

APPEAL BY VISTRY HOMES LIMITED AGAINST THE REFUSAL OF ST ALBANS CITY AND DISTRICT COUNCIL, AS LOCAL PLANNING AUTHORITY, TO GRANT OUTLINE PLANNING PERMISSION FOR RESIDENTIAL DEVELOPMENT OF UP TO 150 DWELLINGS, ALL MATTERS RESERVED EXCEPT ACCESS AT LAND REAR OF 42 - 100 TOLLGATE ROAD, COLNEY HEATH, HERTS, AL4 0PY

PLANNING INSPECTORATE REF: APP/B1930/W/23/3323099

LOCAL PLANNING AUTHORITY REF: 5/2022/1988

**Proof of Evidence – Ian Dimbylow**

JNY11289-09  
Ian Dimbylow POE  
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## Contents

1	QUALIFICATIONS AND EXPERIENCE .....	1
2	SCOPE & STRUCTURE OF EVIDENCE .....	2
3	APPEAL PROPOSALS AND SUSTAINABLE ACCESS .....	4
4	POLICY CONTEXT .....	19
5	THE REASONS FOR REFUSAL .....	26
6	THIRD PARTY OBJECTIONS.....	29
7	SUMMARY AND CONCLUSIONS .....	33

## Appendices

### APPENDICES

APPENDIX ID1 – PEDESTRIAN ISOCHRONE

APPENDIX ID2 – CYCLE ISOCHRONE

APPENDIX ID3 – BUS ROUTE PLAN

APPENDIX ID4 – BUS ROUTE 305 TIMETABLE

APPENDIX ID5 – METROLINE RESPONSE

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# 1 QUALIFICATIONS AND EXPERIENCE

- 1.1 My name is Ian Dimbylow and I am a Director of RPS Transport.
- 1.2 I have a Master of Engineering Degree with Honours in Civil Engineering Design and Management. I am a Chartered Engineer. I am a Member of the Institution Civil Engineers (ICE) and the Chartered Institution of Highways and Transportation (CIHT).
- 1.3 I have been actively involved in providing highway and transportation advice relating to the development planning process since 2002 for a wide variety of clients in both the public and private sectors. My experience ranges from initial accessibility studies and concept design to traffic impact analysis. I have also prepared the detailed design of highway schemes for technical approval and undertaken site supervision of construction work.
- 1.4 I have provided expert witness advice for a number of planning appeals. The projects I have worked on have been located throughout the UK and have included residential developments, mixed use urban extensions, government facilities, commercial developments, transport infrastructure and public realm.
- 1.5 My evidence for this appeal has been prepared and is given in accordance with the guidance of my professional institutions and I confirm that the opinions expressed are my true and professional opinions.
- 1.6 I am fully familiar with the appeal proposal and the surrounding area, having first been instructed in January 2020 whilst I was a Technical Director at the firm WSP, and then having been instructed again in January 2022 in my capacity as a Director at RPS. I led the RPS preparation of the Transport Assessment and Travel Plan that were submitted with the planning application.
- 1.7 I am very familiar with the site and the local highway area, having lived and worked in Hertfordshire for the past 20 years, and having visited the site on a number of occasions.

## 2 SCOPE & STRUCTURE OF EVIDENCE

- 2.1 My evidence is given on behalf of Vistry Homes Limited. It relates to their planning appeal for the demolition of existing house and stables and the construction of up to 150 dwellings including affordable, self-build and custom-build dwellings together with all ancillary works at Land to the rear of 42-100 Tollgate Road & 42 Tollgate Road, Colney Heath, St Albans, Hertfordshire.
- 2.2 All matters, excluding access, are reserved for future consideration.
- 2.3 The reasons for refusal of SADC are outlined in the Committee Report [CD 6.1] and set out below:

*1. The site is within the Metropolitan Green Belt and the proposed development represents inappropriate development within the Green Belt, as set out in the National Planning Policy Framework 2021. In addition to the in-principle harm to the Green Belt by reason of inappropriateness, other harm is identified as a result of the proposed development in terms of: its detrimental impact on the openness of the Green Belt, harm to Green Belt purposes and harm to landscape character and appearance. Harm is also identified to the significance of the Grade I listed North Mymms Park house, Grade II listed Colney Heath Farmhouse and adjacent Grade II listed barn and the non-designated heritage assets of North Mymms Park and Tollgate Farm. Harm is also identified as insufficient information has been provided to demonstrate that that the site has suitable access to sustainable transport modes. The benefits of the proposed development comprise the provision of up to 150 dwellings, including 40% affordable housing and up to 9 self-build units at the site which could contribute significantly towards meeting an identified housing need in the District, and the provision of public open space and delivery of 10% biodiversity net gain (through on-site and off-site provision). The potential harm to the Green Belt by reason of inappropriateness, and any other harm resulting from the proposal, is not clearly outweighed by other considerations; and as a result the very special circumstances required to allow for approval of inappropriate development in the Green Belt do not exist in this case. The proposal is therefore contrary to Policy 1 of the St Albans District Local Plan Review 1994 and the National Planning Policy Framework 2021.*

*2. In the absence of a completed and signed S106 legal agreement or other suitable mechanism to secure: additional health services provision; education provision in the form of new primary school, secondary school, and childcare provision; Special Educational Needs and Disabilities provision; library service provision; youth service provision; waste service provision; leisure and cultural services provision; affordable housing provision; open space and play space provision; biodiversity net gain; and highway works including provision for sustainable transport improvements and a travel plan; the development fails to adequately mitigate its effect upon local services and infrastructure and secure the identified 'very special circumstances'. The proposal is therefore contrary to Policies 1 (Metropolitan Green Belt) and 143B (Implementation) of the St. Albans District Local Plan Review 1994 and the National Planning Policy Framework 2021.*

2.4 This proof of evidence will focus on the transport and highway matters as extracted below:

*“Harm is also identified as insufficient information has been provided to demonstrate that that the site has suitable access to sustainable transport modes.”*

*“In the absence of a completed and signed S106 legal agreement or other suitable mechanism to secure: ... highway works including provision for sustainable transport improvements and a travel plan”*

2.5 In order to narrow the scope of the Inquiry, a Statement of Common Ground (SoCG) has been prepared with the highway authority, Hertfordshire County Council. This is core document CD 8.2.

2.6 It can be seen from the SoCG [CD 8.2] that the technical matters in relation to achieving a suitable access and the assessment of the transport impacts of the development are agreed with the highway authority. However, the overall suitability of the site in relation to access to sustainable modes of travel is not agreed. My evidence will therefore focus on the access to sustainable modes of travel and the policy framework relating to this.

2.7 Section 3 of my evidence provides information on the appeal proposals, how the sustainable access to the site has been assessed and the proposed mitigation measures to enhance access by sustainable modes of travel.

2.8 Section 4 reviews the relevant policy considerations and provides my assessment of how the site complies.

2.9 Section 5 directly addresses the reasons for refusal and responses from Hertfordshire County Council.

2.10 Section 6 of my evidence reviews third party objections on highways and transport matters, as summarised by the committee report.

2.11 At Section 7 I provide my conclusion which is also a summary of my evidence.

## 3 APPEAL PROPOSALS AND SUSTAINABLE ACCESS

- 3.1 The application proposes the construction of up to 150 dwellings including affordable, self-build and custom-build dwellings together with all ancillary works at Land to the rear of 42-100 Tollgate Road & 42 Tollgate Road.
- 3.2 A Transport Assessment was submitted to accompany the planning application and provides full details on the highways and transport matters associated with the scheme. The Transport Assessment was updated following comments from HCC and the updated version is core document reference CD 5.12. It is not the intention to repeat the content of the Transport Assessment in this evidence, but I have focused on the accessibility of the site due to the reasons for refusal set out above.
- 3.3 This section of my evidence therefore considers the facilities and destinations available by sustainable modes of travel, walking, cycling and public transport. I have based my evidence on the content of the Transport Assessment [CD 5.12], but the content has been updated to address comments raised by HCC and others.

### Existing Pedestrian Facilities

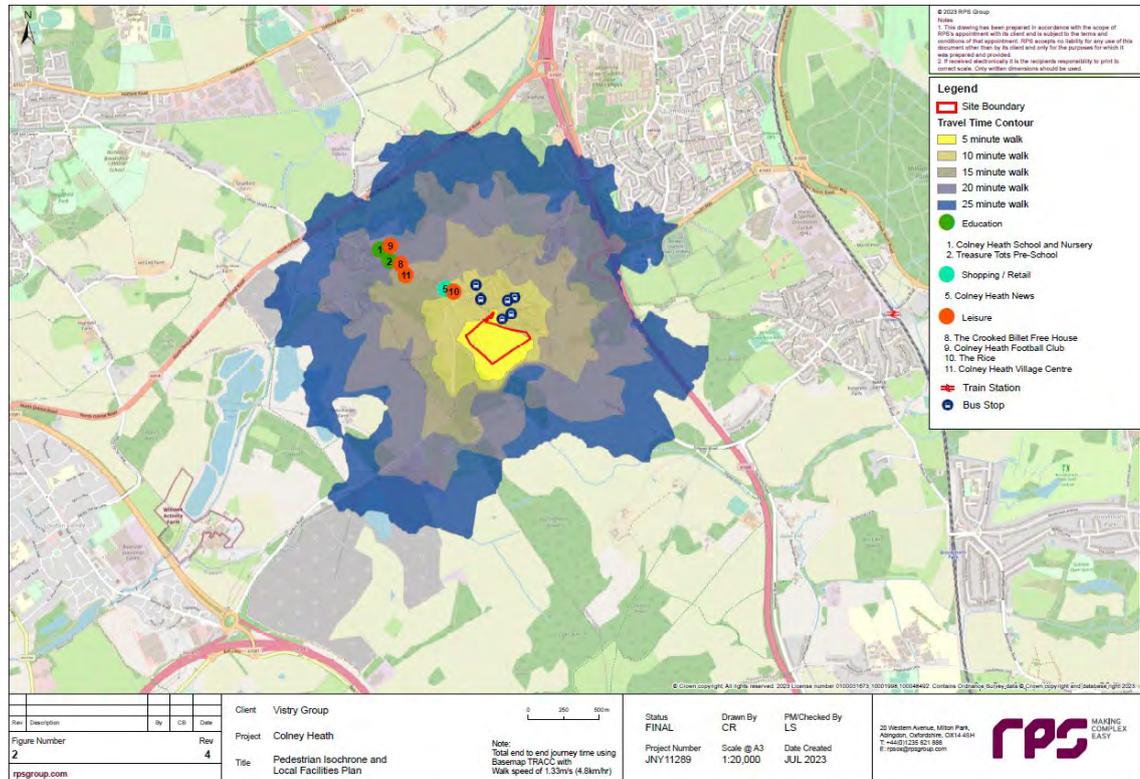
- 3.4 At the proposed access point onto Tollgate Road an existing footway of approximately 1.5-1.8m wide is present on both sides of the road within the built-up area. On the opposite side of the road to the northwest of Fellowes Lane the footway is separated from the carriageway by a large verge.
- 3.5 An audit of pedestrian routes in the wider area is provided in the Transport Assessment [CD 5.12]. The audit identifies that overall pedestrian facilities are generally good around the site, but there are a few locations where improvements would be beneficial. These are identified as part of the mitigation measures suggested by the draft proposed conditions set out below.

### Destinations Within Reasonable Walking Distance

#### Local Facilities Within Walking Distance

- 3.6 **Figure 3.1** demonstrates the walking time from the site within the local area, based on an assumed walking speed of 80m per minute (4.8kph), up to a maximum distance of 2km from the centre of the site. **Appendix ID1** shows the full-size indicative walking isochrones from the site.

**Figure 3.1: Pedestrian Isochrone and Local Facilities**



3.7 **Table 3.1** identifies the walking distance and time to local facilities measured from the centre of the site. As they are measured from the centre of the site they differ slightly from the SADC SoCG [CD 8.3].

**Table 3.1: Walking Journey Distance to Local Facilities**

Facility	Approx. Distance (m)	Approx. Walking Time (Mins)
<b>Education</b>		
Colney Heath School and Nursery	1200	15
Treasure Tots Pre-School	950	12
<b>Shopping / Retail</b>		
Colney Heath News	600	8
<b>Leisure Facilities</b>		
The Crooked Billet Free House	1000	13
Colney Heath Football Club	1300	16
The Rice	580	7
Colney Heath Village Hall	950	12
<b>Public Transport</b>		
Fellowes Lane Bus Stops	400	5
Roestock Lane Bus Stops	520	7
Hall Gardens Bus Stops	510	6

- 3.8 Distances to the bus stops are to the centre of the pair of stops serving each direction.
- 3.9 Walking trips are predominately short trips of up to 2km. The standard speed used for assessing walking accessibility is 80 metres per minute, giving a 25-minute walking time for 2km trip. This is an average speed for assessment purposes, while actual trips will vary depending on the person walking, the purpose of the trips, the gradient experienced and any obstacles that may be encountered (crossing points for roads / etc.). Walking trips are important as they provide connectivity between other trip types, such as longer bus and train trips, or between parking areas and the destinations for car trips, as well there being trips that are purely served by walking.
- 3.10 The topography of Colney Heath (almost flat) is ideal for walking and for mobility impaired accessibility.
- 3.11 The existing buses route along Tollgate Road and Roestock Lane and stops are within a 6-7-minute walk of the centre of the site. I consider this as a reasonable access time and distance to public transport and a journey which would not deter uses of bus services.

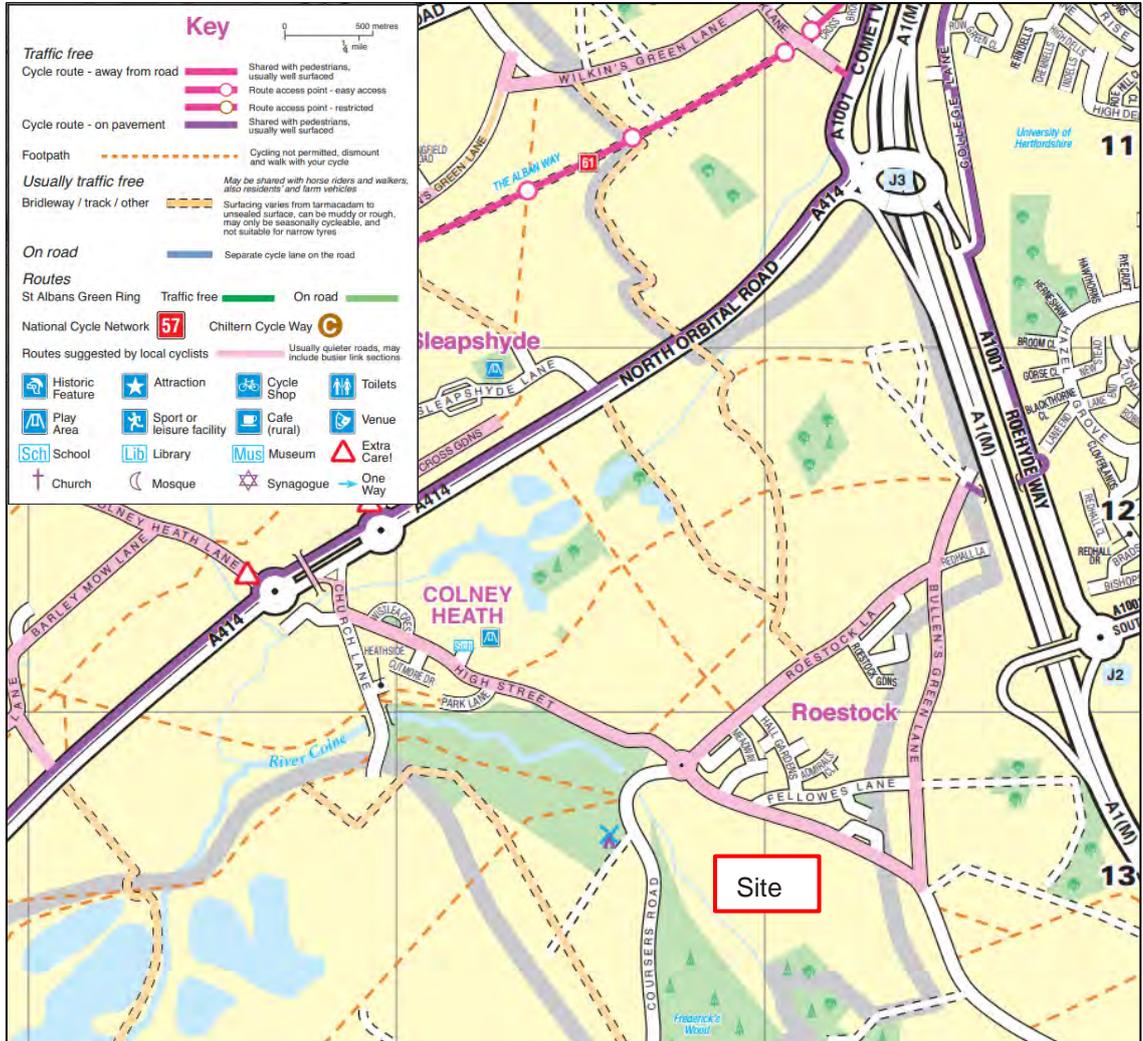
- 3.12 Welham Green Train Station is circa 3.7km from the site. It is therefore considered unlikely that future residents would choose to walk to the station. However, I consider that cycle access to the station is likely to be preferable as set out below.
- 3.13 The site is relatively large, so walking distances will depend on which part of the site is the origin for a trip, however, Colney Heath News newsagents and The Rice takeaway are located 8 minute walk away from the centre of the site. Therefore, future residents will have access to amenities such as the post office /shop and takeaway, within a 10-minute walk.
- 3.14 The site is located within 15 minutes' walk of Colney Heath School and Nursery, therefore allowing for walking / wheeling as a main mode of travel. Secondary schools are further afield and more likely to be accessed using a bicycle or bus as set out below.

## Existing and Proposed Cycle Facilities

- 3.15 An extract from the St Albans and District Cycling Map is provided as **Figure 3.2**, along with the associated key. It can be seen that Tollgate Road past the site is a 'Route suggested by local cyclists'. This provides a route to the A414 where cycle crossing facilities have recently been provided linking into the traffic free route alongside the A414. Further north in NCN route 61, The Alban Way, which is a former rail line between St Albans and Hatfield that is now a traffic free cycle route.
- 3.16 Roestock Lane also provides access to the underpass beneath the A1(M) which connects to segregated routes towards the university and beyond into Hatfield. To the east is also NCN route 12 which runs through Welham Green and Hatfield.
- 3.17 An audit of cycle routes is provided in the Transport Assessment [CD 5.12].
- 3.18 HCC also has a consultation version of the Local Cycle Walking and Infrastructure Plans (LCWIP) for St Albans. The LCWIP for Hatfield, which is also within cycle distance, is adopted. The LCWIP plans show the same routes as referred to above as illustrated on extracts at **Figure 3.3**. The LCWIP plans are only available as online documents but can be accessed here:

<https://www.hertfordshire.gov.uk/about-the-council/consultations/transport-and-highways/lcwips-2022/lcwips-2022.aspx>

Figure 3.2: Extract from St Albans and District Cycling Map

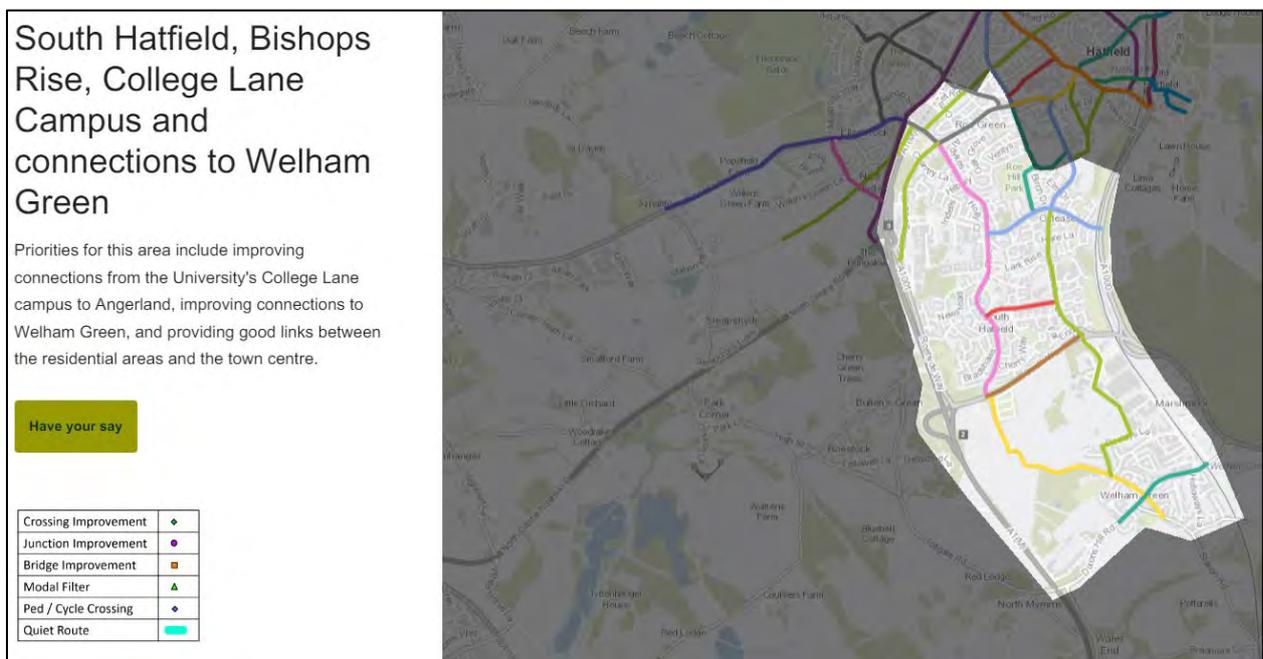


**Figure 3.3 – St Albans and District LCWIP extract**



- 3.19 These plans indicate that the site sits adjacent to a cycle route that is well connected to the rest of the district (routes within the city are covered by a different plan).
- 3.20 The Hatfield LCWIP is now adopted and includes a number of proposed improvements in the area as set out on the extract in **Figure 3.4**

**Figure 3.4 – Hatfield LCWIP extract**



- 3.21 This shows that there are further routes on the east of the A1(M) and there are plans to improve connections from South Way to Welham Green station (shown in yellow) as

well as other improvements in the wider area. When implemented this would shorten the route to Welham Green Station.

- 3.22 The cycle audit identified that there were some routes that were likely to be unattractive to cyclists, these include Coursers Road to the southwest of the site and Tollgate Road beyond the built-up area to the east. Consequently, these have been excluded from analysis on the accessibility of the site.

## Destinations within Reasonable Cycling Distance

- 3.23 The cycle isochrone plan at **Appendix ID2** demonstrates the cycling time from the site within the local area, based on an average cycling speed of 200 metres per minute (12kph), up to a maximum distance of 5km from the centre of the site. The routes utilised for the isochrone have been adjusted to ensure routes identified as suitable for cycling in the LCWIP (consultation versions for St Albans and Hatfield) or the St Albans and District Cycling Map within St Albans District are used.
- 3.24 The approach has also been informed by the cycling audit carried out by RPS within the Transport Assessment [CD 5.12]. Notably Tollgate Road to the east of the site and Coursers Road to the south-west have been removed as cycle routes. The isochrones do allow for some movement to the west via the routes available through the Willows Lakes. Consequently, the isochrones are now heavily biased to the north of the site. It can be seen that Welham Green Station remains accessible using the routes via the A1(M) underpass even when Tollgate Road is removed.
- 3.25 **Table 3.2** below identifies the cycle distance and time to local facilities measured from the centre of the site.

**Table 3.2: Cycling Journey Distance to Local Facilities**

Facility	Approx. Distance (M)	Approx. Cycle Time (Mins)
<b>Education</b>		
Colney Heath School and Nursery	1200	6
Treasure Tots Pre-School	950	5
Nicholas Breakspear	3200	16
University of Hertfordshire	3700	19
Links Academy	3800	19
<b>Health and Community</b>		
Jhoots Pharmacy	2300	12
Northdown Road Surgery	2200	11
<b>Shopping / Retail</b>		
Colney Heath News	600	3
<b>Leisure Facilities</b>		
The Crooked Billet Free House	1000	5
Colney Heath Football Club	1300	6
The Rice	580	3
Colney Heath Village Hall	950	5
<b>Public Transport</b>		
Welham Green Train Station	4500	23

- 3.26 In my view therefore, and partly due to its topography (almost flat), Colney Heath is ideal for cycling, with many nearby local residential roads lightly trafficked and suitable to accommodate cycling on road.
- 3.27 The cycle isochrones from the development site identify that Welham Green train station is accessible within a 23-minute cycle ride. Welham Green train station can also be accessed more directly by a confident cyclist in approximately 15 minutes.

## Public Transport Services

- 3.28 Welham Green train station located circa 3.7km to the east of the site and accessible via Tollgate Road / Dixons Hill Road. The station is located within 15 minutes cycle ride of the site by going direct, but a route on less busy roads is available that takes 23 minutes.

- 3.29 Welham Green train station is on the East Coast Main Line, serving the Welham Green. The station is 18 miles from London Moorgate and located between Hatfield to the north and Brookmans Park to the south. The station and all trains serving it are currently operated by Govia Thameslink Railway.
- 3.30 The typical off-peak service frequency is:
  - 2 trains per hour (tph) northbound towards Welwyn Garden City, of which all call at all stations; and
  - 2 tph southbound towards Moorgate, of which all call at all stations.
- 3.31 There are up to 4 trains per hour at peak times 0700-0900, 1700-1900
- 3.32 There is cycle storage located next to the booking office.
- 3.33 It is also possible to access St Albans station using the 305 bus service as set out below.
- 3.34 There are three pairs of bus stops in close proximity to the site that provide access to different services. This is particularly relevant to the 305 which terminates in Colney Heath for some of the times of day, but continues on to Potters Bar and Sandridge at other times.
- 3.35 **Table 3.3** below provides distances to the bus stops from the extremities and centre of the site.

**Table 3.3: Distances to Bus Stops**

Bus Stop	Min	Centre	Max
Fellows Lane	210m	335m	460m
Roestock Lane	270m	395m	520m
Hall Gardens	320m	445m	570m

- 3.36 The quality of the facilities is reviewed in the audit within the Transport Assessment [CD 5.12]. This recommends that improvements are considered to the bus stop kerbing, shelter facilities and markings. These recommended improvements are included as part of the draft planning conditions set out below.
- 3.37 **Table 3.4** below summarises the bus routes and frequency of service. A bus route plan is provided at **Appendix ID3**.

**Table 3.4: Bus Route and Frequency – High Street**

Service	Route	Services		
		Mon-Fri	Saturday	Sunday
200	London Colney – Essendon Mill	Mondays only at 10:23 and 12:41	No service	No service
230	St Albans – Welwyn Garden City	Wednesdays only 11:13 and 14:23	No service	No service
305	Sandridge – Potters Bar	5 Services per day	5 Services per day	No service
312	Bell Bar – Hatfield	Wednesdays only 10:00 and 12:26	No service	No service
355	Nicholas Breakspear School – Carterhatch Lane	HCC schooldays only 08:05 and 15:27	No service	No service
842	Chelwood Avenue – Chancellor’s School	HCC schooldays only at 07:43 and 15:12	No service	No service

- 3.38 Services 200, 230 and 312 are primarily shopper services to Colney Fields, St Albans and Hatfield respectively. They each allow around 2 hours in the respective destinations before returning. Colney Fields has a large Sainsburys, Marks and Spencer, Next, Boots and TK Maxx. The Hatfield service goes to The Galleria, Hatfield Town Centre and Tesco Extra.
- 3.39 Services 355 and 842 are school services to Nicholas Breakspear and Chancellors Schools respectively. These daily services allow secondary pupils to access the nearest schools.
- 3.40 The 305 service is the principal route serving daily movements. The timetable is provided at **Appendix ID4**. The route has five services per day principally from Colney Heath to St Albans although the bus continues to Potters Bar and Sandridge at some times of the day. This route is financially supported by HCC.
- 3.41 The 305 provides access to St Albans station as well as the Morrisons on Hatfield Road and the city centre. The first bus of the day gets to the city centre before 0815 and the last bus of the day leaves at 1720. It would therefore be possible to use this bus for commuting purposes for a typical 0900-1700 role to the city centre as well as stops along the way.
- 3.42 In my view the bus services available to new residents of the development offer the opportunity to make use of bus travel as a sustainable route choice to and from the development.

## Sustainable Access Conclusion

- 3.43 I consider the walking accessibility of the site to be good, with day-to-day facilities available within reasonable walking distance. A local shop and pub are within walking distance as are the bus stops. The village hall which has a pre-school is also close. The proximity of the site to the primary school, and secondary school bus services mean education trips have a realistic alternative to travel by private car.
- 3.44 Tollgate Road past the site is recognised as a ‘Route suggested by local cyclists’. This provides a route to the A414 where cycle crossing facilities have recently been provided linking into the traffic free route alongside the A414. Further north in NCN route 61, The Alban Way, which is a former rail line between St Albans and Hatfield that is now a traffic free cycle route. Roestock Lane also provides access to the underpass beneath the A1(M) which connects to segregated routes towards the university and beyond into Hatfield. To the east is also NCN route 12 which runs through Welham Green and Hatfield. My assessment does not rely on roads in the area which may be unsuitable for some cyclists.
- 3.45 The development site is accessible within a 25-minute cycle ride of the nearby town of Hatfield and village of Welham Green. Welham Green train station is also within a circa 15-25 minute cycle ride to the east of the development site (dependent on rider confidence). Hatfield has a wide range of facilities including significant employment areas and university, as well as a good cycle route network. To the north there are also excellent off-road routes towards St Albans including the Alban Way.
- 3.46 The existing bus services in Colney Heath operate at limited frequencies and days of the week, but may be used by future residents for some journeys to local destinations. These include weekly services to shopping destinations such as Sainsburys, Marks and Spencer, Next, Boots and TK Maxx Colney Fields. The weekly Hatfield service goes to The Galleria, Hatfield Town Centre and Tesco Extra. The service to St Albans has 5 buses daily and the first bus of the day gets to the city centre before 0815 and the last bus of the day leaves at 1720. It would therefore be possible to use this bus for commuting purposes for a typical 0900-1700 role to the city centre as well as stops along the way.
- 3.47 In terms of sustainability, I consider that the location of the site is conducive to providing future residents with a realistic choice to the private car for many day-to-day journeys. This view is supported by the planning Inspector for the recently consented site at Bullens Green Lane (ref: 5/2020/1992/LSM – Inspector’s decision 14 June 2021 [CD 14.6] paragraphs 37-41) This site is approximately 600m from the proposed development. The inspector found the following in relation to the transport sustainability of the site:
- “37. The Councils contend that the appeal site is in an unsuitable and isolated location and as a result, it would fail to provide satisfactory access to services and facilities by means other than the private motor car. The appeal site is located on the eastern edge of Colney Heath. The parties agreed a facilities plan which clearly demonstrates the location of the appeal site relative to services, facilities and public transport and included walking and cycling distances from the appeal site. I will firstly assess the*

*availability of and access to services and facilities outside of Colney Heath by means other than the private car, before turning to consider the facilities and services available within Colney Heath itself and how accessible these maybe to potential future occupiers at the appeal site.*

*38. In terms of public transport and travel outside of Colney Heath, there are a number of bus stops available most notably on Roestock Lane, Fellowes Lane and Hall Gardens. These are all within an 800m walking distance of the site, a flat comfortable walk. These stops provide services to both Potters Bar, Welwyn Garden City, St Albans and Hatfield Tesco Extra where more extensive shopping, medical, education, employment and leisure facilities are located. Whilst I accept that the buses serving these stops are limited in number and frequency and could by no means support regular commuting, they nevertheless provide an alternative mode of transport to the private car and could provide an important alternative to those sectors of the community who do not have access to a private car. Although the reliability of the services was questioned, I have no robust evidence to suggest that the service is so severely unreliable that it would lead me to reach a different conclusion on this issue.*

*39. For travel further afield, the nearest train services are provided at Welham Green, approximately 3.5km away with direct and frequent services to London. Turning to consider cycling, the Council's witness raised a number of concerns in relation to the nature of the roads and suitability for cycling. HCC as highways authority advised that cycling facilities are adequate with safe routes and access to the national cycle route network. These include National Cycle Route 61 approximately 3km from the appeal site providing access to St Albans and cycle route 12 approximately 2km to the south east providing access to both Welham Green and Hatfield. The agreed facilities plan indicates that taking into account average cycling times, a number of services and facilities would be available between 6 and 12 minutes away. I saw evidence on my site visits of both Bullens Green Lane and Fellowes Lane being well used for recreational purposes, including walkers and cyclists. Taking into account the average cycle times and distances to facilities outside of Colney Heath as set out within the facilities plan, I concur with HCC that cycling provides a reasonable alternative in this location to the private car.*

*40. Turning to consider journeys possible on foot, Colney Heath itself has a number of facilities and services which one would expect in a settlement of this size. These include but are not limited to a public house, primary school which has some albeit limited capacity and pre-school, church, takeaway, village hall, hairdressers, scout hut, post office and mini mart. The availability of the public rights of way (PROW) within the site mean that these facilities and services could be accessible through a choice of routes, utilising the connections to either Roestock Lane or Fellowes Lane and then onwards to the High Street. This choice of routes adds to the quality of the walking experience in this location however I acknowledge the concerns expressed regarding the use of the underpass under the A1 and the quality of the pedestrian environment provided here. In common with other lower order settlements in both SADC and WHBC, residents are expected to travel to larger settlements highlighted above for medical facilities, larger scale supermarkets, employment and secondary education*

*and beyond. To my mind, the facilities and services available within Colney Heath and the accessibility of these facilities both on foot and by cycle mean that a number of day to day needs could be met without reliance on the private car. As a result, the location of the appeal site cannot be described as isolated. These factors weigh in favour of the appeal proposals.*

*41. Overall and to conclude, taking into account the essence of the Framework test as to whether a genuine choice of transport modes is on offer, the appeal proposals would in my view represent a sustainable location for new residential development.”*

- 3.48 I consider that the Inspector’s assessment is equally applicable to the proposed site on Tollgate Road. There have been no significant changes to facilities and services since that decision was made. Furthermore, I consider there to be a genuine choice of transport modes with day-to-day facilities within walking and cycle distance. There are considerable opportunities for cycling within the wider area that can be encouraged through a Travel Plan. The mitigation measures set out below will further enhance sustainable travel opportunities.
- 3.49 I note that the 305 bus service is financially supported by HCC (stated on the timetable at **ID4** and confirmed by the operator at **ID5**). This means that it does not get the patronage to support it as a viable commercial service. The growth of housing in Colney Heath from the appeal proposal, as well as other consented development, will assist in providing a critical mass of development clustered around the bus stops served by the 305. More passengers, incentivised to use the bus via the travel plan, will help maintain this service and sustainable options for both existing and future residents.

## Mitigation Measures

- 3.50 To improve the sustainable transport access to the site, mitigation measures are proposed. These are to be secured via either planning conditions or obligations in a s106 agreement. The transport elements of the draft conditions and obligations are set out below. I understand the wording is not yet fully agreed, but are presented in the current draft form received from HCC.

*Prior to the first occupation of the development hereby permitted the vehicular access shall be provided and thereafter retained at the position shown on the approved plan drawing number (Drawing JNY11289-RPS-0100-001 Rev B). Prior to the first use of the development hereby permitted arrangement shall be made for surface water to be intercepted and disposed of separately so that it does not discharge onto the highway carriageway.*

*REASON: To ensure satisfactory access into the site and avoid the carriage of extraneous material or surface water onto the highway in accordance with Policy 5 of Hertfordshire’s Local Transport Plan (adopted 2018).*

- 3.51 This condition requires the delivery of the access designed by RPS and set out in the Transport Assessment [CD 5.12]. I consider this reasonable and necessary to access the development by all modes.

A) Notwithstanding the details indicated on the submitted drawings no on-site works above slab level shall commence until a detailed scheme for the offsite highway improvement works has been submitted to and approved in writing by the Local Planning Authority. This should include the provision of a Road Safety Audit. For the avoidance of doubt the offsite works include but are not limited to: -

- i. Installation of tactile paving at Park Lane
- ii. Refresh zebra crossing lining at Southern End of High Street
- iii. Upgrade shelter, add raised kerbing at eastbound bus stop on High Street
- iv. Look to improve kerbing and investigate shelter at westbound bus stop on High Street
- v. Investigate raise kerbing for east and westbound bus stops on Tollgate Road
- vi. Implement a bus cage on eastbound bus stop on Tollgate Road
- vii. Improvements to the pedestrian underpass at the A1(M)

B) Prior to the first occupation of the development hereby permitted the offsite highway improvement works referred to in Part A of this condition shall be completed in accordance with the approved details.

*REASON: To ensure construction of a satisfactory development and that the highway improvement works are designed to an appropriate standard in the interest of highway safety and amenity and in accordance with Policy 5, 13 and 21 of Hertfordshire's Local Transport Plan (adopted 2018).*

3.52 This condition requires the development of detailed schemes to address issues identified by the RPS Transport Assessment [CD 5.12] as part of the walking and cycling audit. The measures are all related to the nearby walking and cycling routes and will support access to the site by sustainable modes of travel.

*Prior to the first occupation of the development hereby permitted a scheme for the parking of cycles including details of the design, level and siting of the proposed parking shall be submitted to and approved in writing by the Local Planning Authority. The scheme must be designed in line with the cycle parking standards contained in the DfT's Cycle Infrastructure Design LTN1/20. The approved scheme shall be fully implemented before the development is first occupied or brought into use and thereafter retained for this purpose.*

*REASON: To ensure the provision of adequate cycle parking that meets the needs of occupiers of the proposed development and in the interests of encouraging the use of sustainable modes of transport in accordance with Policies 1, 5 and 8 of Hertfordshire's Local Transport Plan (adopted 2018).*

- 3.53 This condition required details of cycle parking to ensure that residents of the site have safe storage for cycles and hence encourage the use of bicycles for sustainable travel. I consider this is a reasonable and appropriate condition.
- 3.54 The HCC response letter dated 5 May 2023, sets out the requested planning obligations in relation to transport and highways.

*In the absence of CIL, sustainable transport contributions are sought. The Hertfordshire County Council 4th Local Transport Plan (LTP4) has developed strategies and plans for the county and the towns and areas within it which identifies the sustainable transport and accessibility measures for which contributions would be sought.*

*For new residential developments, a contribution of £6,826 per dwelling is required. Therefore, based on the proposed development of 150 dwellings the total developer contribution to active travel would be £1,023,900.*

*The Highway Authority will distribute the contributions to the associated schemes to mitigate the impact of the development, typically through schemes identified in HCC's Local Transport Plan (LTP) and its supporting documents, South Central Hertfordshire Growth & Transport Plan. HCC could seek contributions via Section 106 agreement to improve public transport provision along Tollgate Road, for the residents both at the proposed development and for existing residential areas to help promote non-car based journeys to wider areas.*

*Sustainable transport contributions can be used for, but not limited to, packages including:*

*PK30 A414 Highways Improvements (South of St Albans) - To enhance the function of the A414 as a strategic east to west route in south central Hertfordshire through capacity and reliability upgrades.*

*This package includes safety and capacity improvements at A414 Colney Heath Longabout.*

*A Full Travel Plan will be required to be in place from first occupation until 5 years post full occupation. A £1,200 per annum (index linked RPI May 2014) Evaluation and Support Fee must be secured by Section 106 agreement Under the Town & Country Planning Act 1990 in accordance with Hertfordshire County Council's Travel Plan Guidance.*

- 3.55 I consider these planning obligations appropriate and reasonably related to the development. The approach to the calculation is well established and is linked to the delivery of improvements in the area. I understand that these obligations are replicated within the proposed s106 agreement. The introduction of these further measures will improve the transport sustainability of the local infrastructure and will benefit existing residents as well as those from the appeal proposals. I would assume that as these are being requested by HCC, they believe that the measures will mitigate the impacts and make the scheme acceptable.

## 4 POLICY CONTEXT

4.1 This section of my evidence evaluates the development proposal against the appropriate national and local land use and transport planning policies:

- National Planning Policy Framework (NPPF) [CD 1.1]
- Planning Practice Guidance [CD 1.2]
- Hertfordshire Local Transport Plan (LTP4) [CD 17.1]
- St Albans District Council Local Plan [CD 2.1 and CD 3.1]

### National Planning Policy Framework (NPPF, 2021) [CD 1.1]

4.2 The current National Planning Policy Framework (NPPF) was updated in July 2021.

4.3 The NPPF sets out several transport objectives designed to facilitate sustainable development and contribute to a wider sustainability by giving people a wider choice about how they travel, in particular Section 9 ‘Promoting Sustainable Transport’.

4.4 Paragraph 110 states:

*“In assessing sites that may be allocated for development in plans, or specific applications for development, it should be ensured that:*

- *appropriate opportunities to promote sustainable transport modes can be – or have been – taken up, given the type of development and its location;*
- *safe and suitable access to the site can be achieved for all users;*
- *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; and*
- *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.”*

4.5 Paragraph 111 continues 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 would be severe.”*

4.6 In terms of planning applications NPPF states at paragraph 112(a) that development should:

*“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.”*

- 4.7 Paragraph 113 covers the need for Travel Plans and Transport Statements / Assessments for all developments which generate significant amounts of movement.
- 4.8 My assessment of the site concludes that the requirements of paragraph 110 have been met. Opportunities to promote sustainable transport modes have been taken up '*given the type of development and its location*'. The site is within walking and cycling distance of a variety of destinations and public transport facilities are available. A substantial contribution is proposed to be provided to the highway authority to continue to improve sustainable transport in the area.
- 4.9 Safe and suitable access to the site can be achieved by all users. The access design has been the subject of a Stage 1 Road Safety Audit [CD 5.12 Appendix 11] and the design is agreed as acceptable by the highway authority as set out in the Highways SoCG [CD 8.2 paragraph 3.3].
- 4.10 The internal design of the site will be a reserved matter, but there is no suggestion that the site is restricted in any way that would prevent the National Model Design Code being applied.
- 4.11 The assessment of the impacts of the additional movement associated with the site has been undertaken in the Transport Assessment [CD 5.12] and the highway authority agree that mitigation measures are not required, as set out in the Highways SoCG [CD 8.2 paragraph 3.14].
- 4.12 In relation to paragraph 111, there is no suggestion that the impact of the development is 'severe' or that there is an impact on safety that would result in the development being prevented.
- 4.13 In relation to paragraph 112, the design of the access has been prepared to slow speeds and make it easier for pedestrian to cross the road at the site entrance. The site is all within a reasonable walking distance of the existing bus stops.

### **Planning Practice Guidance (NPPG) 'Travel Plans, Transport Assessments and Statements in Decision-Taking' (March 2014) [cd 1.2]**

- 4.14 This Guidance provides advice on when Travel Plans, Transport Assessments and Statements are required, and what they should contain. The Guidance is regularly updated, with the last update being 28 July 2017.

*Transport Assessments and Statements are ways of assessing the potential transport impacts of developments, and they may propose mitigation measures to promote sustainable developments. Transport Assessments are thorough assessments of the transport implications of development, and Transport Statements are a 'lighter-touch' evaluation to be used where this would be more proportionate to the potential impact of the development.*

*Paragraph: 002 Reference ID: 42-002-20140306*

*Revision date: 06 03 2014*

- 4.15 Transport Assessments and Statements can be used to establish whether the residual transport impacts of a proposed development are likely to be “severe”, which may be a reason for refusal, in accordance with NPPF.

*Travel Plans are long-term management strategies for integrating proposals for sustainable travel into the planning process. They are based on evidence of the anticipated transport impacts of development and set measures to promote and encourage sustainable travel.*

*Travel Plans should where possible, be considered in parallel to development proposals and readily integrated into the design and occupation of the new site rather than retrofitted after occupation.*

*Where there may be more effective or sustainable outcomes, and in order to mitigate the impact of the proposed development, consideration may be given to travel planning over a wider area.*

*Paragraph: 003 Reference ID: 42-003-20140306*

*Revision date: 06 03 2014*

- 4.16 The assessment of the site and the preparation of the documents has been carried out in line with this guidance.

## **Hertfordshire Local Transport Plan, 2018 (LTP4) [CD17.1]**

- 4.17 The LTP4 sets out how transport can help deliver a positive future vision for Hertfordshire by having a major input into wider policies such as economic growth, meeting housing needs, improving public health and reducing environmental damage whilst also providing for safe and efficient travel. The plan also considers how future planning decisions and emerging technology might affect the way that transport needs to be provided in the longer term.

- 4.18 The Hertfordshire Vision states: “We want Hertfordshire to be a county where people have the opportunity to live healthy, fulfilling lives in thriving, prosperous communities.” To achieve this vision, the LTP aims to deliver nine transport objectives which contribute strongly to the Place, Prosperity and People elements of the vision. The objectives are:

- *“Improve access to international gateways and regional centres outside Hertfordshire;*
- *Enhance connectivity between urban centres in Hertfordshire;*
- *Improve accessibility between employers and their labour markets;*
- *Enhance journey reliability and network resilience across Hertfordshire;*
- *Enhance the quality and vitality of town centres;*

- *Preserve the character and quality of the Hertfordshire environment;*
- *Reduce carbon emissions;*
- *Make journeys and their impact safer and healthier; and*
- *Improve access and enable participation in everyday life through transport.”*

4.19 Cutting across the objectives are four principles guiding activity, which feature common to activities to manage and improve the transport system. The principles are:

- *“Integration of land use and transport planning*
- *Application and adoption of technology*
- *Cost effective delivery and maintenance*
- *Modal shift and encouraging active travel.”*

4.20 The LTP4 is a comprehensive document setting out how the highway authority approaches transport matters across the county. It acknowledges that the NPPF is the relevant overarching policy for planning decisions.

## **St Albans City and District Council Local Plan 1994 [CD 2.1]**

4.21 The SADC statement of case confirms that there are policies from the 1994 Local Plan that relate to highways and transport matters that remain relevant. These are 34, 35 and 36A.

4.22 These 1994 policies are considered to be superseded by NPPF paragraphs 110-112 which cover similar topics, but are much more recent.

## **St Albans City and District Council Local Plan (2023-2041) [CD 3.1]**

4.23 St Albans are preparing a new Local Plan (2023-2041) which will replace the District Local Plan Review 1994. The reg 18 version of the plan, issued for consultation includes the following transport policies but I note that the main SoCG confirms that only limited weight can be given to these policies:

### *Strategic Policy SP8 - Transport Strategy*

*The Council will prioritise the use of active and sustainable transport modes and deliver accessibility improvements to the transport and highways network by:*

*a) Taking account of Hertfordshire County Council Local Transport Plan (LTP and other evidence and supporting documents, as relevant;*

*b) Supporting development in locations which enable active and/or sustainable transport journeys; where this is not possible ensuring that sustainable and active transport infrastructure is delivered at the earliest reasonable opportunity;*

- c) *Supporting reductions in car journeys for existing and new settlements; including in relation to education sites and school journey planning initiatives;*
- d) *Requiring all high trip generating uses to prepare, submit and implement Travel Plans to embed sustainable and active travel at an early stage;*
- e) *Working in partnership with stakeholders including Hertfordshire County Council, neighbouring authorities, National Highways and service providers to ensure that a range of sustainable and active transport options are available to all existing and future users of the transport network;*
- f) *Requiring new development to assess future air quality impacts from transport, where necessary, including funding contributions to wider schemes that will mitigate the impact of the scheme being proposed where appropriate;*
- g) *Protecting existing rights of way, walking and cycling networks and equestrian routes and, should diversion be unavoidable, require replacement routes to the satisfaction of the Council and the relevant highway authority;*
- h) *Supporting inter-settlement connectivity for active modes (e.g. Alban Way, Nickey Line, Ayot Greenway) and identification and delivery of new routes;*
- i) *Seeking Masterplans at Broad Locations and the earliest reasonable opportunity to implement sustainable travel infrastructure on Broad Locations in order that sustainable travel patterns become embedded at an early stage;*
- j) *Supporting a network of local hubs at suitable locations such as railway stations and co-located in city, town and district centres where appropriate. The scale and nature of proposals must be appropriate to the size and function of the centre or station and proposals should contribute towards the vitality of a centre. A local hub should support sustainable travel and can include: a local bus service, car club facilities, bike repair service, e-bike charging, bike share facilities, ride hailing & ride sharing stop, real time and digital travel information, wifi and phone charging, parcel delivery storage lockers and public realm improvements. Local hubs should be supported by online presence and digital functionality.*

4.24 I consider that the development proposals are in line with this emerging policy, particularly in relation to b). active and sustainable transport modes are enabled and proposed measures to enhance them are provided by the development.

*TRA1 – Transport Considerations for New Development*

*a. Proposals must demonstrate:*

- i. That safe and suitable access can be provided;*
- ii. That development would not lead to highway safety problems or cause unacceptable impacts upon the transport network;*
- iii. How provision of suitable Transport Statements or Transport Assessments along with other appropriate evidence where required;*

*b. Major proposals must demonstrate as appropriate how:*

- i. Measures to reduce the need to travel by private car are identified and implemented;*

- ii. Active and sustainable connections to key destinations are deliverable at an early stage of development;*
- iii. How the proposed scheme would be served by public transport and would not have a detrimental impact to any existing or planned public transport provision;*
- iv. Safe, direct and convenient routes for active journeys to key destinations are provided and prioritised in their design;*
- v. Comprehensive and coherent integration into the existing pedestrian and cycle, public transport and road networks will be secured;*
- vi. Adequate servicing arrangements will be provided;*
- vii. The needs of people with disabilities and reduced mobility will be addressed;*
- viii. The charging of plug-in and other ultra-low emission vehicles will be enabled in safe, accessible and convenient locations;*
- ix. Suitable travel plans will be provided and appropriate measures for implementation will be secured. Such plans will set out measures to encourage people to use alternative modes of travel to single occupancy car use;*
- x. Suitable mechanisms will be provided to secure sustainable transport measures, including delivery of schemes identified in LCWIP and IDP and improvements to the existing highway network and other appropriate transport mitigations.*

4.25 This policy mirrors elements of NPPF paragraph 110 within part a. Part b refers to major proposals, which would apply to the appeal site. In relation to part b, the following is my assessment of how the appeal proposals comply:

- i. measures to reduce the need to travel by private car include the proposed enhancements to active travel infrastructure and the implementation of a travel plan [CD 5.13].
- ii. active and sustainable connections are in place already, but further improvements are planned to be delivered prior to occupation.
- iii. existing public transport routes run past the site and will be supported by additional patronage. HCC could use contributions to support services if needed.
- iv. the access design and improvement measures are aimed at delivering safe, direct and convenient routes to key destinations as set out in the Transport Assessment [CD 5.12] and walking / cycling audit.
- v. the road past the site is identified as an existing cycle route. improvements to walking and cycling facilities in the area will be secured by condition.
- vi. the access design has been developed to ensure a refuse vehicle can safely use the access.
- vii. flush crossings and tactile paving are proposed at the access, along with installation of other improved crossing facilities making it easier to negotiate for those with visibility or mobility impairments are to be secured by condition.
- viii. provision of EV charging is expected, but will be a reserved matter

ix. a travel plan has been prepared [CD 5.13] and its content is considered acceptable by HCC.

x. measures are proposed to be secured by condition to improve pedestrian and cycle facilities.

4.26 My conclusion is that the proposals comply with these emerging policies in the new Local Plan

## Summary

4.27 The key transportation policy is to ensure that new developments are in locations which are or can be made sustainable.

4.28 In this respect new developments should be in accessible location, which are conducive to travel by walking, cycling or using public transport, for every day trips associated with employment, education and leisure purposes.

4.29 In terms of sustainability the development site, its location benefits from good accessibility to existing bus services and reasonable access to rail services. Local facilities including shops and schools are all accessible by walking and cycling. The site will therefore provide residents with realistic sustainable travel choices to the private car for some journeys.

4.30 The proposed development provides a safe means of access, and is capable of providing parking in accordance with adopted standards. A commitment to a Travel Plan and Travel Information Packs [CD 5.13] will assist residents in adopting sustainable travel practices.

4.31 As such, the proposed development is considered to accord to relevant national and local land use and transport policy.

## 5 THE REASONS FOR REFUSAL

5.1 The SADC statement of case sets out the reasons for refusal, from which I have extracted the elements relating to transport and highway matters.

*“Harm is also identified as insufficient information has been provided to demonstrate that that the site has suitable access to sustainable transport modes.”*

*“In the absence of a completed and signed S106 legal agreement or other suitable mechanism to secure: ... highway works including provision for sustainable transport improvements and a travel plan”*

5.2 Within section 3 of my evidence I have set out how I consider the site has suitable access to sustainable transport modes. The content of the evidence is substantially based on the submitted transport assessment [CD 5.12].

5.3 In my view the draft proposed conditions and obligations associated with highway works and sustainable transport measures are considered to address the second point.

5.4 The SADC reasons for refusal are informed by the response from Hertfordshire County Council in their letter dated 5 May 2023. This letter includes two reasons for refusal on the first page which I will deal with in turn.

5.5 The first point:

*HCC requests in reflection of the cycling audit provided, routes identified as not being safe for users of all abilities removed from the cycling accessibility analysis and also to consider the St Albans Cycle Route Map (2019) and routes identified there as safe/not safe included/excluded. Following this review, the accessibility should be re-assessed (with all users in mind) and confirmation whether the site can offer a suitable cycling alternative to the private car;*

5.6 An updated assessment of cycle accessibility was undertaken as requested and is set out in Section 3 above.

5.7 The cycle isochrone has been updated to remove the use of Coursers Road and Tollgate Road to the south-east of the site. The table of distances has been slightly amended as Welham Green is accessible via another route.

5.8 My conclusion on the cycle accessibility remains that there are many day-to-day destinations such as schools, workplaces and the nearest station within cycle distance on suitable routes.

5.9 The second point:

*HCC requests the applicant engages with public transport providers to identify whether additional bus services can be implemented or existing services extended to meet with the increase in public transport demand resulting from this development and to demonstrate a meaningful shift away from the private car can be achieved.*

5.10 This request for engagement with the bus operator, is at odds with the HCC 2020 Bus Strategy (listed as part of the LTP4 supporting strategies). This clearly states that it is the county’s action to coordinate responses to planning proposals with the operators within Action 1 on page 35.

**14. Share development planning data**

**What:** Collaborative approach to embracing development proposals, working together to seek developer contributions, and two-way sharing of transport data.

**How:** County council engaging relevant operators with planning consultations and co-ordinating input for responses, and seeking bus passenger flow data to inform multi-modal transport modelling.

**When:** Continuous process as planning proposals emerge, and annually as required for modelling purposes.

**Who:** The county council and bus operators.

5.11 I do not consider that the HCC objection on the basis that the applicant has not engaged with the bus operator is reasonable. As set out in the strategy, it is clearly the responsibility of the highway authority to do so.

5.12 However, I have contacted Sullivan Buses and Metroline for comment in relation to capacity on their routes. I have received a response from Metroline which is provided at **Appendix ID5**. I have redacted personal contact information from the email. The response from Metroline confirms that the 305 is an HCC supported service and consequently any queries would be best directed back to HCC. This underlines the view that HCC should be the able to advise on this element and that using the applicants lack of engagement as a reason for refusal is completely unreasonable.

5.13 In addition to the two reasons for refusal stated on the first page, the HCC letter concludes:

*The Highway Authority have reviewed the development proposals and wishes to raise an objection in relation to the wider sustainability and public transport access for the site*

5.14 As set out in Section 3 of my evidence, I do not believe that this position is reasonable in relation to the sustainability of the site location. The proposed conditions and obligations will provide further enhancement to the transport facilities and infrastructure in the area. Further development will aid the patronage of the bus services that are running which currently need financial support from HCC to do so.

**Summary**

5.15 I have reviewed the three parts of the reasons for refusal given by HCC and I do not agree with the justification.

5.16 Firstly, the review of cycle access has been carried out following an on-site audit and reviews the potential for access by bicycle. The HCC reason for refusal does not appear to relate to a deficiency, only a request for information in a different form. I believe that the updated isochrones presented in my evidence address this point.

- 5.17 Secondly, the request that the applicant engages with the bus operator is unnecessary and unhelpful. I have engaged with the bus operator who has simply directed me back to HCC.
- 5.18 Thirdly, I have set out the accessibility by public transport and I consider the site has good access to bus services that provide an alternative mode of transport to the private car and could provide an important alternative to those sectors of the community who do not have access to a private car.

## 6 THIRD PARTY OBJECTIONS

- 6.1 The SADC committee report provides a useful summary of third-party objections on access, highways and transport matters. I have also reviewed the third party representations to the appeal process and consider that the topics below remain a reasonable summary of the comments raised. These are provided below along with my response to each.

*Proposal would result in increased road traffic due to lack of public transportation options locally.*

- 6.2 Whilst I recognise that new housing will inherently generate some traffic movements, I consider that these have been quantified and assessed in the Transport Assessment [CD 5.12] using an agreed methodology. The public transport options have been reviewed and they provide a realistic alternative for some journeys.

*Cumulative impact of additional traffic from the approved and proposed major residential developments in the area will be severe.*

- 6.3 The Transport Assessment [CD 5.12] considered the impact of the development including traffic growth and concluded the impact will not be severe, this is common ground with the highway authority [CD 8.2 paragraph 3.14].

*Higher volume of traffic would make the roads less safe for pedestrians and cyclists, whilst increasing the risk of vehicle collisions.*

- 6.4 The access proposals have been the subject of a Stage 1 Road Safety audit [CD 5.12 Appendix 11] and the recommendations accepted and actioned.

*It is dangerous and unpleasant to walk along Tollgate Road because of the current traffic levels and because of the number of cars that drive along the pavement as parked cars block the road.*

- 6.5 The pedestrian routes to destinations from the site have been reviewed and improvement measures suggested. These are to be secured by condition. There is no evidence of an accident history relating to the above comment.

*Tollgate Road is congested at peak times.*

- 6.6 The Transport Assessment [CD 5.12] undertook traffic surveys and considered the impact of the development including traffic growth and concluded the impact will not be severe, this is common ground with the highway authority.

*Colney Heath does not have a train station.*

- 6.7 The comment is noted. In my view this does not mean that the location is unsuitable for any residential development.

*Those living in the affordable housing may not have cars and find getting around difficult.*

- 6.8 My assessment of the accessibility of the site is that it is possible to access services and facilities by active and public transport modes.

*Public transport is unreliable and infrequent.*

- 6.9 My proof of evidence sets out the review of public transport services and frequencies in Chapter 3.  
*Incidents on motorways lead to gridlock in the village.*
- 6.10 I have no doubt that on occasion issues on the A1(M) or M25 can result in more traffic using the roads in the village. This is the case with many locations in the district and elsewhere. It is not a reason to prevent any residential development coming forward.  
*The developer's claims that the area is easy to walk/cycle around are misleading as many roads do not have footpaths or are on a steep hill.*
- 6.11 The Transport Assessment [CD 5.12] included a pedestrian and cycle audit of the routes and destinations. Where deficiencies were noted improvement measures are proposed.  
*It is unrealistic to think that future residents would cycle to Welham Green to get the train, as it is a busy road with a steep gradient.*
- 6.12 The route to Welham Green station is possible for a confident cyclist, however in response to comments the assessment has removed this route as an assumption on the calculation of isochrones. The station remains accessible from other routes avoiding steep gradients and busy roads.  
*The buses run a couple of times a week therefore are not an option for a commuter.*
- 6.13 My assessment of public transport accessibility is set out in Chapter 3 above. There are bus services that run on daily basis.  
*The single proposed site access is on a congested junction opposite an access route for another 100 houses.*
- 6.14 The access and junction have been the subject of traffic modelling within the Transport Assessment [CD 5.12] and this has been agreed as acceptable with the highway authority [CD 8.2 paragraph 3.14].  
*The proposed site access would be dangerous.*
- 6.15 The access proposals have been the subject of a Stage 1 Road Safety audit [CD 5.12 Appendix 11] and the recommendations accepted and actioned.  
*Routes in and out of the village are limited and unsafe.*
- 6.16 I do not agree with this statement. There are three main routes into the village and there is no evidence of safety issues.  
*Cycle routes in the area are poor and the underpass connecting Colney Heath and Hatfield floods.*
- 6.17 The Transport Assessment [CD 5.12] included an audit of cycle routes and I have set out above my review of cycle routes. Improvements to the underpass are proposed as part of mitigation measures.  
*The underpass linking with Hatfield floods and is a crime hot spot (muggings and vandalism) making it dangerous for pedestrians and cyclists.*
- 6.18 Improvements to the underpass are proposed as part of mitigation measures.

- The Alban Way floods and can be unusable in winter when icy and dark, so does not provide a safe or reliable commuter route for cyclists.*
- 6.19 The Alban Way is a 9km cycle route along a former railway line. Intermittent drainage issues are not unusual over such a large distance. The Alban Way Greenspace Action Plan 2019 – 2024 prepared for SADC states that *‘The Alban Way is a popular route for both commuting and leisure, regularly used by pedestrians and cyclists alike’*. I consider it to be a suitable and attractive route for cyclists.
- The Transport Statement that accompanies the application lacks ‘on the ground’ data and the findings are questionable.*
- 6.20 The Transport Assessment [CD 5.12] includes observed traffic surveys and parking information for Tollgate Road and nearby junctions as well as an audit of pedestrian and cycle routes undertaken in person. I do not agree with this comment.
- The proposal will lead to overspill of cars onto the surrounding roads if the new homes have insufficient parking spaces, worsening the current situation.*
- 6.21 Provision of parking spaces on site will be a reserved matter, but the scale of site means that complying with the required parking space requirements is not considered to be an issue.
- Car demand generated by the proposed development has been underestimated – every adult living in Colney Heath needs their own car.*
- 6.22 Traffic demand calculated in the Transport Assessment [CD 5.12] was developed using an agreed methodology with HCC and the results have been agreed with HCC as common ground.
- 6.23 In addition to the summary points raised in the committee report, Colney Heath Parish Council has made specific comments on the assessment of Coursers Road within the statement of case [CD 7.3].
- “Coursers Road has not been included in any of the highways or road safety assessments. This is a fundamental error. We will provide evidence on the importance of this route and that of the Bell roundabout as well as its road traffic accident history.”*
- 6.24 The Transport Assessment [CD 5.12] predicts that Coursers Road will be used by 29% of traffic movements from the appeal site. The Transport Assessment also assesses the Coursers Road / Tollgate Road roundabout junction. The Transport Assessment predicts that the increase in vehicles on Coursers Road will be 19 vehicles in the AM peak and 20 in the PM peak [CD 5.12 Appendix 13 figures 6 and 7]. This equates to an additional vehicle every 3 minutes. At this level I do not consider it necessary to undertake further assessments at junctions beyond.
- 6.25 Planning Practice Guidance [CD 1.2] states within the transport section at Paragraph 007 Reference ID: 42-007-20140306 that: *Travel Plans, Transport Assessments and Statements should be: proportionate to the size and scope of the proposed development to which they relate and build on existing information wherever possible.*

- 6.26 The scope of the assessment was agreed with HCC in advance of preparing the surveys and analysis as part of scoping discussions.
- 6.27 The Road Safety Audit considers physical changes to the highway, in accordance with the guidance set out in the Design Manual for Roads and Bridges document GG 119 'Road Safety Audit'. As no physical changes are proposed to Coursers Road, a Road Safety Audit is not required.

## 7 SUMMARY AND CONCLUSIONS

- 7.1 My evidence is given on behalf of Vistry Homes Limited. It relates to their planning appeal for the demolition of existing house and stables and the construction of up to 150 dwellings including affordable and custom-build dwellings together with all ancillary works at Land to the rear of 42-100 Tollgate Road & 42 Tollgate Road, Colney Heath, St Albans, Hertfordshire.
- 7.2 My evidence focuses on the part of the reason for refusal relating to the sustainability of the site in transport terms.
- 7.3 I consider the walking accessibility of the site to be good, with day-to-day facilities available within reasonable walking distance. A local shop and pub are within walking distance as are the bus stops. The village hall which has a pre-school is also close. The proximity of the site to the primary school, and secondary school bus services mean education trips have a realistic alternative to travel by private car.
- 7.4 Tollgate Road past the site is recognised as a 'Route suggested by local cyclists'. This provides a route to the A414 where cycle crossing facilities have recently been provided linking into the traffic free route alongside the A414. Further north in NCN route 61, The Alban Way, which is a former rail line between St Albans and Hatfield that is now a traffic free cycle route. Roestock Lane also provides access to the underpass beneath the A1(M) which connects to segregated routes towards the university and beyond into Hatfield. To the east is also NCN route 12 which runs through Welham Green and Hatfield. My assessment does not rely on roads in the area which may be unsuitable for some cyclists.
- 7.5 The development site is accessible within a 25-minute cycle ride of the nearby town of Hatfield and village of Welham Green. Welham Green train station is also within a circa 15-25 minute cycle ride to the east of the development site (dependent on rider confidence). Hatfield has a wide range of facilities including significant employment areas and university, as well as a good cycle route network. To the north there are also excellent off-road routes towards St Albans including the Alban Way.
- 7.6 The existing bus services in Colney Heath operate at limited frequencies and days of the week, but may be used by future residents for some journeys to local destinations. These include weekly services to shopping destinations such as Sainsburys, Marks and Spencer, Next, Boots and TK Maxx Colney Fields. The weekly Hatfield service goes to The Galleria, Hatfield Town Centre and Tesco Extra. The service to St Albans has 5 buses daily and the first bus of the day gets to the city centre before 0815 and the last bus of the day leaves at 1720. It would therefore be possible to use this bus for commuting purposes for a typical 0900-1700 role to the city centre as well as stops along the way.
- 7.7 In terms of sustainability, I consider that the location of the site is conducive to providing future residents with a realistic choice to the private car for many day-to-day journeys. This view is supported by the planning Inspector for the recently consented site at Bullens Green Lane (ref: 5/2020/1992/LSM – Inspector's decision 14 June 2021 [CD 14.6] paragraphs 37-41) This site is approximately 600m from the proposed

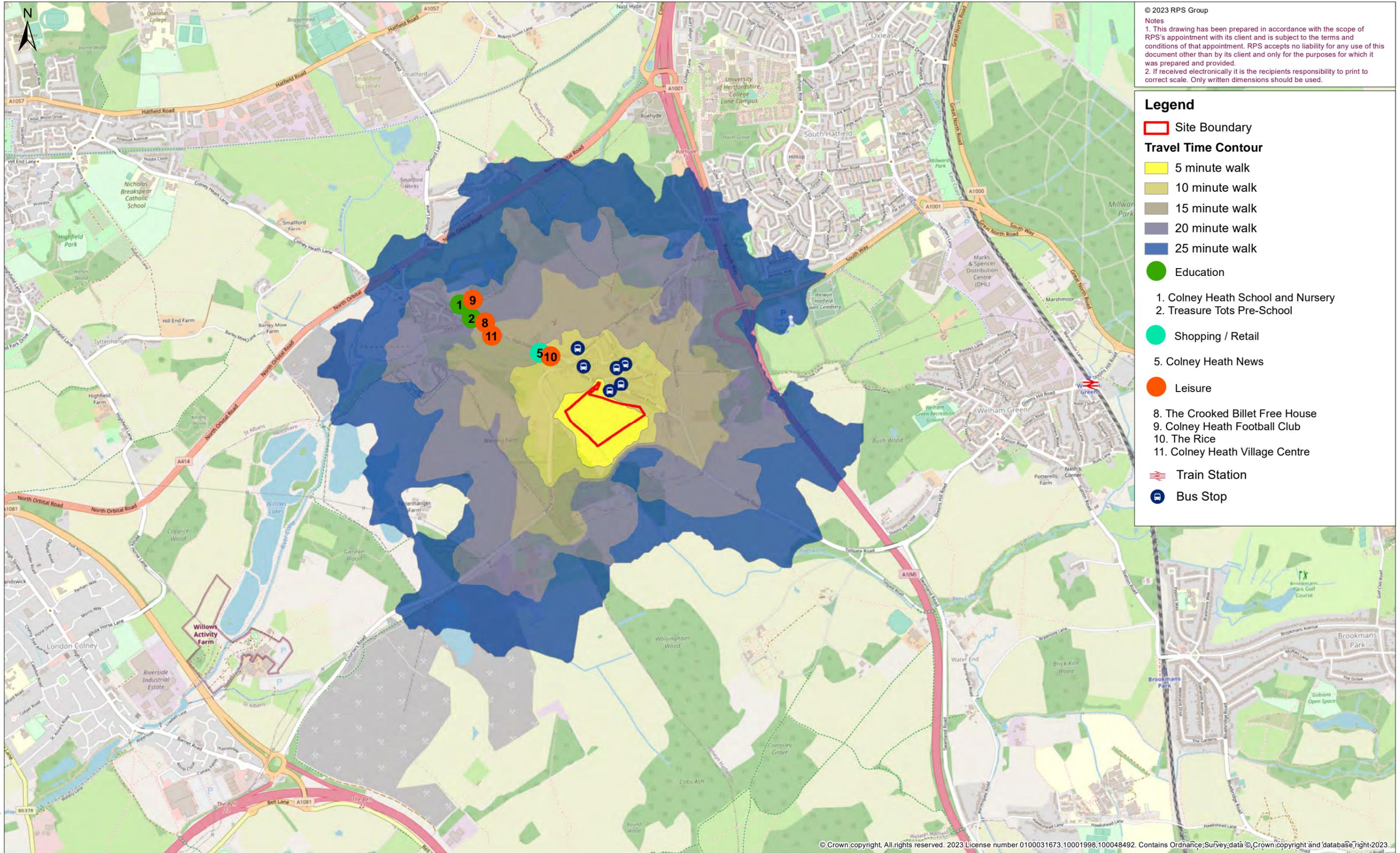
- development. I consider that the inspector's conclusions can equally be applied to the appeal site.
- 7.8 I have assessed the site against the policies set out in paragraphs 110-112 of the NPPF [CD 1.1].
- 7.9 My assessment of the site concludes that the requirements of paragraph 110 have been met. Opportunities to promote sustainable transport modes have been taken up '*given the type of development and its location*'. The site is within walking and cycling distance of a variety of destinations and public transport facilities are available. A substantial contribution is proposed to be provided to the highway authority to continue to improve sustainable transport in the area.
- 7.10 Safe and suitable access to the site can be achieved by all users. The access design has been the subject of a Stage 1 Road Safety Audit [CD 5.12 Appendix 11] and the design is agreed as acceptable by the highway authority as set out in the Statement of Common Ground [CD 8.2 paragraph 3.2].
- 7.11 The internal design of the site will be a reserved matter, but there is no suggestion that the site is restricted in any way that would prevent the National Model Design Code being applied.
- 7.12 The assessment of the impacts of the additional movement associated with the site has been undertaken in the Transport Assessment [CD 5.12] and the highway authority agree that mitigation measures are not required, as set out in the Statement of Common Ground [CD 8.2 paragraph 3.14]. This confirms that in the highway authority's view, in relation to paragraph 111, there is no suggestion that the impact of the development is 'severe' or that there is an impact on safety that would result in the development being prevented.
- 7.13 In relation to paragraph 112, the design of the access has been prepared to slow speeds and make it easier for pedestrian to cross the road at the site entrance. The site is all within a reasonable walk distance of the existing bus stops.
- 7.14 I have reviewed the three parts of the reasons for refusal given by HCC and I do not agree with the justification.
- 7.15 Firstly, the review of cycle access has been carried out following an on-site audit and reviews the potential for access by bicycle. The HCC reason for refusal does not appear to relate to a deficiency, only a request for information in a different form. I believe that the updated isochrones presented in my evidence address this point.
- 7.16 Secondly, the request that the applicant engages with the bus operator is unnecessary and unhelpful. I have engaged with the bus operator who has simply directed me back to HCC.
- 7.17 Thirdly, I have set out the accessibility by public transport and I consider the site has good access to bus services that provide an alternative mode of transport to the private car and could provide an important alternative to those sectors of the community who do not have access to a private car.
- 7.18 I have reviewed the third-party objections on the basis of the summary points within the council's committee report. I have responded to these points in my evidence. They

generally comprise concerns on access, traffic impact and sustainable modes of travel that are dealt with within the Transport Assessment [CD 5.12], my evidence and the HCC statement of common ground [CD 8.2].

- 7.19 Mitigation measures are proposed in the form of conditions and obligations that will improve pedestrian and cycle facilities in the area.
- 7.20 I do not consider that the transport reasons for refusal can be justified and it is my opinion that the appeal should not be dismissed on these grounds.

## Appendices

## Appendix ID1 – Pedestrian Isochrone



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 2. If received electronically it is the recipients responsibility to print to correct scale. Only written dimensions should be used.

- Legend**
- Site Boundary
  - Travel Time Contour**
  - 5 minute walk
  - 10 minute walk
  - 15 minute walk
  - 20 minute walk
  - 25 minute walk
  - Education
  - 1. Colney Heath School and Nursery
  - 2. Treasure Tots Pre-School
  - Shopping / Retail
  - 5. Colney Heath News
  - Leisure
  - 8. The Crooked Billet Free House
  - 9. Colney Heath Football Club
  - 10. The Rice
  - 11. Colney Heath Village Centre
  - Train Station
  - Bus Stop

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Rev	Description	By	CB	Date
Figure Number				Rev
<b>Appendix ID1</b>				<b>4</b>
rpsgroup.com				

Client **Vistry Group**

Project **Colney Heath**

Title **Pedestrian Isochrone and Local Facilities Plan**

0 250 500 m

Note:  
 Total end to end journey time using Basemap TRACC with Walk speed of 1.33m/s (4.8km/hr)

Status **FINAL**

Drawn By **CR**

PM/Checked By **LS**

Project Number **JNY11289**

Scale @ A3 **1:20,000**

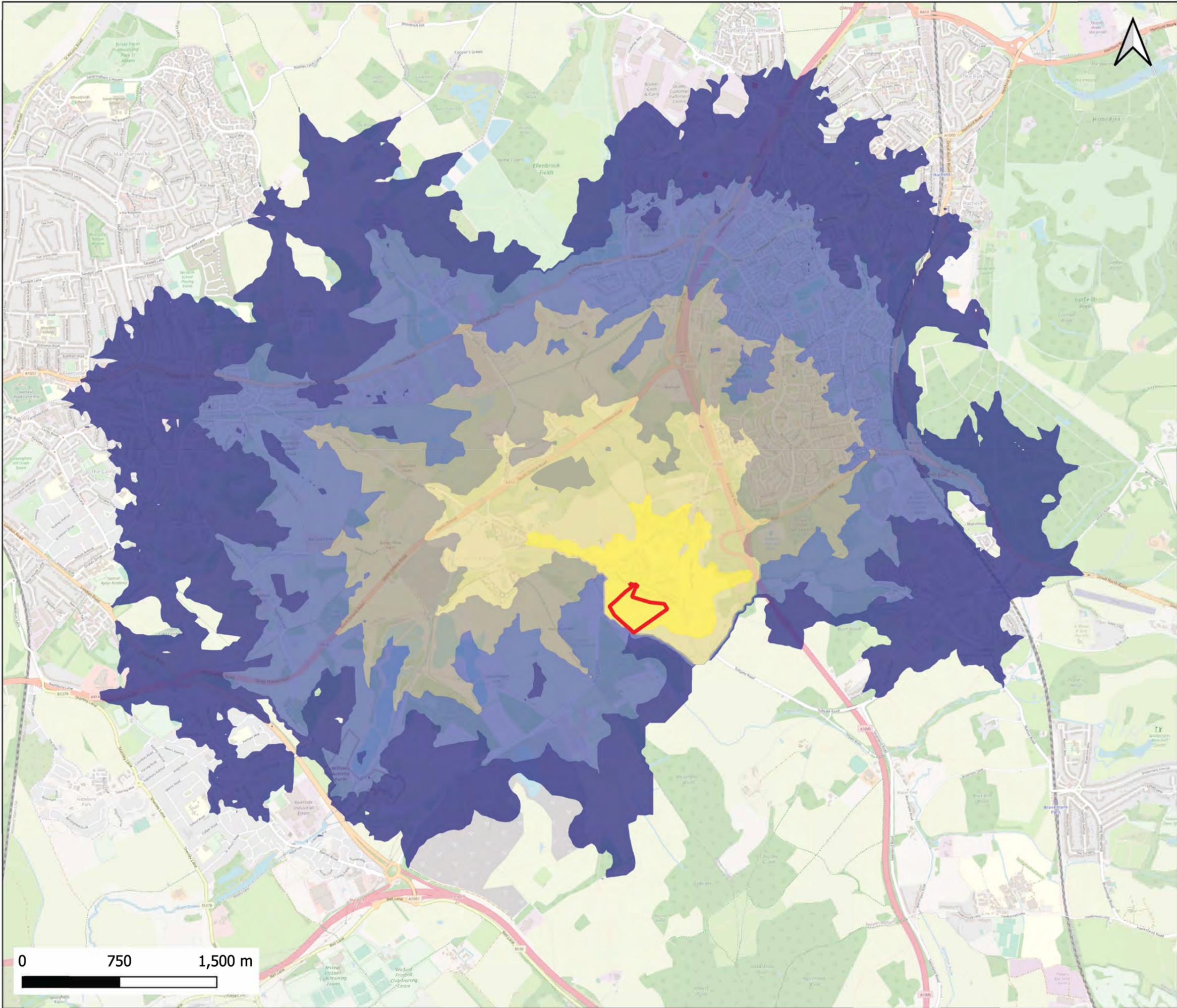
Date Created **JUL 2023**

20 Western Avenue, Milton Park, Abingdon, Oxfordshire, OX14 4SH  
 T: +44(0)1235 821 888  
 E: rps@rpsgroup.com

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## Appendix ID2 – Cycle Isochrone



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**Legend**

— Site Boundary

**Travel Time Contour**

- 5 Minute Cycle
- 10 Minute Cycle
- 15 Minute Cycle
- 20 Minute Cycle
- 25 Minute Cycle

**Note:**

Total end to end journey time using Basemap TRACC with cycle speed of 12km/hr



Client: Vistry Group

Project: Colney Heath

Title: Cycle Isochrone

Status: Drawn by: PM/Checked by:

Preliminary CR ID

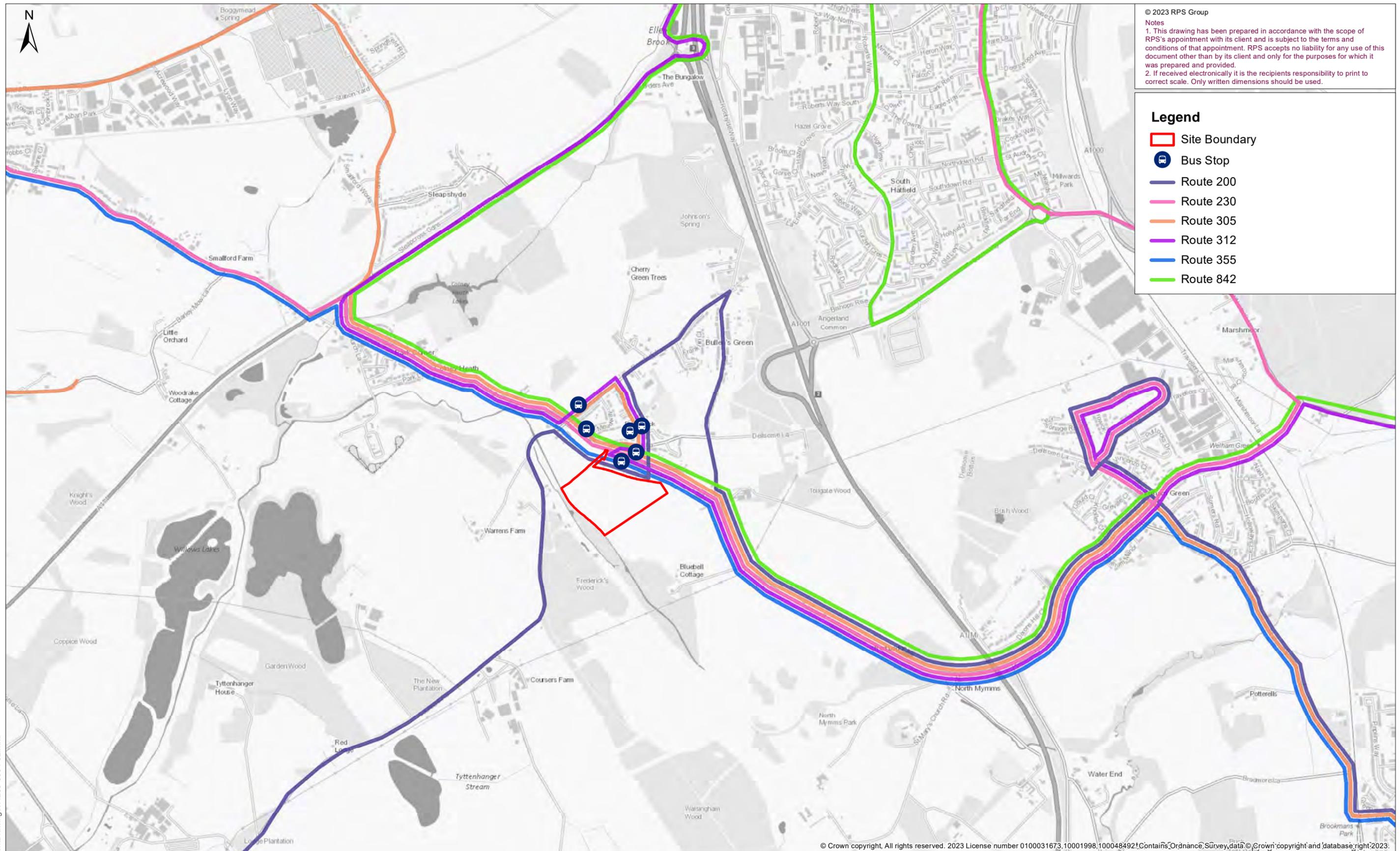
Project Number: Scale@A3 Date Created:

JNY11289 1:27,500 JUL 2023

Figure Number: Rev:

Appendix ID2 A

## Appendix ID3 – Bus Route Plan



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**Legend**

- Site Boundary
- Bus Stop
- Route 200
- Route 230
- Route 305
- Route 312
- Route 355
- Route 842

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Rev	Description	By	CB	Date
Figure Number				Rev
<b>Appendix ID3</b>				-
<a href="http://rpsgroup.com">rpsgroup.com</a>				

Client	Vistry Group	
Project	Colney Heath	
Title	Bus Route Plan	

Status	Drawn By	PM/Checked By
FINAL	CR/JM	LS
Project Number	Scale @ A3	Date Created
JNY11289	1:15,000	JUL 2023

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## Appendix ID4 – Bus Route 305 Timetable

# Metrolink

## Potters Bar/Colney Heath – St Albans/Sandridge

# 305

### MONDAYS TO FRIDAYS

from 27th March 2021

Notes:	Sch	NSch							
Potters Bar, High Street, Bus Garage	0714	0721							
Brookmans Pk, opp Bradmore Green ⇌	0721	0728	1632						
Welham Green, Dixons Hill Rd, Stop D	0726	0733	1637						
Colney Heath, Hall Gardens, Admirals Cl			1010	1235	1455				
Colney Heath, High St, opp Roestock Lane	0733	0740	1012	1237	1457	1644			
Smallford, Station Rd, opp Wilkin's Gm Lane	0741	0747	1018	1243	1503	1650			
Hill End, Hill End Lane, Russet Drive	0749	0754	1024	1249	1509	1656			
Tytenhanger Green, The Plough PH			0851		1111		1336		
Fleetville, Hatfield Rd, Morrisons	0755	0759	0858	1028	1118	1253	1343	1513	1701
St Albans City Railway Stn, Stop D ⇌	0806	0809	0903	1033	1123	1258	1348	1518	1706
St Albans, St Peter's Street, Stop 13	0812	0814	0910	1039	1130	1304	1355	1524	1712
St Albans, Sandridge Rd, opp Lancaster Rd			0915	1135	1400				
St Albans, Firbank Road, Beech Road			1138	1403					
New Greens, High Oaks Terminus	0820								
Sandridge, Langley Grove, Lyndon Mead			0923	1147	1412				

### SATURDAYS

from 27th March 2021

Notes:									
Potters Bar, High Street, Bus Garage	0737								
Brookmans Pk, opp Bradmore Green ⇌	0744								
Welham Green, Dixons Hill Rd, Stop D	0749								
Colney Heath, Hall Gardens, Admirals Cl	0757	1010	1235	1500	1620				
Colney Heath, High St, opp Roestock Lane	0759	1012	1237	1502	1622				
Smallford, Station Rd, opp Wilkin's Gm Lane	0805	1018	1243	1508	1628				
Hill End, Hill End Lane, Russet Drive	0811	1024	1249	1514	1634				
Tytenhanger Green, The Plough PH		0851		1111		1336			
Fleetville, Hatfield Rd, Morrisons	0815	0858	1028	1118	1253	1343	1518	1638	
St Albans City Railway Stn, Stop D ⇌	0820	0903	1033	1123	1258	1348	1523	1643	
St Albans, St Peter's Street, Stop 13	0825	0910	1039	1130	1304	1355	1529	1650	
St Albans, Sandridge Rd, opp Lancaster Rd		0915	1135	1400	1655				
St Albans, Firbank Road, Beech Road			1138	1403	1658				
Sandridge, Langley Grove, Lyndon Mead		0923	1147	1412	1707				

NOTES: ⇌ - Near Railway Station Sch - Schooldays only NSch - Non Schooldays only

OPERATOR: Metrolink Customer Care: 01707 347700

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## Sandridge/St Albans – Colney Heath/Potters Bar **305**

### MONDAYS TO FRIDAYS from 27th March 2021

Notes:	Sch	NSch
<b>Sandridge</b> , Langley Grove, Lyndon Mead	0923	1147 1412
<b>Sandridge</b> , nr St Leonard's Church	0925	1149 1414
<b>New Greens Estate</b> , Townsend School		1540
<b>St Albans</b> , Firbank Road, Beech Road	0930	1154
<b>St Albans</b> , Sandridge Rd, Lancaster Rd	0934	1158 1419
<b>St Albans</b> , St Peter's Street, Stop 1	0940	1045 1205 1310 1425 1550 1550 1720
<b>St Albans City Railway Stn</b> , Stop A ⇌	0946	1051 1211 1316 1431 1556 1556 1726
<b>Fleetville</b> , Hatfield Rd, opp Morrisons	0951	1056 1216 1321 1436 1601 1601 1731
<b>Tytenhanger Green</b> , The Plough PH		1104   1329
<b>Hill End</b> , Hill End Ln, opp Russet Drive	0955	1220 1440 1605 1605 1735
<b>Smallford</b> , Station Rd, Wilkin's Green Lane	1001	1226 1446 1612 1612 1742
<b>Colney Heath</b> , Hall Gardens, Admirals Cl	1008	1233 1455
<b>Colney Heath</b> , High St, Roestock Lane		1617 1617 1747
<b>Welham Green</b> , Dixons Hill Rd, Stop E		1622 1622 1752
<b>Brookmans Park</b> , Bradmore Green ⇌		1626 1626 1756
<b>Potters Bar</b> , High Street, Bus Garage		1803

### SATURDAYS from 27th March 2021

Notes:	Sch	NSch
<b>Sandridge</b> , Langley Grove, Lyndon Mead	0923	1147 1412 1707
<b>Sandridge</b> , nr St Leonard's Church	0925	1149 1414 1709
<b>St Albans</b> , Firbank Road, Beech Road	0930	1154 1419
<b>St Albans</b> , Sandridge Rd, Lancaster Rd	0934	1158 1423 1714
<b>St Albans</b> , St Peter's Street, Stop 1	0830	0940 1045 1205 1310 1425 1550 1720
<b>St Albans City Railway Stn</b> , Stop A ⇌	0835	0946 1051 1211 1316 1431 1556 1726
<b>Fleetville</b> , Hatfield Rd, opp Morrisons	0840	0951 1056 1216 1321 1436 1601 1731
<b>Tytenhanger Green</b> , The Plough PH	0848	1104   1329
<b>Hill End</b> , Hill End Ln, opp Russet Drive	0955	1220 1440 1605 1735
<b>Smallford</b> , Station Rd, Wilkin's Green Lane	1001	1226 1446 1611 1742
<b>Colney Heath</b> , Hall Gardens, Admirals Cl	1008	1233 1455 1618
<b>Colney Heath</b> , High St, Roestock Lane		1747
<b>Welham Green</b> , Dixons Hill Rd, Stop E		1752
<b>Brookmans Park</b> , Bradmore Green ⇌		1756
<b>Potters Bar</b> , High Street, Bus Garage		1803

**NOTES:** ⇌ - Near Railway Station **Sch** - Schooldays only **NSch** - Non Schooldays only

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## Appendix ID5 – Metroline Response

## Ian Dimbylow

---

**From:** Country Routes <countryroutes@metroline.co.uk>  
**Sent:** 27 July 2023 15:12  
**To:** Ian Dimbylow  
**Cc:** Country Routes  
**Subject:** RE: Query on route 305

**CAUTION:** This email originated from outside of RPS.

Afternoon Ian,

I am replying back to your e-mail of 25 July.

As you infer Route 305 is operated by our company under contract to Hertfordshire County Council. Therefore, it is probably best that your enquiry regarding available capacity is directed to them.

Dan Tancock is their Network and Infrastructure Team Leader in the Integrated Transport Unit and hopefully will be able to advise you. His e-mail address is [REDACTED]

Our contract to operate the route finishes in March next year. A competitive tendering exercise should take place later this year to determine who the successful operator will be from April 2024.

Sorry, I cannot be more helpful in my reply.

Regards

Phil Shafe  
Planning Support Officer  
Metroline

---

**From:** Ian Dimbylow [REDACTED]  
**Sent:** Tuesday, July 25, 2023 9:41 AM  
**To:** Country Routes <countryroutes@metroline.co.uk>  
**Subject:** Query on route 305

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---

I am working on behalf of a developer who has a planning application for up to 150 homes in Colney Heath. The site is close to the Fellows Lane / Roestock Lane / Hall Gardens stops and new residents could utilise all three to access the various stopping patterns of the 305. The development could be expected to generate around 20 passengers per day onto bus services of which the 305 is the most frequent.

I would be grateful if you could provide any comment on capacity for additional passengers on this service.

I understand that this is a supported service by HCC. Are you able to confirm when the current contract ends?

**Ian Dimbylow** (He/Him)  
Director (Transport)  
RPS | Consulting UK & Ireland  
20 Farringdon Street  
London, EC4A 4AB, United Kingdom  
T +44 20 3691 0500  
[REDACTED]



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