



National Highways Planning Response (NHPR 21-09) Formal Recommendation to an Application for Planning Permission

From: Andrew Jinks (Regional Director)
Operations Directorate
Midlands Region
National Highways
Planningm@highwaysengland.co.uk

To: Herefordshire Council – FAO: Heather Carlisle

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

Council's Reference: P193042/O

Location: Land north and south of Grafton Lane, Hereford HR2 8BJ,

Proposal: Outline application for residential development (with all matters reserved except for access), footway/cycleway and vehicle turning head, stopping up and re-routing of a short section of Grafton Lane, near the A49, public open space, landscaping and associated infrastructure works.

Referring to the consultation on a planning application referenced above, re-consultation dated 30 August 2019, 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.

Signature:

Date: 10 November 2021

A black rectangular box redacting the signature.

Name: Neil Hansen

Position: Spatial Planner

National Highways

The Cube | 199 Wharfside Street | Birmingham | B1 1RN

Neil.Hansen@highwaysengland.co.uk

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

Annex A: Reason for recommending that planning permission not be granted for a specified period

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.

This response represents our formal recommendations with regards to planning application P193042/O and has been prepared by Neil Hansen.

As you would be aware, Highways England had previously issued a Holding Recommendation (HR) for this planning application on 10th August 2021, raising concerns relating to access and drainage matters.

We have since received further information relating to the RSA, we have set out our latest position on this planning application below:

Stage 1 RSA

We have reviewed the submitted RSARR and checked for compliance with GG 119 paragraphs 4.11 to 4.19 inclusive. Paragraph 4.16 specifically requires the Design Organisation to do one of the following three things in response to each RSA problem identified:

4.16 The design organisation shall, for each RSA problem and recommendation, do one of the following:

- 1) accept the RSA problem and recommendation made by the RSA team;*
- 2) accept the RSA problem raised, but suggest an alternative solution, giving appropriate reasoning;*
- 3) disagree with the RSA problem and recommendation raised, giving appropriate reasoning for rejecting both.*

Notwithstanding, the Design Organisation (DO) has responded to each identified RSA problem, the responses do not meet the requirements as laid out in the standard.

Should the DO respond in accordance with items 2) or 3) these matters are then to be referred for National Highways Director approval with a Technical Note to support the alternative solution or appropriate reasoning for rejecting both the problem and the recommendation.

We, therefore, suggest the DO revises the submitted RSARR in accordance with paragraph 4.16 and resubmits for consideration.

Design & Access Statement Addendum The document sets out changes to the development Masterplan made since the submission of the outline planning application (193042/O), including the reduced quantum of development and developable land. Of interest to National Highways are the following points:

Tree T17 is affected by footway works on the A49, which have been amended to protect the root ball of the tree.

The Council have questioned the need for the proposed signalised crossroad on the A49 and how this may affect access to/from Grafton Lane. The Applicant's response has been to propose stopping-up Grafton Lane as a through route for motorised vehicles. From our perspective, this is welcomed in principle subject to ongoing preliminary design discussions.

Figure 3.1 (revised Development Framework Plan) indicate potential improvements to the footway along the a 49, north of Grafton lane by removing vegetation. we are considering this landscaping issue.

Utilities

The feasibility study and accompanying drawings, identifying existing utilities infrastructure and considering the need for disconnections and diversions is useful in identifying potential NRSWA works and issues that could affect the design and delivery of the proposed highway works on the A49 in support of the development. It is evident from the information that diversions of utilities equipment (or protection of existing assets) will affect SRN interests. Diversions will be dealt with via NRSWA; however, we need to ensure these diversions are made prior to the proposed highway works on the A49 to avoid design clashes and programme issues. Furthermore, the retention (and protection) of utilities assets should be given early consideration by the highway scheme Designer to ensure Health & Safety and scheme feasibility is appropriately managed. We will recommend a planning condition, requiring diversion of utilities, affecting the SRN, to be completed prior to the commencement of the development's highway works.

Stopping-Up

To accommodate the proposed stopping-up of Grafton lane to through traffic, (retaining frontage access only to the existing dwelling in proximity of the Grafton lane/A49 junction) highways works are shown on drawing no. 20015_C-411-A. Predominantly these works will be on the Local Highway Authority's network; however, the principle of the scheme has potential implications for SRN interests, due to the change in nature of the route to a cul-de-sac. In addition, the scheme requires advance signage on the SRN.

Accordingly, our comments relate solely to principles of the works from the perspective of SRN interests.

A point of principle is the need to make a permanent Traffic Regulation Order (PTRO) to stop up Grafton Lane to through traffic; however, it would appear this order will exclude cycles, equestrians and pedestrians. National Highways can confirm that discussions are ongoing to progress the outstanding matters.

Drainage

In regard to the outstanding drainage matters specifically relation to the adoption strategy, National Highways have now recommended some draft conditions which have been submitted to Vectos. We are awaiting a further response from Vectos.

In light of the above, Highways England recommends that planning permission not be approved for a further period of three months from the date of this notice, pending additional information being submitted by the applicant and being reviewed by Highways England.