National Highways Planning Response (NHPR 24-02)
Formal Recommendation to an Application for Planning Permission

From: Andy Jinks (Regional Director)
Operations Directorate
Midlands Region
National Highways
PlanningM@nationalhighways.co.uk

To: Herefordshire Council (FAO Rebecca Jenman)

CC: transportplanning@dft.gov.uk
spatialplanning@nationalhighways.co.uk

Council's Reference: 220769

Location: Land east of the A49, south of Haywood Lane, near Wellington, Herefordshire, HR4 8BY

Proposal: Proposed extraction of sand and gravel and the restoration of the sitet o wetland habitats, formation of a new vehicular access from Haywood Lane, construction of silt/water management lagoons, weighbridge, weighbridge office (portable cabin), welfare building (portable cabin), perimeter screening bunds and construction of a mineral processing plant.

National Highways Ref: NH/23/02115

Referring to the consultation on a planning application dated 13th February 2024 referenced above, in the vicinity of the A49 that forms part of the Strategic Road Network, notice is hereby given that National Highways' formal recommendation is that we:

~~a) offer no objection (see reasons at Annex A);~~

~~b) recommend that conditions should be attached to any planning permission that may be granted (see Annex A – National Highways recommended Planning Conditions & reasons);~~

c) recommend that planning permission not be granted for a specified period (see reasons at Annex A);

~~d) recommend that the application be refused (see reasons at Annex A)~~

Highways Act 1980 Section 175B is not relevant to this application.[1]

This represents National Highways' formal recommendation and is copied to the Department for Transport as per the terms of our Licence.

Should the Local Planning Authority not propose to determine the application in accordance with this recommendation they are required to consult the Secretary of State for Transport, as set out in the Town and Country Planning (Development Affecting Trunk Roads) Direction 2018, via transportplanning@dft.gov.uk and may not determine the application until the consultation process is complete.

The Local Planning Authority must also copy any consultation under the 2018 Direction to PlanningM@nationalhighways.co.uk.

Signature: [redacted]	**Date:** 6th March 2024
Name: Ellie Smith	**Position:** Assistant Spatial Planner
National Highways The Cube 199 Wharfside Street Birmingham B1 1RN	

[1] Where relevant, further information will be provided within Annex A.

Annex A National Highways' assessment of the proposed development

This response represents our formal recommendations and has been prepared by Ellie Smith, Assistant Spatial Planner for National Highways.

National Highways has been appointed by the Secretary of State for Transport as a strategic highway company under the provisions of the Infrastructure Act 2015 and is the highway authority, traffic authority and street authority for the Strategic Road Network (SRN). The SRN is a critical national asset and as such we work to ensure that it operates and is managed in the public interest, both in respect of current activities and needs as well as in providing effective stewardship of its long-term operation and integrity.

National Highways considers planning applications for new developments under the requirements of the National Planning Policy Framework (NPPF) and DfT Circular 01/2022: The Strategic Road Network and The Delivery of Sustainable Development ("the Circular"). The latter document sets out our policy on sustainable development and our approach to proposals which may have an impact on our network.

The SRN in the vicinity of the proposed development is the A49 trunk road.

Development Proposal

Proposed extraction of sand and gravel and the restoration of the site to wetland habitats, formation of a new vehicular access from Haywood Lane, construction of silt/water management lagoons, weighbridge, weighbridge office (portable cabin), welfare building (portable cabin), perimeter screening bunds and construction of a mineral processing plant.

March 2023 Update

National Highways has previously issued a holding recommendation for this application in December 2023. Please find our outstanding comments outlined below.

Consultation Response and Reasoning

Context

The submission states the application site will yield approximately 1,060,000 tonnes of sand and gravel, with extraction up to 5m deep in places. The material will be extracted at approximately 100,000 tonnes per annum and is proposed to take 10 years to complete dependant on the local market. The area of extraction (approximately 20.8 hectares in size) will be split notionally into 3 main working and restoration phases and worked in a general east to west basis. Phase 3 of the proposal shares a boundary with the A49 Corridor.

A new site gated entrance will be established from Haywood Lane and will be used to export mineral from the site via heavy goods vehicles (HGVs). The A49 (T) / Haywood Lane staggered crossroads junction with central reserve is located approximately 120 metres to the west of the new access and provides access to both the A49 Northbound and Southbound. It is proposed that all heavy goods vehicles will be instructed to approach the site from the north and will make a left turn into Haywood Lane from the A49 (T). When exiting the site, all heavy goods vehicles will be instructed to make a left turn south from Haywood Lane onto the A49 southbound carriageway. HGVs be instructed not to cross the A49 southbound carriageway to head north. Parking spaces for authorized visitors and staff will be provided as well as 4 HGV parking spaces.

The existing public right of way that crosses the proposed mineral processing plant area will be temporarily diverted along the inside of the hedgerow within the site adjacent to the A49 (T), following the field boundary while the quarry is in operation. The proposed extraction area will be made secure through the use of the existing boundary hedgerows supplemented with planting, soil bunds and perimeter fencing, some of which are located alongside the A49 highway boundary. Two surface water settling lagoons are proposed to be constructed on the western section of the site, each measuring approximately 45 metres in width and 90 metres in length. The Lagoons will be utilised to aid the mineral processing plant area.

Traffic Impact

Site Access and internal layout

National Highways previously confirmed that the proposed site access on Haywood Road has requisite visibility splays available in each direction for the speed of the road (collated through speed measurement survey). It is suitably spaced from the A49 staggered junction to not affect its safe operation. Adequate parking and turning area also appear to be available within the internal site layout to ensure overspill of vehicles and loading and unloading of materials will not occur on Haywood Road (Local Highway Network) as a result of the development, therefore is not considered to impact the A49 Junction.

Safety Concern at A49 Haywood Lane Staggered Crossroads Junction and Proposed HGV Routing Plan

National Highways has reviewed the Safety Risk Assessment (SRA) submitted in support of this application. National Highways agree that the SRA provided demonstrates the means of mitigation will not present a significant highway safety issue along the affected A49 Trunk Road.

The proposed HGV Routing plan (Appendix G of the Transport Assessment dated February 2022) requires HGVs to enter the site via the north of the A49 junction, and any HGV leaving the site will enter the A49 (T) travelling Southbound. Any HGV destined for the north is intended to make a 'U' turn at the A49/ A4103 Roman Road roundabout instead of utilising the A49 (T)/ Haywood Lane staggered crossroads junction central reserve.

In our previous response, we recommended that the HGV Routing Plan is incorporated into a S.106 Planning Obligation to ensure greater legal standing and ability to enforce if a breech became apparent. National Highways recommends that any planning consent granted is subject to a mutually agreed S106 agreement, including input from National Highways, entered into by the Owner that secures the following as well as any other necessary obligations to mitigate any harm caused by the proposed development;

1. The Routing Plan appended to the Transport Assessment;
2. The Routing Plan being provided to all HGV drivers before they enter/leave the site;
3. Proper training be provided to HGV drivers so that they comply with the Routing Plan;
4. HGV vehicles being fitted with trackers so their movement can be monitored;
5. A plan setting out how breaches of the Routing Plan by HGV drivers will be dealt with, such plan to be agreed by the Council in consultation with the Highway Authority;
6. Records by kept by the owner of the number of HGV movements associated with the development which access and egress the Site with the corresponding times on every working day, details of all breaches of the Routing Plan by HGV drivers and action taken pursuant to breaches of the Routing Plan; and
7. Forwarding all records to the Council, for their onward transmission to the Highway Authority, every 6 months.

National Highways has reviewed the section 106 agreement and note that the HGV routing plan was not included in the document therefore, we require this to be included.

Construction Traffic Management

We would also recommend that a Construction Traffic Management Plan condition is attached to any planning consent for the commissioning and decommissioning of the

site. Particular concern would relate to the routing of construction vehicles along the A49 Trunk Road.

Environmental Impact

Air Quality

On review of the Environmental Statement Appendix 10 Air Quality and Dust Assessment, we confirm that a robust assessment has been undertaken in accordance with prevailing policies and standards demonstrating compliance with DfT 02/2013 para 45. As the site is not located within an existing AQMA and the forecast daily development HGV traffic are below the threshold for assessment, Air Quality impact as a result of the proposal is considered to be minimal and unlikely to give rise to any adverse air quality impacts affecting any exiting sensitive receptor nor identifies any new breeches of air quality objective limits located along the A49 Trunk Road.

Dust Management

Due to the nature of the development, a Dust Management Plan is proposed to be implemented through the operational phase of the development to minimise impact to receptors within the vicinity. The Dust Management Plan Revision B appears robust and compliant with industry good practise. A topsoil screening bund of an approximate maximum height of 5 metres is proposed alongside the A49 boundary which will offer some mitigation in minimising displacement of dust during the operation of the site within the A49 corridor. National Highways will attach a suitably worded condition to any consent to ensure the Dust Management Plan is adhered to for the lifetime of the development to safeguard users of the SRN.

Boundary Related Impact

Geotechnical Impact to A49 (T) associated to extraction activity

Phase 3 of the proposed quarry development is located nearest the SRN to which possible 5 metre excavations (deep excavations) may have the potential to impact the integrity of the A49 Trunk Road foundation contrary 20 DfT 02/2013 para 49. A 20- metre buffer zone is proposed between the common boundary with the A49 Trunk Road and is deemed sufficient to mitigate potential concern.

Proposed Topsoil Screening Bund along A49 Boundary

A topsoil screening bund is proposed alongside the existing A49 Boundary Hedgerow to mitigate environmental impacts as a result of the development. The Schematic Cross Section Plan B-B and C-C, drawing reference DME/LA49/100 dated 16 November 2021, submitted suggests that the soil bund will be located 5

metres from the SRN boundary. Limited design detail is provided to demonstrate that the soil bund is geotechnically stable. National Highways would raise concern that if the soil bund was to become unstable during the lifetime of the development, soil slippage could occur onto the SRN which raises a potential hazard to its safe operation contrary to DfT 2013 para 49 and para 46. This safety concern is further exacerbated due to the diversion of PROW between the A49 boundary and the soil bund which could cause serious harm to users of the PROW.

It is therefore recommended that detailed cross sections of the topsoil bund and supporting slope stability calculations are provided to demonstrated that the soil bund has been appropriately designed and will remain stable during the lifetime of the development.

Surface Water Run-Off from Topsoil Screening Bund

Within the Flood Risk Assessment section 6.2.1, it is stated that surface water runoff from the outer flanks of the bunds along the A49 (T) will be managed by roadside drains or verges. This does raise a compliance issue in regard to DfT 01/2022 para 59, as no water run off that may arise due to any change of use will be accepted into the highway drainage system of the A49 (T). The management of surface water run off associated to the soil bund is therefore not considered acceptable and will need to be considered further by the applicant.

Recommendation

In light of the above, National Highways recommends that planning permission not be granted for a period of three months from the date of this notice, to allow the applicant time to submit additional supporting information.

Standing advice to the local planning authority

The Climate Change Committee's 2022 Report to Parliament notes that for the UK to achieve net zero carbon status by 2050, action is needed to support a modal shift away from car travel. The NPPF supports this position, with paragraphs 74 and 109 prescribing that significant development should offer a genuine choice of transport modes, while paragraphs 108 and 114 advise that appropriate opportunities to promote walking, cycling and public transport should be taken up.

Moreover, the build clever and build efficiently criteria as set out in clause 6.1.4 of PAS2080 promote the use of low carbon materials and products, innovative design solutions and construction methods to minimise resource consumption.

These considerations should be weighed alongside any relevant Local Plan policies to ensure that planning decisions are in line with the necessary transition to net zero carbon.