

# MEMORANDUM

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**From:** Chief Officer, Environment & Technical                      **To:** Chief Officer Planning & Regulatory  
**Our Ref:** ET/DC/P/2018/1063                                              **Your Ref:** SW/P/2018/1063  
**Date:** 9<sup>th</sup> January 2020

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## **Town and Country Planning Act 1990**

### **Section 78 Appeal – Land West of Bryn Isa, Vicarage Lane, Gresford, Wrexham.**

I refer to your consultation / email dated 03/01/2020 in respect of the above and provide the following Highway Statement as follows:-

#### **Highways Statement**

The proposed development site is located on a classified road subject to a 30mph speed limit. Although the village centre is only a relatively short distance from the development site, there are no existing footways between the site and the junction with Chester Road. There is no scope to construct a new continuous / uninterrupted footway alongside the existing carriageway leading to the village centre given the limited available carriageway width between the existing properties along this section. Pedestrians (including children) would have to walk approximately 130m along Vicarage Lane without the benefit of any continuous / uninterrupted footway provision to reach existing footway provision at the junction with Chester Road

Although the additional footway provision along Vicarage Lane when considered in isolation would offer some minor improvement in respect of pedestrian safety, it is considered that the scheme will introduce new issues with the introduction of a priority working system and reduced carriageway width. The proposed scheme is not supported by WCBC Traffic Section or Road Safety Section for reasons highlighted previously and within this report and are considered totally unacceptable by local residents.

The development does not in our opinion meet Welsh Government Guidelines (TAN 18) which requires safe walking and cycling routes to local facilities and bus stops.

Given the nature of the vehicles that use this section of Vicarage Lane ie/ milk tankers, large tractors / trailers it is still remains a significant concern that pedestrians would have to walk to and from the village without an uninterrupted and continuous footway link. A significant percentage of the existing vehicle movements along Vicarage Lane can be attributed to HGVs throughout the week and on weekends as indicated by the previously submitted Transport Statement.

A 7 day traffic survey was carried out between 01/07/2017 and 07/07/2017. This survey indicated two way weekday traffic flows in the region of 956 vehicles. In terms of HGVs, on an average day, 58 HGV s travel along Vicarage Lane which is significant given the lack of footway provision leading to the village from the proposed development site.

Some of the existing properties along this section of Vicarage Lane do not have adequate off-street parking provision which results in vehicles being parked along the highway. Parked vehicles typically affect vehicle flows along this section and can result in pedestrians walking along the road having to walk around these vehicles which is considered to be dangerous. Although the submitted layout plan indicates the provision of additional off-street parking provision for visitors / residents along Vicarage Lane within the curtilage of the proposed site, visitors / residents quite commonly prefer to park directly outside their properties for security / convenience reasons so their vehicles are visible from their properties. There is no certainty that residents offered these on-site spaces would use them as opposed to parking directly outside their properties.

I have visited the site on a number of occasions and witnessed a significant number of vehicles parked along this section of Vicarage lane on both sides of the road. I have witnessed both milk tankers and tractor / trailers trying to negotiate between these parked vehicles on a number of occasions.

The proposed traffic management proposal / priority system including provision of 1.2 – 1.6m wide footway is considered likely to result in additional issues along this section of Vicarage Lane. The proposed scheme is indicated on amended plan (Drg. No. 2479-01-SK02 Rev B). My observations are as follows:-

- Vehicles travelling north west along Vicarage Lane may not see vehicles turning left off Chester Road or right off Old Wrexham Road into Vicarage Lane due to limited visibility and continue travelling through the restricted section of carriageway. This would result in vehicles having to sit and wait for the oncoming traffic to clear travelling on the opposite side of the carriageway. During this time, any traffic arriving behind these waiting vehicles has the potential to back up onto Chester Road and across the existing junction which is unacceptable. This has the potential to increase the likelihood of danger to road users and pedestrians.

During a site visit on 08/01/2019, a large articulated milk tanker approached from the north off Chester Road turning left into Vicarage Lane. This vehicle was confronted by a car travelling north west towards the junction along Vicarage Lane and met alongside The Plough Inn. The car struggled to squeeze past the HGV almost coming to a stop. In the meantime, the HGV stopped right across the yellow box markings (which is an offence under the Highway Code) with a significant portion of the vehicle extending onto the busy Chester Road. This occurred even without the proposed footway being in place.

- Any cars visiting the properties along the restricted section of Vicarage Lane may park along this section and restrict the available carriageway width and availability of the proposed passing place.
- The submitted layout plan indicates a passing bay between the two sections of footway of 13.5m in length. The plan indicates details of a milk tanker of 15.3m in length and 2.5m wide. Vehicles of this size could not obviously fit within the passing place. The applicant has not provided any swept path details of such a vehicle accessing this passing bay but simply indicates access by a car. Even if the passing bay was increased in length, it is likely to require a length of at least 20m which would remove a significant portion of the proposed footway in this location. Milk tankers, refuse vehicles and tractor / trailers which frequent Vicarage Lane would struggle to access any passing bay in this area having their swept paths hindered by existing boundary walls along this section. This would result in vehicles jutting out significantly beyond the proposed footway kerb line leaving insufficient space for any other HGV to pass. This could well occur whilst pedestrians are trying to walk along this section of Vicarage Lane.

Any proposed signage for the proposed priority system will require Welsh over English detail.

Any such signs at either end of the scheme could well prove difficult to locate within the proposed footways given their restricted width and existing boundary walls. Any proposed signage requires a minimum 450mm clearance from the kerb edge to meet current standards. The positioning of any sign posts may well impede pedestrian movements along this section.

- The carriageway widths indicated on the submitted layout plan along this section of Vicarage Lane appear to have been measured boundary wall to boundary wall which is not considered to be realistic in terms of the useable carriageway space. It would seem more realistic to measure from the back edge of the double yellow lines on both sides of the road. For example – on the section running alongside the public house towards the passing bay, the actual useable width is 6m without the 1.5m footway (not 6.8m as shown). Further along towards the passing bay, the useable width is 4.5m (not 5.8m as shown).
- When cars turn left out of Old Wrexham Road onto Vicarage Lane and lights are on red, there is only sufficient space (6m) for a single car to sit clear of the stop line / box-markings. Any vehicle travelling north west along Vicarage Lane may have travelled past the build out / passing bay and have nowhere to sit as it approaches the junction without either blocking the carriageway or sitting illegally on the yellow box markings which is unacceptable. This situation is compounded in the event of larger HGVs turning into Vicarage Lane off Chester Road at the same time.
- The location of the footway on the corner of the Vicarage Lane / Old Wrexham Road is likely to make the turning maneuver of larger vehicles left into Old Wrexham Road more difficult and vehicles are likely to encroach further over the centreline of the road. This has the potential to increase vehicle conflict at this junction if vehicles are approaching the junction along Old Wrexham Road or entering Vicarage Lane off Chester Road at the same time.
- Anyone approaching / entering the access running alongside no. 2 Brynhyfryd Villa from the north west could well find their access is blocked by vehicles waiting at the priority system. This could comprise more than 1 vehicle and result in these vehicles preventing entry to the property and cause a blockage by the turning vehicle itself within the priority system which would be unacceptable.

## Traffic Generation

TRICS data was submitted in respect of the proposed development as follows:-

| TRICS Residential | Ave TRICS Trip Rates |        |       | Proposed Development Trips |        |       |
|-------------------|----------------------|--------|-------|----------------------------|--------|-------|
|                   | Arrive               | Depart | Total | Arrive                     | Depart | Total |
| AM (08:00-09:00)  | 0.161                | 0.347  | 0.598 | 7                          | 19     | 26    |
| PM (17:00-18:00)  | 0.351                | 0.194  | 0.545 | 15                         | 9      | 24    |
| Daily             | 2.923                | 2.861  | 5.784 | 129                        | 126    | 254   |

The applicant previously submitted TRICS information suggesting that the development would generate between 24 - 26 two-way trips in either peak period or 254 two-way trips across a typical weekday. The submitted TRICS data indicates 5.8 movements per dwelling for the proposed development site which is considered to be low for a development of this nature.

However, we have recently carried out a traffic survey on a site similar to this site at Kensington Grove, Acton, Wrexham. The results were as follows:-

| TRICS Residential | Ave TRICS Trip Rates |        |       | Proposed Development Trips |        |       |
|-------------------|----------------------|--------|-------|----------------------------|--------|-------|
|                   | Arrive               | Depart | Total | Arrive                     | Depart | Total |
| AM (08:00-09:00)  | 0.124                | 0.476  | 0.600 | 5                          | 21     | 26    |
| PM (17:00-18:00)  | 0.482                | 0.259  | 0.741 | 21                         | 11     | 32    |
| Daily             | 3.782                | 3.835  | 7.618 | 166                        | 169    | 335   |

This survey indicated typical weekday two-way flows of 7.6 movements per dwelling. In comparison, this would equate to around 335 total two-way weekday movements for the proposed site at Vicarage Lane.

Using these trip rates, the proposed development has the potential to generate in excess of 300 additional vehicle movements per day along this section of Vicarage Lane which is considered to be a significant increase compared with existing two way weekday traffic flows along this lane ie/ 956.

Since the application was refused at planning committee on 29/07/2019, another site, approximately 25m away was also refused by WCBC Planning Department. This application (ref: P/2019/0336) went to Welsh Government Appeal and was dismissed for reasons that were virtually identical to those reasons given for refusal in respect of the Vicarage Lane site (see below):-

## Appeal Decision

Appeal Ref: APP/H6955/A/19/3234271 (see attached decision)

Land South of the Paddock, Old Wrexham Road, Gresford.

Inspector: Richard E Jenkins

Decision: The appeal is dismissed.

In comparison to the Vicarage Lane site, the above application was recently refused by Wrexham Council, appealed and dismissed for almost identical reasons.

The development proposed was an outline planning application for proposed residential development to form 8 no. mews style properties in two blocks of 4 units with central access point and associated parking to the rear.

The proposed development site is located on Old Wrexham Road which is a classified road subject to a 30mph speed limit.

The site proposed to provide a 2m wide footway along the site frontage. However, there was still a distance of 115m from the boundary of this site leading towards Gresford Village which had no footway provision.

This section of Old Wrexham Road has very similar characteristics to Vicarage Lane with a number of the existing properties having no off road parking provision or limited provision resulting in parked vehicles within the carriageway. Old Wrexham Road leads to the same junction with Chester Road to the north as Vicarage Lane.

WCBC Planning Department refused the application providing 4 reasons for refusal (see attached decision notice). The 3<sup>rd</sup> reason for refusal was:-

*“Safe and satisfactory vehicular and pedestrian access has not been demonstrated and the increase in vehicular and pedestrian movement which would be generated by the residential development of this unsustainably located site would have a detrimental impact upon highway safety. The locality does not benefit from safe routes for residents to walk to local facilities and public transport stops etc. and the site is not integrated with the transport network to help reduce the need to travel or encourage the use of alternatives to car. To allow development would be contrary to Wrexham Unitary Development Plan Policies PS4, GDP1(d) and (e), T8 and T9”.*

The inspectors comments included within the appeal decision (see attached) relating to pedestrian / highway safety are as follows:-

### **Pedestrian and Highway Safety**

*13. The Council objects to the proposed development on the basis that safe and satisfactory vehicular access has not been demonstrated and that the development would therefore have a detrimental impact upon pedestrian and highway safety within the area. Nevertheless, having regard to the indicative Site Plan and the submitted speed survey, and bearing in mind the fact that access is a matter that is reserved for subsequent determination, I am satisfied that the appellant has demonstrated that access arrangements with satisfactory visibility distances could be provided without causing material harm to pedestrian or highway safety in the area. Achieving satisfactory visibility would however be reliant on significant works to the existing hedgerow that fronts the site. Such matters are considered elsewhere in this Decision.*

*14. Nevertheless, whilst the submitted Site Plan indicates that a pedestrian footway could be provided along the site frontage, it was clear at the time of my site inspection that, despite being located within relative close proximity to the centre of the village, there is not a convenient and uninterrupted pedestrian footway between the appeal site and Chester Road. Indeed, as set out above, a significant proportion of this section of Old Wrexham Road is not served by a pedestrian footway. It is also material to note that a number of the existing dwellings located along this route do not benefit from off-street parking, meaning that parked vehicles materially reduce the width of the carriageway and constitute an obstruction to pedestrians.*

*15. It is clear that Policy T9 of the adopted UDP states that development proposals will be required to provide, amongst other things, walking routes where feasible and appropriate. In this respect, I note the difficulties of retrofitting such a provision in this instance. Nevertheless, the appeal site would inevitably intensify the use of Old Wrexham Road by both vehicles and pedestrians and would therefore exacerbate the foregoing problems, to the detriment of pedestrian safety. It is on this basis that I find that the development would conflict with the general thrust of Policies PS4, GDP1(d)(e) of the adopted UDP and the principles of PPW and Technical Advice Note 18: Transport (TAN18). I note the LPA's objection on the grounds of Policy T8. However, as I have not seen any valid objection to the proposal on the grounds of parking provision, I do not find any policy conflict in this respect.*

## **Vicarage Lane Video Survey Footage**

The short video submitted by the applicant includes examples of how, on occasion vehicles choose not to pass simultaneously at the north western end of Vicarage Lane in order to maintain clearance between their vehicles and the boundary walls either side of the carriageway. Often vehicles choose to wait on the yellow box markings obstructing the junction with Old Wrexham Road and Chester Road. This situation is exacerbated when pedestrians walk along this section of Vicarage Lane from the village. Pedestrians typically appear to walk along the northerly side of Vicarage Lane which I assume is based on the fact that the majority of the existing properties up to Trewythen Hall are located on this side of the road. There is no guarantee that should a short section of footway be constructed on the southern side of the road towards Brynhyfryd Villas that pedestrians would actually use it particularly as it is only relatively short in length and not continuous.

The proposed development will result in a significant increase in vehicle and pedestrian movements along Vicarage Lane compared with existing movements. The establishment of such a development in this location would be incompatible with through traffic interests and a potential source of danger to road users and pedestrians.

## **Conclusion**

This site / access in respect of Appeal Ref: APP/H6955/A/19/3234271 has almost identical similarities to the Vicarage Lane site except that the Vicarage Lane site proposes 44 dwellings compared with 8 dwellings off Old Wrexham Road. If a site of this limited size is considered inappropriate by an experienced inspector on highway / pedestrian grounds then the Vicarage Lane site must surely also be considered inappropriate based on the significantly higher vehicle and pedestrian movements and the size / frequency of movements of larger HGVs along Vicarage Lane

The proposed traffic management priority system including provision of 1.2 – 1.6m wide footway at the north western end of Vicarage Lane is considered likely to result in additional issues along this section of Vicarage Lane as previously highlighted and is not supported by the WCBC Traffic Section or Road Safety Section.

The reasons for refusal have therefore been validated by Welsh Government on a smaller site which does not have milk tankers / HGVs driving along it every single day.



<sup>22</sup> Chief Officer, Environment & Technical