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Your ref 07/2019/7948/FUL
Our ref 07/2019/7948/FUL/NJS1
Date 10th October 2019

Dear Sir

APPLICATION: 07/2019/7948/FUL

LOCATION: Marathon Place Moss Side Industrial Estate Leyland Lancashire PR26 7QN

Description: Erection of a two storey production extension (Class B2), link buildings, link bridge and plant room (Class B2), warehouse building (Class B8). Drivers amenity block following demolition of an existing warehouse and high tower

Summary

Highway officers of the county council have worked closely with the applicant and supporting consultants. I can indicate that the development proposed can be accommodated on the local highway network but does require the implementation of application 07/2014/0065/FUL, planning conditions satisfied and planning obligations provided.

Introduction

The Transport Statement (TS) for the proposals (dated July 2019) was submitted with the planning applications to which LCC Highways were consulted on. These comments have regard to the latest National Planning Policy Framework (NPPF) and have been considered on their own merit but also with consideration to other proposals in the area, such as the Leyland Test Track mixed use development which is yet to be determined.

The county council is committed to reducing congestion and delay and improving highway reliability in the most congested transport corridors. Having regard to this proposal I have considered highway operation on Comet Rd, Reiver Rd, Longmeanygate and Schleswig Way.

A key junction connecting to the influenced highway links is the five arm roundabout to the east of the site, this is a known location of concern. With this in mind the present and proposed traffic systems have been considered in and around the location of proposed development whilst also having consideration to other potential highway changes.

Phil Durnell
Director Highways and Transport
Lancashire County Council
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The existing employment site is located within an established employment area. The developer has appropriately considered the area influenced by the development proposal having regard to its impacts during peak hours.

Note: To support this proposal does require the implementation of a previous planning permission on land controlled by the applicant being 07/2014/0065/FUL (Car Park) to satisfy additional car park demand as a consequence of this application.

Development Proposal

The proposal is for a full permission for the erection of a two storey production extension with linking bridge, plant room, warehouse building and an amenity block for drivers (following demolition of an existing warehouse and high tower).

The wider site layout submitted with the application is shown in drawing 180601/900 Rev1.1 with title '*Proposed Overall Site Plan*'. This drawing provides a understanding of how the proposed site will be accessed by all modes, including the location of the necessary off street carpark for employees, south of Comet Road (yet to be delivered).

The plan also highlights the relocation of a footway between Longmeanygate and Marathon Place of approximately 55m in length. The proposal includes the provision of a link bridge (pipe bridge) over the footway to support site operation. The footway is currently defined as highway and will be stopped up (removed) with the creation of new highway (footway) to the west of the existing provision. Please refer to further comments on the proposed link bridge under the heading 'Mitigation S278 and S106' on page 4 below.

Development Vehicular Access Arrangements

External HGV routeing

The applicant and site operator (Dr Oetker) have defined the HGV route for external vehicles to access this application site, this being:

- B5253-Comet Rd- Reiver Rd- Marathon Place (left turn).

Note: This routeing strategy maintains reliability on Comet Rd with no Dr Oetker HGV's turning right from Comet Rd onto Marathon Place.

From an operational perspective, representatives of Dr Oetker have indicated the following: in a scenario where a HGV is waiting off the public highway to enter the service yard, if a second HGV arrives there is a safe waiting area (off the public highway) just prior to the service yard. For the second HGV to enter the service yard this will be require that vehicle to undertake a loop using Marathon Place, Comet Rd, Reiver Rd back onto Marathon Place. This safe waiting area and subsequent routeing strategy ensures that a HGV waiting to enter into the site does not result in blocking back onto the public highway or result in difficult manoeuvring on the public highway. This strategy and all routeing needs to be controlled by a suitably worded planning condition.

Staff routeing (motorised vehicles)

There are no staff routeing requirements to access their car park. I consider this reasonable.

Traffic Figures and Development Traffic

Traffic Data

The TS includes a survey of sustainable modes at the location of the existing footpath (between Longmeanygate and Marathon Place), the survey was taken over several days and included a weekend. It is noted that pedestrians, cyclists and equestrians were observed using the footway.

In addition, the TS provides detail of shift patterns for all staff, and links observed data to car parking accumulation. The analysis undertaken is reasonable.

Simple traffic data was collected at Marathon Place having regard to the scale of impact during the peak hours; this level of collection and analysis is acceptable.

The approach adopted to consider the impacts of the development suitably uplifts the additional staff to appropriate shifts. This approach is considered appropriate and should result in accurate quantified impacts of staff movement through a typical 24hour period.

The development proposal does not have a significant impact on the highway network during typical peak hours, as the development trips are spread over a 24h period.

Accident Analysis

The TS includes a review of Road Safety over the study area, which is not unreasonable.

Sustainable Development and Site Accessibility (with development)

As indicated earlier in these comments this development is an extension to the existing facilities. The TS includes evidence on modal split. It is noted that for the existing site the private car is the principle mode, this is not untypical for the location and the 24 hour site operation. The existing site does have the benefits of a travel plan. It is noted that cycle and motorcycle usage is higher than the average for the area (when compared to the census data).

Travel Plan

The existing Travel Plan review was drafted in May 2019. The TP includes objectives and targets. It is important that the TP is maintained and monitored. This should be linked to a suitable worded planning condition.

Comments on Individual Junctions

I did not require individual junctions to be explicitly modelled as the impacts during peaks is minimal, however the TS does suitably identify the expected development impacts at either end of Mararthon Place, the Dr Oetker access (onto Comet Rd) and the associated turning movements at Comet Rd/Reiver Rd roundabout.

Parking provision

The TS, in Appendix F, includes a typical existing car park accumulation observed over a typical 24hour period, then uplifted based on expected changes in staffing levels (for each job type over a 24hour period). The approach indicates that with the implementation of application 07/2014/0065/FUL (Car Park), the overall site provision will be sufficient to satisfy additional staff and the displaced trips from the existing site. The car park delivery to be controlled by a suitable worded Grampian condition attached to this proposal.

It is noted that employees of Dr Oetker only park within their curtilage (this is controlled by management of Dr Oetker) and do not park on the adopted highway such as on Lonmgmenygate. This support from Dr Oetker is welcomed.

Mitigation S278 and S106

With regard to mitigation there is agreement to the following:

S278/S38 Works

It will be expected that appropriate S278/S38 works as detailed will be required:

- Access arrangements as per site layout drawing, and
- The provision of the new footway, which will be around 4m wide (4.5m fence to fence). The required land to be dedicated as highway, with suitable linkage at either end as highlighted in Drg 900 rev 1.1. It is important that bollards are included at either end to negate it being used by motorised vehicles between Longmeanygate and Marathon Place.

Note 1: the trigger point for both the access arrangements and the new footway and associated works will be prior to commencement of development unless otherwise agreed with the LPA in consultation with LCC Highways.

*Note 2: the delivery of the bridge over the highway will need to satisfy other agreements with LCC, including the detail of the structure. It is critical that full maintenance of footway can be made below. The clearance between ground level and the underside of the link bridge (pipe bridge) structure is 4.785m. It is important that this height does not change with this I would suggest that **a suitable worded planning condition controls this dimension.***

In accordance with Highways Act (1980), the County Council as Highway Authority have stringent requirements regarding projections over the highway to safeguard the passage of the public. The clearance offered exceeds the minimum over the highway and would be acceptable subject to licence with the County Council as Highway Authority. However, a condition of this licence is that the Highway Authority can at anytime ask for the projecting structures to be removed.

I will require that the following conditions are met:

1. The building proposed over the highway shall be the subject of a licence to be entered into in accordance with the Highways Act (1980).
2. The clearance required to the underside of the building proposed over the highway from the surface of the carriageway and footway of the highway shall be agreed i.e. 4.785m.

3. The supports to the building proposed over the highway shall be designed to allow for the possibility of impact loading from traffic using the highway.
4. The Licensee must keep the Works in good repair.
5. Should the Licensee indicate to LCC that the structure is no longer required and will be demolished or otherwise removed (by the owner, at their cost) on a prescribed date. Notice shall be deemed served on LCC if that notice is given in writing, is signed, adequately explains its purpose and describes the Works.
6. The Licensee shall permit LCC to inspect the Works or any part thereof after reasonable previous notice (except in the case of emergency) has been given to the Licensee.
7. In consideration of the grant of this licence, the Licensee shall indemnify LCC against any claim for injury, damage or loss arising out of the grant of this licence except in the case of injury, damage or loss which is attributable to the negligence or act or omission of MCC.
8. The licence is issued to the developer but its conditions bind all owners, lessees and occupants of the land to which it relates; see sub section 177 (2) Highways Act 1980

Planning Obligations (S106 Planning Contributions)

LCC consider that the appropriate and necessary funding to achieve sustainable development would include the following:

- £50,000 contribution towards improvements at the 5arm roundabout to overcome the additional impacts as a consequence of this development. The funds to be used to deliver measures to best aid sustainable movements to the site at this location, and
- £6,000 contribution to review operation and make necessary changes to Traffic Regulation Orders on Comet Road, maximising corridor safety and reliability.

Conclusion and Recommendation

Highway officers of the county council have worked closely with the applicant and supporting consultants. I can indicate that the development proposed can be accommodated on the local highway network but does require the implementation of application 07/2014/0065/FUL, planning conditions satisfied and planning obligations provided.

I hope the above is of assistance in your Councils determination of the application, if you have any questions please feel free to contact me.

I attach below a list of suggested conditions that may be appropriate should the LPA be minded to grant approval.

Suggested Conditions:

- 1 No part of the development hereby approved shall commence until a scheme for the construction the site access and all off-site works of highway improvement have been submitted to, and approved by the Local Planning Authority in consultation with the Highway Authority.

Reason: In order to satisfy the Local Planning Authority and the Highway Authority that the final details of the highway scheme/works are acceptable before work commences on site. Also, in order to provide safe access to the site for all users (motorised and non-motorised).

- 2 Prior to the first occupation of any part of the development hereby approved, the access and off-site highway works set out in condition 1 should be constructed in accordance with the details approved, unless otherwise agreed in writing with the Local Planning Authority.

Reason: In order to satisfy the Local Planning Authority and the Highway Authority that the development will provide a safe access to the site and ensure that users of the development have appropriate access to sustainable transport options

- 3 No part of the development hereby approved shall commence until planning application 07/2014/0065/FUL is delivered and available for use.

Reason: To maintain the operation and safety of the local highway network.

- 4 No development shall take place until a Construction Method Statement has been submitted to, and approved in writing, by the Local Planning Authority. The approved Statement shall be adhered to throughout the construction period. The Statement shall provide for:

- i) the parking of vehicles of site operatives and visitors;
- ii) loading and unloading of plant and materials;
- iii) storage of plant and materials used in constructing the development;
- iv) the erection and maintenance of security hoarding including decorative displays and facilities for public viewing, where appropriate;
- v) wheel washing facilities;
- vi) a management plan to control the emission of dust and dirt during construction identifying suitable mitigation measures;
- vii) a scheme for recycling/disposing of waste resulting from construction work (there shall be no burning on site);
- viii) a Management Plan to identify potential ground and water contaminants; details for their storage and how water courses will be protected against spillage incidents and pollution during the course of construction;
- ix) a scheme to control noise during the construction phase, and
- x) the routing of construction vehicles and deliveries to site.
- xi) provision for pedestrians when the existing footway is not available.

Reason: To maintain the operation and safety of the local highway network during site preparation and construction.

- 5 There shall not at any time in connection with the development hereby permitted be planted hedges, trees or shrubs over 1m above the road level within any visibility splay required to maintain safe operation for all users.

Reason: To ensure adequate visibility splays are maintained at all time

- 6 Prior to the occupation of the development hereby permitted, the existing Travel Plan shall be updated and submitted to, and approved in writing by, the Local Planning Authority. The Travel Plan to include objectives, targets, measures to achieve targets, monitoring, and implementation timescales and continue with the provision of a travel plan co-ordinator. The approved plan(s) will be audited and updated at intervals as approved and the approved plan carried out.

Reason: To ensure that the development does all it can to provide and promote sustainable transport options

- 7 Prior to the occupation of the development hereby permitted, a HGV routing strategy and site operation (from a movement perspective) shall be submitted and approved by the local planning authority in conjunction with the local highway authority. The routing strategy and site operation to be followed and maintained.

Reason: To maintain the operation and safety of the local highway network.

- 8 With regard to any structures over the highway associated with the development hereby approved, these will be subject to approval by Lancashire County Council by undertaking the necessary Technical Approval Procedures

Reason: To maintain the operation and safety of the local highway network.

The following informative notes should be added to any approval granted:

- a. The grant of planning permission does not entitle a developer to obstruct a right of way and any proposed stopping-up or diversion of a right of way should be the subject of an Order under the appropriate Act.
- b. The grant of planning permission will require the applicant to enter into an appropriate Legal Agreement with the County Council as Highway Authority. The Highway Authority hereby reserves the right to provide the highway works within the highway associated with this proposal. Provision of the highway works includes design, procurement of the work by contract and supervision of the works. The applicant should be advised to contact LCC Community Services at County Hall, Preston PR1 0LD, in the first instance, to ascertain the details of such an agreement and the information to be provided.
- c. Traffic Regulation Orders, diversions of Public Rights of Way, Stopping Up of existing highway, changes to public transport scheduling/routing and other activities require separate statutory consultation processes beyond the planning application process. The applicant will be obliged to meet all the costs associated with these of works and ensure that any works which rely upon them do not commence until all legal processes have been satisfactorily completed.

- d. The applicant should be advised to contact LCC Community Services at County Hall, Preston PR1 0LD, in the first instance for the relevant Technical Approval forms. The technical approval requires that all the County Council's costs in relation to the approval to be reimbursed by the developer

I hope the above is of assistance.

Yours faithfully

A handwritten signature in black ink, appearing to read 'Neil Stevens', with a long horizontal flourish extending to the right.

Neil Stevens
Highways Development Control Manager
Community Services, Lancashire County Council