

This response has been produced to be read as a formal highways position in relation to application 24/04176/FUL which is also at appeal under reference APP/L3245/W/25/3362414.

Prior to this no formal highway comments have been provided. Comments were made to the Planning Case officer, and these were summarised in an email to the inspectorate and applicant's agent on 11 April 2025. The summarised position is copied below:

'Regarding comments from the Highways Authority, while the LPA has not yet received a full response, the Highways Authority has provided some interim comments to assist the Inspectorate in outlining their likely position on the proposed development:

- *Concerns raised in regard to the level of information provided as part of the planning application in relation to vehicular access arrangements and the in-combination speed limit change which is not supported as contrary to good practice advice.*
- *There is an overall insufficient provision of sustainable modes of travel and lack of connectivity with the settlement and any facilities/services.*
- *The appeal site is in an unsustainable location, in transport terms, that will lead to a high reliance on private car use for retail, employment, health and secondary education.*
- *Concerns in regard to the overall design of the layout in regard to street hierarchy, parking and servicing provision.*

The LPA can confirm that the proposed development's access arrangements and sustainability (in transport terms) will form part of the reasons for refusal. However, as outlined above, this is unlikely to result in large amounts of highly technical data. Instead, the reasons listed above are objectively determined based on the appellant's own submission and the location of the appeal site. We will seek to provide the appeal and the Inspector with the full comments made by the Highways Authority at the earliest opportunity.'

This formal response will focus on the key areas already addressed and will not seek to add any new matters, recognising that formal comments have not been produced until now.

As such, comments are based on the current position of the application and for that reason any documents or drawings will be referenced so that they can be clearly drawn out as documents that may be viewed as part of the appeal process.

The application submissions and appeal submissions do not include copies of all documents and each section will be written in chronological order reflecting the elements that are being responded to.

Vehicular Access Point

24/04176/OUT

SH5037-10PD-001 REV D – 11 Feb 2025

Designers Response – 11 Feb 2025 (CD7.2)

Transport Statement

Highway Authority response

A speed survey was undertaken in the vicinity of the proposed access point where the existing speed limit change is sited.

The measured data fails to provide speeds at the end point of visibility splays and there can be little argument that speeds in the 30mph section will be lower and speeds in the national speed limit section will be higher.

At a proposed point of access measured speeds should be taken at the anticipated extent of the visibility envelope. For example, to the north where speeds beyond the village can legally be up to 60mph, then speeds should first be measured roughly 210m from the access point. To the south within the 30mph this should be 43m from the access point. Factors of highway geometry would add further influence on the need for further ATC points to understand accelerating and decelerating behaviour on the existing road where no access is currently present.

Taking the assessment work and drawing SH5037-10PD-001 Rev D there are a number of elements that can be agreed:

- The forward visibility travelling north through the bend to the car waiting to turn into the proposed access is acceptable at 59m.
- The overall geometry of the proposed junction radii is acceptable.

The following matters are not agreed

- The introduction of a sign to Diagram 516 has not been sufficiently investigated to find the use acceptable especially given that the highway is not changing in this location.

- The Road Safety Audit (RSA) CD7.2 has recommended a relocation of the speed limit. The RSA is not a design check or verification that a scheme meets design standards. It has not been adequately presented that the RSA recommendation has been achieved by applying the correct standards for setting a local speed limit.
- The extension of the speed limit to the point proposed has not been sufficiently investigated in the context of Setting Local Speed Limits (Dft March 2024). Existing speeds at the proposed speed limit change point could be as high as 60mph in both directions. With no other change or engineering basis instructing a 30mph speed limit on highway that is not designed any differently and otherwise currently operates at much higher speeds is wholly inappropriate.
- Any speed limit change of the type proposed could not guarantee behavioural change in speed and setting visibility based on the existing speed limit change over is a poor evidence base.
- There is nothing within the submissions to satisfy that northbound right-hand turns will not queue, and that the absence of a right-hand turn lane is appropriate. The overall decision would fall wholly under expertise and discretion.
- Given the presence of 'Slippery Road' signs to Diagram 557 on the southbound approach to Tilstock and that these signs are applied when the risk of skidding is greater than normal placing the proposed speed limit change on a bend on this section of road with insufficient forward visibility to the signing, could further increase the risk of sudden braking on a road that has already been identified with this issue. This matter was not addressed in the RSA as it did not form part of the access proposals at that time.
- In that regard the RSA relates to a version of access that is not under consideration.

Highways Appeal Statement

The highways appeal statement CD X.X in paragraphs 3.13-3.14 furthers the access points and visibility positions from the appellants perspective.

To be accepted this requires the reliance on a single data set for measured speeds.

What is agreed is that if measured speeds show that visibility can be achieved within existing speed limits there is no justification, or evidence that relocating the speed limit is necessary. The highway authority would add that there is also no evidence that it would be appropriate or safe.

If, to achieve a safe and suitable access it was absolutely necessary to reduce vehicle speeds and achieve this by design and also make a traffic order then it should be a

requirement of the development. A contribution would impart that there is no necessity to the works.

Other factors to consider are the existing system of street lighting, how this terminates in proximity to the existing speed limit change. How a rural national speed limit and street-lit 30mph are self-enforcing without the requirement to promote a traffic order.

Nothing has been presented to enhance the existing rural section of highway with street lighting within the proposed 30mph and in that regard the night time operation of the new access is also a concern.

Active Travel – Connectivity

The highways appeal statement has provided a walking audit.

The application walking strategy requires works to a public right of way (PROW) 0233/28/1. Alterations to the PROW are proposed in the form of surfacing, lighting by way of a planning contribution.

This would be the only safe and direct means of access for pedestrians to wider facilities. It should be for the applicant to deliver by agreement with works undertaken by the applicant, if the development is allowed.

There is insufficient information relating the PROW, the available width, the introduction of an acceptable lighting solution and acceptance of the change in character to the PROW that would result from making this a direct means of access for pedestrians.

A S106 contribution that is unquantified and unqualified would carry extraordinary risk and burden on the council to deliver the direct means of access to this site for a fixed sum for works that may be undeliverable in principle and in cost terms.

This access matter should be placed directly on the applicant to agree and deliver at their own costs.

A number of decision notices relating to sites with alternative pedestrian access have been provided. The highway authority does not have a negative position on the provision of active travel direct access that differs from vehicle access points, in principle.

Therefore, we do not expect the principle to be matter for consideration as part of any appeal.

The PROW route cannot cater for cyclists. Cyclists will have no option but to make use of the carriageway offer from the proposed vehicle access point. The lack of dedicated infrastructure for cyclists will not convey a genuine choice for users of all abilities.

The best rational argument would be a school child that could not ride to school via the PROW and would otherwise have to leave the site via Tilstock Road and ride on

carriageway to the school entrance. There can be little argument that the genuine choice has been removed except for the accomplished and confident cyclist.

The element of genuine choice has already been partially addressed.

The village of Tilstock has limited facilities within the settlement boundary. The quality of infrastructure provision for walking and cycling is low and the development by design inhibits genuine choice for all modes.

Further to that point of genuine choice, the proposed PROW route for pedestrians takes walking away from some local destinations to the west. Whilst this is not necessarily unacceptable it demonstrates the application strategy only achieves what it intends to and does not seek to improve any other connectivity within the confines of the village.

The proposed improvements drawing with the Highways Appeal Statement CDX.X SH5037-11PD-001 offers a very small enhancement and it is not commensurate to a development of this scale adding further pressure to the infrastructure that is Tilstock village.

Sustainable Location

The local facilities have been considered within the Transport Assessment and are provided here as agreed:

Amenity / Facility	Tilstock Road Route	Pedestrian Access Connection Route
Nearest Bus Stops (Tilstock Lane)	475m	445m
Tilstock Bradbury Village Hall & Play Park	670m	400m
Tilstock Christ Church	530m	400m
Tilstock Primary C of E Primary School	680m	280m
Tilstock Bowling and Tennis Club	590m	330m
Horseshoes Public House	520m	610m

Table 1. Comparison of Approximate Walking Distances to Local Facilities

Once this limited number of facilities is taken the need for other journeys with purpose becomes reliant on private car use, if public transport is not taken up.

For the RTPI key facilities of work place, health centres, secondary education and retail including food shops there are no facilities locally and the over-riding outcome will be car reliance for all other lifestyle travel choice.

The lack of a convenience shop is notable and for almost all facilities travel to Whitchurch is required and the most likely mode of travel for all times of day, at a distance of roughly 4km will be the private car.

The location will require development to be car-reliant and no travel plan could successfully achieve walking and cycling modal shift due to the cut-off nature, lack of quality walking and cycling infrastructure provision and journey times, from Tilstock to key facilities.

Internal Layout

There is not a significant difference between the primary street and shared streets. They do lack any contextual relationship with the B5476 and the principle of a hierarchy of streets is not created from the B road. It would be expected that the internal streets would be 20mph, however there are level changes proposed and visibility across gardens which raise concerns as to the layout and whether it constitutes a high-quality design.

The shared streets are shown at a 15 mph design speed which is not an enforceable speed limit. Design must reflect speeds that can be appropriately set which is 20mph

The internal streets have very limited public utility, and the majority of new streets are proposed for adoption. The layout requires the refuse collection vehicle to travel across all the proposed adopted streets.

Parking is proposed in tandem for the majority of dwellings and no consideration of on-street parking which is likely to occur has been carried out.

Given the reliance of this proposal on safe and suitable access for pedestrians via the PROW the internal layout does not resonate that these movements are the focus of the layout and there is an over-reliance on the creation of new carriageway which dominates the internal movement strategy.

Conclusion

The Highway Authority position is that it recommends refusal for the following reasons:

- Insufficient information has been provided to satisfy that safe and suitable highways access for vehicles to the site can be achieved.
- The site is in an unsustainable location in relation to access to key facilities with a reliance on private car use, due to the limitations including frequency and times of day to public transport services and lack of wider walking and cycling connectivity.
- The impacts of the proposals in walking terms have not been acceptably demonstrated in terms of impacts on an existing Public Right of Way.(117a, 117c)

- The internal layout does not sufficient respond to the vehicle access, pedestrian access and street hierarchy to demonstrate priority first for sustainable modes (117a, 117c)