circulatory has sufficient circulatory visibility. The Applicant confirms that sufficient visibility is available to the crossing from the roundabout in accordance with CD116 paragraph 3.59.
2.9.9	<p>RSA problems identified as below;</p> <p>Location: 10m bridleway corridor.</p> <p>Summary: Risk of pedestrian, cycling and horse-riding collisions. The RSA identified several instances on plan where the 10m bridleway corridor narrows at bends in the route where forward visibility towards an oncoming user may be limited. It is not possible to ascertain the resulting width at these pinch points and thus likelihood of collisions and conflict between these users.</p> <p>Recommendation: The RSA recommended that appropriate widths are maintained along the entirety of the bridleway corridor.</p> <p>Design Organisations Response: The designer agreed with RSA Recommendation and stated that Forward visibility along the bridleway corridor will be reviewed during the detailed design. For the area noted by the RSA, the width of the corridor locally narrows to 3m. The designer will review this with the overseeing organisation with a view to agreeing a suitable forward visibility and will consider whether minor changes to the alignment of the bridleway in this location are required to achieve this.</p> <p>LCC Comment: Proposed widths for the bridleway need to be shown on the GA drawing. As per the comment 2.9.2 there is concern regarding the two-arm roundabout proposal at this location.</p>	Sections at several points along the public rights of way proposed within the development were provided to LCC on 7 th December 2023 in response to a meeting held between the Applicant and LCC at which LCC requested these. In addition, section drawings through the area around roundabout 1 were provided at Deadline 4 (document reference 2.29A, REP4-026) with bridleway dimensions shown. Further dimensions can be added to the highway GA drawings, including forward visibility splays compliant with LCC design guidance at the next design iteration following consent. .
2.10 Dwg No HRF-BWB-HGN-HW10-DR-CH-0100 S2-P02 GA Sheet 10 – A47 link road/M69 J2		
2.10.1	Concern regarding two lane exit from gyratory onto B4699 Westbound. Needs to be checked for tracking. Forward visibility splay would need to be ensured on the exit and needs to be added to the drawing.	This exit arm from the J2 roundabout is fundamentally unchanged from existing. Tracking and visibility will be shown on next design iteration following consent but the Applicant is confident that both of these are compliant.
2.10.2	Forward visibility on Hinckley Road Eastbound approach to proposed signals needs to be indicated on drawing.	See response to 2.1.1 above.
2.10.3	Vehicle tracking has been provided on Dwg No HRF-BWB-HGN-HW10-DR-CH-0115 and indicates multi-lane manoeuvres for the Max Legal Articulated vehicle.	See response to 2.6.4 and 2.10.1 above.

No	LCC Comments	Applicant's Comment
	Clarification required from the designer as to the speed setting used for the tracking analysis. As per comment 2.10.1 above, the two-lane exit onto the Hinckley Road Westbound needs to be assessed.	
2.10.4	M69 northbound off slip onto the roundabout looks almost to be a reverse curve, which is why I presume there is hatching on the offside to accommodate Swept Path Analysis for two parallel HGV movements?	Tracking for this entry arm is shown on HRF-BWB-HGN-HW10-DR-CH-0115. No conflicts between HGVs are evident on this drawing. There is no hatching shown and no reverse curve evident.
2.10.5	<p>RSA problems identified as below;</p> <p>Problem 1</p> <p>Location: M69 J2 southern circulatory carriageway.</p> <p>Summary: Confusing road markings risk side swipe type collisions. The RSA identified that around the southern carriageway of the circulatory the lane destinations show an "ahead" and a "right turn" arrow. However, approaching the junction and on the approaches before this point, "ahead" and "ahead and right" arrows are shown. This could lead to late lane changes, sudden and unexpected braking and side swipe type collisions due to driver confusion and late decision making as a result of confusing and misleading lane destinations.</p> <p>Recommendation: The RSA1 recommended the markings are amended so that they are consistent with the available movements around the southern half of the circulatory and on the westbound link road exit.</p> <p>Design Organisation Response: The designer agreed with RSA Recommendation and stated that road markings on the circulatory will be reviewed to ensure consistency.</p> <p>LCC Comment: This concern could be addressed during the later design stages.</p>	Noted. To be addressed at detailed design.
2.11 Dwg No HRF-BWB-HGN-HW01-DR-CH-0100 S2-P02 GA Sheet 11 – M69 J2		
2.11.1	There is concern regarding the relocated pedestrian crossing on the Hinckley Road Eastern Arm. This would require an excessive crossing distance of the existing road with no refuge provision. It is noted that this was amended in response to RSA1 Problem 3 (see below) which raised concern regarding equestrians crossing closer to the circulatory. However, for pedestrians, it would be preferable to keep the crossing similar to that shown on Dwg No HRF-BWB-GEN-XX-SK-CH-SK049 S4 P03. This would enable pedestrians to cross whilst traffic is stationary at the signals, although an alternative route for equestrians may still be required.	This was discussed at a meeting with LCC in November 2023 and it was agreed that the crossing point would be relocated as shown. At the meeting on 15 th February it was agreed that provision of a bridleway crossing where shown and a pedestrian crossing over the central splitter island would be more suitable. This will be updated at designed design.
2.11.2	Forward visibility to Hinckley Road Westbound approach to proposed signals needs to be indicated on drawing.	See response to 2.1.1 above.
2.11.3	The merge distance from 2 lanes to 1 on the Hinckley Road Eastbound exit needs to be indicated on the drawing for compliance with CD123 requirements.	The exit is compliant with CD116, specifically para 3.28.3 which recommends a merge taper between 1:15 and 1:20 and 3.28.6 which says that sufficient length should be provided after an exit to allow the merge to take place safely.
2.11.4	Vehicle tracking has been provided on Dwg No HRF-BWB-HGN-HW11-DR-CH-0115 and indicates multi-lane manoeuvres for the Max Legal Articulated vehicle.	See response to 2.6.4 above.

No	LCC Comments	Applicant's Comment
	Clarification required from the designer as to the speed setting used for the tracking analysis.	
2.11.7	<p>RSA problems identified as below;</p> <p>Problem 2</p> <p>Location: M69 southbound approach to the new signalised junction.</p> <p>Summary: Poor forward visibility of signals risks late braking and junction overshoot type collisions. The RSA raised concern that the SB off-slip approach to the proposed signals at Junction 2 has a significant vertical and horizontal alignment change on the approach to the current Give-Way line. There is a concern that, given these changes and the existing signing infrastructure, that forward visibility towards the signal heads will not be provided for vehicles.</p> <p>Recommendation: The RSA recommended that the signals are located and designed, including raised poles and/or gantry signals if needed, so as to provide adequate forward visibility for approaching vehicles. Furthermore, it is recommended that the signing on the approach is amended so as not to pose an obstruction.</p> <p>Design Organisations Response: The Designer agreed with RSA recommendation and stated that visibility on the existing southbound diverge slip road will be assessed in detail and design of the signals reviewed to ensure that suitable visibility is available for the design speed of the connector road to the primary signal heads and the stop line.</p> <p>LCC Comments: Forward visibility splays on slip road approach need to be shown on the drawing for both horizontal and vertical planes. Although this would be more of a concern on the National Highways network, it would also compromise safety on the gyratory.</p>	<p>120m forward visibility (for 70kph design speed on the slip roads) is achievable in both horizontal and vertical plans both to a primary signal head at between an eye height of 1.05-2m and an object height of 0.26-2m at the stop line. The Applicant will produce a visibility drawing to demonstrate this at a later design stage and notes that there may be some relocation of signage and other street furniture that may be required on this slip road to be specified during the detailed design.</p>
	<p>Problem 3</p> <p>Location: B4669 Hinckley Road approach to the M69 Junction 2.</p> <p>Summary: Bridleway crossing relocation risks vehicle to equestrian collisions. The existing bridleway crossing on the B4669 is set back from the carriageway by approximately 26m. Under the new arrangement equestrians will cross in front of the signal stop line, resulting in a diversion from the desire line and bringing riders towards the circulatory carriageway and traffic signals. There are concerns that the added noise and proximity to circulatory traffic may result in horses being 'spooked' and potentially result in vehicle to horse / equestrian collisions.</p> <p>Recommendation: The RSA recommended that consultation is undertaken with local horse-riding groups and that, should the above concerns be realised, that the bridleway crossing is relocated.</p>	<p>See response to 2.11.1 above.</p>

No	LCC Comments	Applicant's Comment
	<p>Design Organisations Response: The designer agreed with RSA Recommendation and stated that the crossing point has been relocated further east to better sit on the desire line and shorten crossing distance.</p> <p>ES Comment: As per comment 2.11.1, the preference would be to keep the pedestrian crossing as shown on the "M69 J2 South facing slip roads merge and diverge layout" drawing (provided within RSA1), but also provide a crossing route for equestrians more remote from the roundabout.</p>	
2.12 Dwg No HRF-BWB-HGN-HW16-DR-CH-0100 S2-P02 GA Sheet 16 – B4669/Stanton Lane, Sappcote		
2.12.1	<p>RSA1 'additional considerations' identified as below; B4669/Stanton Lane Junction: Off-site mitigation</p> <p>Additional Consideration 1</p> <p>Whilst on site the RSA team observed that a level difference was present between the base of the hedgerow to the west of the Stanton Lane junction and the existing verge and footway. As part of the proposals this approach will be widened to accommodate the central hatched area and traffic signals infrastructure. As part of the detailed design, it is recommended that the finished levels of the footway and embankment here are reviewed and amended so that there is not an immediate drop to the back of the footway that would pose a risk of injury to pedestrians.</p> <p>Design Organisations response; The designer agreed with RSA Recommendation and stated that the levels will be reviewed as part of the detailed design and any retaining or level difference will be provided with appropriate edge restraint to protect pedestrians.</p> <p>LCC Comments: Agreed that this concern would be addressed at the later design stage.</p>	Noted
	<p>Additional Consideration 2</p> <p>The proposals include a significant set-back for the signals and stop line on the Stanton Lane arm of the junction. As part of the detailed design, it is recommended that suitable inter-greens and vehicle detection are provided so as to ensure that vehicles are able to clear the junction before opposing phases in the signals are 'released'. Design Organisations response; The recommendation is noted, however the designer has reduced the set back of the stop line now that the topo survey of the junction has been completed which should eliminate the issue noted.</p> <p>LCC Comment: LCC do not accept the designer's response, and the RSA problem remains. Intervisibility splays should be shown on the drawing.</p>	Intervisibility to be shown on next design iteration following consent. The Applicant confirms that suitable junction intervisibility in accordance with CD123 is achievable within order limits as designed.
2.13 Dwg No HRF-BWB-HGN-HW17-DR-CH-0100 S2-P02 GA Sheet 17 – B581/New Road/Hinckley Road, Stoney Stanton		
2.13.1	The existing mini roundabout markings and dome would need to be removed.	Noted. To be added to site clearance at detailed design.
2.13.2	Existing vehicular and pedestrian accesses to the Living Rock Church car park do not appear to have been taken into account.	The Applicant has taken these into account, and, in consultation with LCC, previously amended the design to account for these accesses. The vehicle tracking drawing (HRF-BWB-GEN-XX-DR-TR-124) at the request of LCC in the meeting held in

No	LCC Comments	Applicant's Comment
		<p>November 2023, shows visibility and traffic signal phasing to illustrate how the egress from Living Rock Church will operate safely and represent an improvement for road users over the current arrangement as emerging vehicles will not need to give way to traffic from two directions on the mini roundabout and to eastbound traffic on New Road. It should be noted that the markings within the Living Rock Church car park indicate the egress is usually made onto Hinckley Road south of the junction and this would not impact the operation of the junction, however in the case that vehicles are emerging onto New Road, the arrangement is demonstrated to be an improvement on the current situation. The addition of the controlled crossing points improves safety for pedestrians around this junction travelling from the car park to the Living Rock Church itself.</p>
2.13.4	<p>RSA problems identified as below Hinckley Road/New Road Junction: Off-site mitigation</p> <p>Problem 1</p> <p>Location: Northern side of the proposed pedestrian crossing – New Road arm.</p> <p>Summary: The RSA1 raised concern the parking abutting the crossing may restrict visibility for/of crossing pedestrians, risking vehicle to pedestrian collisions. It was observed on site that a number of vehicles frequently park immediately adjacent to the property to the east of the crossing. There is a risk that a parked vehicle will obstruct visibility for and of pedestrians waiting to cross here, and that pedestrians may therefore enter the carriageway when it is unsafe to do so risking vehicle to pedestrian collisions.</p> <p>Recommendation: The RSA recommended that waiting restrictions are provided and/or kerb alignment amended to ensure that the visibility envelope is kept unobstructed.</p> <p>Design Organisations response: The designer agreed with RSA Recommendation and stated that following consultation with the overseeing organisation the eastern crossing has been removed from the scheme.</p> <p>LCC Comment: Noted. This appears to have been actioned.</p>	Noted
	<p>Problem 2</p> <p>Location: Northern side of the proposed pedestrian crossing – New Road arm.</p> <p>Summary: The RSA raised concern that a private driveway access risks damage to the crossing and trip type hazards and vehicles entering the junction when it is unsafe to do so. There is a private driveway access located immediately behind the northern side of the proposed pedestrian crossing, on the northern side of New Road. Should vehicles overrun the crossing there is a risk of damage to the tactile paving, creating trip type hazards. Furthermore, vehicles exiting from the driveway</p>	Noted

No	LCC Comments	Applicant's Comment
	<p>will enter the junction at a point where they cannot see a traffic signal, potentially entering in conflict with other movements resulting in collisions within the junction.</p> <p>Recommendation: The RSA recommended that the private driveway arrangement is amended such that vehicles will not overrun the crossing and will be able to enter the junction with visibility of traffic signals.</p> <p>Design Organisations response: The designer agreed with RSA Recommendation and stated that this eastern crossing has been removed and the private means of access is unaffected by the proposals.</p> <p>LCC Comment: Noted. This appears to have been actioned.</p>	
	<p>Problem 3</p> <p>Location: Station Road, Stoney Stanton - southern side of the pedestrian crossing.</p> <p>Summary: The RSA raised concern that the pedestrian crossing within the depot access risks damage to the crossing / tactile paving overrun and trip type incidents. The proposed pedestrian crossing is situated within a long section of dropped kerb that appears to provide access to a depot car park, with the vehicular access directly behind the proposed pedestrian crossing. This could lead to vehicles overrunning the crossing in order to access the car park, posing a risk of collisions with pedestrians, unexpected stopping of vehicles within the junction risking shunts and damage to the tactile paving resulting in pedestrian trips.</p> <p>Recommendation: The RSA team were unclear whether the site continues to serve the purpose of its initial construction. It is recommended that the current access arrangement is reviewed and, if possible, amended so as to separate vehicle movements from both the crossing and signals so as to provide safe access and avoid safety problems at the crossing. Should this not be possible, it is recommended that the signal arrangement is amended appropriately and that the need for a pedestrian arm on this side of the junction is reconsidered subject to expected desire lines as no facility currently exists on this arm.</p> <p>Design Organisations response: The designer agreed with RSA Recommendation and stated that the Junction has been amended to ensure that the access to the south of New Road is accessible and vehicles emerging can do so prior to the new stop line.</p> <p>LCC Comment: Clarification would be required regarding vehicles exiting the adjacent parking area. There is concern with how this would impact the safe operation of the proposed signalised junction.</p>	<p>See response to 2.13.2 above.</p>
<p>2.14 Dwg No HRF-BWB-HGN-HW19-DR-CH-0100 S2-P02 447 Ashby Road, Hinckley</p>		
<p>2.14.1</p>	<p>Alterations to this junction have also been proposed as part of the planning application 'Land North of A47 Normandy Road and East of Stoke Road Hinckley'</p>	<p>The Applicant disagrees that the Applicant's proposals "fall short". The Applicant's proposed highway works are to mitigate the impact of HNRFI, not other</p>

No	LCC Comments	Applicant's Comment
	(ref 22/0318/OUT and 23/00432/OUT). It is noted that proposals for the planning application include for the provision of 3 lanes on the Ashby Road Northbound approach to the junction. This proposal therefore falls short.	<p>developments, and the fact that other schemes propose alternative works does not mean that the Applicant's proposed mitigation is not sufficient to mitigate the impact of HNRFI. The Applicant notes that the applicant for planning permission 22/0318/OUT has recently (18 Jan 2024) successfully appealed the LPA decision APP/K2420/W/23/3323113. The scheme put forward at A47/Ashby Road, including the northbound route does not appear to the Applicant to be deliverable due to reliance on third party land and is yet to receive technical approval. It is noted that the condition 30 of the Appeal decision states (Applicant highlight): <i>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.</i></p> <p>The submitted scheme by the Applicant has been modelled using the PRTM outputs furnished to the observed 2023 flows. This has shown that the proposed scheme adequately mitigates the HNRFI impact and does not 'fall short'.</p> <p>As explained above, the Applicant has included a new paragraph in requirement 5 of the dDCO to allow the Applicant and LCC, should LCC so wish, to agree that the Applicant's mitigation works are not implemented and instead that the Applicant provides an appropriate contribution towards an alternative scheme.</p>
2.14.2	Two lanes exit is proposed on A47 Westbound exit from the junction which then reduces to one lane approximately 80m from the junction. It would be necessary to ensure that the lane reduction follows CD123 Fig 7.12.1 recommendation. This would also apply to the lane reduction shown on the A47 Eastbound exit.	The Applicant confirms that in accordance with figure 7.12.1 the additional lane reduces over 100m or more from the junction intervisibility zone on both the westbound and eastbound exit arms.
2.14.3	Forward visibility splays to the junction would need to be shown for each approach arm. These would need to be shown for both visibility of the signals and the back of queueing traffic.	Noted. These are compliant with CD123 and CD109 and can be shown on the drawing at the next design iteration following consent.
2.14.4	Amendments are shown to the central islands so as to provide staggered crossings. Proposed widths for the islands need to be indicated.	These are compliant with Traffic Signs Manual Chapter 6 paragraph 18.3.9 providing 2m unobstructed width.
2.14.5	Vehicle tracking has been provided on Dwg No HRF-BWB-GEN-XX-DR-TR-128 P1 and indicates turning manoeuvres for the Max Legal Articulated vehicle. Clarification required from the designer as to the speed setting used for the tracking analysis.	See response to 2.6.4 above.
2.14.6	Vehicle tracking analysis should be shown for the proposed two-lane straight-ahead movements on A47 including the merge from two lanes to one.	This will be shown at the next design iteration following consent. The geometry and lane widths are in accordance with CD123.
2.14.7	Topo survey does not reflect recent addition of a footway link between Falmouth Drive and Normandy Way.	It is understood that this link was added after October 2023 (when the Applicant had topographic survey undertaken). The Applicant will arrange to have this re-surveyed but any impact on the design is considered to be sufficiently minor that amendments could be made at the detailed design stage.
2.14.8	<p>RSA problems identified as below; A47/Normandy Way Junction: Off-site mitigation</p> <p>Problem 1</p>	Noted

No	LCC Comments	Applicant's Comment
	<p>Location: Ashby Road – southern arm of the junction.</p> <p>Summary: Narrow refuge for shared use risks cyclist to pedestrian collisions. The RSA team observed on site that a shared footway / cycleway is present along the southern side of the A47 through the junction. There is a concern that the proposed central island that segregates the two opposing traffic flows on this arm is not wide enough to safely accommodate shared use and there is therefore a risk of cycle to pedestrian collisions here.</p> <p>Recommendation: The RSA recommended the facility is amended to accommodate safe shared use.</p> <p>Design Organisations response: The designer agreed with the RSA Recommendation and stated that the refuge has been widened to 3.5m to allow cyclists to use the staggered toucan crossing proposed.</p> <p>LCC Comment: Noted. This appears to have been actioned.</p>	
	<p>Additional Consideration 1: The RSA identified that intervisibility between the eastern and western A47 arms of the junction and the northern Ashby Road arm are currently restricted by the adjacent building lines. Whilst it is appreciated that this is an existing problem, the amendments to the stop line positioning will increase the length for which visibility is not provided, although visibility at the entry to the junction is good. As part of the detailed design, it is recommended that the inter-green times are checked and amended as necessary to accommodate the changes.</p> <p>Design Organisations response: The designer agreed with RSA Recommendation and stated that this will be checked against the topo survey and any improvements that can be made will be incorporated into the detailed design.</p> <p>LCC Comment: Noted. To be addressed at Detail Design Stage.</p>	Noted
	<p>Additional Consideration 2: The RSA identified that the western side of the existing pedestrian crossing on the northern arm of the Ashby Road approach currently has a significant gradient. As part of the detailed design, it is recommended that the gradient at the realigned side of the crossing is amended so as to mitigate the impact of on mobility impaired pedestrians.</p> <p>Design Organisations response: The designer agreed with RSA Recommendation and stated that this will be considered as part of the detailed design and improved as far as possible.</p> <p>LCC Comment: Noted. This would need to be assessed at detail design stage.</p>	Noted
	<p>Additional Consideration 3: As with AC 1 above, the RSA observed that at present visibility of approaching vehicles for pedestrians crossing the A47 eastern arm and Ashby Road northern arm is restricted by vegetation as well as the adjacent property boundaries. As part of the detailed design, it is recommended that the</p>	Noted

No	LCC Comments	Applicant's Comment
	<p>site clearance includes maximising inter-visibility for and of pedestrians at the crossing points.</p> <p>Design Organisations response: The designer agreed with RSA Recommendation and stated that the Site clearance will assess all potential opportunities for vegetation clearance to improve junction intervisibility.</p> <p>LCC Comment: Noted. This would need to be assessed at detail design stage.</p>	
2.15 Dwg No HRF-BWB-HGN-HW20-DR-CH-0100 S2-P01 GA Sheet 20 – A47/B4668 Leicester Road roundabout		
2.15.1	<p>Vehicle tracking has been provided on Dwg No HRF-BWB-GEN-XX-DR-TR-125 P1 and indicates turning manoeuvres for the Max Legal Articulated vehicle. Clarification required from the designer as to the speed setting used for the tracking analysis.</p>	See response to 2.6.4 above.
2.15.2	<p>There is concern regarding the tracking shown which indicates that the design vehicle would encroach into the adjacent lane when making the left turn from Leicester Road to A47 Westbound. This may require some amendment to the proposed design to avoid this.</p>	Any amendment is considered to be minor in nature (such as tweaking road markings or increasing the extent of widening slightly) and can be addressed at detailed design stage.
2.15.3	<p>The drawing fails to include for the proposed toucan crossing on the A47. This therefore has not been subject to the interim RSA.</p>	The toucan crossing referred to is a proposed cycling enhancement within the Sustainable Transport Strategy (document reference: 6.2.8.1E) with a trigger point requiring completion prior to the occupation of 105,001 sqm of floorspace and is not proposed as part of the highway mitigation works package to be implemented prior to first occupation. The Applicant acknowledges the need to submit the cycling enhancements within the STS to the due Road Safety Audit process (as well as the relevant highway authority approval process) at a suitable time to ensure that the commitments made within the STS are met in advance of the trigger point.
2.16 Dwg No HRF-BWB-HGN-HW21-DR-CH-0100 S2-P02 GA Sheet 21 – B4144/Croft Road, Croft		
2.16.1	No comments.	
2.17 Dwg No HRF-BWB-HGN-HW22-DR-CH-0100 S2-P02 GA Sheet 22 (NOTE THAT IMPROVEMENTS TO A4303 HAVE BEEN REMOVED FROM SUBSEQUENT DRAWING REVISIONS) – A5/A4303 Cross in Hand roundabout		
2.17.1	<p>Minor improvements to kerb radii at the Cross in Hand roundabout on the A5 near Lutterworth. Only small parts of this junction are LCC highway infrastructure and the works are mainly minor nearside strip widenings on individual roundabout entry arms and adjustments to central splitter islands and so these are not controversial.</p>	Noted
2.17.2	<p>Vehicle tracking has been provided on Dwg No HRF-BWB-GEN-XX-DR-TR-126 P1 and indicates turning manoeuvres for the Max Legal Articulated vehicle. Clarification required from the designer as to the speed setting used for the tracking analysis.</p>	See response to 2.6.4 above.
2.17.3	<p>The vehicle tracking will need to be assessed for the proposed multi-lane entries to demonstrate that sufficient width has been allowed for each entry lane. There is concern that for the swept paths shown, the design vehicle is shown as encroaching into the adjacent lane which raises concerns as to vehicle conflict and side swipe collisions.</p>	This was amended at Deadline 5 (document reference: 2.29B, REP5-004) to demonstrate that HGVs can enter the roundabout without conflicting with each other.
2.17.4	<p>RSA problems identified as below; A5/Coal Pit Lane Junction: Off-site mitigation</p>	Lane widths were shown on the revised drawings submitted at Deadline 5 (document reference: 2.29B, REP5-004) and are compliant with CD116 requirements.

No	LCC Comments	Applicant's Comment
	<p>Problem 1</p> <p>Location: Coal Pit Lane, B4027 and A5 northbound approaches to the junction.</p> <p>Summary: Narrow lane widths risk side-swipe type collisions. The RSA identified that the proposed two-lane approaches appear to show lane widths of under 3.0m. Given the high-speed approaches and high percentage of HGV movements observed and expected through the junction, there is a risk that narrow lanes may result in side-swipe type collisions.</p> <p>Recommendation: The RSA recommended that the lane widths are reviewed, and that localised widening is provided so that suitable lane widths can be provided</p> <p>Design Organisations response: The designer disagreed with RSA Recommendation and stated that the lanes on the approaches to the roundabout flare from 1 to 2 lanes. The designer stated that geometry here is in accordance with CD116 and the markings for the second lane commence as early as possible in accordance with para 6.1.3 of Traffic Signs Manual Chapter 5 which states: 'Where the carriageway is widened on the approach to a roundabout and extra lanes provided, drivers should be made aware of this by marking the lanes as early as possible. However, no lane should be less than 2 m wide at the start of the taper, or less than 3 m wide at the Give Way line (see Figure 6-1)'.</p> <p>LCC Comment: The proposed entry lane widths need to be shown on the drawing for LCC review.</p>	
	<p>Problem 2</p> <p>Summary: Outside lane entry path curvature risks kerb strikes / side swipe type collisions. The RSA raised concern that the entry path curvature from the offside lane on the B4027 approach will direct drivers toward the centre of the roundabout, risking kerb strikes. Furthermore, the realignment of the approach also means that vehicles in the nearside lane are likely to "squeeze" drivers in the offside lane, risking side-swipe type collisions.</p> <p>Recommendation: It is recommended that the entry path curvature is amended to guide vehicles in the offside lane around the circulatory.</p> <p>Design Organisations response: The designer agreed with RSA Recommendation in part and stated that the geometry will be reviewed to ensure that the approach arm kerb lines are tangential with the road markings and centre island on the roundabout to ensure that traffic is directed to the correct location. The realignment of the arm is required to improve the entry path deflection and is seen as a significant safety benefit over the existing alignment.</p> <p>LCC Comment: This concern doesn't appear to have been addressed on the GA provided.</p>	<p>This has been addressed in the Deadline 5 submission (document reference: 2.29B, REP5-004) to show suitable vehicle tracking provision and entry path deflection compliant with CD116 on the affected arms of the roundabout.</p>

No	LCC Comments	Applicant's Comment
2.18 Dwg No HRF-BWB-HGN-HW23-DR-CH-0100 S2-P02 GA Sheet 23 – B581 Station Road, Elmesthorpe		
2.18.1	The proposals cross pedestrians onto the narrow existing footway on the West side of Station Road. Confirmation of visibility from approaching vehicles from the North at the crossing point location will need to be confirmed.	Visibility splays are shown on the GA drawing as reviewed for 120m which corresponds to 70kph design speed.
2.18.2	The existing pedestrian stile positioned over the vehicle restraint system should be removed completely. The corresponding dropped kerbs on the West side of Station Road should also be removed and replaced with full height kerbing.	Noted. To be addressed in the detailed design following consent.
2.18.3	<p>RSA problems identified as below; Bostock Close PDC: Off-site mitigation</p> <p>Problem 1</p> <p>Location: Station Road – western side of the proposed pedestrian crossing to the south of Bostock Close.</p> <p>Summary: The RSA identified that restricted visibility risks vehicle to pedestrian collisions. When crossing west to east, visibility of approaching vehicles is restricted by the horizontal alignment of the carriageway and by the adjacent vegetation. This restricts visibility for and of pedestrians crossing at the proposed located and may result in them entering the carriageway when it is unsafe to do so, risking vehicle to pedestrian collisions.</p> <p>Recommendation: It is recommended that the crossing is relocated such that visibility of approaching vehicles is provided for pedestrians. For example, this could be to the northern side of the junction with Bostock Close on the apex of the bend.</p> <p>Design Organisations response: The designer agreed with RSA Recommendation and stated that the crossing point has been relocated to the north side of Bostock Close to provide better visibility.</p> <p>LCC Comment: It is noted that the crossing has been relocated to the north side of Bostock Close and visibility splays of 120m to the South are shown to and from the crossing. Vehicle speed measurements would need to be undertaken to confirm the visibility distance required.</p>	<p>Measured 85th percentile speeds farther along the B581 in Stoney Stanton are 28mph and the location and nature of the road in this location is similar with a posted speed limit of 40mph. 120m visibility is compliant with DMRB CD109 table 2.10 for 70kph design speed and in excess of the LCC Design Guide requirements in Table DG4 which require 73m for HGVs at 36 to 40mph and 120 for 41 to 44 mph. It is therefore considered that the splays shown are robust and suitable. Further to the receipt of a signed RSA brief, an updated audit report at this location has been shared with the Applicant (to be submitted at Deadline 8) in which the auditor notes that they are satisfied that their previous concerns have been addressed.</p>
	<p>Problem 2</p> <p>Location: Station Road – eastern side of the proposed pedestrian crossing to the south of Bostock Close.</p> <p>Summary: Restricted visibility risks vehicle to pedestrian collisions. When crossing east to west, visibility of approaching northbound vehicles is restricted by the vertical alignment of the carriageway and by the adjacent vegetation. This restricts visibility for and of pedestrians crossing at the proposed located and may result in them entering the carriageway when it is unsafe to do so, risking vehicle to pedestrian collisions.</p>	Noted.

No	LCC Comments	Applicant's Comment
	<p>Recommendation: It is recommended that the crossing is relocated such that visibility of approaching vehicles is provided for pedestrians. For example, this could be to the northern side of the junction with Bostock Close on the apex of the bend.</p> <p>Design Organisations response: The designer agreed with RSA Recommendation and stated that the crossing point has been relocated to the north side of Bostock Close to provide better visibility. The hedges on the north-eastern side of the B581 sit within the highway boundary and can be cut back to ensure that they do not impede visibility.</p> <p>ES Comment: It is noted that the crossing has been relocated to the north side of Bostock Close and visibility splays of 120m to the South are shown to and from the crossing. Vehicle speed measurements would need to be undertaken to confirm the visibility distance required.</p> <p>Additional Consideration 1: Whilst the footway to the south of the proposed crossing is shown as being 1.4m in width on the drawing, on site the footway is significantly narrowed by overgrown vegetation and leaf litter. As part of the detailed design, it is recommended that consideration is given to edging up the footway to ensure that the maximum width available is provided to pedestrians.</p> <p>Design Organisations response: The designer agreed with RSA Recommendation and stated that there is a significant amount of overgrown vegetation which reduces the usable width of the footway and which will be considered as part of the site clearance works.</p> <p>LCC Comment: Agreed, this would normally be a concern to be addressed at the detail design stage.</p>	
2.19 Dwg No HRF-BWB-HGN-HW24-DR-CH-0100 S2-P01 GA Sheet 24 – B4114/Coventry Road/Broughton Road		
2.19.1	<p>There is a S278 scheme at these junctions which has been subject to ongoing technical review. The drawing should be amended to reflect this scheme (as included in the base PRTM modelling).</p>	<p>LCC has been aware of the Applicant's position on the B581 Broughton Road/Coventry Road junction since before the Examination began. The B581 Broughton Road/Coventry Road scheme has been modelled using the PRTM flows and the agreed planning uncertainty log inputs to 2036. The submitted junction mitigates the impact of the development and does not compromise its functionality in the future scenarios. The core difference between the plans is a short flare on the eastern arm Broughton Road included on the S278- this does not compromise capacity according to the modelled outputs. The DCO requirements set out that should the S278 not be delivered, then the proposed scheme will be delivered in its place by the Applicant.</p>
2.19.2	<p>There is an advanced cycle stop line provided at the Coventry Road junction on the Southbound B4114 but I can't see any other provision proposed. If the whole staggered junction is being signalised, then provision should be made on other approaches for consistency. It is noted that the S278 scheme has advance stop line provision on all approaches.</p>	<p>This would be a change to road markings only and can be amended at detailed design following consent if these works are required to be delivered by the Applicant.</p>

No	LCC Comments	Applicant's Comment
2.19.3	Vehicle tracking has been provided on Dwg No HRF-BWB-GEN-XX-DR-TR-133 P1 but this appears to only show turning manoeuvres at the B581 Broughton Road/Coventry Road junction.	Further tracking can be provided at a future design iteration following consent.
2.19.4	<p>RSA problems identified as below; B581 Mitigation: Off-site mitigation</p> <p>Problem 1 Location: Existing signalised junction of the B4114 and B581 Coventry Road.</p> <p>Summary: The RSA identified that location of new advanced stop lines limits traffic signal visibility and risks vehicle to cycle shunts/collisions. The proposed advanced stop line waiting areas on the northern and eastern arms of the junction are in advance of the majority of the traffic signals within the junction. Should signal visibility be restricted there is a risk that following motorists will move off prior to cyclists getting underway, risking collisions between the two.</p> <p>Recommendation: The RSA recommended that the signal and stop line arrangements are such that cyclists have a clear view of the traffic signals when waiting within the advanced stop line area.</p> <p>Design Organisations response: The designer agreed with RSA Recommendation and stated that Locations of advanced stop lines will be reviewed and amended where required.</p> <p>LCC Comment: Agreed, this detail can be resolved at detail design stage.</p>	Noted
	<p>Location: B4114 Coventry Road – on the exit from the junction with the B581 Coventry Road.</p> <p>Summary: Alignment for straight ahead southbound vehicle movements risks late lane changes and side-swipe type collisions. The RSA identified that alignment of the ahead movement, when travelling southbound, means that drivers are naturally directed to continue into the right turn lane inadvertently, risking late lane changes and potential side-swipe or shunt type collisions.</p> <p>Recommendation: The RSA recommended that the two-lane arrangement on the exit from the junction is started further south and the road markings amended so as to encourage drivers to make a conscious decision to enter the right turn lane.</p> <p>Design Organisations response: The designer agreed with RSA Recommendation and stated that the alignment and lane markings will be reviewed, and amendment made to address the problem.</p> <p>LCC Comment: Design should be amended to reflect the s278 scheme.</p>	This would be a change to road markings only and can be amended at detailed design following consent if these works are required to be delivered by the Applicant.
2.20 Dwg No HRF-BWB-HGN-HW18-DR-CH-0100 S2-P02 GA Sheet 18 – Sapcote village		
2.20.1	The existing bus stop (currently next to the Co-op), is shown as being relocated next to Nos 1 to 7 Leicester Road. For vehicles overtaking a stationary bus at this	There are numerous instances of on carriageway bus stops across Leicestershire and in many instances these are preferred as they mean buses have priority on

No	LCC Comments	Applicant's Comment
	location, there would insufficient forward visibility of oncoming traffic. Also, visibility to the proposed zebra crossing would be insufficient, and vehicles approaching a stationary bus would have forward visibility obstructed by the bus.	carriageway and are not delayed by having to give way to traffic from a layby. The on carriageway bus stop would be used for passing services stopping briefly to set down and pick up passengers. Forward visibility compliant with LCC design guide table DG4 (47m for 26-30mph speeds) is shown on the drawing to stopped buses. Vehicles that choose to overtake stationary buses in this location have 47m forward visibility (compliant with LCC design guide Table DG4) to oncoming traffic. Measured 85 th ile speed in the centre of Sapcote is 23.5mph westbound and 21.9mph eastbound and therefore the visibility provided is considered robust. Furthermore, vehicles choosing to overtake a bus in this location would, due to the curve of the road here, have visibility of the majority of the zebra crossing before they start their manoeuvre, would have full visibility of the zebra crossing from a point 40m away as they make their manoeuvre and have the space to pull back in front of a stopped bus before they reach the crossing in the event that a pedestrian wants to cross the road. The Applicant considers that this arrangement is safe and represents an improvement on the current arrangement in this location. It is also a common arrangement throughout Leicestershire to have bus stops in advance of junctions, crossing points and other highway features.
2.20.1	The existing footway here is narrow and would not provide adequate width for bus stop provision. Ideally raised access kerbs would need to be provided (as per LHDG Fig DG7) but this would result in a backfall to the existing 3 rd party wall.	The footway at the proposed bus stop location is wider than that provided at the current bus stop outside the co-op where there is guardrail (1.5m vs. 1.2m). Raised bus boarder kerbs will be considered in the detailed design if these are feasible with drainage constraints.
2.20.3	Forward visibility splays to the proposed zebra crossing have been shown. It is noted that for vehicles travelling Eastbound along B4669, the splay for the 44m visibility distance cuts through the corner of the property (No 1 Church Street). 85 th %ile speed measurements would be required to inform the design.	This is not the case. Topographic survey has been used to ensure these splays are drawn accurately and the reviewer is likely looking at the OS mapping here. The Applicant will ensure that this is clear in future iterations of the drawing. The visibility achieved is compliant with (and exceeds) LCC Design Guide Table DG4 for cars travelling between 26 and 30mph and HGVs travelling between 21 and 25mph. Measured 85 th ile speed in the centre of Sapcote is 23.5mph westbound and 21.9mph eastbound and therefore the visibility provided is considered robust.
2.20.4	For the proposed zebra crossing, a public consultation exercise would need to be undertaken should this proposal be taken forward.	This is not agreed. The zebra crossing was shown on the highway plans submitted for public consultation and is the very purpose of the DCO Application and Examination – no further consultation is necessary.
2.20.5	LCC will be interested to see the RSA1 for this proposal. In addition to the above comments there are serious fundamental safety concerns regarding the shared surface proposal outside of the Co-op for servicing and school bus provision in an area of high pedestrian activity including vulnerable school children waiting for the school bus. In addition, there are significant maintenance concerns, and associated safety concerns in respect of this proposal.	An interim RSA 1 has been carried out and the Applicant has addressed the concerns raised. The loading bay layout is not an uncommon layout for town centre regeneration schemes (examples can be seen in Market Place, Leicester for example). Proper use of tactile paving and the low instance of vehicles here would mean that this is a predominantly pedestrian area with surfacing appropriate to communicate this to vehicle drivers. The Applicant would welcome further dialogue with LCC on this area with respect to its use, however it is the Applicant's view that its layout is fundamentally safe and an improvement over the current layout.
2.20.6	Vehicle tracking has been provided on Dwg Nos HRF-BWB-GEN-XX-DR-TR-135, 136 and 137 P02 (Sheets 1, 2 and 3). Clarification required from the designer as to the speed setting used for the tracking analysis.	See response to 2.6.4 above.
2.20.7	The vehicle tracking analysis would need to take account of turning movements for a refuse vehicle (11.2m length) particularly the left turn from Leicester Road into Church Street.	This can be shown, but as can be seen with the Dray lorry used for the pub, the manoeuvre left into Church Street is very similar to the existing arrangement due to the constraints imposed by the existing refuge island.

No	LCC Comments	Applicant's Comment
2.20.8	LCC has concerns with the principal of the manoeuvres shown in the tracking drawings and associated safety implications.	It is not clear what, specifically, is being referred to here and further details were not forthcoming in the meeting on 15 th February so a general response is provided. The Applicant has demonstrated on the tracking drawings that the current arrangement is far from ideal and that the proposed arrangement represents an improvement in vehicle movements along the B4669 (with less chance of vehicles mounting kerbs and conflicting with pedestrians due to the removal of the existing narrow refuge areas) and a similar or improved arrangement for the area outside the co-op for the few vehicles that will use this area. Furthermore, the provision of a controlled crossing point will serve to slow vehicles making the area in general safer for all road users.
2.20.9	<p>RSA problems identified as below;</p> <p>Problem 1 Location: Proposed bus stop – adjacent to the Sapcote Church School.</p> <p>Summary: The RSA identified lack of forward visibility risks head on collisions involving overtaking vehicles. The bus stop is to be relocated from a lay-by arrangement outside of the Co-Op to an on carriageway location adjacent to the Sapcote Church School. This is close to a right-hand bend in Leicester Road where the building line obstructs forward visibility of eastbound vehicles. Should a driver or rider decide to overtake a stationary bus here there is a risk that they will not see or be seen by an eastbound vehicle, risking a head-on/side swipe type collision. Recommendation: It is recommended that the bus stop is relocated such that a westbound overtaking vehicle will be able to complete their manoeuvre safely and with adequate forward visibility based on the speed of approaching, eastbound vehicles.</p> <p>Design Organisations response: The designer agreed with RSA Recommendation in part and stated that the on-carriageway bus stop adds to the general traffic calming features that are proposed through Sapcote in order to make this route less desirable for re-routeing traffic and therefore vehicles should be discouraged from overtaking stopped buses. The designer stated that location of the stop has been considered to ensure that suitable visibility is available to parked buses and advised that 47m of forward visibility (as LCC Table DG4) is available from behind a parked bus to oncoming vehicles to enable overtaking of a parked bus.</p> <p>LCC Comment: Designers response is not accepted. For vehicles overtaking a stationary bus, forward visibility to oncoming traffic would be much reduced and this is likely to result in vehicle conflict and safety concerns. Visibility to crossing pedestrians at the proposed zebra would also be severely impacted.</p>	See response to 2.20.1 above.
	<p>Problem 2</p> <p>Location: Leicester Road – proposed Zebra crossing</p> <p>Summary: Restricted visibility risks vehicle to pedestrian collisions.</p>	The visibility achieved to the zebra crossing is compliant with (and exceeds) LCC Design Guide Table DG4 for cars travelling between 26 and 30mph and HGVs travelling between 21 and 25mph. Measured 85 th ile speed in the centre of Sapcote is 23.5mph westbound and 21.9mph eastbound and therefore the visibility provided is considered robust. 2.20.1 above sets out the Applicant's position regarding the bus stop location.

No	LCC Comments	Applicant's Comment
	<p>The RSA raised concern that when crossing north to south, visibility for and of pedestrians crossing or waiting to cross is restricted to the east by the building line and boundary wall of the adjacent properties. This would be especially the case for wheelchair and pushchair users. Should they enter the carriageway when unsafe to do so there is a risk of vehicle to pedestrian collisions.</p> <p>Recommendation: The RSA recommended that unobstructed pedestrian visibility commensurate with measured vehicle speeds is provided at the crossing point.</p> <p>Design Organisations response: The designer agreed with RSA Recommendation and stated that while the zebra crossing replaces an existing uncontrolled crossing and is seen as an improvement in pedestrian safety, the exact location will be tweaked to provide the best visibility to and from pedestrians using the crossing.</p> <p>LCC Comment: This remains a concern. 85th %ile vehicles speeds would need to be obtained to ascertain visibility requirements. There would still be a concern regarding the bus stop location and conflicts with the proposed zebra crossing.</p>	
	<p>Problem 3</p> <p>Location: Leicester Road – footway to the east of the proposed Zebra crossing.</p> <p>Summary: The RSA identified that narrow footway risks vehicle to pedestrian collisions. The footway immediately to the east of the proposed Zebra crossing is very narrow (<1m), with insufficient width for two-way pedestrian movements meaning pedestrians have to enter the carriageway in order to pass one another at a point where visibility of eastbound traffic is obscured by the adjacent property (refer to Problem 2). The location of the crossing will encourage an increase in pedestrian movements along this narrow footway, risking vehicle to pedestrian collisions.</p> <p>Recommendation: The RSA recommended that the crossing is relocated to a location where sufficient footway widths on the approaches are available.</p> <p>Design Organisations response: The designer agreed with RSA Recommendation in part and stated that the zebra crossing is a replacement for an existing uncontrolled crossing point and as a result additional pedestrians are unlikely to utilise the narrow section of footway. The designer's opinion is that a controlled crossing point makes it more likely that pedestrians will choose to cross the road to avoid using the narrow section of footway and as a result, the proposals reduce the safety risk posed by this existing section of footway. The designer stated that they will look at the exact location of the crossing and whether it is possible to relocate it to Improve the problem noted.</p> <p>LCC Comment: Designers response is not accepted. Alternative locations for the proposed crossing would need to be considered.</p>	<p>The Applicant has considered visibility to and from the zebra crossing and shown the visibility splays on the drawing. Realignment of the northern kerb line in this location has provided improved crossing visibility and more space for pedestrians on the northern side of the B4669. The visibility achieved is compliant with (and exceeds) LCC Design Guide Table DG4 for cars travelling between 26 and 30mph and HGVs travelling between 21 and 25mph. Measured 85th%ile speed in the centre of Sapcote is 23.5mph westbound and 21.9mph eastbound and therefore the visibility provided is considered robust.</p>

No	LCC Comments	Applicant's Comment
	<p>Problem 4</p> <p>Location: Leicester Road-- proposed traffic calming build-out.</p> <p>Summary: Lack of illumination risks collisions with the feature during the hours of darkness. There are no street lights close to the proposed traffic calming feature location and there are several mature trees in close proximity. This means that the feature may be inconspicuous during the hours of darkness, risking it being struck by eastbound vehicles resulting in loss of control incidents.</p> <p>Recommendation: The RSA recommended that the feature is sufficiently illuminated during the hours of darkness.</p> <p>Design Organisations response: The designer agreed with RSA Recommendation and stated that the proposed location of the feature is in between two existing street lights, but the lighting levels will be assessed in detail at the detailed design stage.</p> <p>LCC Comment: This proposal would appear to have been removed from the design.</p>	<p>This is correct. The response quoted here is not the version submitted at Deadline 4 (document reference: 21.1, REP4-151) in which the Applicant stated that the feature in question was removed from the design in consultation with LCC.</p>
	<p>Problem 5</p> <p>Location: Proposed traffic calming feature – Leicester Road.</p> <p>Summary: Low opposing flow risks late breaking and kerb strikes / loss of control / head on collisions. Traffic flows on Leicester Road were observed to be low, with little opposing two-way traffic observed. There is a concern that drivers will seldom be required to give way to oncoming vehicles and, as such, will not be prepared to slow or stop when approaching the give way. This is exacerbated by the location of the proposed feature – within the outbound lane on Leicester Road – meaning that vehicles required to give way will not have a feature to negotiate and therefore slow down in anticipation. This means that there is a risk of vehicles striking the kerbed build out, as well as failures to give way and late braking, resulting in loss of control or head-on collisions. In the experience of the Audit Team, these types of features in this scenario and as a first response to reducing speed on entry to a village, can result in collisions when used in isolation.</p> <p>Recommendation: The RSA recommended that the gateway feature type is amended and / or that additional supportive measures are provided to ensure slow approach speeds at the feature. It is also recommended that should this feature type be provided, that the build-out is located within the in-bound lane, on the side that drivers will be required to give way.</p> <p>Design Organisations response: The designer agreed with RSA Recommendation and stated that Details of the gateway feature will be reviewed and consideration given to changing the type if required.</p>	<p>This is correct. The response quoted here is not the version submitted at Deadline 4 (document reference: 21.1, REP4-151) in which the Applicant stated that the feature in question was removed from the design in consultation with LCC.</p>

No	LCC Comments	Applicant's Comment
	LCC Comment: This proposal would appear to have been removed from the design.	
2.21	Dwg No HRF-BWB-LSI-D1-DR-CH-00105 S4-P02 Long Sections Sheet 1 of 2	
2.21.1	It is noted that desirable minimum crest K value of 30 would be provided over the rail bridge location. CD109 advice is that this 30K crest not be recommended on a single carriageway (refer to Table 2.10 and cl 9.25.2). The road markings shown on the plan (Dwg No HRF-BWB-HGN-HW04-DR-CH-0100 S2-P02 GA Sheet 4) indicate that this would be an overtaking section but this would be ruled out by the crest curve.	Clause 9.25.2 is a recommendation and not a requirement. There is a junction in proximity to the bridge and there is a requirement to not relax vertical geometry or visibility on the immediate approach to junctions. Given the clearance requirements to the railway over the bridge, desirable minimum vertical curvature is required here but during the detailed design road marking and signage arrangements can be reviewed in this section to address any remaining concerns.
2.21.2	Geometric Design Strategy Record (ref HRF-BWB-HML-A47-RP-CH-00100 Nov 2023) Design Speed;	
2.22.1	As per comment 2.3.4, the length of 60mph speed restriction (100kph design speed) would be relatively short but would still potentially encourage higher speeds on the adjacent 40mph sections. It is suggested that this should be a continuous 40mph restriction.	See response to high level comment ii above.
2.22.2	Design speeds for the B4688 either side of the proposed roundabout are based on speed limit proposals. However, this should also be checked by 85th %ile speed measurements on the existing B4688.	As noted above, the introduction of a new roundabout will change the speed of vehicles on this section of carriageway and so measured speeds will not be representative of future scenarios.
2.22.3	Similarly design speeds for the B4669 to the East and West of M69 Junction 2 gyratory should be checked by 85th %ile speed measurements on the existing B4669 approaches.	B4669 east of M69 J2 has a measured 85 th %ile speed of 50.9 eastbound and 48.8 westbound which are in line with the posted 50mph speed limit (albeit design speed of 100kph has been used in the GDSR document (REP5-004) as the posted speed limit at the J2 roundabout is derestricted). B4669 west of M69 J2 has a measured 85 th %ile speed of 55.1 eastbound and 55.3 westbound which is below the posted derestricted speed limit.
	Horizontal Design;	
2.22.4	On the link between the two roundabouts (Ch 0 to 263.41) it is proposed to provide relaxations on horizontal curvature of 2 steps below desirable minimum. However, this would be on what CD109 would designate as the immediate approach to a junction for which relaxations are not permitted. Clarification is required from the designer regarding this which would potentially require a departure from standard.	Relaxations in horizontal geometry <u>are</u> permitted in accordance with CD 109 table 4.5 on the immediate approach to junctions. CD109 Para 2.13 states that relaxations below desirable minimum vertical curvature and stopping sight distance shall not be used on the immediate approaches to junctions and para 2.12 states that relaxations shall not be used in combination. At the location stated, the only relaxation is 2 steps below desirable minimum horizontal curvature which is a permitted relaxation as stated in Chapter 3 of the GDSR report (REP5-004).
3.0 STAGE 1 ROAD SAFETY AUDIT		
3.1	In addition to Interim Stage 1 Road Safety Audit comments included above, the Interim RSA1 raised a general concern for the proposed link road as follows; M69 JUNCTION 2/B4668, Hinckley Location: General. Summary: Risk of risk severity caused from secondary collisions. The RSA identified several potential hazards identified along the link road that could promote a secondary collision type potentially resulting in an increased severity of injury to vehicle occupants. This relates to references on plan to retaining walls, embankments, acoustic fencing, and proximity of balancing ponds all of which can present a secondary hazard to an errant vehicle.	See response to high level comment above.

No	LCC Comments	Applicant's Comment
	<p>Recommendation: The RSA recommended that a full Road Restraint Risk Assessment is carried out in the first instance and outcomes reviewed against a local context given the limitation this approach can have in terms of outcomes and recommendations. It is further recommended that locations for signing are identified at the earliest opportunity to ensure compromises on design are not discovered later on and that the Design Team should ensure that adequate land can be provided, with consideration for any resulting protection measures, to accommodate traffic signs and any other street infrastructure associated with the wider proposals.</p> <p>Design Organisations Response: The designer agreed with RSA Recommendation and stated that a full RRRAP will be carried out and road restraint design incorporated into the AIP reports in production for the structures associated with the link road.</p> <p>LCC Comment: Adequate allowance will need to be made at this stage for any requirements for road restraint systems, as would potentially be identified by a RRRAP assessment.</p>	

Draft Section 106 Unilateral Undertaking

Document reference: 9.2

Revision: 01

Point	LCC Comment	Applicants Comments
<p>The Sixth Owner is the freehold owner of the part of the Obligation Land registered at HM Land Registry under title number LT325644 free from encumbrances that would prevent the Owner entering into this Undertaking.</p>	<p>Commented [CS1]: LCC checking title.</p>	<p>The Applicant has received confirmation that LCC is satisfied as to title to the Obligation Land save that a death certificate relating to one of the registered joint owners of a parcel of land within the Obligation Land will be provided to the relevant local planning authorities prior to completion of the Planning Obligations.</p> <p>The relevant landowner’s solicitor has confirmed that they have requested the death certificate but unfortunately the family are currently unable to locate it. The Applicant is liaising with the relevant landowner solicitor as to the appropriate avenues to obtaining the certificate.</p>
<p>The Developer has the benefit of various options to acquire the Obligation Land and is the freehold owner of the parts of the Obligation Land registered at HM Land Registry under title numbers LT371683 and LT273590 free from encumbrances that would prevent the Owner entering into this Agreement. The Developer intends to construct and operate the Development as authorised by the DCO.</p>	<p>Commented [CS2]: LCC checking title.</p>	<p>The Applicant has received confirmation that LCC is satisfied as to title to the Obligation Land</p>
<p>“Bus Pass”</p>	<p>Commented [ES3]: Provision of bus passes is secured in the Sustainable Transport Strategy and requirement 9 of the DCO TSH are content to update the STS to reflect the drafting included in this UU.</p> <p>Commented [CS4R3]: The deletion of the bus pass provisions is not agreed. It is standard LCC practice to deal with bus passes as a section 106 obligation. It also makes enforcement much more straightforward in this case.</p>	<p>The Applicant has responded and set out its position in respect of the bus pass obligation in the document titled ‘<i>Applicant’s response to Deadline 5 Submissions [Part 3 – LCC]</i>’ submitted at Deadline 6 [document reference 18.19]</p> <p>The Applicant’s position remains as set out at Deadline 6. The Applicant does not therefore intend on repeating its submission / position. LCC “standard practice” is not appropriate since LCC will not be providing the bus passes.</p>
<p>“Construction Traffic Routeing Scheme”</p>	<p>Commented [ES5]: This is considered to be secured by requirement 23 - please see email from Sinead Turnbull to Rebecca Henson dated 13 February at 9:27am.</p> <p>Commented [CS6R5]: The deletion of the construction routeing provisions is not agreed. LCC do not accept the Applicant’s position regarding Requirement 23 (LCC are not the discharging or enforcement Authority) and cannot understand the Applicant’s reluctance to include within the UU if there is indeed a commitment.</p>	<p>The Applicant has responded and set out its position in respect of the Construction Traffic Routeing Scheme obligation in the document titled ‘<i>Applicant’s response to Deadline 5 Submissions [Part 3 – LCC]</i>’ submitted at Deadline 6 [document reference 18.19]</p> <p>The Applicant’s position remains as set out at Deadline 6. The Applicant does not therefore intend on repeating its submission / position.</p>
<p>“Employee” an employee to be employed at the Development</p>	<p>Commented [CS7]: Deletion not agreed.</p>	<p>The definition related only to drafting relating to the provisions of bus passes and travel packs, the obligations are not included in the Planning Obligation for reasons explained by the Applicant in the document titled ‘<i>Applicant’s response to Deadline 5 Submissions [Part 3</i></p>

Point	LCC Comment	Applicants Comments
		– LCC]’ submitted at Deadline 6 [document reference 18.19] and the defined term is not therefore required or used in the Planning Obligation.
<p>“Gibbet Hill Contribution” the sum of £[] ([] pounds) (Index Linked) to be paid to the County Council to be subsequently transferred in full to WCC, as a proportionate contribution towards the Gibbet Hill Contribution Purpose</p>	<p>Commented [CS8]: LCC will agree, in principle, to accept the monies and transfer them to WCC, provided that the figure and purpose can be agreed. If this cannot be agreed LCC will not agree to this obligation.</p> <p>Commented [ES9R8]: Subject to instructions</p> <p>Commented [CS10R8]: Applicant to provide further details.</p>	<p>The Gibbet Hill Contribution of £344,967.07 has been included in the final version Planning Obligation and has been calculated based on a formula provided by National Highways.</p> <p>The obligation remains an obligation to provide evidence that the sum has been paid to WCC since there can be no obligations imposed on LCC to transfer the monies to WCC as the deed is unilateral and not a bi-lateral agreement.</p>
<p>“Gibbet Hill Contribution Purpose” highway works and improvements to the part of the road network within Warwickshire known as Gibbet Hill roundabout</p>	<p>Commented [CS11]: As above.</p>	<p>As above</p>
<p>“Works and Skills Plan Monitoring Meeting” a meeting to be attended by the County Council to be held on a quarterly basis (unless the frequency is reduced in agreement with the County Council) (until a period of 1 year following Practical Completion) to monitor compliance with the Works and Skills Plan</p>	<p>Commented [CS12]: This is not a defined term.</p> <p>Commented [ES13]: Drafting updated for consistency with the drafting agreed with BDC and HBBC in the bilateral S106</p> <p>Commented [CS14R13]: LCC do not agree to reduce the frequency as LCC needs to know if things are working.</p>	<p>The Applicant has updated the Planning Obligation to include a defined term ‘Practical Completion’.</p> <p>The Applicant has agreed the Works and Skills Plan with the relevant authorities and the plan secures that the meetings will be held twice a year.</p> <p>As set out in the Applicant’s document titled ‘Applicant’s response to Deadline 5 Submissions [Part 3 – LCC]’ submitted at Deadline 6 [document reference 18.19], the relevant obligations apply to Blaby District Council and Hinckley and Bosworth Borough Council, as well as LCC, the Applicant therefore considers it necessary that the obligations in the relevant S106 Planning Obligations are consistent to ensure effective delivery and compliance.</p>
<p>The Owners Covenants Part 1 – Travel Packs and Bus Passes Deliver one Travel Pack directly to each Employee upon commencement of their employment.</p> <p>Notify the County Council of the number of Travel Packs issued after the expiry of six (6) months from first Occupation of each Unit.</p> <p>Provide each Employee commencing employment at the Development with a Bus Pass following receipt of a written request from such Employee for a period of up to six (6) months from the first Occupation of the Unit in which they are employed.</p> <p>Notify the County Council of the number of Bus Passes issued after the expiry of six (6) months from first Occupation of each Unit.</p>	<p>Commented [ES15]: TSH is willing to include drafting and commitments relating to the monitoring and reporting in the Sustainable Travel Strategy As mentioned above, bus passes drafting can be updated to reflect LCC's preferred drafting suggested in this UU. In terms of providing / delivering the Travel Welcome Packs - this is secured in the Site Wide Framework Travel Plan</p> <p>Commented [CS16R15]: Deletion of these paragraphs</p>	<p>The Applicant has responded and set out its position in respect of the bus pass and travel packs obligations in the document titled ‘Applicant’s response to Deadline 5 Submissions [Part 3 – LCC]’ submitted at Deadline 6 [document reference 18.19]</p> <p>The Applicant’s position remains as set out at Deadline 6. The Applicant does not therefore intend on repeating its submission / position.</p>

Point	LCC Comment	Applicants Comments
<p>Part 8 – Gibbet Hill To pay the Gibbet Hill Contribution to the County Council prior to Commencement of Development and not to Commence Development unless and until the Gibbet Hill Contribution has been paid to the County Council in full.</p>	<p>Commented [ES17]: subject to instructions</p>	<p>The Applicant has included in Gibbet Hill Contribution and relevant obligations in the final version Planning Obligation. The obligation requires the ‘Owners’ to:</p> <p>“Not to Commence Development unless and until written evidence has been provided to the County Council that the Gibbet Hill Contribution has been paid to WCC in full.”</p> <p>The Applicant’s position is that, as the obligation relates to highway works and improvements, the obligation best sits with LCC as the local highway authority for the area in which the Obligation Land is situated and the neighbouring County to WCC, and the authority with experience of administering highways related matters.</p> <p>The Gibbet Hill obligation has therefore been included in the Unilateral Undertaking to be given to LCC but, on the basis that no authority responsible for the area of land the Applicant is capable of binding would agree to receive the monies, the Applicant has structured the obligation so that the Development cannot be commenced unless and until written evidence has been provided to LCC that the Gibbet Hill Contribution has been paid to Warwickshire County Council in full.</p> <p>The Applicant will therefore pay the contribution direct to Warwickshire County Council but, the planning obligation, which is enforceable by LCC, restricts commencement of the development unless and until written evidence is provided to LCC confirming that the contribution has been paid to WCC in full. The Applicant considers the obligation to be legal and enforceable against the Owners.</p>
<p>9. Part 9 – Construction Traffic Routeing</p>	<p>Commented [ES18]: see comments above relating to the Constriction Traffic Routeing Scheme</p> <p>Commented [CS19R18]: For the reasons stated above the deletion of this wording is not agreed.</p>	<p>The Applicant has responded and set out its position in respect of the Construction Traffic Routeing Scheme obligation in the document titled ‘<i>Applicant’s response to Deadline 5 Submissions [Part 3 – LCC]</i>’ submitted at Deadline 6 [document reference 18.19]</p> <p>The Applicant’s position remains as set out at Deadline 6. The Applicant does not therefore intend on repeating its submission / position.</p>

20.02.2024

Obligation	Amount	Trigger Point	Comment	Applicants Comments
Employee travel packs – means information approved by the County Council to be supplied to each Employee by the Owner containing bus pass application forms, and details of walking, cycling and public transport, local amenities, shops and details of car sharing schemes operating at the Site and for the avoidance of doubt a travel pack will only be provided to the first Employee and does not relate to subsequent Employees	£500.00	Pre-occupation	LCC have suggested wording for inclusion within the UU on the basis there is reference in the Sustainable Transport Strategy. This has not been accepted by the Applicant. LCC consider that all financial commitments should be within the UU in their entirety. It is standard LCC practice to deal with bus passes as a section 106 obligation. It also makes enforcement much more straightforward in this case given that LCC are not a discharging or enforcing Authority in respect of the DCO Requirements.	<p>The Applicant has responded and set out its position in respect of the employee travel packs obligation in the document titled <i>'Applicant's response to Deadline 5 Submissions [Part 3 – LCC]'</i> submitted at Deadline 6 [document reference 18.19]</p> <p>The Applicant's position remains as set out at Deadline 6. The Applicant does not therefore intend on repeating its submission / position.</p>
Site Wide Travel Plan monitoring fee	£11,337.50	Pre-occupation	Agreed.	Noted and agreed
Occupier Travel Plan monitoring fee	£6,000 pre-employment unit	Pre-occupation	Agreed.	Noted and agreed
Travel Plan Coordinator	Provision of a Travel Plan Co-ordinator in perpetuity	Pre-occupation	Agreed	Noted and agreed
Traffic Regulation Orders	£8,756 in respect of traffic restrictions (on a maximum of 3 roads), payable per TRO £9,392 in respect of speed limit changes, payable per TRO	Within 10 days following technical approval of the highway works	Agreed	Noted and agreed
Public Transport	<p>Provision of bus services serving the site – defining routes, hours/days of operation and frequency</p> <p>This commitment is not explicit in the Sustainable Transport Strategy</p>	Pre-occupation	Applicant to confirm changes to Sustainable Transport Strategy and Plan and submit revised document at deadline 6 or agree s106 obligation detailing service provision	<p>The Applicant has responded and set out its position in respect of the public transport obligations in the document titled <i>'Applicant's response to Deadline 5 Submissions [Part 3 – LCC]'</i> submitted at Deadline 6 [document reference 18.19]</p> <p>The Applicant's position remains as set out at Deadline 6. The Applicant does not therefore intend on repeating its submission / position.</p>

Obligation	Amount	Trigger Point	Comment	Applicants Comments
	and Plan. This needs to be amended if LCC are to accept the position of the Applicant that it is covered by Requirement 9.			
Construction traffic routeing This commitment	This commitment is not explicit in the Construction Traffic Management Plan. This needs to be amended if LCC are to accept the position of the Applicant that it is covered by Requirement 23.		Subject to inclusion of LCC standard wording (as provided) and acceptance of this wording by the Applicant. The Applicant considers that this is addressed by Requirement 23. LCC do not accept this position (LCC are not the discharging or enforcement Authority) and cannot understand the Applicant's reluctance to include within the UU if there is indeed a commitment.	<p>The Applicant has responded and set out its position in respect of the Construction Traffic Routeing Scheme obligation in the document titled '<i>Applicant's response to Deadline 5 Submissions [Part 3 – LCC]</i>' submitted at Deadline 6 [document reference 18.19]</p> <p>The Applicant's position remains as set out at Deadline 6. The Applicant does not therefore intend on repeating its submission / position.</p>
The HGV Route Management Plan & Strategy	<p>£200,000</p> <p>The HGV Route Management Plan & Strategy includes for a £200,000 Contribution should the Strategy not be effective. LCC await details as to what this would contribute to in order for the figure to be verified</p>	Following the submission of the first monitoring report to LCC	Principal agreed subject to wording and provision by the Applicant team of details if remedial measures and associated verification of costs and obligation to be provided in a revised HGV Route Management Plan & Strategy at Deadline 6	<p>The Applicant has responded and set out its position in respect of the HGV Route Management Plan & Strategy related obligations in the document titled '<i>Applicant's response to Deadline 5 Submissions [Part 3 – LCC]</i>' submitted at Deadline 6 [document reference 18.19]</p> <p>The Applicant's position remains as set out at Deadline 6. However, the Applicant has included additional obligations in the Planning Obligation relating to the HGV Routeing Enforcement Fund that requires the 'Owners':</p> <p><i>“Not to Commence Development unless and until written evidence has been provided to the County Council evidencing that the HGV Routeing Enforcement Fund has been secured and placed in a holding account.</i></p> <p><i>To administer the HGV Routeing Enforcement Fund in accordance with the principles established in the HGV Route Management Plan and Strategy and in accordance with any reasonable measures suggested and agreed at the HGV Routeing Monitoring Meeting.”</i></p> <p>The obligations secure that the £200,000 fund is secured and in place prior to commencement of development and that the fund is administered in accordance with the HGV Route Management Plan and Strategy and any reasonable measures suggested and agreed at the HGV Routeing Monitoring Meeting.</p>

Obligation	Amount	Trigger Point	Comment	Applicants Comments
ANPR Monitoring Contribution	£X to be confirmed pending the Applicant confirming role of LCC in enforcement and monitoring in a revised HGV Route Management Plan & Strategy to be submitted at	To be discussed following receipt of revised Strategy	Applicant to confirm changes to HGV Route Management Plan & Strategy and submit revised document at deadline 6	<p>The Applicant has responded and set out its position in respect of the requested ANPR related obligations in the document titled 'Applicant's response to Deadline 5 Submissions [Part 3 – LCC]' submitted at Deadline 6 [document reference 18.19]</p> <p>The Applicant's position remains as set out at Deadline 6. The Applicant does not therefore intend on repeating its submission / position.</p>
Archaeology fee	£7,312.50	Prior to carrying out archaeology works	Agreed.	Noted and agreed
S106 Monitoring fee	£300.00 or 0.5% whichever is greater	Pre-occupation	Agreed.	Noted and agreed
Gibbet roundabout	£X contribution payable to WCC on behalf of NH and LCC to mitigate the impact of the development at this junction	Pre-commencement	Applicant to provide details of a scheme to mitigate impact of development for costing and calculation of a contribution in lieu of works	<p>The Applicant has included in Gibbet Hill Contribution and relevant obligations in the final version Planning Obligation. The obligation requires the 'Owners' to:</p> <p>"Not to Commence Development unless and until written evidence has been provided to the County Council that the Gibbet Hill Contribution has been paid to WCC in full."</p> <p>The Contribution is based on a mitigation scheme proposed by the Applicant and the contribution value is based on costings calculated by an appropriately qualified quantity surveyor. The proposed scheme does not include works within LCC's administrative boundary and the contribution has been discussed with NH.</p> <p>The Applicant's position is that, as the obligation relates to highway works and improvements, the obligation best sits with LCC as the local highway authority for the area in which the Obligation Land is situated and the neighbouring County to WCC, and the authority with experience of administering highways related matters.</p> <p>The Gibbet Hill obligation has therefore been included in the Unilateral Undertaking to be given to LCC but, on the basis that no authority responsible for the area of land the Applicant is capable of binding would agree to receive the monies, the Applicant has structured the obligation so that the Development cannot be commenced unless and until written evidence has been provided to LCC that the Gibbet Hill Contribution has been paid to Warwickshire County Council in full.</p> <p>The Applicant will therefore pay the contribution direct to Warwickshire County Council but, the planning obligation, which is</p>

Obligation	Amount	Trigger Point	Comment	Applicants Comments
				enforceable by LCC, restricts commencement of the development unless and until written evidence is provided to LCC confirming that the contribution has been paid to WCC in full. The Applicant considers the obligation to be legal and enforceable against the Owners.
Desford Crossroads	£1,516,344.42 to mitigate the impact of the development at Desford Crossroads as defined in the submitted Transport Assessment	Pre-occupation	Applicant does not agree with request	<p>The Applicant has responded and set out its position in respect of the requested Desford Crossroads related obligations in the document titled 'Applicant's response to Deadline 5 Submissions [Part 3 – LCC]' submitted at Deadline 6 [document reference 18.19]</p> <p>The Applicant's position remains as set out at Deadline 6. The Applicant does not therefore intend on repeating its submission / position.</p>
Work and Skills Plan monitoring	£1440 per meeting to facilitate LCC obligations as defined in the Work and Skills Plan	30 days from date of invoice	Principal agreed subject to inclusion of LCC standard wording (as provided) and acceptance of this wording by the Applicant	The Applicant has commented above in respect of the Works and Skills Plan related obligations.
MOVA validation	£5000.00 per junction (total £20,000.00): Spa Lane/Leicester Road, Hinckley A47 Clickers Way/Station Road, Elmesthorpe Park Road/London Road, Hinckley London Road/Brookside, Hinckley	50% Following occupation of the first unit 50% at 75% occupation	Applicant does not agree with request	<p>The Applicant has responded and set out its position in respect of the requested MOVA validation related obligations in the document titled 'Applicant's response to Deadline 5 Submissions [Part 3 – LCC]' submitted at Deadline 6 [document reference 18.19]</p> <p>The Applicant's position remains as set out at Deadline 6. The Applicant does not therefore intend on repeating its submission / position.</p>
PRoW	Obligation to carry out improvements to PRoW relied upon for access to the site on the basis that this commitment is not explicit in the Public Rights of Way Strategy. If the Applicant is relying on Requirement 25 then the Strategy requires Requires amendment to include clear identification of		Applicant does not agree with request	<p>The Applicant has responded and set out its position in respect of the requested Public Rights of Way related obligations in the document titled 'Applicant's response to Deadline 5 Submissions [Part 3 – LCC]' submitted at Deadline 6 [document reference 18.19]</p> <p>The Applicant's position remains as set out at Deadline 6. The Applicant does not therefore intend on repeating its submission / position.</p>

Obligation	Amount	Trigger Point	Comment	Applicants Comments
	commitments at Deadline 5 or Applicant does not agree with request accept an obligation (not financial contribution) to improve PRow to be defined in the Agreement			

Title

This was provided by the Applicant to LCC on 5th, 8th and 16th February 2024. LCC are checking the title to ensure that all of the relevant land is bound by the terms of the Unilateral Undertaking, and that the parties to the Unilateral Undertaking are correct.

Applicant's response:

As mentioned above, the Applicant has received confirmation that LCC is satisfied as to title to the Obligation Land save that a death certificate relating to one of the registered joint owners of a parcel of land within the Obligation Land will be provided to the relevant local planning authorities prior to completion of the Planning Obligations.

The relevant landowner's solicitor has confirmed that they have requested the death certificate but unfortunately the family are currently unable to locate it. The Applicant is liaising with the relevant landowner solicitor as to the appropriate avenues to obtaining the certificate.

LCC comments on Protective Provisions within REP4-028 Development Consent Order

Point	Comment	Applicant's Response
<p>SCHEDULE 13 PART 3 FOR THE PROTECTION OF LEICESTERSHIRE COUNTY COUNCIL AS HIGHWAY AUTHORITY</p>	<p>Commented [RH20]: General comment – The Applicant has advised that all of the highway works are to be completed upfront and will not be phased. No phasing plan has been submitted. In light of this, LCC believes that all references to phasing in this Schedule should be deleted. This is not agreed as above. Requirement 5, as currently drafted, is not agreed. As such, LCC cannot agree to phasing and all references there to in the document should be deleted.</p>	<p>The Applicant has set out its position in respect of phasing of works in the document titled 'Applicant's Response to ExA's Further Written Questions: Appendix B – Protective Provisions Table' submitted at Deadline 5 [document reference 18.16.2; REP5-038]</p> <p>The Applicant's position remains as set out at Deadline 5. The Applicant does not therefore intend on repeating its submission / position.</p> <p>By "completed up front", the Applicant is referring to the trigger for completion of the works, i.e. that the off site highway works must be completed before the M69 slips are open to the public.</p>
<p>(n) RSA3 and exceptions agreed;</p>	<p>Commented [RH21]: LCC have consistently advised that they will not adopt the structure over the live railway line. This is on the basis that LCC have no powers to take possession of a live railway for purposes of inspection, maintenance, and in an emergency situation. LCC have consistently advised that this structure should be adopted by Network Rail consistent with other structures on the line, including the next bridge that carries the public highway at Station Road, Elmesthorpe. We have removed all reference to the bridge throughout the document.</p>	<p>The Applicant has set out its position in respect of provisions dealing with 'bridge' adoption and maintenance in the document titled 'Applicant's Response to ExA's Further Written Questions: Appendix B – Protective Provisions Table' submitted at Deadline 5 [document reference 18.16.2; REP5-038], and again in its response to LCC at Deadline 6 above. As set out above in response to point 2.5.4 of LCC's comments, the Applicant considers LCC's position to be fundamentally unreasonable given the Council's approach across the County and other recent adoptions by local Highways Authorities of similar structures, for example by West Northamptonshire Council in respect of a new road bridge over the West Coast Mainline railway as part of the Northampton Gateway DCO, and the provision of a suitable commuted sum for maintenance.</p> <p>The Applicant's position remains as set out at Deadline 5. The Applicant does not therefore intend on repeating its submission / position.</p>
<p>"works fees" means a sum equal to 10% of all the costs of the carrying out of the highway works in relation to—</p>	<p>Commented [CS22]: Definition amended to accord with standard s278 provisions.</p>	<p>The Applicant has set out its position in respect of the drafting relating to the defined term 'works fees' in the document titled 'Applicant's Response to ExA's Further Written Questions: Appendix B – Protective Provisions Table' submitted at Deadline 5 [document reference 18.16.2; REP5-038].</p> <p>The Applicant's position remains as set out at Deadline 5. The Applicant does not intend on repeating its submission / position save to reiterate that LCC's position is fundamentally unreasonable.</p>
<p>(2) The undertaker must carry out and complete the highway works and shall not occupy any building to be constructed on the site until the highway works (including all works ancillary or incidental thereto) are completed in accordance with the stipulations requirements and conditions laid down in this Schedule.</p>	<p>Commented [RH23]: LCC has removed "as agent for the highway authority". The remainder of the standard wording needs to remain. The wording in Requirement 5 is not acceptable to LCC as was discussed at the hearings last year.</p>	<p>The Applicant has set out its position in respect of the drafting relating to paragraph 3(2) of the protective provisions' in the document titled 'Applicant's Response to ExA's Further Written Questions: Appendix B – Protective Provisions Table' submitted at Deadline 5 [document reference 18.16.2; REP5-038].</p> <p>The Applicant's position remains as set out at Deadline 5. The Applicant does not therefore intend on repeating its submission / position.</p>
<p>Conditions</p>	<p>Commented [RH24]: Inserted as per standard s278 agreement.</p>	<p>The Applicant has set out its position in respect of LCC seeking to apply 'Leicestershire County Council's Standard Conditions Applying to</p>

Point	Comment	Applicant's Response
		<p>Highway Works for New Developments' to the protective provisions in the document titled '<i>Applicant's Response to ExA's Further Written Questions: Appendix B – Protective Provisions Table</i>' submitted at Deadline 5 [document reference 18.16.2; REP5-038].</p> <p>The Applicant's position remains as set out at Deadline 5. The Applicant does not therefore intend on repeating its submission / position.</p>