

Information

for County Councillors

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From:	Phil Lowndes Strategic Manager Traffic and Transport Development
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Date:	17/7/15
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To:	All County Councillors
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Highways Observations & Standing Advice

The document **Highways Development Control – Standing Advice** has just undergone its two yearly review and been reissued. It can be viewed in full at:

<http://www.somerset.gov.uk/EasySiteWeb/GatewayLink.aspx?allId=41502>

Background

Somerset County Council, as Highway Authority, is a statutory consultee on all planning applications made within Somerset {Town & Country Planning Act 1990}. There are seven Planning Authorities within Somerset, including the County Council (responsibility for determination of minerals extraction, waste management and disposal, and Reg. 3 planning applications e.g. schools, libraries, and other County Council development applications) and Exmoor National Park. Approximately 9,500 planning applications per year are submitted across the county. The formal Highways Observations on behalf of SCC are made and issued on these under delegated powers by appropriate officers of the Planning Liaison & Estate Roads Team (Service Manager Helen Vittery).

SCC at the Full Council meeting on 20th February 2013 resolved to issue 'standing advice' in response to minor planning application consultations. The standing advice forms the substantive response of the Highway Authority to a planning consultation, in a generic format. The direction to use standing advice does not mean that there is no highway reason for objection to an application, but rather that it is for the Local Planning Authority (LPA) to determine whether or not a proposal complies (or can be conditioned so as to comply) with the advice, and therefore whether or not planning consent should be granted. The

document **Highways Development Control – Standing Advice** indicates those applications to which this standing advice is likely to apply. It gives guidance to the Local Planning Authorities in order that they may determine those minor planning applications which the Highway Authority indicates this standing advice applies to.

Consultation Process

Registered planning applications are made available weekly to the County Council for consultation. In some of the LPA areas these are 'preselected' by the LPA who determines which applications require Highway Authority input. The document **Highways Development Control – Standing Advice** indicates those applications that will no longer be likely to require a unique Highway Authority response to inform the development management process. It provides the advice necessary for the LPA to make a determination. Consultations still take place on a weekly basis, with the Highway Authority commenting by electronic communication methods on those applications registered by the LPA. This consultation includes indicating to the LPA those applications that require 'no observation'; those to which 'standing advice applies'; and those where the response is 'requires further consideration'. Those requiring further consideration are dealt with by SCC's officers and result in a report detailing the formal Highways Observations of the County Council being issued to the relevant LPA. Approximately 3,500 such reports are issued per year.

Applications to Which Standing Advice Applies

The Highway Authority will continue to make 'no observation' on any planning application that has no impact on the highway network.

Those minor applications where standing advice is likely to apply will include but may not be limited to:

- (1) Householder extensions (conservatories, small rear extensions, etc.).
- (2) Householder applications including new or altered accesses.
- (3) New single (or a pair of) dwellings.
- (4) Changes to parking arrangements (e.g. COU of garage, extension over a car port or parking space, etc.).
- (5) Agricultural buildings or accesses.
- (6) Barn conversions.
- (7) Gypsy and Traveller sites.
- (8) Advertisements and signs.

The Highway Authority is likely to direct that it is appropriate to use this standing advice where it considers that traffic volume and the nature of the highway is such that traffic speeds are sufficiently constrained. If however, a minor application as listed above is considered by the Highway Authority to have a significant impact on the highway network, (highway safety implication, access to a classified or high speed road, or other conflict which is not covered by standing advice, etc.) then the Highway Authority may choose to comment in greater detail. This is indicated through the initial consultation process.

Irrespective of the grant of planning consent by a Local Planning Authority, the

necessary licences will need to be secured from the Highway Authority, to allow works on or adjacent to the public highway. Developers are also advised to ensure that the correct checks have been undertaken (including Road Records, utilities, etc.).

Performance Targets

The current official performance target is for 80% of Highways Observations to be issued within 21 days of receiving the application details.
Monthly performance figures for April, May and June 2015 were 90.00%, 90.5% and 90.1% respectively.

The current official performance target for responding to technical submissions is for 80% of technical audits to be carried out within 40 working days.
Reported quarterly the performance for Q1 2015 was 86%.

The current official performance target for carrying out safety audits is for 80% of safety audits to be carried out within 30 working days.
Reported quarterly the performance for Q1 2015 was 94%.

Appeals against Highway Advice on Planning Applications

Whilst SCC has a duty to provide highway advice on planning applications we appreciate that sometimes the advice given may be disappointing and an applicant (or other party) may wish to appeal against that advice. SCC has a standard procedure for reviewing advice given; see

<http://www.somerset.gov.uk/EasySiteWeb/GatewayLink.aspx?alld=41501>

An appeal must be raised with the Strategic Manager Traffic & Transport Development who will review the highway advice that has been provided. The appeal can be either written, over the phone or face to face and should include as much information as possible to allow the advice to be reviewed. This should include any planning application reference numbers and clearly describe the grounds for objecting to the advice that was provided. The Strategic Manager Traffic & Transport Development will be responsible for completing the review and will aim to respond to you within 10 working days with either an update or the final result of your appeal.

Once an appeal decision has been made the County Council will not review the decision on that appeal unless significant changes or amendments have been made to the planning application. The County Council will not deal with these technical appeals as part of our complaints procedure.

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