

FIRST SUPPLEMENTARY REPORT
TO THE PLANNING COMMITTEE
13th August 2019

Agenda Item 4

Application Ref. 17/00834/FUL

Land to N of Shelton Boulevard, S of Newport Lane and in between Festival Way and the A500, and land at Grange Lane, Wolstanton

Since the preparation of the main agenda report the **Landscape Development Section** have responded to the latest consultation indicating that the landscaping drawings have not been amended to reflect changes shown on other general arrangement drawings. Members will note recommended condition vii.

Attached is the plan showing the various junctions referred to in the Highway safety section of the Key Issues part of the report

Highways England (HE) have now written to both LPAs advising that having reviewed the Road Safety Audit and the design submitted on 15th July they consider that in view of the contents of the Road Safety Audit, the number of recommendations for design changes/amendments and further 'Departure from Standards' requirements their current holding recommendation of the 28th June remains appropriate.

Your Officer's comments

Members are reminded that the effect of the HE holding recommendation is that if the LPA are minded to approve the application notwithstanding the recommendation of Highways England that further assessment of the application is required, the Authority would have to consult with the Secretary of State for Transport under the terms of the Town and Country Planning (Development Affecting Trunk Roads) Direction 2015, and the Authority would in practice be unable to determine the application unless

- (a) The Secretary of State gives a Direction in respect of the application (and the Authority must then determine the application in accordance with the terms of that Direction; or
- (b) The Authority is notified by the Secretary of State that he does not propose to give any such direction

Although HE do in some of their comments refer to the geometry of the layout It is difficult to know with any certainty the extent of any changes that may be required to the scheme – whilst important for highway safety they may be limited in the overall context of the development. It would also appear that in part there is also a concern by HE that insufficient justification has been submitted to support 'departures' from their Standards and that express account has not been taken of very recently published HE guidance to developers.

Your Officer considers that there is a reasonable way forward for the Committee and this is indicated in the following amended recommendation:-

Amended recommendation

- (1) That your Officer be given delegated authority, subject to**
 - (a) him determining upon the receipt from the applicant of amended plans and/or additional information whether for the avoidance of material prejudice to third parties, publicity should be given to such application material and an opportunity provided to those parties to submit comments to the Local Planning Authority, and**

- (b) the Highway Authority in response to such amended plans/additional information maintaining their current position – that planning permission can be granted subject to conditions, and
- (c) Highways England, in response to such amended plans/additional information, then recommending that conditions should be attached to any permission that may be granted (and such conditions being considered by your Officer as appropriate)

to PERMIT the application subject to the conditions indicated in the main agenda report (and any additional conditions falling within category (c) above;

(2) That in the event of EITHER representations being received in response to the publicity referred to in (a) above which relate directly to the changes/additional information the application be brought back to the Planning Committee, OR (b) above or (c) above not being the case, the application be brought back to the Committee for further consideration

and

(3) That the above decision be communicated to the City Council and that the City Council be advised that the Borough Council has no objections to the City Council as Local Planning Authority granting application 61768/FUL subject to such conditions as your officers consider may be required to ensure a consistency of approach to matters such as pedestrian and cycle facilities