



Developments Affecting Trunk Roads and Special Roads
Highways England Planning Response (HEPR 16-01)
Formal Recommendation to an Application for Planning Permission

From: Regional Director, South West Operations Division, Highways England
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To: Cornwall Council
FAO James Hills

CC: transportplanning@dft.gov.uk
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Council's Reference: PA21/03118

Referring to the outline planning application reference above, in connection with the A30(T), and the erection of two 'drive thru' fast food and drink premises on land east of Moor End, Altarnun, Launceston, Cornwall, notice is hereby given that Highways England's formal recommendation is that we:

- a) ~~offer no objection;~~
- b) ~~recommend that conditions should be attached to any planning permission that may be granted (see Annex A – Highways England recommended Planning Conditions);~~
- c) ~~recommend that planning permission not be granted for a specified period (see Annex A – further assessment required);~~
- d) recommend that the application be refused (see Annex A – Reasons for recommending Refusal).

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

This represents Highways England 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 you disagree with this recommendation you should consult the Secretary of State for Transport, as per the Town and Country Planning (Development Affecting Trunk Roads) Direction 2018, via planning@dft.gov.uk

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Date: 07 May 2021

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Annex A **Highways England recommendation of refusal**

HIGHWAYS ENGLAND (“we”) 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 works 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.

This response represents our formal recommendations with regards to planning application reference PA21/03118 and has been prepared by the Assistant Planning Manager for Cornwall.

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 02/2013 “The Strategic Road Network and the Delivery of Sustainable Development” and the DCLG National Planning Policy Framework (NPPF), being advised on this matter by our consultants, Jacobs.

Statement of Reasons

The application is seeking outline consent for two drive thru fast food and drink units at an existing services site, south west of the A30/ B3257 junction at Plusha (herein referred to as the A30 Plusha junction). The application site is currently used for informal parking and sits between an existing Petrol Filling Station (PFS) and Subway restaurant.

Access to the application site is via the existing old A30 link from the B3257 which currently serves the wider services site. This link runs to the south of the current A30 which in this location is dual carriageway and subject to the de-restricted speed limit. The A30 is part of the SRN and therefore falls under the control and management of Highways England. It is in the context of these responsibility that our comments are made.

Highways England’s prime consideration is with the continued safe operation of the SRN, and in accordance with DfT Circular 02/2013 paragraph 10 and the NPPF paragraph 109, development should only be refused or prevented if it results in an unacceptable impact on highway safety. This is reinforced through Policy 27 of the Cornwall Local Plan Strategic Policies 2010-2030 which was adopted in November 2016 which states *“All developments should: provide safe and suitable access to the site for all people and not cause a significantly adverse impact on the local or strategic road network that cannot be managed or mitigated”*.

The current application reflects a previous outline application (reference PA19/05597) for the same development proposal submitted in June 2019, and our comments in response to those proposals remain pertinent. Our comments below should therefore be read in conjunction with those submitted in response to the previous application, which was refused planning permission in March 2020. The reason for refusal was as follows, *“The proposal would not provide safe and suitable access to the site for all vehicles/people and would cause a significantly adverse impact on the local and strategic road network that cannot be managed or mitigated; contrary to Policy 27 of the Cornwall Local Plan Strategic Policies 2010-2030, adopted November 2016, paragraph 109 of the 2019 National Planning Policy Framework and DfT Circular 02/2013 paragraphs 9 and 10”*.

The current planning application is supported by a Transport Assessment (TA) prepared by Entran dated March 2021. A review of the TA, and a site layout plan (drawing number PW2019-20/022) dated June 2019, has informed our response to the application.

Development Proposals

The proposals are to construct two 'drive-thru' food and drink premises on the central area of the site (between the existing PFS and Subway restaurant) which is currently used for informal parking. The area is not currently marked out into formal parking spaces. The TA indicates that parking for cars and heavy goods vehicles (HGVs) on this land is at the landowner's discretion and can be terminated at any time. Nevertheless, observations indicate that the parking area has a longstanding use for temporary parking, and survey information indicates that the use of this area for parking can be popular, particularly during seasonal peaks in traffic flow on the A30.

The new facilities will add to the existing PFS and Subway restaurant. Whilst not detailed on the planning application form, the TA indicates that the two individual units would each provide a floor area of approximately 170 sqm, with a combined parking area of 76 spaces. The site layout plan indicates that each unit would provide eight parking spaces and a drive-thru facility within the curtilage of each restaurant, with a shared 60-space car park provided between the two units. The application is in outline, and it remains to be demonstrated whether two drive thru facilities with associated lanes, waiting areas, and car parking can be safely accommodated within the site area, without adversely impacting on safe circulation through the wider services site and surrounding highway network.

Site Context

The A30 Plusha junction has a road traffic collision history which is a matter of concern to Highways England, and the junction in its current form is not to a standard to safely accommodate an increase in turning movements. Highways England's analysis of collision data has identified the junction as both a 'Killed or Seriously Injured' (KSI) Collision Cluster Site and a 'Personal Injury Collision' (PIC) Cluster Site. The South West Regional Safety Report 2018 identified the junction as third in the list of ten collision hot-spots regionally.

Given the history of collisions at the junction, and incidents involving right-turning vehicles in particular, Highways England considers that an increase in turning movements, particular right-turn manoeuvres across the high-speed dual carriageway, would be unacceptable, and would likely exacerbate the collision issues at this junction. Right turning movements would occur when A30 eastbound vehicles access the proposed development with each vehicle generating two right turn movements, one in and one out.

In addition, the A30 Plusha junction does not benefit from acceleration or deceleration lanes for vehicles joining or leaving the A30. Highways England's own investigations of driver behaviour at the junction have identified lane-changing activity on the A30 westbound approach to the junction. Vehicles have been observed to frequently move from the nearside lane to the offside lane on approach to the junction, in order to overtake vehicles slowing to turn left into the B3257 or joining the A30 from the B3257. Increased lane-change manoeuvres will also result in an increased risk of collisions occurring.

Due to the specific arrangement of side roads in the vicinity of the junction, there are other aspects of the junction which have the potential to affect its safe operation, the main issue being the short distance from the A30 to the junction of the B3257 and the site access. This junction is effectively a crossroads junction with the A30 westbound off-slip forming the eastern arm, the site access forming the western arm and the B3257 being the through road.

Highways England is continuing to explore potential improvement options for the A30 Plusha junction. An improvement is included within our current forward programme (to 2025), subject

to securing scheme specific funding following a process of prioritisation of need and demonstration of value for money. At this stage, we have secured funding to enable us to progress early stage scheme development looking at the feasibility of a range of options.

It has been previously stated that, in advance of improvements to the junction, Highways England would consider development proposals that increase demand for turning movements at the junction to be unacceptable in terms of road safety impacts.

Reference has been made to Highways England's approach to development proposals at the adjacent PFS. In response to those applications we clearly stated that the proposals were in relation to existing provision, rather than representing new development, and that any potential increase in traffic flows would be small and insufficient to sustain us in objecting to the development on that basis. We therefore do not consider the applications at the PFS are comparable to an application for new drive thru fast food and drink facilities.

Collision Records

The TA presents a high-level review of collision data for the A30/ B3257 junction from the Crashmap website. Entran indicate that collision data is reported for the five-year period 2015-2019, and report eight collisions to have occurred at the junction in this period, comprising four incidents resulting in slight injuries, and four incidents resulting in serious injuries. However, on inspection of the Crashmap website, this does not appear to be the case. Instead, the Entran analysis appears to be for the five-year period 2014-2018. Highways England previously advised that our own records identify ten incidents across the 2014-2018. It was also noted by Highways England that in the previous five-year period (2009-2013), there were three KSI collisions (2 fatal and 1 serious) involving right-turn manoeuvres at the junction.

For the period 2015-2019, our own investigations reveal there to have been three incidents resulting in slight injuries, and five incidents resulting in serious injuries. A further incident resulting in slight injuries occurred in 2020.

Further investigation of Highways England's own locally held database of collision data indicates the following collisions occurred at the junction during 2019 and 2020:

- 02/07/2019 – collision resulting in serious injuries, involving a vehicle turning right out of the B3257 into the path of a vehicle travelling westbound on the A30.
- 21/09/2019 – collision resulting in slight injuries, involving a right-turning vehicle from the A30 eastbound turning into the path of a vehicle travelling westbound on the A30.
- 12/01/2020 – collision resulting in slight injuries, involving a vehicle turning right out of the B3257 into the path of a vehicle travelling westbound on the A30.
- 15/12/2020 – collision resulting in serious injuries, involving a vehicle turning right out of the B3257 into the path of a vehicle travelling westbound on the A30.

On the basis of the above, the junction and associated road traffic collision history remains a concern for Highways England.

In response to the identified collision record of the junction and Highways England's expressed concerns, Entran have proposed mitigation measures in the form of the replacement of existing count-down markers for the junction on yellow backing boards, count-down markings across the carriageway, and a skid-resistant surface material in contrasting colour. It is understood that the mitigation proposals are unchanged from the previous application (reference PA19/05597) which was refused permission.

In response to the previous application, Highways England advised that whilst the proposed measures would raise the profile of the junction to approaching drivers, they would not reduce or address conflicting high-speed vehicle manoeuvres and would not therefore adequately mitigate the likely effect of the development proposals on collision numbers at this location. We continue to be of this view. Therefore, it has not been demonstrated that the proposed measures would provide an acceptable level of mitigation which would safely accommodate the additional conflicting traffic movements generated by the development.

Traffic Surveys

Since the refusal of the previous outline application (reference PA19/05597), Entran have commissioned a new traffic survey for the services site, considering the percentage split in traffic movements to each element of the site (PFS, parking area, Subway restaurant). The survey was undertaken over the August Bank Holiday weekend in 2020. Given the ongoing Covid-19 Pandemic, it was agreed with Highways England that the survey could not be taken as a representative record of traffic demands to/ from the combined services site. However, it was accepted by Highways England that the survey could be used to provide an understanding of the relative split of peak Summer movements to the PFS, parking area, and Subway restaurant.

Entran have used the August 2020 data alongside previous survey information collected by Highways England over the August Bank Holiday in 2019. The Highways England survey recorded vehicle movements into and out of the services site, but did not record the split in movements between individual areas of the site. The January 2020 TA for the original 2019 application (reference PA19/05597) also drew on traffic survey data for the A30/B3257 junction from October 2019. Whilst it was not possible to make the Highways England survey available to Entran at the time of the original application, the survey data has since been shared with them.

Summary results of the August 2020 Entran survey are included in Appendix D of the TA. Entran previously indicated that a Technical Note reporting survey findings would be provided to Highways England, but this has not been supplied and information is therefore limited to that included within the TA Appendix D. As a result, it is difficult to provide further interpretation of the survey findings. Summary results are presented for Thursday 27th August and Saturday 29th August 2020, for the periods 08:00-09:00, 11:00-12:00, 12:00-13:00, and 17:00-18:00. It is not clear whether the survey extended to Friday 28th August, Sunday 30th August, or the Bank Holiday Monday 31st August 2020. By comparison, the Highways England 2019 survey provides data for an extended period from Thursday 22nd August to Tuesday 27th August 2019 inclusive, which included the Bank Holiday Monday 26th August 2019. Nevertheless, it is acknowledged that the Saturday represented the busiest day of the Highways England survey period, and the same survey found the peak hour for the combined junction to be 11:00-12:00 on each day of the survey, whilst the peak hour for movements to/ from the development site across the week as a whole was 12:00-13:00. Entran's own October 2019 survey identified the network peak hours to be 08:00-09:00 and 17:00-18:00, based on survey periods of 07:00-10:00 and 16:00-19:00. As such the Entran 2020 survey would appear to cover the previously identified peak periods.

The August 2020 Entran survey data has been used to derive a percentage split of visitation to site uses, which has then been applied to the August 2019 Highways England survey data. Where motorists have been recorded visiting more than one site use, for example fuelling up at the PFS before visiting the Subway restaurant, then the trip has been counted as two internal trips. The exercise has enabled the estimation of traffic generation to each individual site use, as is presented in chapter 6 of the Entran TA. It is noted that in some cases, traffic flows for the Saturday scenario incorrectly reproduce those for the Thursday – as is the case in Table 6.2 and 6.7. Similarly, the combined Saturday parking demands for parking areas 1

and 2 presented in Table 6.11 of the TA do not equal the addition of estimated parking demands presented in Appendix D.

Traffic Generation

Traffic generation for the proposed restaurant units has been based on derived trips to/ from the existing Subway restaurant. The exercise has been undertaken for the weekday/ Saturday 08:00-09:00, 11:00-12:00, 12:00-13:00, and 17:00-18:00 periods only, and it is not certain that these periods necessarily cover the peak in movements to the restaurant.

An allowance has been made for 20% cross-visitation between on-site uses, with the estimated Subway trip generation reduced by 20% to account for linked trips to the PFS or car park. This reduction has previously been agreed by Highways England. The reduced traffic generation for the Subway restaurant has then simply been doubled for the two new restaurant units proposed. Combined trip generation forecasts for the two restaurants are therefore indicated to peak around 90 single direction trips per hour.

Highways England does not agree with this approach as it takes no account of the relative attractiveness of different restaurant units, or the fact that the new facilities will provide drive-thru facilities, something that the existing Subway restaurant does not offer.

Entran provide a comparison of Subway traffic generation estimates to TRICS weekday trip rates for the road-side food site category, which is predominantly made up of Little Chef and Happy Eater restaurants. The comparison shows similar weekday traffic generation levels, but without consideration of peak variations. However, we do not consider this site selection to be representative of the proposed application for two drive thru units. It is noted that trip generation estimates submitted as part of the previous application (Entran January 2020 TA) were based on the TRICS 'Drive Thru Coffee Shop' and 'Fast Food Drive Through' categories, which are considered more appropriate given the proposed site uses. It is unclear why these previously adopted trip rates have not been applied to the current application, and would query Entran's comment that the TRICS database does not hold specific survey data for drive-thru uses. The traffic generation estimates presented as part of the previous TA suggested materially higher trips during the weekday 08:00-09:00 and 17:00-18:00 periods than now presented by Entran – with a comparison of forecasts suggesting 50-60 more trips than now considered in the latest TA.

As part of its planning response to the previous application, Highways England referred to a planning application for a McDonalds restaurant in Somerset. The supporting TA included survey data for other McDonalds restaurants, indicating the potential for peak hour trips during a Friday evening (17:00-18:00) and Saturday lunch-time (12:00-13:00) of up to 200 single direction journeys, based on a site of 394 sqm GFA. The supporting TA also presented research to suggest there is no statistically significant relationship between McDonalds restaurant traffic and either floor area, dining area, number of seats or parking provision.

Whilst it is accepted that the end occupiers of the proposed units is not confirmed, and demand for individual drive-thru restaurant chains will vary, Highways England has concern over the potential variation in traffic generation estimates, with no evidence to suggest the existing Subway site is a robust comparison of potential demand. As a result, Highways England is concerned that the Entran assessment underestimates increased traffic demand for the proposed development.

Net Traffic Impact

Entran estimate the net change in traffic generation associated with the proposed development, removing all existing traffic movements generated by the car park, and adding

traffic generation associated with the two restaurant units. As previously noted, we do not accept that the estimates of restaurant traffic generation provide a robust forecast of potential traffic movements associated with potential occupiers with drive-thru facilities.

Based on Table 6.17 and Table 6.18 of the TA, the proposed restaurants are forecast to generate a peak of 94 single direction trips during the Saturday 08:00-09:00 period. As previously noted, it cannot be certain that this represents the peak in daily generation. During the same time period, Table 6.11 of the TA indicates that the car park would generate 57 single direction trips on the basis of the August 2019 surveyed traffic volumes. On this basis, Entran estimate a 37 vehicle increase in trip generation during this single hour due to the proposed development. Of the eight time periods assessed in the TA, overall traffic generation is forecast to increase in three periods, and reduce in five periods. Nevertheless, Entran conclude that the overall changes provide a traffic neutral effect at worst, or an overall reduction in traffic movements. Following distribution to the A30 junction, Entran conclude that the proposed development would have a negligible impact on turning movements at the junction.

Highways England fundamentally disagree that all existing movements to the car park can be discounted. As part of our planning response to the previous application, we recommended a robust approach that does not discount for use of the parking area. We do not believe that all such movements will simply move onto the next available Service area. Instead we believe that some vehicles will continue to use the 60-space car park provided between the two restaurant units, in some cases combining their stay with a trip to one of the on-site facilities to purchase a drink or food item.

Linked to the above, it is unclear how linked trips between the car park and other on-site uses have been accounted for. Some trips to the car park will have visited the PFS or Subway restaurant, and should not therefore be discounted. The TA does not appear to account for such activity, instead simply removing all trips estimated to use the parking area. Therefore, whilst a 20% reduction is applied to Subway trips and development traffic generation, no such allowance has been made to existing car park trips that use other on-site facilities, and would continue to do so in the future.

Furthermore, it is also likely to be the case that the percentage of trips visiting the car park (as opposed to other site uses) may be higher during the Bank Holiday period. Therefore, the split between trips generated by the parking area and the existing Subway restaurant may be different at other times of the year. The net effect may be to alter Entran's conclusion that additional restaurant trips are predominantly cancelled out by trips previously generated by the parking area.

Given these considerations, we do not agree with Entran's assertion that there is likely to be an overall reduction in traffic generation to the site during most periods. Noting earlier comments in respect of restaurant traffic generation, we remain of the view that the development has the potential to result in a material increase in trips to the services site. Given the identified collision history of the A30/ B3257 junction, we consider that a material increase would present an unacceptable safety risk on the basis of increased turning movements at the A30 junction.

In response to the June 2019 application, Highways England previously identified that estimated 24-hour flows on the B3257 between the A30 and the development site were approaching 3,000 two-way vehicle trips (2,882). Paragraph 2.10.1 of CD123 'Geometric design of at-grade priority and signal-controlled junctions' states that "*Priority junctions should not be provided on rural dual carriageway roads where the minor road flows exceed 3,000 vehicles AADT 2-way*". On the basis of trip generation estimates contained in the previous Entran TA supporting the June 2019 application, Highways England concluded that the

proposed development would result in minor road flows exceeding the 3,000 AADT limit stipulated in CD123. The submitted August 2020 survey information and revised trip generation estimates do not allow further review or refinement of this conclusion. Nevertheless, given previous comments in respect of potential restaurant traffic generation, Highways England remains concerned that the addition of development traffic has the potential to render the junction not compliant with Design Manual for Roads and Bridges (DMRB) standards for the forecast traffic flows.

Summary

The application is seeking outline consent for two fast food restaurants with drive thru facilities on a site between the existing PFS and Subway restaurant, south west of the A30/ B3257 junction at Plusha (herein referred to as the A30 Plusha junction). The site area is currently used for informal parking. The site layout plan indicates that each unit would provide eight parking spaces and a drive-thru facility within the curtilage of each restaurant, with a shared 60-space car park provided between the two units. The suitability of such a layout within the site area remains untested.

The A30 Plusha junction has a road traffic collision history which is a matter of concern to Highways England, and the junction in its current form is not to a standard to safely accommodate an increase in turning movements. Highways England considers that an increase in turning movements, particularly right-turn manoeuvres across the high-speed dual carriageway would be unacceptable, and would likely exacerbate collision issues at this junction. Increases in left-turning traffic could also contribute to collision issues, due to the existing junction layout and identified lane-changing behaviour.

The current application follows a previous outline application (reference PA19/05597) for the same development proposal submitted in June 2019. The previous application was refused planning permission in March 2020, on the grounds of highway safety. Since this time, the applicant's highways consultants have undertaken a survey of the site to establish a percentage split in visits to each site use. The survey has been used to refine traffic generation estimates for the proposed restaurant uses, and estimate the net impact on traffic movements to the services site, based on an assumption that all existing movements to the parking area will be removed following the proposed development.

Highways England considers this assumption to be highly optimistic, and has concerns that estimated restaurant traffic generation may underestimate demand. We therefore remain of the view that the development has the potential to result in a material increase in trips to the services site, including both right-turn manoeuvres across the high-speed dual carriageway and left-turn manoeuvres.

Highways England continues to explore potential improvement options for the A30 Plusha junction. At this stage, funding has been secured to enable us to progress early stage feasibility of a range of options. In the absence of a scheme that addresses the existing collision record at the A30 Plusha junction, Highways England considers that the intensification of demand created by the development proposals would give rise to an unacceptable risk to road safety.

Whilst Entran have proposed mitigation, Highways England is of the view that the identified measures will not adequately mitigate the likely effect of the development proposals on collision numbers at this location. Subject to a major junction improvement scheme being implemented at A30 Plusha, Highways England would not be averse to revisiting proposals for additional roadside facilities at this location. However, based on the current junction layout, Highways England is of the view that the proposed development would have an unacceptable impact on road safety.

The NPPF sets out under para 108 that in assessing sites for development it should be ensured that safe and suitable access to the site can be achieved for all users, and that any significant impacts from development on the transport network in terms of capacity and congestion, or on highway safety, can be cost effectively mitigated to an acceptable degree. The NPPF confirms 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 impacts on the road network would be severe (para 109).

DfT Circular 02/2013, paragraphs 9 and 10 set out the approach that Highways England takes in relation to development proposals as follows:

“9. Development proposals are likely to be acceptable if they can be accommodated within the existing capacity of a section (link or junction) of the strategic road network, or they do not increase demand for use of a section that is already operating at over-capacity levels, taking account of any travel plan, traffic management and/or capacity enhancement measures that may be agreed. However, development should only be prevented or refused on transport grounds where the residual cumulative impacts of development are severe.

10. However, even where proposals would not result in capacity issues, Highways England’s prime consideration will be the continued safe operation of its network”.

Applying the principals of paragraph 9 and 10 of DfT Circular 02/2013, development which adds traffic to a junction which already experiences road safety issues, would increase the frequency of road safety issues occurring, or would in itself cause those road safety issues to arise, would be considered to have an unacceptable impact on highway safety. Permitting the development to proceed in the absence of adequate road safety improvements would adversely affect the safe operation of the SRN.

We also consider that the proposals would also be contrary to Policy 27 of the Cornwall Local Plan Strategic Policies 2010-2030, as the development would not provide safe and suitable access to the site for all people and would cause a significantly adverse impact on the local and strategic road network that cannot be managed or mitigated.

Recommendation

Highways England recommends that Cornwall Council refuse planning consent for application reference PA21/03118 on the following highway safety grounds:

1. The proposals are contrary to the National Planning Policy Framework paragraphs 108 and 109 in that they will increase turning movements at an existing junction on a high-speed network with a known collision history. This constitutes an unacceptable impact on highway safety which the applicant cannot cost effectively mitigate to an acceptable degree.
2. The proposals are contrary to DfT Circular 02/2013, paragraphs 9 and 10 as the development will add traffic to an existing junction on a high-speed network which already experiences road safety issues and would thereby increase the frequency of road safety issues occurring which is considered to constitute an unacceptable impact on highway safety.
3. The proposals are contrary to Policy 27 of the Cornwall Local Plan Strategic Policies 2010-2030, as the development cannot provide safe and suitable access to the site for all people as access to the development will increase turning movements through an existing junction which currently experiences highway safety issues and which would

represent a significant adverse impact on the local and strategic road network, that cannot be managed or mitigated by the applicant to an acceptable degree.