## DOCUMENT REF: H628-SoCG-v3

## Town and Country Planning Act 1990, Section 78

## Land at Oakley Farm, Cheltenham, Gloucestershire

## **Appeal by Robert Hitchins Limited**

Cheltenham Borough Council	Planning Inspectorate
20/01069/OUT	APP/B1605/W/21/3273053

### STATEMENT OF COMMON GROUND

ON

### HIGHWAYS AND TRANSPORTATION-RELATED MATTERS

(SOCG – HIGHWAYS)

### AGREED BETWEEN

### GRAHAM EVES OF PFA CONSULTING FOR THE APPELLANT

AND

### STEPHEN HAWLEY FOR GLOUCESTERSHIRE COUNTY COUNCIL

Draft (Version 3) dated 19 August 2021

### 1. INTRODUCTION

- 1.1. This Statement of Common Ground dealing with highways and transportation-related matters (SoCG – Highways) has been prepared by Robert Hitchins Limited (the Appellant), represented by PFA Consulting Ltd (PFA Consulting) and Gloucestershire County Council to identify the areas where the parties are in agreement and, in accordance with the inquiry rules, to identify the matters which remain in dispute, and which require evidence to be adduced.
- 1.2. The Appeal arises as a result of Cheltenham Borough Council (the Council) not determining the planning application within the prescribed period. The application was for a residential development for up to 250 dwellings including open space and landscaping, vehicular access from Harp Hill, parking, and supporting infrastructure and utilities. It is in outline with all matters reserved for future approval.
- 1.3. The Council's Rule 6 Statement sets out 7 putative reasons for refusal; reason 3 deals with transport impacts and states:

### **Refusal Reason 3**

The proposed development would, by virtue of design, layout and traffic generation result in a severe impact on the highway network and would fail to provide a safe and suitable access for all users, contrary to paragraphs 108, 109 and 110 of the National Planning Policy Framework, Policies INF1 and INF6 of the Joint Core Strategy (adopted December 2017), Policies LTP PD 0.3 and 0.4 of the Local Transport Plan (adopted March 2021), Policy CE10 of the Cotswold AONB Management Plan 2018-23 and Manual for Gloucestershire Streets (adopted July 2020). "The application has not demonstrated that there would be an acceptable impact on the local and strategic road network in conflict with Policy INF1 of the Gloucester, Cheltenham and Tewkesbury Joint Core Strategy 2011-2031 (December 2017) and the National Planning Policy Framework."

1.4. Reason 7 deals with the need for agreements to secure the provision of necessary highway improvements works and the funding and implementation of the Residential Travel Plan and states:

### **Refusal Reason 7**

Policies INF4, INF6 and INF7 of the Joint Core Strategy (JCS) (adopted 2017) (and Policy Cl1 of the Cheltenham Plan) state that where infrastructure and services requirements are generated as a result of site proposals, new development will be served by appropriate on and/or off site infrastructure, services and other remedial measures. Financial contributions towards the provision of necessary infrastructure, services and other remedial measures will be sought through the s106, s278 or ClL mechanisms, as appropriate. The proposed development would lead to a requirement for necessary offsite highway improvement works (JCS Policies INF1 and INF6) and the implementation of the Residential Travel Plan.

No agreement has been completed to secure the provision of necessary highway improvements works and the funding and implementation of the Residential Travel Plan. The proposal fails therefore to meet the expectations of Policy INF1 and INF6 of the JCS (adopted 2017), Policy Cl1 of the Cheltenham Plan (adopted 2020) and guidance on developer contributions set out in the NPPF.

### 2. SITE AND SURROUNDING AREA

2.1. Matters concerning the site description, location and background to the application and subsequently the appeal are set out in the main Statement of Common Ground agreed between the Appellant and the Council.

### **3.** MATTERS THAT ARE AGREED

### The Highway Network

- 3.1. The appeal site is bounded by Harp Hill to the south, existing residential development to the west and north, and further residential development and Hewlett's Reservoir site to the east. Cheltenham Footpath 86, a Public Right of Way, routes along the western boundary connecting Harp Hill with the B4075 Priors Road, via the existing farm access track. The farm access track extends eastwards from the B4075 Priors Road along the northern extent of the application site.
- 3.2. Harp Hill borders the site to the south and is subject to a 30mph speed limit within the vicinity of the application site and street lighting is present. There is no provision for pedestrians along the majority of the site frontage, although an informal path appears to have been formed along the verge on the southern side of the carriageway in front of the existing residential properties.
- 3.3. Priors Road is located to the west of the application site and connects with Cheltenham PROW Footpath 86, the key existing pedestrian access route to the application site.
- 3.4. Priors Road routes between the double roundabout junction with Harp Hill, to the south, and Prestbury Road, to the north. Priors Road is a single carriageway with one lane in each direction, with the exception of the signalised junction with Redmarley Road, where there are additional lanes for right and left turning traffic. Staggered Toucan crossing facilities are provided at the junction across Priors Road and Redmarley Road. Priors Road has street lighting, a footway on either side and is subject to a 30mph speed limit.
- 3.5. The existing B4075 Priors Road / Hales Road / Harp Hill / Hewlett Road double roundabout comprises two 3-arm roundabouts, one of which is a mini roundabout, located approximately 45m apart, measured from the central islands. There is one traffic lane on all approaches. There are footways on both sides of the carriageway with uncontrolled crossing points on all external approaches to the junction as well as across the centre section between the junctions, the majority of which have dropped kerbs and tactile paving.

### **The Means of Access**

- 3.6. The application is in outline with all matters including access reserved for subsequent approval.
- 3.7. The access arrangements from Harp Hill can be secured by a suitably worded planning condition.
- 3.8. Pedestrian and cycle access will be from the existing Oakley Farm access track from Priors Road which is also the route of Cheltenham Footpath 86. This will deliver a segregated footpath and cycleway into the site from Priors Road.

### The Transport Assessment

- 3.9. A Transport Assessment (TA) (H628-DOC3 TA dated 12 March 2020) was submitted with the planning application having been the subject of a scoping exercise with GCC. The TA considered the transport effects of the proposed development on the existing transport networks and how improvements to mitigate impacts could be made to the highway network.
- 3.10. Agreement was reached on traffic generation based on the TRICS database, trip distribution, the assessment years, committed development, traffic growth and the scenarios to be tested to assess the traffic impact of the proposed development.
- 3.11. Following the submission of the planning application further work has been carried out dealing with technical issues raised by GCC. This has resulted in updates to the traffic modelling including the

development of a Paramics model for the B4075 Priors Road / Hales Road / Harp Hill / Hewlett Road double roundabout and 2031 future year assessments to ensure planned growth is accounted for in the modelling.

### **Traffic Impacts**

3.12. Various scenarios have been assessed to establish the traffic impacts of the proposed development for the weekday AM peak (08:00-09:00) and weekday PM peak (17:00-18:00) time periods. These are set out in **Table 1** below.

### Table 1: Modelled Scenarios

Scenarios Tested				
1	2019 Base Year			
2	2024 Forecast Year			
3	2024 Forecast Year + Proposed Development at Oakley Farm (250 dwellings)			
4	2031 Forecast Year			
5	2031 Forecast Year + Proposed Development at Oakley Farm (250 dwellings)			

- 3.13. The 2031 assessment year model forecasts the use of TEMPRO growth are considered more appropriate than using outputs from GCC's strategic 2031 CSV SATUN traffic model, which is too "coarse" to utilise for this specific planning application.
- 3.14. The junctions shown in **Table 2** below have been assessed for capacity using TRL's 'Junctions 9' model for roundabouts and priority junctions and JCT's LinSig model for the signal-controlled junctions:

### Table 2: Junctions Assessed for Capacity

Junctions			
1	B4075 Priors Road/Hales Road/HarpHill/Hewlett Road Double Roundabout		
2	B4075 Priors Road / Redmarley Road Traffic Signals		
3	B4075 Priors Road / Bouncers Lane Priority Junction		
4	B4075 Priors Road / B4632 Prestbury Road Priority Junction		
5	B4632 Prestbury Road / B4075 Tatchley Lane / Deep Street / Blacksmiths Lane / Bouncers Lane Double Mini-Roundabout		
6	A40 London Road / A40 Old Bath Road / B4075 Hales Road Traffic Signals		
7	A40 London Road / Greenway Lane / Ryeworth Road / Copt Elm Road Traffic Signals		

3.15. The junction modelling satisfactorily assessed the traffic impacts of the proposed development at key junctions, with the 2031 forecasts being the scenarios to be considered in assessing the traffic impacts of the proposed development. The final agreed 2031 model outputs reflecting TEMPRO growth are provided in PFA Consulting's '2031 Junction Capacity Assessment Report' (H628-DOC07 Issue 3, dated 4 August 2021).

### **Mitigation of Traffic Impacts**

3.16. Improvements to the Harp Hill approach at the B4075 Priors Road / Hales Road / Harp Hill / Hewlett Road Double Roundabout as shown in PFA drawing no. H628/04 Rev C reproduced at **Appendix 1** are required to mitigate the traffic impacts of the proposed development on the Harp Hill approach during the weekday AM peak. The improvement scheme has been the subject of assessment including a Stage 1 Road Safety Audit and CD116 compliance check. The improvement scheme can be secured through a planning condition and delivered by a Section 278 agreement prior to first occupation of any dwelling.

### Sustainable Travel

- 3.17. A Residential Travel Plan was submitted with the planning application. This was prepared as a guide to managing travel to and from the proposed development. An update to the Travel Plan (H628-DOC02 TP Issue 2 dated 26 October 2020) was produced following comments from GCC. The updated Travel Plan has been approved by GCC and will be implemented in accordance with GCC's policy for residential travel plans and will be secured under a Section 106 Agreement. The travel Plan includes remedial measures to be implemented if the targets are not met.
- 3.18. A satisfactory Walking, Cycling & Horse-Riding Assessment Report (WCHAR) (H628-DOC06, dated 14 July 2021) has been produced to identify opportunities for sustainable travel in the study area to be considered through the preliminary and detailed design stages.
- 3.19. The WCHAR has identified that there is no footway on the northern side of Harp Hill, where Cheltenham PROW Footpath 86 connects to Harp Hill at the south-western corner of the appeal site. Pedestrians must cross the carriageway to join the footway on the southern side of Harp Hill where there is no existing formal or informal crossing. A new section of footway on the northern side of Harp Hill is therefore proposed to provide a link between the proposed development, via Cheltenham PROW Footpath 86 where it emerges onto Harp Hill, and the existing footway on the northern side of Harp Hill, which currently terminates approximately 70m to the west.
- 3.20. The proposed off-site highway works to Harp Hill, as shown on PFA drawing no. H628/05 Rev A reproduced at **Appendix 2**, will improve pedestrian connectivity and benefit both existing and future residents using Cheltenham PROW Footpath 86; the works can be secured through a planning condition and delivered by a Section 278 agreement.
- 3.21. PFA drawing no. H628/08 reproduced at **Appendix 3** details proposed off-site highway works on Priors Road which comprises a toucan crossing and widening of the footway on the northern side to a shared footway/cycleway connecting the appeal site with the existing network of routes on Whaddon Road, and improvements to the bus stops either side of Priors Road. The proposed works will improve pedestrian and cycle connectivity and provide enhanced bus stop infrastructure for both existing and future residents; the works can be promoted through either a planning condition or s106 agreement and then delivered through a subsequent Section 278 agreement.
- 3.22. The existing farm track within the appeal site and which provides a direct link between the residential development and Priors Road can be improved to facilitate an LTN 1/20 compliant segregated cycleway and footway connecting the residential development to Priors Road. A predominantly 3m cycleway with localised narrowing to 2m and a 2m footway with circa. 0.5m separation is to be provided as shown on RHL drawing no. 333.E.33 reproduced at **Appendix 4** and can be the subject of a planning condition. The full details of the on-site pedestrian and cycle provision would be the subject of Reserved Matters applications.

### 4. MATTERS OUTSTANDING AND NOT AGREED AT 19 AUGUST 2021

- 4.1. Whether there will be a long term reduction in peak hour traffic as a result of changes in work patterns which have occurred during the Pandemic
- 4.2. GCC consider that the impacts of the development traffic in the 2031 assessment year would be 'severe' without mitigation at the following junctions:
  - B4075 Priors Road / Hales Road / Harp Hill / Hewlett Road Double Roundabout (beyond that proposed for the Harp Hill approach)
  - B4075 Priors Road / Bouncers Lane Priority Junction
  - Blacksmiths Lane / Bouncers Lane Double Mini-Roundabout
  - A40 London Road / A40 Old Bath Road / B4075 Hales Road Traffic Signals
  - B4075 Priors Road / Redmarley Traffic Signals as a consequence of blocking back from the Priors Road / Harp Hill junction
- 4.3. PFA consider that the 2031 forecasts applying TEMPRO growth overestimates traffic flows and the traffic impacts of the development at the above junctions.
- 4.4. The extent to which gradients of roads and pedestrian links within the site represent a severe impediment to the development of the site, particularly in respect of promotion of active travel and accessibility for people with protected characteristics.

### 5. STATEMENT OF AGREEMENT

Signed on behalf of the Appellant:

Graham Eves	Signed:
on behalf of Robert Hitchins Ltd	Dated: 19 August 2021

Signed on behalf of Gloucestershire County Council:

**Stephen Hawley** 

Signed:

on behalf of Gloucestershire County Council Dated: 19 August 2021

# Appendices









Robert Hitchins The Complete Development Solution					
Site Name: 333 - Land at Oakley Farm					
Masterplan with Cyclyway Overlay					
Drawing Number: 333.E.33		Revision:			
Drawn By:	Checked By:	Date:	scale: 1:2500 @ A2		
The Manor, Boddington, Cheltenham, Gloucestershire, GL51 0TJ Tel: 01242 680694 www.robert-hitchins.co.uk					
CAD Ref:					