

AGENDA MANAGEMENT SHEET

Name of Committee Regulatory Committee

Date of Committee 13th June 2006

Report Title **Construction of a 45 Metre Diameter Roundabout at The Potford's Dam Junction of the A4071 and the Approved Rugby Western Relief Road**

Summary The provision of a 45 metre diameter Roundabout at the Potford's Dam Junction of the A4071 and the approved Rugby Western Relief Road. This would replace the ghost island junction forming part of the previously approved scheme for the Rugby Western Relief Road granted Planning Permission under local authority Reference No. R1442/02CC093.

For further information please contact Richard Forbes
 Planning Officer
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Would the recommended decision be contrary to the Budget and Policy Framework? Yes/No

Background Papers Papers submitted with application R1442/06CC017. Letter dated 24/2/06, received on 28/3/06 from PFA Consulting.
 E-mail from Rugby Borough Council Environmental Health Department dated 28/3/06.
 Road noise data submitted 16/5/06.

CONSULTATION ALREADY UNDERTAKEN:- *Details to be specified*

Other Committees

Local Member(s) Councillor G Collett – No comments received as
 (With brief comments, if appropriate) at 30th May 2006.

Other Elected Members

Cabinet Member
(Reports to The Cabinet, to be cleared with appropriate Cabinet Member)

Chief Executive

Legal I Marriott – Comments incorporated.

Finance

Other Chief Officers

District Councils Rugby Borough Council, Planning - No comments received.
Rugby Borough Council, Environmental Health – See paragraph 2.2.

Health Authority

Police

Other Bodies/Individuals Dunchurch Parish Council - No comments received.

FINAL DECISION **YES/NO** (*If 'No' complete Suggested Next Steps*)

SUGGESTED NEXT STEPS :

Details to be specified

Further consideration by this Committee

To Council

To Cabinet

To an O & S Committee

To an Area Committee

Further Consultation

Regulatory Committee - 13th June 2006

**Construction of a 45 Metre Diameter Roundabout at the
Potford's Dam Junction of the A4071 and the Approved
Rugby Western Relief Road**

**Report of the Strategic Director for
Environment and Economy**

Recommendation

That the Regulatory Committee authorises the grant of planning permission for the construction of a 45 metre diameter roundabout at the Potford's Dam junction of the A4071 and the approved Rugby Western Relief Road, Rugby, Warwickshire, subject to the conditions and for the reasons contained in **Appendix B** of the report of the Strategic Director for Environment and Economy.

Application No: R1442/06CC017

Submitted by: The Strategic Director for Environment and Economy on:
20/3/2006.

Advertised Date: 23/3/06

The Proposal: Construction of a new 45 metre diameter roundabout at Potford's Dam, Cawston, Rugby to connect the existing A4071 to the proposed Rugby Western Relief Road. [Submitted under Regulation 3 of the Town and Country Planning Regulations 1992.]

Site & Location: 0.96 ha of land at existing bend in the A4071 outside The Penthouse, Cawston, Rugby, Warwickshire [Grid ref: 463.722].

See plan in **Appendix A**.

1. Application Details

- 1.1 This application seeks full planning consent for the construction of a 45 metre diameter roundabout on the existing A4071 providing access onto the approved Rugby Western Relief Road (Planning Permission Reference R1442/02CC093) at its southern extremity. In addition, a fourth arm would be provided from the roundabout to enable private access to the property known as the Penthouse, located some 120 metres to the west of the proposed junction. This area of the approved relief road is known as Potford's Dam junction.
- 1.2 A 2.5 metre footway/cycleway would also be provided in the south east verge to connect with the footway/cycleway on the eastern verge of the relief road.
- 1.3 A 45 metre roundabout would be preferable to one of a smaller size, as it would be easier for HGVs to negotiate, be easier to provide the necessary deflection for traffic entering the roundabout and because the larger splitter islands would ensure more effective refuge for pedestrian and cyclists crossing the carriageways.
- 1.4 Due to the size of the roundabout land additional to that covered by the Compulsory Purchase Order (CPO) would need to be acquired. If this land purchase is not achieved then a smaller roundabout scheme will need to be considered at a later date.
- 1.5 It is proposed that the roundabout replace the ghost island junction previously approved under Planning Permission Reference. R1442/02CC093.

2. Consultations

- 2.1 **Rugby Borough Council** - No comments received.
- 2.2 **Rugby Borough Council, Environmental Health** - No objection subject to acceptable additional noise assessment information.
- 2.3 **Councillor G Collett** - No comments received as at 30th May 2006.
- 2.4 **Dunchurch Parish Council** - No comments received.
- 2.5 **County Museum** - No comments received.

3. Representations

- 3.1 One letter received from Mr Graham Eves, Director of PFA Consulting, acting on behalf of the occupants of a nearby residential property called The Penthouse which raises some general issues regarding further amendments to the Rugby Western Relief Road scheme, the lack of indication of the proposed height of the roundabout and an objection to the piecemeal approach to the various amendments to the previously approved scheme. The letter also questions why the southern extension of the relief road is not being pursued.

4. Observations

History and Background

- 4.1 Planning permission for the Rugby Western Relief Road was granted on the 3rd April 2003. Following this decision the scheme was subsequently the subject of a public inquiry into the Compulsory Purchase and Side Road Orders. The Secretary of State announced his interim decision on the 15th December 2005. A final decision will be made following some suggested amendments to the scheme.
- 4.2 One such amendment was that the relief road should be terminated outside the Penthouse with a roundabout, as this would produce a safe priority junction with a reduction in traffic speed approaching Potford's Dam Farm.

Site and Surroundings

- 4.3 The proposed junction is located at a current kink bend within the A4071 where the road turns eastwards towards the disused railway. The land to the north of the junction is currently open countryside but will in the future contain the route of the Rugby Western Relief Road. To the west of the junction is the residential property called the Penthouse located on raised ground approximately 120 metres away.

Planning Policy

- 4.4 The application site is set within the Green Belt as defined by the adopted and emerging local plans. Therefore there is a general presumption against inappropriate development in the Green belt as defined by Planning Policy Guidance Note (PPG) 2. However, within the Green Belt designation the route of the western relief road is safeguarded under policy R/TR3 of the adopted plan and policy T9 of the emerging plan, thereby accepting the principle of the relief road development in general. It must also be acknowledged that the overall road scheme now has planning approval and such development is accepted in this location. Therefore, this proposal is considered to be acceptable in terms of planning policy.

Impacts on Amenity

Visual Amenity

- 4.5 In terms of the provision of the proposed roundabout the main considerations are the added impact on the visual amenities of the locality and the added impact upon the amenities enjoyed by the occupants of the Penthouse which might result from this scheme. In assessing these matters the approved relief road, plus the existing situation, must be considered.
- 4.6 The impact on views from the east would be minimal due to the intervening disused railway embankment. This feature completely screens the distance views of the proposed roundabout with the exception of the view through underpass of the A4071.

- 4.7 The proposed roundabout would shift the bell mouth of the Penthouse's private access some 20 metres closer to the Penthouse. However, parts of the existing carriageway of the A4071 are as close, if not closer, than this particular distance. When this is considered, along with the position of the Penthouse (it is elevated above the road and screened by vegetation) and the existing and proposed road developments in the locality the visual impact on this property is considered to be limited and acceptable.
- 4.8 It must be acknowledged that currently the existing highway boundary to the Penthouse is marked by a relatively thick hedge screen around 2 metres in height. Part of this will be removed to facilitate the roundabout. As such a landscaping scheme should be required as a planning condition, which would require the replacement of the small number of trees that may be lost as part of the implementation of the scheme (see condition 3 as recommended).
- 4.9 The letter of representation also acknowledges that there are no ground level heights marked on the roundabout scheme drawing and that this may have implications on the amenity of the locality and neighbouring properties in general. A revised drawing showing ground levels has been received that shows that ground level increases would increase to a maximum of between 0.5 and 1 metre above existing ground levels. This maximum height would be located towards the centre of the roundabout and as such would have a limited impact. Especially when the distance between the Penthouse and the roundabout and the fact that the property is located about 5 metres above the existing road level are considered.

Air Quality

- 4.10 An Air Quality assessment for the Rugby Western Relief Road was carried out as part of the planning application for the relief road, and the impacts on air quality were found to be well within acceptable limits. The Local Authority Environmental Health Officer has confirmed that any small scale difference in air quality caused by the additional provision of the roundabout would be likely to remain within acceptable limits.

Noise

- 4.11 A Noise assessment formed part of the full planning application for the relief road. However, this was based upon a t-junction arrangement at Potford's Dam. The roundabout provision may alter the nature of traffic noise and as such further information was received detailing the noise differences between the two junction types and specifically the impact on the Penthouse, the nearest noise sensitive receptor.
- 4.12 The information on noise concludes that in relation to the most exposed eastern and southern elevations there would be a slightly noise level reduction. This is based on the principle that vehicles will be travelling at a slower speed in order to negotiate the roundabout arrangement.

4.13 The Borough's Environmental Health Officer has acknowledged, prior to the submission of the further noise information that it is of his opinion that the proposed changes in the Potford's Dam area will not be significant, for noise and air quality, compared to the impacts of the original proposals. However, Environmental Health has not commissioned any surveys or data analysis to confirm this. Therefore, the further information has been submitted for consultation to Rugby Borough Council's Environmental Health Officer and to Mr Graham Eves, Director of PFA Consulting, acting on behalf of the occupants of the Penthouse for further comments. A verbal update of these consultation comments will be presented at the Committee meeting.

Other Matters

4.14 The representations have suggested that the proposed amendments to the relief road be considered as a single entity. Whilst this request is quite understandable each matter currently under consideration is quite distinct and as such can therefore be dealt with independently.

Conclusion

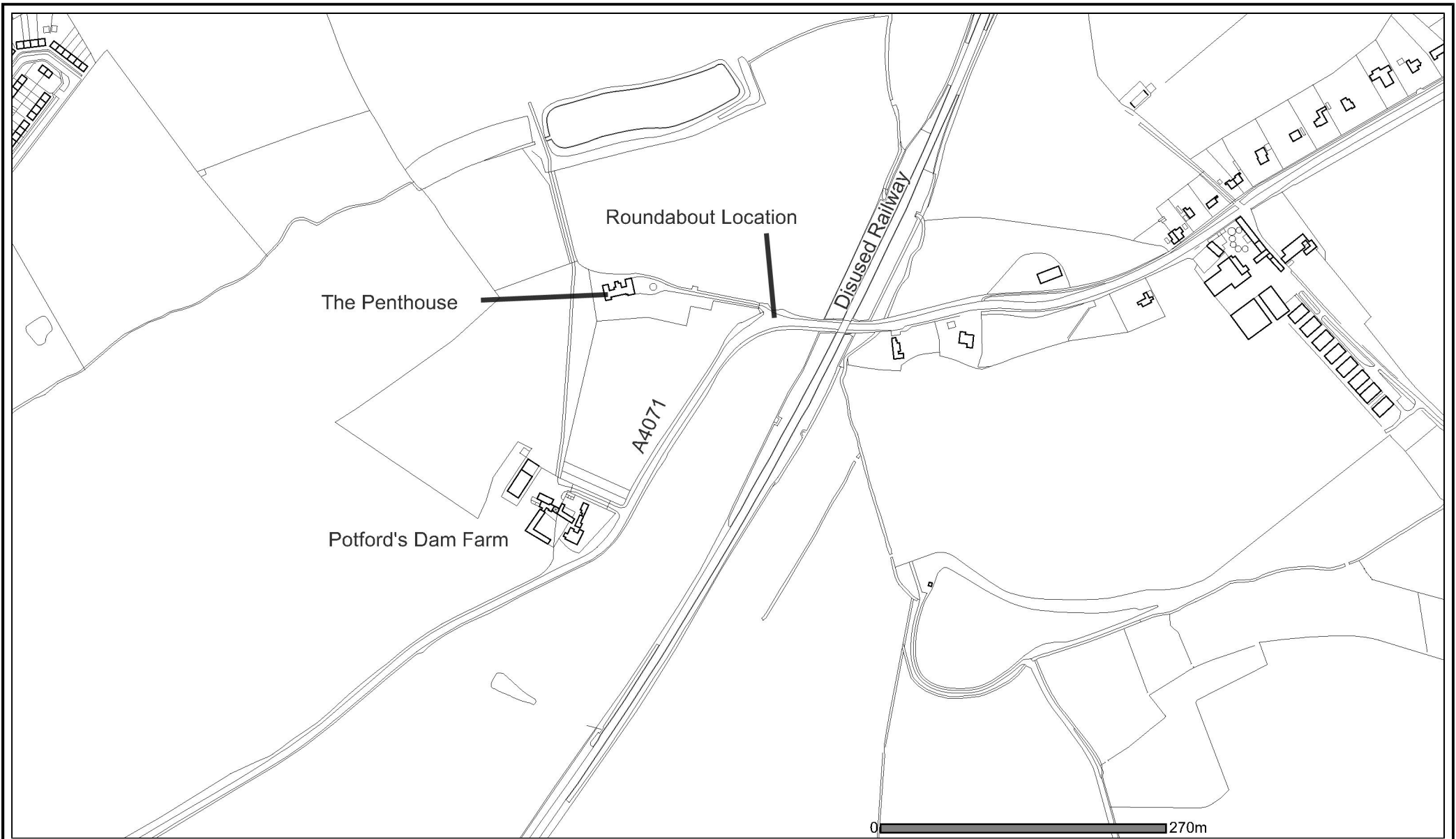
4.15 This application has been submitted to meet the requirements specified in the Secretary of State's letter dated 15th December 2005 ultimately leading to an improvement in highways safety when compared with the previously approved ghost island junction. Assessment of this application supports the conclusion that the proposed roundabout will result in the necessary highway safety improvements being provided without significant adverse environmental impacts being incurred.

5. Environmental Implications

5.1 The provision of a roundabout would lead to acceptable noise and air quality impacts. The safer negotiation of the new junction would outweigh any detrimental impacts on the environment.

JOHN DEEGAN
Strategic Director for Environment and Economy
Shire Hall
Warwick

30th May 2006



Scale 1: 5000

Ref No. R1447/06CC017

Drawn Richard Forbes

Regulatory Committee

Subject

Potford's Dam Roundabout (Rugby Western Relief Road)

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Regulatory Committee – 13th June 2006

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Potford's Dam Junction of the A4071 and the Approved
Rugby Western Relief Road**

Application No. R1442/06CC017

Commencement Date

1. The development hereby permitted shall be commenced before the expiration of three years from the date of this permission.

Per - Commencement

2. The development hereby permitted shall not be carried out other than in accordance with the submitted application Reference No. R1442/06CC017 and the accompanying plans Reference No. H/A426-31/818,H/A426-31/825 and with any details approved in accordance with these conditions.
3. The development hereby permitted shall not be commenced until full details of landscape proposals for the site have been submitted to and approved in writing by the County Planning Authority. These details should include a planting plan showing existing trees to be retained along with new planting, written specifications, schedules of plants noting plant locations, species, sizes and proposed numbers and densities where appropriate.
4. The development hereby permitted shall not be commenced until a schedule of all finish materials, to be used for the roads, footpaths and hard surfaced areas hereby approved has been submitted to and approved in writing by the County Planning Authority. The development shall then be carried out in accordance with the said approved schedule.
5. The development hereby permitted shall not be commenced until full details of the means of surface water disposal to serve the development have been submitted and approved in writing by the County Planning Authority and the said approved scheme shall be installed in the approved form prior to the first use of the roundabout.
6. The development hereby permitted shall not be commenced until details of the finished levels for the approved new roundabout in relation to their adjacent natural ground levels have been submitted to and approved by the County Planning Authority. The development shall then be carried out in accordance with the said approved levels.

General Operations

7. The landscaping scheme approved pursuant to Condition 3 shall be implemented in the first planting season following the completion of the development hereby approved and unless otherwise agreed in writing by the County Planning Authority, should any trees or shrubs planted as part of the landscape scheme, die, be removed become damaged or seriously diseased within five years of the initial planting they shall be replaced in the next planting season with others of a similar size and species.

Reasons

1. To comply with Section 51 of the Planning and Compulsory Purchase Act 2004.
2. To ensure development is carried out in accordance with the planning permission hereby granted.
3. In order to ensure the satisfactory appearance of the completed development.
4. In order to ensure the satisfactory appearance of the completed development.
5. In order to ensure that the satisfactory arrangements are made for the disposal of the foul and surface water generated by this development.
6. In order to ensure that the new roundabout is in scale and harmony with the locality.
7. In order to ensure the satisfactory appearance of the completed development.

Development Plan Policies Relevant to this Decision.

The Regional Spatial Strategy for the West Midlands. Policy CF2.

The Warwickshire Structure Plan – Policies GD.3, GD.4 GD.5 and ER.6

The Rugby Borough Local Plan – Policies R/E9, R/E10 and R/TR3.

The Rugby Borough Local Plan Review – Policies E1 and T9.

Reasons For The Decision to Grant Permission

The development hereby permitted is in accordance with the relevant provisions of the development plan and there are no contrary material considerations sufficient to justify withholding consent.

Note The policies, proposals and reasons given above are only summaries of the considerations set out more fully in the application report and minutes of the Regulatory Committee.