

TEWKESBURY BOROUGH COUNCIL

**Minutes of a Special Meeting of the Planning Committee held at the Council
Offices, Gloucester Road, Tewkesbury on Tuesday, 30 November 2021
commencing at 11:00 am**

Present:

Chair	Councillor J H Evetts
Vice Chair	Councillor R D East

and Councillors:

K Berliner (Substitute for G F Blackwell), R A Bird, M A Gore, D J Harwood, E J MacTiernan,
J W Murphy (Substitute for J R Mason), P W Ockelton, A S Reece, J K Smith, R J G Smith,
R J E Vines, M J Williams and P N Workman

PL.40 ANNOUNCEMENTS

- 40.1 The evacuation procedure, as noted on the Agenda, was advised to those present.
- 40.2 The Chair gave a brief outline of the procedure for this special Planning Committee meeting.

PL.41 APOLOGIES FOR ABSENCE AND SUBSTITUTIONS

- 41.1 Apologies for absence were received from Councillors G F Blackwell, M L Jordan, J R Mason and P D Surman. Councillors K Berliner and J W Murphy would be substitutes for the meeting.

PL.42 DECLARATIONS OF INTEREST

- 42.1 The Committee's attention was drawn to the Tewkesbury Borough Council Code of Conduct which was adopted by the Council on 26 June 2012 and took effect from 1 July 2012.
- 42.2 There were no declarations made on this occasion.

PL.43 DEVELOPMENT CONTROL - APPLICATIONS TO THE BOROUGH COUNCIL

- 43.1 The objections to, support for, and observations upon the application as referred to in Appendix 1 attached to these Minutes were presented to the Committee and duly taken into consideration by Members prior to a decision being made on the application.

21/00451/OUT - Land to the North West of Fiddington, Fiddington, Tewkesbury

- 43.2 This was an outline application for residential development (up to 460 dwellings), a primary school, associated works, ancillary facilities and infrastructure, open space, recreation facilities and landscaping. Vehicular access from the A46 (T) and Fiddington Lane. The Planning Committee had visited the application site on 30 November 2021 prior to the meeting.

- 43.3 The Development Management Team Leader (North) advised that the appeal site was a 52 hectare parcel of land which lay to the south of the A46(T) and the east of the M5. The majority of the site lay immediately south of the recently approved 'Land at Fiddington' where a mixed use development including up to 850 dwellings had been permitted. To the north was the consented retail outlet and garden centre which was currently under construction. The southern boundary of the site was formed by the limit of the rear garden of a property known as Bungalow Farm, with the eastern boundary lying adjacent to agricultural fields and the extent of the rear gardens of a small number of properties on the minor road which ran between Fiddington and Ashchurch. The site itself comprised arable fields with boundary hedges and trees, scattered scrub and seasonally wet ditches. A block of woodland, known as Milne's Covert, lay to the western part of the site. The site was not subject to any designations and the majority fell within Flood Zone 1. A public footpath passed through the north-eastern corner of the site before running along its eastern boundary. A bridleway also ran along the northern boundary; this formed part of the Gloucestershire Way which was a long-distance route. Members were advised that the proposal was submitted in outline and sought permission for up to 460 dwellings, including policy compliant affordable housing, together with a one form of entry primary school, open space, recreation facilities, landscaping and associated infrastructure. The proposal shared the same access arrangements onto the A46(T) and Fiddington Lane as the permitted development referenced previously. An illustrative masterplan and parameters plan had been submitted to demonstrate how the site could be developed. As assessment of the main material considerations was set out at Pages No. 14-48 of the Committee report with the key harms and benefits highlighted.
- 43.4 Turning to the principle of development in this location, Tewkesbury was identified as a top tier settlement in the Joint Core Strategy settlement hierarchy and was recognised in Policy SD2 as a location where dwellings would be provided to meet the identified housing needs of Tewkesbury in line with its role as a market town. The application site formed part of the wider Tewkesbury Town area and was broadly consistent with the strategy as set out in Policy SP2 to meet the housing and/or employment needs of the borough. Nonetheless, the site was not allocated for housing in the Joint Core Strategy and therefore needed to be considered against Joint Core Strategy Policy SD10. Proposals for unallocated sites would only be permitted in certain circumstances, none of which applied in this case; therefore, the application conflicted with Policy SD10 and the spatial strategy comprising Policy SD2 and Policy SD10 read together. Members would be aware of the current circumstances surrounding the five year housing land supply position in respect of the Ashmead Drive appeal decision, the Inspector's treatment of past oversupply in the calculation of the five year supply and the subsequent High Court judgement. More recently the Council had received two appeal decisions following public inquiries where the issue of oversupply was debated and which provided support for the inclusion of oversupply in the calculation. Officer advice was that a 4.39 year supply could currently be demonstrated; however, since that fell below a five year supply of deliverable housing, the presumption in favour of sustainable development was engaged in this case. Notwithstanding this, the Tewkesbury Borough Plan was at an advanced stage in the examination process with the main modifications having been approved by Council and currently out to consultation with an anticipated adoption date of spring 2022. It was expected that, on adoption, the Plan would provide a housing land supply of 6.48 years up to 2029/30 based on a trajectory which took into account oversupply which had been approved by the Borough Plan Inspector. Given the advanced stage of the Borough Plan, it now carried significant weight in the plan-making process and therefore the five year housing land supply position as set out in the Borough Plan was a material consideration in the determination of the application. Officers had considered the extent to which the appeal site would contribute towards the five year housing land supply; the appellant had stated that the site would provide early delivery, and be delivered in

its totality within five years, but had not provided evidence through the application to demonstrate this. The permitted scheme for 850 dwellings had not come forward at the speed it was projected and it was estimated that the earliest realistic date that the first 50 dwellings could be delivered on site was 2023/24. Furthermore, the appeal scheme was reliant on the access from the permitted scheme and, on the basis of the current pace of delivery of the permitted scheme, Officers considered that the projected housing delivery from this appeal scheme was over-optimistic with no evidence to demonstrate how it would make a timely or meaningful contribution towards five year supply. In view of the limited contribution that the appeal scheme – and the permitted scheme – would make to five year supply, Officers considered that the weight to be attributed to the contribution of these schemes to the borough's five year supply of housing land was diminished. The Development Management Team Leader (North) went on to explain that the appeal site lay within the Tewkesbury Garden Town area which advocated a comprehensive, planned development strategy for future housing, employment and infrastructure needs. The recently published concept plan identified the appeal site as a strategic location for future residential development; however, at the current time the concept plan did not have any status as a planning document and the inclusion of the application site within it did not prejudice or pre-judge the normal operation of the planning system. Nonetheless, the Garden Town status and government support for growth, in the context of a comprehensive, planned development strategy, was material consideration. In summary, the development was in conflict with the housing policies of the adopted development plan for the area. As the Council could not demonstrate a five year supply of deliverable housing sites, the presumption in favour of sustainable development was engaged; however, the appellant had not demonstrated that the site would be deliverable, or make a significant contribution to the supply of houses, within the five year period. Moreover, by that time the Council would have an adopted plan with a five year housing land supply and the site would not, therefore, contribute to the overall supply. Officers considered this weighed heavily against the proposal in the planning balance.

- 43.5 Moving to some of the other material considerations, the Development Management Team Leader (North) explained that indivisible with the principle of new dwellings in this location was the impact a development of this scale would have on the local landscape. Whilst the development was not considered to cause wider harm to the setting of the Area of Outstanding Natural Beauty, Officers felt that the local landscape harm that would arise from the development would be a permanent, significant and adverse impact and would represent a significant intrusion into the rural landscape which weighed against the proposal. In terms of highways, the impact of the development on the local and strategic highways networks had been assessed by statutory consultees. The Council had also appointed a transport consultant to independently review the traffic and transportation information submitted in support of the application. The report of the consultant, in the form of a technical note, was included in the Additional Representation Sheet, attached at Appendix 1, and the transport consultant was in attendance to address any questions in that regard. County Highways was satisfied that the impact of the development on the local highway network could be addressed, subject to appropriate conditions and obligations. In terms of the strategic highway network i.e. the M5 and A46, National Highways had provided a response which recommended that planning permission should not be granted for a period of three months – that period had not yet expired. National Highways had requested additional information from the appellant to settle outstanding matters which, to date, remained unresolved. It was understood that National Highways was still in the process of reviewing the information and would provide a response to the Inspector in due course. The Council's independent transport consultant had concluded that, based on the information submitted, and subject to National Highways' final response, there was no justifiable reason to maintain an objection to the proposal on highway grounds and, in that respect, the development accorded

with national planning policy. Notwithstanding this, in the absence of a final response from National Highways, at this stage Officers considered that the application had not demonstrated that there would be an acceptable impact on the strategic road network which was in conflict with the development plan and weighed heavily against the proposal.

- 43.6 The appellant had indicated that 'policy compliant' affordable housing would be provided along with a range of other community facilities and infrastructure. A number of consultees had also requested planning obligations that would need to be secured to make the proposal acceptable in planning terms; however, to date no legal agreements had been provided or completed by the appellant to secure the provision of those benefits which also weighed against the proposal. It had been established through the application that limited harms would also arise in respect of the loss of agricultural land; however, subject to imposition of appropriate planning conditions and obligations, the development would not give rise to unacceptable impacts in relation to flood risk and drainage, accessibility and local highway safety, noise, vibration, contaminated land or minerals and waste. In terms of the benefits of the scheme, considerable weight was to be given to the economic gains that would arise from the proposal. The development would also contribute towards the supply of housing over the plan period, albeit the quantum over the period was questioned and considered to be limited. Nevertheless, the delivery of housing attracted significant weight. Other benefits included the delivery of affordable housing and biodiversity net gain.
- 43.7 Turning to the planning balance, given that the Council could not currently demonstrate a five year supply of deliverable sites, the tilted balance was engaged. Taking into account all of the material considerations and the weight to be attributed to each, Officers considered that the identified harm in relation to the impact of the development on the strategic road network alone would significantly and demonstrably outweigh the benefits in the overall planning balance. There was also harm to the plan-led system and to the landscape as well as loss of agricultural land. Taken together, it was considered that the harms significantly and demonstrably outweighed the benefits meaning that the proposal was not considered to constitute sustainable development in the context of the National Planning Policy Framework. Furthermore, the absence of signed Section 106 Agreements constituted reasons for refusal in themselves. In view of the matters set out in the Committee report, and in the context of the current appeal, Members were requested to consider a recommendation of minded to refuse for the reasons set out which, along with the Committee report, would be submitted to the Planning Inspectorate to inform the appeal. The Development Management Team Leader (North) drew attention to the Additional Representations Sheet which set out minor amendments to refusal reasons three and five to resolve typographical errors and the recommended reasons were amended accordingly.
- 43.8 The Chair indicated that there were no public speakers for this item. The Officer recommendation was minded to refuse and he sought a motion from the floor. A Member sought clarification as to what would happen at the appeal if the Committee was minded to permit the application. In response, the Legal Adviser explained that, had the appeal not been lodged and the Committee determined that the application should be permitted, that would have been subject to legal agreements to secure various obligations. In this situation given that there was an appeal, if Members were minded to permit, assuming those legal agreements had been secured, the Council would state that no information was being presented against the proposal. An alternative would be to contact the appellant to request that they submit a duplicate application and put the appeal on hold in order for the duplicate application to be determined; the appellant may reject that proposal in which case the appeal would go ahead and the Inspector would make a decision. The Member asked if there were any examples of situations where the authority had put forward a minded to permit decision to the Inspector and the Legal Adviser indicated there

had been a very similar situation for Perrybrook which had been called-in by the Inspector which the Committee had been minded to permit. The appeal had still gone ahead as that was also an opportunity for members of the public and other parties to put forward their views which may be contrary to the local authority; in practical terms, it would make the appeal shorter than one where the local authority had resolved minded to refuse. It was proposed and seconded that the application be minded to refuse in accordance with the Officer recommendation. The proposer of the motion indicated that she had questions in relation to the weight afforded to the fact that the Council could not demonstrate a five year housing land supply. Officers had clearly illustrated that this particular application would not actually go towards meeting the five year housing land supply trajectory, therefore, she did not believe that was a benefit of the proposal. Page No. 49, Paragraph 8.2 of the Committee report suggested that the delivery of housing should be attributed significant weight, but Page No. 19, Paragraph 7.1.26 of the Committee report set out that the weight was diminished and that had been reiterated by the Development Management Team Leader (North) in her speech today. Furthermore, the harms identified at Page No. 49, Paragraph 8.3 of the Committee report stated that the application had not demonstrated that there would be an acceptable impact on the strategic road network which weighed heavily against the scheme and the proposer of the motion felt that needed to be strengthened to 'significant' weight. She pointed out that 18 months ago, County Highways had said that no more housing would be allowed along the A46 route until measures had been put in place to alleviate the issues currently experienced on that road; she was very surprised that County Highways was not supporting the minded to refuse recommendation on that basis and had been equally surprised that had also been the case in relation to the application for 850 houses and the application in Pamington. By changing the statement to 'significant' weight, as suggested, she felt it would be clear at the appeal that the Council did not believe the housing provided by this development would go towards meeting the five year housing land supply and that significant weight had to be applied to the impact on the strategic road network. The Legal Adviser clarified that, should the Committee vote in favour of the minded to refuse motion, the refusal reasons would remain as set out in the Committee report; however, the points raised would be reflected in the Minutes of the meeting and would be taken into account at the appeal.

- 43.9 A Member drew attention to Page No. 3, Paragraph 1.12 of the Committee report which stated that one of the broad development proposals was for up to 460 units, including 40% affordable housing, with the average density being 40 dwellings per hectare and he asked why this was not in accordance with the Council's policy of 33 dwellings per hectare. With regard to Tewkesbury Town Council's submission, referenced at Page No. 9 of the Committee report, he asked for confirmation as to whether otters and their habitats were protected. Moving to Page No. 11, Paragraph 5.2 of the Committee report, he asked whether the latest flood map was available to overlay the application site and surrounding area in light of the petition agreed at Council with regard to major applications and flood impact. In terms of Page No. 47, Paragraph 7.13.4 of the Committee report, he wished to see a breakdown of the £90,160 which Gloucestershire County Council had requested for library provision – this was something he had asked for previously in relation to other applications but had not yet received a response. Later in the same paragraph a contribution of £156,630 was requested towards the A38/Shannon Way junction improvement but it was his recollection that the Inspector had declined to agree to that at the last Fiddington appeal. He also sought clarification as to the reason for the commuted sum for outdoor sports provision and how much had been suggested. In response, the Development Manager Team Leader (North) advised that the density of 40 dwellings per hectare had been put forward by the applicant and had not been negotiated with the Council. Natural England and the Council's Ecological Adviser had examined the application and had not raised any issues regarding otters' habitat. The Tirl Brook would be protected in terms of water

quality and the amount of water going into the Brook. Whilst the latest flood map had not been overlaid for the application site, the majority of the site was within Flood Zone 1 and the Environment Agency had raised no objection. A small area to the north of the site was in Flood Zone 2 and overlapped with other permitted schemes which had previously been assessed. In terms of library provision, she confirmed that more detailed responses had been received from Gloucestershire County Council which had been summarised in the Committee report and she would be happy to share the full responses with Members. Outdoor sports provision was included in the application for a sports field and new changing rooms. Other provision had been identified, with figures put forward by the Community Team, and that would be negotiated with the appellant. She confirmed that discussions would continue with the Town Council in relation to the points raised up to the appeal.

- 43.10 The representative from County Highways clarified that County Highways was not the highway authority for the strategic road network and therefore could not comment on the points made in respect of the A46 which was outside of its remit. Each application was considered on its own merits and this proposal did not impact on the local road network. In terms of the A46/Shannon Way junction, a planning obligation of £289,000 was linked to a previous application and the appellant had taken the methodology of a proportionate contribution for this scheme on the basis there was a funding shortfall for the junction.
- 43.11 The Member indicated that the petition to Council was a major sticking point for him as he could not see any reference to this within the Committee report and he asked for advice as to how it fit with the Council decision on major applications. All of the reasons for the Officer recommendation were justified in his view; however, they were closely aligned to that of the Fiddington appeal. Unfortunately, the Statement of Common Ground for that appeal was still relevant today. Paragraph 8.8 stated that “regardless of the approach taken it is agreed that the tilted balance of paragraph 11d is engaged”; Paragraph 8.9 stated “...the main parties agree that the extent of the shortfall is substantial”, Paragraph 8.10 stated “it is agreed that the five year land supply shortfall will worsen from now and in the coming years...”; Paragraph 8.11 stated “it is agreed that the Joint Core Strategy identifies that there was a plan shortfall of 2,455 homes. It is agreed that there is no plan in place to address this”. With regards to prematurity, Paragraph 8.13 stated “...no grounds to refuse planning permission on the grounds of prematurity having regards for Paragraphs 49 and 50 of the National Planning Policy Framework”; Paragraph 8.14 stated “it is agreed that the appeal proposal would not prejudice any potential future Garden Town...”; Paragraph 8.16 stated “...as set out in Mr Hitchens proof of evidence...presumption in favour of sustainable development is engaged as some of the most important development plan policies are out of date...”; and Paragraph 8.17 stated “when the tilted balance is applied it is agreed that any adverse impacts of granting planning permission would not significantly and demonstrably outweigh any adverse impact”. The Member indicated that he would have liked to have proposed a deferral; however, given that option was not available, he wished to propose minded to permit in order to retain control of the development and put in place conditions.
- 43.12 A Member sought further clarification from County Highways as to what improvements were actually proposed for the A46/Shannon Way junction and was advised that it was intended to introduce an additional left hand lane, taking away the straight ahead lane on the Tewkesbury side and therefore increasing throughput. It was a small improvement that would have meaningful benefits. Further detailed appraisal was needed but this application provided a commitment to allow the improvement to take place. The Member indicated that there was already a left turn lane from the A438 into Shannon Way which had been there for a number of years. In response, the County Highways representative explained that the current situation was a straight ahead lane and a straight ahead and left lane and the proposal was to include a left turn lane and two straight ahead lanes. The

Member continued to express concern that the proposal did not seem to alter the existing situation and the County Highways representative indicated there was little more he could add at this stage other than to reiterate there was already a scheme which included improvements to that junction and this application would provide a contribution towards that. Another Member expressed the view that the requested highway improvements would be thrown out by the Inspector as last time, particularly if the improvement was already there. The Legal Adviser advised that it was her recollection that it had been a matter over timing rather than provision which had been an issue in the previous Fiddington appeal.

- 43.13 A Member questioned how conditions would be determined, should Members be minded to refuse the application but it was then permitted at appeal and whether the representations made by the Council would have an impact. In response, the Development Management Team Leader (North) confirmed that the Council would work in advance with the appellant on a set of conditions both parties could agree to. These were usually very comprehensive and picked up all issues raised by consultees and any other matters which needed to be addressed. The Inspector had the opportunity to comment although it was such a thorough process that, as with the Fiddington appeal, there may be very few fundamental changes to make. The Legal Adviser explained that where the parties could not agree on certain conditions these would be debated before the Inspector who ultimately made a decision. A Member agreed this would allow the Council to put forward suggestions for conditions which would have to be taken into account by the Inspector but he personally felt it was important to take control. He asked how much the Fiddington appeal had cost and what the potential cost would be if the Council lost this appeal. The Legal Adviser indicated that she did not have the costs of the Fiddington appeal to hand; however, an appeal of this nature would be in the region of tens of thousands of pounds.

- 43.14 Upon being put to the vote, it was

RESOLVED That the Committee be **MINDED TO REFUSE** the application in accordance with the Officer recommendation.

The meeting closed at 11:49 am

Appendix 1

ADDITIONAL REPRESENTATIONS SHEET

Date: 30 November 2021

The following is a list of the additional representations received since the Planning Committee Agenda was published and includes background papers received up to and including the Monday before the meeting.

A general indication of the content is given but it may be necessary to elaborate at the meeting.

Page No	Item No	
1-54	4a	<p>21/00451/OUT</p> <p>Land To The North West Of Fiddington, Fiddington, Tewkesbury</p> <p>Amended Reasons for Refusal</p> <p>To resolve several typos and omissions in proposed reasons 3 and 5 it is recommended that they be amended to read:</p> <p>3. The proposed development does not demonstrate how it would adequately provide for housing that would be available to households who cannot afford to rent or buy houses available on the existing housing market contrary to Policy SD11 and Policy SD12 of the Gloucester, Cheltenham and Tewkesbury Joint Core Strategy 2011 - 2031 (December 2017) and the National Planning Policy Framework.</p> <p>5. The proposed development does not adequately provide for open space, outdoor recreation and sports facilities and the proposal conflicts with Policies RCN1 and GNL11 Tewkesbury Borough Local Plan to 2011 (March 2006), Policies INF4, INF6 and INF7 of the Gloucester, Cheltenham and Tewkesbury Joint Core Strategy 2011 - 2031 (December 2017) and the National Planning Policy Framework.</p> <p>Technical Transport Note</p> <p>A transport consultant has been appointed by the Council to undertake an independent review of the traffic and transportation submitted in support of the planning application. The consultant's report is attached.</p>

Item 4a – Technical Transport Note - 21/00451/OUT, Land To The North West Of Fiddington



210472-01 Highways and Transportation Review: Land To The North West of Fiddington, Fiddington, Tewkesbury, Gloucestershire

1. Introduction

The Transportation Consultancy (ttc) have been appointed by Tewkesbury Borough Council (TBC) to undertake an independent review of the traffic and transportation submissions in support of an outline planning application reference: 21/00451/OUT for the following description of development.

'Outline application for residential development (up to 460 dwellings), a primary school, associated works, ancillary facilities and infrastructure, open space, recreation facilities and landscaping. Vehicular access from the A46 (T) and Fiddington Lane on Land to the North West of Fiddington Tewkesbury, Gloucestershire.'

This review has considered the content of the following transport and highways documents submitted as part of the planning application set out in **Table 1**.

Table 1 – Applications Documents Considered as part of this review

Document	Authors	Date
Transport Assessment	PFA Consulting	22 nd March 2021
Residential Travel Plan	PFA Consulting	22 nd March 2021
Site Location & Highways Network & Public Right of Way & Cycle Routes Plan @A3 (Figure 1.1.)	PFA Consulting	Nov 2020
Transport Assessment – Traffic Flow & Time Route (Figure 1.1. - Figure 6.1.)	PFA Consulting	Feb 2021
Key Junctions Figure 6.8	PFA Consulting	Feb 2021
Transport Assessment – Appendices + Appendix A (TA Appendices A – J)	PFA Consulting	22 nd March 2021
Transport Assessment – Appendix K – P	PFA Consulting	22 nd March 2021
Transport Assessment – Appendix Q	PFA Consulting	22 nd March 2021
Site Access Arrangements off A46(T) – General Arrangement Drawing No H658/03	PFA Consulting	February 2021
Highways England Correspondence	Highways England	7 th July 2021
File Note Dealing with HE Planning Response Dated 7 th July 2021	PFA Consulting	10 th August 2021
Additional Highways Information Turning Movement Spreadsheet	PFA Consulting	13 th August 2021
UNSIG Model Files	PFA Consulting	13 th August 2021
Highways England Correspondence	Highways England	6 th October 2021
Additional Highways Information (Response to Highways England)	PFA Consulting	21 st Nov 2021
Gloucestershire County Council Final Consultation Response	Gloucestershire County Council	23 rd November 2021

2. Consultation Responses

As part of the application the Local Highway Authority (LHA), Gloucestershire County Council (GCC) and the Strategic Highway Authority (SHA). National Highways (NH) have been engaged throughout the application process.

Pre-application discussions were undertaken with both highway authorities to determine the scope of the Transport Assessment (TA).

The LHA, GCC have provided a final position of '**no objection**' subject to conditions and financial obligations.

The Strategic Highway Authority (SHA), National Highways (NH) have provided the latest response in the consultation letter dated 6th October 2021 which 'recommended that planning permission **not be granted** for a period of three months from the date of this notice.'

The NH requested that traffic growth factors from a single WebTRIS data site (Site8183) to use more than a single site to ensure a robust assessment. The Technical Note submitted on 10th August by PFA consulting provided an assessment of growth factor with multiple WebTRIS sites, this information and is currently being reviewed by NH. The LinSig model files have been provided to NH and these are currently being reviewed.

It is understood that the discussions between NH and the application are ongoing and the hold objection is existing at the time of writing.

3. Planning History

The proposed development site set out in application 21/00451/OUT is situated immediately south of the recently consented 'Land at Fiddington' development, application reference 17/00520/OUT which sought permission for

'a residential development (up to 850 dwellings), a primary school, local centre (comprising up to 2,000 m² gross internal floor area) (A1, A2, A3, A4, A5 and D1 uses) with no single A1 comparison unit exceeding 500 m² gross internal floor area, supporting infrastructure, utilities, ancillary facilities, open space, landscaping, play areas, recreational facilities (including changing facilities and parking), demolition of existing buildings, new access to the A46(T) and Fiddington Lane.'

The applicant appealed a non-determination by Tewkesbury Borough Council and planning permission was subsequently granted by the Secretary of State, following a call-in inquiry.

Items relating to the 17/00520/OUT application are pertinent to this review and have been referenced in the appraisal of the application document due to the proximity of the applications.

4. Appraisal

A full Transport Assessment (TA) and Residential Travel Plan (RTP) was prepared by consultants 'PFA Consulting', which was submitted as part of the planning application in March 2021, additional information has also been submitted.

The review of the submitted TA and RTP has been prepared in accordance with the chapter titles of the reports and summarised within **Table 3.1**. Only sections within the TA where commentary is warranted, or confirmation of review and acceptance of the content, have been selected. The table includes a 'RAG'

assessment (Red, Amber, Green) to categorise whether the item raised is contentious or warrants further action, with the following definitions applied:

- **Green** – no technical issues and/or policy compliant;
- **Amber** – informative issue requiring further consideration; and
- **Red** – significant issue that is a material concern.

To determine the severity of the issues raised, due consideration has been given to the National Planning Policy Framework (NPPF) July 2021, which ultimately establishes whether the severity of the issue would warrant sufficient merit to form a material objection to the application. The key policy paragraphs in this regard are:

Paragraph 110, which identifies that plans and decisions should take account of whether:

- *‘Appropriate opportunities to promote sustainable transport modes can be – or have been – taken up, given the type of development and its location;*
- *Safe and suitable access to the Site can be achieved for all people; and*
- *Any significant impacts from the development on the transport network (in terms of capacity and congestion), or on highway safety, can be cost effectively mitigated to an acceptable degree.’*

Paragraph 111, which refers to the impacts on highways and states:

- *‘Development should only be prevented or refused on highways grounds if there would be an unacceptable impact on highway safety, or the residual cumulative impacts on the road network would be severe.’*

Paragraph 112, which identifies that developments should be located and designed where practical to:

- *‘Give priority first to pedestrian and cycle movements, both within the scheme and with neighbouring areas; and second – so far as possible – to facilitating access to high quality public transport, with layouts that maximise the catchment area for bus or other public transport services, and appropriate facilities that encourage public transport use;*
- *Address the needs of people with disabilities and reduced mobility in relation to all modes of transport;*
- *Create places that are safe, secure and attractive – which minimise the scope for conflicts between pedestrians, cyclists and vehicles, avoid unnecessary street clutter, and respond to local character and design standards;*
- *Allow for the efficient delivery of goods, and access by service and emergency vehicles; and*
- *Be designed to enable charging of plug-in and other ultra-low emission vehicles in safe, accessible and convenient locations.’*

Table 3.1 sets out the results of the review, with due regard to the key policy paragraphs outlined above.

Table 4.1 Review of submitted TA and RTP

Chapter Title	Subsection	Comment	RAG
1. Introduction	Paragraph 1.2	The proposed development vehicle access is to be served as part of the permitted application 17/00520/OUT via the A46(T). The access arrangements have already been agreed by the previous application and GCC and NH.	Green
1. Introduction	Paragraph 1.5	The scope of the TA has been prepared in accordance with National Planning Policy Framework (NPPF) which is considered appropriate.	
1. Introduction	Paragraph 1.6	The TA has been prepared in accordance with preapplication scoping discussions with the LHA, GCC and SHA, NH to determine the key aspects of the scope of the assessment which is considered appropriate.	
2 Planning Policy Framework 2 Planning Policy Framework	Paragraphs 2.2 – 2.7	<p>The relevant paragraphs from the National Planning Policy Framework (NPPF) have been identified as the following (previous version of February 2019)</p> <ul style="list-style-type: none"> - Paragraph 102 - Paragraph 108 - Paragraph 109 - Paragraph 110 - Paragraph 111 <p>The policies identified are considered appropriate for the context of the TA.</p>	
	Paragraphs 2.9 – 2.20	<p>In regards to policy on the Strategic Road network The following policies have been taken into consideration as part of the TA.</p> <ul style="list-style-type: none"> - DfT Circular 02/2011 "The Strategic Road Network and the Delivery of Sustainable Development" - Highways England: The Strategic Road Network – Planning for the Future <p>It is considered appropriate that the correct planning policy has been identified for the assessment of the impact of the development on the Strategic Highway Network.</p>	
2 Planning Policy Framework	Local Policy	<p>The Transport Assessment identified the following local policy in regard to the proposed development:</p> <ul style="list-style-type: none"> - Gloucester, Cheltenham and Tewkesbury Core Strategy (2011 – 2031), specifically Policy INF1 'Transport Network' - Pre Submission Tewkesbury Borough Plan (2011 – 2031) - Gloucestershire Local Transport Plan - Gloucestershire Local Transport Plan Review <p>It is considered appropriate that the correct planning policy has been identified for the assessment of the impact of the development on the Strategic Highway Network.</p>	
3 Existing Conditions	Local Highway Network	The local highway network has been suitably and comprehensively identified through a thorough review.	
	Road Safety	The TA undertakes a comprehensive and detailed review of highway safety on the surrounding highway network and following a review of causations of the accidents, concludes that there does not appear to be a pattern of collisions, which suggests there are no particular road safety issues which the proposed development would exacerbate. This safety review is considered appropriate.	
	Walking and Cycling	<p>The TA presents a very detailed and comprehensive assessment on the existing walking and cycling accessibility in relation to the site detailing public rights of way, the existing cycle network and review of the existing pedestrian and cycle routes to key facilities and services.</p> <p>The routes to Primary and Secondary school, Employment and Ashchurch Railway Station have been identified and the audit is considered appropriate for the purpose of the TA. The audit identified a number of issues with the routes which would be required to be addressed as a result of the application.</p> <p>A number of improvements to the local cycling and walking infrastructure will be provided as part of the proposed development which will improve the situation and encourage linkages by foot and bike. The improvements are considered appropriate for the scale and level of</p>	

Chapter Title	Subsection	Comment	RAG
		<p>development and to create a sustainable development where journeys by foot and cycle are encouraged and will reduce dependence on car journeys</p>	
	Local Facilities	<p>The TA undertakes a comprehensive review of the existing local facilities and facilities from the site, Table 3.3 identifies journey times by foot and by bike to the facilities.</p> <p>Following the review it can be seen that a number of the facilities are at the upper extent of some of the walking limits, and for example the pedestrian route to the secondary school is segregated by the unattractive junction J9, M5 which would deter pedestrian to cross. The Rail Station at Ashchurch is also in excess of 20 minutes walk segregated by the A46. Employment areas are also a significant journey by foot with significant segregations of the A46 and M5.</p> <p>Whilst it is acknowledged that the proposed development will provide a number of facilities on site such as the primary school and open space, apart from these, services and facilities identified are within the upper extent of the journey by foot threshold. When this is coupled with the prospect of poor existing infrastructure on the routes as identified in the walking and cycling review section, including segregation of the M5 and A46 these routes will become unattractive to pedestrians and cyclists and reduce the amount of journeys by both walking and cycling.</p> <p>As part of the proposals a primary school and other facilities are being provided, other consented developments within close proximity provide other facilities such as retail and education. The proposed infrastructure improvements to foot, bike and bus journeys will ensure that those facilities can be accessed by sustainable modes of transport to make a sustainable development with the improvements suggested.</p>	
	Bus Services	<p>The TA presents a review on the existing bus service availability, it can be concluded that the bus services available do provide a frequent service between two key destinations of Tewkesbury and Cheltenham in the peak hour periods and through the day.</p> <p>It should be noted that the access to the existing bus stops is a significant journey time by foot and therefore as part of linked journey this could make the option unattractive.</p> <p>As part of the proposed development improvements to bus infrastructure will be provided so that the residents will be within 400m of a bus stop and a bus service will serve the proposals as part of the previous agreement with Stagecoach as part of application 17/00520/OUT. The improvements will provide a significant improvement on the current situation to promote bus travel.</p>	
	Rail Services	<p>The TA summarises the location and access options to Ashchurch Rail Station, which is situated 2km to the north of the site and provides a modest level of existing rail services to nearby destinations which can be used for employment or leisure purposes such as Cheltenham, Worcester and Gloucester.</p> <p>Due to the sparse services available and walking distance to the station it is questionable the residents from the proposed development would find the train an attractive journey options.</p> <p>As part of the proposals improvements to the cycle and walking routes to the station will be provided which will increase the attractiveness of the journey by sustainable modes and provide more of a direct link by foot and cycle.</p>	
4. Proposed Development	Vehicular Access	<p>The TA identifies that vehicle access will be undertaken from the following access points.</p> <p><u>A46 (T) Alexandra Way Signals</u> A fourth access to the existing junction will be provided, proposals included widening the road to a dual carriageway standard and the provision of an additional lane in both directions on the A46 (T) between Alexandra Way and M5 Junction 9. This junction will be the primary access to the proposed development and is known as the Western Access.</p> <p><u>A46 (T) Eastern Access</u> A secondary access known as the 'eastern access' will incorporate a realignment of Fiddington Lane into a new signal controlled junction to replace the existing priority junction, forming part of a left-right staggered junction with Northway Lane.</p> <p>It should be noted that both of the proposed vehicular access points have been technically approved as part of application 17/00520/OUT by both NH and GCC. The junctions were subject to an independent Rod Safety Audit 1 & 2. As a result the junctions are considered to provide</p>	

Chapter Title	Subsection	Comment	RAG
		<p>safe and suitable access for all users and are appropriate for the scale and quantum of the development.</p>	
	Internal Access Arrangements	<p>It is proposed that the two points of access off the A46(T) would be joined by means of an on-site link road, the access roads would route through 'Land at Fiddington' development to the proposed development on 'Land North West of Fiddington' where the proposed site access road would form a loop to provide for an efficient route for new bus services serving the site.</p> <p>The internal access road arrangements are appropriate for the proposed development and noting that the application in questions if for outline permission this can be addressed at a reserved matter stage.</p>	
	Pedestrian and Cyclist Access	<p>A Walking, Cycling and Horse-Riding Assessment and Review (WCHAR) was also produced in 2019 by PFA Consulting for the detailed design of the proposed A46(T) access works.</p> <p>This is a requirement from NH and it is noted that one has been completed.</p> <p>The layout of the proposed development will give priority to pedestrian and cyclist movements providing permeability on these modes throughout the site.</p> <p>As part of the development proposals an existing purpose-built footway and cycleway along the A46(T) will be provided, which include a dedicated controlled crossing point to Ashchurch rail station.</p> <p>Points of access for pedestrians and cyclists will consist of the western access which will incorporate the traffic signals controlling the modified Alexandra Way junction. The second is an uncontrolled pedestrian/cyclist crossing of the A46(T) proposed at point east of the existing petrol filling station.</p> <p>The third point of pedestrian and cyclist access is via the existing alignment of a section of Fiddington Lane which would be downgraded to become a segregated route for pedestrians and cyclists in conjunction with its realignment.</p> <p>Internally the site will provide a footway/cycleway along the entire length of the main access road serving the development which would extend into the proposed development on 'Land Northwest of Fiddington'.</p> <p>A network of footpaths and cycleways would be provided within the development. These would connect the residential areas with the on-site facilities (primary school), local facilities on 'Land at Fiddington' (local centre and primary school) and provide links to the existing and proposed network of routes surrounding the site.</p> <p>The proposed pedestrian and cycle infrastructure will be appropriate to ensure that journeys by foot and bike are encouraged by infrastructure which is appropriate for the scale of the proposed development and will provide an integrated network with the previous consented developments.</p>	
	Public Transport Access	<p><u>Bus</u></p> <p>Improvements to bus services have been outlined to support the proposed development, bus stops will be installed at strategic locations across the proposed development internal road to ensure that residents are within 400m of a bus stop. Bus stops will be equipped with 'Real Time Information'</p> <p>As part of the agreement with Stagecoach to serve the consented application 17/00520/OUT, the proposals will be expanded to the proposed development to provide a new bus service and the proposed infrastructure will be provided to ensure the bus service is served appropriately.</p> <p>The improvement of bus services will ensure that the proposed development will be served by a bus service and will be an extension of the agreement with 17/00520/OUT. The bus service will provide linkages to key areas of employment, education and leisure.</p> <p><u>Train</u></p> <p>There are no proposals to provide any improvements to the existing rail facilities.</p> <p>It should be noted that improvements have been outlined to the walking and cycling routes to the station which will encourage rail journeys from the proposed development.</p>	

Chapter Title	Subsection	Comment	RAG
	Parking	It has been commented that parking will be provided in accordance with the relevant standards at the reserved matters application and this is acceptable.	
5.Trip Generation and Distribution	Trip & Traffic Generation	<p>The TA has estimated the anticipated vehicle generation from the site by interrogating the industry standard TRICS database which includes trip rates for the various proposed elements of land use such as Residential and Education.</p> <p>The traffic generation has been calculated using the proposed quantum of development and a element of 'on-site' containment has been determined for the primary school.</p> <p>A review of the trip rates and traffic generation assessment has confirmed that the trip rates and traffic generation are suitable for the scale and location of the proposed development.</p>	
	Traffic Distribution	<p>The trip distribution has been adopted from the same trip distribution which has been agreed as part of the application 17/00520/OUT.</p> <p>This is considered acceptable and robust.</p>	
Highway Impact	Assessment	<p>In order to determine the impact of the proposed development on the strategic and the local highway a S-Paramics micro-simulation traffic model of Ashchurch developed by PFA consulting and the surrounding area has been used.</p> <p>As part of the scoping discussions with NH this approach has been accepted along with individual junctions for assessment and the assessment scenarios.</p> <p><u>S-Paramics Assessment</u> An S-Paramics micro-simulation traffic model of Ashchurch and the surrounding area has been developed by 'PFA Consulting' specifically to support this application and the previously consented application for 'Land at Fiddington', Ashchurch Garden Centre and Retail Outlet Centre'.</p> <p>The modelling approach, the network for assessment and the AM (07:00 – 10:00) and PM (16:00 – 19:00) Peak period to determine the impact of the development on future forecasting years has been approved by NH and GCC.</p> <p>The S-Paramics traffic model used the assessments years scenario of 2020 Base Year, 2024 Opening Year and 2031 Forecast Year for the AM and PM periods.</p> <p>Base traffic flows have been extracted from the S-Paramics model from the approved 2016 validated base year as part of the 'Land at Fiddington' application. In order to obtain a correct base year, traffic growth factors have been provided from 2016 to 2019 using TRIS data.</p> <p>In the correspondence from the NH dated 6th Oct 2021, the NH questioned, the suitability of the growth factor being based on one TRIS site. The applicant submitted further evidence on the 13th August 2021 which examined the comparison of growth factors between differing TRIS sites. NH are understood to be reviewing that information with a view to updating their position.</p> <p>Traffic growth factors to provide the growth from 2020 to the 2024 and 2031 future year assessments have been undertaken and are considered appropriate. The committed development has been outlined which is included in the 2024 and 2031 future year assessment and include infrastructure improvements which have been technically approved for the relevant developments.</p> <p>Modelling output have been analysed to determine the impact on the overall network performance for journey times and queue lengths. Which is presented in the Graphs 6.1 – 6.26 of the TA. The results demonstrated that the impact of the traffic associated with the development in question "would not give rise to any significant increase in queuing or delay in either the AM or PM peak periods." Committed off-site highway improvement works at the M5 Junction 9 and A438 / Shannon Way junction ensure the traffic from the development can be accommodated at peak times with a detrimental impact on the cumulative effect of the highway network."</p> <p>Having examined the results of the S-Paramics assessment it is clear that the development does have an impact on the queue lengths and the journey times across the network once the traffic is introduced in the future assessment years.</p> <p>The journey times across the network are consistent across the 2024 period with and without the proposed development traffic, with the exception of the M5 Junction 9 northbound which the</p>	

Chapter Title	Subsection	Comment	RAG
		<p>journey time improves significantly with the introduction of infrastructure provided by the committed development.</p> <p>The queue lengths are analysed per junction and it can be seen that there are increases on queuing on the following junctions as a result of the development traffic;</p> <ul style="list-style-type: none"> - A46(T)/ Alexandra Way – Site – AM Peak period - A46(T)/ Northway Lane – A46(T) Westbound PM Peak Period <p><u>LINSIG Assessment</u> The following junctions has been assessed for the operational performance using the industry standard software LINSIG;</p> <ol style="list-style-type: none"> 1. A38/A438 Signals 2. A438 / Shannon Way Signals 3. M5 Junction 9 4. A46(T) / Alexandra Way Signals 5. A46(T) / Northway Lane Signals 6. A46(T)/B4079 Aston Cross Signals <p>MOVA is proposed to be installed on the junctions along the A46(T) and A438 corridor, LINSIG cannot replicate MOVA and therefore the junction results represent a worst case scenario, it has also been highlighted that a degree of saturation is 90%.</p> <p>The models utilises the LinSig models which were approved by NH and GCC as part of the 'Land at Fiddington' application.</p> <p>A review of the individual junction have been undertaken and we would like to make the following observations;</p> <ul style="list-style-type: none"> - A438 / Shannon Way Results AM – Operates over the 90% threshold for all the assessment years. PM – Operates over 90% threshold for 2024 + Development and 2031 scenario. - M5 Junction 9 The SB off slip, NB off slip and A438 West operate over the 90% threshold in certain scenarios - A46 (T) Alexandra Way – A46(T) and Site Access operate over 90% in the 2031 scenario - A46(T) Northway - A46(T) East & West operates over the 90% threshold in the 2031 opening year. - A46 (T) / B4079 Aston Cross – operates over the 100% threshold in the 2031 scenario <p><u>Conclusions</u> In regards to understanding the impact of the development traffic on the operation of the highway network. NPPF paragraph 111 needs to be taken into account for the assessment which states that</p> <p><i>“Development should only be refused on highway grounds if there would be an unacceptable impact on highway safety, or the residual cumulative impacts on the road network would be severe”</i></p> <p>Each application should be judged on the merits and it is concluded that for the assessment year of 2024 and for the future year scenario of 2031 the network is nearing to capacity even with committed infrastructure improvements provided by already consented developments.</p> <p>However when considering the impact from this proposed development, it can be concluded that the increase on the 2024 base levels with the addition of the traffic solely from this development is <u>not</u> considered a level which could be determined severe.</p> <p>There is a question whether the infrastructure can support the wider consented additional traffic, although the additional traffic from this application does not appear to have a material effect on that position.</p> <p>As a result it cannot be concluded that the residual impacts arising from this particular development proposals would be severe.</p>	

Chapter Title	Subsection	Comment	RAG
Residential Travel Plan		<p>In order to ensure that sustainable transport is promoted at the proposed development a range of sustainable initiatives, measures and targets for modal share have been highlighted through a residential travel plan.</p> <p>The travel plan sets out the relevant travel national and local guidance which the document has been prepared to. A review of the existing sustainable linkages has been undertaken and is considered appropriate.</p> <p>Mode share targets have been derived from the Trip rate and traffic generation TRICS exercise presented in the Transport Assessment. This is an appropriate way of determining a base mode share to derive targets from and is considered more accurate than the using the available census data from 2011.</p> <p>A reduction target of 10% of single occupancy car trips has been outlined over a 10-year period from first occupancy which have been outlined with discussions with GCC.</p> <p>The targets are suitable and achievable although we would have anticipated that the reduction in car-trips is transferred to other modes with certain modes being targeted due to the improvements recommended.</p> <p>A series of measures have been identified to determine that the reduction in single occupancy vehicle movements is supported appropriately. Measures have been outlined including cycling and walking, public transport and car sharing.</p> <p>The improvements the proposed development is delivering as part of the application will encourage walking, cycling and bus travel as a viable alternative to using the car to access nearby services and facilities.</p> <p>Financial contributions to support the travel plan have been outlined as planning obligation and are considered appropriate to deliver the travel plan measures and targets.</p>	

5. Conditions and Financial Contributions

The following planning conditions have been suggested by GCC Highways to be provided as part of the recommendation of no objection. A review of the proposed conditions has been undertaken inline with the assessment methodology used in section 3.

Table 5.1 GCC Highways Suggested Planning Conditions and Obligations

Condition	TTC Comment	RAG
Mobility Hub - A future reserved matters submission shall include details of a mobility hub which will act of local destination for shared and sustainable travel modes.	Noted and agreed with to promote the sustainability of the site.	
Electric Vehicle Charging Points – The development hereby permitted shall not be first occupied until the proposed dwellings have been fitted with an electric vehicle charging point. The charging points shall comply with BS EN 62196 Mode 3 or 4 charging and BS EN 61851 and Manual for Gloucestershire Streets. The electric vehicle charging points shall be retained for the lifetime of the development unless they need to be replaced in which case the replacement charging points shall be of the same specification or a higher specification in terms of charging performance. <u>Reason:</u> To promote sustainable travel and healthy communities.	Noted and considered acceptable.	
Bicycle Parking – The individual dwelling hereby approved shall not be occupied until sheltered, secure and accessible bicycle parking has been provided in accordance with details which shall first be submitted to and approved in writing by the Local Planning Authority and thereafter the	Noted and considered acceptable and reasonable	

Condition	TTC Comment	RAG
<p>approved cycle parking shall be kept available for the parking of bicycles only. <u>Reason:</u> To promote sustainable travel and healthy communities</p>		
<p>Residential Travel Plan (Plan Approved) – The Residential Travel Plan hereby approved, dated March 2021 shall be implemented and monitored in accordance with the regime contained within the Plan. In the event of failing to meet the targets within the Plan a revised Plan shall be submitted to and approved in writing by the Local Planning Authority to address any shortfalls, and where necessary make provision for and promote improved sustainable forms of access to and from the site. The Plan thereafter shall be implemented and updated in agreement with the Local Planning Authority and thereafter implemented as amended. <u>Reason:</u> To reduce vehicle movements and promote sustainable access.</p>	<p>Noted and considered acceptable and reasonable</p>	
<p>Education Travel Plan – The school hereby approved shall not be brought into use until the applicant has submitted a Travel Plan in writing to the Local Planning Authority that promotes sustainable forms of travel to the development site and this has been approved in writing by the Local Planning Authority. The submitted details shall use Modeshift STARS to carry out this process and include mechanisms for monitoring and review over the life of the development and timescales for implementation. The approved Travel Plan shall be implemented, monitored and reviewed in accordance with the approved details. <u>Reason:</u> To reduce vehicle movements and promote sustainable access.</p>	<p>Noted and considered acceptable and reasonable</p>	
<p>Construction Management Plan – It is expected that contractors are registered with the Considerate Constructors scheme and comply with the code of conduct in full, but particularly reference is made to “respecting the community” this says: Contractors should give utmost consideration to their impact on neighbours and the public informing, respecting and showing courtesy to those affected by the work; Minimising the impact of deliveries, parking and work on the public highway; Contributing to and supporting the local community and economy; and Working to create a positive and enduring impression, and promoting the Code.</p> <p>The CEMP should clearly identify how the principle contractor will engage with the local community; this should be tailored to local circumstances. Contractors should also confirm how they will manage any local concerns and complaints and provide an agreed Service Level Agreement for responding to said issues.</p> <p>Contractors should ensure that courtesy boards are provided and information shared with the local community relating to the timing of operations and contact details for the site coordinator in the event of any difficulties. This does not offer any relief to obligations under existing Legislation.</p>	<p>Noted and considered standard for planning applications of this nature.</p>	
<p>Planning Obligations</p> <p>Specific Purpose - A438 / Shannon Way Junction Improvement Contribution - £156,630.00 Trigger – Prior to the first occupation of any dwelling Retention Period - 10 years from the first occupation of any dwelling</p> <p>Specific Purpose – Public Right of Way Enhancement of Ashchurch Bridleway 6 (AA56), Walton Cardiff Footpaths 6 (AWC6) and 8 (AWC8), and the formation of new connections in between them to facilitate walking, cycling trips. Contribution – £193,600.00 Trigger – Prior to the commencement of development Retention Period - 10 years from the first occupation of any dwelling</p> <p>Specific Purpose – Travel Plan Contribution</p>	<p>Planning obligations are subject to Regulation 122 of the CIL Regulations 2010 which states that a planning obligation may only constitute a reason for granting planning permission where the obligation is:</p> <ul style="list-style-type: none"> a) Necessary to make the development acceptable in planning terms; b) Directly related to the development; and c) Fairly and reasonably related in scale and kind to the development <p>We would agree that the contributions outlined are inline with Reg 122.</p>	

Condition	TTC Comment	RAG
Contribution - £91,693.33 Trigger – Prior to the first occupation of any dwelling Retention Period – 10 years from the first occupation of any dwelling		

6. Summary and Conclusions

6.1 Summary

In summary:

- The site is connected to a series of recent planning applications which relies on the technically approved infrastructure to support the application.
- A detailed highway safety review confirmed that there are no existing highway safety issues the proposed development is expected to exacerbate.
- The site is situated within a location where a number of facilities and services are towards the upper extent of the walking journey time threshold. However as part of the proposals the development looks to provide a series of pedestrian improvements which will improve existing foot linkages and tie in with consented development to make for a sustainable development.
- The development seeks to improve cycle facilities and will fund bus infrastructure and bus services to directly serve the development.
- The development seeks to utilise the already technically agreed access points from the A46(T) to access the site via already approved application 17/00520/OUT. The access points have been subject to technical scrutiny from both GCC and NH and deemed safe and suitable to serve the development.
- The trip rate and traffic generation assessment has been undertaken has used industry standard TRICS database and is deemed appropriate for the scale and quantum of the proposed development.
- Trip distribution has been agreed with NH and utilises the already agreed traffic distribution from the previously consented 17/00520/OUT application which has been technically agreed by NH and GCC.
- A capacity assessment to determine the impact of the proposed development has been undertaken using the S-Paramics microsimulation model to assess the highway network as a whole and LINSIG to assess the individual capacity of the junctions.
- The outcome of the S-Paramics modelling has been reviewed and the journey times across the network are unaffected by the addition of the traffic from the proposed development.
- The LinSig models and the modelling outputs have been reviewed and it can be seen that the highway network is nearing capacity across a number of junctions. The addition of infrastructure which will be delivered as part of the consented developments will significantly improve capacity across the network.

- As a result of the position of '**no objection**' from the LHA, GCC have set out a series of planning obligations. Following a review of the Transport Assessment the obligations are considered fair and reasonable to scale and delivery of the proposed development.
- NH has not yet indicated its response to the provision of further information it requested and maintains its holding objection.
- A Residential Travel Plan has been prepared and appropriate targets have been identified to reduce single occupancy vehicle use from the site. The targets have been supported by a number of measures targeting, walking, cycling and bus use along with financial commitments to delivering the travel plan are considered appropriate and acceptable.

6.2 Conclusion

It can be concluded from the review of the traffic and transportation documents in regards to application 21/00520/OUT that the proposed development can provide safe and suitable access for all parties.

It is located in a site which would struggle to be considered sustainable. However, proposed improvements to be delivered as part of the development in particular regard to walking, cycling and public transport will suitably support sustainable choices from the site and are considered appropriate to make for a sustainable development to reduce car travel. Further conditions and contributions from the development have been identified and are considered suitable in regard to the proposed development.

NH has not yet resolved its holding objection and the following observations remains subject to that.

Future assessment of the highway network revealed that a large majority of junctions contained within the assessment are nearing to the theoretical capacity for future year operations. However, this cannot be attributed to the appeal proposals, which would not make a material difference to the position.

In regard to any 'residual cumulative' impact the 'residual' matter would lie with the quantum of traffic generated by the previous and already consented schemes and as a result the appeal proposals cannot be said to cause a 'severe' impact.

On this basis, and subject to any further information from NH, it is considered that there are no justifiable grounds to maintain an objection to this application on highways grounds and that the development accords with National Planning Policy


George Bailes

Approved by

James McGavin

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