
From: Stannard, James
Sent: 28 November 2022 15:14
To: Planning Comments (HPBC)
Subject: HPK/2022/0468 Land Off, New Road, Whaley Bridge (Highways Comments)

Categories:

Hi

Please see below comments from DCC Highways in connection with HPK/2022/0468

Thanks

James Stannard MRTPI
Planning Officer
High Peak Borough Council and Staffordshire Moorlands District Council
Tel:
Mobile:
Email:

From: Glen Donaldson (Place)
Sent: 28 November 2022 14:48
To: Stannard, James
Subject: HPK/2022/0468 Land Off, New Road, Whaley Bridge

Hello James.

Thank you for the attached.

The previous County Council response to HPK/2022/0468 stated:

'The submitted Design and Access Statement mentions:

'7.6 The applicant has spoken with Derbyshire Highways with reference to the previous application. He explained that there were two entrances to the site and it has a long and busy history of commercial occupation: it was indicated by DCC Highways they would look at it more favourably. For the earlier application for a residential scheme, there were no objections at all from Highways.'

However, the submitted application form states no pre-application discussions took place, so before the County Council can provide a formal response, following information is required:

- 1. Who within Derbyshire County Council Highway section did they speak to?*
- 2. What is the number of the previous planning application for the residential scheme?*
- 3. Submitted drawing 1695.PL06 shows the internal access road/footway being 5m and 2m respectively, but no information relating to the access widths off New Road have been shown.'*

The County Council has now been provided with the following HA response to planning application HPK/2021/0601 dated 19 November 2021 (see attached) which was for a new commercial development comprising two new buildings and associated car parking, Land Off, New Road, Whaley Bridge, Derbyshire, SK23 7JZ.

'The existing use of the site is a vacant 'brownfield' site. The site is located at the east of the junction of Chapel Road(B5470), Buxton Road and New Road. It is stated that the proposal is for a new employment development within two buildings, Unit1, gross floor area (GFA) of 279sqm and Unit 2, GFA of 266 sqm approximately. However, this development falls in Class Eg in which the site could also be used for industrial use purposes. As part of proposal 26, car parking spaces will be provided. The access to the site from New Road which is an unadopted road. New Road

is a two-way road that provides access to a number of residential units and to a private nursery; however, in its current form is substandard, particularly where it forms a junction with Buxton Road. At some sections of New Road, it is noted that residents park their cars on both sides of the road, which makes this road of single-width and access to refuse vehicle/delivery van/and cars appears difficult. The Highway Authority has concerns that the proposal with the associated 26 car parking spaces would intensify the use of New Road and access junction from Buxton Road. Furthermore, New Road, as indicated, forms a junction with Buxton Road and is within 25m from the signalised junction of Buxton Road and Chapel Road. The emerging visibility at this junction is substandard due to the on-street parking at the south of the junction. Due to the proximity of traffic signals and controlled pedestrian crossing, access and egress to the site are already difficult. The proposal as indicated above would intensify the use of this junction and New Road, which in its current form doesn't appear suitable for additional car movements. The Highway Authority therefore, request that the issues raised above need to be addressed in the interest of road safety. There are a number of issues highlighted in my response which will need further consideration and revised information to be submitted before the highway Authority may be in a position to provide further comments or be in a position to sanction any full planning application proposal. I would be grateful if these comments could be brought to the applicant's attention so that they may be given the opportunity of addressing the identified issues; in the meantime, the application should be held in abeyance. However, if your Authority wishes to determine the application 'as submitted,' I would be grateful for the opportunity to discuss the highway Authority's position further.'

The second HA response was provided to planning application HPK/2021/0601 (see attached) dated 14 December 2021 stated:

'The Highway Authority, in their response, raised various concerns which have not been addressed, including intensification in the use of New Road, which is in a predominantly residential area and provides access to everyday residential amenities, leisure and employment opportunities. The traffic generation from this scale of development would have been more comparable to the low use of commercial/industrial development associated with the existing site rather than comparing with the residential use, which was previously proposed for planning application HPK/2018/0381 as advised by the applicant in the email of 8th December 2021. For the size of development proposed, the Highway Authority expects that at least a transport statement or technical note addressing all Highway's related issues raised in Highway's response of 19th November 2021 needs to be addressed. In support of this proposal, insufficient information related to Highway's matters have been submitted and concerns raised in Highway's response dated 19th November 2021 have not been addressed. Therefore, the application on an as-submitted basis lacks fundamental information on traffic appraisal/traffic generation and do not demonstrate that if permitted, the proposal would not lead to the material/significant intensification in the use of the site/access road from New Road and access junction (New Road/Buxton Road). In the absence of this fundamental information, an informed decision to decide whether the proposal could interfere with the safe and efficient operation of traffic on the surrounding roads and could lead to potential danger and inconvenience to other highway users could not be made. Therefore, the Highway Authority recommends the refusal of this proposal.'

The County Council has also looked at the HA response for planning application HPK/2018/0381 (mentioned above) which was provided on 14 January 2019 and the following was stated:

'As you are aware, New Road is not adopted and is not within the applicants control. Therefore the Highway Authority cannot recommend a condition to ensure improvement works are carried out on New Road as part of this planning application. As far as can be ascertained from the details submitted, there is an existing right of vehicular access to the site via New Road. However, as per the submitted Design and Access Statement, the applicants makes it clear that, if the development is granted New Road will be resurfaced. If your Authority can think of any mechanism to ensure this occurs it would obviously be beneficial to all users of New Road. The additional details in the e-mail below confirm the building immediately adjacent to the site access is within the ownership of the applicant, and it will be demolished as part of the proposals. This will improve the available emerging visibility onto New Road. Within the site, the private access road has a sufficient width to allow for 2-way traffic. There is an adequate level of parking being provided for each dwelling and turning space is available to ensure all residents and delivery vehicles can enter the site, turn and exit in a forward gear. However, no details have been submitted with regards to the proposed refuse collection method. As it's not envisaged the refuse vehicle will enter the private site, space should be made available within the close vicinity of New Road to enable bins to be stored on collection days. I trust your Authority will consult with the relevant refuse company regarding this.'

However, although the HA was in favour of the site being for residential use under HPK/2018/0381 the site was refused, but not on highway grounds so the HA response provided for HPK/2018/0381 has no relevance.

The latest applications, HPK/2022/0468 and previous application HPK/2021/0601 are for the a new commercial development comprising two new buildings and associated car parking, Land Off, New Road, Whaley Bridge, Derbyshire and HPK/2021/0601 was previously refused for 3 reasons and 1 on them for the following highway reason:

‘Insufficient information has been submitted that demonstrates the proposals would not lead to the intensification in the use of New Road and the access junction from Buxton Road. In the absence of this information, it has not been possible to assess whether the proposal would interfere with the safe and efficient operation of traffic on the surrounding roads and/or would lead to potential danger and inconvenience to other highway users, contrary to the provisions of High Peak Local Plan policy CF6 and paragraph 104, 111- 113 of the National Planning Policy Framework.’

However, as mentioned above, the site is not for a residential scheme, it is for a new commercial development comprising two new buildings and associated car parking which has different traffic patterns, vehicle sizes and parking provision, so as the applicant has not provided a transport statement or technical note addressing all Highway’s related issues or as mentioned in the HPK/2018/0381 HA response (see above) information relating to the following: ...*‘the applicants makes it clear that, if the development is granted New Road will be resurfaced’.*

Therefore, again the HA recommended that the application is refused for the following reason: Insufficient information has been submitted that demonstrates the proposals would not lead to the intensification in the use of New Road and the access junction from Buxton Road. In the absence of this information, it has not been possible to assess whether the proposal would interfere with the safe and efficient operation of traffic on the surrounding roads and/or would lead to potential danger and inconvenience to other highway users, contrary to the provisions of High Peak Local Plan policy CF6 and paragraph 104, 111- 113 of the National Planning Policy Framework.’

On a footnote and for information purposes only, the applicant should also be aware of the following:

- Information about the extent of the adopted highway should be checked, and advice can be sought via email.
- No development shall be commenced until details of the proposed arrangements for future management and maintenance of the proposed streets within the development have been submitted to and approved by the Local Planning Authority. The street shall thereafter be maintained in accordance with the approved management and maintenance details until such time as a private management and maintenance company has been established.
- The following clause shall be included in the deeds of the dwellings to ensure that at no time will adoption of any part of the access road be sought: “The lessee or purchaser shall not at any time, either alone or jointly with others, seek adoption of any part of the driveway intended to serve the development as a highway maintainable at the public expense, it being the intention that same shall at all times remain private up to the point where the same abuts the publicly maintainable highway.

Regards

Glen Donaldson | Project Engineer | Highways Development Control

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