

Stirling Council

Agenda Item No. 9

Planning and Regulation
Panel

Date of
Meeting: 1 May 2018

Not Exempt

Formation of New Access at Land To West and South Of Kepphill, Stirling - Mr and Mrs I and F Johnston - 18/00075/FUL

Purpose & Summary

The above application has been referred to the Planning and Regulation Panel by Councillor Alistair Berrill on the grounds of road safety.

This report forms the Report of Handling for the planning application in compliance with the Town and Country Planning (Development Management Procedure) (Scotland) Regulations 2013.

Recommendations

Panel is asked to:

1. Refuse the application for the following reason:
 - 1.1 In the opinion of the Planning Authority, the proposal is contrary to road safety in that:
 - (a) The vehicular traffic travelling along the A811 at this location tend to be at high speeds, and may at times exceed the speed limit. The available visibility sightline falls short of the roads standard (2.4 metres by 215 metres) for the visibility sightlines to the east of the proposed access by a distance of 93 metres.
 - (b) The formation of a fourth access in the vicinity of Kepphill is likely to lead to a conflict in vehicle movements that is not in the best interests of road safety.

Resource Implications

Not applicable.

Legal & Risk Implications and Mitigation

Not applicable.

1. Background

- 1.1. N/A.

2. Considerations

The Site

- 2.1. The application site is located adjacent to the A811, approximately 1 mile to the east of Arnprior.

The Proposal

- 2.2. From the covering letter, submitted by the agent acting on behalf of the applicant, it is understood the land required to upgrade the farm access to the dwelling house approved at the rear of Kepphill, falls outwith the applicant's control and permission has not been granted by the land owner for the farm road geometry and road surface upgrade to be carried out.
- 2.3. The planning application is to form a new access from the application site on land owned by the applicant in order to secure access to a site that has the benefit of full planning permission for the erection of a dwelling house.

Previous History

- 2.4. The site is the subject of a previous planning permission in principle for the erection of a one and a half storey dwelling house and improvements to existing access to A811 Garden Ground To West And South Of Kepphill Stirling –reference 11/00452/PPP granted through the Local Review Body and full planning permission for the erection of a dwelling house and improvements to existing access to A811 Land To West And South of Kepphill Stirling – reference 15/00843/FUL.

Consultations

Arnprior Community Council:

- 2.5. Object on the grounds of road safety. The reasons are:
 - 2.5.1 The drawings submitted by the applicant are stated as being, 'Do not scale from drawing'. In this regard they appear to be deficient in respect of presenting full proposals for access, visibility splays, and 'deceleration lane'. Arnprior Community Council is unable to determine from the drawings whether a proper bellmouth access at the site is achievable.
 - 2.5.2 The proposal increases the number and density of access road junctions between Hill of Arnprior and Kepphill access road junctions to the A811. The number of junctions will increase the density to three within a distance of less than 30 metres. The increase in number and density of access road junctions will have a detrimental impact on the junction clarity and the unobstructed visibility affecting both the road users of both the major road and the minor road. It is considered that the clarity and unobstructed visibility at the proposed access is so far below acceptable current standards that the application, as it stands, should be rejected on grounds of road safety, unless the applicant can demonstrate how junction clarity and unobstructed visibility to current standards is to be achieved.
 - 2.5.3 The proposed new access is east of the access that already has Full Planning Permission, (15/00843/FUL) and the access has a visibility

sightline distance established as 110 metres. The proposed new access, being situated east of 15/00843/FUL access, will have a visibility sightline distance less than 110 metres and very much lower than the desirable stopping sight distance of 215 metres. The visibility sightline distance is not established by the applicant and it is unclear from the drawings what the distance is but, as it may be significantly lower, and Arnprior Community Council would urge that the visibility sightline distances be established by the Council. Previously, the Local Review Body, (11/00452/PPP), based their decision with reference to the location of the access as presented. Arnprior Community Council considers that that lower visibility sightline distance of this application is significant and, in this context, raise with the Council whether previous decisions are to be considered material to this application.

- 2.5.4 Notwithstanding, it is considered that the visibility at the proposed access is so far below acceptable current standards that the application, as it stands, should be rejected on grounds of road safety, unless the applicant can demonstrate how visibility to current standards is to be achieved.
- 2.5.5 If for any reason officers or any other party are minded to set aside current safety standards and accept the severe deficiency in junction clarity and visibility distances towards the access for vehicles on the A811, or from the access for vehicles leaving the development, Arnprior Community Council requests some measure of control of risk and warning for all drivers on the A811 passing or using this junction, by reducing the speed limit such that the visibility distance is closer to current national standards, and by adoption of robust measures in road signage to clearly warn public users of the A811 (travelling west past the access) of the dangerously short sight distance to the junction and the danger of running into emerging or turning slow moving vehicles in the blind spot before them. Further, in this event, Arnprior Community Council would urge that, to minimise the risk to road safety, for the time period of the works, access improvements and construction work, that it is made a condition that, prior to works commencing, a planned access to and from the site be submitted to the Council, for approval. This, with due regard, would be to demonstrate consideration of access activities of the neighbouring properties.
- 2.5.6 The access is proposed to be set adjacent to land, on both sides, that Arnprior Community Council understand is not in ownership or control of the applicant. The proposed access slopes from east to west and from south to north. Given the height difference, and the physical features on adjacent ground, e.g. services pole, fencing, it is requested that measures should be included in any permission for development to protect the stability of the ground and the physical features, on adjacent ground. In light of road safety issues highlighted above, Arnprior Community Council request that any permission to develop would be dependent on completion of all improvement of access works prior to commencement of any development work at the house site itself, to ensure safe access for construction traffic, and to protect the safety of the public using the A811.

Roads Development Control:

- 2.6. Object on grounds of road safety.
- 2.6.1. This application proposes the formation of a new access, located to the east of the existing access, onto the A811. The A811 is a Primary Route serving as a strategic link between primary destinations, Stirling, Dumbaron and onwards to Erskine Bridge and as such carries long distance traffic. The

primary purpose of the A811 is to provide a safe and expeditious movement of the long distance through traffic. The Design Manual for Roads and Bridges relates to trunk roads but is recognised as the best guidance that is available to Local Authorities for designing improvements and changes to rural roads of this nature. The Design Manual for Roads and Bridges states it is advisable to limit direct accesses onto roads of this nature to ensure the safety and efficiency of the primary route is not compromised. There are already three existing accesses within close proximity at this location, these being the accesses serving Hill of Armore Farm and Kepphill on the south side of the A811, plus a field access on the opposite side of the carriageway. Introducing a fourth junction within this vicinity, along with the associated increase in often conflicting vehicle turning movements is considered to be detrimental to road safety.

- 2.6.2. The Roads Authority has consistently recommended against the granting of any development which proposes the formation of a new access onto rural A class roads of this nature. Acceptance of a new access onto the A811 would set a precedent for further applications that would then be difficult to resist, thereby compounding the highlighted road safety issues.
- 2.6.3. Notwithstanding the above, a new access onto a public road with a vehicular speeds of 60mph must provide visibility sightlines of 2.4m x 215m in either direction from the centre of the proposed access. The location of the proposed location currently provides 2.4m x 122m, to the east of the proposed access, and 2.4m x 138m, to the west of the proposed access. This is significantly less than the standards stated to provide a safe access.
- 2.6.4. In addition to the above, the access arrangement is detailed within the applicant's supporting statement as providing a deceleration lane, however, the submitted Drawing No. 2017_0015/01 Site Plan does not provide any details as to how this access would be physically provided. Notwithstanding the above comments regarding Roads objection to any new access being provided onto the A811, there are doubts as to whether a fully compliant access could be provided within the red line boundary shown.

Representations

- 2.7. Two objections have been received on the grounds of road safety which are summarised as follows:
 - 2.7.1. The issue of visibility splays has been a key consideration. However, the application does not provide any information on visibility splays for the proposed new access. As the proposed access is just a few metres east of the existing farm access that would serve the approved house site, it is assumed that the visibility is similarly constrained, thus falling very far short of national highway safety standards. Measurements must be determined before the application is considered.
 - 2.7.2. The proposed new access would sit between the existing driveway at the house - Kepphill and the farm lane that leads to Hill of Armore, a distance of little more than 20 metres. It is considered that this would create a very hazardous collection of three separate accesses in a very short distance. The application includes a drawing for a 'deceleration lane'. The drawing does not specify the length of the 'lane' – it is estimated to be less than 16 metres, which seems wholly inadequate for egress from a highway with a 60 miles per hour speed limit. Furthermore, since the proposed access immediately abuts the adjacent Kepphill residential driveway, it would greatly increase the risk at the Kepphill driveway access, as vehicles would

have to be alert to other vehicles crossing in front of the drive to try to gain entry to the proposed new access.

- 2.7.3. The application suggests that the Council might wish to impose a condition that a sign be erected, and maintained in perpetuity, to give advance warning of a concealed entrance. The very fact that the applicant has acknowledged the risk proposed by this access serves to underline road safety concerns.
- 2.7.4. The proposed new access would generate a greatly increased risk to all users of the A811, as well as the adjacent residents of Kepphill.
- 2.7.5. The application does not take into account the farm business, which uses the adjacent farm track to access the farm at Hill of Arnmore. The fields pertaining to the farm are on the opposite of the A811 road for livestock grazing. In order to graze out livestock the farmer has to drive them down the farm access road across the A811 and into the fields and then back again. The introduction of a further access only provides another option for the cattle crossing the road and more difficult to manage. To then make a 'deceleration lane' and entrance would cause the livestock confusion and would make them go up the wrong entrance or even worse turn back and head down the road. When crossing a road, livestock need to have a direct and easy place for them to see where to go. What is proposed would cause the livestock too many choices and is a road safety concern.

Local Development Plan Policy

- 2.8. Section 25 of the Town and Country Planning (Scotland) Act 1997 (as amended) indicates that in making any determination under the Planning Acts, regard is to be had to the Development Plan. The determination shall be made in accordance with the Plan unless material considerations indicate otherwise. The following provisions of the Development Plan are considered relevant to the consideration of this application.
- 2.9. Local Development Plan Policy for Housing in the countryside – Policy 2.10 and the related Supplementary Guidance SG10, and Policy 1.1 Site Planning.

Other Planning Policy

- 2.10. Not applicable.

Assessment

- 2.11. The advice from Transport Development (Roads) is that a new access onto a public road with a vehicular speeds of 60 miles per hour requires visibility sightlines of 2.4 metres by 215 metres in either direction from the centre of the proposed access. The location of the proposed access currently provides 2.4 metres x 122 metres, to the east of the proposed access, and 2.4 metres x 138 metres, to the west of the proposed access. In addition to the above the access arrangement is detailed within the applicant's supporting statement as providing a deceleration lane however the submitted Drawing No. 2017_0015/01 Site Plan does not provide any details as to how this access would be physically provided and there are doubts as to whether a fully compliant access could be provided within land that is controlled by the applicant.
- 2.12. Based on this advice from the consultation reply Council's Transport Development (Roads), it noted that the current visibility splay is some 93 metres short of the required forward visibility sightline.

-
- 2.13. The access to the house site at the rear of Kepphill that was previously approved by Local Review Body was from existing Hill of Arnmore farm access track onto the A811. The approved access provides a visibility splay of 2.5 metres by 110 metres to the east of the access and the required visibility is 2.4 metres by 215 metres. This felt short of the required visibility sightline by 105 metres. The current application therefore proposes to have a visibility sightline which is 12 metres longer than the approved access from the farm access road that leads to Hill of Arnmore.
- 2.14. It is recognised that vehicular traffic travelling along the A811 at this location tend to be at high speeds, and may at times exceed the speed limit. It is therefore essential that the road safety implications of a new fourth access in the vicinity of Kepphill are fully considered.
- 2.15. It is considered therefore that the new access requires to be assessed completely on its own road safety merits. As the visibility sightline falls short of the roads standard for the visibility sightlines to the east of the proposed access by a distance of 93 metres, the proposal is contrary to road safety.
- 2.16. Furthermore, the formation of a fourth access in the vicinity of Kepphill is likely to lead to a conflict in vehicle movements that is not in the best interests of road safety.
- 2.17. In view of the above, the application warrants refusal.

3 Implications

Equalities Impact

- 3.1 This application was assessed in terms of equality and human rights. Any impact has been identified in the Considerations/Assessment section of this report.

Sustainability and Environmental

- 3.2 An Environmental Impact Assessment is not required.

Other Policy Implications

- 3.3 All relevant policies have been set out in section 2.

Consultations

- 3.4 As set out in section 2.

4 Background Papers

- 4.1 Planning Application file 18/00074/FUL. File can be viewed online at:
<https://pabs.stirling.gov.uk/online-applications/applicationDetails.do?activeTab=documents&keyVal=P3VJLAPIN4000>
- 4.2 List of Determining Plans:

Stirling Council Plan No.	Name	Ref on Plan
01	Location Plan	2017_0015/00
02	Site Plan	2017_0015/01

5 Appendices

5.1 None.

Author of Report:

Iain Jeffrey
Senior Planning Officer


Contact Details:

01786 233676
jeffreyi@stirling.gov.uk

Approved by: Brian Roberts
Senior Manager Infrastructure

Date:
20 April 2018

Signature:



Details of Convener(s), Vice Convener(s),
Portfolio Holder and Depute Portfolio Holder
consulted on this report:

N/A

Wards affected:

Ward 2 Forth & Endrick

Key Priorities: N/A

N/A

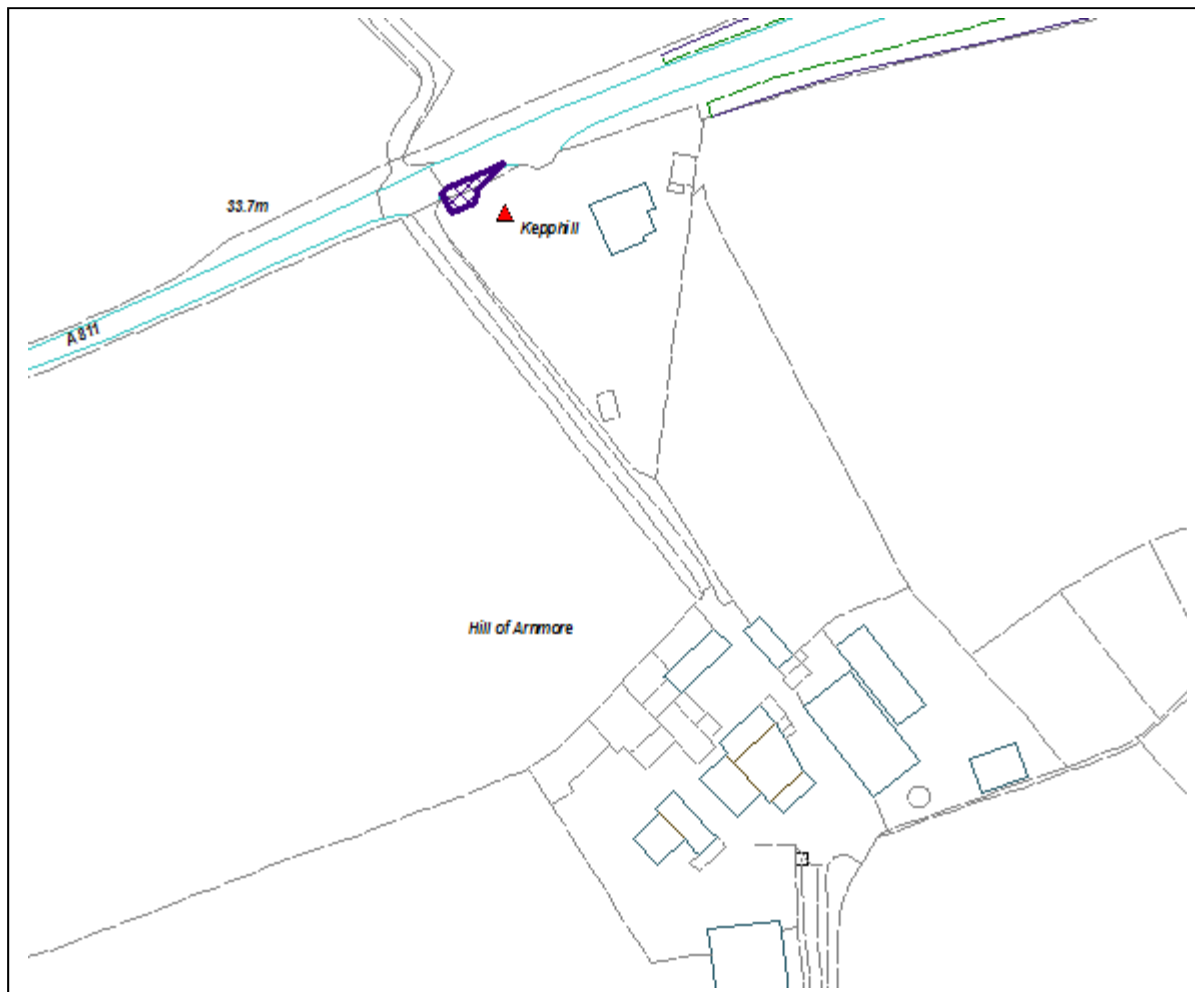
Key Priority Considerations:

N/A

Stirling Plan Priority Outcomes:
(Local Outcomes Improvement Plan)

N/A

Location of Development



Reproduced by permission of Ordnance Survey on behalf of HMSO. © Crown copyright and database right 2018. All rights reserved. Ordnance Survey Licence number 100020780