

Town and Country Planning Act 1990

Appeal by Barwell Capital Limited

Land at Crabtree Road, Hinckley Road, Barwell, Leicestershire, LE9 8DB

Appeal Reference: APP/6002755/2756/2757/2758

Rebuttal Number 2

Background

This second Rebuttal has been produced by Philip Taylor, Managing Director of Savoy Consulting, to address the latest comments received from the highway authority dated 8 April 2026.

Email dated 8 April 2026

I note that “the LHA maintains its advice that the issues below could be resolved at the Section 38 stage”. I agree with that statement.

1. The first point deals with the “S” bends. The LHA say the design can be finalised as part of the S38 design review, which I agree with.

Secondly, this point also deals with bends which are described as being both on the eastern and western side of the development and which appear to curve through more than 20 degrees, thus requiring local widening. These bends have not been identified in the email nor has the degree of curvature. It is hard to understand what is actually meant by this description because in the HDG it is the centre line radius that determines any local widening. This could be dealt with at the S38 stage by agreement. I am nonetheless of the opinion no local widening is required.

2 If the design needs to be changed from a bell-mouth type junction this can be achieved by changing the bell-mouth to a dropped kerb arrangement, 7.3 metres in length, as set out in Table 13 in the HDG, parts 3a and b. Again, this is a minor matter and can be finalised at the Section 38 stage.

3 It was not the client’s intention to provide two raised tables. The intention was to provide one raised table and an area of shared surface, the latter to be delineated by a rumble strip. This too can be finalised at the S38 stage.

5 If necessary, the speed table ramp referred to can be adjusted to allow the necessary construction and if necessary, footways can also be extended as suggested by approximately 2 metres within the shared surface to allow suitable pedestrian access as part of the S38 design.

Drawing DWG-05 REV D

1. If any visibility splay does currently cross private land in front of a proposed dwelling this matter can be dealt with simply by adjusting the plot boundary and showing a wider area of adopted highway.

Drawing DWG-02, 3 &4 REV D

2. This comment relates to a refuse lorry over-running a small section of the footway in front of Plot 57. This is a new point only raised this week and can easily be corrected by adjusting the tracking of the refuse lorry at the appropriate time. This fresh tracking is not considered necessary for the purposes of the Inquiry.

Summary

I am entirely satisfied that having thoroughly reviewed the comments received from Mr Dutton and having checked all the drawings referred to in his email dated 8 April, any minor changes that may be necessary can be dealt with when amending the road layouts as part of the detailed design and can be accommodated on land reserved for the purposes of creating a public highway as defined in the Highways Act 1980.

Finally, it is helpful to the Inquiry to note that the local highway authority concludes their latest comments by stating that they are willing to continue to work with the appellant and the LPA to deliver an adoptable layout for the proposed development.

Philip Taylor

10 April 2026