

Ribble Valley Borough Council
Housing & Development Control

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Your ref 3/2022/0500
Our ref D3.2022.0500
Date 5th January 2023

FAO Stephen Kilmartin

Dear Sir/Madam

Application no: **3/2022/0500**

Address: **Land to the south of Chatburn Old Road Chatburn**

Proposal: **Technical Details Consent for residential development of upto 9 dwellings following Permission in Principle application 3/2018/0582 and appeal APP/T2350/W/19/3223816.**

The Local Highway Authority have viewed the plans and highway related documents and have the following comments to make:

Summary

No objection subject to conditions

Lancashire County Council acting as the Local Highway Authority does not raise an objection regarding the proposed development and are of the opinion that the proposed development will not have a significant impact on highway safety, capacity or amenity in the immediate vicinity of the site subject to the following conditions being stated on any approval.

Advice to Local Planning Authority

Introduction

The Local Highway Authority (LHA) are in receipt of a re-consultation for the erection of 9 dwellings at the land to the south of Chatburn Old Road, Chatburn.

The LHA previously responded to the application on 16th June 2022 and 6th September 2022 requesting further information regarding the site access and the internal layout of the site.

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Since then, the Agent have a submitted a second Technical Note provided by DTPC dated 15th October 2022, short and long sections of the access and the spine road and DTPC drawing number J1050 access and prow fig1 Rev A titled "Phase 2 layout." These drawings with all the other supporting documents will be reviewed below.

In any case, the LHA are aware that the application is for technical details consent following Permission in Principle application 3/2018/0582, which was refused by the Local Planning Authority (LPA) on 7th September 2018.

Consequently, an appeal by the Applicant was made to the Planning Inspectorate, hence appeal reference APP/T2350/W/19/3223816, which allowed the application to have a Permission in Principle.

Site Access

The LHA are aware that the site will be accessed off Chatburn Old Road which is an unclassified road subject to a 30mph speed limit.

The LHA have reviewed DTPC drawing number J1050 access and prow fig1 Rev A titled "Phase 2 layout" and are aware that the proposed access will have kerb radii's of 10m and 8m, while the access width will be approximately 9.5m wide which reduces to a minimum carriageway width internally of 5.5m. At the access, the site will also provide 2m wide footways on either side, for a short duration.

To support the width of the access, in the second Technical Note provided by DTPC dated 15th October 2022, the Consultant has provided swept path analysis drawings of two-way movements occurring between two large cars entering and exiting the site simultaneously, as well as HGVs entering and exiting the site.

The LHA have reviewed the swept path drawings in the second Technical Note and are aware that the access and the internal carriageway is suitable for two-way movements and so the LHA have no further comments to make regarding the access width.

The LHA have also reviewed the site section and long section drawings of the access and the internal carriageway and are satisfied that the gradient throughout the site complies with the LHAs guidance.

Furthermore, the LHA are aware that the access can provide visibility splays of 2.4m x 43m to the right and 2.4m x 36m to the left of the access. The LHA are aware that the visibility splay to the left of the access does not comply with the LHAs guidance. However, the LHA will accept the shortfall due to Chatburn Old Road terminating at this distance. Therefore, the LHA have no further comments to make regarding the visibility splays.

Off-Site Highway Improvements

The LHA will require a number of Off-Site Highway improvements to be made, all at the cost of the Applicant, as identified during the pre-application stage.

The LHA will request that a number of Traffic Regulation Orders (TRO) are pursued at the junction between Crow Trees Brow and Ribble Lane; junction between Ribble Lane and Chatburn Old Road; and along Chatburn Old Road.

The LHA inform the reader that these requirements are subject to change, following agreements with the LHAs Traffics team and following a public consultation where the locations of these TROs will be identified. But these requests are required for highway safety reasons.

The LHA may also require the streetlights along Chatburn Old Road are extended adjacent to the site. Extending the streetlight scene is particularly important in this location, due to the adopted highway having no footways. Therefore, to enable all road users to identify each other during night-time hours and for pure safety reasons, streetlights should be provided.

The LHA are aware that these can be conditioned below.

Internal Layout

The LHA are aware that the site will not be adopted by the LHA and will remain private. The LHA will condition that a private management company maintains the site.

In any case, the LHA have studied DTPC drawing number J1050 access and prowl fig1 Rev A titled "Phase 2 layout," which details the full site layout and are satisfied that the internal layout complies with the LHAs guidance. The LHA will explain below the reasons why:

Internal Carriageway

The LHA have reviewed DTPC drawing number J1050 access and prowl fig1 Rev A titled "Phase 2 layout," and are aware that the internal carriageway will be a minimum of 5.5m for the full duration of the spine road and will have a 2m wide footway to the left and a 0.5m service strip on the other side of the spine road.

While this does not comply with the LHAs guidance which requires 2m wide footway to be provided on both sides of the internal carriageway, the LHA will accept the shortfall in this case due to the site not being adopted and there being limited space included in the Permission in Principle application to facilitate the minimum pedestrian facilities.

The LHA will also accept that Public Footpath 3-11-FP1 will be diverted to the proposed 2m wide footway, but this will require a diversion order from the LHAs Public Right of Way team with information being found in the informatives below.

Furthermore, as stated in the previous comments dated 6th September 2022, the LHA have no objection to the junction and internal carriageway which serves Plot 2-7 to remain 4.8m wide with 1.8m wide footways either side.

Turning Head

The LHA have reviewed the amended turning head and the revised swept path drawing provided in the second Technical Note dated 15th October 2022 which shows a refuse vehicle using the turning head and are aware that the turning head is now suitable.

Private, Access Track serving Plots 8 and 9

The LHA have reviewed the width of the private access track serving Plots 8 and 9 and are aware that the width complies with the LHAs guidance.

Parking

The LHA are aware that the proposed quantity of car parking spaces complies with the LHAs parking guidance as defined in the Joint Lancashire Structure Plan. The LHA have also reviewed the lengths and the widths of the driveways, and they comply with the LHAs guidance.

The LHA will condition that Electric Vehicle charging points are provided on each private driveway and cycle storage is provided to comply with the LHAs sustainable transport requirements.

Boundary Treatment Plan

The LHA will condition that a boundary treatment plan is submitted. This is because the LHA are aware that the embankment to the left of the access may require a retaining wall feature to be erected due to the level difference of the internal carriageway and the embankment.

The LHA will also require a site section drawing of the embankment, retaining wall and the carriageway to be conditioned to ensure that the gradient does not exceed 1 in 3.

For information, any retaining structures adjacent to the highway, retaining land, will need a Structural Agreement if they exceed 1.3m in height. All structures retaining the highway itself will also need an agreement

Sustainable Transport

The LHA are aware that the site's closest bus stop is located along Ribble Lane, which is approximately 295m away from the sites access. The bus stop serves hourly services to Clitheroe, Nelson and other smaller settlements including Waddington, West Bradford, Grindleton, Downham, Newchurch.

The site is also located within close proximity to local shops and other amenities. To access these amenities, the occupants can walk along Chatburn Old Road or use Public Footpath 3-11-FP1, which runs through the site and provides access to Crow Tree Brow.

The LHA will require the Public Footpath to be adequately surfaced throughout the site and will require a diversion order to be agreed with the LHAs Public Right of Way team.

Conditions

1. No development shall commence on the site until such time as a construction traffic management plan, including as a minimum details of the routing of construction traffic, wheel cleansing facilities, vehicle parking facilities, and a timetable for their provision, has been submitted to and approved in writing by the Local Planning Authority. The construction of the development shall thereafter be carried out in accordance with the approved details and timetable.

REASON: To reduce the possibility of deleterious material (mud, stones etc.) being deposited in the highway and becoming a hazard for road users, to ensure that construction traffic does not use unsatisfactory roads and lead to on-street parking problems in the area.

2. No part of the development hereby permitted shall be occupied until such time as the access arrangements shown on DTPC drawing number J1050 access and pro fig1 Rev A titled "Phase 2 layout," have been implemented in full.

REASON: To ensure that vehicles entering and leaving the site may pass each other clear of the highway, in a slow and controlled manner, in the interests of general highway safety and in accordance with the National Planning Policy Framework (2021).

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 (number of Transport Regulation Orders to be pursued at the junction between Crow Trees Brow and Ribble Lane; junction between Ribble Lane and Chatburn Old Road; and along Chatburn Old Road; streetlights to be extended along Chatburn Old Road) of highway mitigation has 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 and Highway Authority that the final details of the highway scheme/works are acceptable before work commences on site.

4. No development shall be commenced until details of the proposed arrangements for future management and maintenance of the proposed streets within the development, including written confirmation that it will not be offered to the highway authority for adoption, have been submitted to and approved by the local planning authority. The

streets shall be maintained in accordance with the approved management and maintenance details thereafter.

REASON: In the interest of highway safety; to ensure a satisfactory appearance to the street infrastructure serving the approved development; and to safeguard the users of the street and visual amenities of the locality.

Note: It is recommended that to discharge the condition the local planning authority should seek to require a copy of the completed details of a private management and maintenance company confirming funding, management and maintenance regimes.

5. No development shall be commenced until full engineering, drainage, street lighting and constructional details of the streets have been submitted to and approved in writing by the local planning authority. The development shall, thereafter, be constructed in accordance with the approved details, unless otherwise agreed in writing with the local planning authority.

REASON: In the interest of highway safety; to ensure a satisfactory appearance to the highways infrastructure serving the approved development; and to safeguard the visual amenities of the locality and users of the highway.

6. No part of the development hereby approved shall commence until a scheme for the retaining structure adjacent to the highway has 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 and Highway Authority that the final details of the retaining structure are acceptable before work commences on site.

7. No development shall take place until details of a landscaping scheme for the site have been submitted to, and approved in writing by, the local planning authority in consultation with the highway authority.

REASON: To ensure adequate inter-visibility between highway users at the street junction or site access, in the interests of highway safety.

8. The development hereby permitted shall not be occupied until such time as the parking and turning facilities have been implemented in accordance with DTPC drawing number J1050 access and prowl fig1 Rev A titled "Phase 2 layout,". Thereafter the onsite parking provision shall be so maintained in perpetuity.

REASON: To ensure that adequate off-street parking provision is made to reduce the possibility of the proposed development leading to on-street parking problems locally and to enable vehicles to enter and leave the site in a forward direction in the interests of highway safety and in accordance with the National Planning Policy Framework (2021).

9. All garage facilities/ private driveways shall include provision of an electrical supply suitable for charging an electric motor vehicle.

REASON: To support sustainable transport objectives and to contribute to a reduction in harmful vehicle emissions.

10. Garage wall hanging cycle storage suitable for 2 bicycles shall be provided within each garage with a separate secure cycle storage facility suitable for two bicycles being provided for units without a garage.

REASON: To promote sustainable transport as a travel option, encourage healthy communities and reduce carbon emissions.

Informatives

The grant of planning permission will require the applicant to enter into an appropriate legal agreement (Section 278 and Section 38), with Lancashire County Council as Highway Authority prior to the start of any development. The applicant should be advised to contact the county council for further information by telephoning the Development Support Section on 0300 123 6780 or email developeras@lancashire.gov.uk, in the first instance to ascertain the details of such an agreement and the information to be provided, quoting the location, district and relevant planning application reference number.

Please be aware that the demand to enter into section 278 agreements with Lancashire County Council as the highway authority is extremely high. Enquiries are being dealt with on a first come first served basis. As such all developers are advised to seek to enter into Section 278 agreements at a very early stage.

The grant of planning permission does not entitle a developer to obstruct a right of way and any proposed stopping-up or diversion of a right of way should be the subject of an Order under the appropriate Act. The applicant should be advised to contact Lancashire County Council's Public Rights of Way section by email on PROW@lancashire.gov.uk, quoting the location, district and planning application number, to discuss their proposal before any development works begin.

Yours faithfully

Ryan Derbyshire
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Highway Development Control
Highways and Transport
Lancashire County Council