

Highways Comments

Land off Kidnappers Lane

19/03/19

I refer to the above outline application with all matters reserved received on 5th March 2018, submitted with application form, Planning Statement, Design & Access Statement, Transport Statement and drawing refs. LE.KL.SA.01 Rev: A, 300.P.2 Revision: A and 300.P.3 Revision: K.

History

A previous application for up to 45 dwellings at the same site (ref. 16/00202/OUT) was refused planning permission in April 2017 and subsequently was dismissed at appeal in April 2018; however the Highway Authority recommended that no highway objection be raised subject to S106 obligations and conditions being attached to any permission granted.

With respect to transport and the impact of the proposed development on the surrounding local highway network, the Planning Inspector at Paragraph 37 of the Appeal Decision stated: "There was local concern raised in relation to the potential cumulative effect of the proposed development and other developments on the capacity of the local road network, in particular on the A46 Shurdington Road.

However, based on all of the evidence before me and the observations during my site visits, I am satisfied that any increase in traffic from the proposed development would not result in severe harm to highway safety. Moreover, this is consistent with the Highways Authority who raised no objection in relation to capacity or highway safety."

Vehicular Trip Generation

The proposed development will generate 16 vehicle movements in the AM peak period and 17 in the PM peak respectively. This level of trip generation generated by and attracted to the proposed development will not have a severe impact on the transport network.

Opportunities for Sustainable Transport Modes

The applicant has agreed to provide a new footway and enhancements to street lighting on Kidnappers Lane between the proposed site access and site and the existing footway that terminates to the north of Vineries Close, approximately 260m in length.

Recommendation

The National Planning Policy Framework (NPPF) states at paragraph 109 that "development should only be prevented or refused on highways grounds if there would be an unacceptable impact on highway safety, or the residual cumulative impacts on the road network would be severe". The Highway Authority considers that this development will not have a severe impact on the local highway network. The NPPF also states that "safe and suitable access to the site can be

achieved for all users", "appropriate opportunities to promote sustainable transport modes can be - or have been taken up, given the type of development and its location", and that "any significant impacts from the development on the transport network (in terms of capacity and congestion), or on highway safety, can be cost effectively mitigated to an acceptable degree". It is considered that the development proposals will meet these criteria. The Highway Authority recommends that no highway objection be raised subject to the following conditions being attached to any permission granted:

Condition #1 Vehicle Access Location

Means of vehicular access to the development hereby permitted shall be from Kidnappers Lane only.

Reason: - To minimise hazards and inconvenience for users of the development by ensuring that there is a safe, suitable and secure means of access for all people that minimises the scope for conflict between traffic and cyclists and pedestrians in accordance with paragraphs 108 and 110 of the National Planning Policy Framework.

Condition #2 Visibility

The vehicular access hereby permitted shall not be brought into use until the existing roadside frontage boundaries have been set back to provide visibility splays extending from a point 2.4m back along the centre of the access measured from the public road carriageway edge (the X point) to a point on the nearer carriageway edge of the public road 53m to the left and 53m to the right (the Y points). The area between those splays and the carriageway shall be reduced in level and thereafter maintained so as to provide clear visibility between 1.05m and 2.0m at the X point and between 0.26m and 2.0m at the Y point above the adjacent carriageway level.

Reason: - To avoid an unacceptable impact on highway safety by ensuring that adequate visibility is provided and maintained to ensure that a safe, suitable and secure means of access for all people that minimises the scope for conflict between traffic and cyclists and pedestrians is provided in accordance with paragraphs 108 and 110 of the National Planning Policy Framework.

Condition #3 Junction Completion

The development hereby permitted shall not be occupied until the first 20m of the proposed access road, including the junction with the existing public road and associated visibility splays, shall be completed to at least binder course level.

Reason: - To minimise hazards and inconvenience for users of the development by ensuring that there is a safe, suitable and secure means of access for all people that minimises the scope for conflict between traffic and cyclists and pedestrians in accordance with paragraphs 108 and 110 of the National Planning Policy Framework.

Condition #4 Layout

Details of the layout, (hereinafter called "the reserved matters") shall be submitted to and approved in writing by the local planning authority before any development begins and the development shall be carried out in accordance with the approved plans. No dwelling on the development shall be occupied until the carriageway(s) (including surface water drainage/disposal, vehicular turning

head(s) and street lighting) providing access from the nearest public Highway to that dwelling have been completed to at least binder course level and the footway(s) to surface course level.

Reason: - To minimise hazards and inconvenience for users of the development by ensuring that there is a safe, suitable and secure means of access for all people that minimises the scope for conflict between traffic and cyclists and pedestrians in accordance with paragraphs 108 and 110 of the National Planning Policy Framework.

Condition #5 Parking & Turning

The details to be submitted for the approval of reserved matters shall include vehicular access, parking and turning facilities within the site, and the building(s) hereby permitted shall not be occupied until those facilities have been provided in accordance with the approved plans and shall be maintained available for those purposes for the duration of the development.

Reason: - To ensure that a safe, suitable and secure means of access for all people that minimises the scope for conflict between traffic and cyclists and pedestrians is provided in accordance with paragraphs 108 and 110 of the National Planning Policy Framework.

Condition #6 Electric Charging Facilities

The construction of the car parking associated with each building within the development (including garages and car ports where proposed) shall be designed to enable charging of plug-in and other ultra-low emission vehicles in safe, accessible and convenient locations.

Reason: - To ensure that the development incorporates facilities for charging plug-in and other ultra-low emission vehicles in accordance with paragraph 110 of the National Planning Policy Framework.

Condition #7 Cycle Storage

The development hereby permitted shall not be occupied until a minimum of 1 no. cycle storage facility per dwelling has been provided and those facilities shall be maintained for the duration of the development.

Reason: - To give priority to cycle movements by ensuring that adequate cycle parking is provided, to promote cycle use and to ensure that the appropriate opportunities for sustainable transport modes have been taken up in accordance with paragraph 108 of the National Planning Policy Framework.

Condition #8 Pedestrian Footway

Prior to commencement of the development hereby permitted, details of a new 2.0m footway between the site access off Farm Lane and the existing footway on Farm Lane near to the junction of Vineries Close shall be submitted to and approved in writing by the Local Planning Authority and the approved footway shall be provided prior to first occupation and maintained as such thereafter unless and until adopted as highway maintainable at public expense.

Reason: - To ensure that safe and suitable access to the site can be achieved for all users and that the priority is first given to pedestrian and cycle movements, both within the scheme and with

neighbouring areas; and second - so far as possible - to facilitating access to high quality public transport, in accordance with paragraphs 108 and 110 of the National Planning Policy Framework.

Condition #9 Estate Roads

No building on the development shall be occupied until the carriageway(s) (including surface water drainage/disposal, vehicular turning head(s) and street lighting) providing access from the nearest public highway to that dwelling have been completed to at least binder course level and the footway(s) to surface course level.

Reason: - To minimise hazards and inconvenience for users of the development by ensuring that there is a safe, suitable and secure means of access for all people that minimises the scope for conflict between traffic and cyclists and pedestrians in accordance with paragraphs 108 and 110 the National Planning Policy Framework.

Condition #10 Estate Roads Maintenance

Prior to occupation of the proposed development hereby permitted details of the proposed arrangements for future management and maintenance of the proposed streets within the development shall be submitted to and approved in writing by the local planning authority. The streets shall thereafter be maintained in accordance with the approved management and maintenance details until such time as either a dedication agreement has been entered into or a private management and maintenance company has been established.

Reason: - To ensure that safe, suitable and secure access is achieved and maintained for all people that minimises the scope for conflict between traffic and cyclists and pedestrians in accordance with paragraph 108 and 110 the National Planning Policy Framework and to establish and maintain a strong sense of place to create attractive and comfortable places to live, work and visit as required by paragraph 127 of the Framework.

Condition #11 Fire Hydrants

No above ground works shall commence on site until a scheme has been submitted to, and agreed in writing by the Council, for the provision of fire hydrants (served by mains water supply) and no dwelling shall be occupied until the hydrant serving that property has been provided to the satisfaction of the Council.

Reason: - To ensure adequate water infrastructure provision is made on site for the local fire service to access and tackle any property fire in accordance with paragraph 110 of the National Planning Policy Framework.

Condition #12 Construction Method Statement

Throughout the construction period of the development hereby permitted provision shall be within the site that is sufficient to accommodate the likely demand generated for the following:

- i. parking of vehicles of site operatives and visitors;
- ii. loading and unloading of plant and materials;

iii. storage of plant and materials used in constructing the development;

iv. provide for wheel washing facilities

Reason: - To reduce the potential impact on the public highway and accommodate the efficient delivery of goods in accordance with paragraph 110 of the National Planning Policy Framework.

Informatives:

Note I: The proposed development will involve works to be carried out on the public highway and the applicant/developer is required to enter into a legally binding highway works agreement (including appropriate bond) with the County Council before commencing those works.

Note II: You are advised to contact Amey Gloucestershire 08000 514 514 to discuss whether your development will require traffic management measures on the public highway.

Note III: The developer will be expected to meet the full costs of supplying and installing the associated infrastructure.

Note IV: The applicant/developer is advised that to discharge condition #10 that the Local Planning Authority requires a copy of a completed dedication agreement between the applicant/developer and the Local Highway Authority or the constitution and details of a private managements and maintenance company confirming funding, management and maintenance regimes.

Statement of Due Regard

Consideration has been given as to whether any inequality and community impact will be created by the transport and highway impacts of the proposed development. It is considered that no inequality is caused to those people who had previously utilised those sections of the existing transport network that are likely to be impacted on by the proposed development. It is considered that the following protected groups will not be affected by the transport impacts of the proposed development: age, disability, gender reassignment, marriage and civil partnership, pregnancy and maternity, race, religion or belief, sex, sexual orientation, other groups (such as long term unemployed), social-economically deprived groups, community cohesion, and human rights.