



National Highways Planning Response (NHPR 22-12) Formal Recommendation to an Application for Planning Permission

From: Regional Director, South West Operations Division, National Highways
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To: Wiltshire Council
FAO Lynda King

CC: transportplanning@dft.gov.uk
spatialplanning@nationalhighways.co.uk

Council's Reference: PL/2023/10495

Location: Elmfield House, Petersfinger, Salisbury, SP5 3BZ

Proposal: Conversion of Elmfield House and outbuildings to 6 dwellings and the erection of 15 dwellings, with hard and soft landscaping and associated works

National Highways Reference: NH/23/04211

Referring to the consultation on a planning application referenced above, in the vicinity of the A36 that forms part of the Strategic Road Network, notice is hereby given that National Highways' formal recommendation is that we:

- ~~a) offer no objection (see reasons at Annex A);~~
- ~~b) recommend that conditions should be attached to any planning permission that may be granted (see Annex A – National Highways recommended Planning Conditions and reasons);~~
- c) recommend that planning permission not be granted for a specified period (see reasons at Annex A);**
- ~~d) recommend that the application be refused (see reasons at Annex).~~

Highways Act Section 175B is not relevant to this application.¹

¹ Where relevant, further information will be provided within Annex A.

This represents National Highways formal recommendation and is copied to the Department for Transport as per the terms of our Licence.

Should the Local Planning Authority not propose to determine the application in accordance with this recommendation they are required to consult the Secretary of State for Transport, as set out in the [Town and Country Planning \(Development Affecting Trunk Roads\) Direction 2018](#), via transportplanning@dft.gov.uk and may not determine the application until the consultation process is complete.

The Local Planning Authority must also copy any consultation under the 2018 Direction to Planningsw@nationalhighways.co.uk

Signature: *G Gallacher*

Date: 30 January 2024

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Annex A **National Highway's assessment of the proposed development**

National Highways has been appointed by the Secretary of State for Transport as strategic highway company under the provisions of the Infrastructure Act 2015 and is the highway authority, traffic authority and street authority for the Strategic Road Network (SRN). The SRN is a critical national asset and as such we work to ensure that it operates and is managed in the public interest, both in respect of current activities and needs as well as in providing effective stewardship of its long-term operation and integrity.

We have undertaken a review of the relevant documents supporting the planning application to ensure compliance with the current policies of the Secretary of State as set out in DfT Circular 01/2022 "*The Strategic Road Network and the Delivery of Sustainable Development*" and the National Planning Policy Framework (NPPF). This response represents our formal recommendations with regards to planning application reference PL/2023/10495.

Reasons

Background

The application is seeking permission for residential development at Elmfield House and adjacent land. The proposed development comprises the conversion of the existing Elmfield House to provide 6 dwellings, with 15 further dwellings and associated parking and landscaping. The development will be served by an improved vehicular access from Petersfinger Road to the north of the site. There also appears to be a proposed pedestrian access onto the A36 to the south of the site where an existing infrequently used field access is currently located.

Part of the application site benefits from an extant planning consent to provide 5 dwellings with associated works, including vehicular access onto Petersfinger Road, approved under applications 19/00967/OUT and PL/2021/07611.

A36 Traffic Impact and Access

National Highways considers that the vehicular traffic impact on the A36 is unlikely to be either unacceptable or severe in safety or capacity terms on the understanding that vehicular access will only be provided via Petersfinger Road to the north of the application site as stated within the submitted application documents. It is noted that the site also benefits from an existing direct field access onto the A36 which appears to have historically been used infrequently for agricultural purposes. We consider this access to be unsuitable to accommodate an intensification of use associated with the residential development proposed, and unlikely to be capable of improvement to the required Design Manual for Roads and Bridges (DMRB) standards. Therefore, vehicular access shall only be provided from Petersfinger Road, as proposed.

We would also consider this field access to be unsuitable to accommodate construction traffic, both in terms of highway safety due to likely visibility constraints, and capacity given that the A36 Southampton Road is known to operate under constraint, particularly during network peak hours. National Highways would therefore

recommend a pre-commencement planning condition to agree a construction traffic management plan to ensure that construction access is served via Petersfinger Road only.

It is noted from the submitted site and landscape plans that a form of non-vehicular access is proposed to be retained onto the A36 in the location of the existing field access. However, no information as to the intended use of this access is given in the Planning, Design and Access Statement, and no design details are provided. Whilst National Highways is unlikely to object to a pedestrian-only use, it will be necessary for us to agree a preliminary design of the works and the connection to the existing A36 footway to ensure they reflect DMRB standards. Cycle use is also unlikely to be acceptable given the restricted width of the footway in this location. Further information is therefore requested.

A36 Operational Asset Impacts

The application site is bordered by the A36 along the south of the development. The proposals therefore have the potential to impact on the A36 operational highways assets and we have identified a number of areas of concern in respect of those impacts and where further information is requested.

Surface Water Drainage

It is noted that the Flood Risk Assessment and Drainage Strategy report proposes to outfall surface water discharges, at green field run-off rates uplifted due to climate change, into the dry watercourse which passes through the site and continues south via an existing culvert under the A36. Surface water exceedance will also be directed into the dry watercourse running through the site.

The existing culvert is a National Highways Small Span Structure (ID:9559 - Petersfinger 2nd). The box culvert is not very large, and we will expect the applicant to demonstrate that the capacity of the culvert is sufficient to accommodate both existing flows and the additional/changed flows generated by the development. It is also noted that the Flood Risk Assessment also references a new culvert which will be positioned very close to our existing asset but no further information is provided. It will be necessary for us to understand the interactions between the two structures and to be satisfied that the proposals will not adversely affect our ability to maintain and inspect our culvert or cause score / instability issues with the headwalls and apron.

Subject to receiving satisfactory further information to enable us to understand the potential development impact on our existing culvert and any proposed new culvert arrangements, we consider that surface water drainage can otherwise be addressed by pre-commencement planning condition to ensure that National Highways is able to review and agree the detailed surface water drainage design insofar as any impact on the A36 is concerned.

A36 Noise Mitigation

The development site is in close proximity to the A36, and to a noise important area as identified by Defra. Whilst it is acknowledged that the site benefits from an extant

planning consent for residential use, we have concerns with regards to the sustainability of the site in noise terms.

Whilst the development proposes to install a 3m high acoustic fence along the site boundary with the A36, the Noise Impact Assessment (NIA) Figure 5 presents the predicted daytime noise contours with mitigation in place. This shows that most properties will still experience noise levels that exceed the British Standard 'desirable' noise threshold of 50dB LAeq in their private outside spaces, with some gardens exceeding the 'upper' threshold of 55dB LAeq. The NIA states at paragraph 3.12 that *"BS 8233:2014 suggests an upper guideline value of 55 dB LAeq,16hr for noise levels in external amenity spaces such as gardens. This is considered an aspirational limit and BS 8233 recognises that the desirable noise levels for external amenity areas are not always achievable in certain locations."* It is also noted that a gap in the proposed fence would be required to accommodate the proposed non-vehicular access onto the A36.

National Highways expects noise levels within new developments to conform to 'desirable' thresholds specified in BS 8233:2014 so that indoor and outdoor spaces can be utilised as intended. WHO noise guidance, which is congruent with BS 8233:2014, advises *"To protect the majority of people from being seriously annoyed during the daytime, it is recommended that the sound pressure level on balconies, terraces, and outdoor living areas should not exceed 55dB LAeq for a steady continuous noise. To protect the majority of people from being moderately annoyed during the daytime, the outdoor noise level should not exceed 50dB LAeq."*

The application site is described in the Planning Design and Access Statement as comprising *"Elmfield House and its associated outbuildings and extended amenity land. The southern end of the site was formerly used as a paddock and is separated by a stream and bridge."* We therefore consider that the site does not meet the criteria in BS 8233:2014 for relaxing the noise levels in outdoor amenity space from the 'desirable' level to the 'upper' threshold, as the site is not considered to be within an existing *"urban area adjoining the strategic transport network"*. Subjecting residents to noise levels above the British Standard 'desirable' threshold, let alone at or beyond the 'upper' level, may also not conform with NPPF policies in respect of health and well-being (paragraphs 123 and 135), preventing adverse affects of noise pollution (paragraph 180)), nor accord with NPPF paragraph 11 with respect to sustainable development.

The NPPF also refers to the Noise Policy Statement for England (NPSE) [DEFRA, Noise Policy Statement for England, March 2010] which is intended to apply to all forms of noise, including environmental noise, neighbour noise and neighbourhood noise. The NPSE sets out the Government's long-term vision to 'promote good health and a good quality of life through the effective management of noise within the context of Government policy on sustainable development' which is supported by the following aims.

- Avoid significant adverse impacts on health and quality of life;
- Mitigate and minimise adverse impacts on health and quality of life.

We therefore strongly advise that the planning authority satisfies itself that the development will deliver measures which adequately mitigate noise to levels as set

out in BS8233:2014 and WHO guidelines. National Highways will not be held liable for any adverse noise impact arising from the operation of the A36 should the development fail to such deliver measures.

If Wiltshire Council decides to accept that the development does not compromise adopted national, regional or local planning policies, and the development is warranted in that it offers “*convenience of living in these locations or making efficient use of land resources to ensure development needs can be met*”, then the Council should ensure that prospective buyers are fully aware of the noise situation and that the Council bear responsibility to act on any future complaints of traffic noise.

Landscaping

National Highways operational soft estate alongside the application site boundary is limited to minimal widths of verge and/or visibility splay. Nonetheless, it will be important that landscape planting does not result in any suckering from the development into the highways soft estate.

Having reviewed the Soft Landscaping Plan and Schedule, we note that a number of species are proposed that for reasons of safety, liability and maintenance should not be planting in proximity to the highway boundary. In particular, English Oak should be removed from the proposed tree species, and in the mixes for ‘Native hedgerow’, ‘Wet whip mix’ and ‘Standard whip mix’ there is at least one undesirable species that should not be planted within 10m of our Operational estate, including the verge, namely Blackthorn (*Prunus spinosa*), Dogwood (*Cornus sanguinea*) and Goat Willow (*Salix caprea*).

For the applicant’s information, for reasons of safety, liability and maintenance as previously stated, the following species must not be planted within 10m of our estate:

1. Blackthorn (*Prunus spinosa*)
2. Goat willow (*Salix caprea*)
3. Crack willow (*Salix fragilis*)
4. Dogwood (*Cornus sanguinea*)
5. Italian alder (*Alnus cordata*)
6. Cherry (*Prunus sp*)
7. Quaking Aspen (*Populus tremulans*)
8. Wild Privet (*Ligustrum vulgare*)

In addition, the following trees must not be planted in a position where at maturity they would be within falling distance of the carriageway or any significant National Highways asset:

9. Silver Birch (*Betula pendula*, *Betula pubescens*)
10. Austrian Pine (*Pinus nigra*)
11. Poplar (*Populus alba*, *Populus hybrid*, *Populus lombardii*)
12. Oak – English/Sessile (*Quercus robur*, *Quercus petraea*)

Furthermore, the planting of ash (*Fraxinus excelsior*) and larch (*Larix sp*) is ill advised due to the current diseases they spread and succumb to.

However, we consider that this could be addressed by planning condition to secure a

detailed Landscape Plan and Planting Schedule for our review and acceptance in so far as any potential impact on National Highways estate and the SRN asset. This will need to include details of maintenance methods and commitments.

Noise Fencing

The proposed 3m acoustic fence along the A36 boundary would be classed as a Category 0 structure, as defined in the DMRB ([CG 300](#)) and would therefore require a Design and Check Certificate signed by a suitably qualified person (a template is provided in CG 300). The certificate would need to be supplied to National Highways (Safety and Engineering Standards team) along with the CV of the person signing it on behalf of the designer. Certification will need to be completed at the fence design stage and prior to its construction.

We will also require a detailed A36 boundary treatment plan showing the exact location of the fencing in relation to the highway boundary, design details (including certification), construction method and maintenance schedule to ensure the proposals comply with the requirements of DfT Circular 01/2022 which states that for reasons of safety, liability and maintenance the developer must ensure that all required and desired mitigation is provided within the development or by a site boundary feature proposed as part of the development. Any fences, screening or other structures should be erected wholly on the developer's land, and far enough within the developer's land to enable maintenance to take place without encroachment onto highway land, or otherwise adversely impacting on the integrity of the highways asset. We are satisfied that this could be addressed by planning conditions.

Summary

National Highways requests further information to enable us to fully understand the impact of the development on the safe and efficient operation of the A36 trunk road. In particular, further details should be provided in relation to:

- the nature of use and a preliminary design for the proposed retained access onto the A36 trunk road;
- the impact of the proposed surface water drainage arrangements, including the provision of a new additional culvert, on the existing National Highways culvert structure and National Highways means of access for maintenance purposes.

We consider matters in relation to landscaping, boundary treatments and construction traffic management could be addressed by planning conditions, although we are also willing to consider any further information the applicant wishes to submit prior to determination. National Highways also raises concerns with respect to the sustainability of the site in noise terms.

Recommendation

National Highways recommends that Wiltshire Council not grant planning permission in respect of planning application reference PL/2023/10495 for a period of 6 months from the date of this recommendation.

This is to allow time for further information to be provided to enable National Highways to fully understand the impact of the development on the safe and efficient operation of the A36 trunk road and thereby provide informed advice to the planning authority.

Standing advice to the local planning authority

The Climate Change Committee's 2022 Report to Parliament notes that for the UK to achieve net zero carbon status by 2050, action is needed to support a modal shift away from car travel. The NPPF supports this position, with paragraphs 73 and 105 prescribing that significant development should offer a genuine choice of transport modes, while paragraphs 104 and 110 advise that appropriate opportunities to promote walking, cycling and public transport should be taken up.

Moreover, the *build clever* and *build efficiently* criteria as set out in clause 6.1.4 of PAS2080 promote the use of low carbon materials and products, innovative design solutions and construction methods to minimise resource consumption.

These considerations should be weighed alongside any relevant Local Plan policies to ensure that planning decisions are in line with the necessary transition to net zero carbon.