DEVELOPMENT CONTROL COMMITTEE

Thursday 28th November 2019

Late Correspondence/Verbal Reports

AGENDA ITEM 6a
Pages 19-58

FUL/2019/0319 – Erection of 130 no. dwellings with associated access roads, open space and landscaping and vehicular access from Standen Hall Drive following the demolition of No. 64 Standen Hall Drive at Land to the north of Higher Saxifield Street, Briercliffe, Burnley

Higher Saxifield Objection Group - Two reports have been submitted from this Objection Group in respect of Highway and Transport Impacts and Ecology Impacts. These reports are available to view in full on the web site through the application reference number and also with the Committee papers. A summary of each document with a response is provided below:-

Review of the Highway & Transport Impacts of the Proposed Development for the Standen Hall Drive Residents Group, prepared by Mr J C Carruthers Bsc., Msc., Ceng., MICE., MCIHT – Highway and Transport Consultant	
Issues raised in report	**Comments by LCC Highways/Environmental Health Officer and Case Officer**
The Transport Assessment (TA) does not consider the following additional junctions:- • Junction of Briercliffe Road/Casterton Avenue (roundabout) • Junction of Briercliffe Road (leading to Marsden Road)/Briercliffe Road • Junction of Briercliffe Road/Halifax Road Observations have been carried out at these junctions during the weekday peak periods and show that there is severe traffic congestion at these junctions resulting in long traffic queues with high levels of vehicle emissions.	LCC Highways affirm that they have previously agreed the scope of the TA. However, of the three additional junctions, LCC Highways has observed the operation of the first two of these (Briercliffe Road/Casterton Avenue and Marsden Road/Briercliffe Road) in the morning peak (8am-9am). LCC Highways state that "whilst there is a build-up of traffic on Briercliffe Road on the approach from Haggate, this is generally a slow moving queue and was rarely static. The extent of the queue was variable but only once was it observed to extend beyond Marsden Road. The remaining three arms appeared to be operating satisfactorily with only minor delays as vehicles negotiate the roundabout. On the basis of these observations I would be satisfied under normal conditions the operation of the roundabout would not give rise to concerns.
The addition of development traffic at these locations would exacerbate existing traffic congestion and the associated air	Consideration of the traffic generations from the proposed development would suggest that

pollution	an additional 26 vehicles would approach the roundabout from Briercliffe Road. This represents less than 2 vehicles/min which would not result in a severe impact on the junction as would be required by the National Planning Policy Framework (NPPF) to justify a highway objection to the proposal. Marsden Road junction was also observed to operate satisfactorily. Queues did develop on the side road as would be expected, but these dissipated quickly and were not the cause of any concern. The third junction (assumed to be the Haggate crossroads although incorrectly referred to having traffic signals) has not been observed as above but LCC affirm that their local knowledge suggests that it operates in a satisfactory manner.
The additional development traffic at these congested locations would increase the frequency and duration of traffic queues and air pollution in the vicinity of local schools such as St James' Lanehead Primary School, Burnley General Hospital and residential properties. Policy IC2 requires the TA to assess air quality and this has not been carried out. The potential adverse health impacts that would arise from additional traffic has not been considered or mitigated in the planning application.	Whilst no formal air quality assessment has been carried out, the Council's Environmental Health Officer has commented: "I have looked at information supplied by the developer and the subsequent transport report No. J345/Taby in relation to air quality and in respect of the report findings and the potential forecast increase in traffic flow arising from the development. Having taken into account background readings of Nitrogen dioxide NO2 as monitored by Burnley Borough Council at Saxfield Street and also background mapping of as published by The Department of Food and Rural Affairs Air quality mapping (2017), I am of the opinion that in all probability the development would have a minimal impact on air quality levels within the surrounding area. The applicant was requested to increase the number of electric car charging points within the development. The applicant increased the number to provide each detached property with an electric car charging point (71no.) which is in accordance with Policy IC3 and helps to encourage the use of electric cars in the future.
The traffic analysis for the above three junctions does not take account of the traffic increase that will occur as a result of other developments in the Briercliffe area, which means that the highway network will be more congested. The developments are:- Talbot Street Jubilee Street Maytree Close	The first of these (Talbot Street – APP/2018/0454) has not yet been determined. Jubilee Street (Royal Court, APP/2017/0601) and Maytree Close (13/2018/0793 – within the borough of Pendle) have planning permission and would generate 11 additional vehicle trips in the am peak which when assigned to the highway network would equate to five additional movements through the Briercliffe roundabout. This would not be considered

	significant and as such the omission of the traffic generation figures from this modelling is not a concern.
The TA uses average rates of traffic generation. Because the operation of the highway network is at, or close to, its design capacity, a sensitivity check should be carried out to assess if the highway network could accommodate the proposed development if the traffic rates are higher than average. The traffic distribution estimates should also be checked.	LCC Highways is of the view that none of the junctions show signs of stress that would indicate that they are close to capacity. There will be a level of congestion but this is not in a severe form.
The traffic models that have been used to predict how junctions will work with the extra development traffic have not been checked (calibrated) to show that they are reliable by modelling existing traffic conditions. The traffic surveys that have been carried out for the TA did not include queue lengths at the junctions so it is not possible to check that the traffic modelling is accurate.	LCC Highways note that whilst this has not been carried out, the information and data in the TA as a whole indicates that if it had have been that it would not have led to a different result.
The traffic capacity figures for the existing roads are considered to be significant over-estimates because they do not take account of existing on-street parking and single track operation of the roads at certain times.	LCC Highways have already commented on the issue of on-street parking which is reported in the agenda report. Whilst on-street parking does occur which may slow traffic down, it is not accepted that this would significantly affect the capacity of existing roads.
The traffic modelling in the TA is not considered to be reliable or robust for the forecast design year of 2024 when the proposed development will increase traffic on the highway network, resulting in higher levels of traffic delay and air pollution than has been predicted in the TA.	The TA is based on survey data, rather than solely observation. LCC Highways affirm in their comments that the methodology used within the TA to assess the impact of the development on the surrounding highway network is acceptable. LCC Highways affirm that they have no concerns in respect of capacity. A response on air pollution is given above.
Road humps and raised junction platforms are proposed from the junction of Standen Hall Drive and Hillingdon Road to the proposed access and will result in increased traffic related air pollution.	There are no traffic calming measures proposed.
The design of the site access would affect other residents and lack of consultation.	All surrounding occupiers have been consulted on the application and the layout of the proposed access is clearly shown on the submitted detailed plans. LCC Highways is satisfied with the proposed junction and construction details would be required by condition in the usual way.
The proposed development scheme	LCC Highways affirm that the routes between

cannot be considered to have convenient and inclusive accessibility for all sections of the community. It is located on a steeply sloping site with access via existing roads with long, steep gradients. These roads which are also used for pavement parking would obstruct wheelchairs and not provide a suitable access to bus stops and services; the distance to the nearest bus stops would also not be convenient.	the site and local services are considered to be safe. The issue of pavement parking is not one that this application can address and notably, is something that occurs across residential areas. The site is located within 250m of the nearest bus stop and 500m of the nearest shops.
The proposed residential development shows the existing public footpath from Standen Hall Drive being diverted. This will change the character and attractiveness of the public footpath.	The route would change only marginally. Given that the site is allocated for residential development, it is accepted that there will be some change on the site. This will be subject to a separate application.
An examination of road safety information for the local highway network within 800m of the site shows that there has been a relatively high number of recorded injury accidents during the most recent 5 year period 2014-2018 (21 recorded injuries including 4 serious).	LCC Highways has undertaken an analysis of the accidents within the prescribed 800m envelope and identified 10 injury accidents. LCC affirm that whilst all accident occurrences are regrettable, they are an unwelcome and inevitable consequence of the current transport requirements and infrastructure. In order to justify any mitigation measures or intervention, it would be necessary to identify a common causation pattern. This has not been possible given the scattered nature of the collisions that have occurred.
The Travel Plan significantly overestimates the potential for sustainable transport to replace private car trips.	The site is at an accessible location to benefit from public transport, being within 250m of bus stops.

A report titled **'Review and Ecological Appraisal'** has also been submitted on behalf of the Higher Saxifield Objection Group, prepared by GH Ecology. The document is attached to view and a summary of the main points will be provided in further late correspondence to follow.

Greater Manchester Ecology Unit (GMEU) has made the following comments on this report:-

• The report relies on existing desk top information and no new surveys have been undertaken to inform the report

• Concern is raised about the effects of increased run-off and sediment from the site damaging aquatic habitats downstream of the site. The River Don / Brun Valley Biological Heritage Site (BHS) lies approx. 1km south of the site and there is potential direct hydrological connectivity between the site and the BHS. I am not a hydrologist but I would note that the runoff rate from the site is required to be equivalent to existing

greenfield run-off rates and that drainage attenuation features have been built into the design of the site to mitigate potential flood risks downstream. The Flood Risk Assessment Report accompanying the application concludes that ‘the risk of flooding from the development drainage is low’. The greatest risk of siltation would arise during any ground clearance and construction works on the site; this risk can be effectively mitigated by the preparation and implementation of a Construction Environment Management Plan (CEMP) for the development which should contain details of measures to be taken to avoid any possible pollution of watercourses. Preparation and implementation of a CEMP could be required by means of a Condition placed on any permission granted to the scheme.

- The ecology surveys submitted to inform the application are criticised as being inadequate. I disagree with this and would consider that the surveys do provide sufficient information to determine the application, particularly when it is considered that the site has been previously surveyed and assessed.

- The potential of the site to act as part of a functioning ecological network is raised. Currently ecological network proposals for Lancashire are rather undeveloped. I would comment that the site is not itself designated for is ecological value, is not within 1km of any designated sites and is surrounded on three sides by built development. It does not appear to me to have potential as a critical component of any future strategic ecological network. In addition, linear habitats (corridors) have been maintained and new landscaping has been incorporated into the design of the site to maintain local ecological connectivity. The site was screened during the Habitats Regulations Assessment of the Burnley Local Plan for potential impacts on the South Pennine Moors European site and was ‘screened out’; that is, it was considered that the development of the site would not have any harmful effects on the Moors.

- The selection of the site [for residential development] is questioned. But the site has been allocated as suitable to support this land use following a thorough assessment process and recent Examination in Public. Nature conservation constraints were taken into account during the allocation process and were not considered to be so substantive as to prevent the allocation of the site.

- Integral measures have been taken in the scheme design to protect and/or recreate nature conservation interests, including

- Comprehensive landscape plans, with new tree and shrub planting, creation of species-rich grassland, enhancement of the water course, retention of hedgerows and plans for long-term positive management of greenspace

- It is proposed that a better land use for the site [than residential use] would be to manage it in the interests of enhancing biodiversity and public recreation. But there do not appear to be any detailed or credible proposals as to how this could be made to happen. I am not aware of any detailed alternative land use proposals for the site.

GMEU has also made the following comments in respect of the further objection (as reported in the agenda report) from the Burnley Nature Conservation Forum:-

1. ‘Hedgehog Highways’, in spite of the name are not just meant for use by hedgehogs. They are a useful way of providing at least some level of inter-connectedness across otherwise built-up areas

2. Swift colonies are found in very built-up areas, and do use artificial nesting boxes on new build properties. The species flies long distances from nesting sites to feeding sites and nest sites as a consequence can be found in ‘deep urban’ situations. This site is well placed to provide access to feeding sites to the north and to the south along the Don Valley. Swifts are being successfully attracted to urban areas where they are currently absent by the installation of artificial nesting opportunities (www.swift-conservation.org).

3. I agree that the areas of wildflower planting will cover much less of an area that the area of grassland to be lost. But these areas will have the advantage of being managed sustainably in the long-term (unlike the current site which is unmanaged) and plant communities will be able to be manipulated to increase the number and diversity of forbs present which will contribute to habitat quality if not to habitat quantity. The landscaping plans also include proposals for new tree and shrub planting which, while not directly compensating for lost grassland, will nevertheless have wildlife value.

Additional Conditions
The following further conditions are recommended:-

1. The drystone wall on the northern boundary of the site shall be retained and where necessary, shall be repaired at its current height and appearance prior to the completion of the development.

   Reason: To ensure the retention of an historic boundary feature that provides an appropriate edge between the development and the adjoining fields, in accordance with Policies HE3 and SP5 of Burnley’s Local Plan (July 2018).

2. The development shall not be carried out otherwise than in accordance with the measures for water and energy efficiency and renewable energy provision contained within the Sustainability Report (document reference AJ14 – Rev A), dated October 2019 and shall be completed in their entirety prior to the completion of the development.

   Reason: To ensure the development delivers the expected water and energy efficiencies and renewable energy measures and targets to ensure a high standard of sustainability in accordance with Policy SP5 of Burnley’s Local Plan (July 2018).
