

Town and Country Planning Act 1990
Planning and Compulsory Purchase Act 2004

Appeal by Tarmac

***Land at Colney Heath,
St Albans***

Summary Proof of Evidence on Transport and Accessibility

Prepared by Simon Tucker BSc (Hons) MCIHT

on behalf of the Appellant

PINS Ref: APP/B1930/W/23/3333685

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Transport Planning Consultants



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1.0 Qualifications And Experience

- 1.1 My name is Simon John Tucker. I am a Director of DTA Transportation Ltd, Transportation Planning Consultants. I am a Member of the Chartered Institute of Highways and Transportation, a graduate member of the Institution of Civil Engineers. I hold an Honours Degree in Civil Engineering from the University of Manchester.
- 1.2 I have 25 years' experience in the field of Transport Planning. I have prepared transport and traffic reviews, Transport Assessments and contributed to the process of Environmental Impact Assessment for a wide range of projects for both the public and private sector. I have appeared as an expert witness at numerous Section 78 and Local Plan Inquiries and Hearings.
- 1.3 The approach I have taken to this evidence and the methodology of the Transport Assessment work that supports it is consistent with that adopted for all developments of this form and scale. It is in accordance with the assessment methodology required by the National Planning Policy Guidance that has been accepted on numerous occasions by Local Highway Authorities, planning authorities, Inspectors on appeal and the Secretary of State on recovered appeals.
- 1.4 I have worked on a significant number of planning applications and developments within Hertfordshire and am fully acquainted with the County Council's development control requirements as Local Highway Authority (LHA). I have been instructed on behalf of the Appellant on this site since 2021.
- 1.5 The following has been prepared and is given in accordance with the guidance of my professional institution and I confirm that the opinions expressed are my true professional opinions.



2.0 Scope and Nature of Evidence

2.1 My evidence has been prepared on behalf of the Appellant in support of its appeal against the refusal by St Albans City & District Council of an application for:

"Outline application (means of access sought) for up to 45 dwellings including new affordable homes, with areas of landscaping and public open space, including points of access, and associated infrastructure works".

2.2 The application was reviewed in detailed by Hertfordshire County Council ("HCC") as the Local Highway Authority (LHA) and they raise no objection to the application, subject to conditions and S106 contributions – all of which are agreeable to the appellant.

2.3 The LHA confirm in their final responses to the application that the approach to assessment and outcomes of that assessment were agreed. The LHA sought improvements to the local highway network to improve pedestrian access and these are agreed between the parties and will be secured by planning condition.

2.4 The acceptability of the proposals was also subject to a S106 agreement providing a sustainable transport contribution of £307,170. This contribution will go towards:

"the cost of sustainable transport improvements in the County area including, but not limited to package 30 of the South-Central Hertfordshire Growth and Transport Plan such as A414 active travel improvements between London Colney and Hatfield and those identified in the St Albans Local Cycling and Walking Infrastructure Plan (November 2023) such as improvements between St Albans to Colney Heath and and/or other such provisions serving the Development"

2.5 The Conditions included details of layout access design, implementation of the off-site highway works and construction management. These conditions and obligations are acceptable to the appellant. The LHA have been contacted in respect to entering into a Statement of Common Ground on highway and accessibility matters. They have confirmed that given they do not object to the application (on any grounds) they do not have any further comments to make in the context of the Inquiry.

2.6 Neither of the reasons for refusal relate to highway or accessibility matters. The second RfR relates to absence of a signed S106 agreement. This is being resolved and there are



no highway safety, access or accessibility objections to the appeal scheme from either the Statutory Highway Authority or indeed the Local Planning Authority.

2.7 As confirmed in *Shadwell Estates Ltd v Breckland DC and Pigeon (Thetford) Ltd [2013] EWHC 12 (Admin)*, the views of the relevant statutory consultee (here the Highways Authority) should be given considerable weight, and that there should only be departure from those views where there are clear and compelling reasons to do so

2.8 The LPAs Statement of Case (**CD7.2**) at Para 5.58 confirms that:

“The Council will not suggest that the sustainability of the site’s location is a reason for refusal, but will show that, conversely, the location of the site is not a matter that weighs in favour of the grant of planning permission and that future residents will be dependent on cars for access to day to day facilities.”

2.9 This position is not agreed. The LPA apply wholly the wrong considerations in respect of the policy requirements of Chapter 9 of the NPPF. They have failed to properly consider the benefits of the scheme in terms of accessibility.

2.10 My evidence concludes that the settlement of Colney Heath has established transport links including public transport, with bus, foot and cycle links within the settlement connecting well to the adjacent community and good road links to the principal road network. The need to travel is reduced by the facilities available within Colney Heath.

2.11 In that context, the site is well located with respect to accessing primary education and is within acceptable distances to key facilities and amenities within Colney Heath. Accessibility by all modes is good and a convenience store and post office, primary school and leisure facilities are within the average trip lengths from the National Travel Survey as a whole, therefore the location of the site in accessibility terms is consistent with national comparators.

2.12 My evidence also considers and confirms matters in terms of highway safety / access and traffic impact have all been adequately addressed, and the scheme is fully compliant with the requirements of the NPPF and HCC’s Local Transport Plan.



3.0 Summary

3.1 My evidence therefore addresses the position of the scheme in light of both the NPPF requirements and those of local policy. Those policies have been considered in detail. The impact of the scheme has been considered through a thorough (and agreed) Transport Assessment process which identifies appropriate mitigation measures for safety and accessibility. The scheme is therefore compliant with relevant national and local policy.

3.2 There are no grounds to refuse the appeal scheme on the basis of highway safety, traffic impact or accessibility. Specifically in relation to Paragraph 114 of the NPPF it can be confirmed that:

Appropriate opportunities to promote sustainable transport modes can be – or have been – taken up, given the type of development and its location.

Appropriate opportunities have been taken up. This includes the provision of pedestrian and safety improvements in the vicinity of the site and a significant (£307k) contribution towards the comprehensive improvements proposed by HCC on the local transport network to support sustainable development.

Safe and suitable access to the site can be achieved for all users.

The access to the site has been reviewed in detail by the statutory Highway Authority. They have confirmed that they have no objection and consider the scheme acceptable, suitable, and safe. This is further supported by the provision of an independent road safety audit. There is no credible evidence to the contrary.

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.

This has been thoroughly assessed in the Transport Assessment and reviewed in detail by the statutory Highway Authority. They agree the approach and outcome of that assessment. There is no significant impact arising. There is no credible evidence to the



contrary.

- 3.3 It therefore follows that in the context of Paragraph 115 that development should not be prevented or refused on highway grounds.
- 3.4 Furthermore, positive weight should be given in the overall planning balance to the transport attributes to the scheme.