

# Appendix B

## County Highway Authority's responses to the application

- i) Email of 19<sup>th</sup> October 2016
  - ii) Email of 7<sup>th</sup> September 2016
  - iii) Letter of 17<sup>th</sup> February 2016
- 

### **i) Email of 19<sup>th</sup> October 2016**

**From:** Jonathan Fellingham <JIFellingham@somerset.gov.uk>  
**Sent:** 19 October 2016 12:30  
**To:** Linda Hayden  
**Subject:** Plan ref SSDC: 15/04770/FUL construction of 40 dwellings & associated works including access improvements, North Street, Crewkerne

Dear Madam

**TOWN AND COUNTY PLANNING ACT 1990  
THE ERECTION OF 40 NO. DWELLINGS AND ASSOCIATED WORKS INCLUDING  
ACCESS IMPROVEMENTS ONTO NORTH STREET, PARKING FOR ASHLANDS  
SCHOOL AND FOOTPATH LINK, NORTH STREET TRADING ESTATE, CREWKERNE  
APPLICATION REFERENCE: 15/04770/FUL**

Further to the Highway Authority's initial response dated 17<sup>th</sup> February 2016 and our subsequent discussions in regards to the above application the applicant has now submitted additional information to try and address the Highway Authority's previous objections.

As you are aware the Highway Authority's previous response dated 7<sup>th</sup> September 2016 referred to the revised access which had been submitted by the applicant. The Highway Authority audited these drawings and it is apparent that in feasibility terms the revised scheme is considered to be acceptable. Although the applicant will need to address the points raised in our e mail as part of any full technical submission in addition these works would need to be secured via a legal agreement.

Even though the applicant had looked the address the Highway Authority's concerns relating to the access road there was still an outstanding objection relating to the estate road layout. The applicant therefore provided additional information relating to the re-directed drain that is proposed to run down the centre of the carriageway. Having reviewed the submitted plans the Highway Authority is satisfied that this pipe is below the 900mm diameter consequently it will not require an AIP. In addition from the documents provided from the applicant it appears that Wessex Water will adopt this pipe. Consequently based on this information it would be unreasonable to maintain our objection.

Therefore having reviewed the details shown on amended plan 3609/PL/10 Rev S the Highway Authority has the following observations to make. Firstly the proposal will result in the laying out of a private street as a consequence under Sections 219 to 225 of the Highways Act 1980 it would be subject to the Advance Payment Code (APC). With regards to the layout this would need to be a minimum width of 5.5m with a 2.0m footway provided. Any turning head will need to be designed in accordance with the guidance set out in Estate Roads in Somerset. The applicant will need to make sure that a 1.0m margin is provided at the end of each end.

Please note that if any straight section of the proposed estate road is over 70m then it is considered to be affective straight. Consequently the applicant would need to introduce a horizontal speed reducing measure to reduce vehicle speeds. Visibility through the bends will need to be based on a 20mph vehicle speed. Please note that the area within the splay will be subject to adoption by the Highway Authority.

With regard to parking this will need to be in accordance with Somerset County Council's Parking Standards whilst any tandem parking will need be 10.5m in length.

It is noted from the plan that the applicant has shown some planting within the highway. As a consequence the applicant would need to submit a planting schedule to the Highway Authority as part of any S38 submission.

On a separate note it is apparent that a parking area for the primary school has been proposed. The applicant is required to make sure that there is a minimum distance of 6.0m provided between both banks of spaces and that the level of parking proposed is in accordance with Somerset County Council's Parking Strategy.

In conclusion the applicant has addressed the objections raised by the Highway Authority in our previous responses to the Local Planning Authority. Therefore it would be unreasonable to maintain them. As such we raise no objection to this proposal and if the Local Planning Authority were to minded to grant permission the following conditions would need to be attached.

- S106 to secure Travel Plan.
- No work shall commence on the development hereby permitted until the proposed highway works for the access road have been submitted to and approved in writing by the Local Planning Authority.

Such works shall then be fully constructed in accordance with the approved plan to an agreed specification before the development is first brought into use.

- A condition survey of the existing public highway will need to be carried out and agreed with the Highway Authority prior to any works commencing on site, and any damage to the highway occurring as a result of this development is to be remedied by the developer to the satisfaction of the Highway Authority once all works have been completed on site.
- No development shall commence unless a Construction Environmental Management Plan has been submitted to and approved in writing by the Local Planning Authority. The works shall be carried out strictly in accordance with the approved plan. The plans shall include:
  - Construction vehicle movements;

- Construction operation hours;
  - Construction vehicular routes to and from site;
  - Construction delivery hours;
  - Expected number of construction vehicles per day;
  - Car parking for contractors;
  - Specific measures to be adopted to mitigate construction impacts in pursuance of the Environmental Code of Construction Practice;
  - A scheme to encourage the use of Public Transport amongst contractors; and
  - Measures to avoid traffic congestion impacting upon the Strategic Road Network.
- The proposed estate roads, footways, footpaths, tactile paving, cycleways, verges, junctions, street lighting, sewers, drains, retaining walls, service routes, surface water outfall, vehicle overhang margins, embankments, visibility splays, accesses, carriageway gradients, drive gradients, car, motorcycle and cycle parking and street furniture shall be constructed and laid 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.
  - The proposed roads, including footpaths and turning spaces where applicable, shall be constructed in such a manner as to ensure that each dwelling before it is occupied shall be served by properly consolidated and surfaced footpath and carriageway to at least base course level between the dwelling and existing highway.
  - The development hereby permitted shall not be brought into use until that part of the service road that provides access to it has been constructed in accordance with the approved plans.
  - The gradients of the proposed drives to the dwellings hereby permitted shall not be steeper than 1 in 10 and shall be permanently retained at that gradient thereafter at all times.
  - Noe of the dwellings hereby permitted shall be occupied until a scheme of street lighting has been installed in accordance with a design and specification to be approved in writing by the Local Planning Authority.
  - No work shall commence on the development site until an appropriate right of discharge for surface water has been obtained before being submitted to and approved in writing by the Local Planning Authority. A drainage scheme for the site showing details of gullies, connections, soakaways and means of attenuation on site shall be submitted to and approved in writing by the Local Planning Authority. The drainage works shall be carried out in accordance with the approved details, unless otherwise agreed in writing with the Local Planning Authority.
  - The area allocated for parking and turning on the submitted plan shall be kept clear of obstruction and shall not be used other than for parking and turning of vehicles in connection with the development hereby permitted.
  - There shall be no obstruction to visibility greater than 600mm above adjoining road level in advance of lines drawn 2.4m back from the carriageway edge on the centre

line of the access and extending to points on the nearside carriageway edge 43.0m either side of the access. Such visibility shall be fully provided before the development hereby permitted is commenced and shall thereafter be maintained at all times.

NOTE:

Where works are to be undertaken on or adjoining the publicly maintainable highway a licence under Section 171 of the Highways Act 1980 must be obtained from the Highway Authority. Application forms can be obtained by writing Traffic and Transport Development Group, County Hall, Taunton, Tel No. 0300 123 2224. Applications should be submitted at least four weeks before works are proposed to commence in order for statutory undertakers to be consulted concerning their services. The fee for a Section 171 licence is £250.

The developer should note that the works on or adjacent to the existing highway will need to be undertaken as part of a formal legal agreement with Somerset County Council. This should be commenced as soon as practically possible, and the developer should contact Somerset County Council for information on 0300 123 2224.

The developer in delivering the necessary highway works associated with the development hereby permitted is required to consult with all frontages affected by said highway works as part of the delivery process. This should be undertaken as soon as reasonably practicable after the grant of planning permission and prior to the commencement of said highway works, especially if the design has evolved through the technical approval process. This is not the responsibility of the Highway Authority.

Jon Fellingham  
Principal Planning Liaison Officer  
Economic and Community Infrastructure  
Traffic and Transport Development Group  
PPB2 W  
Somerset County Council

Tel: 01823 359540  
e mail: [jifellingham@somerset.gov.uk](mailto:jifellingham@somerset.gov.uk)  
Web: [www.somerset.gov.uk](http://www.somerset.gov.uk)

This email has been classified as **OFFICIAL** by the originator.

This email, and any attachments is intended solely for the individual to whom it is addressed. It may contain personal and / or commercially sensitive material and should be handled accordingly.

If this email carries a protective marking of Official – Personal Data, Official – Commercial or Official – Sensitive in the banner at the top of the email it should be handled according to the handling instructions included in the banner. If marked Official only no specific handling instructions apply.

If this Email has been misdirected, please notify the author immediately.

If you are not the intended recipient you must not disclose, distribute, copy, print or rely on any of the information contained in it or attached, and all copies must be deleted immediately.

Whilst we take reasonable steps to try to identify any software viruses, any attachments to this email may nevertheless contain viruses which our anti-virus software has failed to identify. You should therefore carry out your own anti-virus checks before opening any documents. Somerset County Council will not accept any liability for damage caused by computer viruses emanating from any attachment or other document supplied with this email. All GCSx traffic may be subject to recording and / or monitoring in accordance with relevant legislation.

We will hold and use your personal data in line with the Data Protection Act (1988). We will not give this information to any unauthorised person or body. However, we may use this information to help improve services, deal with complaints and comments, and prevent and detect fraud or crime.

[Somerset County Council.](#)

## ii) Email of 7th September 2016

**From:** Jonathan Fellingham <JIFellingham@somerset.gov.uk>  
**Sent:** 07 September 2016 15:47  
**To:** Linda Hayden  
**Subject:** Plan ref SSDC: 15/04770/FUL erection of 40 dwellings and associated works including access improvements, North Street, Crewkerne

Dear Madam

**TOWN AND COUNTY PLANNING ACT 1990  
THE ERECTION OF 40 NO. DWELLINGS AND ASSOCIATED WORKS INCLUDING  
ACCESS IMPROVEMENTS ONTO NORTH STREET, PARKING FOR ASHLANDS  
SCHOOL AND FOOTPATH LINK, NORTH STREET TRADING ESTATE, CREWKERNE  
APPLICATION REFERENCE: 15/04770/FUL**

I refer to the above mentioned planning application and the Highway Authority's previous response dated 17<sup>th</sup> February 2016 and the additional information submitted by the applicant.

As you are aware the Highway Authority previously raised objections to this proposal on the grounds of the increase use of a sub-standard access and that the layout did not conform to the required estate road layout standards set out in Somerset County Council's Design Guidance document.

The applicant has subsequently submitted amended plans to address a number of points, which includes the highway issues. These involve a revised a Transport Statement and a revised site access layout. In regards to traffic impact the applicant has indicated that the proposal would result in one additional vehicle every 9 minutes when compared to the permitted development proposals. Although the applicant believes that this is not significant enough to warrant an objection on traffic impact grounds the Highway Authority would still have concerns over the increase in use of the existing access. To overcome this issue the applicant has proposed a revised site access arrangements to those secured under the previous permission. This consisted of a 6.0m wide shared surface, a priority narrowing and proposed buildout with 1.2m footway.

This revised access layout has been subject to a safety and technical audit which has now been completed and having reviewed the report the proposed scheme is broadly considered to be acceptable in feasibility terms however there are some points the

applicant will need to address prior to any detailed technical submission. These are set out below:

- Provide details relating to the visibility splays (X & Y accesses) of both the minor road and North Street and the minor road with Fox Lea and the access to the west of Press-Tige Print Services.
- Clarification is required on the form of the junction – currently it is a vehicle crossover where pedestrians have priority.
- No swept paths have been provided at this time, any future submission should include the largest vehicle that is expected to utilise this junction at a scale of 1:200.
- Clarification is required on the radii at the junction of the minor road with North Street as no dimensions or details have been provided.
- In terms of the access road narrowing and the proposed priority road narrowing on the access road the applicant will need to confirm that the proposed width is suitable to cater for the remaining commercial premises (i.e. delivery vehicles).
- Confirm ownership of the trees in proximity to the retaining wall.
- Drainage details will need to be provided as part of any technical submission.
- Sign design conforms with current legislation.

As part of the Highway Authority required the submission of a Travel Plan. Having checked our guidance document the Highway Authority the applicant is required to provide a Travel Plan Statement for this site and it would need to be secured in a S106 agreement.

In regards to the internal layout it is apparent from the revised drawing that amendments have been made however it is the Highway Authority's opinion that it still does not overcome our concerns relating to the culvert that run longitudinally down the entire length of the road.

Therefore to conclude the proposal would result in an increase in vehicle movement from the junction of the minor road with North Street. This would usually be a cause for concern for the Highway Authority however to compensate for this increase the applicant has proposed a revised scheme of off-site highway works to improve the width of the minor road. This has been subject to a Safety and Technical Audit and is considered to be acceptable in feasibility terms. Consequently it would be unreasonable to maintain our first objection relating to the point of access. Although the applicant has amended the internal layout it does not appear that they have addressed the Highway Authority's concerns. Therefore the Highway Authority still maintain their objection to the proposal on the following grounds:

- The Local Planning Authority and the Highway Authority, in adopting the Somerset County Council publication 'Estate Roads in Somerset', have agreed standards for the layout of new streets. The proposed access road does not conform to these agreed standard and are not, therefore, adequate to serve the development proposed. The proposal is therefore does not meet the requirements of Section 4 of the National Planning Policy Framework (NPPF) and Policy TA5 of the South Somerset Local Plan 2006-2028.

Yours faithfully

Jon Fellingham  
Principal Planning Liaison Officer  
Economic and Community Infrastructure  
Traffic and Transport Development Group

PPB2 W  
Somerset County Council

Tel: 01823 359540  
e mail: [jifellingham@somerset.gov.uk](mailto:jifellingham@somerset.gov.uk)  
Web: [www.somerset.gov.uk](http://www.somerset.gov.uk)

This email has been classified as **OFFICIAL** by the originator.

This email, and any attachments is intended solely for the individual to whom it is addressed. It may contain personal and / or commercially sensitive material and should be handled accordingly.

If this email carries a protective marking of Official – Personal Data, Official – Commercial or Official – Sensitive in the banner at the top of the email it should be handled according to the handling instructions included in the banner. If marked Official only no specific handling instructions apply.

If this Email has been misdirected, please notify the author immediately.

If you are not the intended recipient you must not disclose, distribute, copy, print or rely on any of the information contained in it or attached, and all copies must be deleted immediately.

Whilst we take reasonable steps to try to identify any software viruses, any attachments to this email may nevertheless contain viruses which our anti -virus software has failed to identify. You should therefore carry out your own anti-virus checks before opening any documents. Somerset County Council will not accept any liability for damage caused by computer viruses emanating from any attachment or other document supplied with this email. All GCSx traffic may be subject to recording and / or monitoring in accordance with relevant legislation.

We will hold and use your personal data in line with the Data Protection Act (1988). We will not give this information to any unauthorised person or body. However, we may use this information to help improve services, deal with complaints and comments, and prevent and detect fraud or crime.

.  
[Somerset County Council.](#)

## iii) Letter of 17th February 2016

### Somerset County Council

County Hall  
Taunton  
Somerset  
TA1 4DY

[WWW.SOMERSET.GOV.UK](http://WWW.SOMERSET.GOV.UK)



For Roads and Transport services 0300 123 2224  
Fax 01823 356113/356114

Development Control  
South Somerset District Council  
Council Offices  
Brympton Way  
Yeovil  
Somerset  
BA20 2HT

please ask for:  
Jon Fellingham

extension:  
01823 359540

email:  
[jifellingham@somerset.gov.uk](mailto:jifellingham@somerset.gov.uk)

my reference:  
TD/PA/5/W

your reference:  
15/04770/FUL

**FAO: Linda Hayden**

17<sup>th</sup> February 2016

Dear Madam,

**TOWN AND COUNTRY PLANNING ACT 1990  
THE ERECTION OF 40 NO. DWELLINGS AND ASSOCIATED WORKS INCLUDING  
ACCESS IMPROVEMENTS ONTO NORTH STREET, PARKING FOR ASHLANDS  
SCHOOL AND FOOTPATH LINK, NORTH STREET TRADING ESTATE, CREWKERNE  
APPLICATION REFERENCE: 15/04770/FUL**

I refer to the above mentioned planning application received on 16<sup>th</sup> November 2015 and following a site visit the Highway Authority has the following observations to make on the highway and transportation aspects of the proposal.

The proposal relates to the erection of 40 dwellings and associated works which includes access improvements.

### **History and Off Site Works**

The Highway Authority is aware that this site has been subject to a long and complex history. From the submitted information it is apparent that there is an extant permission on this site for 26 dwellings. When considering that application it was the opinion of the Highway Authority that in terms of traffic numbers the proposed use was comparable with the existing commercial use of the site.

To mitigate for this increase in traffic the applicant proposed to upgrade the access road to adoptable standards. Please note that although these works were approved as part of the previous extant permission they never gained technical approval from the Highway Authority consequently we still have concerns over their deliverability.

The new application has provided a similar scheme. The Highway Authority has carried out a Safety and Technical Audit of the works which raised a number of points that need to be addressed. Although the main points:



- 'X' distances along the junctions of the proposed works.
- 'Y' distances along the junctions of the proposed works.
- No Swept path drawings.
- Carriageway widths on North Street.
- No Non-Motorised Users (NMU) audit included.

## **Travel Plan**

It is noted that no Travel Plan has been submitted as part of this application. Having reviewed Somerset County Council's guidance document for Travel Plans the applicant will need to submit a Measures Only Travel Plan for the site. This will also need to be secured via a legal agreement.

## **Internal Layout**

In terms of the internal layout the Highway Authority has carried out an audit of the proposal and has the following comments to make. It should be noted that there is one outstanding point that doesn't appear to have been addressed from the 2006 permission. The Highway Authority maintains that we will not adopt a road where a culvert runs longitudinally down the entire length of the road. The Highway Authority would only consider adoption where a limited section of the culvert crosses through the width of the road.

As a consequence the Highway Authority will not provide further comment on the internal layout until the applicant either re-designs the internal layout to overcome the Highway Authority's concerns or alternatively confirm that the site is to remain private.

## **Drainage**

The applicant has provided a Flood Risk Assessment as part of this proposal this has now been assessed and we have the following observations to make.

It is noted that the existing culverted watercourse through the site will be upgraded to ensure sufficient capacity to accommodate the 1 in 100 year plus 20 climate change fluvial design event. It is therefore presumed that the development will be protected against fluvial flooding up to this design. The general surface water management plan proposes that surface water from the proposed development will be collected by rain water pipes from roofs, and gullies with silt traps from highways and parking areas. This surface water will then be discharged to the watercourse, on site, mimicking the existing regime. Whilst it is noted that the surface water drainage system, where possible, will be offered to the Water Authority for adoption as a public sewer, the Highway Authority will need to understand the drainage design criteria and levels of flood protection that will be achieved for the estate roads. Further the implications on the performance of the drainage system when discharging to a surcharged culverted watercourse needs to be understood as is at what point safe access and egress from the development might become an issue.

In respect of the culvert, there are numerous points that will need to be clarified with the Highway Authority during the detailed design stage to satisfy either the Advance Payments Code (APC) legislation or highway adoption criteria and these are as follows:

- Position and alignment in relation to the estate roads;
- Ownership and future maintenance liabilities;
- Design and construction standards;
- Access arrangements for inspection;

- Construction of the road over the culvert; and
- Commuted sum payment for future maintenance (if applicable).

Finally it is noted that the ground investigation has determined that the site is underlain with made ground up to 2.0m in depth and that water table levels rise to within 0.4m of the existing ground level in places. The applicant will need to consider these factors when designing both the culvert and the access roads.

### **Conclusion & Recommendation**

To conclude the Highway Authority has concerns in regards to this proposal firstly in terms of traffic impact as the additional 14 dwellings, which are over and above the extant permission of 26.. The proposed highway works to upgrade the existing lane are similar to those previously proposed however these were never formally approved by the Highway Authority. The applicant has also not provided a Travel Plan as part of their submission. Somerset County Council's Travel Plan Guidance requires that a Measures Only Travel Plan will need to be submitted and secured via a S106 agreement.

Finally it is noted that previously the Highway Authority stated that we would be unable to proceed with the adoption of the internal layout as they have proposed a culvert which runs longitudinal through the site.

Therefore based on the above information the Highway Authority raises objection to the proposal for the following reason:

- The proposal is contrary to Section 4 of the National Planning Policy Framework (NPPF) and Policy TA5 of the South Somerset Local Plan 2006-2028 since the increase use made of the existing sub-standard access such as would be generated by the development proposed would be prejudicial to highway safety.
- The Local Planning Authority and the Highway Authority, in adopting the Somerset County Council publication 'Estate Roads in Somerset', have agreed standards for the layout of new streets. The proposed access road does not conform to these agreed standards and are not, therefore, adequate to serve the development proposed. The proposal therefore does not meet the requirements of Section 4 of the National Planning Policy Framework (NPPF) and Policy TA5 of the South Somerset Local Plan 2006-2028.

Yours faithfully,

Jon Fellingham  
Principle Planning Liaison Officer  
Economic and Community Infrastructure  
Traffic and Transport Development Group  
Somerset County Council

ETE-#737673