

**TOWN & COUNTRY PLANNING ACT 1990
APPEAL ON BEHALF OF TRAFFORD
METROPOLITAN BOROUGH COUNCIL**

**HOMEBASE LTD, UNIT 1 GEORGE RICHARDS
WAY, BROADHEATH, ALTRINCHAM, WA14**

**PROOF ON HIGHWAY AND TRANSPORTATION
MATTERS**

ALAN DAVIES MSC CMILT, MCIHT, MAPM

PLANNING REFERENCE 98127/FUL/19

APPEAL REFERENCE:

APP/Q4245/W/21/3267048

OCTOBER 2021

HOMEBASE LTD, UNIT 1 GEORGE RICHARDS WAY, BROADHEATH, ALTRINCHAM, WA14

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Appendix A LHA5 (Highway response to application)

Appendix B TFGM2

Appendix C 02 LHA response 103414 (Highway response to application)

1. SUMMARY

1.1 Introduction

- 1.1.1 My name is Alan Davies I am a Director of DTPC (Northwest) (DTPC) with responsibility for development planning and infrastructure projects, I was not involved in the initial assessment and refusal of the Appeal Scheme, but was engaged by TMBC after its refusal and requested to assist in the appeal process.
- 1.1.2 Similarly, I was engaged to assist TMBC in connection with assessing the revised proposals (that have been approved) including amended access arrangements.
- 1.1.3 I confirm the statement is true and is given in accordance with the guidance of my professional institution. I confirm that the opinions expressed are my true professional opinions.

1.2 Background

- 1.2.1 This proof is submitted in relation to an appeal submission made by the Appellant, following the refusal by TMBC to grant permission for planning application reference 98127/FUL/10 with a revised access layout.
- 1.2.2 An objection was raised by the LHA in light of an unacceptable impact on road safety at the proposed access location.

1.3 Policy

- 1.3.1 The overriding theme of national policy is that developments must be accessible safely by all modes and accessible to all members of the local community.
- 1.3.2 The NPPF requires new development to avoid unacceptable impacts on highway safety. This is clear that planning permission will not be granted for new development that is likely to have a significant adverse impact on the safe and efficient operation of the strategic road network (SRN), and the primary and local highway network.

1.4 Refused access arrangements

- 1.4.1 The LHA and TfGM maintained their position that the introduction of the originally proposed egress onto George Richards Way would introduce new conflict between vehicular traffic that would, in turn, present a risk to highway users. It had not been adequately demonstrated by the Appellant that this risk would be acceptable in highway safety terms.

1.5 Revised access arrangements

- 1.5.1 The resubmission with new access arrangements were seen as materially different and the LHA and TfGM concluded that the revised access new location/layout supported by the additional analysis would no longer give rise to an unacceptable impact in highway safety terms.

1.6 Conclusion

- 1.6.1 It is considered that the revised access arrangements do not generate an unacceptable risk to safety and if accepted as the amended layout for the Appeal Scheme, the LHA does not object to the grant of planning permission.

2. INTRODUCTION

- 2.1.1 My name is Alan Davies I am a Director of DTPC (Northwest) (DTPC) with responsibility for development planning and infrastructure projects, in particular with regard to transportation, highways, traffic and parking issues, providing advice on schemes at all stages from identification of concepts through to constraints and feasibility appraisals, detailed design and implementation.
- 2.1.2 I was the former head of Traffic Management and Road Safety for Rochdale Metropolitan Borough Council responsible for the day to day management of the network, responding to operational and safety concerns to assess and provide mitigation where appropriate.
- 2.1.3 I have carried out transport and infrastructure strategies for major residential and mixed-use developments, ranging from greenfield sites to urban extensions and town centre regeneration schemes. Particular projects supported at appeal include Leighton West, Crewe (1000 units), Brandon Road, Watton (177 units), A49 Ludlow (200 units), Chews Farm, Clitheroe (450 units) amongst many others.
- 2.1.4 In addition, I have acted as a lead Road Safety Auditor for a significant number of audits and carried out road safety and risk assessments on both highway routes, and mixed use developments and appeared as an expert witness for injury and fatal events in association with the Health and Safety Executive.
- 2.1.5 I hold a Master of Science Degree in Transport Planning and Engineering and I am a Chartered Transport Planner, being a Chartered Member of the Chartered Institute of Logistics and Transport, Member of the Chartered Institution of Highways and Transportation and Member of the Association of Projects Management.

- 2.1.6 I have been engaged by Trafford Metropolitan District Council (TMBC) to provide professional advice in connection with planning application reference 98127/FUL/10 and subsequently to provide a proof of evidence to this inquiry.
- 2.1.7 In addition, I was engaged to support and advise the Local Highway Authority in connection with the amended development proposal, reference 103414/FUL/21.
- 2.1.8 This proof is written on the basis that the original access layout 2018-3538-001 rev A for the Appeal Scheme is to be replaced by the revised access layout SCP/190052/SK08 rev D (and the Appeal Scheme amended accordingly).
- 2.1.9 I confirm the statement is true and is given in accordance with the guidance of my professional institution. I confirm that the opinions expressed are my true professional opinions.

3. BACKGROUND

- 3.1.1 This proof is submitted in relation to an appeal submission made by the Appellant, following the refusal by TMBC as Local Planning Authority (“the LPA”) to grant permission under Application Ref. 98127/FUL/10, which sought the following;

“Full: Major: Extension, refurbishment and subdivision of the existing Homebase store to provide a downsized unit for Homebase and a new Class A1 food retail unit. The application also proposes the relocation of the Homebase garden centre, the reconfiguration of the existing car park and associated landscaping, and the creation of a new egress from the site.”

- 3.1.2 An objection was raised by TMBC as Local Highway Authority (“the LHA”) and in its final formal response to the LPA dated 8/1/2020 in Appendix A LHA5 stated that:

“It has not been adequately demonstrated by the applicant that this would not have an unacceptable impact on highway safety.”

- 3.1.3 The application was refused on 16/7/2020 including a reason for refusal in respect of highway matters.

- 3.1.4 The relevant reason for refusal states:

2 The proposed development involves the introduction of a new point of egress for customer traffic onto George Richards Way which has the potential to introduce significant vehicular conflict. It has not been adequately demonstrated by the applicant that this would not have an unacceptable impact on highway safety and thus a reason to refuse the application at paragraph 109 of the NPPF applies. The proposal is also contrary to Policy L4 of the Trafford Core Strategy.”

- 3.1.5 The remainder of this proof is structured as below:

- Section 3 National and Local Policy;
- Section 4 **Application Ref. 98127/FUL/10**
- Section 5 Revised access arrangements
- Section 6 Summary and conclusions

4. POLICY SETTING

4.1 National Planning Policy Framework

- 4.1.1 The NPPF 2021 has replaced the previous versions and sets out the policy framework for sustainable development and supersedes the previous advice.
- 4.1.2 Para 111 (replacing para 109) states: 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.

4.2 Adopted Development Control Policies

4.2.1 Policy L4 - Core Strategy

Relevant provisions from the Core Strategy's Policy L4 are as follows:

The Strategic, Primary and Local Highway Network

L4.7 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.

L4.8 When considering proposals for new development that individually or cumulatively will have a material impact on the functioning of the Strategic Road Network and the Primary and Local Highway Authority Network the Council will seek to ensure that the safety and free flow of traffic is not prejudiced or compromised by that development in a significant adverse way either by ensuring that appropriate transport infrastructure improvements and/or traffic mitigation measures and the programme for their implementation is secured, or by securing contributions in accordance with the associated SPD, or by a combination of these means.

Transport Assessments and Travel Plans

L4.13 When considering planning applications, in order to achieve a balanced and integrated transport network which makes the most efficient and effective use of road, rail and water transport, the Council will require:

Transport assessments that include measures to mitigate impacts by making appropriate transport infrastructure improvements, reducing car use and making appropriate contributions towards sustainable transport measures to be provided for all developments that are likely to have significant transport implications and impact adversely upon the safe and efficient operation of the existing highway network.

4.3 Summary

- 4.3.1 Policy L4 of the Trafford Core Strategy is the most relevant policy of the Development Plan in respect of highways issues. This is clear that planning permission will not be granted for new development that is likely to have a ‘significant adverse impact’ on the safe and efficient operation of the strategic road network (SRN), and the primary and local highway network.
- 4.3.2 The NPPF imposes a higher threshold of unacceptability (“severe”) when compared with Policy L4 (“significant”) in respect of the issue of traffic impact. However, it is the issue of highway safety (rather than traffic impact) which has been the focus of the LHA’s concerns (when having regard to the Appellant’s vehicular access proposals).

5. APPLICATION REF. 98127/FUL/10

5.1 Introduction

- 5.1.1 The following provides some context for the highways reason for refusal in respect of the Appeal Scheme.

5.2 Feedback and review

- 5.2.1 From the outset objections have been raised by both the LHA and TfGM regarding the principle of the egress. A key concern in respect of the original proposal was the proximity to the A56 major junction; at a distance of only some 80 metres from the egress as originally proposed.
- 5.2.2 The original proposed egress would be in close proximity to the existing George Richards Way left turn lane to the A56 and in the weaving length of vehicles changing lanes to exit George Richards Way and travel onwards. The LHA (and TfGM in full Appendix B TFGM2) raised the very real prospect of vehicle conflict occurring with drivers attempting to exit the retail park via the proposed egress when it is unsafe to do so and at a time when other drivers are preparing to change lanes on approach to the A56. These concerns led the LHA and TfGM both to conclude that the proposed new egress is likely to have an unacceptable impact on highway safety.
- 5.2.3 Notwithstanding these objections, efforts were made to work with the Appellant (then applicant) to explore potential solutions. Some additional information was provided. This has included a Road Safety Audit (RSA), tracking diagrams, and some adjustments to the junction design and central reserve.
- 5.2.4 However, at the time of determination of the planning application by the LPA, the LHA's concerns remained unresolved.

5.2.5 Information that the LHA sought from the Appellant, but that was not provided included further site surveys to determine the level and position of lane changing in advance of the signals at the A56, and traffic modelling to determine the extent of gaps in traffic flow. Other outstanding requests covered further vehicle tracking, an improved RSA, and an analysis of collision data.

5.3 Summary

5.3.1 When the Appeal Scheme was determined by the LPA, the LHA and TfGM maintained their position that the introduction of the proposed egress onto George Richards Way would introduce new conflict between vehicular traffic; this would present a risk to highway users and it had not been adequately demonstrated by the Appellant that this risk would be acceptable in highway safety terms.

6. REVISED ACCESS ARRANGEMENTS

6.1 Introduction

6.1.1 The site was the subject of a further planning application (reference 103414/FUL/21) with revised access details (SCP/190052/SK08 rev D). The revised access arrangements are considered materially different from the previously refused scheme (the Appeal Scheme) and addressed the LHA's concerns such that the LHA is satisfied that the proposals do not generate and unacceptable highways safety risk.

6.2 Highway feedback

- 6.2.1 The further application was the subject of a detailed response from the LHA dated 22/3/2021 in full Appendix C 02 LHA response 103414.
- 6.2.2 The changes to the proposed access arrangements were considered materially different (to those originally proposed for the Appeal Scheme) and the LHA concluded it would not advance an objection for the following reasons:
- i. the amended location of the egress is further away from the junction with the A56 and the left-turn diverge, the weaving (vehicle lane changing) area, and the signal stop lines. As such, the left-turn only egress proposed for this application would not be expected to have a severe detrimental impact to road safety along the public highway at this location, and as such a refusal is not justified on highway grounds in accordance with the NPPF;
 - ii. the gradient of the proposed egress is reduced to a maximum gradient of 1:20 (5%);
 - iii. the LHA had been provided with scheme designs which reflected the layout of George Richards Way at this location;
 - iv. lanes widths are clearly illustrated on the plan, and the amended design now includes an intention to widen the carriageway to achieve minimum 3m wide traffic lanes, excluding the centre hatched road markings (for the previous application the LHA was concerned the road widths would be too narrow, and confirmation of unobstructed lane widths was requested by the LHA for planning application 98127/FUL/19, but not provided);
 - v. a standard design, shorter length traffic island will be provided, and there is no longer an intention to provide an unnecessarily long length of pedestrian guardrail;

- vi. the LHA had been provided with swept path analysis including vehicle tracking speeds;
 - vii. provision of personal injury collision analysis;
 - viii. in October/November 2020, after determination of the Appeal Scheme and prior to the submission of 103414/FUL/21, additional information was provided by the Appellant, including video evidence;
 - ix. LinSig modelled scenarios were also submitted after determination of planning application 98127/FUL/19 and prior to the submission of 103414/FUL/21 (this application).
- 5.2.3 Much of the information referred to above had been requested by the LHA (of the Appellant) but was not made available before determination by the LPA of the Appeal Scheme.

6.3 Summary

- 6.3.1 The LHA and TfGM concluded that the revised access represented a material improvement compared with the original proposal, and that the new location/layout (supported by the additional analysis) would no longer give rise to an ‘unacceptable’ impact in highway safety terms. Accordingly, on the basis that the Appeal Scheme is amended so as to include the revised access proposal, the LHA does not advance an objection to the grant of planning permission.

7. SUMMARY AND CONCLUSIONS

7.1 Introduction

- 7.1.1 My name is Alan Davies I am a Director of DTPC (Northwest) (DTPC) with responsibility for development planning and infrastructure projects, in particular with regard to transportation, highways, traffic and parking issues, providing advice on schemes at all stages from identification of concepts through to constraints and feasibility appraisals, detailed design and implementation.
- 7.1.2 I was not involved in the initial assessment and refusal of the Appeal Scheme, but was engaged by TMBC after its refusal and requested to assist in the appeal process.
- 7.1.3 Similarly, I was engaged to assist TMBC in connection with assessing the revised proposals (that have been approved) including amended access arrangements.
- 7.1.4 I confirm the statement is true and is given in accordance with the guidance of my professional institution. I confirm that the opinions expressed are my true professional opinions.

7.2 Background

- 7.2.1 This proof is submitted in relation to an appeal submission made by the Appellant, following the refusal by TMBC to grant permission for planning application reference 98127/FUL/10
- 7.2.2 An objection was raised by the LHA in light of an unacceptable impact on road safety.

7.3 Policy

- 7.3.1 The overriding theme of national policy is that developments must be accessible safely by all modes and accessible to all members of the local community. Local policy echoes the sustainability sentiment of national policy and provides more detail in terms of increased trips and safety.

7.3.2 The NPPF requires new development to avoid unacceptable impacts on highway safety. Policy L4 of the Trafford Core Strategy is the most relevant policy at development plan level (in respect of highways issues). This is clear that planning permission will not be granted for new development that is likely to have a significant adverse impact on the safe and efficient operation of the strategic road network (SRN), and the primary and local highway network.

7.4 Refused access arrangements

7.4.1 The LHA and TfGM maintain their position that the introduction of the originally proposed egress onto George Richards Way would introduce new conflict between vehicular traffic that would, in turn, present a risk to highway users. It has not been adequately demonstrated by the Appellant that this risk would be acceptable in highway safety terms.

7.5 Revised access arrangements

7.5.1 The LHA and TfGM concluded that the revised access was a material change and the new location/layout supported by the additional analysis would no longer give rise to an unacceptable impact in highway safety terms.

7.6 Conclusion

7.6.1 It is considered that the revised access arrangements do not generate an unacceptable risk to safety and if accepted as the amended layout for the Appeal Scheme, the LHA does not object to the grant of planning permission.

