



Proposed Development at Bellman  
Hanger Site, Shurlock Row,  
Planning ref. 17/03903  
Transport and Highways Review on  
behalf of Waltham St Lawrence  
Parish Council

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## **Introduction**

1. Railton TPC Ltd has been commissioned by Waltham St Lawrence Parish Council to review transport and highways work that has been submitted in support of the proposed development of 18 dwellings on the Bellman Hanger site, Shurlock Row (Royal Borough of Windsor and Maidenhead (RBWM) ref. 17/03903).
2. Information that was submitted previously in relation to the planning application for 20 dwellings ref. 16/02861 and other relevant past planning applications on the site have also been reviewed insofar as they have a bearing on the current application
3. This report is informed by a site visit undertaken on Thursday 25 January 2018.
4. The report focuses on safety and sustainability issues and the degree to which the proposals comply with national and local transport policy.

## **Safety of Proposed Site Access**

5. The latest access plan (Iceni drawing ref. 14-T031-01B) shows an 'achievable' visibility of 100m to the right from 2.4m back from the give-way line and a visibility of 75m to the left. These visibilities are not based on either observed achievable visibilities (since visibility in both directions is currently obscured) or on topographical survey. It is therefore possible that the visibilities as shown are not, in reality, achievable.
6. The visibility splays are not shown to include any land within the application red line. It is therefore assumed that none of the land within the visibility splays is within the control of the applicant. For the purposes of assessment it has been assumed that the land required to achieve the visibility is highway. The author is not aware of any submission from the applicant that would confirm this assumption.
7. The Transport Statement that accompanied the previous application for 20 dwellings (ref. 16/02861) states at paragraph 3.5 that the proposed visibility splays were accepted in relation to an earlier application (ref. 14/00350). It is noted that the previous application was for 3 dwellings so the number of vehicle movements generated by the development was significantly less than that associated with the 20 dwelling scheme (or the current 18 dwelling scheme). No information is available to suggest that the visibility splays were previously accepted. An email from the Highway Authority is provided on the RBWM planning website stating that an objection on highways grounds would be difficult to sustain because the proposed development (3 dwellings) generated less traffic than the permitted development on the site. This argument does not hold for the

current scheme that generates significantly more traffic than permitted on the site (see below).

8. Notwithstanding the above, visibility to the right is limited by the presence of hedgerow/vegetation and a number of mature trees. Three mature oak trees sit within the visibility splay to the right. The nearest is located 2.3m from the carriageway edge, 6.0m north-west of the potential driver's viewpoint (the centre of the access, 2.4m back from the give-way line). All three of these trees would need to be removed to achieve the stated visibility. If the trees remain, the visibility to the right is reduced to 71.1m. There is a further mature ash tree located 5.7m from the carriageway edge, 29.9m north-west of the driver's eye. It appears that this tree would also need to be removed to allow the stated 100m visibility to be achievable.
9. Visibility to the left is obscured by the presence of a 1m high embankment immediately to the left of the access and a dense 'wall' of vegetation including small trees growing from the top of this embankment and from behind. It was noted during the site visit that the vegetation had been trimmed back quite severely so that it was the solid trunks of the larger trees rather than peripheral twigs and branches that were obscuring visibility. It would not be possible to achieve any improvement in visibility without quite significant works to the embankment and hedgerow/trees on and behind the embankment. It appears that the land behind the hedgerow is not within the control of the applicant so it would seem difficult, if not impossible, to achieve any improvement in visibility without works within land that is not within the applicant's control. The existing visibility to the left was measured on site as 32.3m from a point 2.4m back from the give-way line.
10. It was clear, during the site visit, that the speed of traffic along this section of Shurlock Row, although less than the national speed limit that applies to the road passing the site access, is also in excess of the 40mph speed limit that starts around 75m north-west of the access. The applicant has measured the speed of vehicles at the site access as 48.5mph southbound and 48.4mph northbound. The application of Design Manual for Roads and Bridges (DMRB) standards indicates a desirable minimum stopping distance (equivalent to the visibility splay) of 139m. The *absolute minimum* stopping distance is 107m. The applicant demonstrates that these absolute minimum standards cannot be achieved. Observations on site suggest that the shortfall in visibility is significantly greater than the applicant suggests.
11. It is noted that the Highway Authority, in its response to this application, with reference to a previous planning application (16/02861) suggests that visibility of 107m to the right

and 91m to the left would be acceptable. The suggested visibility to the left falls short of the absolute minimum required to meet DMRB standards. The information submitted by the applicant shows that these visibilities cannot be achieved. Observations on site suggest that, in reality, the visibility that could be achieved is likely to be significantly less than this to the left and could only be potentially achieved to the right with the removal of a number of large, mature trees. The response from the Highway Authority states that the achievement of appropriate visibility splays could be secured through an appropriately worded Condition. This suggested approach is not acceptable since it has not been demonstrated that these visibilities can be achieved and therefore any Condition that requires them would fail the standard tests of reasonableness (a Condition that is not achievable is not reasonable).

### **Permitted Development**

12. The latest planning permission for the site (99/34780) restricts the number and type of vehicle movements at the site access to not more than 36 two-way movements and no HGV movements (>7.5tonnes). Given the planning history of the site it can be assumed that this condition is based on well-established concerns over the safety of the site access. The proposed development is predicted to generate 85 vehicle movements per day (derived from trip generation set out in Transport Statement supporting planning application ref. 16/02861). It appears that the trip generation rates applied to the proposed development are somewhat lower than would normally be expected for a development in a location as inaccessible as this. Notwithstanding this fact, the applicant is predicting trip generation well in excess of twice the number that has been previously deemed acceptable for the site. It is clear that the proposed development cannot be considered acceptable in terms of its adverse highway safety implications.

### **Sustainability of Site and Conflict with Policy**

13. The site suffers from a lack of sustainable access. It is not possible to walk safely from the site to any facilities or bus services. There are no designated cycle routes in the vicinity of the site and the surrounding rural lanes offer a hostile and intimidating environment for cyclists due to high vehicle speeds, narrow carriageways and poor forward visibility in places. The proposed development cannot be considered compliant with paragraph 34 of the National Planning Policy Framework (NPPF) that states,

*'Plans and decisions should ensure developments that generate significant movement are located where the need to travel will be minimised and the*

*use of sustainable transport modes can be maximised. However this needs to take account of policies set out elsewhere in this Framework, particularly in rural areas.'* (NPPF, para. 34)

14. The reference to rural areas does not eliminate the need to optimise sustainable travel. Paragraph 55 of the NPPF sets out the circumstances when it may be acceptable to allow, *'new isolated homes in the countryside'*. None of these circumstances applies to the proposed development.
  
15. National policy as articulated through the NPPF is reflected in local policy. The proposed development is contrary to Policy IF2, 'Sustainable Transport' of the Submission Version of the Borough Local Plan (2017) in that:
  - it is not *'located close to offices and employment, shops and local services and facilities and it does not help to create a safe and comfortable environment for pedestrians and cyclists or improve access by public transport'* (bullet 3.);
  - it is not *'located to minimise the distance that people travel and the number of vehicle trips generated'* (bullet 4. a.);
  - it does not *'secure measures that minimise and manage demand for travel and parking'* (bullet 4. b.);
  - it is not *'designed to improve accessibility by public transport'* (bullet 4. c.);
  - it is not *'designed to improve pedestrian and cyclist access to and through the Borough's centres, suburbs and rural hinterland'* (bullet 4. d.);
  - it does not *'facilitate better integration and interchange between transport modes particularly for Windsor, Maidenhead and Ascot town centres and railway stations'* (bullet 4. e.);
  - it does not *'optimise traffic flows and circulation to minimise negative environmental impacts of travel including congestion, air pollution and noise'* (bullet 4. f.).

## **Conclusion**

16. On the basis of the evidence obtained through on-site observations, a review of relevant supporting information, a review of previous judgements relating to the site's ability to provide safe and suitable access and policy considerations, it is concluded that the proposed development is not acceptable in terms of transport and highways for the following reasons:
  1. The proposed visibility splays at the site access fall short of absolute minimum standards. The proposed site access arrangements are therefore unsafe;
  2. In order to achieve even sub-standard visibility splays it will be necessary to remove mature trees to the north of the access. It is likely that land outside

of the applicant's control would be required to achieve even the sub-standard visibility to the south of the access;

3. It is not acceptable to introduce a Condition to require specified visibility splays since these splays are unlikely to be achievable in practice. Any such condition would therefore be unreasonable;
4. The proposed development generates well over twice the level of traffic that has previously been judged the maximum permissible for the site;
5. The site is entirely inaccessible by sustainable modes and residents would be totally dependent on the private car. The site is therefore contrary to both national and local policy.

