

ITEM NO:	<u>Location:</u>	Land adjacent To A505 And, Old North Road, Royston
	<u>Applicant:</u>	Fairview New Homes
	<u>Proposal:</u>	Formation of an access road from Old North Road to serve proposed residential development of 124 units at Site A (Land South of A505 and adjacent to Yeats Close, Royston), as amended by plan number FNH371/P/AR02 Rev A received 22/02/2013 and plan number 110020-A-01 Rev C received 14/03/2013)
	<u>Ref. No:</u>	12/01037/ 1
	<u>Officer:</u>	Chris Carter

Date of expiry of statutory period : 09 July 2012

Reason for Delay (if applicable)

Negotiations with applicant regarding the layout and form of the proposed access road. Also discussions with Royston Town Council and Hertfordshire Highways. This application has also been delayed in order that it can be determined at the same time as the related applications for housing.

Reason for Referral to Committee (if applicable)

This application was integral to a number of other proposals for development to the north of Royston and which have been referred to the planning committee. However, owing to problems of land assembly and connection with the recently determined Site A to the east, this proposed access will now only serve site D in the short term. Further to this, Royston Town Council have raised an objection to the proposal.

1.0 Relevant History

- 1.1 Members will be aware of the various planning applications that have been submitted for the land bound by the A505 on the north side of Royston.
- 1.2 This application for a new access road has been shown to serve proposed site D, also on the agenda for this committee meeting. The road would also have the potential to serve proposed site A (subject to acquisition and the subject of separate planning application - see above), and the land located between sites A and D which is within separate ownership but is contained in the Council's Housing Options Consultation.

2.0 Policies

2.1 North Hertfordshire District Local Plan No.2 with Alterations

Policy 6 - Rural Areas beyond the Green Belt

In Rural Areas beyond the Green Belt, the Council will maintain the existing countryside and villages, and their character. Except in Selected Villages (Policy 7), a development proposal will normally be allowed only if:

- (i) it is strictly necessary for the needs of agriculture, forestry or any proven need for local community services, provided that:***
- (a) the need cannot practicably be met within a town, excluded village or***

selected village, and
(b) the proposal positively improves the rural environment; or
(ii) it would meet an identified rural housing need, in compliance with Policy 29; or
(iii) it is a single dwelling on a small plot located within the built core of the settlement which will not result in outward expansion of the settlement or have any other adverse impact on the local environment or other policy aims within the Rural Areas; or
(iv) it involves a change to the rural economy in terms of Policy 24 or Policy 25.

2.2 National Planning Policy Framework

Section 6 - Delivering a wide choice of high quality homes
Section 7 - Requiring good design

3.0 Representations

3.1 **Royston Town Council** - The first response from Royston Town Council was provided on the 12 June 2012 when they commented as follows:

"RTC members objected to this application on the grounds that it was a dangerous and unacceptable design of access from a new estate on to a very busy road which is congested at rush hour times. Members agreed that a suitable access would be to connect the access to the existing Tesco roundabout which could be re-developed into a larger oval shape roundabout".

Following this, a meeting was held including officers from NHDC and Herts Highways, the applicant and Cllrs Davison, Smith and Berry of Royston Town Council. Following the submission of the amended scheme Royston Town Council has now commented as follows:

"Following the council's meeting with the developers some amendments have carried out to the access plans, but an up to date traffic census had not been carried out as requested. The Committee had a full discussion on this application with input from all Members; they still had concerns in respect of the safety of the access and congestion of traffic and the queues at the roundabouts. There should be two lanes of traffic both in to Royston from the A505 and out of Royston towards the A505.

It was then proposed and unanimously agreed that the Committee was unable to support this planning application as it was not right for Royston, members live in the town and experience the difficulties at the roundabouts and they do not want to see it made worse and ask that the design is relooked at. They object for the following reasons:-

(i) An up to date survey has not been carried out and it should be carried out over a longer period of time

(i) access and egress from the new road is onto a very busy area

(ii) there should two lanes both in and out of Royston to avoid congestion and queues at the roundabouts

(iii) difficult to deal with the plans for housing development when the access is not satisfactory, it is essential to that the future volume of housing expected is considered at the same time as the access road onto and in the development."

- 3.2 **Hertfordshire Highways** - The Highway Authority does not wish to restrict the grant of planning permission subject to a number of planning conditions. Details of the Highway Authority comments will be given in the main body of the report.
- 3.3 **Environment Agency** - Note that site is within flood zone 1 (low risk) and issue standing advice.
- 3.4 **Hertfordshire Police Architectural Liaison Officer** - No comments to make
- 3.5 **NHDC Planning Policy** - No objection, detailed comments to be covered in main body of report.
- 3.6 **Local Residents**

The occupier of **44 Orchard Road** has written to comment that the Tesco roundabout to the A505 gets very busy and congested and that drivers pulling out will block the flow of traffic.

The occupiers of **26 Lindsay Close** has written to express concern at the potential congestion and safety, about potential noise and about impact on the value of their house as well as concerns about wildlife and potential flooding.

The occupier of **29 Housman Avenue** has written to object to the new road, they consider that noise will be an issue and that the site should remain green. They consider that the road would be dangerous due to the access and that if it goes ahead, a crossing place for pedestrians should be put in place on Old North Road.

The occupier of **31 Housman Avenue** has written to object on the basis that there would be noise pollution and removal of hedges etc which currently act as a noise barrier, dirt and air pollution. They consider that the road would be dangerous, would invite speeding and will cause congestion on the surrounding roads. They feel that an access onto the A505 should be used instead. Other comments are made with regard to the proposed housing but they are not relevant to this application. They also ask why HCC and NHDC are content for their land to be used by Fairview for a new road and they note that part of this area is used by existing residents for recreation. They are concerned about the impact on their house value and living conditions.

The occupier of **33 Housman Avenue** has written to object on the basis that the road would have a detrimental effect on them and their family, that they regularly use the 'common land' for playing. That the noise would be bad, that the road would be dangerous and that the road should join the existing roundabout.

The occupier of **39 Housman Avenue** has written to object to the application noting that they consider there are errors in the application form, that trees and biodiversity would be affected, the design of the road is dangerous and that there will be congestion and that travellers may camp on the side of the road. Other objections have also been made which relate specifically to the proposed housing.

The occupier of **20 Thomas Way** has written to object to the application noting that there would be an increase in traffic and congestion, there would be no crossing to Tesco, the road would be close to existing houses and that the application states that there are no trees nearby when there are.

A representation has been submitted objecting to the application but no address provided. This representation states that the road would be too tight to safely negotiate, the new road could attract travellers, impact on biodiversity.

The occupiers of **6, 10 and 14 Milton Close** have written together to object to the application on the basis of congestion and safety. That the corner of the road would be dangerously close to existing houses and could become a race track. Travellers

may settle on the entrance and crime would increase.

4.0 Planning Considerations

4.1 Site & Surroundings

- 4.1.1 The application site is located on land to the north of the existing urban area of Royston. The two access points to the site would be from Burns Road, within the existing housing estate, and the southbound carriageway of the Old North Road.

4.2 Proposal

- 4.2.1 The proposed road would connect with Old North Road to the north of the existing Tesco roundabout and offer the potential to connect with Site A at some point in the future.
- 4.2.2 Access to the proposed road from Old North Road would only be for vehicles travelling on the southbound side of the road. A filter lane would be created to allow vehicles travelling in a southerly direction to leave the main Old North Road to access the proposed new road. Vehicles leaving the proposed new road would also only be able to join the Old North Road heading in a southerly direction and this would be by means of a 'give way' junction.
- 4.2.3 Following lengthy discussions between the applicant, NHDC, Hertfordshire Highways and Royston Town Council, the following additional measures are now also proposed. A new 'gateway' 30 mph feature close to the A505 roundabout on Old North Road. Red 30 mph road markings in the same location as the proposed gateway feature. A solid central island between the north and southbound carriageways of Old North Road. A give way sign and new 'keep clear' road markings at the exit of the proposed road onto Old North Road. Further along the proposed road, where it enters the proposed development site, a 20mph road marking and road signs are also proposed. Finally, it is also proposed to formalise the two lane flow of traffic on the northbound side of Old North Road between the Tesco roundabout and the A505 roundabout.

4.3 Key Issues

- 4.3.1 The key issues in the determination of this application are the principle of development in the rural area beyond the green belt, impact on highway safety on the existing highway and the proposed new road and impact on the living conditions of nearby residents.

4.3.2 Principle of Development

Before considering the detailed issues mentioned above, I feel it is appropriate to comment on the principle of these sites to the north of Royston being developed for residential use. Members will be aware that planning permission has already been granted, and development completed, for the site off Coombelands, and planning permission granted, subject to conditions, for the land off Thackeray Close. A resolution to grant planning permission, subject to conditions, has also been granted for site A. Members will also be aware that the sites that would be partially accessed by this proposed access road have a history as potential housing sites. They have been identified previously as part of the District Local Plan process. These sites to the north of the town were all included within **Deposit Draft Local Plan No.3 (DLP3)** in 2000, and therefore benefit from a previous Council endorsement that they should be seriously considered for housing. These sites were then subsequently included in the **Core Strategy Preferred Options Paper** and the **Land Allocations Issues and Options Paper in January 2008 and again in the recent Housing Options Consultation** demonstrating a continuity of intent to promote them as acceptable for housing. It should be noted however, as none of these documents has completed the course through examination to adoption, it

cannot be said that it is guaranteed that any of these sites will be allocated although given their provenance it is the view of officers that should this Council endorse any form of growth options for housing in the District (other than Brownfield only) then these sites north of Royston would, subject to the satisfactory resolution of other planning issues, be identified first.

4.3.3 Whilst dealing with the principle of development, it is worth giving some consideration to what would happen if planning permission was granted for the proposed road, but not for associated housing development(s). In my view it is hard to imagine a set of circumstances where a developer would commit to the costs of the construction of this road without the certainty that they would also be able to construct housing on the land that the road would serve. As has been noted elsewhere in this report, these sites have a provenance as potential housing sites and having regard to this, it is my view that the risk of this scenario occurring is negligible.

4.3.4 Having regard to the information provided in the previous paragraphs, I consider that there is sufficient justification to allow this proposed new road in the rural area beyond the green belt and that the risk of the road being constructed without the housing is negligible.

4.3.5 **Highway Safety**

This issue is the one which has caused most concern during the consultation period both in terms of the design of the proposed new road itself, and the impact that it could have on the safe running of the existing highway network.

4.3.6 The design of the road itself has been considered by the Highway Authority who have provided the following comments

4.3.7 With regard to impacts on the existing highway network the Highway Authority have commented under several different headings including; highway safety, manoeuvrability, technical design, construction traffic, transport impact, transport assessment, highway capacity and traffic generation. Comments have also been made regarding passenger transport, however in my view these comments should be considered as part of the associated planning applications for housing rather than this application which is simply for the physical access road.

Highway Safety - It is noted that the vehicle to vehicle visibility from the new junction along Old North Road is shown on the submitted drawings and that these have been detailed and provided to be in accordance with Design Manual for Roads and Bridges and Manual for Streets.

Manoeuvrability - A swept path analysis has been provided to show that the geometry of the horizontal alignment of the road layout has sufficient capacity to accommodate two-way traffic for passenger vehicles that would be likely to serve the development including a 12 metre long bus. It is noted that a further swept path analysis may be required to show that the Council's refuse vehicles can manoeuvre safely.

Technical Design - The gradient of the access road is acceptable and would avoid the grounding of vehicles. It is noted that prior to the commencement of works on site drawings to show the technical design will have to be agreed with the highway authority under the terms of a Section 278 agreement.

Construction Traffic - A condition is recommended requiring the submission and agreement of a construction traffic management plan. This would have to be agreed with the District Council and the Highway Authority.

Transport Impact - It is noted that the new road junction will have the capacity to carry the total volume of traffic from the existing estate and the new development. The single exit lane from the North Road Tesco roundabout to the A505 has been shown to be widened to a dual exit lane. This has been considered to provide additional capacity to improve traffic flow from the development and town centre. HCC is satisfied that the data that has been produced on traffic flows provides an

overall picture of the existing traffic movements and the future traffic which would be generated from the new development.

Transport Assessment - The submitted transport assessment addresses the effect that the new development would have on the surrounding highway network and has been based on Department for Transport guidance.

Highway Capacity - Capacity testing has been carried out using the ARCADY model software at three major junctions that are within the scoping area of this development, these are the A505, Tesco and Burns Road roundabouts. The capacity analysis has shown that at the predicted year of opening of 2015, the roundabouts would all function below capacity. It is noted that a future predicted growth factor has not been added to these capacity figures as would normally be the case. However, recent HCC traffic data shows a decline in traffic growth and so the Highway Authority are satisfied with the figures that have been used.

Traffic Generation - Traffic generation has been considered using the national TRICS trip generation software which is obtained from comparable residential sites. The data used is considered to be comparable and acceptable in traffic generation terms. It is noted by the Highway Engineer that these documents were carefully scrutinised to establish the likely impact on the road network.

- 4.3.8 As has been mentioned in some of the comments from the Highway Authority, and following discussions with Royston Town Council, the applicant has proposed some changes to the layout of Old North Road, in both directions, between the Tesco roundabout and the A505 roundabout. In particular, it is proposed to formalise two lanes running northbound as an improvement to the existing situation where drivers informally create two lanes at peak times by driving on the hatched area. Making this a formal arrangement should serve to increase the safety of this part of the road.
- 4.3.9 Having regard to all of the advice received from the highway authority I can see no sustainable reason to object to the proposal in highway operation or safety terms.
- 4.3.10 I have noted the comments of all of the local residents who have written with regard to this application and who have raised a number of issues including the safety of the proposed access, noise and the use of this land. The issue of the safety of the proposed access has been dealt with above with the advice of the highway authority. With regard to noise, it is my view that the background noise from the existing highway network in the locality is such that there would be no materially greater impact in this sense. Finally, some residents have suggested that this land is common land and therefore should not be used for development. My understanding is that this land is in private ownership and if the land has been being used for recreation purposes, this is unlikely to have been with the permission of the landowner.

4.4 **Conclusion**

- 4.4.1 Having regard to all of the above it is my conclusion that there should be no objection to the proposed access road, subject to the recommended conditions. In my view this new road would be of benefit to the existing Burns Road estate as it would provide the potential for an alternative access point via site A at some point in the future. It is also my view that it would not be a risk for the Council to grant planning permission of this road prior to the associated housing schemes as no developer is likely to want to pay for such a road without the certainty of the associated housing development.

5.0 Legal Implications

- 5.1 In making decisions on applications submitted under the Town and Country Planning legislation, the Council is required to have regard to the provisions of the development plan and to any other material considerations. The decision must be in accordance with the plan unless the material considerations indicate otherwise.

Where the decision is to refuse or restrictive conditions are attached, the applicant has a right of appeal against the decision.

6.0 Recommendation

6.1 That planning permission be **GRANTED** subject to the following conditions:

1. The development hereby permitted shall be begun before the expiration of 3 years from the date of this permission.

Reason: To comply with the provisions of Section 91 of the Town and Country Planning Act 1990 as amended by Section 51 of the Planning and Compulsory Purchase Act 2004.

2. The development hereby permitted shall be carried out wholly in accordance with the details specified in the application and supporting approved documents and plans listed above.

Reason: To ensure the development is carried out in accordance with details which form the basis of this grant of permission.

3. The development hereby permitted shall not be brought into use until the proposed access roads and footways have been constructed to wearing course and the join to the carriageway to the Old North Road as identified on principle details on Proposed Site Access drawing numbered 110020-A-01 Rev C has been reinstated to the current specification of Hertfordshire County Council and to the local Planning Authority's satisfaction.

Reason: In the interests of highway safety and amenity.

4. Prior to the commencement of the works as identified on the in principle details of the Proposed Access Road drawing numbered FNH371/P/AR02 Rev A; a site layout shall be submitted to the highway authority with details showing the size of radii kerbs, the forward visibility around the bends and sightline visibility splays from the new junction of the site layout the details must demonstrate that the road layout can accommodate a refuse collection vehicle and passenger bus in current use and shall be in accordance with Design manual for Roads and Bridges and Manual for Streets with the ultimate design being technically approved prior to commencement on site.

Reason: So that vehicles may enter and leave the site with the minimum of interference to the free flow and safety of other traffic on the highway and for the convenience and safety of pedestrians and disabled people.

5. Before the internal access roads are first brought into use, vehicle to vehicle visibility splays of 2.4 metres by 25 metres to both directions shall be provided and permanently maintained. Within which, there shall be no obstruction to visibility between 600 mm and 2.0 metres above the carriageway level. These measurements shall be taken from the intersection of the centre line of the junction with the edge of the carriageway of the highway respectively along the access roads of the application site and from the intersection point along the edge of the carriageway.

Reason: To provide adequate visibility for drivers entering and leaving the site.

6. Before the driveways are first brought into use, pedestrian visibility splays of 2.0 metres by 2.0 metres each side shall be provided and permanently maintained. Within which, there shall be no obstruction to visibility between 600 mm and 2.0 metres above the carriageway level. These measurements

shall be taken from the intersection of the centre line of the junction with the edge of the carriageway of the highway respectively along the access roads of the application site and from the intersection point along the edge of the carriageway.

Reason: To provide adequate visibility for drivers entering and leaving the site

7. Construction of the approved development shall not commence until a Construction Traffic Management Plan has been submitted to and approved in writing by the local planning authority in consultation with the highway authority. Thereafter the construction of the development shall only be carried out in accordance with the approved Plan. The Construction Traffic Management Plan shall include construction vehicle numbers/routing, prohibition of construct traffic signs at the entrance of Burns Road and crossings and joining the public highway and shall be carried out as approved

Reason: To ensure that the development does not adversely affect the safety and operation of the highway network in accordance with Government policy contained in National Planning Policy Framework and Manual for Streets.

8. Prior to the commencement of development a Construction Method Statement shall be submitted to and approved in writing by the local planning authority in consultation with the highway authority. Thereafter the construction of the development shall only be carried out in accordance with the approved Statement.

The Construction Method Statement shall address the following matters:

a. Off site highway works in order to provide access throughout the construction period, work shall be completed prior to the commencement of development, and reinstated as required. b. Construction and storage compounds (including areas designated for car parking) c. Siting and details of wheel washing facilities d. Cable trenches e. Foundation works f. Substation/control building g. Cleaning of site entrance and the adjacent public highways h. Disposal of surplus materials.

Reason: In order to protect highway safety and the amenity of other users of the public highway.

9. Prior to the commencement of the works as identified on the in principle details on drawing numbered 110020-A-01 revision C shall be submitted to the Highway Authority and subjected to an in dependant Safety Audit with a Safety Audit Report (SAR) being prepared with the ultimate design being technically approved in writing by the Highway Authority (in conjunction with the Local Planning Authority) prior to commencement of any works on site.

Reason: To ensure that the development does not adversely affect the safety and operation of the adjoining highway network in accordance with National Planning Policy Framework, promoting sustainable transport and to accord with Hertfordshire County Council publication Roads in Hertfordshire 'A Design Guide

Proactive Statement

Planning permission has been granted for this proposal. The Council acted proactively through positive engagement with the applicant at the pre-application stage and during the determination process which led to improvements to the scheme. The Council has therefore acted proactively in line with the requirements of the Framework (paragraphs 186 and 187) and in

accordance with the Town and Country Planning (Development Management Procedure) (England) (Amendment No. 2) Order 2012.

HIGHWAY INFORMATIVE 1:

1. Works to be undertaken on the adjoining highway shall be constructed to the satisfaction of the Highway Authority and in accordance with Hertfordshire County Council publication Roads in Hertfordshire Highway Design Guide. Before proceeding with the proposed development, the applicant shall contact hertsdirect@hertscc.gov.uk or for information use the HCC website www.hertsdirect.org. or call on 0300 1234 047 to obtain the requirements for a section 278 agreement for the associated road works as part of the development. This should be carried out prior to any development work is carried out.

Reason: To ensure that work undertaken on the highway is constructed to the current Highway Authority's specification, to an appropriate standard and by a contractor who is authorised to work in the Public Highway.

HIGHWAY INFORMATIVE 2:

It is advisable that all internal roads could be designed and built to an adoptable standard.

HIGHWAY INFORMATIVE 3.

Prior to commencement of the development the applicant is advised to contact hertsdirect@hertscc.gov.uk to arrange a site visit to agree a condition survey of the approach of the highway leading to the development likely to be used for delivery vehicles to the development. Under the provisions of Section 59 of the Highways Act 1980 the developer may be liable for any damage caused to the public highway as a result of traffic associated with the development. Herts County Council may require an Officer presence during movements of larger loads, or videoing of the movements may be considered.