

1 Introduction

- 1.1 During the Highway Matters Arising from Matter 9 Infrastructure and Community Facilities, Session held May 11 2017, a number of issues were raised by the Inspector and other participants in connection with transportation matters which may benefit from clarification or expansion by the Highway Authority.

2 General Approach to Mitigation.

- 2.1 Within the constraints of the NPPF, the Highway Authority cannot seek to fully mitigate all traffic capacity impacts associated with new development to maintain the status quo, only seek to limit them to the point that severe harm cannot be demonstrated.
- 2.2 The Highway Authority would expect that sustainable travel initiatives (as described in the Council's Transportation Issues Paper) would form the first line of mitigation for any development's traffic impact.
- 2.3 Where these interventions alone are not considered to ameliorate the effects of additional congestion sufficiently, the Highway Authority is open to examining the introduction of hard engineering schemes to help improve capacity.
- 2.4 Most interventions are identified through the analysis contained in the Transportation Assessment supporting each development of a sufficient scale to warrant this; although the Highway Authority will apply its own judgement as to the veracity of the Assessment documents.
- 2.5 Where there is any doubt as to the potential impacts at locations remote from the development site, the Highway Authority favours a 'monitor and mitigate' approach to help ensure that physical mitigation works (or financial contributions) are applied in the correct place and at the correct time.

3 Cumulative Impacts and Mitigation.

- 3.1 The adverse effects of development traffic are not always attributable to a single development. Neither is it the responsibility of developments to address pre-existing network capacity issues unless their additional harm is demonstrably severe.

- 3.2** Where development traffic impact has a significant contribution towards the need for physical mitigation works, the Highway Authority would seek to apportion the liability for the scheme costs between the development concerned, other committed development with comparable impact and such public contributions as might be required to bring about a comprehensive intervention.
- 3.3** In the event that the Highway Authority is obliged to intervene before the accumulated contributions are available, mechanisms will be sought to enable the clawback of contributions received after the mitigation works are in place.

4 Ashbourne Issues.

- 4.1** Applying the above concepts to the Ashbourne situation, in the absence of a defined planning policy the Highway Authority has historically sought to secure piecemeal development contributions via Section 106 towards potential off-site physical highway improvements. These are primarily (but not exclusively) focussed upon the improvement of the Sturston Road/ Derby Road traffic signal controlled junction.
- 4.2** In the event that sustainable travel interventions are unable to limit severe impact, the Highway Authority is entirely open to considering a range physical engineering measures to deal with the problem. Additional allocations within the Local Plan would potentially increase the existing accumulated Section 106 funds towards off-site improvements.
- 4.3** Looking forwards, the suggestion of a Section 106 mitigation works programme within the Local Plan would present a number of challenges for the Local Authorities:
- 4.3.1 Defining the nature, location, sequence and timing of each Section 106 funded intervention would rely upon a level of data, analysis and design normally associated with a Transportation Assessment and planning application. This is not available or feasible for the Local Planning Authority to produce at the Local Plan preparation stage for every site.
 - 4.3.2 A defined programme in the Local Plan would constrain the Local Planning Authority to carry out specific Section 106 interventions in a specific order. Subsequent analysis of travel behaviour or other factors at application (or post application) stage may make the interventions inappropriate or untimely.
 - 4.3.3 The preparation and publication of detailed engineering schemes at Local Plan stage would potentially blight property for prolonged periods of time and may be abortive (see 4.3.2 above).

- 4.3.4 Where interventions are reliant on match funding from public sources, the bid preparation process and future availability of external funding sources may not match the Local Plan programme, potentially altering the nature or sequence of intervention schemes.
- 4.4 Bearing in mind each of the above issues, it is considered that provided that there is a reasonable prospect of a range of interventions being available within the Local Plan period which would be consequent with the point in time at which the harm from development traffic impact becomes severe, this should be sufficient to enable the development proposed within the Plan to be enabled. Evidence from the Transportation Study would suggest that approximately 75% of the Local Plan development proposed for Ashbourne could be in place before this point of network harm is potentially (but not definitively) reached.
- 4.5 Insofar as the Ashbourne highway network is concerned, the Highway Authority has, as indicated in the Transport Study, ([Enquiry Document CD 34](#)) previously explored potential traffic management interventions around the town which might help alleviate some of the pressures brought about by development related traffic. The Highway Authority's [Ashbourne Traffic Study](#) can be seen on the County Council's website.
- 4.6 Consideration is also being given to junction improvement works at Sturston Road/ Derby Road which would improve its capacity and pedestrian accessibility. Clearly any such schemes will have to be balanced against their wider environmental impacts in liaison with the Local Planning Authority.

5 Ashbourne Bypass

- 5.1 A longer term intervention that would offer a more complete solution to Ashbourne's traffic conditions would be the provision of a bypass for Ashbourne. An Ashbourne Bypass is identified in Derbyshire's current LTP as a potential scheme for appraisal as a County Council sponsored scheme. However, a number of alternative routes for a bypass scheme have been considered in the past by the County Council, including using a former railway tunnel under the town. The current preference of the County Council is an outer western alignment between the A52 west of the town and the A515 to its north. Topography of the area will make it difficult to find an alignment that is both satisfactory in engineering terms and avoids a disproportionate environmental impact.

6 Tansley Issues.

- 6.1** Tansley has had a development history comprising a small number of relatively modest residential development proposals. Each of these applications were of an insufficient scale to warrant the support of a Transportation Assessment or Statement.
- 6.2** Both the Local Planning Authority and Highway Authority were consequently obliged to consider each proposal on its merits and in each case the trip generation (of all types) was so limited as to make any demands for off-site highway improvements indefensible in terms of meeting the Planning Tests. Insofar as the need for a pedestrian crossing facility on the A615 is concerned, the volume and desire lines for pedestrian movement do not begin to approach the levels at which such a facility could be reasonably considered even if it was physically possible to accommodate such a feature.
- 6.3** Understandably, the Parish Council is interested in whether there is any prospect of examining the cumulative effects of all Local Plan allocations in the village. Clearly the majority of these already have planning consent (see preceding paragraph) making retrospective introduction of highway mitigation impossible and leaving any remaining mitigation of cumulative impacts incumbent upon the remaining uncommitted sites which would again be contrary to the Planning Tests.
- 6.4** Notwithstanding the above, the Transportation Study reveals no cumulative capacity issues on the Tansley network resulting from the Local Plan proposals.

7 Matlock Issues.

- 7.1** Historically, major development in the Matlock area (particularly in the vicinity of Cawdor Quarry) has been accompanied by significant Section 106 financial undertakings supporting public transport and other sustainable travel interventions as well as significant physical infrastructure improvements for both vehicular and non-vehicular highway users. Outstanding committed development in the area continues to be subject to these obligations.
- 7.2** Any future development in the town brought forward as part of the Local Plan would be subject to similar scrutiny and where necessary obligations to fund or carry out mitigation measures, either in terms of sustainable travel or physical engineering.
- 7.3** As already articulated in the Highway Authority response, taking into consideration trip reassignment, peak hour spreading, local and wider sustainable travel interventions (Travel Plans and Trip Banking), a considerable quantum of development can be accommodated within the existing highway network before severe harm is likely to occur and more traditional engineering interventions would need to be considered.
- 7.4** Subject to further Transportation Assessment, monitoring and design, further improvements at the Lime Tree Road/ Matlock Green junction (eg; traffic signals, carriageway/ footway works, signage and lining) and Crown Square (eg; carriageway/ footway works, traffic regulation over Matlock Bridge, reconfiguration/ sequencing of pedestrian crossings, signage and lining). The apportionment of costs between developer contributions and public funding streams would be reliant upon the outcome of the assessment. Clearly the efficacy of any engineering intervention will have to be balanced against the inevitable impacts upon the built environment and as such would only be pursued with the active involvement of the Local Planning Authority.

Derbyshire County Council

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