

Technical Note

Project: Earl Shilton, Leicestershire

Subject: Response to Leicestershire County Council's Comments

Client:	Vistry		
Project No:	09924	Version:	A
Document Ref:	09924-TN-03	Author:	Richard Ellam
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I Introduction

I.1 Overview

- 1.1.1 PJA have been appointed by Vistry to review the comments made by Leicestershire County Council Highways in respect to Vistry's application to vary conditions 21 (access arrangements) and 23 (offsite highway works) of planning permission 21/00135/OUT.
- 1.1.2 The proposed site is located in Earl Shilton, Leicestershire and benefits from planning permission for 140 residential dwellings and vehicular access is proposed from Leicester Road.
- 1.1.3 This Technical Note (TN) has been prepared in response to the comments dated the 24th of July 2026 made by Leicestershire County Council in respect to the proposed S73 application to amend the proposed highway works conditions.
- 1.1.4 The Councils' comments have been detailed, in black text, in the following sections along with PJA's response and further supporting information.

2 Condition 21 comments and PJA's response

"The LHA previously advised it should be noted the submitted application form states the Applicant wishes the condition to be varied to: No part of the development hereby permitted shall be occupied until the approved Section 184 access Ref 24000-190D/191C & 192A has been fully implemented to allow access to the site. However, the submitted Technical Note (TN) stated that they wish for 'up to 50% of the proposed development', rather than 'no part' of the development to be occupied to allow the Section 278 (S278) works to be refined and given that they believe a suitable access exists at present in the interim period. The LHA notes the new TN does not answer this specific point regarding the wording of the condition. It was also advised that the Applicant has not submitted drawing references 24000-190D/191C & 192A as

part of the application, which would be required by the LHA. The Applicant has still not submitted these; however, the LHA has obtained a copy of the drawings as part of the S278 submission to Leicestershire County Council, but the Applicant should still submit these to the LPA for the Variation of Condition application.

- 2.1.1 For clarity, the applicant has already constructed part of the S278 works to form access into their site, these works are in the exact form of the final S278 works. They are not temporary in the sense they will be superseded or changed, just that they are only a part of the full scheme. The proposal is simply to delay the remainder of the S278 works until 50% of the dwellings are occupied. It was previously suggested that 80% would be the threshold but following comments from LHA this has been reduced to 50%.
- 2.1.2 The need for this change is that there has been a need to amend the scheme to the south, given that the development to the south has not come forward and the extents of the S278 works of this proposal have needed to be amended to reflect that. Given it is outside of the Applicant's gift to tie into adjacent S278 works that have failed to come forward. This need and subsequent changes has been agreed in previous correspondence with the LHA.
- 2.1.3 Given this need and the subsequent delay in being able to progress the design and construction of the full S278 works, the Applicant is requesting the condition be varied from 'no part' to 50% to allow some time to finalise these matters and avoid obvious delays in releasing properties that are constructed. As the current partial S278 works are providing suitable vehicular and pedestrian access in the interim period.
- 2.1.4 It is not their intention, nor has it ever been proposed, that the full S278 works will not be delivered by the Applicant.

The LHA notes the access which has been constructed appears to match the above drawings.

- 2.1.5 As noted previously, the Applicant has effectively already constructed the minor arm of the proposed S278 highway works already, in the exact form it will take in the full S278 works.

The LHA also advised that it would require swept path analysis of the proposed temporary access.

- 2.1.6 As the current access junction is in the form it will take in the final S278 works it is thus suitably wide to accommodate HGVs as required. The swept path analysis was included in the previous PJA response dated the 25/6/26.

The Applicant has stated that whilst there is more offsite work to deliver to provide the full S278 works on the mainline, the current access junction is in the form it will take in the final S278 works and is suitably wide enough to accommodate HGVs as required.

2.1.7 This is correct.

The original tracking of those movements has been included within Appendix A of the TN. It is also stated the works make provision for pedestrians with a footway already provided to the south.

2.1.8 Again, this is correct and footways have already been put in place.

The LHA advise that any amendments to the temporary construction access would require a S278 agreement and would be subject to detailed design. It is still unclear however when the Applicant intends for the temporary access arrangements to be in place in full."

2.1.9 Again, to confirm the access arrangements are essentially part of the S278 works, they will not be amended or superseded by the full S278 works. The proposal is merely to delay the remainder of the works until 50% of dwellings are occupied.

3 Condition 23 comments and PJA's response

"The submitted application form states the Applicant wishes the condition to be varied to: No more than 80% of the dwellings hereby permitted shall be occupied until the off-site works, including the shared-use footway and the uncontrolled pedestrian crossing point, as shown in general accordance with drawing 09924.GA.01 Rev A, have been implemented in full. The LHA advises the Applicant has now submitted PJA drawing number 09924.GA.01 Rev B. The LHA previously advised the submitted drawing did not detail the off-site works which are required to the south of the development, including the uncontrolled pedestrian crossing point over Leicester Road to the Church Street junction, which would also need to be implemented at the same time. This is still the case with the current drawing; therefore, the drawing is not accepted by the LHA and further details of the works to the south are required.

3.1.1 The drawing in question has been revised to show the full extents of the works to the south of the development in the form of the uncontrolled pedestrian crossing point over Leicester Road to the Church Street junction. It is noted that the intention wasn't to exclude these works from the S278 agreement or proposals, the extents were just not shown on the drawing. The extents of the drawing have thus been revised to fully capture these works. As such drawing number 09924.GA.01 Rev C is included as **Appendix A** to this note.

The LHA previously raised concerns with regards to the proximity of the site access to the Shilton Road junction as part of application reference 21/00135/OUT and stated if works to this junction did not commence prior to occupation, this would be of concern. The Applicant has not addressed this concern. The LHA sees no reason why these works could not be undertaken in advance of any other off-site works at this stage. Furthermore, there is little evidence to demonstrate why the proposed off-site works should be delayed until up to 80% of dwellings (112 dwellings) are occupied, which is a substantial number of dwellings out of the total 140.

- 3.1.2 The rationale and need for the 50% threshold proposed is set out in detail above.
- 3.1.3 The Shilton Road junction was assessed in detail in the Transport Assessment that supported the original application, prepared by Gladman in 2019. Table 7.2 on page 44 of the TA, shows the junction in question operates with adequate reserve capacity in all scenarios. As shown in the extract below. On that basis there is no capacity concern as to why these works need to be delivered before the proposed threshold.

Table 7.2: Junction Capacity Assessment Results – Shilton Road/Leicester Road/Un-named Road

Arm	AM		PM	
	RFC	Q (PCU)	RFC	Q (PCU)
Observed				
Un-named Road (Nearside)	0.01	0.0	0.01	0.0
Leicester Road (Northern Arm)	0.05	0.1	0.06	0.1
Shilton Road (Nearside)	0.04	0.0	0.03	0.0
Shilton Road (Offside)	0.29	0.4	0.29	0.4
Leicester Road (Southern Arm)	0.03	0.0	0.01	0.0
2026 Without Development				
Un-named Road (Nearside)	0.01	0.0	0.01	0.0
Leicester Road (Northern Arm)	0.05	0.1	0.06	0.1
Shilton Road (Nearside)	0.05	0.0	0.04	0.0
Shilton Road (Offside)	0.39	0.6	0.44	0.8
Leicester Road (Southern Arm)	0.03	0.0	0.01	0.0
2036 Without Development				
Un-named Road (Nearside)	0.01	0.0	0.01	0.0
Leicester Road (Northern Arm)	0.05	0.1	0.06	0.1
Shilton Road (Nearside)	0.05	0.1	0.04	0.0
Shilton Road (Offside)	0.42	0.7	0.51	1.0
Leicester Road (Southern Arm)	0.03	0.0	0.01	0.0
2026 With Development				
Un-named Road (Nearside)	0.01	0.0	0.01	0.0
Leicester Road (Northern Arm)	0.05	0.1	0.06	0.1
Shilton Road (Nearside)	0.05	0.1	0.04	0.0
Shilton Road (Offside)	0.40	0.7	0.46	0.8
Leicester Road (Southern Arm)	0.03	0.0	0.01	0.0
2036 With Development				
Un-named Road (Nearside)	0.01	0.0	0.01	0.0
Leicester Road (Northern Arm)	0.05	0.1	0.06	0.1
Shilton Road (Nearside)	0.05	0.1	0.04	0.0
Shilton Road (Offside)	0.44	0.8	0.53	1.1
Leicester Road (Southern Arm)	0.03	0.0	0.01	0.0

The LHA advise the following comments on PJA drawing number 09924.GA.01 Rev B:

• As previously requested, a Stage 1 Road Safety Audit has been provided along with the designer's responses to the issues raised in the audit. The responses provided by the designer are accepted apart from for Problem 3.2. For a road with potentially high vehicle speeds, the LHA consider more substantial road markings should be provided such as hatched markings. These are currently proposed on the latest plans submitted for the S278 Technical Approval.

3.1.4 The provision of more substantial road markings is agreed.

• The Applicant has now detailed Vehicle Activated Signs (VAS) on the drawing. Whilst these are welcomed by the LHA, it is considered further measures such as dragon's teeth and 30mph markings should be provided at the new 30mph gateway. The precise locations of the VAS and gateway markings could be considered at detailed design.

3.1.5 Agreed – Dragon's teeth markings and 30mph roundels have been added to the attached plan.

• The LHA accepts that swept path analysis of the Hill Top Farm access is considered as part of that site. Further swept path analysis of the site access for this application site is no longer required following the updated drawing.

3.1.6 Agreed, no action.

• The proposed 3m wide cycleway requires uses to cross the proposed Hill Top Farm access. A wider width of crossing should be provided compared to that shown on the drawings, that is more in-line with the footway. The current crossing is off the desire line and would require cyclists to undertake several tight turning manoeuvres. This was raised previously, however has not been considered by the Applicant.

3.1.7 As noted previously the Hill Top Farm access works are part of a separate S278 proposal, which forms the responsibility of the adjacent developer. Amends to the crossing works at this junction, should therefore be considered as part of that S278 process.



Appendix A Revised highway works plan - 09924.GA.01 Rev C



These drawings have been produced with reference to the CDM Regulations 2015.

Please note that these are pre-construction phase drawings and should be subject to further design risk management as required in accordance with Regulation 9.

-  Proposed kerbline between the two proposed access points
-  Visibility splays in accordance with Tabel 6 of Leicestershire Highway Design Guide (2.4m x 54m)
-  Hill Top Farm Highway Works Extent
-  Relocated 30mph Speed Limit Signage
-  Proposed Section 278 Works
-  Proposed Vehicle Activated Sign
-  Proposed 30mph roundel
-  Proposed dragons teeth

C	10/08/2026	Minor amendments	VB	RE	RE
B	12/06/2026	Minor Amendments	LG	RE	RE
A	08/01/26	Initial Issue	LG	RE	RE
Rev	Date	Revision Note	Drw	Chk	App



Proposed Access Arrangement

Drawing Issue Status For Information

PJA Ref	Scale @ A1	Date
09924	1:500	12/06/26

Drawing No.	Revision
09924.GA.01	C

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