

TOWN AND COUNTRY PLANNING ACT 1990
PLANNING AND COMPULSORY PURCHASE ACT 2004

HIGHWAYS PROOF OF EVIDENCE CD1.21

Appeal by Boningale Developments Ltd
against the non-determination by Shropshire Council of
Planning Application 24/04176/FUL for residential development
of 70 dwellings including access, open space, landscaping and
associated works.

**at Land to the East of Tilstock Road
Tilstock
Whitchurch
Shropshire**

Planning Inspectorate Reference: **APP/L3245/W/25/3362414**

Shropshire Council Reference: **25/03362/NONDET**

Prepared by: **Christopher Mead (Senior Developing
Highways Manager)**

Relevant Core Documents

National Planning Policy Framework (NPPF)	CD2.1
Manual for Streets	CD2.13
Manual for Streets 2	CD2.14
Shropshire Manual for Adoptable Roads and Transport (SMART)	CD2.15
CIHT Planning for Walking Guidance Document (2015)	CD2.16
Highways Statement of Common Ground	CD4.3
Parking Plan	CD6.17
Adoption Plan	CD6.24
Refuse Strategy	CD6.25
Site Layout	CD6.26
Transport Statement	CD7.1
Vehicle Refuse Track	CD7.4
Site Access Arrangements	CD7.5
Highways Technical Note	CD7.8
Whitchurch Rural Parish Profile	CD7.12
Local Transport Note LTN 1/20	CD7.13

1.0 INTRODUCTION

Qualifications and Relevant Experience

- 1.1 My name is Christopher Alan Mead. I am a highways and highways planning professional with more than twenty-five years of experience in matters of design, transport planning, local plan transport strategy and highways development. I have been an expert witness on matters of highways design, stopping up and highways safety in relation to planning appeals and compulsory purchase. My highways and planning experience has been gathered through projects within both the public and private sector.
- 1.2 I have been the Principal Designer on highways projects, including those under the Construction (Design and Management) Regulations 2015 , for road safety, speed limit reviews and traffic regulations. I have been engaged on projects within rural areas, urban areas and motorways and I have worked to the standards of design that apply including Design Manual for Roads and Bridges (“DMRB”) standards with full adherence to the departure from standard procedures. For Local Highway Authorities I have secured authorisation and developed proposals for non-standard features including the introduction of the first school variable 20mph speed limits in England, sited in Wokingham and non-standard pedestrian crossings from Transport for London.
- 1.3 For planning, I have additional specialisms in traffic regulation, stopping up and highways rights. I have been engaged on appeals in rural locations relating to sustainable locations and highway safety for various scales of development including infill, agricultural to residential conversions and settlement growth both within and without settlement boundaries.
- 1.4 My services are currently provided in a contract capacity to Shropshire Council as a Local Highway Authority (“LHA”) and since March 2025 I have advised on strategic and significant major development within the County. I am the planning appeal expert in relation to those applications at the request of the County Council. I confirm that the evidence which I have prepared and provided for this appeal is true to the best of my knowledge. I confirm that the opinions expressed are my true and professional opinions.

Involvement in the proposed scheme

- 1.5 My first working day with Shropshire Council was the 9 April 2025. I was first introduced to the application (LPA Ref: 24/04176/FUL) by the Planning Case Officer on the 10 April 2025. I provided a first position by email on the 10 April 2025 and all further positions including the Highways Statement of Common Ground and this proof have been provided by myself in good time.
- 1.6 I have visited the appeal area, from a public highway perspective, and have examined the relevant plans and documents for the purpose of this Inquiry.

Scope of evidence

- 1.7 My Proof of Evidence relates to matters of highways under the NPPF, principally

sustainability in transport terms, highway safety, capacity, design fitting context and character in respect of the highway related elements of the appeal proposal. This Proof of Evidence should be read in conjunction with Highways Statement of Common Ground [CD4.3] and the evidence prepared by the LPA. I will be addressing the following Main Issues in highways terms as set out in the CMC Summary Note (dated 15th August):

1. Whether the appeal site is an appropriate location for the development, having particular regard to relevant provisions of the development plan;
 2. Whether the appeal site is an appropriate location for the development, having particular regard to accessibility to facilities and services;
 3. The effect of the development on the character and appearance of the area, including consideration of urban design matters;
- 1.8 Where necessary, Ollie Thomas, the Principal Planning Officer will defer to elements in this proof to support his main planning proof including Highways and Transport matters and will rely on the evidence contained in this document. Comments and conclusions within this report may inform the planning judgement of Mr Thomas alongside any matters of technical consideration.
- 1.9 I refer in this Highways Proof of Evidence to documents that are listed in the agreed Core Documents List, using the abbreviations stylised '[CD X.X]'.

Defining terms

- 1.10 The NPPF should be taken as a whole and within the framework there is a requirement for statutory consultees including the Highway Authority to establish and acknowledge the parameters of their responsibility in planning.
- 1.11 Chapter 9 – Promoting Sustainable Transport is a single chapter related to decision making in both plan making and individual planning applications whether they have been through a plan making process or not.
- 1.12 The NPPF is clear in para 116 that 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, following mitigation, would be severe, taking into account all reasonable future scenarios.
- 1.13 The use of the word prevented is informed as an opportunity to resist a location in plan making on the grounds of highway safety or residual cumulative impacts. The use of the word refused is informed as an opportunity to refuse planning permission for those reasons also.

- 1.14 It is perceivable that a site that has been supported through the plan making process could receive a refusal on highways grounds at the application stage.
- 1.15 The valid and only reasons why development should be refused on highways grounds are clear but it is not the responsibility of the highway authority to determine or attribute weight to matters of planning policy.
- 1.16 In the matter of highway safety, it is the responsibility of the highway authority to establish if a proposal would be safe or unsafe only – Para 116 NPPF.
- 1.17 Development proposals that impact the highway should include a solution that poses an acceptable level of risk to highway safety. In some instances this may not be the solution with the lowest level of highway safety risk. For example, a roundabout is recognised as a junction type with a better safety record than a T-junction. Both junction types could be an acceptable solution in a specific location on the grounds of safety.
- 1.18 In the matter of highway capacity, it is the responsibility of the highway authority to establish if proposals will operate acceptably or unacceptably.
- 1.19 For highway capacity to be considered acceptable there should be a scenario where the infrastructure operates beneficially for all users and causes no unreasonable delay and can be used for the purpose intended otherwise interpreted as the 'residual cumulative impacts'.
- 1.20 In all other matters relating to the NPPF and planning policy with particular regard to the following, the LHA provides critique and observation and recommendation on points but relies on the LPA to attribute weight to those matters. These matters include:
- Limiting the need to travel – Para 110
 - Genuine Choice of transport modes – Para 110
 - give priority first to pedestrian and cycle movements, both within the scheme and with neighbouring areas – Para 117
 - address the needs of people with disabilities and reduced mobility – Para 117
 - 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 – Para 117
- 1.21 Deciding the weight to be given to relevant matters is a question of judgement for the decision-maker.
- 1.22 In matters that relate solely to the reasons allowed in para 116 the highway authority will be absolutely clear when a proposal would result in something being unsafe or unacceptable. In those matters the highway authority is not conveying a matter of planning weight but a binary position on safety and operational acceptance and would anticipate that those positions are carried with significant weight by the decision maker.

2.0 The Site

2.1 The Appellant, during the course of the Appeal, has submitted new evidence in response to the LPAs indicative reasons for refusal as set out in the LPAs Statement of Case. This new evidence included a series of new plans and drawings which have amended the Appeal proposal from that which was considered as part of the planning application with the LPA. The amendments include the following:

- Access junction and widening of the northern visibility splay, including the removal of additional hedgerow;
- Changes to the landscape scheme to accommodate widened visibility splay;
- Changes to the ecology information to accommodate the removal of additional hedgerow.

2.2 For purposes of this proof I have relied on the most up to date drawings referenced on the core documents list. These are summarised at the beginning of this proof.

3.0 RELEVANT PLANNING POLICY

The Development Plan

3.1 The SoCG confirms that the development plan in relation to this Appeal comprises:

- The Core Strategy, adopted March 2011
- The Site Allocations and Management of Development ('the SAMDev) Plan, adopted December 2015.

3.2 The most relevant Development Plan policies in determining the Appeal scheme are set out in 4.4 of the Statement of Common Ground. I agree with this list of policies.

Relevant Transport Policy

3.3 The Shropshire Local Development Framework: Adopted Core Strategy contains various policies that relate to highways and transport matters. These are primarily contained in policies under the heading of Creating Sustainable Places. The most directly engaged policies in transport terms are CS6 and CS7.

3.4 Policy CS6 'Sustainable Design and Development Principles' overall aim is 'to create sustainable places, development will be designed to a high quality using sustainable design principles, to achieve an inclusive and accessible environment which respects and enhances local distinctiveness and which mitigates and adapts to climate change'

3.5 In terms of highway authority oversight the policy seeks to ensure the following outcomes:

'Requiring proposals likely to generate significant levels of traffic to be located in accessible locations where opportunities for walking, cycling and use of public transport can be maximised and the need for car based travel to be reduced;'

'Is designed to be adaptable, safe and accessible to all, to respond to the challenge of climate change and, in relation to housing, adapt to changing lifestyle needs over the lifetime of the development in accordance with the objectives of Policy CS11'

3.6 It is my view that the requirements of CS6 are not met by this proposal in relation to maximising walking, cycling or public transport use and reducing the need for car-based travel.

3.7 In terms of the placement of the development in its surrounding context there are no trips where the need for car-based travel is reduced. This is due to the distance and quality of offer including poor infrastructure and low level of frequency for any other mode as a genuine alternative to the private car.

3.8 The only guidance within the Core Strategy to what that document defines as an accessible location is contained within CS3 where it states that Whitchurch is an accessible location on the highway and rail network.

3.9 There is a straightforward comparison possible between Whitchurch as an accessible location and the scale of development supported in Whitchurch and the other settlements identified within Policy CS3 and the scale of development that they can support. Taking Whitchurch and the other named locations and comparing them to the offer available it is not appropriate to label Tilstock by comparison as an accessible

location also.

- 3.10 Policy CS6 states that developments should reduce the need for car-based travel. The agreed vehicle trip rate for this site is 4.673 trips per dwelling [CD7.1]. The agreed trip rates do not demonstrate trip rates for walking, cycling or public transport. Any sustainable trips would be in addition. For the most part the 4.673 trips would be comprised of private car trips to and from new dwellings.
- 3.11 In this location the number of car trips generated results in movements away from and to the village of Tilstock only with the most likely destinations being Whitchurch and Wem. There are no viable opportunities for walking or cycling away from the village to these destinations. There is limited opportunity for taking public transport to these destinations.
- 3.12 The outcome will be a higher-than-expected proportion of car use reliance due to a lack of opportunity to use more sustainable modes for essential daily needs.
- 3.13 Opportunities to improve local infrastructure for trips that can already occur, for example, walking to the local bowling green, would not reasonably be interpreted as maximising the opportunity for walking, cycling and public transport as policy CS6 expects.
- 3.14 Improving the local routes to local facilities simply improves the quality of that trip and makes a more accessible environment within Tilstock, but there is no enhanced or maximised range of services to more necessary day to day destinations by journey experience, choice of modes or journey time offered by this development proposal.
- 3.15 The proposed pedestrian access point will establish an on-foot only link to the existing highway network of Tilstock and provide a route to the existing bus stops. This new link provides no wider public utility or attraction for existing pedestrian movements within Tilstock to make use of it or otherwise have a reason to enter the proposed development on foot.
- 3.16 As far as walking, cycling or public transport use within Tilstock it will simply result in more people having the same offer both before and after development except for minor accessibility improvements by way of dropped kerbs and tactile paving.
- 3.17 The overall aim of policy CS7 'Communications and Transport' is to create a sustainable pattern of development which requires the maintenance and improvement of integrated, accessible, attractive, safe and reliable communication and transport infrastructure and services. These need to provide a range of opportunities for communication and transport which meet social, economic and environmental objectives by improving accessibility, managing the need to travel, offering options for different travel needs and reducing the impacts of transport.
- 3.18 In terms of highway authority oversight, the policy aims to ensure the following outcomes:
 - protecting and enhancing strategic and local cycling, footpath, bridleway and canal networks as local transport routes and for recreation and leisure use.
 - enabling the provision of accessible, affordable and demand responsive passenger transport services including bus, Park & Ride, rail, coach, taxi, community transport services and car sharing initiatives.

- 3.19 It is my view that the requirements of CS7 are not met by this proposal in relation to the protection and enhancement of sustainable journeys or creating any real opportunities for modal shift away from the private car.
- 3.20 Taking the list of facilities from the additional Transport Note Rev B (CDX.XX) there are six listed facilities with walking distances between 280m and 610m.
- 3.21 The shortest walk identified is for 280m and is to the Primary School front entrance. The majority of this walking route will be the proposed new footpath link leading to and from the new development.
- 3.22 The PROW for a short section between the development footpath connection and Tilstock Lane will be improved as a facility for movement to and from the new development, but there are no improvements proposed that would encourage further uptake of the route as an existing feature for its entire length.
- 3.23 No existing pedestrian numbers for the PROW have been provided but there is little to suggest that pedestrians make movements to the A41 via the PROW or via Tilstock Lane.
- 3.24 There are a number of facilities within 2km of the site that are not on the facilities assessment produced by the appellant. These include:
- Prees Select and Save
 - Prees Esso Garage including ATM
 - Prees Fish and Chip Shop
 - Inpost Locker
- 3.25 These facilities are within walking distance of the site but the most likely mode choice for travel to these from the development site will be by car due to the lack of dedicated walking and cycling infrastructure. These facilities could offer some local convenience without reliance on trips to Whitchurch but the development proposals have not demonstrated any attempt to maximise sustainable travel as a genuine choice to these local facilities.
- 3.26 There is significant concern at the failure to identify these facilities as part of the development proposals in the context of policies CS6 and CS7.

4.0 Local Highway Appraisal

- 4.1 The Chartered Institute of Highways and Transport (CIHT) is a chartered body providing guidance and accreditation to transport planning professionals. The knowledge base produced by CIHT is relied on in the appellants core documents Planning for Walking[CD2.16].
- 4.2 The CIHT imparts a position on 'significant' as 'The term 'significant' is not defined in the NPPF, so it is up to individual local authorities to define it based on local circumstances and their vision for the future'
- 4.3 The appeal site is relying on two distinct entry points. The first entry point connects to the B5476 Tilstock Road and provides for vehicle access only, including bicycles. The highways SOCG accepts the geometric arrangements in highways terms to provide a safe and suitable facility for the proposed users. The proposed vehicle access design offers no appropriate infrastructure for pedestrians.
- 4.4 Whilst bicycle movements are possible from the approved vehicle access it requires onward journeys to be on the carriageway mixed with vehicle traffic. LTN1/20 para 4.4.1 reinforces the position that motor traffic is the main deterrent to cycling for many people with 62% of UK adults feeling that the roads are too unsafe for them to cycle on¹ -
- 4.5 The figure below has been extracted LTN 1/20 and is presented below as Figure 1. This table relies on Passenger Car Units (PCU) where a car equals one PCU. A motorcycle equals 0.2 and a Heavy Goods Vehicle equals two PCU for example. For the purposes of this assessment it has been assumed that all vehicles are cars avoiding the need to interrogate the data any further than is necessary.

Figure 4.1: Appropriate protection from motor traffic on highways

Speed Limit ¹	Motor Traffic Flow (pcu/24 hour) ²	Protected Space for Cycling			Cycle Lane (mandatory/ advisory)	Mixed Traffic
		Fully Kerbed Cycle Track	Stepped Cycle Track	Light Segregation		
20 mph ³	0					
	2000					
	4000					
	6000+					
30 mph	0					
	2000					
	4000					
	6000+					
40 mph	Any					
50+ mph	Any					

Provision suitable for most people
 Provision not suitable for all people and will exclude some potential users and/or have safety concerns
 Provision suitable for few people and will exclude most potential users and/or have safety concerns

Notes:
 1. If the 85th percentile speed is more than 10% above the speed limit the next highest speed limit should be applied
 2. The recommended provision assumes that the peak hour motor traffic flow is no more than 10% of the 24 hour flow
 3. In rural areas achieving speeds of 20mph may be difficult, and so shared routes with speeds of up to 30mph will be generally acceptable with motor vehicle flows of up to 1,000 pcu per day

Figure 1

- 4.6 Comparing Figure 1 to the B4576 Tilstock Road which has a measured traffic flow of approximately 4000 vehicles per day then for the sections in 30mph and higher the provision of mixed traffic cycling is not supported and will exclude most potential users.
- 4.7 A first set of LHA consultee comments were presented to the appellant in the LPA Statement of Case. In response the appellant produced a technical note SH5037-11PD (CD7.6).
- 4.8 Additional data was appended to CD7.6 in the form of Automatic Traffic Count (ATC) data. This data demonstrates that cycling only makes up 8 of the 4000 vehicles per day (0.2% of all traffic)
- 4.9 The measured evidence from the appellant ATC establishes that existing cycling is disproportionately low on the B4576 Tilstock Road and it is reasonable to conclude that a major factor is the lack of protection this road provides at speeds of 30mph and greater in the context of LTN 1/20.
- 4.10 The offer for cycling on the B4576 Tilstock Road lacks genuine choice for the reasons of inappropriate infrastructure and perceived safety and is supported by evidence that almost no cycling occurs on this route currently. The position made in para 2.31 of [CD7.8] by the appellant cannot be supported – ‘In terms of confident cyclists, it is considered that using the proposed vehicular access at Tilstock Road is suitable to accommodate future cycle trips, given that the most likely desire line for cyclists would be north to Whitchurch.’
- 4.11 Whether the appeal site is an appropriate location for the development, having particular regard to accessibility to facilities and services.
- 4.12 The second access point to the site comprises a pedestrian and cycling access. This is also inadequate. Based on the internal layout drawings, a facility that supports both cycling and walking will extend from the primary street within the site for approximately 200 metres to connect with PROW 0233/28/1. This public right of way is only designated as a footpath.
- 4.13 The proposed footway / cycleway is intended for adoption as an asset maintainable at public expense based on submitted drawing [CD6.24] Adoption Plan. The outcome would be an isolated link of shared use infrastructure for which no cycling can continue, connecting to PROW 0233/28/1.
- 4.14 Due to the nature of the internal paths and carriageways and connection to the PROW, at each end of the short 200m section (approximately 35 seconds of riding) it would be necessary to dismount to legally continue along the PROW.
- 4.15 The Appellant’s technical note [CD7.6] has considered the legal status of the PROW and formed the position that:

‘it is generally illegal for cyclists, including children, to cycle on footways / footpaths unless it’s designated as a shared facility / cycle track (Section 72 of the Highways Act 1834). However, children under the age of 10 are not criminally liable for cycling on the pavement or footpath, as they are below the age of criminal responsibility. As such, it is standard and acceptable practice across the UK that children are accompanied by an adult whilst using a scooter or cycle on a footway / footpath. Considering the excellent

desire line between the site and the school via PROW Footpath 0233/28/1, it is considered that all future children will use this route, whether that be walking, scootering or cycling.'

- 4.16 I disagree entirely with this premise. The Appellant cannot resolve a planning issue by obliging users of any age to break the law. The route from the site to the PROW is the only infrastructure suitable for cycling upon, and entering onto the PROW by bicycle would be illegal. The matter pertaining to school children under the age of 10 lacks relevance to the main issue.
- 4.17 It has already been identified that due to the traffic flows and speeds of traffic that the B4576 Tilstock Road is unsuitable to support cycling and the only other alternative route that offers any level of technically appropriate infrastructure ceases to offer a legal right of way by bicycle after 200m.
- 4.18 The LHA and the LPA could lend no support to a facility that created an illegal movement and any such connection to the PROW would have to be engineered to prevent access by bicycle and inform the requirement for cyclists to dismount. Any collision occurring on the PROW between a ridden bicycle and a pedestrian would create an unacceptable liability issue on existing infrastructure.
- 4.19 For these reasons there could also be no support for the adoption of the shared pedestrian cycling route as infrastructure that offers no wider public utility.

Walking

- 4.20 The Appellant's Transport Statement [CD 7.1] leans on a number of documents to validate walking distances, particularly in relation to the distance to bus stops. The application of guidance needs to ensure that it conforms to the guidance as a whole and not rely on short sections taken out of context.

These three short statements are presented in the Appellants TA:

"The aim is to have at least one bus stop within 400 metres walking distance of every dwelling. This should be reduced to 200 metres on hilly sites." - Section A.20. Access to Bus Services' of Shropshire Council's 'SMART' (2021) – [CD2.15];

"Custom and practice for many years suggests a maximum walking distance of 400 metres from a bus stop.....These standard distances should not be applied uniformly without regard to the specific characteristics of the particular location or route." – Section 4.5 CIHT 'Buses in Urban Developments' guidance (2018) [NOT A CORE DOCUMENT]; and

"When assessing the accessibility of a new development on foot we suggest that the 85th percentile distance should be used to estimate the distance up to which people are prepared to walk" – Page 2 How far do people walk? WYG (2015) – [NOT A CORE DOCUMENT]

- 4.21 For reasons that have not been explained the document Buses in Urban Transport was removed from the appellants core document list and the WYG paper was never included. However as they have been relied on in the original Transport Statement [CD7.6] commentary has been provided.
- 4.22 What should be noted is the approach to the changing presentation of highways matters and documents that are or are not being relied on whilst retaining the positions within

other submissions.

LHA Position on WYG Paper – How Far do People Walk?

- 4.23 The WYG paper 'How Far do People Walk' has factored into appeal led representation since its first publication in 2015 and has been presented within the appellants Transport Statement as a publication of high value when considering the matter of acceptable walking distance particularly in relation to walking distance to bus stops.
- 4.24 This paper is not a reliable document in terms of its approach to addressing acceptable walking distances as part of assessment of planning applications.
- 4.25 The paper only reviewed how far people have to walk to facilities with no understanding of why the distance to facilities existed or whether there was any other genuine choice of modes. The conclusions of the paper simply increase the maximum walking distances for all facilities.
- 4.26 The CIHT has published three documents since 2015 that could have taken the opportunity to build upon the WYG research paper and these are:
- Better Planning, better transport, better places - published 28 August 2019
 - Buses in Urban Developments - published 23 January 2018
 - Creating better streets: Inclusive and accessible places - published 9 January 2018
- 4.27 Not one of these documents refers to or addresses the WYG report in over 50 clear document references appended to them. There is no value in submitting these as core documents for what they do not contain so I have not added these as necessary to my professional position within this proof.
- 4.28 The second statement used by the appellant in the Transport Statement is from Buses in Urban Transport which is clear that specific circumstances of a location or route in an urban location may allow for increased walking distances.
The WYG report does not take specific circumstances of a location or route into account in its recommendations.
- 4.29 In observing the proposal and the location of existing bus stop the proposal has simply sought to justify its position approximately 445m from the site boundary.
- 4.30 The proposed housing at the northernmost part of the site will result in walking distances that greatly exceed 445m. The Transport Statement [CD7.1] has also concluded that 'there are properties located along Diglake and Hollins Lane, whereby the walk distance to the existing bus stop is beyond 400m and this is inherently deemed to be acceptable to the Local Highway Authority'.
- 4.31 This is a poor conclusion from the appellants transport consultant. The number of dwellings in Tilstock that are currently more than 400m from bus stops is very low. There are only two dwellings on Hollins Lane from the row of houses that are further than 400m from a bus stop.
- 4.32 This new development proposes 70 new dwellings which will all sit further than 400m from existing bus stops and provide worse accessibility to public transport than every existing dwelling within the confines of the settlement boundary of Tilstock.

Local Facilities Review

- 4.33 The list of local facilities is taken from the Appellant's technical submissions with agreed walking distances.

Facilities within Tilstock

- Nearest Bus Stops (Tilstock Lane) 445m
 - Bradbury Village Hall & Play Park 400m
 - Christ Church 400m Tilstock
 - Primary C of E Primary School 280m
 - Bowling and Tennis Club 330m
 - Horseshoes Public House 610m
- 4.34 The Appellant's technical submissions also provided walking distances to these facilities via the Tilstock Road vehicle access. Given the lack of pedestrian facility available from the vehicle access, the appropriate walking distances provided should be based on the pedestrian route to the PROW being supported.
- 4.35 Other than the primary school and bus stops, the facilities available to new residents will be limited. For new residents many of the identified local facilities will not meet daily needs.
- 4.36 As identified earlier within this proof there are several facilities within a 2km walking distance of the site that the appellant has not sought to engage as part of their submission. These are repeated as follows:
- Prees Select and Save 1800m
 - Prees Esso Garage including ATM 1800m
 - Prees Fish and Chip Shop 1800m
 - Inpost Locker 1800m
- 4.37 The walking distances provided are based on my own assessment of how the distance to facilities in Tilstock has been measured by the appellant. The facilities could also be engaged by the PROW with walking distances of approximately 2.2km.
- 4.38 The offer presented from the facilities in Prees is the nearest essential daily needs facility. It has not been identified or engaged by the appellant as an area that could or should be walked or cycled.
- 4.39 I cannot establish why these facilities and the opportunities with bringing them into these development proposals has not been integrated into the transport strategy for the appeal site.
- 4.0 Due to the lack of identification and integration I am of the view that the most likely mode of travel to these facilities that will be safe and suitable will be the private car further undermining the opportunities to provide a genuine choice for all modes.
- 4.41 No route other than the PROW has been provided for pedestrian connectivity. The agreed vehicle access point is otherwise isolated and disconnected from the wider village by any mode other than car.
- 4.42 The lack of sustainable connectivity to the wider village from the vehicle access point is a significant issue. In many cases, if sustainable movements were achievable from the vehicle access, shorter walking and cycling movements to facilities would be achieved. The proposal does nothing to overcome these barriers to movement or take up

opportunities for shorter walking and cycling trips.

Cycling

- 4.43 In terms of distance the journey times for cycling would allow for cycling to Whitchurch to be achieved in under 20 minutes – 13 minutes at an average of 12mph.
- 4.44 The route along the B4568 requires a roundabout crossing of the A41 with no dedicated facilities and is unlikely to result in cycling trips for any but the most confident of cyclists.
- 4.45 As stated previously in para 4.10 of this proof the B4568 does not offer a suitable level of facility to encourage cycling as a genuine choice along this route.

Public Transport

- 4.46 The frequency for the local bus services is low and those services do not always serve all stops along those routes [CD7.11]
- 4.47 There would be a requirement to structure travelling around the timings of the bus services in a manner that is unlikely to support anything other than the most routine of employment. Individuals that require greater flexibility in travel will not be able to rely on the service level of the local buses for daily transport planning.
- 4.48 Due to the lack of frequency of services shorter trips to access local facilities are frustrated by lack of return services and services not operating two-way after 6.30pm on weekdays.
- 4.49 Compared to the existing housing stock in Tilstock this new development would be placed further from bus stops and greatly increase the number of dwellings more than 400m from any existing bus stops.

5.0 **STREET LAYOUT REVIEW**

5.1 PARA 115 of the NPPF [CD2.1] places the requirements for assessment of individual sites to include :

- (a) sustainable transport modes are prioritised taking account of the vision for the site, the type of development and its location;
- (b) safe and suitable access to the site can be achieved for all users;
- (c) the design of streets, parking areas, other transport elements and the content of associated standards reflects current national guidance, including the National Design Guide and the National Model Design Code 48 ; and
- (d) 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 through a vision-led approach.

This is furthered by Para 117 which states that applications for development should

- (a) 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;
- (b) address the needs of people with disabilities and reduced mobility in relation to all modes of transport;
- (c) 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;

5.2 Shropshire Council have developed the Shropshire Manual for Adoptable Roads and Streets (SMART) guide [CD2.15]. This was produced in 2021 and refers to best practice guidance within in. The list is not exhaustive and that a developer is responsible for establishing all current applicable guidance.

5.3 For example, the best practice initial list does not include Local Transport Note 1/20 Cycle Infrastructure Design [CD7.13] but use of this document is an expectation for good design.

5.4 There are a number of submission plans that cover the areas where the SMART guide applies. Ultimately the SMART guide is a document to support technical approval. Planning layouts that lack detailed design elements can reasonably be expected to require amendments through a technical approval process.

The most relevant plans submitted by the appellant in relation to highways layout and related matters are:

- | | |
|-------------------|---------|
| • Adoption Plan | CD 6.24 |
| • Refuse Strategy | CD 6.25 |
| • Site Layout | CD 6.26 |
| • Street Scene | CD 6.27 |

- Parking Plan CD 6.17
- Garages CD 6.12
- Garages CD 6.13

Access Arrangement

- 5.5 Taking the adoption Plan [CD6.24] and looking at the proposed access arrangement onto the B5476 Tilstock Road the shaded blue areas need to be addressed.
- 5.6 The existing highways extents are not shown on any submissions made by the applicant. For the purposes of this proof it is sufficient to state that all areas outside the application boundary red line fronting the B5476 are public highway.
- 5.7 It is notable that the proposed access requires the adoption of a new area north of the access to achieve a sight line. This element has not been designed in detail and placing this burden of maintenance on to the public purse to maintain this site line at all times would be a questionable outcome.
- 5.8 The proposed access is only geometrically acceptable by increasing areas of highways rights and all of the maintenance burden onto the highway authority at public expense.
- 5.9 There appears to be nothing beneficial in taking on additional maintenance responsibility in this location. This area will not be supported for adoption by the local highway authority and if access is approved this area should remain private and the responsibility of the development.

Internal Streets

- 5.10 The proposed adoption plan provides no dimensions on carriageway widths. None of the plans listed above provide dimensions for proposed carriageway or footways.
- 5.11 Referring back to the appellants Transport Statement [CD7.1 – page 19 of 51] there are written statement about the proposed streets as follows:
- 5.12 'As shown in Drawing Number SH5037-10PD-002 Rev B (contained at Appendix E), the site layout shows an internal street network, confirming that it will comprise of the following hierarchy:

The first will be a 'primary street' arrangement that will comprise of a 5.5m carriageway that will be bound by a 2m footway on both edges that will serve as connection to residential dwellings, shared surface arrangements and private drives within the site. This arrangement will be subject to a 20mph speed limit.

The second will be a 'shared surface' arrangement that will comprise of a width of 6m that will be bound by a 1m verge / service margin at both edges. This arrangement will extend off the primary street that will be delineated by a change of surfacing, subject to a 15mph design speed and is limited to serve a maximum of 25 dwellings.

The third will be a 'private drive' arrangement that will generally comprise a varied width of up to 4.8m. This arrangement will generally feature shared surfaces and is limited to serve a maximum of 5 dwellings.'

- 5.13 The reference to Appendix E in the transport statement is not correct and leads to TRICS outputs. The correct reference is Appendix D where plan SH5037-10PD-002

Rev B is contained.

- 5.14 The written description of the proposed primary street is that a 5.5m wide carriageway will be bound by 2m footways on both sides. This is not reflected in the drawings where the initial presentation of the primary street includes a wide verge separating the carriageway from the footway on the northern side.
- 5.15 The written description of streets states that they have been laid out to a 15mph design speed. In highways design terms no such design speed can be appropriately applied. Design speeds should match to speeds that can be prescribed by legislation. In this instance the lowest legally permissible speed limit is 20mph.
- 5.16 It may seem of lesser concern at lower speed in terms of overall safety but it is wholly inappropriate to design for a lower speed and establish a higher speed limit. The layout will lack tolerance when traversed at speeds over 15mph leading to a very high likelihood of over-run, strikes and damage to infrastructure.
- 5.17 The creation of a new layout of this nature would be unadoptable as it carries a much higher risk of exceeding local highway authority expectations of routine maintenance as it will be poorly laid out with an incorrect design speed compared to the appropriate speed that is legally permissible.
- 5.18 There must be no confusion that this is not a point of safety and speeds of collisions. It is the lack of tolerance in the layout by design creating a set of movement rules that are more rigid than the speed users should reasonably anticipate to proceed. In applying this approach, the layout carries a greater and unacceptable level of risk in increased maintenance.
- 5.19 Manual For Streets [CD2.13] clarifies the concern where it states '7.4.8 A speed limit is not an indication of the appropriate speed to drive at. It is the responsibility of drivers to travel within the speed limit at a speed suited to the conditions. However, for new streets, or where existing streets are being modified, and the design speed is below the speed limit, it will be necessary to include measures that reduce traffic speeds accordingly'
- 5.20 The proposals have not applied measures that reduce traffic speeds accordingly to create a consistent 15mph traversable highway. There are sections that can be traversed at speeds greater than 20mph leading to isolated bends with visibility limited to 15mph but there is no evidence that the layout can only be taken at a speed of 15mph or less. The layout is unacceptable in relation to design speed.
- 5.21 Looking now to CD6.24 – Adoption Plan there are visibility splays shown in green on bends within the site. Visibility has not been shown at junctions / give-way points. The area of carriageway shown outside plots 64 and 65 is a bend around plot 64 and has not been shown.
- 5.22 The green visibility splays are based on 15mph design speed affording 17m of visibility. These visibility splays extend over proposed private gardens are not wholly within the adoption extents shown. This can be seen best outside plot 59 where on closer examination the visibility on private area is shaded a different grey colour the adoption blue colour.
- 5.23 Creation of new visibility that would be relied on for good decision making when making use of a highway is very questionable. Of greater concern is that the visibility in these locations is not limited to only that required, meaning that higher approach

speeds could occur.

- 5.24 Taking this concern in combination with plan SH5037-10PD-002 – Appendix D Sheet 3 [CD7.1] the swept path drawings for cars demonstrate the absolute lack of tolerance or margin for area in negotiating these bends.
- 5.25 Whilst I have no further information in relation to the swept path undertaken I am confident to make the assumption that the swept paths shown have been drawn at 5kph in forwards gear and do not reflect the behaviour of negotiating a bend at 15mph or 20mph.
- 5.26 These proposed movements are to occur on the shared streets in the areas where pedestrians and cyclists are could also be travelling through these bends on the shared space. Given the absolute constraints for motorists in negotiating these bends it is not possible to conclude that pedestrians or cyclists have been afforded priority first in these areas of the proposed layout.
- 5.27 There are significant concerns in relation to the design speed approach to this layout that is being considered as part of this full planning application under appeal.

Parking

- 5.28 The proposed parking plan P24-1425_DE_002_B_07 submitted with the planning application does not appear to be a core document.
- 5.29 The layout demonstrates 70 dwellings and 174 on-plot parking opportunities. The development proposed parking at a ratio of 2.48 cars per dwelling.
- 5.30 I now refer to the Whitchurch Rural Parish Profile 2014 [CD7.12]. In 2014 the rural parish area comprised 605 households and 1127 cars. This provides a ratio of 1.86 cars per household.
- 5.31 The Whitchurch Rural Parish Profile reflects a greater geographical area including those that are lesser populated than Tilstock and areas that lack access to public transport within 400m. The car ownership levels respond to the entire geography.
- 5.32 It is straightforward to conclude that the proposed parking levels are a significant over-provision.

Refuse Collection

- 5.33 The Refuse Strategy CD6.2 and Refuse Vehicle Track CD7.4 should be read in conjunction.
- 5.34 The refuse Vehicle track drawings demonstrate how a refuse vehicle cannot adhere to the requirements of a give-way marking at the vehicle access point. This larger vehicle requires space to move that is otherwise essential for correct adherence to road markings by other road users.
- 5.35 It could be argued that refuse collection is infrequent or an otherwise isolated event but there is no provision for a vehicle requiring another vehicle to disobey the requirement to take the road as it is found. In this case requiring any user of the highway to move from a safe waiting position would not be acceptable.
- 5.36 Of most concern is the top left frame of drawing SH5037-10PD-003 rev B where a

large vehicle turning into the site has to cross the oncoming lane within the site. There is no visibility afforded to movements along the primary street or from the private access to prevent them from being placed into a direct conflict with a much larger vehicle.

- 5.37 Looking across all the refuse swept path drawings it is clear to see that some areas of the site are so wide that the refuse vehicle appears small with ample carriageway facility on wide streets. Whereas on bends the vehicle is so dominant that there are minimal opportunities on bends for traffic to pass including pedestrians and cyclists.
- 5.38 The large vehicle movements as shown are dominant and require first priority taking shared space away from pedestrians and cyclists.

Movement Hierarchy

- 5.39 Having reviewed the layout in the context of the space given over to car parking, wide carriageways and shared areas where vehicles are introduced as the dominant movement the overall concern becomes whether this layout can be interpreted as giving priority first to pedestrian and cycle movements, both within the scheme and with neighbouring areas in accordance with Para 117(a) of the NPPF.
- 5.40 It is important to address that pedestrian movements into the site can only safely and acceptably arrive from the PROW route coming from the south-west corner of the site.
- 5.41 There is nothing to infer priority for pedestrians from the pedestrian access point as the route splits and leads to locations where pedestrians cannot continue without interruption.
- 5.42 The first location is an informal crossing point with tactile paving on a bend opposite plot 16. At this point pedestrians will need to evaluate the movement of vehicles and make a decision to cross when safe. If this location was laid out as a side road the pedestrian movements should be allowed to cross with any vehicle automatically giving way.
- 5.43 As such the layout by providing a road crossing at this location lessens the onus on vehicles giving way to pedestrians thus reducing the priority that pedestrians have in this environment.
- 5.44 The second pedestrian exit point into shared space is simply a path that enters into the shared space. Pedestrians paying attention to their surroundings are unlikely to simply enter into a shared space on a bend, concerned about the potential conflict of cars or larger vehicles.
- 5.45 However, the entire premise of a shared space and a footpath leading to it should be that there is no interruption to the pedestrian experience and all the responsibility for movement sits with those that could do the most harm.
- 5.46 The layout of the street pattern seems to encourage pedestrians to the primary street despite the fact that its function is clearly not for pedestrians. Multiple opportunities to take pedestrians away from carriageways and junction crossings are missed within the layout.
- 5.47 If a pedestrian was to walk a loop of the site they would experience,

- footpath,
- crossing a road,
- footway segregated by verge from carriageway
- shared surface
- footpath
- shared surface
- footway
- shared surface
- footpath

5.48 Overall, the pedestrian experience across this environment lacks legibility that pedestrians have priority for movement in all circumstances as should be the case.

Cyclists

5.49 There is no acceptable provision for cyclists from the south-west corner of the site. Cyclists can only legally make use of the vehicle access onto Tilstock Road.

5.50 The only offer to cyclists within the site is to make use of carriageway areas. Routes available to pedestrians are not available to cyclists including the pocket park and footpath connecting shared drives to the west of the layout.

Vehicle Movement routes

5.51 The street system available to vehicle movements supports movement across the whole site. The layout of housing results in greater widths of carriageway on shared streets.

5.52 It is possible to pass the majority of dwellings without needing to traffic the primary street presented within the proposals. I cannot establish why the direct nature of the primary street is presented when the layout could accommodate vehicle movements in a circuitous fashion.

5.53 In each instance the shared surfaces present themselves twice onto the primary street. There is a complete loss of legibility as to why some routes should be trafficked by vehicles. The use of excess carriageway has simply afforded the opportunity to present more driveways and more parking opportunities into a layout.

5.54 By design the primary street will receive less vehicle movements than some of the shared streets. The section of primary street in front of plot 43 is dead space, not required for servicing or emergency access and serves to wider purpose.

5.55 Overall, the primary street is wholly unnecessary to support the site which would otherwise be accessed and served without its presence.

5.56 The design creates false intersections of vehicles by causing two streets to meet at multiple locations.

5.57 The layout provides a dominance for private car movements throughout and is wholly unnecessary and to the detriment of sustainable movement across the site.

Overall analysis

5.58 No part of the proposed layout demonstrates an innate priority for sustainable

movements, genuine choice for all modes or priority first for walking and cycling.

- 5.59 The internal layout is over-reliant on an offer of wide carriageways to maximise the number of private dwelling driveways that can be incorporated into a layout that provides dominance for vehicles at the expense of sustainable movement in terms of accessibility and priority.

6.0 Conclusions

- 6.1 My conclusions following my proof are provided below.
- 6.2 The existing settlement of Tilstock benefits from safe and suitable access to bus stops within 400m walking distance or less for almost every single existing dwelling.
- 6.3 Access to bus stops from existing dwellings with a walking distance exceeding 400m is the exception and not the rule and is limited to a few dwellings requiring walking distances slightly greater than 400m.
- 6.4 Every dwelling from the proposed development will require walking distances greater than 400m to access bus stops.
- 6.5 The development will provide an excessive level of parking based on known travel choices and behaviours in this rural parish.
- 6.6 The development will not engage walking or cycling to the nearest locally available facilities within 2km of the site.
- 6.7 The development proposal vehicle access requires a burden of responsibility to be placed on highway maintenance that has not been sufficiently designed and is unacceptable as an additional public maintenance responsibility
- 6.8 The development provides no legal, safe or suitable facility for the provision of cycling to and away from the site.
- 6.9 The development access point and internal system of streets is alien to the context of Tilstock as a highway network and fails to embrace any of the existing street patterns within its design.
- 6.10 There are no safe or suitable walking opportunities to leave the confines of Tilstock and access facilities that support daily needs.
- 6.11 There are no safe or suitable cycling opportunities to leave the confines of Tilstock and access facilities that support daily needs.
- 6.12 The public transport offer in Tilstock is limited to a frequency of service that cannot be relied on for the purposes of commuting or accessing shops, particularly at night-time when there is a lack of two-way services.
- 6.13 There is no genuine choice to travel from Tilstock to a destination outside the settlement boundary by any means other than a vehicle, whether as a driver or passenger.
- 6.14 For the reasons outlined above the development encourages and incentivises car ownership and car use in a location that will be almost wholly reliant on vehicle trips to achieve access to daily needs. Sustainable movement will not be a beneficial outcome of development in this location.
- 6.15 These are my professional conclusions and complete my proof.