

DEVELOPMENT CONTROL COMMITTEE

TUESDAY, 26TH APRIL 2016, 6.30 PM

COUNCIL CHAMBER, TOWN HALL, CHORLEY

The following reports were tabled the above meeting of the Development Control Committee.

6 **Addendum (Pages 111 - 114)**

Additional letter from Lancashire County Council

GARY HALL
CHIEF EXECUTIVE

This page is intentionally left blank



Director of Partnerships,
Planning and Policy
Chorley Council
Civic Offices, Union Street
Chorley
PR7 1AL

Tel 0781729 8072
Email william.tay@lancashire.gov.uk
Your ref 15/01246/FUL
Our ref HDC/AW/D9/15/01246/FUL-3rd
Date 25/04/2016

FAO: Caron Taylor

Dear Sir/Madam,

TOWN AND COUNTRY PLANNING ACT 1990

Planning Application: 15/01246/FUL

Proposed erection of 7 no. residential dwellings and associated works. Land adjacent to 75 Towngate, Ecclestone.

The highway authority has been informed that following previous Planning Committee deliberations on the above planning application, members had highway safety concerns and as part of the planning decision making process visited the site to acquaint themselves with the proposed development. Following the site meeting, it is understood members were concerned that the proposed site access will increase the risk of accidents' as Tincklers Lane is currently used as rat-run between Mawdesley and Doctors Lane. I am aware that Councillor Alan Whitaker commissioned Mr Peter Blair of WYG to review the proposed development. The Consultant's report was provided to the County Council on the 22 April 2016.

The Planning Committee members' concerns were brought to the attention of the Highway Authority (prior to the receipt of the Peter Blair WYG report), and LCC Highways have considered the members concerns and also undertaken an additional site visit taking observations on the 22 April 2016 for one and a half hours.

Tincklers Lane is subject to a 30mph speed limit from its junction with Towngate in the southerly direction for a distance of approximately 250m. From this point up to its junction with Doctors Lane, it is subject to the national speed limit (60mph). I am satisfied that the observations taken were typical to represent this network and that the sight lines and other parameters agreed for the proposed access are acceptable to LCC.

It is noted in the WYG report, under the subheading 'Lateral Visibility' that Peter Blair agreed with the Highway Authority that the Manual for Streets recommended standard visibility splays used for the proposed access are acceptable. I note the visibilities that are indicated on the layout are for a road with a 30mph speed limit, the use of 85%ile observed the visibility will be less than that provided. LCC and the developer recognise that the 'Y' distance to the south cuts significantly across the boundary of the proposed dwelling adjacent the access; however, since this is within the proposed site boundary, it is expected that the visibility splay to be secured by a planning condition that requires the dedication of the land within the visibility splays to satisfy the 85%ile observed as highway. The developer has indicated on plan the required 30mph design speed visibility splay with this an alternative approach would

Phil Barrett

Director, Community Services, Lancashire County Council

Cuerden Depot • Cuerden Way • Bamber Bridge • Preston PR5 6BS

be to ensure that any planting or structure erected within the splay does not exceed 1.0m in height LCC does not wish to rely on this as a planning condition as it is difficult to manage over time. However, I have included both conditions for you to consider. Visibility is within the gift of the applicant to satisfy. LCC Highways is aware that to ensure that the development does not prejudice highway safety, the new access must reasonably meet current layout and road user visibility standards. For this reason, prior to LCC agreeing to the access principle, the proposal was considered and the accident record of Tincklers Lane reviewed. No history of road injury accidents on its length between Towngate and Doctors Lane exist.

The proposed development was assessed against current guidance (Manual for Streets) which promotes slow speed road environments. It should be noted that Tincklers Lane is an unclassified road (a local road intended for local traffic), it will generally have low significance to traffic and be of only local importance. The Consultant's observation that the proposed access is acceptable in visibility terms is therefore welcomed. LCC however, disagrees with the Consultant's assertion that the existing telephone poles, lamp columns and the mature tree may have to be relocated to ensure visibility. There are currently a lamp column, a telephone pole and a tree along the site boundary near no. 1 Tincklers Lane, however, infrastructure within the highway is not uncommon and in this case the tree is beyond the visibility requirements. The lamp column and the telephone pole outside no.75 Towngate would also not obscure visibility. Given that none of these falls within the required visibility splays and LCC do not require their relocation, the recommendation that the applicant should 'incur significant statutory undertakers cost' in relocating street furniture appears unfounded and unreasonable.

The Consultant's points regarding the variation in width of the proposed footway and inadequate width of footway at sections are noted. However, these are already known to LCC Highways as it came up for discussion when the proposal was being drawn up. Although some sections of the proposed footway may be below the normal minimum requirement for a new build situation, there was a choice to be made between leaving it to remain as a grass verge or constructing a footway (even if substandard) to provide some form of walkable surface for residents/pedestrians. In coming to a view at the time the scale of development was considered as well as existing infrastructure that currently serves the existing dwellings; LCC considered that a narrow footway will serve the development better than none. In the infrequent case of wheelchair/ wide pushchair users (having regard to scale of this 7 dwelling development) there is the option for those users to cross the road onto the available northern footway. The footway works will be undertaken via the section 278 agreement of the Highways Act 1980. As such, as part of the s278 works there may be a need for some of the street furniture, e.g. the street name sign currently on the radius of Towngate/Tincklers Lane to be appropriately repositioned. As part of the S278 highway works I would expect a road signs/lines and surface treatment scheme (that includes simple slow markings and a rumble strip to act as simple gate way treatment). My previous condition with regard to highway works has been amended to remove any ambiguity. The applicant's drawings accompanying the planning application upon which the Consultant based his observations is not the final drawing that would be implemented on site. As part of the s278 process, the applicant will be required to provide drawings for the approval of the Highway Authority to take account of the agreed works. Therefore, the design of the new footway to tie in with the existing on Towngate and the associated alterations to the junction radius will be

agreed prior to work commencing on site and should address the concerns expressed regarding turning of vehicles at the junction.

It is also not considered necessary for the applicant to submit an auto-track drawing of the junction at this stage of the application process. It is not unusual for large vehicles such as refuse vehicles to utilise extra width of carriageway when turning into side roads as demonstrated by the auto-track drawing accompanying the WYG report. The Manual for Streets (6.8.7) recommends a minimum street width of 5.0m for such vehicles. A lesser street width is also acceptable where on-street parking does not take place. The average width of Tincklers Lane is more than 5.0m and parking does not take place at the junction. The turning of HGVs at the junction is not a significant highway concern to LCC as it would not represent a severe impact.

I hope this letter addresses your Council Members highway concerns. If you are minded to approve the proposed development, please attach the following suggested conditions and an advice note.

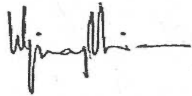
Conditions:

1. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 1995 there shall not at any time in connection with the development hereby permitted be erected or planted or allowed to remain upon the land hereinafter defined any building, wall, fence, hedge, tree, shrub or other device over 1m above road level. The visibility splay to be the subject of this condition shall be that land in front of a line drawn from a point 2.4m measured along the centre line of the proposed road from the continuation of the nearer edge of the carriageway of Tincklers Land to points measured 43m m in each direction along the nearer edge of the carriageway of Tincklers Lane, from the centre line of the access; and shall be constructed and maintained at footway/verge level in accordance with a scheme to be agreed by the Local Planning Authority in conjunction with the Highway Authority. Reason: To ensure adequate visibility at the street junction or site access.
2. The land required to achieve the observed visibility which is lesser than that required to satisfy Condition 1 shall be subject to dedication agreement with the Highway Authority under the provision of Section 278 of the Highways Act 1980 or other appropriate agreement.
3. No part of the development hereby approved shall commence until a scheme for the construction of the site access and the off-site works of highway improvement have been submitted to and approved by the Local Planning Authority in consultation with the Highway Authority. Reason: In order to satisfy the Local Planning Authority that the final details of the highway scheme/works are acceptable before work commences on site.
4. No part of the development shall be commenced until all the highway works have been constructed in accordance with a scheme that shall be submitted to and approved by the Local Planning Authority in consultation with the Highway Authority. Reason: To enable all construction traffic to enter and leave the premises in a safe manner without causing a hazard to other road users.

Advice Note:

- The grant of planning permission will require the applicant to enter into an appropriate Legal Agreement, with the County Council as Highway Authority. The Highway Authority hereby reserves the right to provide the highway works within the highway associated with this proposal. Provision of the highway works includes design, procurement of the work by contract and supervision of the works. The applicant should be advised to contact the Community Services for further information by emailing the County Council's Highways Development Control Section on lhscustomerservice@lancashire.gov.uk or by writing to the Highways Development Control Manager, Winckley House, Cross Street, Preston PR1 3LT, quoting the planning application number in either case.

Yours faithfully,



**WILLIAM TAY
ENGINEER
(HIGHWAYS DEVELOPMENT CONTROL)**