

Walton Lisa

To: Uglow Alistair
Subject: RE: Wright Construction - Highways
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From: Uglow Alistair <alistair.uglow@cormacltd.co.uk>
Sent: 24 February 2020 20:36
To: Walton Lisa <Lisa.Walton@scilly.gov.uk>
Cc: Dryden Craig <Craig.Dryden@scilly.gov.uk>; Williams Eddie <Eddie.Williams@scilly.gov.uk>
Subject: RE: Wright Construction - Highways

Information Classification: CONTROLLED

Hi Lisa

I've pasted Jon Pearson's rebuttals into this email, and my counter-responses to each one are shown in red. If you need any further assistance please contact me.

2.2 Traffic Speeds

2.2.1 On Monday 20th January 2020 approximately 200 speed readings were taken between 10:45 and 11:52. In each direction the 85th percentile speed was 29mph. Full details of the observations are included at Appendix A.

Response:

The speed readings should have been undertaken within the AM or PM Peak Hour.

Counter-response:

DMRB CA 185 par. 2.8.2 says "speed measurements should be undertaken **outside of** peak traffic flow periods." (Italics mine.)

2.2.2 According to the local highways engineer, Eddie Williams, January is a quiet month, traffic-wise, and Monday is a quiet day. During the holiday season, the roads are considerably busier, particularly on changeover day.

Response:

Unfortunately hearsay is not an acceptable form of accurate assessment but apart from that, the level of traffic flow is not a consideration as an access is safe or unsafe and a more utilised access is actually safer than a low use access as passing drivers are aware of the access daily and its use. Conversely, driving past an access every day with no interaction with an exiting vehicle, on the day one does appear the passing driver is not expecting or anticipating it.

Counter-response:

Paragraph 2.2.2. placed the traffic conditions of the day within the context of the annual variation of traffic that occurs on St Mary's. It did not form part of the numerical assessment.

2.2.3 Even so, whilst a different time of year may have yielded more observations, the distribution of speeds would unlikely be significantly different. The geometry of the road evidently restrains speeds to a natural limit of 30-5mph.

Response:

Heavier flows of traffic do tend to travel slower as they are in 'convoy's' so it is incorrect they would be 'unlikely' to be different. The 200 speed readings in Appendix A clearly demonstrate that the 'natural limit' of speed is actually lower than 35mph with only **17** out of **200** vehicles traveling at 30mph or above and an 85th percentile speed of below 30mph.

Counter-response:

With a sample size of 200 vehicles, no vehicle was observed travelling at more than 34mph. So the statement stands for itself.

The 85 percentile speed was calculated to be 29mph, which is broadly in agreement with the applicant's Transport Advisory Note (TAN). Quite why these conclusions are being challenged is a mystery, especially considering that the said TAN's own assessment of the design speed was not supported by a survey.

2.2.7 That this access was to be of limited use is confirmed by Condition No 6, which reads as follows: "The access hereby approved shall only be used by commercial vehicles to off-load/load materials to and from the site and not for any other vehicles, including customers using the premises."

Response:

This is a totally unenforceable and unsound planning condition. It recognises that the use of the access by large slow moving vehicles is safe and suitable and yet attempts to restrict the type of user/driver rather than type or size of vehicle. If a 'commercial vehicle' enters to load would it not suggest that the driver of said vehicle was therefore a customer? As stated previously, an access is either safe or not and the frequency of use does not affect this. Clear evidence has been produced in the original Transportation Advisory Note that the existing access is woefully below standard and considered to be far less safe to use than the proposed access.

Unfortunately, the author of the Cormac report has failed to make any form of assessment of the existing access, comparison to the proposed and therefore has failed to assess the major highway safety improvement.

Counter-response:

Whilst I agree that Planning Condition No 6 is unenforceable, this is not relevant. The fact of the matter is that the condition exists.

It should not be inferred that the access is safe for a particular type of vehicle or driver. Indeed the opposite conclusion is equally valid, namely, that the access was deemed unsafe, and the choice facing the planners was either to refuse planning permission altogether or to grant consent with a condition that sought to limit its use.

Safety is not an absolute term. To say that "an access is either safe or not and the frequency of use does not affect this" is incorrect. What is absolute is whether or not the access **meets current design standards**. Frequency of use then determines how unsafe it is. The more often a substandard access is used, the more likely an accident will occur.

Whilst the proposed access offers a small improvement over the existing access, it still falls below current design standards by some considerable margin. It follows, therefore, that by increasing the turning movements into and out of the site, the likelihood of an accident will increase.

3.1.2 The proposed access is shown at the midpoint along the boundary, thus maximising the available visibility in each direction. Whilst the proposed opening of 5.5m might, in theory, offer sufficient width for cars to enter and leave simultaneously and independently, the reality may be somewhat different.

Response:

The comment clearly acknowledges that the proposed access maximises the available visibility – Highway safety improvement.

The proposed 5.5m wide access does provide more than sufficient width for two cars to pass and the reference to 'in theory' is questioned. New estate roads serving up to 10 dwellings may provide a 4.8m wide access and 5.5m may serve up to 300 dwellings – CC 'Development Layout Design'. In 'reality' one assumes

that the local highway authority is content that an access of 5.5m is sufficient for two vehicles to pass with safety.

Counter-response:

The problem identified in the report is simply the conflict that is likely to occur between vehicles that are manoeuvring within the car park (close to the entrance) and other vehicles waiting to enter. It is unrealistic to expect turning vehicles to stay entirely within their half of the entrance/exit.

If using estate road design as an analogy, it is more appropriate to consider the junctions, where the road widens out to a bellmouth shape, purely to accommodate the swept path of a turning vehicle. Where space does not permit a bellmouth, then it is inevitable that vehicles will need to use more than half of the available width.

3.1.3 By maximising the available room on site, the end spaces – nos 4 and 7 on the application drawing (Fig. 3) – are barely 3m from the edge of the road. The distance is too short for vehicles leaving these spaces (particularly in forward gear) to straighten up before they reach the road. Their angled exit onto the road could:

(a) require a three point turn within the carriageway, and

(b) cause vehicles entering the site to wait until the car park entrance is clear.

Response:

Drivers are permitted to undertake a 3 point turn within the carriageway if it is safe to do so but the event is highly unlikely to occur due to the additional width of aisle between the parking bays ie 7.6m rather than the standard 6m.

There is no danger to a vehicle waiting within the live carriageway where vehicle speeds are low, forward visibility within guidance and flows low – all of which apply to this site.

Counter-response:

Three point turns within the carriageway, whilst not illegal, are not recommended. As a basic minimum requirement of any development proposal, vehicles leaving the site should be able to do in forward gear and in a single manoeuvre.

If the applicant is asserting that a three point turn is extremely unlikely to occur, then that assertion needs to be supported by evidence, in the form of the turning circle of a car exiting spaces nos 4 and 7.

3.1.4 Either of these scenarios could be prejudicial to highway safety. Users of the A3111 can reasonably expect traffic to flow freely. So whilst these scenarios could describe typical everyday manoeuvres within a built-up area, they are not typical of a site that is on a main road, the edge of the town.

Response:

Given the above response, the initial sentence is incorrect and not defined by reason. Regular users of the A3111 cannot 'reasonably expect traffic to flow freely' as there are no parking restrictions and the original TAN clearly shows a parked vehicle interrupting the 'free flow. Whilst the road is an 'A' class road, it is a rural road within the urban edge of town and would certainly fall within Manual for Streets guidance and should not be considered a 'main' road in as such the A30 in Cornwall is.

Counter-response:

It is argued that to perform a three-point turn within the carriageway could indeed be prejudicial to highway safety. As explained above, the onus is on the applicant to demonstrate with evidence that such manoeuvres would not be necessary.

Even though the A3111 is not like the A30, development proposals must still meet minimum requirements, such as those contained in Manual for Streets. The limitations of the application site prevent those requirements from being met.

3.1.5 An additional concern with the potential difficulty in using the car park is that it could encourage customers instead to park on the road; or half on the road, half on the footway.

Reason:

As stated above, there are no parking restrictions on the A3111, and vehicles do park. As to the assumption that some may wish to park on the footway, again this is an unqualified assumption and the photo in the TAN shows existing highway parking. As there is only an approximate total of 500 vehicles on the island (Census Data) and given the size of the business use, together with its sustainable location, the assumption of such large numbers of car borne customers is, again, unqualified.

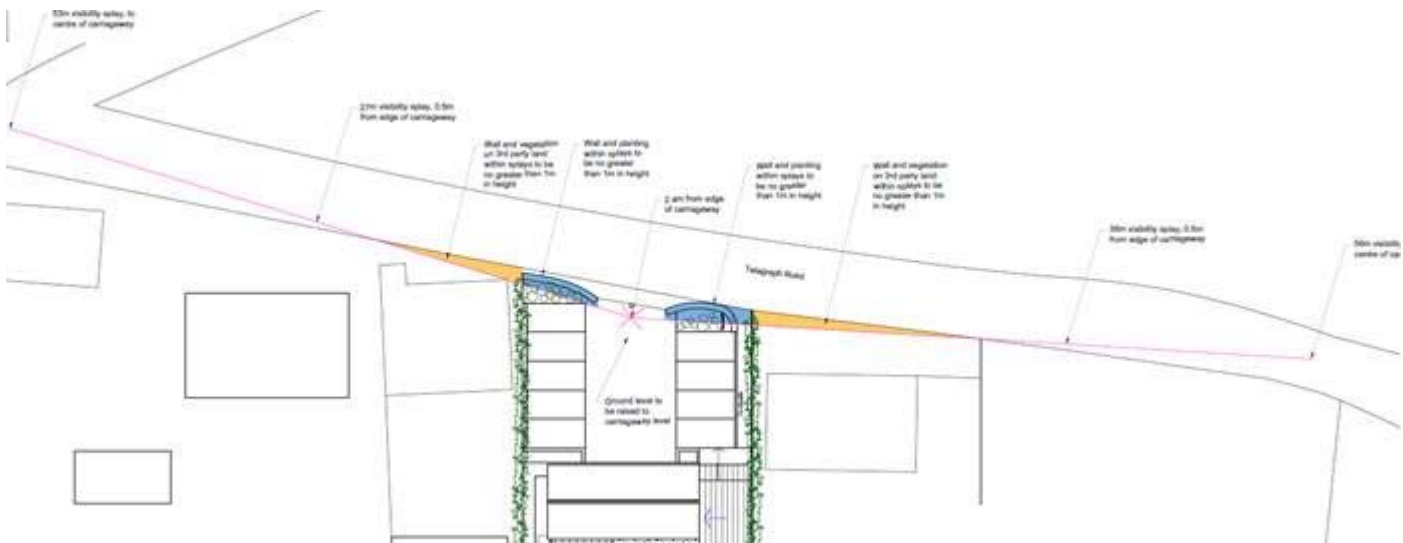
Counter-response:

If on-street parking already occurs, it is reasonable to predict that the aforementioned limitations of the car park and its access could cause an increase in such parking, with obvious detriment to the safe and free flow of traffic. No assumptions are being made; this is merely the description of a perfectly plausible scenario. Notwithstanding the number of vehicles on the island, it should be remembered that in only 2 hours on what is reportedly one of the quietest days of the year, 200 traffic movements were counted passing the application site. Traffic flows on the A3111 are by no means insignificant: the possibility that customers will prefer to park on the road than use a car park with restricted exiting visibility is one that should not be ignored.

4.2.4 Until such time as the whole of the splays can be included in the planning application, they should be disregarded. On that basis, using the same x-distance of 2.4m, the achievable y-distance amounts to only 9m to the left and right (equivalent to half the width of the plot). The minimum distance of 43m cannot be achieved until the driver's eye is at (or very close to) the edge of the road, by which time the vehicle is protruding into the carriageway by 2m or more.

Reason:

The submitted drawing JG01 (extract overleaf) demonstrates the increased emerging visibility over the existing (previously approved) access. This is a major highway safety gain that does not appear to have been compared to the major issues re the existing access which will be permanently stopped up and have the additional benefit of a level exit for emerging drivers. It is understood, and clarified, that notice has been served on the adjacent landowners. Should the ownership change hands and any obstruction (ie fence) be erected over 1m adjacent to the highway, then planning consent would be required ergo the visibility splays are ensured.



Counter-response:

Those additional areas comprising the visibility splay should be included in the planning application. That way, the planning authority can control – not only the initial provision of the sight lines – but also the preservation of same, by means of planning conditions which would be enforceable.

4.2.5 True, oncoming motorists may well see a vehicle slowly emerging from the access, with enough time to slow down or pass around it. Indeed, many such accesses already exist, including the current access to the

yard. Nevertheless, a new access should meet appropriate standards, and its safe operation should not be dependent on other motorists being able to take evasive action.

Response:

As accepted by the author the issue of emerging drivers is not a highway safety issue and whilst not verbatim to strict 'guidance' the proposed relocated access is a major highway safety gain.

Counter-response:

Without being able to secure the sight lines, the proposed access offers very little improvement on the existing one. Contrast that with the development proposal that would see an increase in turning movements at that site, and it is evident that the overall impact on highway safety is negative.

4.2.6 In his Transport Advisory Note in support of the application, Jon Pearson asserts that the "closure of an existing, highly substandard access and replacement with much improved access is considered a major highway safety gain". This is disputed. Without the essential visibility splays, the level of improvement offered by the proposed access over the existing one is minimal.

Response:

The 'minimal' improvement should be considered against the Plates 3 & 4 of the improved access over the Plates 5 & 6 in the submitted TAN. 'Minimal' is considered correct and 'major' would be more appropriate at this location.

Counter-response:

Plates 3 and 4 of the TAN were taken from the edge of the carriageway and are not, therefore, an accurate portrayal of what drivers could or could not see before emerging from the proposed access.

Summary

5.1.1 The free movement into the site is likely to be hindered by vehicles manoeuvring in and out of parking spaces immediately inside the site entrance. Unable to straighten up fully before leaving the site, vehicles may need to carry out a three point turn within the carriageway, or they may force other vehicles to wait in the road until the entrance is clear.

Response:

Incorrect. The extra aisle width enables any vehicle to reverse, turn and exit in the correct location.

Counter-response:

The statement above needs to be supported by evidence of the turning circles cars leaving the parking spaces in a single manoeuvre.

5.1.2 Some customers could choose to park on the road rather than use the car park.

Response:

Whilst this issue is disputed, due to the level of vehicular ownership on the island in tandem with the size of retail unit, combined with the existing supermarket within the town (which has NO parking provision, the highway authority clearly have no issue re parked vehicles on the carriageway given the total absence of parking restrictions.

Counter-response:

Existing developments should not be used as a precedent in determining new proposals. The aim should be to achieve the standards set out in current planning guidance.

5.1.3 The proposed access is close to a sharp bend. Only after rounding the bend will westbound drivers be able to see the access, which may lead to sharp braking if they wish to enter the site.

Response:

As agreed by the Cormac report and clarified within the submitted TAN, drivers have clear vision and ample to time to react 'From the northeast, motorists would approach the access around the aforementioned bend (now a LH bend). On rounding the bend, the proposed access is only about **45m** ahead, which may cause some drivers entering the site to brake sharply. However, these occasions are likely to be few and far between, since the majority of motorists will be islanders who are familiar with the road layout.'. The sight stopping distance for 30mph as per MfS is **43m** so 45m is acceptable.

Counter-response:

Stopping sight distance allows drivers to react and to an unexpected situation, such as an obstruction in the road. To see the proposed access at a distance of only 45m would require similar braking action, which does not contribute to satisfactory highway conditions.

5.1.4 The visibility splays shown on the application drawing cross over land which is outside the control of the applicant. Accordingly adequate sight lines can neither be guaranteed nor made the subject of suitable planning conditions.

Response:

The submitted drawing JG01 disputes this assessment. Notice has been served on both adjacent landowners with no objection. Any construction above 1m adjacent to the highway would require planning consent and therefore the new, improved emerging visibility, is a guaranteed.

Counter-response:

Planning officers could confirm the height threshold above which planning consent would be required, but it is probably 1.8m. In any case, the adjoining owners are entitled to plant trees or shrubs along their boundary, and these could obscure visibility.

5.1.5 When taking into account the dimensions of the site, the true sight lines measure only 9m to the left and right of the proposed access.

Response:

Incorrect – see JG01.

Counter-response:

It is maintained that the sight lines that the applicant can achieve without crossing neighbouring measure 9m in each direction.

5.1.6 Although the 85th percentile speed on Telegraph Road is less than 30mph, the application has not provided sufficient evidence that a safe and satisfactory access can be provided. In the interests of highway safety it is recommended that the application be refused.

Response:

Incorrect – see responses above.

Counter-response:

For the reasons provided in the report and these counter-responses, the above conclusion is sound.

Kind regards

Alistair Uglow BEng (Hons) CEng MICE

Project Manager/Engineer
Engineering Design Group
CORMAC Consultancy