

## Highway Consultation

**North Devon District: Outline application for residential development of up to 149 residential units including vehicular access, landscaping, open space, drainage, infrastructure & all associated development (some matters reserved) at land at Westacott Grange, Landkey, Barnstaple**

**Applicant: Mr Graham Fincham**

**Application No. ND/62187/2017**

Report of the Head of Planning, Transportation and Environment

***Please note that the following recommendation is subject to consideration and determination by the Committee before taking effect.***

**Recommendation: It is recommended that North Devon Council be advised that Devon County Council, as Highway Authority recommend no objection to the application subject to planning conditions and the signing of a section 106 agreement securing contributions as set out in Appendix I and II to this report including £641,557.89 towards the upgrade of the A361 Landkey Junction.**

## 1. Summary

- 1.1 This Report relates to the Highway Authority response on an outline planning application for the erection of 149 dwellings on land adjacent to Westacott Grange on the edge of Barnstaple in the parish of Landkey. Access to the site is proposed through a park currently owned by North Devon Council onto Westacott Road which is in Barnstaple parish.
- 1.2 This application has been brought to this committee by Councillor Mathews (Barnstaple South) under Standing Order 25 (2).
- 1.3 The key highway considerations are:
  - The impact of additional traffic on the junction of the A39 Eastern Avenue with Westacott Road and Rose Lane (locally known as the Tesco roundabout).
  - The point of access to the site in regards to the proposed allocated housing site BAR01 within the Draft Torridge and North Devon Local Plan.

## 2. Background

- 2.1 The Torridge and North Devon Local Plan is currently in draft, unadopted and considered to have little weight. This draft contains an allocation called BAR01 for approximately 950 dwellings at Westacott north of the A361 and east of housing along Westacott Road. Access to this allocated site is proposed to be primarily from the A361 with a secondary access off Westacott Road. Either a secondary access through the park onto Westacott Road or a route via Castle Park Road are considered in the draft plan proposals.

2.2 This planning application for 149 dwellings is on land within the wider BAR01 allocation within the draft plan and seeks access onto Westacott Road through a park owned by North Devon Council. This is within the red line of the application. The ownership of the land is not a matter of concern for the Highway Authority.

### **3. Traffic Impact**

3.1 A transport assessment (TA) has been provided and following comments from the Highway Development Management Officer a TA addendum has been provided including further information.

3.2 The development is predicted to generate 58 vehicle movements leaving the site in the AM peak hour and 24 movements entering the site. In the PM peak hour there are predicted to be 55 movements entering the site and 27 leaving.

3.3 Developer traffic counts showed that on Westacott Road north of the site entrance there are 429 vehicles in the AM peak hour and 465 in the PM peak hour. Further south of the entrance, west of Castle Park Road, the traffic volume is larger, being 953 vehicles in the AM peak and 816 in the PM peak.

3.4 The increase in traffic on Westacott Road south of the site entrance is therefore predicted to be in the region of 10% in the AM and PM peak hours. North of the site entrance is not predicted to see an increase in traffic due to this being a cul-de-sac serving the primary school and residential properties.

3.5 Westacott Road is typically 7m wide for the majority of its length. This road serves a considerable level of residential properties, a primary school and various businesses including one of North Devon's busiest – Actavis, an international pharmaceutical company. There are traffic calming features on Westacott Road and in the vicinity of the park, either side of the proposed site access are 'build out' traffic calming features.

3.6 Westacott Road feeds into the A39 via a roundabout junction which also joins Rose Lane, a road serving retail sites such as Homebase and Tesco.

3.7 The TA shows that the Westacott Road arm of the Tesco roundabout is currently operating at 63% in the AM peak hour and 60% in the PM peak hour. This is across the entire one hour period.

3.8 Due to nearby developments that have been permitted already such as Mount Sandford Green, the Westacott Road arm of this junction modelled to operate at 74% capacity in the AM peak hour and 73% in the PM peak hour.

3.9 With the proposed development traffic from these 149 dwellings on top of the current traffic levels and committed development traffic, the Westacott Road arm of the roundabout is predicted to operate at 81% capacity in the AM peak hour and 77% in the PM peak hour. This is over the entire peak hour.

- 3.10 The TA work identifies that at the Tesco Roundabout on the Westaway Road arm there are currently queues of an average of 20 vehicles at the worst time within the peak hour. The maximum queuing time observed was 53 seconds for one vehicle at the give way line, although this is not considered to be a normal queuing time for vehicles using this junction.
- 3.11 Queuing of this nature is short lived and these delays occur in only part of the morning and evening peak hours as well as at the end of the school day and when employment sites on Westacott Road change shifts. These queues and delays do not last the entire hour and dissipate in a reasonable time. This junction, and others assessed nearby, operate in this manner just like many others in any urban area.
- 3.12 As indicated by planning inspectors at other sites, such as Pinn Court in Pinhoe, the issue of one junction in an urban area operating at or above capacity is not considered as a severe highway impact.
- 3.13 It is therefore acknowledged that the queues and delays will get slightly longer with the proposed additional 82 vehicle movements through the junction in the peak hour. However this impact is not considered to be 'severe' as is the test set out in paragraph 32 of the National Planning Policy Framework.
- 3.14 This is an urban area with non-car modes of travel available and much spare capacity outside of the peak hours, which themselves do not last for the entire peak hour.
- 3.15 The developer has proposed a 5.5m access road off Westacott Road with 2m wide footway on one side and shared 3m wide foot and cycle way on the other. An additional 1m strip is proposed to be left as verge to allow for future widening of the road to the required 6.5m to serve the wider allocated site BAR01.
- 3.16 Whether or not changes to the traffic calming features need to be made, and exactly what those changes would be, along with the detailed design of the road, can be left until a later date when the developer is progressing their detailed designs and section 278/38 agreements. It is considered acceptable for the traffic calming to either stay where it is or be altered to a different type of calming by the developer.
- 3.17 The application puts a great emphasis on walking links that use Westacott Lane (a lane running north-south on the eastern side of the park). This lane is currently unsuitable for use, and the developer must improve this lane to a suitable standard for all people to use in order to achieve safe and suitable access to and from the site.
- 3.18 Regarding the safety of people using the park adjacent to the proposed road, this would be no different to the current situation whereby people use the park which is adjacent to Westacott Road. Safe accesses, crossings and boundaries can be provided by the developer.

#### **4. Wider Context**

- 4.1 The proposed development is on land within part of the BAR01 allocation within the draft local plan. This allocated site requires a primary access from the A361 at Landkey Junction and a secondary access to Westacott Road. As part of this allocated site there are a number of infrastructure requirements to make the development acceptable in transport terms and mitigate the cumulative impact of development. While this application alone cannot deliver the primary access as that land is not within the red line boundary, a financial contribution towards improvement to the A361 Landkey Junction must be made in order not to prejudice the financial viability of the remainder of the allocated site.
- 4.2 Similarly, contributions are required towards the park and change site and bus services to serve the BAR01 allocation. These must be related in scale to the size of the development in proportion to the size of the allocated site (950 dwellings).
- 4.3 It is acknowledged that a 5.5m road is acceptable to serve the proposed level of development, however there is a requirement for the whole BAR01 allocation to provide a wider road through the site.
- 4.4 The developer must build a 6.5m wide road from the outset to avoid future disruption from roadworks if the road were to be widened and provide an adequate design and construction of the road (including drainage) from the outset.
- 4.5 As acknowledged above, a 5.5m wide road is acceptable for this site alone. Therefore the difference in cost between the 6.5m road and 5.5m road will be deducted from the financial contributions towards transport measures on the rest of the site.
- 4.6 The A361 Landkey Junction scheme is to be estimated at £1,600,000 for the purposes of the allocated site.
- 4.7 Bus service contributions are £720,000 to provide new bus services serving the site for three years.
- 4.8 A park and change site is estimated at £2,000,000.
- 4.9 With 950 dwellings on the allocated site and 149 on this site this calculates as a total transport contribution of £677,557.89
- 4.10 The estimated difference in cost of the 240m long 5.5m wide and 6.5m wide roads is £36,000.
- 4.11 Therefore, the following items are required to be included within a section 106 agreement to make this site acceptable in transport terms. Without the following items being secured, the Highway Authority should recommend refusal of the application.

- £641,557.89 towards the upgrade of the A361 Landkey Junction.
- Resurfacing of Westacott Road to a standard and on an area to be agreed with the County Council.
- A minimum 6.5m wide access road from Westacott Lane to the eastern boundary of the application site and minimum 3m wide cycleway alongside.

4.12 The trigger for payment of the contribution would not need to be until late on in the phasing of the development and this exact trigger should be left for negotiation by the Local Planning Authority subject to the viability of the site.

4.13 The applicant has confirmed that they are willing to pay these contributions subject to the viability of the site. These contributions and others for the site including education and affordable homes will be subject to a viability assessment and it is ultimately for North Devon Council to decide what contributions are required to mitigate the impact of the development if it is to be approved.

## 5. Recommendation

5.1 It is recommended that North Devon Council be advised that Devon County Council, as Highway Authority, recommends no objection to the application subject to the imposition of planning conditions and obligations set out in set out in Appendices I and II of this report.

Dave Black  
Head of Planning, Transportation and Environment

### Electoral Divisions: Barnstaple South, Chulmleigh & Swimbridge

Local Government Act 1972: List of Background Papers

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Background Papers	Date	File Reference
District Council planning application	Current	62187

mc090317dma  
sc/cr/residential development Westacott 149 units  
04 280317

**Section 106 contributions**

£641,557.89 towards the upgrade of the A361 Landkey Junction.

Resurfacing of Westacott Lane to a standard and on an area to be agreed with the County Council.

Construction of a minimum 6.5m wide access road from Westacott Road to the eastern boundary of the application site with a minimum 3m wide cycleway alongside.

**Conditions**

**HIGHWAYS CONDITIONS**

1. No part of the development otherwise permitted shall be commenced until a drainage strategy is submitted and approved in writing by the Local Planning Authority.

REASON: To ensure that the site is suitable drained to avoid flood damage to on site and/or neighbouring properties and/or the public highway.

2. Prior to commencement of any part of the site the Planning Authority shall have received and approved a Construction Traffic Management Plan (CTMP) including:

- (a) the timetable of the works;
- (b) daily hours of construction;
- (c) any road closure;
- (d) hours during which delivery and construction traffic will travel to and from the site, with such vehicular movements being restricted to between 9:00am and 5pm Mondays to Saturday inc. and no such vehicular movements taking place on Sundays and Bank/Public Holidays unless agreed by the planning Authority in advance;
- (e) the number and sizes of vehicles visiting the site in connection with the development and the frequency of their visits;
- (f) the compound/location where all building materials, finished or unfinished products, parts, crates, packing materials and waste will be stored during the demolition and construction phases;
- (g) areas on-site where delivery vehicles and construction traffic will load or unload building materials, finished or unfinished products, parts, crates, packing materials and waste with confirmation that no construction traffic or delivery vehicles will park on the County highway for loading or unloading purposes, unless prior written agreement has been given by the Local Planning Authority;
- (h) details of proposals to promote car sharing amongst construction staff in order to limit construction staff vehicles parking off-site
- (i) details of wheel washing facilities and obligations
- (j) the proposed route of all construction traffic exceeding 7.5 tonnes.
- (k) details of the amount and location of construction worker parking.

REASON: To ensure that the site is developed in a considerate manner and in the interest of public safety.

3. The site access and visibility splays shall be constructed, laid out and maintained for that purpose in accordance with plans that shall be submitted for approval by the Local Planning Authority where the visibility splays provide intervisibility between any points on the X and Y axes at a height of 1.05 metres above the adjacent carriageway level and the distance back from the nearer edge of the carriageway of the public highway (identified as X) shall be 2.4 metres and the visibility distances along the nearer edge of the carriageway of the public highway (identified as Y) shall be a minimum of 43 metres in both directions.

REASON: To provide a satisfactory access to the site and to provide adequate visibility from and of emerging vehicles.

4. Provision shall be made within the site for the disposal of surface water so that none drains on to any County Highway.

REASON: In the interest of public safety and to prevent damage to the highway.

5. Any proposed estate road, cycleways, footways, footpaths, verges, junctions, street lighting, sewers, drains, retaining walls, service routes, surface water outfall, road maintenance/vehicle overhang margins, embankments, visibility splays, accesses, car parking and street furniture shall be constructed and laid out in accordance with details to be approved by the Local Planning Authority in writing before their construction begins. For this purpose, plans and sections indicating, as appropriate, the design, layout, levels, gradients, materials and method of construction shall be submitted to the Local Planning Authority.

REASON: To ensure that adequate information is available for the proper consideration of the detailed proposals.

6. No part of the development hereby approved shall be commenced until:
  - A) The access road has been laid out, kerbed, drained and constructed up to base course level for the first 20 metres back from its junction with the public highway.
  - B) The ironwork has been set to base course level and the visibility splays required by this permission laid out.
  - C) The footway on the public highway frontage required by this permission has been constructed up to base course level.
  - D) A site compound and car park have been constructed.

REASON: To ensure that adequate on site facilities are available for all traffic attracted to the site during the construction period, in the interest of the safety of all users of the adjoining public highway and to protect the amenities of the adjoining residents

7. The occupation of any dwelling in an agreed phase of the development shall not take place until the following works have been carried out to the satisfaction of the Local Planning Authority:
  - A) The spine road and cul-de-sac carriageway including the vehicle turning head within that phase shall have been laid out, kerbed, drained and constructed up to and including base course level, the ironwork set to base course level and the sewers, manholes and service crossings completed;
  - B) The spine road and cul-de-sac footways and footpaths which provide that dwelling with direct pedestrian routes to an existing highway maintainable at public expense have been constructed up to and including base course level;
  - C) The cul-de-sac visibility splays have been laid out to their final level;
  - D) The street lighting for the spine road and cul-de-sac and footpaths has been erected and is operational;
  - E) The car parking and any other vehicular access facility required for the dwelling by this permission has/have been completed;
  - F) The verge and service margin and vehicle crossing on the road frontage of the dwelling have been completed with the highway boundary properly defined;
  - G) The street nameplates for the spine road and cul-de-sac have been provided and erected.

REASON: To ensure that adequate access and associated facilities are available for the traffic attracted to the site.

8. When once constructed and provided in accordance with conditions 5 & 7 above, the carriageway, vehicle turning head, footways and footpaths shall be maintained free of obstruction to the free movement of vehicular traffic and pedestrians and the street lighting and nameplates maintained to the satisfaction of the Local Planning Authority.

REASON: To ensure that these highway provisions remain available.