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Our ref: 486-01/IJM-MRJ

Your ref:

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Dear Mared

Application Reference P/2020/0623 – Erection of Aldi Foodstore - Gresford Road, Llay

I refer to your email correspondence dated Monday 16th November providing a copy of the Wrexham Council response as Local Highway Authority in their memorandum dated 3rd November 2020.

This response is set out based on the above context. The memorandum dated 3rd November 2020 from Wrexham Council provides an overall summary of the history associated with application P/2019/0525 which has now been passed to the Planning Inspectorate to determine. Therefore, no comments on this matter are made in this letter and reference should be made to the appeal statements and associated correspondence.

As such this correspondence picks up each of the headings set out in the Wrexham Council memorandum dated 3rd November as follows:

Highway Layout

It has been agreed and indeed it is considered normal practice not to undertake detailed design of off-site highway works as part of a planning application. The applicant therefore would expect a condition which requires detailed design to be completed alongside stage 2,3 and 4 road safety audits at the appropriate time. However, the recommended conditions set out at the end of the Wrexham Council memorandum dated 3rd November are excessive and comments on these are set out below.

On the matter of the Stage 1 Road Safety Audit; it is agreed that the function of a road safety audit is not to check the design proposal against standards and that they are subjective. However, Wrexham Council in this response do not provide any evidence as to what they consider to be unsafe in the design proposals in light of the independent road safety audit findings.

With regard to the safety auditor's competency, it is recommended that Wrexham Council again review the CV's provided for the auditors, as it clearly states the following within the lead auditors CV:

'DfT GG119 accredited Safety Audit Team Leader'

and

'Road Safety Audit Team Leader accreditation to GG119 after completion of formal 10 days safety audit training course and experience.'

Given that the lead auditor is accredited as a GG119 auditor; it is considered that the audit has been undertaken by a competent auditor and the findings are valid for the determination of this application.

Trip Generation and Tri Distribution

Wrexham Council as LHA and Cameron Rose Associates on behalf of the applicant agree on all matters. Therefore, no further comments required.

Junction Capacity Assessments

It has been agreed that the mitigation works to the Crown Crossroads summarised below are an absolute requirement of the consent and should be implemented prior to occupation of the Aldi development site:

- Extend the flare length on Straight Mile from 7.0pcu to 10.4pcu (i.e. from around 40m to 60m); and
- Amend the order that the stages are called within each cycle to minimise lost intergreen time, saving 6s per cycle (when Chapel Lane is not called).

Cameron Rose Associates on behalf of the applicant can confirm that these mitigation measures are included within the submitted Transport Assessment for planning application P/2020/0623. It is unclear why Wrexham Council would suggest they are not.

As with the road safety auditor's CV's we would welcome Wrexham Council as Local Highway Authority to again review the Transport Assessment with particular regard to the following:

- drawing 388-01/GA-11 in Appendix B, which clearly illustrates and annotates '*Extended left turn lane*' (please 388-01/GA-11 has been updated as drawing 388-01/GA-11 Rev B which accounts for the road safety audit findings but still includes the extended left turn lane and includes some new traffic engineering features requested from the Councils memorandum dated 3rd November);
- Paragraph 6.3.11 which states that the lane will be extended, and the stage arrangements will be amended; and
- Appendix K which provides the traffic signal stage arrangement details and associated timings.

Lane Extension to Straight Mile

Again, Wrexham Council's memorandum dated 3rd November state that the left turn lane extension is not included in drawing 388-01/GA-11 Rev A; however, it quite clearly is and is annotated as such.

Similarly, the drawing also illustrates the agreed positions of all the informal crossing points, both on the drawing and as an annotation.

Regarding the footway along Straight Mile, this is a new matter which has never been raised previously by Wrexham Council. The footway shown on the submitted drawings follows the same alignment as the footway approved as part of the s.278 works to be undertaken by Anwyl Homes to deliver the Home Farm development. Should the alignment of this footway for this application be required then the same should apply as part of the s.278 highway works for Anwyl Homes.

Notwithstanding this, we refer to the Local Planning Authorities email dated 19th November which states:

'In terms of the re-configuration of the internal footpath, this will have a knock on effect on the internal layout of the scheme. Whilst this section of highway would be 40mph, it is unlikely vehicles will be travelling that speed given the short distance to the junction and traffic lights. In any event, if pedestrians travelling from the housing scheme feel uncomfortable walking along the section of footway

running adjacent to the highway, they can opt to walk through the site. No actual highway safety impacts have been raised here, therefore the amendment of the internal footway, in my opinion, would not be required'

It is therefore the applicant's position that the footway location which has been deemed acceptable for the Anwyl works around the Crown Crossroads is also acceptable for the Aldi Store development proposals.

Access off Straight Mile

The proposed left turn access off Straight Mile is not '*non-standard geometry*'.

As noted on numerous occasions associated with application P/2019/0525 the left turn access from Straight Mile has been designed with consideration given to CD123 of Design Manual for Roads and Bridges. In addition, consideration has also been given to Manual for Streets and Manual for Streets 2 in the design of the access arrangement.

The design parameters associated with the approved and constructed access into the residential development approximately 180m from the proposed left in into the application site has also been reviewed and considered. The proposed left in only access from Straight Mile has been located at a point on the network which is 180m from the new ghost island right turn lane installed to provide access into the residential development of Home Farm. This access is based on a 5.4m running lane and a 12m entry radius.

Visibility of the left in only access from the exit of the movements from the residential development is achievable and allows for clear and early signalling and manoeuvring of vehicles. As part of Mott McDonalds original agreement to the left in, they requested an advanced direction sign to be installed advising drivers of the left in only junction to the application site. This has been incorporated into the design proposals as set out in drawing 486-01/GA-11 Rev A. This new request for an Advance Direction Sign (ADS) set out in the 3rd November memorandum is not accepted and is yet another new comment on an application that the LHA appear to keep raising new points on.

The left in access has been designed with a 5.4m access running lane width to reflect that approved and constructed for the residential development. However, the kerb line entry radius has been reduced to 6m as the left in is designed for light vehicles only and unlike the residential access road does not need to accommodate large service and delivery vehicles. Additionally, this left in geometry arrangement also discourages the right turn in as the kerb line is extended across the left in radius. This has been designed in a manner which allows sufficient turn width in the access road, so that left turners may enter at a steady approach speed without having to come to a slow approach speed of less than 5mph to make the turn.

It is considered that this arrangement provides a balance between restricting the right turn entry whilst also allowing the left turn entry in a manner which minimises the potential risk of rear shunts. The request for a right turn ban on the approach to this access point is also not accepted. There is no regulatory ability to apply turning movement bans by way of a Traffic Regulation Order to private access points. Accordingly, this simply cannot be legally delivered.

As noted, the visibility from the newly constructed ghost island right turn lane is approximately 180m; approaching vehicles travelling at the speed limit of 40mph would need 63m stopping sight distance to the rear of a left turning vehicle. Therefore, the available forward visibility of 180m is clearly in excess of this and thus drivers will be aware of manoeuvring vehicles in sufficient time to slow their approach speeds and react accordingly. Should the approaching vehicle behind a left turner be a HGV at 40mph; then the required stopping sight distance would be 70m. Again, the available forward visibility of 180m affords the required stopping sight distance for HGV drivers to respond and avoid rear shunt accidents. These stopping sight distances have been derived in accordance with Manual for Streets 2.

Based on the above design parameters it is the applicant's position that the left in access from Straight Mile accords with design standards and provides a safe and efficient access point to the appeal site. At the request of Wrexham Council drawing 388-01/GA-11 Rev B has been updated to include the no entry signs and a 'No Exit' Road marking within the store car park.

The 3rd November memorandum request for a car parking aisle to be made into a dead end rather than a give way is not accepted. Dead end parking results in increased manoeuvres for vehicles and inefficient car park layouts. As the entry speeds from Straight Mile would be deemed to be low based on the design geometry used; the applicant considers that their car park will operate safely and efficiently as set out in drawing 388-01/GA-11 Rev B.

Street Lighting

Street lighting assessment is a requirement of detailed design and therefore relates to the s.278 agreement technical approval process and should not be a matter for the planning application submission to determine.

Gresford Road – Northeastern Extents

The area shown in Figure 3 of Wrexham Council's memorandum dated 3rd November clearly shows the existing hedgerow in grey being translocated to a new position shown as the hedgerow in dark green. This translocation affords the required junction visibility from the proposed site access.

This land where the existing hedgerow is will then be laid to highway verge, presumably grass or pedestrian deterrent paving as agreed as part of the technical approval process associated with the s.278 agreement.

The proposed tactile paving to the east of the access is clear and is identified by supporting annotation. This will be further developed in the detailed design to accompany the delivery of the development.

The materials to construct and the pavement composition for the footway will be subject to detailed design as part of the s.278 agreement and associated technical approval process. Material and pavement composition are not a matter for the planning application to determine.

Proposed Bus Stop Locaiton

Wrexham Council as LHA and Cameron Rose Associates on behalf of the applicant agree on all matters. Therefore, no further comments required.

Service Yard and Delivery Arrangements

Initially the applicant had previously considered a delivery restriction to the hours of 06.00 - 10.00 and 19.00 - 23.00. However, on balance the LPA concluded the following position in their email dated 19th November:

'I don't see why delivery hours should be restricted to outside store opening hours, if the swept path of HGV movements has been accepted, given the swept paths show there would be no conflict with other vehicles'

The request for 'Keep Clear' markings on the egress lane from the Aldi store is another new item not previously raised. However, this has been accepted and is shown on drawing 388-01/GA-11 Rev B enclosed.

Zebra Crossing

Wrexham Council as LHA and Cameron Rose Associates on behalf of the applicant agree on all matters. Therefore, no further comments required.

Active Travel

Wrexham Councils attention is drawn to Section 3.6 and Appendix E of the Transport Assessment which considers the Active Travel matters. The findings of Appendix E clearly show that there are no works required to these routes and there are no areas where vegetation prevents the passage of pedestrians along these routes.

Notwithstanding the above, reference is made to the LPA's email dated 19th November which states:

'Previously accepted that no contribution would be required'

As such the request for a contribution to Active Travel is not accepted by the applicant and therein does not consider this to be compliant with regulations set out for the accrual of contributions.

Conditions

Wrexham Council as Local Highway Authority set out in their memorandum dated 3rd November a series of recommended conditions. These are presented below in italics with commentary on each condition prepared by Cameron Rose Associates on behalf of the applicant beneath.

No part of the development shall commence until a detailed highway scheme for the construction of the following has been submitted to and approved in writing by the Local Planning Authority:

1) Detailed layout, design, drainage, lighting and construction of all highway works associated with the Straight Mile including left-turn only access and associated signing and the extension to left turn lane at Crossroads junction

2) Cross Roads Junction Assessment Mitigation measures to be revised to include:

- Extend the flare length on Straight Mile from 7.0 pcu to 10.4 pcu (i.e. From around 40m to 60m); and*
- Amend the order that the stages are called within each cycle to minimise lost intergreen time, saving 6s per cycle (when Chapel Lane is not called)*

3) Detailed layout, design, drainage, lighting and construction of zebra crossing on Gresford Road

4) Details of a new bus stop, hard standing on Gresford Road including raised bus stop kerbs, yellow bus stop box marking and on street signs (note Welsh over English)

5) Pavement details on the northeastern extents of Gresford Road to be approved

6) Detailed layout, design, drainage, lighting and construction of the main access and 2m footway with dropped crossing points along Gresford Road, east of proposed Aldi access

7) Detailed layout, design and construction of dropped crossing points at Llay Road and the Straight Mile

8) Details of proposed Keep Clear road markings (note Welsh over English) along the B5373 Gresford Road and the B5102 Llay Road

9) Details of the proposed Advanced direction signs (Including details of all sign and sign locations and post foundations on the public highway)

In respect of the above condition, the matters set out in 1 to 8 are accepted the inclusion of the Advanced direction sign in item 9 is rejected as noted above. We would therefore request that this is removed from the condition wording as it is not required.

On the overall context of the condition, there is no delivery function included to carry out the works. It is therefore recommended that the condition starts with the following statement:

'Prior to occupation of the development site a detailed highway scheme will be designed and submitted for approval in writing by the Local Planning Authority and implemented in accordance with the approved details':

On the matter of the safety audit conditions, the memorandum sets out the following:

10) No part of the development shall commence until a Stage 2 – Independent Safety Audit has been submitted for the proposed scheme and approved in writing by the Local Planning Authority. It will be the responsibility of the applicant to address any safety concerns and implement the required mitigation prior to construction.

11) A Stage 3 Independent Safety Audit shall be submitted for approval post construction. It will be the responsibility of the applicant to address any safety concerns, and implement the required mitigation, that may arise from the Stage 3 RSA.

12) CV's of the Road Safety Team undertaking the stage 2 and stage 3 Audits and the Audit brief must be provided and approval by the Highway Authority in advance of the Safety Audits being completed.

13) It is the responsibility of the applicant / agent to provide a Designer's response to all road safety audits undertaken and to submit these to Wrexham Council Highways for approval.

It is wholly rejected that the process of a Stage 2 and 3 road safety audit requires 4 individual conditions. It is recommended that these are combined into one simple condition which states:

'Stage 2 and stage 3 road safety audits will be undertaken by an independent and accredited auditor as approved by Wrexham Council; the findings of the audits will be acted on by the applicant. Stage 2 and all associated matters must be completed prior to the grant of technical approval and the engrossment of the s.278 agreement and the Stage 3 audit must be completed at the earliest time possible after the works have been completed on site'.

The list of conditions set out in 'Other' are considered below:

14) Condition in relation S278 in place for all works on highway

Condition 14 should be an informative based on the conditions set out and amended above.

15) Condition in relation to S38 in place for internal layout works to be adopted

Condition 15 should be an informative based on the conditions set out and amended above.

16) Condition in place for delivery times (outside of store opening times)

20th November 2020
Mared Rees-Jones

Not accepted – please refer to the item set out in the above letter entitled ‘*Service Yard and Delivery Arrangements*’.

17) Continued maintenance of vegetation on Gresford Road to ensure visibility for pedestrians is maintained

18) Intervisibility of pedestrians and vehicles to be maintained at the Straight Mile site access

19) Visibility of the internal footway link from Gresford Road to be maintained

Recommended conditions 17 to 19 are all related to hedgerow maintenance to ensure visibility splays are maintained in perpetuity. Hedgerow maintenance is a requirement of Wrexham Council as Local Highway Authority to maintain visibility requirements throughout the public highway network. If they wish to transfer the responsibility of this to a third party, then a licence to do so must be issued to Aldi Stores. A similar licence has been granted to Aldi to maintain the large roundabout outside of the Ruabon Store and is therefore an acceptable way to proceed. However, again with the above; the 3 conditions can be reduced to a single condition which states:

‘Aldi Stores Ltd and any successors in title must enter into an annual licence agreement to maintain site boundary hedgerows in a manner which affords the visibility and intervisibility for all pedestrian and vehicular movements associated with the normal operation of the approved site’.

Based on the latest set of highway comments received on the 11th November 2020; we do not consider there to be any further reasons to withhold a positive consent for planning application P/2020/0623.

Yours Sincerely



Iain Miller
Director

Enc. Drawing 486-01/GA-11 Rev B