

APPENDIX D

RBC Response to Applicants Appeal Statement, Transport - Structure of Proof

Chapter 2 Summaries

2.7 The over-arching policy reference is paragraph 114 of the NPPF. In this regard, it is clear that the transport issues surrounding the appeal site have been considered from the earliest stage of the development proposal in order to ensure that the site's potential impact on the transport network could be addressed.

2.8 My view is that the proposals promote walking, cycling and public transport and that the site access and internal layout will operate safely in the manner in which they are proposed to be configured.

Rochdale Borough Council Highways Responses to details summarised in section 2.7 & 2.8

- *It is clear that the proposed access into the site cannot safely accommodate a 16.5 metre articulated vehicle which in modern logistics is an expected size of delivery vehicle even for smaller retail outlets. The applicant has provided two swept path drawings for a 10.675 & 10 metre vehicle. It would appear that the access may be just about achievable for a highly skilled driver at low speed.*
- *Smithy Bridge Road has a relatively narrow carriageway width along the site frontage and access point which makes access challenging, it is therefore likely that these vehicles will mount the footways on either side of the proposed access. This raises significant pedestrian safety concerns on this busy footway especially for the less able which is contrary to Council Policy and not a situation the Highway Authority is willing to accept. Overrunning of the footway by the size of vehicle expected will also create highway maintenance liabilities for the Council.*
- *If these vehicles did not mount the footway to enter or leave the site the likelihood is that they would enter the opposite carriageway which raises the potential for vehicular conflict and would interrupt opposing traffic flow.*

2.9 There is no evidence, with regard to paragraph 115 of the NPPF that the proposals will result in an unacceptable impact on highway safety or lead to residual cumulative impacts that could be considered severe.

Rochdale Borough Council Highways Responses to details summarised in section 2.9

- *Rochdale Council Highways Service have been consistent throughout many design iterations that have been submitted in relation to the proposed site access & servicing arrangements. In terms of the non-standard service vehicle proposed as part of the service management plan, there is no way of the Local Highway Authority (LHA) guaranteeing or enforcing that this type of vehicle will be exclusively available for deliveries to this site on a long term basis. This creates an unsatisfactory situation as it has been proven that any other vehicle cannot safely navigate the access or egress from this site.*
- *In any circumstance of a change of service vehicle, even in a temporary or one off scenario the impacts on the safe operation of the local highway network are significant, unsafe and un-satisfactory for other transport modes – whilst also creating future maintenance and liability issues that the LHA is unwilling to accept.*

- As a result it is also apparent that a 16.5 metre articulated vehicle cannot safely access this site's service area, there is no long term guarantee for the LHA that a future operator may use this type of service vehicle under the intended proposed development use.
- To further support the view of highway Engineers, the Manual for Streets offers the following guidance for designers and planners:

“The Design of new streets or the improvement of existing ones should take into account the functions of the street, and the type, density and character of the development. Carriageway widths should be appropriate for the particular context and uses of the street.”

“The design of local roads should accommodate service vehicles without allowing their requirements to dominate the layout. On streets with low traffic flows and speeds, it may be assumed that they will be able to use the full width of the carriageway to manoeuvre.”

- Rochdale Borough Council have also undertaken our own swept path analysis and it would appear that there are various scenarios where a 10 metre rigid vehicle crosses the centre line of Smithy Bridge Road and over runs the kerbs at the proposed site access.
- Smithy Bridge Road is not a section of the local network where the Local Highway Authority can assume service vehicles will be able to use the full width of the carriageway to manoeuvre – this is typically accepted on a residential street with reduced vehicle speeds & volume of vehicles.

1.10 The context of the site in terms of its accessibility and the highway safety record of the local adopted highway network is then discussed at Chapter 3. I present my views as to the appropriateness of the appeal site proposals to the local context.

Chapter 3 Summary

3.9 The appeal proposals will rationalise access into and out of the site for pedestrians, cyclists and drivers of motorised vehicles. My view is therefore that employees, customers, visitors and delivery drivers will quickly become accustomed to the way in which the site will operate both internally and at its access points onto the local adopted highway network. There is nothing unusual about the internal site layout nor the fact that the site will be serviced from within the customer car park. The site access proposal is compliant with highway design standards, and will be subject to stringent road safety audit processes through the technical approval process with RBC. My view, therefore, is that the appeal site will fit well into the existing local context and that it will result in no detriment to any of the interests of the local highway authority.

Rochdale Borough Council Highways Responses to details summarised in section 3.9

- Whilst the proposed development intends to provide one priority layout access in and out of the site, the impacts of insufficient servicing for required sized vehicles results in future road safety concerns and maintenance liabilities for the Local Highway Authority.
- These concerns have been clearly outlined throughout multiple consultation responses and are clearly outlined above in response to the summary included at section 2.9 of the appeal statement.
- The proposed development also fails to comply with adopted Policy from the Rochdale Core Strategy T2 - Improving Accessibility, which outlines the following:

We will improve accessibility by locating development where good access to public transport is available or can be provided, backed by measures to reduce the need for travel and effective provision for cyclists, pedestrians and people with impaired mobility. Development will be appropriately located to minimise the need to travel by car and the number and length of car trips made to access local amenities. Transport improvements will focus access to priority regeneration areas, e.g. town centres, housing regeneration areas and economic growth corridors. We will do this by:

Requiring development and infrastructure proposals to satisfy the Council's accessibility hierarchy. This requires transport user needs to be considered and addressed in the following priority order:

- i. People with impaired mobility and pedestrians;*
- ii. Cyclists;*
- iii. Public transport (Bus, Heavy and Light Rail) and "clean fuelled" vehicles;*
- iv. Taxi, private hire vehicles;*
- v. Powered two wheeled vehicles;*
- vi. Commercial traffic for local access;*
- vii. Shopping, visitors / tourist and off peak traffic; and*
- viii. Long stay and peak time commuter traffic.*

- The concerns raised are also contrary to further sections of Rochdale's Core Strategy, which states;

Developments are required to provide satisfactory vehicular access with adequate parking, manoeuvring and servicing arrangements taking into account the proposed use and location.

- Rochdale Borough Councils Highways Services concludes that the proposed site is unsuitable for the associated servicing requirements and is unwilling to accept the negative impacts this will create for other transport modes, vulnerable road users along with negatives impacts to general traffic in the area.
- As a responsible Highway Authority we must ensure that any new development has:
 - The minimum adverse impact on highway safety.
 - No severe adverse impact on traffic capacity.
 - Convenience to transport users as a whole.
 - Limits unacceptable road transport impacts, particularly for sustainable modes and vulnerable road users.
- As a result of this the LHA is unwilling to offer support to the proposed development.

1.11 At Chapter 4, I break down the single reason for refusal into its five component parts, namely the motorway diversion route, service vehicle swept paths, the size of the service vehicle, pedestrian safety and car parking. I present my case in terms of each consideration and conclude that there is no evidence of any demonstrable harm arising from the appeal proposals in any regard.

1.12 Finally, with regard to the National Planning Policy Framework (NPPF) I will show that as a result of my investigations both prior to and post the refusal of planning, there is no conflict with paragraphs 114 to 117. In particular, there will be no unacceptable impact on highway safety nor will the residual cumulative impact on the road network be severe.

Rochdale Borough Council Highways Responses to details summarised in section 1.11 & 1.12

Motorway Diversion Route

- Whilst we accept that the development site is not directly on the Motorway diversion route as shown on the submitted plans, it is the close proximity to this route and one of its major junctions that causes concern. When the Motorway diversion is in force it is expected that all junctions and connecting routes are available to operate at their maximum capacity to accommodate both the existing and additional traffic expected. HGV's undertaking difficult manoeuvres to gain access to the development site are likely to disrupt these vehicle movements, cause additional queuing and reduced highway capacity. In this context, congestion itself would also be a road safety hazard.

Service Vehicle Swept Paths/Size of Service Vehicle/Pedestrian Safety

- It is clear that the proposed access into the site cannot safely accommodate a 16.5 metre articulated vehicle which in modern logistics is an expected size of delivery vehicle even for smaller retail outlets. The applicant has provided two swept path drawings for a 10.675 & 10 metre vehicle. It is also noted that throughout the appeal and the application process that despite being requested by the LHA, the vehicle swept path drawings continue to exclude the speed of manoeuvre data, which leaves the LHA with the conclusion that the manoeuvre is not achievable, even by the most skilled driver in real-life conditions.
- Smithy Bridge Road has a narrow carriageway along the site frontage and access point which makes access difficult, it is therefore likely that these vehicles will mount the footways on either side of the proposed access. This raises significant pedestrian safety concerns on this busy footway especially for the less able people which is contrary to Council Policy. Overrunning of the footway by the size of vehicle expected will also create highway maintenance liabilities for the Council.
- If these vehicles did not mount the footway to enter or leave the site the likelihood is that they would enter the opposite carriageway which raises the potential for vehicular conflict and would interrupt opposing traffic flow. The Local Highway Authority has also made it clear that Smithy Bridge Road is not suitable for Service Vehicles to use both sides of the road.
- The TS indicates that the size of service vehicle will be bespoke and controlled by the applicant and indicates that this could be also controlled via planning condition. The Local Highway Authority has previously made it clear that it is not possible to secure an effective condition of planning for the use of this bespoke vehicle, it is specialised and the retail unit could change users or suppliers. A new user would not have access to this bespoke delivery vehicle, and may use larger vehicles, this consideration also presents significant road safety concerns.
- As enforcement of a planning condition restricting the size of service vehicle would be impractical for both Planning and Highways Officers, this would lead to unrestricted access for larger vehicles amplifying our concerns about the safe operation of the proposed access.

Car Parking

- There are no objections to the proposed on site car parking provision.

APP/P4225/W/24/3348915

Swept Path Analysis



Rigid Truck	
Overall Length	12.000m
Overall Width	2.500m
Overall Body Height	3.928m
Min Body Ground Clearance	0.412m
Track Width	2.471m
Lock to lock time	6.00s
Kerb to Kerb Turning Radius	11.900m

REV	DESCRIPTION	DATE	BY
A	-UPDATED SITE PLAN	18.07.24	AM
B	-UPDATED SITE PLAN	19.07.24	AM
C	-RIGHT IN, RIGHT OUT MANOEUVRE ADDED	22.07.24	AM

Transportation Planning : Infrastructure Design

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Client Name:

JAMES HALL & CO

Project Title:

SMITHY BRIDGE ROAD,
LITTLEBOROUGH

Drawing Title:

SWEPT PATH ANALYSIS

Drawn By:

AM

Date:

23.04.2024

Checked:	
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MD

Scale

1:250 @ A3

Status:

PLANNING

	Appro
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d/Unapproved:

Drawing No.

SCP/240209/ATR03

Rev.

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