

<b>APPLICATION NO: 18/00872/FUL</b>		<b>OFFICER: Michelle Payne</b>	
<b>DATE REGISTERED:</b> 9th May 2018		<b>DATE OF EXPIRY:</b> 8th August 2018 (extended until 30th November 2018 by agreement with the applicant)	
<b>WARD:</b> Swindon Village		<b>PARISH:</b> Swindon	
<b>APPLICANT:</b>	Glasgow City Council		
<b>AGENT:</b>	Savills (UK) Limited		
<b>LOCATION:</b>	Kingsditch Retail Park, Kingsditch Lane, Cheltenham		
<b>PROPOSAL:</b>	Erection of two new retail units (Class A1) and associated works		

## Update to Officer Report

### 1. ADDITIONAL CONSULTATION RESPONSE

#### **GCC Highways Development Management**

*16th November 2018*

I refer to the above planning application received on the 29th May 2018, submitted with application form, Covering Letter, Design & Access Statement, Transport Assessment, Travel Plan, Planning, Retail & Economic Statement and drawing refs. 6023A-V121D-Master Plan, 6023A - CGI103A, 6023A-110 Rev B, 6023A-111 Rev C, 6023A-112, 6023A-120 Rev A and 6023A-121 Rev E.

#### Access

Vehicular access to the site would utilise the existing means of access which is formed by way of priority junction with a left turn in and left turn out on Tewkesbury Road (A4019) and an all movements priority junction with a splitter island on Kingsditch Lane. Servicing for the retail park is taken from 2 points of access, a priority T-junction located on Kingsditch Lane to the east of the site and an additional servicing area accessed from a left in and left out access on Tewkesbury Road to the west.

Pedestrian access is provided to the east of the Retail Park and links with an existing footway which provides a connection to the adjoin retail park. Pedestrian refuges are provided in the car park and provide suitable 2.0m x 2.0m visibility to ensure safe pedestrians movements.

The adjacent A4019 Tewkesbury Road and Kingsditch Lane are subject to the sign posted 40mph speed limit in this location, and in the absence of a speed survey the required emerging visibility would be 2.4m x 120m to the nearside carriageway edge in accordance with DMRB standards.

The A4019 Tewkesbury Road is a dual carriageway arrangement with a physical segregation preventing traffic from entering the westbound carriageway, therefore visibility is only required to the right. 2.4m x 120m is achievable within the extent of the publicly maintainable highway.

2.4m x 120m is also achievable to the left of the Kingsditch Lane access and approximately 54m to the right (up to the roundabout). This is deemed acceptable and all splays are achievable within the extent of the publicly maintainable highway.

For the proposed development, under this application, access from the public highway will remain unchanged, other than to provide an additional point of service access from Malmesbury Road.

### Layout & Parking

Although there is no additional parking proposed as part of this application, under planning consent 17/01523/FUL for the demolition of part of the M&S Home building, 19 additional car parking spaces will be added to the car park, with improved vehicle circulation and additional disabled spaces. In addition to the existing 'informal' staff parking spaces currently located within the servicing area being formalised to form 32 staff parking spaces. However, adequate parking will be required for this development regardless of applicant intentions in concurrent applications.

There are currently 423 car parking spaces overall within the Retail Park. The existing customer car park has 394 car parking spaces and a further 29 car parking spaces on site at McDonald's. The service yard off of Kingsditch Lane that provides access to the rear of these units for servicing and deliveries also provides non-customer parking.

A series of parking studies were undertaken in order to ascertain the peak parking demand and establish the percentage of spare capacity.

The studies determined that Saturday was the peak retail day with the results identifying a peak in arrivals and departures between 12:00-15:00 with the amount of vehicles arriving and departing of about 500+ per hour respectively. The car park was identified to be operating at approximately 71% capacity with 29% spare. The peak parking accumulation was recorded between 12:30-13:30 as approximately 300 vehicles parked on site at one time, with approximately 123 available spaces. Although the total vehicles entering the site does exceed the car parking supply, because similar numbers of vehicles exit the site, at no point throughout the day does the demand for parking exceed the supply. Therefore, despite no additional parking being provided there is still adequate space to accommodate the additional peak parking demand.

Servicing for the new units will be undertaken from Malmesbury Road to the north of the site. This is currently the established point of servicing for the current industrial unit in this location. Service vehicles will arrive at the site via Kingsditch Lane and travel through the Kingsditch Trading Estate to Malmesbury Road. From here they will enter the yard of the neighbouring industrial unit and reverse into a service dock at the rear of units 3 and 4.

Although cycle parking spaces are provided within the wider Retail Park none have been proposed as part of this development and therefore it was not deemed unreasonable to secure a minimum of 12 cycle spaces (6 per unit) by way of suitably worded condition, to directly serve the proposed development. Ultimately this will also assist in reaching the modal shift targets set in the submitted Travel Plan by providing opportunity for an alternative sustainable means of travel other than the private motorcar.

Therefore given the sites sustainable location with good access to alternative means of transport, the level of parking provision would be deemed acceptable in accordance with the NPPF.

Drawing ref. TE/1370/302B has adequately demonstrated an articulated HGV measuring 16.5m long entering, manoeuvring within and egressing the site without coming into conflict with any upright kerb-line structures, trees or formal parking spaces.

As part of development will be constructed across existing public highway a Stopping-Up Order is required which forms part of a separate process from planning and permission will therefore need to be granted by the National Casework Team.

### Existing Traffic Conditions

Observed turning movements undertaken in support of this development recorded that for a weekday, Fridays are the busiest days across the entire week with recorded traffic flows just

under 10,000 daily vehicles generated by the Retail Park. Saturday is marginally the busiest day of the week with approximately 11,000 vehicles generated by the site.

### Trip Generation

Trip generation has been derived using ATC traffic surveys of the retail park accesses. Surveys have been conducted at the main access from Kingsditch Lane in addition to the accesses available from the A4019 Tewkesbury Road.

The surveyed traffic flows have been apportioned to each of the existing retail uses, classified under food, fast food and non-food. The proportions have been based on the percentage of total site trip generation to/from each retail classification. The total site trip generation has been determined using donor sites identified from the TRICS database. These sites provide trip rates per hour for each retail classification, which have then been applied to the existing floor area for each classification to provide the existing trip generation. The sites used from the TRICS assessment are considered reasonable for this purpose.

Although the servicing access from Kingsditch Lane has not been included the delivery/servicing trips to the Retail Park are believed to be infrequent. However, the trip generation that has provided has been based on a slightly greater floor area than that specified within the planning application (2,230sqm modelled vs approx. 2,138sqm proposed). Therefore this produces a robust assessment of development trip generation.

The proposed non-food stores Saturday retail peak was determined as being between 12:00-13:00pm. The site is projected to generate approximately 1051 two-way daily vehicle trips with 130 two-way during this peak hour.

The nature of the proposal will allow an opportunity for pass-by or linked trips, whereby the trip is already occurring on the network but enters the site while passing by or linked with an additional stop before travelling to a destination.

### Distribution

Development traffic distribution to/from the proposed development has been based on 2011 Census Journey to Work data as a proxy for retail trip distribution. The TA had not provided any information on how the routes between origin and destination wards have been determined however it is assumed that these have been based on judgement and a principle of shortest journey time which is a reasonable approach. As some anomalies arose with the submitted distribution data, as presented in Table 5-7 of the TA (for example, it is unlikely that vehicles to/from Prestbury would access the Retail Park from the west) a sense check of the distribution, using the Google Maps route planning application was undertaken by the Highway Authority for validation. This indicated that the general distribution of traffic to the north, south, east and west is reasonable and therefore is accepted.

The proportion of traffic using each of the three retail park access points has been assigned based on the relative difference in traffic flow, based on the ATC surveys to which this approach is considered reasonable.

### Junction Modelling

The highway impact assessment within the TA includes junction capacity modelling of the A4019 Tewkesbury Road / A4013 Princess Elizabeth Way / Kingsditch Lane roundabout and the main Retail Park access junction. Sensitivity tests of the retail park access junctions are also presented.

### Site Access (Kingsditch Lane)

PICADY modelling has been undertaken to assess the operational capacity of the main site access off Kingsditch Lane. PICADY results refer to the Ratio of Flow to Capacity (RFC) and queue length predicted on each arm of the junction. An RFC of 1.00 indicates that the arm in

question is operating at its theoretical capacity, whilst RFC's of 0.85 or less indicates that the arm is operating within practical capacity

The PICADY assessment of the Site Access to Kingsditch Retail Park determined a maximum RFC increase of 0.13 on the arm to Kingsditch Lane eastbound and 0.085 on the arm to Kingsditch Lane westbound in the weekday PM peak increasing the overall RFC's to 1.15 and 1.11 with growth up to 2022 and development traffic applied.

The PICADY assessment also identified that during the AM weekday peak hour the RFC's will remain below 0.85.

The PICADY results also highlight a similar increase in traffic exiting the main site access during the Saturday peak hour scenario.

A sensitivity test has also been undertaken for this access with a focus on capacity issues in the PM peak hour to understand the extent to which reassigned trips to the secondary exits affects capacity issues at the main site access. The PM sensitivity tests were assessed for the 2023 base + development for the following scenarios:

- Test 1: 100 trips turning right OUT reassign to the secondary exits;
- Test 2: 50 trips turning right OUT and 50 trips turning left OUT reassign to the secondary exits; and
- Test 3: 50 trips turning right OUT reassign to the secondary exits.

The test identified that the main site access can operate within its design capacity under all the PM peak sensitivity test scenarios. It is concluded that even if only approximately 40-50 vehicles (seeking to turn right out onto Kingsditch Lane) were to reassign to secondary exits, then the main site junction will operate efficiently.

Moreover if the main site access were to operate at or over capacity, as the vehicles egressing would queue within the site it is not deemed that there would be any impact or safety issues on the highway network.

#### A4013 Princess Elizabeth Way/A4019 Tewkesbury Road/Kingsditch Lane Roundabout

Traffic signal junctions are typically designed to operate at up to a 90% Degree of Saturation (DoS) level. A 90% or less DoS value is generally considered to result in the satisfactory operation of any arm of a signalised junction. Beyond this, traffic may not clear each arm of the junction on each cycle of the traffic signals. However, traffic signals often operate at levels above 90% and in heavily trafficked urban areas, at over 100%. Values between 90% and 100% suggest that the arm is approaching its theoretical capacity

The LINSIG results identified an increase in saturation resulting from the development, however this is not at a level that would be considered severe and therefore under all reasonable assumptions, the development effects on the operation of the highway network cannot be considered 'severe' in accordance with the NPPF.

#### Personal Injury Collisions

There have been 11 personal injury collisions recorded within the last five year period. There are no specific locations where these collisions are concentrated and no distinct pattern in the results, albeit the majority occurred on the Princess Elizabeth Way (A4013)/Tewkesbury Road (A4019)/Kingsditch Lane roundabout. There have been no personal injury collisions recorded within the last 5 years in the direct vicinity of the site accesses.

#### Travel Plan

The NPPF Paragraph 111 states that all significant generators of traffic movements should be required to provide a Travel Plan. The Travel Plan should be formulated in accordance with the GCC Travel Plan Guidance for developers.

The Department for Transport (DfT) defines a travel plan as "a long term management strategy that seeks to deliver sustainable transport objectives through positive action". Such plans could include; car sharing schemes, commitment to improving cycle facilities, dedicated bus services or restricted parking allocations. A successful Travel Plan should offer users whether they are employees, residents or visitors a choice of travel modes from sites or premises.

The submitted Travel Plan for this application aims to reduce the dependence upon single occupancy private car travel when accessing the site and in order to do so the Travel Plan aspires to;

- i. Reduce the percentage of staff travelling by single occupancy private car to and from the store.
- ii. Generate increase in the percentage of staff utilising active modes (walking/cycling), public transport and car sharing to access the store.

In order for the Travel Plan to achieve these aims a number of actions and measures will need to be implemented. The applicant will appoint a Travel Plan Coordinator, whose duty it is to oversee the implementation and monitoring of the Travel Plan. The Coordinator will be appointed prior to the stores trading. Staff changing and storage facilities, cycle parking facilities, employee induction packs and the implementation of staff discounts for public transport and notice boards will be installed with appropriate sustainable travel information prior to trading commencing.

The Travel Plan will obtain the base survey data shortly after trading begins (3 months), once obtained the Travel Plan Coordinator will review the Travel Plan annually with years 3 and 5 associated targets and measures adjusted accordingly. The Travel Plan aims to reduce single occupancy private car use year on year. A 5 year period is acceptable for this type and size of development. The Travel Plan can be secured by way of planning condition.

#### Recommendation

The National Planning Policy Framework (NPPF) states at paragraph 32 that "development should only be prevented or refused on highways grounds if there would be an unacceptable impact on highway safety, or the residual cumulative impact on the road network would be severe". The Highway Authority considers that this development will not have a severe impact on the local highway network. The NPPF also states that "safe and suitable access to the site can be achieved for all users" and that "appropriate opportunities to promote sustainable transport modes can be – or have been - taken up, given the type of the development and its location." It is considered that the development proposals will meet these criteria. The Highway Authority recommends that no highway objection be raised subject to the following conditions being attached to any permission granted:

#### Condition #1 Layout & Parking

The building(s) hereby permitted shall not be occupied until the vehicular parking, turning and loading/unloading facilities have been provided in accordance with the submitted plan drawing ref. 6023A-121 Rev E, and those facilities shall be maintained available for those purposes thereafter.

Reason: To ensure that a safe, suitable and secure means of access for all people that minimises the scope for conflict between traffic and cyclists and pedestrians is provided in accordance with the paragraphs 108 and 110 of the National Planning Policy Framework.

#### Condition #2 Electric Charging Points

Prior to the occupation of the building(s) the proposed car parking spaces shall be designed to enable charging of plug-in and other ultra-low emission vehicles in safe, accessible and convenient locations.

Reason: To ensure that the development incorporates facilities for charging plug-in and other ultra-low emission vehicles in accordance with paragraph 110 of the National Planning Policy Framework.

Condition #3 Cycle Storage

Notwithstanding the submitted details, the development hereby permitted shall not be occupied until the cycle storage facilities for a minimum of 12 bicycles have been made available for use and those facilities shall be maintained for the duration of the development.

Reason: To give priority to cycle movements by ensuring that adequate cycle parking is provided, to promote cycle use and to ensure that the appropriate opportunities for sustainable transport modes have been taken up in accordance with paragraph 108 of the National Planning Policy Framework.

Condition #4 Construction

Throughout the construction and demolition period of the development hereby permitted provision shall be within the site that is sufficient to accommodate the likely demand generated for the following:

- i. parking of vehicles of site operatives and visitors;
- ii. loading and unloading of plant and materials;
- iii. storage of plant and materials used in constructing the development;
- iv. provide for wheel washing facilities

Reason: To reduce the potential impact on the public highway and accommodate the efficient delivery of goods in accordance with paragraph 110 of the National Planning Policy Framework.

Condition #5 Travel Plan

The approved Travel Plan shall be implemented in accordance with the details and timetable therein, and shall be continued thereafter, unless otherwise agreed in writing by the Local Planning Authority.

Reason: The development will generate a significant amount of movement and to ensure that the appropriate opportunities to promote sustainable transport modes are taken up in accordance with paragraphs 108 and 111 of the National Planning Policy Framework.

Informatives

- i. The proposed development will involve works to be carried out on the public highway and the Applicant/Developer is required to enter into a legally binding Highway Works Agreement (including an appropriate bond) with the County Council before commencing those works.
- ii. The Applicant/Developer is advised to contact Amey Gloucestershire 08000 514 514 to discuss whether the development will require traffic management measures on the public highway.
- iii. The proposed development will involve the stopping up of highway and the applicant/Developer is required to obtain a Stopping-Up Order under S247 of the Town and Country Planning Act 1990 from the National Transport Casework Team before commencing those works.

Statement of Due Regard

Consideration has been given as to whether any inequality and community impact will be created by the transport and highway impacts of the proposed development. It is considered that no inequality is caused to those people who had previously utilised those sections of the existing transport network that are likely to be impacted on by the proposed development.

It is considered that the following protected groups will not be affected by the transport impacts of the proposed development: age, disability, gender reassignment, marriage and civil partnership, pregnancy and maternity, race, religion or belief, sex, sexual orientation, other groups (such as long term unemployed), social-economically deprived groups, community cohesion, and human rights.

## **2. OFFICER COMMENTS**

- 2.1 JCS policy INF1 advises that planning permission will be granted only where the impacts of the development are not severe. The policy also seeks to ensure that all new development proposals provide safe and efficient access to the highway network; and provide connections to existing walking, cycling and passenger transport networks, where appropriate. The policy reflects the advice set out within Section 9 of the NPPF.
- 2.2 As noted in the officer report published in the main agenda, the above response from the Local Highway Authority (LHA) was still awaited at the time of publication. Members will note a very thorough assessment of the development proposals has been undertaken, and the LHA recommends that no highway objection be raised subject to the inclusion of conditions should permission be granted. In reaching this decision, the LHA considers that the development accords with national guidance set out within the NPPF in that it will not have a severe impact on the local highway network; a safe and suitable access to the site can be achieved for all users; and appropriate opportunities to promote sustainable transport modes can, or have been, taken up.

## **3. CONCLUSION AND RECOMMENDATION**

- 3.1 The proposals are considered to be in accordance with all relevant local and national planning policy, and therefore the officer recommendation is to grant planning permission subject to the following suggested conditions:

## **4. SUGGESTED CONDITIONS**

- 1 The planning permission hereby granted shall be begun not later than the expiration of three years from the date of this decision.

Reason: To accord with the provisions of Section 91 of the Town and Country Planning Act 1990, as amended by Section 51 of the Planning and Compulsory Purchase Act 2004.

- 2 The planning permission hereby granted shall be carried out in accordance with the approved plans listed in Schedule 1 of this decision notice.

Reason: For the avoidance of doubt and in the interests of proper planning.

- 3 The development hereby permitted shall be used for non-food retail purposes and the non-food retail purposes shall be restricted to the sale of DIY and gardening goods; carpets and floor coverings, furniture and furnishings, electrical goods, car maintenance products, kitchens; toys and games and associated products; bicycles and associated products, sports and outdoor pursuits goods and clothing and footwear, products and equipment; pet food and products; and for the sale of associated products and ancillary goods which are part of the usual product mix of retailers of those goods. Where sports and outdoors pursuits clothing and footwear are sold, this shall only be as part of a wider mix of goods that includes sports and outdoor pursuits goods.

Reason: To ensure that the sale of goods at this site does not harm the integrity of the town centre, having regard to adopted policy SD2 of the Joint Core Strategy (2017) and paragraph 85 of the National Planning Policy Framework.

- 4 Prior to first occupation of the development hereby permitted, vehicular parking, turning and loading/unloading facilities shall be provided in accordance with approved drawing no. 6023A-121 Rev E, and those facilities shall be maintained available for those purposes thereafter.

Reason: To ensure that a safe, suitable and secure means of access for all people that minimises the scope for conflict between traffic and cyclists and pedestrians is provided, having regard to adopted policy INF1 of the Joint Core Strategy (2017) and paragraphs 108 and 110 of the National Planning Policy Framework.

- 5 Prior to first occupation of the development hereby permitted, the proposed car parking spaces shall be designed to enable charging of plug-in and other ultra-low emission vehicles in safe, accessible and convenient locations.

Reason: To ensure that the development incorporates facilities for charging plug-in and other ultra-low emission vehicles, having regard to adopted policy INF1 of the Joint Core Strategy (2017) and paragraph 110 of the National Planning Policy Framework.

- 6 Notwithstanding the submitted details, prior to first occupation of the development hereby permitted, cycle storage facilities for a minimum of 12 bicycles shall be made available for use, and those facilities shall be maintained available for those purposes thereafter.

Reason: To give priority to cycle movements by ensuring that adequate cycle parking is provided, to promote cycle use and to ensure that the appropriate opportunities for sustainable transport modes have been taken up, having regard to adopted policy INF1 of the Joint Core Strategy (2017) and paragraph 108 of the National Planning Policy Framework.

- 7 Throughout the demolition and construction period of the development hereby permitted, sufficient provision shall be within the site to accommodate the likely demand generated for the following:
  - i. parking of vehicles of site operatives and visitors;
  - ii. loading and unloading of plant and materials;
  - iii. storage of plant and materials used in constructing the development; and
  - iv. wheel washing facilities.

Reason: To minimise disruption on the public highway and to adjacent land users, and accommodate the efficient delivery of goods and supplies, having regard to adopted policy INF1 of the Joint Core Strategy (2017) and paragraph 110 of the National Planning Policy Framework.

- 8 The submitted Travel Plan (Callidus Ref: TE\1370\503\DC dated April 2018) shall be implemented strictly in accordance with the details and timetable therein, and shall be continued thereafter, unless otherwise agreed in writing by the Local Planning Authority.

Reason: The development will generate a significant amount of movement and to ensure that the appropriate opportunities to promote sustainable transport modes are taken up, having regard to adopted policy INF1 of the Joint Core Strategy (2017) and paragraphs 108 and 111 of the National Planning Policy Framework.

- 9 Prior to the removal of the existing security gates, alternative measures to secure the site shall be submitted to and approved in writing by the Local Planning Authority. The security measures shall thereafter be implemented in accordance with the approved details and so maintained.

Reason: To ensure adequate provision for security and the prevention of crime and disorder, having regard to saved policy CP4 of the Cheltenham Borough Local Plan (2006), adopted policy SD14 of the Joint Core Strategy (2017).

## **INFORMATIVES**

- 1 In accordance with the requirements of The Town and Country Planning (Development Management Procedure) (England) Order 2015 and the provisions of the NPPF, the Local Planning Authority adopts a positive and proactive approach to dealing with planning applications and where possible, will seek solutions to any problems that arise when dealing with a planning application with the aim of fostering the delivery of sustainable development.

At the heart of this positive and proactive approach is the authority's pre-application advice service for all types of development. Further to this however, the authority publishes guidance on the Council's website on how to submit planning applications and provides full and up-to-date information in relation to planning applications to enable the applicant, and other interested parties, to track progress.

In this instance, having had regard to all material considerations, the application constitutes sustainable development.

- 2 The proposed development will involve works to be carried out on the public highway and the applicant/developer is required to enter into a legally binding Highway Works Agreement (including an appropriate bond) with the County Council before commencing those works.
- 3 The applicant/developer is advised to contact Amey Gloucestershire on 08000 514 514 to discuss whether the development will require traffic management measures on the public highway.
- 4 The proposed development will involve the stopping up of highway and the applicant/developer is required to obtain a Stopping-Up Order under Section 247 of the Town and Country Planning Act 1990 from the National Transport Casework Team before commencing those works.