

The Friends of Manning's Pit

OBJECTION TO AN OUTLINE PLANNING APPLICATION SUBMITTED BY SUMMIX (BARNSTAPLE) DEVELOPMENTS LLP FOR RESIDENTIAL DEVELOPMENT AT MANNING'S PIT WINDSOR ROAD PILTON BARNSTAPLE



REVISED OBJECTION REPORT ON HIGHWAYS / TRANSPORT ISSUES

North Devon Council's Planning Application Reference: 62524

Technical Report 19101/A
December 2017

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1.0 INTRODUCTION

1.1 Background

- 1.1.1 An outline planning application for residential development on land at Manning's Pit, Windsor Road, Pilton with all matters reserved save for the means of access has been submitted by Summix (Barnstaple) Developments LLP to North Devon Council (the Council), the Council's planning application reference being 62524.
- 1.1.2 The site comprises 4.4 hectares of land is located on the northern edge of Pilton and is currently in agricultural use. Adjacent to the site to its north east consent has been granted for a residential development of up to 115 dwellings proposed by Barratt Homes / David Wilson Homes, the Council's reference 56685, which was granted consent in February 2016. The sole access to the proposal subject of this objection report is via Windsor Road that provides access to the wider network via Bradiford, and Bellaire with both roads routing to Under Minnow Road.
- 1.1.3 An initial report had been commissioned by The Friends of Manning's Pit, our reference 19101/1 dated March 2017, to assess the highways and transport issues associated with the development. This revised report has been produced following the submission of additional information as detailed subsequently within this objection report. This objection report should be read in conjunction with other documents submitted in support of their objections.

1.2 Documentation Considered

- 1.2.1 This report has been undertaken after considering the following documents:
- i) A Transport Statement (TS) prepared by David Tucker Associates (DTA) dated January 2017,
 - ii) A Design and Access Statement (DAS) prepared by Pegasus Design dated January 2017,
 - iii) A Planning Statement (PS) prepared by Framptons dated January 2017,
 - iv) An Environmental Statement (ES) prepared by Framptons dated January 2017,
 - v) A Response to Transport Objection Report (RTOR) prepared by DTA dated May 2017 that had been produced in response to our initial report 19101/1,
 - vi) A Transport Statement Addendum (TSA) prepared by DTA dated May 2017 that had been produced in response to the various objections, and the County Council's requests, and
 - vii) In addition the various planning application drawings including the illustrative masterplan, and the vehicular access proposal.

1.2.2 In addition this report has been informed by a detailed site visit of the local and wider highway network.

1.3 **Structure of this Report**

1.3.1 This report is structured as follows:

- i) Section 2 summarily details the proposed development and considers the data and the amended data submitted in support of the planning application from a highways / transport perspective, and considers the initial consultation response of Devon County Council (the County Council),
- ii) Section 3 considers the policy context against which the proposal should be judged including national planning policy guidance, the saved policies of the Local Plan, and the emerging policies within the Joint North Devon and Torridge Local Plan,
- iii) Section 4 considers the transport accessibility of the site to assess whether the opportunities for sustainable transport modes can be taken up,
- iv) Section 5 considers whether safe and suitable access to the site can be achieved for all people,
- v) Section 6 considers whether there is a severe residual cumulative impact, and
- vi) Section 7 presents our conclusions.

2.0 THE PROPOSED DEVELOPMENT

2.1 Introduction

2.1.1 This section summarily details the proposed development, and considers the data and the additional data that has been submitted in support of the planning application from a highways / transport perspective.

2.2 The Proposal

2.2.1 The planning application form indicated that the site layout was reserved although also indicated a total development of 41 dwellings split as 1 1 bedroomed unit, 17 2 bed roomed units, 12 3 bed roomed and 11 4 or more bed roomed. The area of the development is indicated as being of the order of 4.44 hectares, and as such the development represents a relatively low density of the order of 9 dwellings per hectare.

2.2.2 There is a single point of access for vehicles proposed from Windsor Road. An access of 5.5m width is proposed as shown on DTA drawing 17447-02 revision A with a 1.8m footway on either side.

2.2.3 The DAS at page 6 indicates the relationship of this site to three other consented schemes showing clearly the relationship of those three to the A39 at Westaway Plain.

2.2.4 The application was supported by a detailed DAS which included four Illustrative Masterplans. Page 68 of the DAS included a drawing showing a Stage 3 illustrative masterplan of 45 dwellings with page 78 showing the proposed illustrative masterplan of 41 dwellings. The red line for the application extends to other land identified in the Stage 2 illustrative masterplan on page 66 which shows a total of 72 dwellings, and Stage 1 shows an overall total of 138 dwellings on page 64 on land within the red line, and also land within the blue line. All of this land is shown as being ultimately accessed off Windsor Road. There is no other point of vehicular access, and no other vehicular access is proposed. The development is not proposing any vehicular access to link this site to the adjacent Barratt Homes / David Wilson Homes proposal, and none is proposed in any of the further submissions that have been made. It is clear that the site could ultimately extend beyond the 41 dwellings now being proposed, and the various illustrative plans show how a greater density of development could be achieved.

2.2.5 The DAS detailed the evolution of the present scheme, and its evolution from a concept of 138 dwellings to 41 dwellings. The DAS makes it clear that:

“The proposed illustrative masterplan has been prepared to demonstrate how a development could work and comprise up to 41

dwellings. It does not preclude alternative layouts as part of a subsequent Reserved Matters or detailed planning application, providing the underlying principles established in this document are satisfied and the delivery of high quality within the built environment remains creative and responsive.”

2.2.6 The PS indicates at paragraph 8.26 that:

“In accordance with paragraph 32 of the Framework and local planning policies a full Transport Assessment (TA) has been submitted with this application. The assessment identified the potential traffic generated by the development and the impacts this will have on both the local and wider road network as well any mitigation measures that could be incorporated into the development.”

2.2.7 A TS was submitted in support of the planning application as opposed to a full TA. Following the County Council's comments and our initial objection report, a TSA was prepared. The TS as indicated by the County Council's initial consultation response is considered to be lacking in content, and contrary to this paragraph of the PS has not assessed the impact either singularly or cumulatively on the wider road network including at the A39 / Pilton Quay traffic signalised junction. The TSA had been produced to address the consultation response of the County Council but only assesses the cumulative impact on a single link namely Bellaire, and not in any comprehensive manner elsewhere.

2.2.8 The PS at paragraph 8.27 indicates that:

“The potential traffic generated by the development has been modelled using TRICS database, taking into account traffic generation relating to the recently approved, Devonshire, Northfield Lane and Windsor Road developments, and the Trayne Farm development. The modelling has confirmed that the impact of the additional traffic generated by the Proposed Development on the local and strategic road network will be negligible.”

2.2.9 The County Council had in their initial consultation response raised concerns regarding the accuracy of the data used within the TS particularly relating to other consented proposals, and as such were not fully content with the content of the TS as submitted without additional information being provided.

2.3 The Submitted TS

2.3.1 A TS had been prepared by DTA which was submitted in support of the planning application. The County Council raised concerns as further detailed at section 2.4 of this report regarding the submitted TS. In particular, the County Council considered, and we would concur, that the TS had not adequately assessed the cumulative impacts of the proposal when considered with other consented proposals in the local area. The TSA still does not address this.

2.3.2 The TS at paragraph 1.7 indicates:

“The proposals comply with policies in NPPF. There will be no ‘severe’ impact as a result of the development proposals and on this basis there are no highways versions (sic) for refusing permission.”

2.3.3 It is difficult to reconcile this comment when the TS has not fully assessed the cumulative impact of the development with other consented proposals.

2.3.4 The TS indicated at paragraph 3.4 that traffic surveys were only undertaken at the junctions of Bradiford / Windsor Road, and Bellaire / Bellaire Drive. No surveys were undertaken for the TS of any other junction, and as such the TS had not assessed the impact or operational assessments of the Pilton Quay / Pilton Street, or Fair View / Abbey Road junctions which are the main initial junctions to be used to depart from Pilton nor the A39 / Pilton Quay junction, which suffers from peak period congestion. The TSA still does not address this.

2.3.5 The TS provided two methods of the calculation of the likely traffic movements generated by the proposal namely using TRICS in a multi-modal manner, and secondly using local census data relating to modal share to adjust the total person trip rates from TRICS. Both methods indicate broad conformity as follows:

	Arrivals	Departures	Two way
08.00 to 09.00	5 to 6	16 to 17	22 to 23
17.00 to 18.00	12 to 13	5 to 6	17 to 19
Daily	84 to 89	83 to 91	167 to 180

2.3.6 The TS at paragraphs 5.2.1 and 5.2.2 indicates that the traffic generation has been distribution using Census Journey to Work data, which seems reasonable in terms of the ultimate routing assumed within Pilton. The assumption being that 5% will route north along Upcott Hill with:

“The remaining 95% is expected to move south on Bradiford and Bellaire for destinations towards Barnstaple or further afield.”

2.3.7 We would not demur from this basic distribution. The indication regarding traffic impact at paragraph 5.3.1 being:

“There are two routes from the site to the wider network; via Windsor Road and Bellaire Drive therefore trips from the site will dissipate between these two routes. In any event, the number of total trips on any road link during peak periods will be modest.”

2.3.8 Whilst the total quantum may be one additional vehicle every three minutes, whichever route is used has severe restrictions as detailed within this objection report. Bradiford is due to heavy levels of parking effectively single track with limited passing places, and any increase in its use will lead to increased conflict potential. Any and it is the inevitable increase in the use of the Under Minnow Road / Bull Hill and Pilton Street route is also characterised by inadequate footway widths, sections of constrained roadway, sections of limited forward visibility, and any increase in use will lead to increased conflict potential affecting both vehicular and pedestrian safety.

2.3.9 On the issue of the traffic impact of this proposal alone, paragraph 5.3.2 indicates:

“Overall the number of trips on the network will be relatively low and in the context of existing movements on Windsor Road and at the nearby junctions on the wider network the modest increase in traffic movements will not result in a material impact on queuing or delay. As a result, it is not deemed necessary to model and (sic) junctions on the local network.”

2.3.10 The argument being advanced by DTA seems to be that the quantum of impact is so low so there is no need to model any junction operation though the TS fails to acknowledge that the junctions and roads using their distribution most likely to be used are deficient and unsuited for any great intensification. The TSA has not addressed this. The Under Minnow Road / Abbey Road junction has traffic calming on the Abbey Road arm such that any vehicle waiting to turn out of Abbey Road and waiting entry to Abbey Road effectively blocks Under Minnow Road and does not allow any other vehicle to pass. Beyond this the junction of A39 / Pilton Quay with Pilton Quay / Pilton Street operates as a linked junction.

2.3.11 The operation of the Pilton Quay / Pilton Street junction with its restricted visibility is affected by the short stacking length from the A39 / Pilton Quay junction, and any casual observation indicates that the impact of this development will be to add vehicles, which had been defined as modest by the applicant, to the queue on any of the arms.

No modelling of this junction has been undertaken within the TS to verify that the impact of the development either singularly or cumulatively will not detrimentally impact upon its operation. This is not rectified in the subsequent TSA.

2.3.12 Four short paragraphs in the TS at paragraphs 5.3.3 to 5.3.6 consider the cumulative impact. The calculations are understood to be based on the submitted TAs or TSs for the various consented proposals, but the logic is flawed. If using the County Council's values there are 372 dwellings, and if the impact using the TS for this site is an a.m. or p.m. peak trip rate of 0.528 and 0.470 per dwelling per hour respectively, and if those other sites logically using the Journey to Work Census data then these developments would have 95% of their traffic routing towards Barnstaple along the A39 and through the A39 / Pilton Quay junction then the peak period impact at the A39 / Pilton Quay junction is:

A.M. peak $372 \times 0.528 \times 0.95$ i.e.: 187 vehicles per hour impact

P.M. peak $372 \times 0.470 \times 0.95$ i.e.: 166 vehicles per hour impact

2.3.13 Even if it were to be argued that 95% would not route towards Barnstaple, and a lesser value of 67% (for example) were to be applied then the cumulative impact at the A39 / Pilton Quay traffic signals would be:

A.M. peak $372 \times 0.528 \times 0.67$ i.e.: 132 vehicles per hour impact

P.M. peak $372 \times 0.470 \times 0.67$ i.e.: 117 vehicles per hour impact

2.3.14 The submitted TS simply fails to address this impact whatsoever as paragraph 5.3.3 refers to the impact on Bellaire cumulatively and paragraph 5.3.4 the impact on Chaddiford Lane cumulatively but with no assessment at the A39 / Pilton Quay junction. The overall conclusion of the TS being:

"On this basis, the impact on the local network in accordance with NPPF cannot be considered to be 'severe'."

2.3.15 The basis for this conclusion in the TS is flawed, and cannot be considered to be well founded, which is a point accepted in our opinion in the consultation response of the County Council.

2.3.16 In addition, and for similar reasons the overall conclusion of the TS at paragraph 6.5 is that:

"The impact of the proposals on the local and strategic road network has been reviewed and the overall traffic impact of the development will be negligible. The development proposals fully accord with paragraph 32 of NPPF."

2.3.17 The basis for that conclusion in the TS is flawed, and cannot be considered to be well founded, which is a point accepted by the County Council in their consultation response.

2.4 The County Council's Initial Consultation Response

2.4.1 The County Council's initial consultation response dated 24th February 2017 indicates:

"The National Planning Policy Guidance (NPPG) on Transport Assessments and Statements (Paragraph: 013 Reference ID: 42-013-20140306) states:

Paragraph 32 the National Planning Policy Framework sets out that all developments that generate significant amounts of transport movement should be supported by a Transport Statement or Transport Assessment.

Local planning authorities must make a judgement as to whether a development proposal would generate significant amounts of movement on a case by case basis (ie significance may be a lower threshold where road capacity is already stretched or a higher threshold for a development in an area of high public transport accessibility)."

2.4.2 In our opinion in this case due to the inadequacies identified in this objection report the threshold requiring a fuller document has to be lower. The NPPF, and the companion NPPG do not contain any thresholds currently for TSs or for the fuller Transport Assessments. The County Council are the arbiter of the choice of document, and they, as detailed below, identify the submitted TS to be fundamentally lacking.

2.4.3 The response continued:

"In determining whether a Transport Assessment or Statement will be needed for a proposed development local planning authorities should take into account the following considerations:

- *the Transport Assessment and Statement policies (if any) of the Local Plan;*
- *the scale of the proposed development and its potential for additional trip generation (smaller applications with limited impacts may not need a Transport Assessment or Statement);*
- *existing intensity of transport use and the availability of public transport;*
- *proximity to nearby environmental designations or sensitive areas;*

- *impact on other priorities/strategies (such as promoting walking and cycling);*
- *the cumulative impacts of multiple developments within a particular area; and*
- *whether there are particular types of impacts around which to focus the Transport*
- *Assessment or Statement (eg assessing traffic generated at peak times).*

Although the applicant has submitted a Transport Statement I consider it to be lacking on two fundamental points mentioned in the NPPG.”

2.4.4 We would concur with this statement that the TS has failed to fully and adequately assess the impact of this development, and in addition this development cumulatively within Pilton, and at the A39 / Pilton Quay traffic signalised junction.

2.4.5 The response continued:

“Firstly, it does not include consideration of the proximity of the site to nearby environmental designation - The Bradiford Valley SSSI. The transport impacts of the proposal on the SSSI need to be considered. Secondly, the cumulative impacts of multiple developments within a particular area have not been adequately assessed. The traffic generation of the site has predicted but there has been no assessment of the impact of this on top of the traffic that is to be generated by the 372 other already approved houses in the Pilton area.”

2.4.6 In our opinion there are significant differences between the eJLP allocations, and the other developments consented locally that have either direct access onto the A39, or have their accesses linking onto roads that gain access onto the A39. None of the eJLP allocations, and none of the 372 dwellings already approved have an impact that results in significant additional levels of traffic through the heart of Pilton.

2.4.7 The harm caused by the traffic impacts of this development through Pilton could be avoided in part if this site had its access through the adjacent Barratt Homes site, and then routing via the currently being constructed A39 / Hospital roundabout subject to additional operational assessments verifying that this new junction can accommodate the additional traffic together with all other committed development. If this access route were to be proposed, the use of such an access, and allied to it no linkage save for pedestrians onto Windsor Road would avoid traffic routing through Bradiford, Bellaire

and Under Minnow Road / Bull Hill / Pilton Street. There would however still be concerns about the cumulative impacts elsewhere, and in particular at the A39 / Pilton Quay traffic signalised junction.

2.4.8 The response continued:

“Committed developments are considered in section 2.3 of the Transport Statement but this does not include the application for 105 dwellings south of the hospital.

Traffic impact is discussed in section 5.3 of the Transport Statement. This correctly identifies my concern regarding the impact of traffic on Bellaire (para 5.3.3). The figures then presented are based on the originally submitted transport assessments of various sites, which were not all completely agreed as being accurate in terms of their trip distribution, but the overall conclusion of those sites were agreed with (that they should not be objected to in transport terms).

A detailed assessment of the cumulative transport impacts are therefore required. This should take the data in appendix C of the Transport Statement (traffic counts) as a starting point and distribute committed development flows onto the network as well as adding Temprow growth to take account of other developments (such as Ilfracombe Southern Extension) in the longer term.

The applicant should make contact with me regarding the exact scope and detail of the additional assessment required.”

2.4.9 The recommendation of the initial consultation response being:

“THE HEAD OF PLANNING, TRANSPORTATION AND ENVIRONMENT, ON BEHALF OF DEVON COUNTY COUNCIL, AS LOCAL HIGHWAY AUTHORITY, IS LIKELY TO RECOMMEND REFUSAL OF PLANNING PERMISSION, IN THE ABSENCE OF FURTHER INFORMATION”

2.4.10 Overall we would concur with the County Council's initial consultation response.

However, we do not agree that the submission of a more thorough TS would alter the unacceptability of the proposal in terms of its impact on Bellaire, Bradiford, Under Minnow Road, Bull Hill, Pilton Street, or along Pilton Quay together with the likely cumulative impact at the A39 / Pilton Quay traffic signalised junction for the reasons variously outlined in this report. The applicant subsequently provided some limited

additional information to consider the cumulative impact on Bellaire alone within the TSA, but did not consider the impact at all of the locations identified. The RTOR did not justify why those other junctions should not be considered. The TSA is still deficient in our opinion, and does not provide an assessment base from which robust conclusions about the operation of the highway network can be validly drawn.

2.5 The Response to our Initial Objection Report

2.5.1 The response by DTA to our initial objection report, the RTOR, indicated:

“DTA have reviewed the Technical Report prepared by Mark Baker Consulting Ltd dated March 2017. This report critically reviews the Transport Statement (TS) prepared by DTA for the planning application in January 2017.

The TS for the application should be read in the context of the development which is for 41 houses. The County Council's initial comments were based on a considerably larger scheme which are not relevant given the size and nature of the development site. The methodology of the TS is adequate and wholly appropriate given the scale of the proposed site and the scope of the assessment was agreed with the Highway Authority.

The TS provides a sufficient level of information to allow the County Council to make a decision on whether the impact of the proposals are severe in accordance with NPPF. This is consistent with the level of detail that has been provided for other residential sites proposed and consented nearby and on which DCC and the local authority were able to make fully informed decisions.”

2.5.2 Given the level of local opposition, and the County Council's concerns this statement of DTA is not considered appropriate as there are no current guidelines that would support their premise in either the NPPF or the companion NPPG. The developer has singularly failed even with the TSA to verify that there is not an unacceptable impact on the adjacent highway and pedestrian network. Their response continued:

“The majority of the policies cited within the Technical Report are irrelevant to the overall decision. It is clear from a review of the TS and indeed the Mark Baker assessment that the development of the site must be is fully compliant with Policy TRA6.”

2.5.3“ The response does not indicate which policies are irrelevant, and this is surprising given that NPPF sets the national context, TRA6 is the main highway development control policy, and ST10 essentially replaces TRA6 in the eJLP. The response continued:

“Section 5 of the review considers whether safe and suitable access to the site can be achieved for all people. Whilst this discusses a number of known local constraints, it does not follow on to conclude that safe and suitable access cannot be achieved. Similarly, in Section 6, which reviews whether there is a severe impact no conclusion is reached.

There are a number of references to cumulative impact and a separate Technical Note has been prepared at the request of DCC in response to their concern on Bellaire. Any impact, cumulative or not, at the A39/ Pilton Quay junction does not warrant a detailed assessment in the context of the scale of the development site.

Overall, the methodology used in the TS to support the application is sound and has been agreed with the Highway Authority. The comments from the Highway Authority related purely to the cumulative impact on Bellaire. No other comments have been raised from the Highway Authority relating to highway safety, pedestrian/ vehicular access or transport policy.”

2.5.4 For the reasons variously outlined in this revised objection report, in accordance with paragraph 32 of the NPPF the issue is whether a safe and suitable access can be achieved for all users, and whether there is a severe impact. In our opinion, a safe and suitable access cannot be achieved. As such it follows that there is a severe impact of the proposal.

2.6 The Submitted TSA

2.6.1 The TSA indicated in the introduction that the County Council as detailed at 1.3 and 1.4:

“have requested a further review of the cumulative impact on this link is undertaken with reference to base and future traffic flows on Bellaire with reference to each of the committed schemes including background growth from TEMPRO or the Ilfracombe Southern Extension.

It is understood that there are concerns that the local TEMPRO growth factors did not take into account the Ilfracombe Southern Extension. On this basis, an assessment has been made of the individual committed

sites plus TEMPRO growth, which is considered to be a robust cumulative assessment.”

2.6.2 For reasons outlined elsewhere the assessments of the cumulative impact on just one link on the local highway network cannot by any reasonable definition be classed as being “a robust cumulative assessment”.

2.6.3 The TSA at 2.1.1 indicates:

“The narrowest stretch of Bellaire is immediately to the east of its junction with Bellaire Drive. The road measures around 3.6m at the narrowest point prior to its link with Northfield Lane. There are passing places provided at either end of this stretch. A pinch point is also situated to the west of this section narrowing to 4m, however this is a pinch point rather than a continuous stretch. The road is otherwise at least 4.4m wide.”

2.6.4 Plates 6 and 7 show the single track nature, and in the case of plate 6 illustrate that the footways are substantially flush with the road, and as delays increase there has to be an increasing propensity for drivers to mount the footway compromising pedestrian safety.

2.6.5 The TSA at 2.3.1 indicates:

“The forecast distribution of traffic on Bellaire has been quantified for each of the committed sites using Census data for method of travel to work data. A detailed assessment has been made on the proportion of traffic from each of the sites which may route along Bellaire to reach wider destinations.”

2.6.6 For the assessment purposes paragraph 2.6.1 indicated:

*“The peak observed traffic periods on Bellaire have been used for the base scenario and the committed site traffic has been added onto these figures. The peak period flows are set out in **Table 4.**”*

2.6.7 The values from table 4 being:

Peak Period	2016	2022	2022 +Committed	+ Proposed Site
07:45-08:45	198	222	277	280
16:30-17:30	248	277	329	332

2.6.8 The table indicates that the impact on Bellaire in the peak periods is of the order of +20% to +26%. Sections 2.6.2 to 2.6.5 indicate:

"This shows that the maximum number of two-way vehicles using Bellaire in the future year will be 332 in the PM peak period.

There is limited recent guidance on the capacity of single track roads, however a study was undertaken by the Transport and Roads Research Laboratory (TRRL) -now TRL and was reported in the first edition of Design Bulletin 32 (DB32). That assessment demonstrated the vehicle flows of up to 25 per hour in each direction (50 vph) can readily be accommodated without formal passing areas and this can increase to over 300 vph with passing bays.

The narrow link is over a relatively short stretch of approximately 22m at which point there are passing places at either end. The width of Bellaire is otherwise at least 4m wide. The additional cumulative development traffic including the proposed site is forecast to be 52-55 movements during the peak periods and that the forecast development site traffic using this link is 3 vehicle during peak periods. With the additional traffic, the total two-way movements on this link will be 332 vph and there are passing places provided along the route.

On this basis, the development proposals fully accord with paragraph 32 of NPPF."

- 2.6.9 We would not demur from the commentary on the TRRL research however the TRRL research indicates that delays on single track roads even with passing places are increased where traffic flows are above the 300 vehicles per hour level, and hence despite the modest impact the cumulative impact is in our opinion significant. Additionally at this location the footway is virtually flush as indicated on plate 6 with the road surface meaning that drivers will be very inclined to mount the pavement rather than waiting at either end hence compromising pedestrian safety.

3.0 POLICY CONTEXT

3.1 Introduction

3.1.1 This section considers the policy context against which the proposal should be judged including national planning policy guidance, the saved policies of the Local Plan, and the emerging policies within the Joint North Devon and Torridge Local Plan (eJLP).

3.2 National Planning Policy Framework (NPPF)

3.2.1 Paragraph 17 of the NPPF sets out 12 core land-use planning principles that should underpin both plan-making and decision-taking. These include to proactively drive and support sustainable economic development to deliver the homes, business and industrial units, infrastructure and thriving local places that the country needs. It says that every effort should be made objectively to identify and then meet the housing, business and other development needs of an area, and respond positively to wider opportunities for growth, and that plans should take account of market signals, such as land prices and housing affordability, and set out a clear strategy for allocating sufficient land which is suitable for development in their area, taking account of the needs of the residential and business communities.

3.2.2 A core planning principle is to:

“actively manage patterns of growth to make the fullest possible use of public transport, walking and cycling, and focus significant development in locations which are or can be made sustainable.”

3.2.3 Paragraph 32 of the NPPF indicates:

“All developments that generate significant amounts of movements should be supported by a Transport Statement or Transport Assessment. Plans and decisions should take account of whether:

- the opportunities for sustainable transport modes have been taken up depending on the nature and location of the site, to reduce the need for major transport infrastructure;*
- safe and suitable access to the site can be achieved for all people; and*
- improvements can be undertaken within the transport network that cost effectively limit the significant impacts of the development. Development should only be prevented or refused on transport grounds where the residual cumulative impacts of development are severe.”*

- 3.2.4 The main highways / transport issues to be addressed in the context of the NPPF are:
- i) The impact of the additional movements generated by the proposal on the local highway network including a cumulative impact assessment,
 - ii) Whether a safe and suitable access to the site for all users can be achieved, and
 - iii) Whether the proposal amounts to sustainable development.

3.3 **North Devon Local Plan**

3.3.1 The relevant saved policy from the North Devon Local Plan 1995 to 2011 adopted July 2006 is TRA6 though the accompanying text to the Local Plan forms an important part of the Local Plan.

3.3.2 Policy TRA6 is entitled "General Highway Considerations", and indicates:

"A DEVELOPMENT WILL ONLY BE PERMITTED WHERE:-

- A) *PROVISION IS MADE FOR SAFE ACCESS ONTO AND EGRESS FROM THE HIGHWAY FOR ALL FORMS OF TRAVEL SERVING THE SITE;*
- B) *THE FUNCTIONING OF THE ROAD NETWORK OR THE SAFETY OF HIGHWAY USERS IS NOT HARMED; AND*
- C) *THE CHARACTER AND SETTING OF THE LOCALITY IS NOT HARMED BY ANY HIGHWAY WORKS NECESSARY TO ACCOMMODATE THE LEVEL OF TRAFFIC GENERATED BY THE DEVELOPMENT."*

3.3.3 In my opinion, policy TRA6 is not conformed to for this development for the reason that the functioning / operation of the highway network has not been demonstrated within the TS to operate acceptably, and the TS has not assessed the impact cumulatively with consented schemes added, and as such has not demonstrated that the wider network will not be adversely impacted upon without off-setting highway improvements.

3.4 **Emerging Joint Local Plan**

3.4.1 The emerging Joint Local Plan (eJLP) prepared jointly by North Devon Council, and Torridge District Council contains a number of proposed allocations within Pilton namely BAR05 and BAR06. The allocations, and a number of approved applications have been referred to within the DAS, the PS, and the TS though in highways terms there are significant differences between the proposed allocations, and the committed schemes when compared to this proposal. In essence, just because the Council have

allocated sites or granted consents for sites locally does not automatically mean that all sites within Pilton should be considered to be appropriate for development as the issues indicated at paragraph 3.2.4 need to be assessed for each site.

ST10

3.4.2 Policy ST10 sets out the overarching transport strategy for North Devon. It inter alia promotes providing infrastructure that facilitates the delivery of strategic housing, protects strategic routes including the A39, and recognises the transport impacts from seasonal traffic. In addition, the Policy aims to reduce environmental impacts by reducing the need to travel by car and ensuring that access to new developments are safe and appropriate.

3.4.3 The relevant parts of eJLP policy ST10 being:

- “(3) Reduce the environmental and social impacts of transport by:*
- (a) reducing the need to travel by car and enabling alternative sustainable travel options as supported by the Local Transport Plan;*
 - (c) requiring a Transport Assessment for major developments that generate significant traffic movements and Travel Plans for major developments;*
 - (f) maximising safety on transport networks through improvements to physical infrastructure design; and*
 - (g) ensuring that access to new development is safe and appropriate.”*

ST23

3.4.4 Policy ST23 relates to the delivery of infrastructure, and indicates:

- “(1) Developments will be expected to provide, or contribute towards the timely provision of physical, social and green infrastructure made necessary by the specific and / or cumulative impact of those developments having regard to the viability of development.*
- (2) Where on-site infrastructure provision is either not feasible or not desirable, then off-site provision or developer contributions will be sought to secure delivery of the necessary infrastructure, through methods such as planning obligations or the Community Infrastructure Levy.*

(3) *Developments that increase the demand for off-site services and infrastructure will only be allowed where sufficient capacity exists or where the extra capacity can be provided, if necessary through developer-funded contributions.*

3.4.5 This emerging policy confirms the approach of providing for off-setting highway improvements.

3.4.6 The text to policy ST23 at paragraph 8.13 to 8.16 of the eJLP indicates:

"The timely provision of infrastructure is essential, whether in the form of additional capacity or new infrastructure. There is a need to ensure a co-ordinated approach to infrastructure management and investment. Accordingly the Local Plan seeks to ensure the optimum use of existing infrastructure, to reduce demand by promoting behavioural change for example through water efficiency savings and travel demand management, and to seek new infrastructure where required.

It is recognised that ensuring the timely delivery of infrastructure, by requiring its provision in advance of the development, could impose an additional burden on the viability of that development. For this reason, its provision prior to development would only be required where essential. In other cases, alternative methods including legally binding phasing requirements, bonding arrangements and delivery arrangements may be used to ensure that the identified infrastructure is delivered at the appropriate time.

North Devon and Torridge District Councils have produced an Infrastructure Delivery Plan to ensure infrastructure is delivered in step with development proposals. The Councils will continue to work in partnership with Devon County Council, other local authorities, agencies, health service providers, utility companies and other private sector infrastructure providers to identify expected needs and determine the most effective means of delivering necessary infrastructure and services at the appropriate time to serve existing and proposed development and support the local economy.

The starting point is the appreciation of existing infrastructure capacities, deficits and existing programmes of work or capacity reduction measures. The Councils will subsequently work with their partners in

the preparation and implementation of the Infrastructure Delivery Plan. It will establish the scale, costs, and timing of the additional infrastructure required to ensure delivery of development required by Policies ST06 and ST07. The Infrastructure Delivery Plan, the Community Infrastructure Levy charging schedule and the accompanying Regulation 123 list, plus other adopted national and local guidance will complement the policies of this Plan to provide a more detailed framework for the provision of infrastructure.”

3.4.7 Paragraph 8.18 summarises the issues indicating:

“A key principle is that new development should contribute towards the cost of additional infrastructure, the need for which arises from it. Where new capacity is needed, developers will be expected to provide, fund or contribute towards it. Contributions may be sought through the Community Infrastructure Charging Schedule or by undertaking or agreement under Section 106 of the Town and Country Planning Act. Provision of necessary infrastructure should be phased with new development to minimise any experience of deficiencies, whilst not unacceptably affecting the viability of overall levels of development. It is recognised that infrastructure obligations on development must not, when aggregated with the impact of other Policies in this Plan, make development unviable. An appropriate balance needs to be struck between public and private finance sources for the delivery of necessary infrastructure.”

4.0 TRANSPORT SUSTAINABILITY

- 4.1 This section considers the transport accessibility of the site to assess whether the opportunities for sustainable transport modes can be taken up.
- 4.2 It can be considered that Pilton in general is an appropriate location for some housing growth, and this is evident by the proposed allocations in the eJLP, and by a number of local consents within Pilton. There are a variety of facilities within the village, and within either an easy walk or easy cycle of the site that means that whilst the site may theoretically accord with guidance in terms of distances, it is a matter of dispute as to the sustainability and suitability of the application site.
- 4.3 The issue has to be whether the routes likely to be used by pedestrians and or cyclists, would be conducive to their use. In our opinion as considered later in this report there are deficiencies in terms of footway provision and widths within Pilton including along Under Minnow Road, and Bull Hill that would act as a deterrent. In addition, whilst there are public transport from Bellaire Drive the frequency, and the timings of public transport are not conducive to use. The nearest bus services do not operate in the evening, or on Sundays, and only operate every two hours during the day.



Plate 1: Under Minnow Road west of Bellaire showing the high boundary wall to the north, and parked vehicles along the majority of its length

- 4.4 Paragraph 17 of the NPPF sets out 12 core land-use planning principles that should underpin both plan-making and decision-taking. These include to proactively drive and support sustainable economic development to deliver the homes, business and industrial units, infrastructure and thriving local places that the country needs. It says that every effort should be made objectively to identify and then meet the housing, business and other development needs of an area, and respond positively to wider opportunities for growth, and that plans should take account of market signals, such as land prices and housing affordability, and set out a clear strategy for allocating sufficient land which is suitable for development in their area, taking account of the needs of the residential and business communities.
- 4.5 A core planning principle is to:
“actively manage patterns of growth to make the fullest possible use of public transport, walking and cycling, and focus significant development in locations which are or can be made sustainable.”
- 4.6 The key point in paragraph 17 of the NPPF is regarding making the “fullest possible use” of non-car borne modes. Whilst distances to various facilities including bus services may be acceptable, there are deficiencies including footway width deficiencies will compromise the use by pedestrians hence running counter to the principles of sustainability. In particular, footway widths along Under Minnow Road, and Bull Hill are restricted and at their minimum are of the order of 0.5m to 0.6m, and can as such only be regarded as being wide enough for a single ambulant pedestrian to walk along. Any parents pushing a pram, any disabled person, and any one escorting another has to walk on street hence along both Under Minnow Road, and Bull Hill compromising their safety. The description in the TS is erroneous in this regard as it indicates at paragraph 3.2.4 that with regard to Bradiford / Under Minnow Road that:
“There is a continuous footway on the northern side of the carriageway measuring between 1.2m and 1.8m in width.”
- 4.7 Plate 1 shows that this is incorrect as there is no northern side footway along Under Minnow Road between east of Bellaire through to Bull Hill. Plate 2 shows the view looking west along Under Minnow Road from east of Priory Close showing the absence of a footway on the northern side, and the constrained south side footway of 0.6m. This is the sole link from the site to the various facilities along Pilton Street.



Plate 2: Under Minnow Road showing the restricted footway width looking west

- 4.8 There are a range of local facilities within Pilton concentrated around Pilton Street. These facilities cater for every day needs and include a choice of takeaways, a choice of public house, a local convenience store, a church, and a village hall. Most of these facilities being within an 800m walk. In terms of education, Pilton Bluecoat Church of England Junior School, and Pilton Infants School are within an 850m walk on Abbey Road. Pilton Community School is 650m away on Chaddiford Lane. The nearest health facilities include North Devon Hospital about is about 1500m away, and Boutport Medical Centre about 1400m walk away is the location of the nearest GPs. There is a dental practice on Pilton Street within an 800m walk. The facilities for the most part are within target distances, but their use will be comprised by the additional vehicles due to the development travelling adjacent to these narrow footways. The TS shows a summary of five bus services in table 5, but of these three are bus services bringing pupils from the wider area to Pilton Community College, and as such will not be used by any resident of the site. The local service linking the site to Barnstaple operates two hourly.
- 4.9 The application is in outline with all matters reserved except for access. Access includes both pedestrians and vehicles. No separate pedestrian access is provided apart from along the vehicular access. The DAS defines pedestrian footways in

paragraph 6.42 to 6.49 however it should be noted that only the footways to the west will be surfaced, and lit with the footways defined to the north, east, and south being unsurfaced, and only suitable as such for leisure or recreational use.

5.0 CAN A SAFE AND SUITABLE ACCESS BE ACHIEVED?

- 5.1 This section considers whether safe and suitable access to the site can be achieved for all people.
- 5.2 In the context of NPPF paragraph 32, safe and suitable access in our opinion relates to both the direct access to the site off Windsor Road, and to all roads within a locality that can reasonably be expected to be used to access the site. This principle being not demurred from by DTA in their detailed response to our initial objection report.
- 5.3 For this site, the access is from Windsor Road which terminates currently at a field access with a block of garages to the north, and residential property to the south. An access of 5.5m with a footway on either side of 1.8m is shown on DTA's drawing 17447-02 revision A. Windsor Road at present locally is of the order of 7.3m wide with as shown on plate 3 parking along both sides of the road in sections.



Plate 3: View of Windsor Road showing existing parking on both sides of the road

- 5.4 The creation of the footway on the northern side of the road will foreshorten the available forecourt length to these garages leading to the potential for vehicles overhanging the proposed footway on the northern side which will compromise the free flow of pedestrians including those with sight disabilities, and the less ambulant. This element of this proposal will hence impact upon pedestrian safety, and as this is the

sole vehicular and pedestrian access, this cannot constitute a safe access notwithstanding the issues considered below.



Plate 4: Existing commercial van overhanging Windsor Road in the vicinity of the proposed site access

Plates 4 and 5 show existing vehicles overhanging Windsor Road. Whilst this currently occurs, no harm is caused as the garage block is at the no through road end of Windsor Road. The existing forecourt is only of the order of 3.8m measured from the garage to the dropped kerb defining the edge of Windsor Road. The existing footway is 1.7m with a 7.3m roadway. The creation of a 1.8m footway on either side will result in the forecourt width being reduced from 3.8m to 3.7m, and vehicles effectively overhanging the footway by of the order of 1m.



Plate 5: Existing car overhanging Windsor Road in the vicinity of the proposed site access



Plate 6: Bellaire east of Bellaire Drive showing the single track nature of the road



Plate 7: Northfield Lane west of Northfield Park showing the single track nature of the road towards Bellaire with no footway provision

- 5.5 Beyond the site, as acknowledged in the DTA TS the majority of trips if not all will route towards the south for the A39, the A361, and to access a range of employment, retail and leisure opportunities within Barnstaple itself with the following roads likely to be used:
- i) Windsor Road, Bellaire Drive, Under Minnow Road, Abbey Road, or Pilton Street or
 - ii) Windsor Road, Bradiford, and Chaddiford Lane.
- 5.6 There is a potential for some vehicles to route to the east onto the A39 via Bellaire and Northfield Lane though as illustrated on plates 6 and 7 both roads are of restricted width generally operating as single track with some sections of poor intervisibility, and any intensification in use will lead to increased conflict potential. The TSA demonstrates traffic flows will exceed 300 vehicles per hour where delays on single track road are higher than on two way road using the research referred to in the TSA.
- 5.7 This raises concerns in the following regards:



Plate 8: View along Bradford showing existing parking restricting the road to single lane working with no opportunity to pass



Plate 9: Bradford looking North showing queuing vehicles awaiting the passage of a southbound vehicle



Plate 10: Abbey Road showing the restricted width on entry from Under Minnow Road



Plate 11: Abbey Road



Plate 12: Under Minnow Road approaching Bull Hill showing the high walls abutting the highway, the restricted visibility, and the restricted footway width



Plate 13: Bull Hill looking towards Under Minnow Road to the left



Plate 14: Bull Hill with a driver's view of an approaching vehicle highlighting the constrained width and the narrow footway



Plate 15: Bull Hill showing the restricted footway, and road widths and forward visibility



Plate 16: Bull Hill showing the restricted footway and road widths



Plate 17: Bull Hill showing the restricted footway and road widths and bendy character of the road



Plate 18: Bull Hill on the approach to Pilton Street showing the restricted footway width at a location with restricted forward visibility



Plate 19: Pilton Street



Plate 20: The Rock on entry from Pilton Street



Plate 21: Pilton Street looking to the right along Pilton Quay showing the restricted visibility



Plate 22: Queuing at A39 / Pilton Quay during the off peak period

- i) Bradford has throughout the day heavy parking on the north eastern side, as illustrated on plate 8 looking south, and plate 9 looking north restricting traffic

- to single carriageway working effectively but with no formal intervening spaces to allow the passing of vehicles,
- ii) Abbey Road has a restriction on first entry from Under Minnow Road where the road is narrowed to 3.6m wide such that the top end of Abbey Road operates effectively as a single track road. This restricted width is shown on plate 10. Any vehicle waiting to turn out of Abbey Road and waiting entry to Abbey Road effectively blocks Under Minnow Road, and does not allow any other vehicle to pass. Beyond Under Minnow Road, Abbey Road has parking on its eastern side as shown on plate 11 precluding the potential for vehicles to pull over, and pass other vehicles. An intensification in the use of Abbey Road will increase the potential for conflicts. Vehicles using Abbey Road eventually terminate at the Fair View / Abbey Road junction, and to travel towards Barnstaple, and the A39 will turn left. The inability to readily right turn into Abbey Road would lead to a consequential increase in traffic using Bull Hill where there are sections of 4.0m width with a footway on one side between 0.5m and 1.1m as illustrated on plate 12 which shows Under Minnow Road on the approach to Bull Hill from the west, plate 13 shows the view from Bull Hill from the other side of this bend showing the 0.6m footway on the left and a road width of 4.1m, plate 14 is the reverse view of plate 13 showing the driver's view and shows an approaching vehicle highlighting the constrained width and clearly indicating that any increase in vehicles on this section will increase the potential for conflicts, and plates 15, to 18 show additional views along Bull Hill. Further along Pilton Street the presence of parking on the western side coupled with an available road width to pass of 4.0m means that single track working generally results. Plate 19 illustrates this, and clearly indicates the limited opportunities for passing. If southbound vehicles observe problems along Pilton Street there may be a temptation to use The Rock and Higher Raleigh to route onto the A39, but this route as shown on plate 20 is characterised by parking on one side and restricted width. To the south Pilton Street meets Pilton Quay at a priority junction with restricted visibility to the right as illustrated by plate 21, and to the immediate east a short section of the order of three vehicle length in stacking distance to the A39 as illustrated by plate 22, and
- iii) Chaddiford Lane can be used as an alternative to Abbey Road and Pilton Street though has a restricted movements junction onto the A361. The traffic

signalled junction of the A361 / Chaddiford Lane only allows a left turn out of Chaddington Road onto the A361, and any traffic bound for Pottington Business Park or Braunton or Ilfracombe further to the west has to execute a U turn.

6.0 IS THERE A SEVERE RESIDUAL CUMULATIVE IMPACT?

- 6.1 This section considers whether there is a severe cumulative impact.
- 6.2 The planning application is in outline with all matters except the means of access being reserved for future determination. The TS has tested a level of development of 41 units which is also referred to in the description of the planning application though the DAS illustrates how successive phases of the site could be developed, and it may be that the applicant intends to subsequently apply for a much greater level of development.
- 6.3 In our opinion, no confidence can be had in a TS that only reflects a part of a potential site. There is no other vehicular access available, and as such if the land ownership potentially allows for a significantly greater level of ultimate development to be realised to give greater confidence that level of development should be comprehensively accessed at this stage.
- 6.4 The TS has failed to adequately assess the impact of this development, and in addition this development cumulatively within Pilton on various links, and at various junctions including the A39 / Pilton Quay traffic signalised junction.
- 6.5 In our opinion there are significant differences between the eJLP allocations, and the other developments consented locally that have either direct access onto the A39, or have their accesses linking onto roads that gain access onto the A39. None of the eJLP allocations, and none of the 372 dwellings already approved have an impact that results in significant additional levels of traffic routing through the heart of Pilton.
- 6.6 The harm caused by the traffic impacts of this development through Pilton could be avoided in part if this site had its access been through the adjacent Barratt Homes site, and then routing via the recently constructed A39 / Hospital roundabout subject to additional operational assessments verifying that this new junction can accommodate the additional traffic together with all other committed development.
- 6.7 If this access route were to be proposed, the use of such an access, and allied to it no linkage save for pedestrians onto Windsor Road would avoid traffic routing through Bradiford, Bellaire and Under Minnow Road / Bull Hill / Pilton Street. There could however still be concerns about the cumulative impacts elsewhere, and in particular at the A39 / Pilton Quay traffic signalised junction, which were not tested within either the TS or the TSA.

7.0 CONCLUSIONS

7.1 Overall, the concerns following the detailed consideration of the original Transport Statement, and the subsequent Transport Statement Addendum are summarised as follows:

- i) The site is within the target distances oft referred to for accessibility, however, the quality of the existing village footway network will act potentially as a deterrent to pedestrian use due to discontinuities, and severe deficiencies in footway widths, and any intensification that may follow as a result of this development, and cumulatively with others will impact upon pedestrian safety by resulting in an increase in pedestrian movements particularly along those sections of constrained footway width with adjacent constrained sections of highway,
- ii) Access via Windsor Road creates a number of concerns with regard to the interaction with private garages and their forecourts, which could be overcome by an alternative choice of access,
- iii) There are concerns about the cumulative impact at local junctions including the operation of the Pilton Quay / Pilton Street junction, and the “blocking back” due to the operation of the A39 / Pilton Quay traffic signalised junction operation. There are also concerns regarding the impact of the additional traffic generated by the development and how it impacts upon the operation of the Under Minnow Road / Abbey Road junction where the Abbey Road arm of the junction (the minor arm) is traffic calmed resulting in effectively a single track width of Abbey Road on the direct approach to Under Minnow Road. Any intensification in use of the junction either turning in or turning out leads to an increased propensity for queuing, and delays impacting upon driver frustration, and driver safety, and
- iv) There has to be a concern about the cumulative impact on the local routes including on the footway links, and at the footway provisions namely along Bellaire, Under Minnow Road, Bull Hill, and Pilton Street, and at the Under Minnow Road / Abbey Road junction and the traffic signalled junction of the A39 / Pilton Quay.

7.2 In accordance with paragraph 32 of the NPPF the issue is whether a safe and suitable access can be achieved for all users, and whether there is a severe impact. In our

opinion, a safe and suitable access cannot be achieved. As such it follows that there is a severe impact of the proposal.