Highway Comments

Application No: PL-2023-10424

Application Location: Wavin Plastics Limited, Parsonage Way, Chippenham, SN15 5PN

Application Description: Discharge Conditions 3,13 and 17 on 17/07793/FUL - Works to existing road to provide new road link connecting B4069 Langley Road and Parsonage Way, including the provision of a footway/cycleway and new landscaping. Construction of new double roundabout junction on Langley Road and single roundabout on Parsonage Way. Stopping up of existing section of Parsonage Way and change of use to provide storage area.

Date Received: 12st December 2023

HDC Officer: David Lear

I refer to the DoC application PL-2023-10424 in respect of the proposed link road north of the Wavin Plastics Ltd site in North Chippenham which seeks to discharge Conditions 3, 13 and 17.

I have reviewed the following documents related to highways and submitted as part of the application:

- Condition 17: Works Programme - Rev A
- Condition 13: Construction Method Statement - Rev A

My specific comments in respect of each of these submitted documents are set out below. I do not comment on the CEMP additionally submitted to discharge Condition 13, as the primary item of interest is the CMS. Furthermore, I make no comments on the documents submitted in respect of Condition 3.

Condition 13: Construction Method Statement

This Condition states:

"No development shall commence on site (including any works of demolition), until a Construction Method Statement, which shall include the following:

a) the parking of vehicles of site operatives and visitors;

b) loading and unloading of plant and materials;

c) storage of plant and materials used in constructing the development;

e) wheel washing facilities;

f) measures to control the emission of dust and dirt during construction;

g) a scheme for recycling/disposing of waste resulting from demolition and

construction works; and

h) measures for the protection of the natural environment.

i) hours of construction, including deliveries;has been submitted to, and approved in writing by, the Local Planning Authority.

The approved Statement shall be complied with in full throughout the construction period. The development shall not be carried out otherwise than in accordance with the approved construction method statement.

REASON: The application contained insufficient information to enable this matter to be considered prior to granting planning permission and the matter is required to be agreed with the Local Planning Authority before development commences in order that the development is undertaken in an acceptable manner, to minimise detrimental effects to the neighbouring amenities, the amenities of the area in general, detriment to the natural environment through the risks of pollution and dangers to highway safety, during the construction phase".

COMMENT

The applicant has submitted both a CEMP and a CMS to seek to discharge this condition. Turning to the CMS:

Work Times

- Whilst the permissible working time is stated as 7am to 6pm M-F, it is unlikely that working during the peak periods will be permissible on the Phase 2 works (B4069). However, this can be agreed and set out later in the S278/s38 Agreement.

Main Contract Works - Sequencing

- Phase 1: Parsonage Way Diversion 'Link' works - 'Offline': No comment. This is minor in extent bar realignment needed to the existing built road at its eastern end.

- Phase 2: Roundabout Construction (B4069): It will be helpful in due course if the Stage 1-4 works plans could be overlaid to the topographical survey 'base, particularly as there has been considerable change to the OS Landline mapping used with construction of the B4069/Kilvert's Way/Parsonage way RBT. However, what is shown is sufficient to understand the proposed sequencing. The applicant should be advised that 'no' Phase 2 works would be permitted by the Council until such time as the s247 Stopping Up Order for Parsonage way is confirmed. A s278 Agreement will need to be in place anyway, and this condition would be included in the agreement clauses.
  - Stage 1: No comment. Undertaking as much work as possible off-line whilst retaining traffic flows along the existing B4069 alignment is supported, as would a speed limit reduction. A permanent reduction to the 50mph limit would be pursued anyway, either as an extension of the 30mph limit or the creation of a length of 40mph.
  - Stage 2: No comment. Two-way flow along the B4069 is still maintained along its existing approximate line so acceptable.
  - Stage 3: The principle of diverting two-way traffic around the southern side of the new circulatory carriageway is accepted. However, in refining plans at s278 stage when in discussion with WC Network Management, it will be necessary for the contractor to demonstrate that the two-way passage of two articulated HGVS can be accommodated through the diverted route, which has relatively tight curvature. It may in practice be necessary to delay installing the kerb race to the south side of the central island until NE bound traffic is switched during Stage 4.
  - Stage 4: No comment.

- Phase 3: Eastern Roundabout Construction

- Stage 1: The undertaking of these works will need to maintain highway access to the WC Depot which is achieved. However, the Council would be reluctant to see any commencement of Phase 3 works until the s247 Stopping Up Order is confirmed. This TM assumes that, if the railway bridge is in place, that there is no access being taken via it to/from Rawlings Green and planned development here when these works come forward. This would make sense, but again imposes a critical programming constraint which cannot be determined at the present time.
- Stage 2: No comment on proposed TTM. The WC Depot highway access is maintained, albeit over new highway land to be dedicated as opposed to over existing highway. The point made above about the railway bridge in place but unopen to trafficking is again pertinent.
- Stage 3: No comment. However, no diversion of traffic onto the new Link Road would be permitted until such time as Phase 1 and Phase 2 works are signed off to Provisional/Part 2 Certificate level under the s278/s38 Agreement (as required by Condition 16). No closure of the Parsonage Way access to/from the new roundabout will be permitted until the s247 Stopping Up Order is confirmed, but as noted earlier the Council would not agree to any Phase 3 works starting until it is.

In conclusion I am satisfied that the content within the CMS is sufficient to discharge this element of Condition 13, this accepting that a 'refined' CMS would be needed 'as required' as part of the s278/s38 process. In terms of what is shown, the absence or otherwise of a confirmed s247 Stopping Up Order will only affect timing or programming. However, the sequencing and TM proposed for the Phase 3 works is dependent on, should be railway bridge be in place, that this remains unopened to traffic, even for initial construction trafficking associated with the development of Rawlings Green. Getting the eastern roundabout constructed in full before any Rawlings Green trafficking will certainly be the most sensible approach, which will otherwise severely complicate the TM and construction should the bridge be open and there is need to accommodate any development related traffic. However, this again is all down to programme, where there are still these key 'unknown' factors.

Condition 17: Works Programme

This Condition states:

"No works shall be undertaken on the site except in accordance with a programme of works which shall first have been submitted to and approved by the local planning authority.

REASON: In the interests of highway safety, and to ensure that existing access arrangements are not prejudiced".

COMMENT

I have reviewed the submitted programme in conjunction with the CMS which sets out the detail of what the specific 'stages' in each of the three main work 'Phases' are. I have commented on the latter above in discussing the CMS and Condition 13.

Whilst the overall sequencing of the works in the submitted programme looks logical, and the estimated total construction duration of 39 weeks plausible, Highways are not content to see this Condition (17) fully discharged based on a 'generic' programme now with no actual dates. As Wavin seemingly have no real intent to undertake these works in the short or possibly medium term, as they are waiting to see what happens with timescales on Rawlings Green (and the new railway bridge), then commenting on and fully agreeing a programme now seems premature. This Condition would be

more appropriate to consider and discharge when the s278/s38 agreement is concluded, the s247 Stopping Up Order is confirmed and all highway drawings taken through to full Technical Approval, so all the conditions necessary to allow the 'full' works to commence. At this point the dates of 'road-space' bookings would also be firmed up, all leading to the proper development of a detailed programme with dates. We would normally seek and require this as part of the pre-commencement requirements in the s278/s38 Agreement anyway so, in a sense, any prior programme developed some time ahead to seek early discharge of a Condition could only reasonably be generic, and especially in this case with other unknowns governing the actual 'start date' (Rawlings Green). It would thus be our view that discharge of this Condition can only be reasonably discharged when the actual 'full' works start date is known, and dates/further detail added into the programme then as appropriate (in also meeting the s278/s38 Agreement requirement for the same).

Notwithstanding the above, I would offer no objection to some work along the existing Stockyard Haul Road being undertaken (Phase 1) in lieu of the full detailed programme being approved and so Condition 17 discharged. As noted, the latter can only reasonably happen when the s278/s38 is in place and an 'actual' start date for the main Phase 2 and Phase 3 works known.

C**onclusion**

In summary:

- Condition 13: I am satisfied that the content within the CMS is sufficient to discharge this element of Condition 13, this on the proviso that some 'refinement' to this CMS may be needed 'as required' as part of the subsequent s278/s38 process.

- Condition 17: Highways are not content to see this Condition deemed fully discharged based on a 'generic' programme now with no actual dates. There are too many unknowns with Rawlings Green and the construction of the railway bridge and, whilst the applicant could proceed with the 'full' works ahead of both, there has been no indication in recent discussions that this is the intent. For example, there is no desire from the applicant to enter into a s278/s38 Agreement at this point, which is needed to undertake any part of the Phase 2 or Phase 3 works. Furthermore, there has been no communication to indicate that the applicant has applied for the s247 Stopping Up Order for Parsonage Way. Again, the time that this will take to be processed and the Order duly confirmed is an unknown, this assuming it is. That aside, I would offer no objection to some work along the existing Stockyard Haul Road being commenced (Phase 1) in lieu of the full detailed programme being approved and so Condition 17 discharged. This presents no risk to the operation of the existing highway network, although it would clearly be abortive if the full works are not duly completed in the medium term.