

From:

Sent: 05 January 2023 18:07

To: Richard Riggs

Subject: 2022/92194 Thomas St, Lindley

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Good afternoon, Richard

I am writing in response to the emails of your colleague, Mr Berry, the latest being from 19th December 2022.

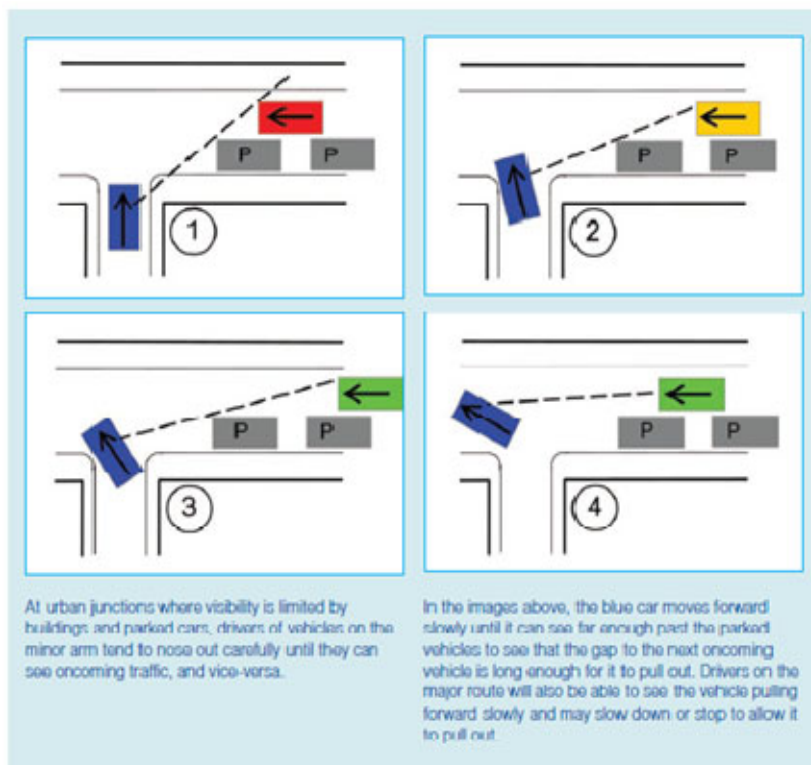
The highway issues raised by your colleague are understood to be twofold:

1. Visibility on exiting the proposed care home car park onto Brian Street will potentially be reduced due to on-street parking close to the site entrance because parking is in high demand in the area.
2. Servicing on Thomas Street may impact the passage of free-flowing traffic.

The potential solutions for these two issues, a TRO and revised servicing arrangements, are not viable nor necessary, and our client is not amenable to agreeing to amending their scheme or accepting a planning condition requiring a TRO to be put in place.

On-street parking is prevalent on the streets surrounding the site, including Brian Street, Thomas Street and Thorncliffe Street, and this positively reduces traffic speeds in the area. There are accesses (e.g. Adam Court) and private drives on this road network that are currently in use which also reduces existing access visibility due to on-street parking. Nevertheless, the road traffic accident assessment in section 3.4 of the Transport Assessment identified that there had not been any injury road traffic incidents on Brian Street, Thomas Street or Thorncliffe Street within the vicinity of the site within the 5-year search period. Therefore, any access visibility issues are not causing accident problems. Manual for Streets 2 identifies in paragraph 10.7.1 that:

Parking in visibility splays in built-up areas is quite common, yet it does not appear to create significant problems in practice. Ideally, defined parking bays should be provided outside the visibility splay. However, in some circumstances, where speeds are low, some encroachment may be acceptable. (See example below.)



The proposed access formally served a 15/16 space car park on the site for the former care home. Previous access conditions, including on-street parking, are similar to those proposed and with no injury road traffic incidents at this access within the last 23 years (which includes 12 years that the site was operational). It must also be remembered that the applicant is proposing to improve this access by widening it.

On servicing, the former use of the site was as a care home. The bin store was located off Thomas Street in a similar position to that proposed, with presumably a kerbside collection. Historic Street View images show vehicles parked in the layby adjacent to the site when the site was operational (2009 and 2010). Therefore, historic refuse collection for the site from Thomas Street would have been commonplace (whether using the layby or not).

The refuse collection and servicing arrangements on Thomas Street are the same as those for all the existing properties accessed from Thomas Street. The process of servicing is transient. It does not have a lasting impact on traffic conditions, particularly as the refuse stores will not block the footway – unlike residential bins left on the kerb side – and the care home would be expected to generate no more than one service delivery every two days. In any event, refuse vehicles already service residential properties from the street. A swept path analysis for a refuse collection vehicle is provided within the Transport Assessment to demonstrate how this would operate safely.

The Transport Assessment prepared by Sanderson Associates demonstrates that the development will not have an unacceptable impact on highway safety and that residual cumulative impacts of the development are not severe in

transport terms. The proposal, therefore, complies with the NPPF; notably, para 111, which states, "Development should only be prevented or refused on highway grounds if there would be an unacceptable impact on highway safety, or the residual cumulative impacts on the road network would be severe".

The application proposals would see an existing access point on Brian Street closed off and a further current access point on Thomas Street closed off. This, as well as widening the site access to be used. These will provide significant highway benefits. There are, therefore, only benefits from the proposed arrangement.

There are also numerous significant benefits to granting planning permission. These are not limited to but include the redevelopment of a vacant brownfield site in a sustainable location; providing a care home facility that meets an acute local need; freeing up traditional housing stock in the area; and delivering significant social, environmental, and economic benefits. There can be no doubt that the proposal is sustainable development.

The current proposals are the best possible solution and pragmatic given the nature of the locality and the previous use of the site, and the benefits of developing the site for the application proposal far exceed any concerns. Our client will not be amenable to funding a TRO as it is not necessary or proportionate to the development under consideration. Moreover, there can be no guarantee that a TRO will be granted as it will be subject to legal procedures, including public consultation.

Our client will not be revising our proposals as the evidence is overwhelming in favour of the view that the proposals do not have an unacceptable impact on highway safety and that residual cumulative effects of the development are not severe in transport terms.

Can you please proceed to finalise your delegated report and please provide a list of planning conditions asap so, we can issue no undue delays in issuing the decision notice.

Many Thanks,