
Appeal by Accrue (Forum) 1 LLP
Former B&Q Site, Great Stone Road, Stretford, M32 0YP
PINS ref: APP/Q4245/W/20/3258552
LPA ref: 100400/OUT/20
Highways Questions – Response in Writing
by Gareth Davis BSc, MSc, MCIHT, CMILT

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February 2022

1 Highways Questions – Response in Writing

Introduction

- 1.1 The Inspector in respect of the section 78 appeal into the proposed development of the Former B&Q, Great Stone Road, Old Trafford (ref: APP/Q4245/W/20/3258552) has raised six questions on highways matters for written response by Accrue (Forum) 1 LLP ('the Appellant'). The questions are provided in **Appendix A**. This response in writing ('Response') to those questions has been prepared by Gareth Davis BSc, MSc, MCIHT, CMILT, Director of Vectos (North) Transport Planning Specialists, on behalf of the Appellant. This Response should be read in conjunction with the Highways Proof of Evidence prepared for the purposes of the appeal.
- 1.2 By way of context, this Response is presented in support of the Appeal by Accrue (Forum) 1 LLP, (PINS ref: APP/Q4245/W/20/3258552, LPA ref: 100400/OUT/20) for the "*erection of buildings for a mix of use including: 333 apartments (use class C3) and communal spaces ancillary to the residential use; flexible space for use classes A1, A3, D1 and/or D2; undercroft car parking; new public realm; and associated engineering works and infrastructure.*"
- 1.3 The planning application was supported by a Transport Assessment, (CD-P1), Travel Plan (CD-P2) and two further Transport Addenda (CD-P3 and CD-P4) to clarify issues raised by Trafford Council.
- 1.4 Trafford Council adopted its Putative Reasons for Refusal to the application in October 2020 but none of the reasons relate to highways or transport matters. Further, in the Planning Statement of Common Ground, the Council has confirmed that it has no objection to the appeal proposals on any highways or access related grounds. Therefore, the Local Highway Authority does not have an objection to the scheme.
- 1.5 Lancashire County Cricket Club ('LCCC') in its Statement of Case (CD-F26) set out its objections to the scheme, including a highways reason as described below:
- "The Appeal Proposal will have an unacceptable impact on LCCC's ability to use its existing access and will cause adverse road safety issues in terms of vehicular and pedestrian conflict;"*
- 1.6 The LCCC Statement of Case included in Appendix 7 (CD-P21), a letter dated 31st August 2021 by Lee Kendall of Axis explaining the reasons for this objection. In Section 2 of my Proof of Evidence, I responded to this objection, explaining that Axis had misinterpreted relevant plans.
- 1.7 In a, further, Axis letter dated 30 November 2021 they stated that the clarification of the flush kerb
- "appear to go some way towards addressing the concerns in our letter."*
- 1.8 Axis went on to ask for a further swept path assessment and an independent Stage 1 Road Safety Audit in respect of the proposals.
- 1.9 Following this background I now respond to the questions raised by the Inspector in turn. These are presented in **Appendix A** but also reproduced below for ease of reference.

2 Response to Questions

Question a)

Is it correct that the proposed access road will not be offered up for adoption?

- 2.1 The proposed access road for the development is shown on the Ground Floor layout plan CD C3-Level-0-Plan-1664-PL-102-D-5-October-2020. The extent of the existing adopted highway is to the back of footway on Great Stone Road. The access road will not be offered up for adoption as it only serves this site, and it will be owned and maintained by the developer.

Question b)

Please confirm whether the changes to the pedestrian footway, the proposed flush island and the mouths of the accesses to the site and LCCC all fall within the adopted public highway?

- 2.2 The works proposed are all contained within the adopted highway. The extent of the adopted highway is to the back of the pavement as indicated in pink shading in **Figure 1** below.



Figure 1 **Extent of Adopted Highway (provided by Trafford Council)**

Question c)

Compared to the existing situation would the proposed development (including its use) result in physical changes to the access arrangement or changes in road user behaviour in respect of:

- I. Vehicles*
- II. Pedestrians*
- III. Vulnerable Users*

If so, please explain what these may or could be in your professional experience.

- 2.3 In order to respond to this question I include a Google streetview image of the historic use of the access to the B&Q site in **Figure 2**, and the current arrangement as shown in **Figure 3**. The peak hour weekday vehicle flow forecasts were presented in my Transport Assessment (CD P1), Table 6.3, and these included a comparison against the former DIY Land use. To give context, the forecast peak weekday vehicle flows with development are on average just over one vehicle per minute. The adjacent LCCC access is generally used for access by service vehicles only on an occasional basis but with increased activity when events are held.



Figure 2 Former B&Q Access Arrangement (Google Streetview)



Figure 3 Current Access Layout (Google Streetview)

i Vehicles

- 2.4 Other than internally, the proposed development makes no physical changes to the access into the former B&Q site that would affect vehicles other than to resurface the drop crossing on land that is within the adopted highway.
- 2.5 As described in my Proof of Evidence, there is no proposal to provide upstand kerbing within the drop crossing and therefore there would not be any physical measure that affects vehicle movement or driver behaviour compared to its former use.
- 2.6 Therefore, there are no physical measures which would affect the vehicle movements at the LCCC access.

ii Pedestrians

- 2.7 Pedestrians will benefit from a drop crossing across the accesses in a similar way as existing. The footway would be resurfaced. It is proposed to show a flush surface detail to indicate to the pedestrian that there are two accesses. This is not intended as a protected zone.
- 2.8 I understand that there will be a new boundary treatment between the site access and the LCCC access, which will be subject of a landscaping reserved matters application. To ensure that vehicles leaving the LCCC access have visibility of pedestrians, I propose that any boundary treatment here be limited to a height of 600mm or lower from the back of footway 2m in to the site, after which any boundary treatment and landscaping features can be any height required. This arrangement would allow pedestrians to view vehicles on the LCCC access (and vice versa) as they cross.

iii Vulnerable Users

- 2.9 Currently there is no tactile paving at the crossing. With the proposed development, vulnerable users will benefit from the addition of tactile paving at the crossing. The resurfacing would make the crossing smoother for vulnerable users such as those in wheelchairs.

Overall View

- 2.10 In my professional opinion the works to the site access will not result in a significant change in the use of the access compared its historic use. That arrangement was demonstrated in the Transport Assessment to operate historically in a safe manner. The design allows intervisibility between pedestrians and drivers which allows users to be aware of each other as they navigate the area.

Question d)

In Axis's letter, a road safety audit is stated as being advisable before the grant of planning permission based on the Road Safety Guidelines. Please explain whether the proposed works would be like for like?

- 2.11 Any works to the adopted highway would require a Section 278 agreement with the Local Highway Authority (who would approve the scheme). As part of the Section 278 detail design process, a Road Safety Audit would be required covering the preliminary design, detailed design and on completion. The Audit would give independent recommendations on safety matters in the design. For clarity, an Audit provides comments on a scheme, and the designer is entitled not to accept the recommendations and instead explain its preferred approach in a Designer's Response. It is the Local Highway Authority that would then determine the appropriateness of the design, subject to the Audit recommendations and the Designers Response.
- 2.12 In this case, the site already includes two adjacent accesses which have historically operated safely for many years. The key issues affecting road safety are visibility for drivers and intervisibility with pedestrians. As explained in the response to Question c), the site would comply with guidance for visibility. In addition, the road surfacing would be improved, and tactile paving added. Finally, the access would be better defined between the LCCC service access, and the new residential access compared to historically where it was a wide open area.
- 2.13 From the point of view of the LCCC access, they would not see any physical change to their operations.

Question e)

If a road safety audit were to find the proposed access arrangements problematic, what, hypothetically, in your opinion, could be the changes to the proposed access design and what effect, if any, could they have on road user behaviour?

- 2.14 As described in para 2.11, the Road Safety Audit process provides guidance and if there is a problematic issue raised as a concern, then the designer has an opportunity to respond to that issue. This is normal in the design process, and ultimately it is for the approving Highway Authority to consider all the issues and arrive at a design appropriate for its purpose.
- 2.15 In this location and with the preliminary design, there is no issue likely to cause such an unsafe situation that the access is not deliverable. Manual for Streets is the design guide for this access, which helpfully provides flexibility in the design parameters relating to access crossings, vehicle visibility and pedestrian/driver intervisibility. The access layout complies with Manual for Streets and the access will operate in a safe and efficient manner.

Question f)

If a road safety audit is not complete before the grant of any planning permission, would there be any highway safety implications? Would there be a conflict with national or local planning policy?

- 2.16 As described in my response to Question e) above, a Road Safety Audit is not expected to highlight any significant adverse safety matters sufficient to identify such a risk that would cause the approving authority to conclude that the proposed access would be unsafe.
- 2.17 The policy context is set out nationally with the revised National Planning Policy Framework (NPPF), published in July 2021. With regard to highway safety, NPPF has a presumption in favour of sustainable development. As part of promoting sustainable transport, paragraph 110 of the revised NPPF states that in assessing applications for development, it should be ensured that:
- a) appropriate opportunities to promote sustainable transport modes can be – or have been – taken up, given the type of development and its location.*
 - b) safe and suitable access to the site can be achieved for all users;*
 - c) the design of streets, parking areas, other transport elements and the content of associated standards reflects current national guidance, including the National Design Guide and the National Model Design Code; and*
 - d) 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.*

2.18 Paragraph 111 goes on to state 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'.

2.19 All new junctions, movement of traffic and interactions between vehicles and vulnerable users carries some level of risk. However, NPPF sets a high bar for refusal, identifying that a scheme would have to have an unacceptable or severe impact in order to prevent development on highways grounds. NPPF does not require a Road Safety Audit prior to the granting of planning permission.

2.20 In terms of Local Planning Policy, there is a requirement to consider highway safety in connection with development proposals. Trafford Council's Core Strategy (CD-H01) was adopted in 2012 and outlines policy measures to promote growth for the Borough to 2026. Policy L4.7 states that;

"The Council will not grant planning permission for new development that is likely to have a significant adverse impact on the safe and efficient operation of the Strategic Road Network, and the Primary and Local Highway Authority Network unless and until appropriate transport infrastructure improvements and/or traffic mitigation measures and the programme for the implementation are secured."

2.21 In the Core Strategy, the threshold for refusing permission for a new development is set at scheme that have a "significant adverse impact".

2.22 Elsewhere in the Core Strategy, Policy L7.2 relating to matters of functionality states;

"The development must:

Incorporate vehicular access and egress which is satisfactorily located and laid out having regard to the need for highway safety."

2.23 In neither local nor national policy is there any requirement for a Road Safety Audit to be undertaken prior to granting planning permission. As such, the absence of such at this stage does not conflict with policy (and indeed is entirely commonplace).

2.24 Furthermore, as set out above, both national and local policy set a high bar for refusing planning permission on safety grounds. This is limited to circumstances where a scheme results in a 'severe' or 'significant' adverse impact. As explained in the Transport Assessment, my Proof of Evidence and summarised in this Response, there would be no adverse impact on the local highways network nor any safety issue arising from the proposed access.

2.25 In this case, at no stage has the Local Highway Authority raised an objection to the scheme. This indicates strongly that there are no road safety issues that provide sufficient grounds to refuse planning permission for the development, consistent with the Appellant's evidence.

Appendix A Highways Questions

Appeal ref: APP/Q4245/W/20/3258552

Site: Former B&Q, Great Stone Road, Old Trafford

Highways – Questions – response in writing

- a) Is it correct that the proposed access road will not be offered up for adoption?
- b) Please confirm whether the changes to the pedestrian footway, the proposed flush island and the mouths of the accesses to the site and LCCC all fall within the adopted public highway?
- c) Compared to the existing situation would the proposed development (including its use) result in physical changes to the access arrangement or changes in road user behaviour in respect of:
- i. Vehicles
 - ii. Pedestrians
 - iii. Vulnerable users
- If so, please explain what these may or could be in your professional experience.
- d) In Axis's letter, a road safety audit is stated as being advisable before the grant of planning permission based on the Road Safety Guidelines. Please explain whether the proposed works would be like for like?
- e) If a road safety audit were to find the proposed access arrangements problematic, what, hypothetically, in your opinion, could be the changes to the proposed access design and what effect, if any, could they have on road user behaviour?
- f) If a road safety audit is not complete before the grant of any planning permission, would there be any highway safety implications? Would there be a conflict with national or local planning policy?