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 Georgina Wright

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

Council's Reference: PL/2023/10562

Location: Land south of the A303, Berwick Farm, Berwick St. Leonard, Wiltshire

Proposal: Construct digestate storage lagoon

National Highways Ref: NH/23/04276

Referring to the consultation of the planning application referenced above, in the vicinity of the A303 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 & 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 A)~~

Highways Act 1980 Section 175B is not relevant to this application.[1]

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

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

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 .

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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 a 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/2023/10562.

Reasons

The proposals

The application is seeking permission for a digestate storage lagoon located to the south of the A303. Earth bunds are to be constructed around the lagoon with landscaping to mitigate the visual impact of the development. The site is an agricultural field which currently has two existing accesses onto the highway network: a direct field access onto the A303 westbound carriageway in close proximity to the lagoon location; and a second access which connects via a track within the applicant's landholding to the minor road to Berwick St Leonards. The applicant states that it is intended to utilise the access onto the minor road only to serve the development, both during construction and operation.

National Highways primary consideration is the ongoing safe and efficient operation of the A303 which provides a vital strategic link. It is this context that our comments are made.

Assessment of traffic impacts and access arrangements

It is accepted that the development is unlikely to result in an intensification of vehicular traffic utilising the A303/minor road junction compared to the existing movements associated with the importation and spreading of fertilizer across the applicant's landholding. However, we consider that the development will result in a change in the pattern and frequency of turning movements at the development access junction with the minor road, which is located in very close proximity to the A303/minor road junction. The A303 in this location is dual carriageway and subject to the national speed limit. Noting that this is the only access being proposed to serve the development, we have focussed our comments on this access arrangement only.

The existing access onto the minor road is likely to be infrequently used compared to the turning movements that will occur as a result of the development. We consider that the applicant has provided insufficient information to demonstrate that this access arrangement is suitable to safely accommodate intensification of use particularly by

large, slow moving and towing vehicles in proximity to the A303 junction. Our review has identified the following areas of particular concern.

1. The visibility of traffic leaving the A303 from the east to vehicles exiting the development may be constrained. This traffic is essentially approaching the junction from behind the right hand shoulder of vehicles exiting the farm access track. Drivers exiting the development site may therefore not have a clear view of vehicles exiting the A303 with the increased possibility of collisions occurring. Similarly, vehicles leaving the A303 may have limited visibility of vehicles exiting the development, particularly given the vegetation which appears to be present. Details of the available visibility splays should be provided.

2. It is unclear whether the size of vehicle likely to regularly utilize the access could safely perform the "u-turn' which would be required if leaving the A303 and accessing the track from the east. It is therefore requested that suitable swept path information is provided to confirm whether this movement can be undertaken in a safe manner. This should allow for the largest vehicle likely to utilize the site. The Design Manual for Roads and Bridges (DMRB) CD123 *Geometric design of at-grade priority and signal controlled junctions*, paragraph 5.6.2(2) states that the minimum corner radii to be provided at a simple priority junction in a rural area should be 15m followed by a corner taper of 1:10 over a distance of 25m. This would not appear to be provided with the existing access layout.

3. It is unclear whether the existing access provides sufficient width to cater for a large vehicle both entering and exiting the site at the same time. Swept path drawings should also be provided to demonstrate that two-way movements can be undertaken safely without the risk of vehicles colliding, or entering vehicles being forced to wait in proximity to the A303 junction thereby increasing the risk of collisions occurring.

4. Similarly there is no indication as to the width of the access track to demonstrate that vehicles can pass one another, again to ensure entering vehicles do not have to stop and wait in proximity to the A303 junction to allow an exiting vehicle to clear the access track.

It is noted that the applicant is not intending to utilise the direct field access onto the A303 to serve the development, however National Highways would look to secure this restriction by planning condition. Intensification of use of this direct access arrangement is likely to be considered unacceptable on highways safety grounds and would be unlikely to comply with the requirements for a direct access as set out in DMRB CD123.

At this stage it is therefore considered that the applicant has not adequately demonstrated that safe and suitable access can be provided to the development, and further information should be submitted for review.

<u>Assessment of operational impacts</u>

The lagoon is proposed to be located approximately 25m from the A303 highway boundary, although offset distances do not appear to be clearly provided on any of the submitted plans. Due to the proximity of the development to the A303 boundary, the

development has the potential to impact on highway safety and operational highways assets. We therefore need to be satisfied that the requirements of DfT Circular 01/2022 will be met.

Geotechnical and Drainage Issues

The A303 adjacent to the site of the proposed lagoon is on a low height embankment (approximately 1m or less) with the underlying topography falling gently towards the southeast. The plan and proposed sections drawing *Fonthillbishop-1123-Proposed* shows that the bund to the northern side of the lagoon is proposed to be approximately 3m high with the southern bund approximately 6 m high to take account of the falling underlying topography.

In principle, National Highways has no concerns with the siting of the proposed lagoon on the understanding that the nearest distance of the northern bund toe is approximately 25m south of the A303 boundary. We therefore request that a plan is provided which clearly shows the offset distances of the northern bund toe from the A303 boundary.

We also consider that insufficient information has been provided with regards the development construction and surface water drainage measures to enable us to form a view as to the potential impact of the proposals on the SRN asset. Further information is therefore requested as follows:

- Evidence/demonstration of bund side slope stability and being constructed in a proper manner and from suitable materials that meet an adequate engineering specification to permanently retain a lagoon feature of this type without failure of the bund side slopes. This should include when the lagoon is empty, full and at a level the developer expects to be the case during normal operation, and should consider both the short and long term cases.

- Evidence/demonstration that the lagoon/bund sides are adequately protected from any leakage/seepage through or potential overtopping of the bunds.

- The topographical levels of the development site indicate that surface water run-off from the bunds should migrate south away from the A303. However, confirmation should be provided that there would be no potential for any of the run-off or lagoon contents to pond/flood on the northern bund side such that it then has any potential to reach the A303 or cause slope instability/failure.

- Details should also be provided regarding the lagoon's freeboard depth and overflow layout should the lagoon reach capacity and overtop the bunds.

- Section 5.0, of the Flood Risk Assessment report states that surface water run-off will be mitigated by providing additional vegetation planting. The applicant states that the additional vegetation will not only absorb surface water run off but also provide stability to the bund embankments. However, National Highways is concerned that surface water run-off, particularly during the winter period, will not be retained within the additional vegetation and could lead to localised scouring and flooding around the bunds which has the potential to impact on the SRN boundary. Further information should therefore be provided

with regards to the adequacy and suitability of the proposed planting (see also Landscaping comments below).

- Section 4.0 of the Flood Risk Assessment report describes the proposal to deposit and collect digestate via a piped system through the bund embankment but no layout plan showing the details of the digestate piped system and its position in relation to the lagoon has been provided and further information is requested.

Landscaping/Screening

National Highways operational soft estate in proximity to the application site comprises grassland with an established linear belt of trees and shrubs behind. It should be emphasised that National Highways soft estate must not be relied upon to contribute any mitigation to the development as the management of our estate may from time to time affect any real or perceived benefits. As such 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. We would encourage the use of native and naturalised species planting to provide or support visual screening mitigation, with an evergreen component to sustain this all year round. Any fences, screening and other structures must be erected outside of the highway boundary in accordance paragraph 57 of DfT Circular 01/2022 "The Strategic Road Network and the Delivery of Sustainable Development" and far enough within the developer's land to enable maintenance to take place without encroachment onto highway land.

We have reviewed the Proposed Hard & Soft Landscape Plan which shows a narrow width of proposed 'Grass seeding' at the boundary of the application works area, with 'Tree and Shrub planting' set a short distance inside. The 'Plant Schedule' includes some species within the proposed mix that are undesirable in proximity to the SRN operational asset.

We would therefore advise the developer that for reasons of safety, liability and maintenance the following species must not be planted within 10m of National Highways 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 tremula)
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 sp)
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.

A revised Landscape Plan and Plant Schedule should therefore be provided which replaces any of the above species currently included. However, we consider that this matter could be addressed by a suitable planning condition, subject to other matters being resolved.

Summary

At this stage, insufficient information has been provided to enable National Highways to fully understand the potential impact of the development on the SRN. Further details are therefore requested as detailed above.

Recommendation

National Highways recommends that Wiltshire Council not grant permission in respect of application reference PL/2023/10562 for a period of 6 months from the date of this recommendation.

This is to allow time for the applicant to submit further information to enable National Highways to fully understand the impact of the development on the safe and efficient operation of the SRN in line with the requirements of DfT Circular 01/2022 and the NPPF, 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.