

210373 – PROPOSED DEMOLITION OF FARM BUILDINGS AND CONSTRUCTION OF 14 DWELLINGS WITH ASSOCIATED ACCESS. AT LAND OFF WYSON LANE, BRIMFIELD, HEREFORDSHIRE,

For: Mr Sambrook per Miss Stephanie Cain, Lowfield, Marton, Welshpool, SY21 8JX

ADDITIONAL REPRESENTATIONS

Highways England, now renamed **National Highways** comments –

National Highways has been appointed by the Secretary of State for Transport as a strategic highway company under the provisions of the Infrastructure Act 2015 and is the highway authority, traffic authority and street authority for the Strategic Road Network (SRN). The SRN is a critical national asset and as such we work to ensure that it operates and is managed in the public interest, both in respect of current activities and needs as well as in providing effective stewardship of its long-term operation and integrity.

This response represents our formal recommendations with regard to P210373/F and has been prepared by Priya Sansoy, Assistant Spatial Planner at National Highways.

This consultation relates to the seeking of full planning consent for the proposed demolition of farm buildings and the construction of 14 affordable dwellings with associated access at Land off Wyson Lane, Brimfield, Herefordshire. The development site is located approximately 40 metres west of the A49 Trunk Road boundary therefore has no common boundary with the SRN. It is apparent from satellite imagery that the development site which currently constitutes vacant farm buildings appears to be served via an existing shared direct access on the A49 Trunk Road, although it is noted that the existing means of vehicular access to the site has not been disclosed within the submission. The A49 direct access is shared with Rose cottage and Alma House.

Access

Proposed access

The development is proposed to be solely served via an existing private access road to the south of the site which abuts the site and is under the current ownership of the applicant. Physical means of enclosure are proposed around the perimeter of the site to ensure access to and from the site is restricted as per the site layout proposed. The private access road has recently been constructed to serve a 10-unit housing development named 'The Coppice' and has been confirmed by the Local Highway Authority as not suitable for highway adoption due to drainage issues. The private access road connects onto Wyson Lane which is a narrow rural lane and is maintained by the Local Highway Authority.

Access to SRN

The nearest point of access / egress onto the A49 Trunk Road (Brimfield Bypass) from the site is via the Wyson Lane / A49 all movement Priority junction situated approximately 370 metres east. The SRN junction is not considered to have any existing highway safety or operational issues on review of the latest Crashmap 5-year accident data and live google traffic data. The scale of development is not considered to generate significant traffic movements within the SRN peak period therefore the minimal intensification of use of the Wyson Lane / A49 Priority Junction as a result of the development proposal is considered unlikely to give rise to any adverse highway safety and operational impacts. National Highways would therefore raise no concern to the proposed means of access off Wyson Lane.

Existing access to the site and private access rights

Limited detail has been submitted in regard to the existing means of vehicular access to the site which has raised some potential concerns. On review of satellite imagery of the site and surrounding area, it is apparent that the site may have been previously / historically linked to Rose Cottage and Alma House and accessed via the existing A49 direct access. It is unclear whether any private access rights may have been retained by the developer on transfer of the land which may permit the site to be accessed via the A49 direct access on some capacity. The retention of any private access right, proposed change of use of the land and potential impact on the A49 direct access is a material consideration to the determination of this application and National Highways would therefore ask for the applicant to provide further details regarding land transfer to confirm whether a legal access right exists and/or has been retained. Ultimately the existing A49 direct access is of a substandard design due to its DMRB non-complaint geometric layout and junction visibility splays therefore any intensification or change of its use as a result of the proposal is unlikely to be supported by National Highways in its present form. If private access right has been retained, the applicant will need to provide full details of the required use of any private access right connecting the development site to the A49 Trunk Road via the existing direct access for National Highways to consider further. To safeguard the integrity of the SRN, National Highways may request that any existing private access rights to the A49 Trunk Road from the development site are stopped up via the appropriate legal mechanism.

Construction/ service access

No details have been provided in regard to any Construction Management Plan and particularly the proposed means of vehicular access to the site during the temporary construction phase of the development. National Highways request that further detail is provided by the applicant in regard to the proposed temporary construction access to the site.

As the site is proposed to be served via a private access road, details of the refuse / recycling bin collection point should be provided as it is typical for council refuse vehicles to operate a kerbside collection from the adopted highway. As the site is situated at the end of the cul-de-sac close to the A49 Trunk Road, council operatives may intend to collect from the A49 (T) which may give rise to a highway safety concern affecting the SRN. It is requested that the applicant provides further detail on the proposed servicing arrangements and provides evidence from the council's

refuse collection team that the servicing arrangement will be adopted in practice. Boundary related matters and Environmental Impact.

The A49 Trunk Road is elevated above the ground level of the site and the development site is suitably set back from the SRN. Therefore, it is considered any boundary related or environmental impact would not give rise to any adverse issue which may affect the safe operation of the A49 Trunk Road and National Highways legal responsibilities as a Strategic Road Company.

Recommendation

In light of the above, National Highways recommends that planning permission not be granted for a period of three months from the date of this notice, to allow the applicant time to submit additional supporting information.

OFFICER COMMENTS

It is noted in itself, Highways England has no objection to the 14 dwellings with regards the impact of vehicular movements from the proposal on the strategic road network with regards access to it via Wyson Lane. The concern is with respect to any residue access rights to the North and directly on to the A49.

With regards to Existing access to the site and private access rights, There will be no new residential access to the development via the access to the north from the A49. Boundary treatments and layout prevent this. Furthermore officers can recommend a condition to this effect with details of the 'stopping up'.

With regards to Construction / service access, A Construction Management Plan is set to be a condition, the information required by National Highways could be submitted as part of these conditions and discharge of them only with formal consultation and written agreement from them.

However, it is noted without further details on what, if any, legal access rights are retained to and from the site to the A49 a holding objection remains. As such and on National Highways satisfaction this addressed, the application can still be assessed and determined by Planning Committee with the amended recommendation, below –

CHANGE TO RECOMMENDATION

That subject to the completion of a Section 106 Town & Country Planning Act 1990 obligation agreement, in accordance with the Heads of Terms stated in the report and National Highways confirming either no objection or no objection subject to conditions they require, officers named in the Scheme of Delegation to Officers are authorised to grant planning permission, subject to the conditions below and any other further conditions considered necessary

Notwithstanding the above, A further additional Compliance Condition is recommended for clarity and completeness –

At no time shall the means of enclosure shown on the approved plans listed under Condition 2 be removed (unless being replaced on a like for like basis) and/ or any access, whether pedestrian, vehicular or other modes of transport, be facilitated through the site to enable access to the A49 road.

For the avoidance of doubt vehicular access to and from the site shall be through The Coppice only.

Reason: In the interests of highway safety, to ensure the safe flow of traffic on the A49 strategic road and to comply with Herefordshire Core Strategy policy MT1 and the relevant aims and objectives of the National Planning Policy Framework.