Amendment to Condition 19

PROPOSED ALDI FOODSTORE AND OFFICE DEVELOPMENT

December 2011

Aldi Stores Ltd

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PICADY Output

Drawings

Planning Approved Layout Mayer Brown Aldibarugh.1/01A

Proposed Layout – T114-15

1. INTRODUCTION

1.1 *This report has been prepared to support a S73 application to amend* planning condition number 19 of planning approval number 2010/1354/ful.

1.2 Planning approval was granted at planning committee based on the information submitted and agreed.

1.3 In line with condition 19 prior to construction Transport Potential entered discussions with Barnsley Metropolitan Borough Council (BMBC) in order to agree the works and payment of the Abortive fee agreement was made.

1.4 Under Section 278 of the Highways Act 1980 Transport Potential Ltd began negotiations to agree the General Arrangement drawing based on the approved planning drawings.

1.5 The dimensions requested by BMBC resulting in the junction improvement requiring land outside of Aldi Stores Ltd control and/or affected a tree protected by a Tree Preservation Order (TPO)

1.6 This report provides evidence to accompany an application to amend condition 19 in order to remove the wording "Provision of a Right Turn Lane on Claycliffe Road". Approved Consent and Planning Condition 19;

> *"Unless otherwise agreed in writing by the Local Planning Authority, development shall not commence until arrangements have been entered into to secure works to mitigate the effect of the development on highway safety. Such work shall be completed prior to the development being brought into use and comprise of:*
>
> *- Provision of a right turn lane on Claycliffe Road*
>
> *- Any necessary signing and lining;*
>
> *- Provision of/any necessary amendments to street lighting;*
>
> *- Provision of/any necessary amendments to highway drainage;*
>
> *- Any necessary resurfacing/reconstruction."*

1.7 This report has been provided in line with comments received from both BMBC Highways and the planning department. This matter was not raised by councillors nor was it raised during the committee which approved the application.

1.8 Negotiations began between the applicant and BMBC where a significantly larger junction was requested. It was cited that the junction should be designed to meet the Design Manual for Roads and Bridges (DMRB) Technical Direction (TD) 42/95. This guidance was produced for use on the Trunk Road Network, Claycliffe Road does not form part of the Trunk Road Network.

1.9 This report is limited to the access on Claycliffe Road and the Aldi portion of the development. The remaining part of Condition 19 would remain valid for the new access on Barugh Green Road.

1.10 Aldi Stores are the landowner for the entire site including the public house, which is under an agreed lease agreement to the operator. This commitment restricts the utilisation of this land and should be considered as 3rd party land at the least in the short to medium term.

1.11 Discussions with the Arboriculture Officer at BMBC requested that the TPO trees should remain on site as detailed in the planning approval. These two constraints influenced the planning approved layout.

1.12 Through the S278 process the dimensions requested by BMBC commenced with DMRB TD 42/95 which affected both third party land and the TPO. After extensive discussions and some 15 different schemes, taking in the loss of the tree covered by the TPO with suitable replacement and also utilising land currently under control of a 3rd party lease, within potentially acceptable limits, a solution was not reached.

1.13 The past 8 weeks have been spent looking at a compromised design solution, the applicant has investigated replacement trees and has entered negotiations in relation to minor works within the leased land area.

1.14 In order to ensure that the development can come forward and the regeneration benefits be provided to the community in a timely manner it is now necessary to revisit Condition 19 only in respect of the GRT lane.

2. SITE HISTORY AND APPROVED DEVELOPMENT

2.1 The development site benefits from an extant planning consent under planning application number 2009/0191. This consent retained the existing simple priority arrangement.

2.2 This provided a 395 sqm GFA Foodstore, 295 sqm GFA retail unit and 2 no trade units totalling 589 sqm GFA, all taking access from Claycliffe Road.

2.3 This approved development scenario is predicted to involve 4 no. individual deliveries with at least one being a HGV for the food store, the trade units are likely to have large vehicles carrying out multi drop deliveries, these are likely to be bulky goods including building supplies, car parts, screwfix, etc. This would have resulted in significantly more HGV deliveries than a single Foodstore (especially a discounter with efficient logistics) and was considered acceptable by officers and councillors.

2.4 Based on the above it was considered acceptable by BMBC to generate additional traffic at this access without a GRT lane.

2.5 The TA produced in support of the Aldi Application disputed the assumption in the TA produced in support of application 2009/0191 in its use of discount food retail as the retailer for their scheme at paragraph 6.21 of the agreed TA.

2.6 A 396 sqm Foodstore would not have met the requirements of a discount retailer, furthermore there are no discount food stores below 865 sqm GFA in the TRICs database. A store offering 396 sqm is representative of a small convenience store such as a Tesco express or Sainsbury's local, where in the TRICs database the largest convenience store is 500 sqm GFA.

2.7 Convenience stores generate more trips per sqm than a discount Foodstore. The table below is based upon the trip generation agreed as part of the Aldi application, the agreed trip rates in relation to the other uses on site, with the 396 sqm food retail consent being occupied by a convenience store, which is considered to be more realistic.

	Weekday PM Peak (16:30-17:30)	
	Arrivals	**Departures**
Aldi Store **1410 sqm GFA**	56 3.982	54 3.864
Convenience Store **396 sqm GFA**	36 9.183	37 9.284
Non Food Retail Units **295 sqm GFA**	19 6.556	19 6.563
Trade Units **589 sqm GFA**	1 0.205	7 1.118
Difference	0	-9

2.8 This was noted as part of the TA in support of the Aldi store and is considered material as this smaller format convenience store could generate as much traffic as an Aldi. It is documented in the Sanderson TA that the range in the search criteria for discount retail is between 865 sqm and 2703 sqm.

2.9 It is therefore clear that had the original consent granted with no Ghost Right turn been built out the situation would have been similar to that approved now.

2.10 There may have been additional correspondence on this matter. However the fact remains that it received approval based on a simple priority junction arrangement.

2.11 The GRT layout was submitted at the request of highways development control, whilst it was not considered necessary, it was considered to offer an enhancement for both the network and for Aldi customers and therefore it was submitted as part of the application and for no other reason, it was not necessary to make the development acceptable.

2.12 The approved junction layout contained within the agreed TA and on the agreed plans shows a non standard right turn lane with sufficient space to accommodate a vehicle waiting to turn right.

2.13 The agreed PICADY model highlights the right turn lane as being 2.2m in width, it was agreed that based on this assessment there would not be a predicted queue as a result of the consented development. It was designed to be provided with the minimum disruption, but provide the benefit of a GRT.

2.14 Correspondence between Transport Potential Ltd (TPL) and BMBC (11th October 2010) highlights that the TA was considered acceptable. The correspondence dealt with alterations to the development quantum accessed from Barugh Green Road, a slight reduction. It was highlighted

by TPL that whilst BMBC were satisfied with the analysis, comments on the proposed junction arrangement were outstanding. The committee report sites the access and the layout drawing as being considered acceptable. It is therefore considered that BMBC were satisfied and the conditions were duly agreed.

Junction Capacity

2.15 The agreed trip generation, distribution and assignment has been utilised and a new PICADY model has been developed to analyse capacity at the existing junction. The most robust analysis has been tested using the 2016 "with Development" scenario.

2.16 The model has been based upon the existing junction dimensions and records the right turning traffic as "blocking" after a queue of 0.

2.17 This entire PICADY output is available at Appendix A. The output is summarised in the table below. The ODTAB profile function has been utilised to model the peak within the peak.

Movement	RFC	Queue
Minor Arm (Car Park)	0.267	0
Claycliffe Road Right Turn To Minor Arm (Car Park)	0.126	0

Table 2.2 – 2016 PM Peak With Development no GRT

2.18 It is evident that the consented development, agreed traffic generation and existing junction would operate with satisfactory capacity without a GRT.

Highway Safety

2.19 The access exists at present and has a good safety record. This is detailed within the approved TA.

2.20 There are two recorded rear end shunts close to the access with the car sales area/car repair workshop north of the subject site. The existing queue is generated by the roundabout and at peak times can already extend past the subject junction, this would not be exacerbated by the proposed access, as demonstrated in the capacity assessment.

2.21 During off peak times the access is used less intensively at present and as such should a car be delayed turning right into the development it would not be a regular occurrence this randomness is more likely to result in an accident (which it has not based on the accident data) than a more regular and expected right turning vehicle.

2.22 The layout was considered sufficient to serve a more intensive use with application 2009/0191, as demonstrated above.

2.23 Additional signage can be provided if necessary, however with the Aldi store there will be more right turning vehicles and therefore will be an expected movement rather than a rare unexpected movement. This can be covered under the wording of condition 19 without the GRT.

2.24 The existing arrangement has been subject to a topographical survey and this has allowed accurate swept path movements to be carried out.

2.25 Drawing TPL115/01 demonstrates that a 16.5m articulated vehicle can enter and exit the junction in a safe manner. It does not raise the concerns that were raised at the S278 stage with the approved layout detailing the GRT in the TA.

2.26 Based on the latest advice from BMBC (design team) it would be considered that this priority junction is a safer layout than that with the GRT, when considering HGV swept path diagrams.

3. CONCLUSION

3.1 This report has demonstrated that the traffic generation approved under application number 2009/0191 which did not include a GRT would have been greater.

3.2 Based on the existing junction arrangement and agreed traffic generation there is no predicted queue with the Aldi approval without a GRT. If the traffic generation was twice as much as predicted the queue for right turning vehicles would be 0.9 vehicles.

3.3 It has therefore been demonstrated that a GRT is not necessary for capacity reasons.

3.4 A full accident analysis has been carried out and there is no accident history and as the junction is currently in operation with more random arrivals and departures there is no evidence to suggest that the situation will worsen with an increased movement. Logic suggests that a more regular occurrence will highlight the issue, making it more regular and raise driver awareness to the junction.

3.5 The right turn lane was an enhancement and not necessary for the safe and efficient movement of vehicles.

3.6 It is therefore requested that condition 19 be re-worded as detailed below;

> *"Unless otherwise agreed in writing by the Local Planning Authority, development shall not commence until arrangements have been entered into to secure works to mitigate the effect of the development on highway safety. Such work shall be completed prior to the development being brought into use and comprise of:*
>
> *- Any necessary signing and lining;*
>
> *- Provision of/any necessary amendments to street lighting;*
>
> *- Provision of/any necessary amendments to highway drainage;*
>
> *- Any necessary resurfacing/reconstruction."*

3.7 The re-worded condition would now only apply to the consented Barugh Green Road junction. If it is considered beneficial to provide advanced signage for the Claycliffe Road junction this would be considered acceptable.

PICADY Output

TRL LIMITED

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CAPACITIES, QUEUES, AND DELAYS AT 3 OR 4-ARM MAJOR/MINOR PRIORITY JUNCTIONS

PICADY 5.1 ANALYSIS PROGRAM
RELEASE 5.0 (JUNE 2010)

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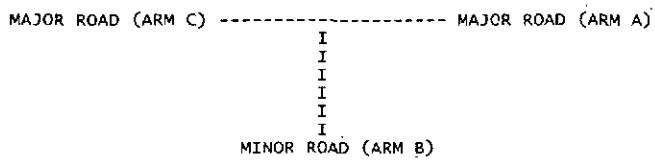
Run with file:- "C:\Users\C Smith\Documents\PICADY\Barugh Green.vpi" (drive-on-the-left) at 18:08:08 on Thursday, 17 November 2011

.RUN INFORMATION
****

RUN TITLE	: Barugh Green No GRT
LOCATION	:
DATE	: 09/11/11
CLIENT	:
ENUMERATOR	: C Smith [CSMITH-HP]
JOB NUMBER	:
STATUS	:
DESCRIPTION	:

.MAJOR/MINOR JUNCTION CAPACITY AND DELAY
****

INPUT DATA



ARM A IS Claycliffe Road East
ARM B IS Site Access
ARM C IS Claycliffe Road West

.STREAM LABELLING CONVENTION

STREAM A-B CONTAINS TRAFFIC GOING FROM ARM A TO ARM B
STREAM B-AC CONTAINS TRAFFIC GOING FROM ARM B TO ARM A AND TO ARM C
ETC.

.GEOMETRIC DATA

DATA ITEM		MINOR ROAD B
TOTAL MAJOR ROAD CARRIAGEWAY WIDTH	(W)	6.90 M.
CENTRAL RESERVE WIDTH	(WCR)	0.00 M.
MAJOR ROAD RIGHT TURN - WIDTH	(WC-B)	2.20 M.
- VISIBILITY	(VC-B)	220.00 M.
- BLOCKS TRAFFIC (SPACES)		YES (0)
MINOR ROAD - VISIBILITY TO LEFT	(VB-C)	27.0 M.
- VISIBILITY TO RIGHT	(VB-A)	23.0 M.
- LANE 1 WIDTH	(WB-C)	5.00 M.
- LANE 2 WIDTH	(WB-A)	0.00 M.

.SLOPES AND INTERCEPT

(NB:Streams may be combined, in which case capacity will be adjusted)

Intercept For STREAM B-C	Slope For Opposing STREAM A-C	Slope For Opposing STREAM A-B
766.25	0.29	0.11

Intercept For STREAM B-A	Slope For Opposing STREAM A-C	Slope For Opposing STREAM A-B	Slope For Opposing STREAM C-A	Slope For Opposing STREAM C-B
597.29	0.26	0.10	0.17	0.38

Intercept For Slope For Opposing STREAM C-B	Slope For Opposing STREAM A-C	Slope For Opposing STREAM A-B
701.37	0.26	0.26

(NB These values do not allow for any site specific corrections)

.TRAFFIC DEMAND DATA

ARM	FLOW SCALE(%)
A	100
B	100
C	100

.Demand set: Barugh Green No GRT

TIME PERIOD BEGINS 08.00 AND ENDS 09.30

LENGTH OF TIME PERIOD - 90 MIN.
LENGTH OF TIME SEGMENT - 15 MIN.

.DEMAND FLOW PROFILES ARE SYNTHESISED FROM TURNING COUNT DATA

ARM	NUMBER OF MINUTES FROM START WHEN FLOW STARTS TO RISE	NUMBER OF MINUTES FROM START WHEN TOP OF PEAK IS REACHED	NUMBER OF MINUTES FROM START WHEN FLOW STOPS FALLING	RATE OF FLOW (VEH/MIN) BEFORE PEAK	RATE OF FLOW (VEH/MIN) AT TOP OF PEAK	RATE OF FLOW (VEH/MIN) AFTER PEAK
ARM A	15.00	45.00	75.00	11.71	17.57	11.71
ARM B	15.00	45.00	75.00	0.85	1.28	0.85
ARM C	15.00	45.00	75.00	8.69	13.03	8.69

.Demand set: Barugh Green No GRT

TURNING PROPORTIONS
TURNING COUNTS
(PERCENTAGE OF H.V.S)

TIME	FROM/TO	ARM A	ARM B	ARM C
08.00 - 09.30	ARM A	0.000	0.047	0.953
		0.0	44.0	893.0
		(0.0)	(0.0)	(0.0)
	ARM B	0.500	0.000	0.500
		34.0	0.0	34.0
		(0.0)	(0.0)	(0.0)
	ARM C	0.957	0.043	0.000
		665.0	30.0	0.0
		(0.0)	(0.0)	(0.0)

TURNING PROPORTIONS ARE CALCULATED FROM TURNING COUNT DATA

QUEUE AND DELAY INFORMATION FOR EACH 15 MIN TIME SEGMENT

FOR COMBINED DEMAND SETS
AND FOR TIME PERIOD 1

TIME	DEMAND (VEH/MIN)	CAPACITY (VEH/MIN)	DEMAND/ CAPACITY (RFC)	PEDESTRIAN FLOW (PEDS/MIN)	START QUEUE (VEHS)	END QUEUE (VEHS)	DELAY (VEH.MIN/ TIME SEGMENT)	GEOMETRIC DELAY (VEH.MIN/ TIME SEGMENT)	AVERAGE DELAY PER ARRIVING VEHICLE (MIN)
08.00-08.15									
B-AC	0.85	6.90	0.124		0.00	0.14	2.0		0.16
C-AB	0.86	14.47	0.059		0.00	0.10	1.4		0.07
C-A	7.86								
A-B	0.55								
A-C	11.20								
08.15-08.30									
B-AC	1.02	5.99	0.170		0.14	0.20	2.9		0.20
C-AB	1.23	15.14	0.081		0.10	0.15	2.3		0.07
C-A	9.18								
A-B	0.66								
A-C	13.38								
08.30-08.45									
B-AC	1.25	4.68	0.267		0.20	0.35	5.0		0.29
C-AB	2.06	16.33	0.126		0.15	0.30	4.5		0.07

C-A	10.70	
A-B	0.81	
A-C	16.39	

TIME	DEMAND (VEH/MIN)	CAPACITY (VEH/MIN)	DEMAND/ CAPACITY (RFC)	PEDESTRIAN FLOW (PEDS/MIN)	START QUEUE (VEHS)	END QUEUE (VEHS)	DELAY (VEH.MIN/ TIME SEGMENT)	GEOMETRIC DELAY (VEH.MIN/ TIME SEGMENT)	AVERAGE DELAY PER ARRIVING VEHICLE (MIN)
08.45-09.00									
B-AC	1.25	4.67	0.267		0.35	0.36	5.4		0.29
C-AB	2.06	16.33	0.126		0.30	0.31	4.6		0.07
C-A	10.69								
A-B	0.81								
A-C	16.39								

TIME	DEMAND (VEH/MIN)	CAPACITY (VEH/MIN)	DEMAND/ CAPACITY (RFC)	PEDESTRIAN FLOW (PEDS/MIN)	START QUEUE (VEHS)	END QUEUE (VEHS)	DELAY (VEH.MIN/ TIME SEGMENT)	GEOMETRIC DELAY (VEH.MIN/ TIME SEGMENT)	AVERAGE DELAY PER ARRIVING VEHICLE (MIN)
09.00-09.15									
B-AC	1.02	5.99	0.170		0.36	0.21	3.3		0.20
C-AB	1.23	15.15	0.081		0.31	0.16	2.4		0.07
C-A	9.18								
A-B	0.66								
A-C	13.38								

TIME	DEMAND (VEH/MIN)	CAPACITY (VEH/MIN)	DEMAND/ CAPACITY (RFC)	PEDESTRIAN FLOW (PEDS/MIN)	START QUEUE (VEHS)	END QUEUE (VEHS)	DELAY (VEH.MIN/ TIME SEGMENT)	GEOMETRIC DELAY (VEH.MIN/ TIME SEGMENT)	AVERAGE DELAY PER ARRIVING VEHICLE (MIN)
09.15-09.30									
B-AC	0.85	6.89	0.124		0.21	0.14	2.2		0.17
C-AB	0.86	14.48	0.060		0.16	0.10	1.5		0.07
C-A	7.86								
A-B	0.55								
A-C	11.20								

WARNING NO MARGINAL ANALYSIS OF CAPACITIES AS MAJOR ROAD BLOCKING MAY OCCUR

QUEUE FOR STREAM B-AC

TIME SEGMENT ENDING	NO. OF VEHICLES IN QUEUE
08.15	0.1
08.30	0.2
08.45	0.4
09.00	0.4
09.15	0.2
09.30	0.1

QUEUE FOR STREAM C-AB

TIME SEGMENT ENDING	NO. OF VEHICLES IN QUEUE
08.15	0.1
08.30	0.2
08.45	0.3
09.00	0.3
09.15	0.2
09.30	0.1

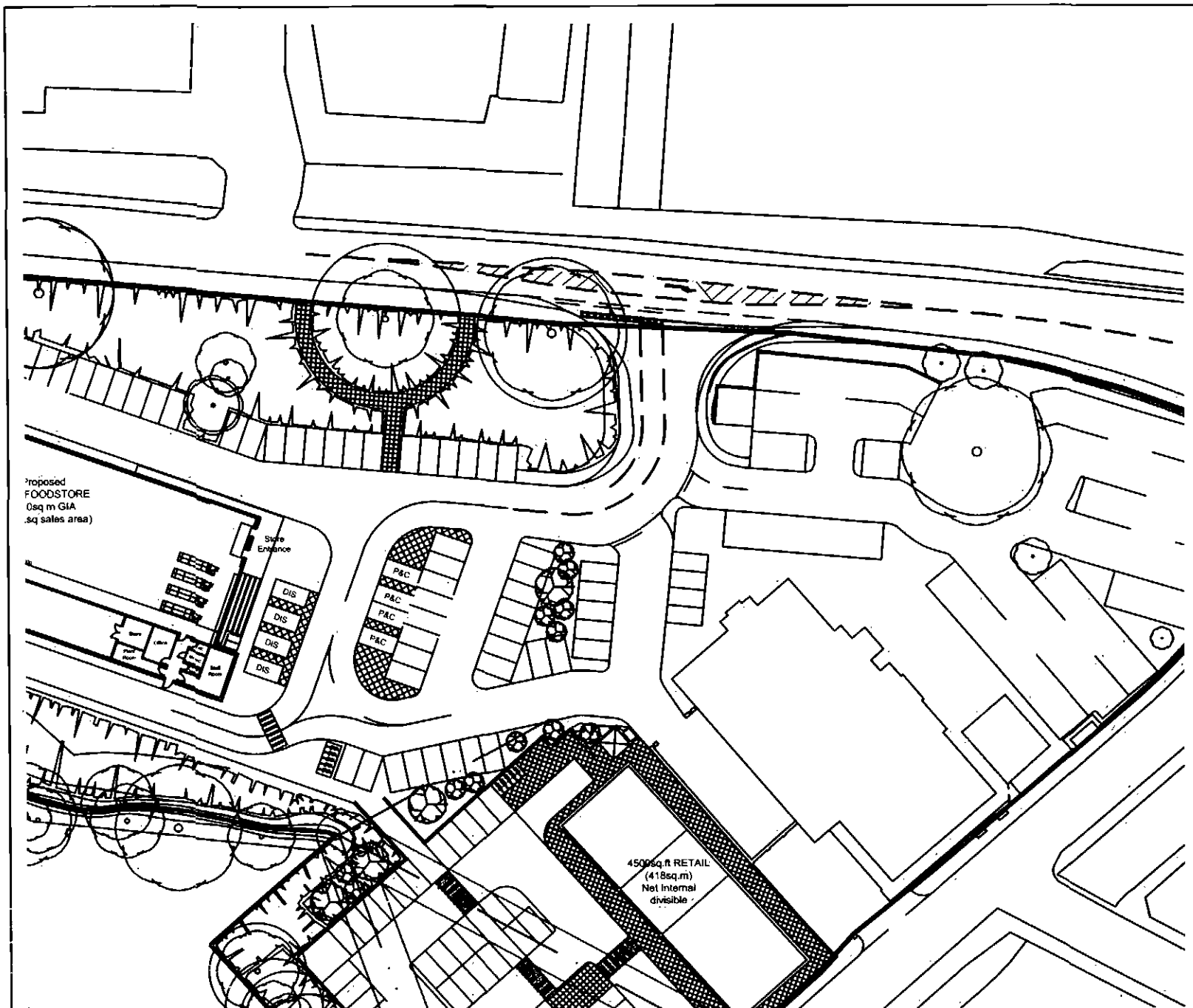
QUEUEING DELAY INFORMATION OVER WHOLE PERIOD

STREAM	TOTAL DEMAND		* QUEUEING * DELAY *		* INCLUSIVE QUEUEING * DELAY *	
	(VEH)	(VEH/H)	(MIN)	(MIN/VEH)	(MIN)	(MIN/VEH)
B-AC	93.6	62.4	20.8	0.22	20.8	0.22
C-AB	124.5	83.0	16.7	0.13	16.7	0.13
C-A	832.1	554.8				
A-B	60.6	40.4				
A-C	1229.1	819.4				
ALL	2339.9	1559.9	37.5	0.02	37.5	0.02

* DELAY IS THAT OCCURRING ONLY WITHIN THE TIME PERIOD
* INCLUSIVE DELAY INCLUDES DELAY SUFFERED BY VEHICLES WHICH ARE STILL QUEUEING AFTER THE END OF THE TIME PERIOD
* THESE WILL ONLY BE SIGNIFICANTLY DIFFERENT IF THERE IS A LARGE QUEUE REMAINING AT THE END OF THE TIME PERIOD.

*******END OF RUN*******

Drawings



rev.	amendment	date	chkd
A	RIGHT TURN LANE WIDENED TO 2500mm	19/05/2010	CS

mayer brown

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Acorn Business Park Killingbeck Drive Leeds LS14 6UF
Telephone 0113 248 1414 Fax 0113 248 1035
leedsoffice@mayerbrown.co.uk www.mayerbrown.co.uk

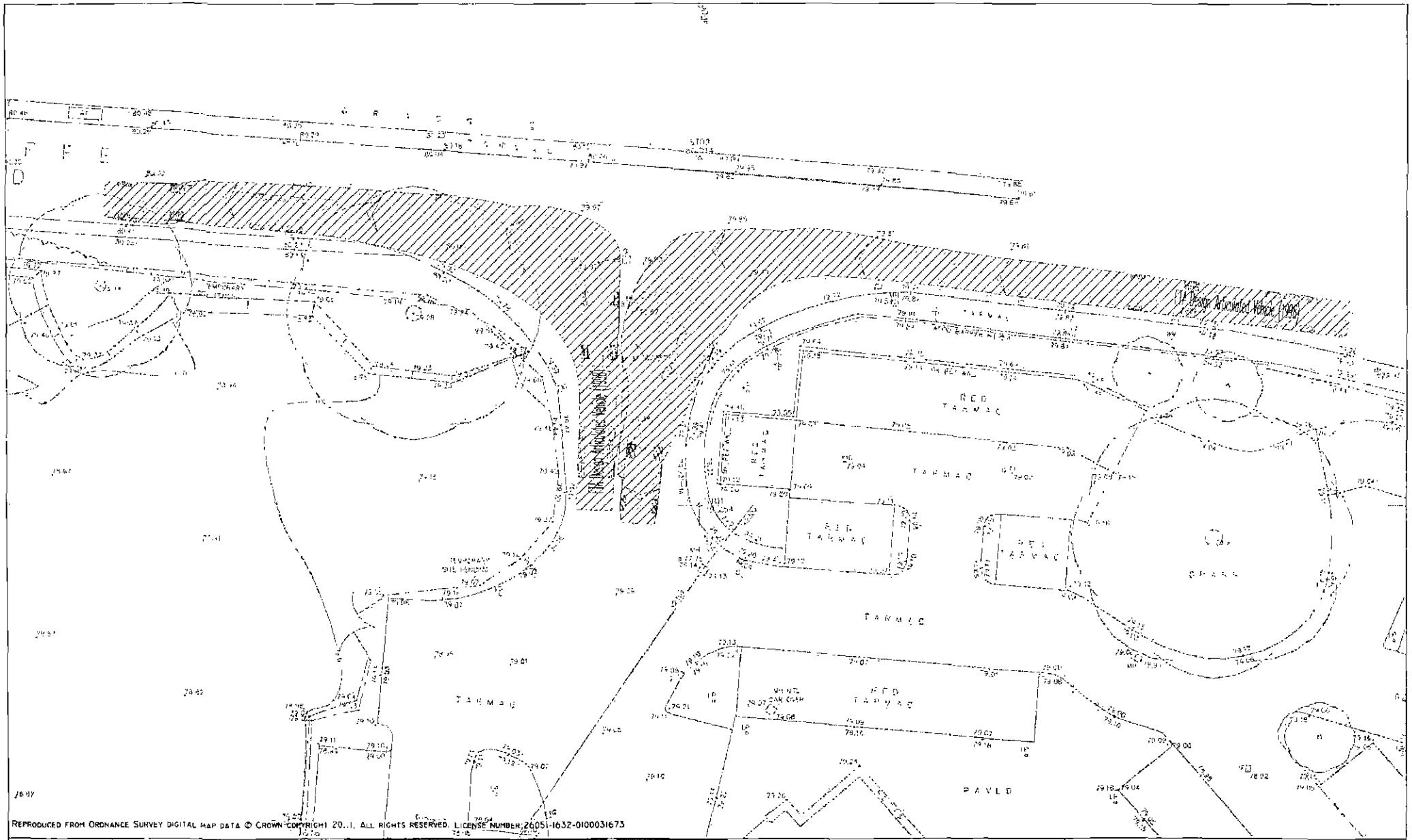
client
ALDI STORES LTD

project
PROPOSED ALDI STORE,
BARUGH GREEN

scale @ A3	1:500	drawn by	SO	checked by	CS
date	APR 2010	cad file	aldibarugh.1_01a.dwg		

title
PROPOSED ACCESS ARRANGEMENT

drawing number	rev.
ALDIBARUGH.1/01	A



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SCALE @ A3 1:500	DRAWN BY PR	CHECKED BY CS	
DRAWING REFERENCE T114/15		REVISION	
DATE Dec 2011	CAD REF T114_15.DWG		

Transport Potential

14-15 REGENT PARADE, HARROGATE, HG1 5AW. TELEPHONE 0845 680 7815

SCHEME
PROPOSED STORE
BARUGH GREEN

ON BEHALF OF
ALDI STORES LTD

DRAWING TITLE
EXISTING ARRANGEMENT