

Our Ref: 1954-01/NDR

15<sup>th</sup> March 2019

By email only: [losborne@solihull.gov.uk](mailto:losborne@solihull.gov.uk)

Mr Lawrence Osborne  
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planning  
transportation  
planning  
environment  
design

Dear Lawrence

**APPLICATION REF: PL/2016/02754/MAJFOT - PROPOSED SHIRLEY MOTORWAY SERVICE AREA (MSA) ON LAND SOUTH OF M42 JUNCTION 4, SOLIHULL**

We are writing on behalf of our client, Applegreen Plc, following receipt of Highways England's (HE's) holding letter dated yesterday (14<sup>th</sup> March). In short, we are formally requesting that the determination of the above planning application is deferred from consideration at your Planning Committee on 27<sup>th</sup> March 2019.

As you are aware, Applegreen made a substantive submission updating the Shirley MSA application on 30<sup>th</sup> January 2019, within the timescales agreed for any supplementary submission with yourself. The focus of this additional information was highways related and specifically targeted to address the outstanding issues that had been identified and agreed with HE. We firmly believe that all such issues will be resolved to HE's satisfaction very shortly, and within the next few weeks. Hence the importance of a deferral.

It is notable, and runs to the heart of why we have not achieved a final positive response from HE to date, that subsequent to our January submission, HE continues to request new information (not previously requested), such as on 28<sup>th</sup> February 2019 a full GG104 safety risk assessment; and to vary the scope of other work streams that have been undertaken. Notwithstanding, Applegreen continues to work closely with HE and will have submitted final responses on all of the matters set out HE's 14<sup>th</sup> March letter over the next 10 days.

Accordingly, the deferral we are requesting will be minimal and, in our view, is well justified given the overall quantum of work undertaken to close out the HE issues, how close we are to resolution, and the scale of investment made by our client.

The positive progress we have made on highways matters is evidenced by the recent response received from your authority's highway consultants, Atkins (Technical Note 2 - dated

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12<sup>th</sup> March 2019), which now confirms there is no objection on the substantive issue of the effects on the operation of M42 Junction 4. Indeed, the latest HE letter also confirms this matter is capable of satisfactory resolution pending re-issue of a draft report (HE has) in a final form.

In light of the foregoing, we trust that you will be able to agree a short deferral of the consideration of our client's planning application. Should you wish to discuss any issues arising from this letter, please do not hesitate to contact me. We look forward to hearing from you.

Yours sincerely

*Nick Roberts*

Nick Roberts  
**Director**