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Sent: 13 July 2021 11:46
To: NeighbourhoodPlanning <NeighbourhoodPlanning@dorsetcouncil.gov.uk>
Subject: Charmouth Neighbourhood Plan - Highways England representation
Importance: High

Dear Community Planning Team

Thank you for providing Highways England with the opportunity to comment on the submission version of the Charmouth Neighbourhood Plan. As you are aware, we are responsible for operating, maintaining and improving the strategic road network (SRN) which in this location comprises the A35 which runs through the north of the Plan area.

In general terms we are satisfied that the plans proposed policies in respect of housing and employment matters are unlikely to lead to a scale of development which would result in an unacceptable adverse impact on the trunk road in terms of potential traffic generation.

Policy NE4: Local Green Space - Object as currently worded

We continue to have concerns regarding proposed Policy NE4 which states that:

POLICY NE4: Local Green Spaces

- Local Green Spaces, as listed in Table 6.5 and shown on Map 6.5, have been identified as important to the local community and will be given special protection.
- Other than in very special circumstances, no development may take place which would undermine the importance or harm the enjoyment of these Local Green Spaces.

Within Table 6.5 and Map 6.5 under LGS1, a section of A35 verge has been identified as a proposed local green space. In our pre-submission comments we objected to the inclusion of LGS1 as highway land is not suitable for designation which would impact on the trunk road operational asset and the ability of Highways England and our road operator to fulfil our function as the strategic highway authority. The verge in question forms part of the operational highway and has highway rights upon it (as provided by the Highways Act 1980 and associated legislation). Highway land is also subject to permitted development rights under the Town and Country Planning (General Permitted Development) (England) Order 2015, and may need to be utilised in bringing forward future highway/transport schemes, which may not be compatible with Local Green Space designation.

Whilst it is noted that Table 6.5 has been amended to reflect our concerns and states that LGS1 has been removed as a proposed site, it remains within the table and map and we therefore consider the current wording of Policy NE4 is ambiguous.

We therefore **object** to Policy NE4 as currently presented. Either LGS1 needs to be removed from Table 6.5 and Map 6.5, with consideration given to the inclusion of an additional paragraph instead to explain its removal from the list, or else Policy NE4 needs rewording to clearly state which sites on the list/map are to be included, so explicitly removing LGS1 from the policy.

Policy NE6: Pollution - Comment

We welcome the inclusion of a requirement for new housing development to satisfactorily assess and mitigate any impacts arising from A35 traffic noise. In relation to that, we would draw attention to the requirements of DfT Circular 02/2013, Annex A, paragraph A1, which states that for reasons of safety, liability and maintenance, noise fences, screening and other structures must be erected within the developers land, and far enough within the developers land to enable maintenance to take place without encroachment onto highway land. We would also wish to emphasise that for any development site that may be in proximity to the A35, the Highways England soft estate should not be relied upon to contribute any mitigation as the management of our estate may from time to time affect any real or perceived benefits.

These comments do not prejudice any future responses Highways England may make on site specific applications as they come forward through the planning process, and which will be considered by us on their merits under the prevailing policy at the time.

Regards
Gaynor

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