

FIRST SUPPLEMENTARY REPORT
TO THE PLANNING COMMITTEE
29th January 2019

Agenda item 6

Application Ref. **18/00736/OUT**

Chatterley Valley Development Site, Peacock Hay road

Since the publication of the main agenda **Highways England** have extended their holding direction for a further period of three months from the date of their response, 18th January.

In addition the **Highway Authority** has provided further comments. They advise that they have no objections on highway grounds, providing comments explaining the reasons for this conclusion which are summarised below.

- Peacock Hay Road is very steep and currently has a 60mph speed limit which lowers to 40mph towards Lowlands Road. Due to the existing gradient, the design of the roundabout has been under scrutiny. To achieve the best vertical alignment and visibility a departure from usual standards has been necessary.
- The design of the roundabout junction has been thoroughly reviewed and they are happy, despite these departures from standards, that the roundabout does work.
- There are still concerns, however, over approach speeds to the roundabout despite the proposal to reduce the speed limit on Peacock Hay Road to 40mph.
- To achieve the best alignment and maximum visibility of the roundabout the scheme will be reliant upon the agreement of a full Section 278 Highway Agreement design broadly in line with the submitted plans and must include improvements to the footway/cycleway on Peacock Hay Road, new crossing points, relocated field access and ghost island junction for the existing access, plus a scheme of measures for approval by the Highway Authority relating to the delivery of the speed reduction, which should include gateway features, street lighting, conspicuous speed limit and warning signs, road markings and surfacing with an appropriate high friction surfacing.
- It is noted that in a recent speed survey the average speeds on Peacock Hay Road, taking into account that the limit is currently 60mph, are 48mph eastbound towards the new roundabout and 42mph westbound towards the existing priority junction. The actual lowering of the speed limit will be subject to the revision of the current Traffic Regulation Order.
- The submitted Transport Assessment (TA) has reported on Personal Injury Accidents in the vicinity and concludes that there are no apparent patterns in accidents on the roads surrounding the site. Those that have unfortunately occurred are due to the nature and speed of the road. Building out the development and the proposed reduction in speed on Peacock Hay Road will aid the situation.
- The applicant has identified in the submitted Framework Travel Plan measures to promote the use of alternative modes of transport to single car occupancy. These include physical improvements, provision and connections to the Footway/Cycleway on Peacock Hay Road, diversion of the existing public right of way across the site which will be upgraded to a bridleway, connecting to Peacock Hay Road, & the A527 and Chemical Lane which provides access to Longport station and Stoke's canal towpath network. The development will also seek to enhance connections to the National Cycle Network route from Bathpool to Kidsgrove Station. The width of the new internal road will be wide enough for a bus to enter and turning facilities are to be provided. Overall, considering the remoteness of the site, it is considered that the applicant has tried to make good, sustainable connections.

Published 25 January, 2019

- Peacock Hay Road, although having steep gradients, is a 7.3m wide carriageway capable of carrying industrial traffic.
- Apart from the new roundabout junction on Peacock Hay Road and improved existing access, none of the other junctions that have been analysed in the TA belong to Staffordshire County Council. Therefore any mitigation would have to be agreed with the authorities who maintain them those being Highways England for the A500/A34 Talke junction and Stoke-on-Trent City Council for the Chatterley Road/A527 and A527/A50.
- Overall considering the previous permission for the site and information provided they believe that the applicant can deliver a safe and sustainable development in line with NPPF guidance as long as full delivery of the access scheme and speed reduction along Peacock Hay Road is approved and achieved.

Conditions relating to the following are recommended:

- Submission for approval of full design details for the new roundabout access, footways and improvements to the existing site access to include a full scheme of proposals to secure the delivery of the speed reduction which should include gateway features, street lighting, conspicuous speed limit and warning signs, road markings and surfacing with an appropriate high friction surfacing.
- Submission for approval of full details of the provision of parking, turning and servicing within the site curtilage; means of surface water drainage; surfacing materials and footpath connections. The development to be carried out in accordance with the approved scheme.
- Prior to commencement of any construction, including demolition, a Construction Environmental Management Plan to be submitted to and approved in writing by the Local Planning Authority.

They also request that the Framework Travel Plan is secured via a Section 106 Planning Obligation and will require a monitoring fee of £11,325. In addition a payment of £5,000 is required for the Traffic Regulation Order to reduce the speed limit on Peacock Hay Road to cover the costs of the advertisement, consultation and administration;

Officer Response

The comments of the Highway Authority are noted and the conditions that they recommend are accepted as being appropriate. It is considered that the Framework Travel Plan could be secured by condition rather than planning obligation. However the monitoring fee and payment to the Traffic Regulation Order could only be secured by planning obligation. It is considered that this would be compliant with the CIL Regulations and appropriate.

No mitigation measures have been identified as being necessary for the Chatterley Road/A527 and A527/A50 junctions. Stoke-on-Trent City Council was consulted by the Borough Council as part of the application process and their Highway Department was consulted internally. The City Council have not responded to the consultation and as such it must be assumed that they don't disagree with such comments.

In light of the objections of the Highway Authority being removed the **RECOMMENDATION** is amended as follows:

A. Subject to

- (a) Should Highways England not withdraw their holding objection within 1 month of the date of Committee and as such there remains a Direction requiring the Local Planning Authority if it is minded to approve the application to consult with the Secretary of State for Transport, that consultation is then undertaken, and a Direction under Article 31 of the Development Management Procedure Order is not then served directing the Council to refuse the application, and**

- (b) Subject to the applicant entering into a Section 106 obligation by 29th March 2019 to secure a Travel Plan monitoring fee of £11,325 and a payment of £5,000 for amendments to the existing Travel Regulation Order.

PERMIT the application subject to conditions relating to the following:

- i. Time limit for implementation of earthworks, the submission of application/s for approval of reserved matters and commencement of development. Such periods to be set to recognise the need for greater periods of time than would normally apply.
- ii. No development to commence until a suitable assessment of the needs of walkers, cyclists and horse riders has been carried out and appropriate amendments to the off-site highway works at the A500 Talke roundabout as identified in the assessment have been agreed and implemented.
- iii. No development to commence until a Sustainable Drainage Strategy has been submitted and agreed, which is to be fully implemented.
- iv. No development to commence until intrusive site investigation works and remedial works have been undertaken in accordance with approved details.
- v. Implementation of earthworks in accordance with the approved plans
- vi. The development on plots C and D shall be for Class B1(b) and B1(c) or B2 which are demonstrably consistent with the role and objectives of this premium employment site.
- vii. Removal of permitted development rights to change from Class B1(b) and B1(c) to Class B1(a) (which is a main town centre use)
- viii. The total amount of floorspace for Class A3 and A5 uses shall not exceed 350m²
- ix. Approval of a Framework Travel Plan and no building to be occupied until a Travel Plan has been agreed which is in accordance with the agreed Framework
- x. Any reserved matters application shall be supported by further ecological surveys as appropriate.
- xi. The details of the main spine access road shall be designed to enable a bus to turn safely.
- xii. No building shall be occupied until full details of the pedestrian and cycleway enhancements have been approved, implemented and access provided which shall include cycle links to Bathpool Park, the existing cycleway on Reginald Mitchel Way, the canal, and existing cycleway in Bradwell Woods and Newcastle Road.
- xiii. Detailed structural landscaping scheme to be submitted and approved within 12 months of the commencement of the earthworks. The scheme is to accord with the Green Infrastructure Strategy and should include the planting of a verge adjoining the footpaths. The structural landscaping scheme shall be implemented prior to any construction of buildings commences.
- xiv. The on-plot landscaping details as submitted shall include areas of landscaping within parking and other hardsurfaced areas as appropriate.
- xv. Approval of tree and hedgerow protection measures.
- xvi. Approval and implementation of woodland and landscape management plans.
- xvii. No development shall take place on any part of the site until the development has secured the implementation of a programme of archaeological works
- xviii. Any reserved matters application relating to plots A and B shall incorporate rail freight access or shall demonstrate why such access is not appropriate/feasible.
- xix. Submission and approval Environmental Management Plan for construction works
- xx. Submission of an assessment into potential impacts arising from operational noise and onsite vehicle movements in support of any reserved matters applications

- xxi. **Approval of details of external lighting**
 - xxii. **Submission of an Air Quality Assessment in support of any reserved matters application to address the impact upon the nearby residential caravan.**
 - xxiii. **Air quality assessment prior to first use of any combustion appliance**
 - xxiv. **Electric vehicle charging points to be included in the development details submitted within reserved matters applications**
 - xxv. **The reporting of unexpected contamination and preventing the importation of soil or soil forming material without approval.**
 - xxvi. **The first reserved matters application shall include for approval of full design details for the new roundabout access, footways and improvements to the existing site access to include a full scheme of proposals to secure the delivery of the speed reduction which should include gateway features, street lighting, conspicuous speed limit and warning signs, road markings and surfacing with an appropriate high friction surfacing.**
 - xxvii. **Submission and approval of full details of the provision of parking, turning and servicing within the site curtilage; means of surface water drainage; surfacing materials and footpath connections. The development to be carried out in accordance with the approved scheme.**
 - xxviii. **Prior to commencement of any construction, including demolition, a Construction Environmental Management Plan to be submitted to and approved in writing by the Local Planning Authority.**
 - xxix. **Any appropriate condition recommended by Highways England.**
- B. In the event that the Secretary of State under the terms of the Development Management Procedure Order directs refusal of the application, that the application be refused only for the reason given in that Direction.**
- C. In the event that the planning obligation referred to in recommendation A is not secured by the 29th March 2019 the Head of Planning be given delegated authority to refuse the application on the grounds that in the absence of such an obligation the appropriate sustainable transport measures are not secured and the interests of highway safety; or by such extended date as he considers appropriate.**