



LAND AT BUTTS CLOSE & LAND WEST OF CHURCH HILL, MARNHULL

Proof of Evidence
Appeal - APP/D1265/W/24/3353912

March 2025

Mr P Crocker

MIXED USE DEVELOPMENT
LAND AT BUTTS CLOSE & LAND WEST OF CHURCH HILL
MARNHULL

PROOF OF EVIDENCE

CONTROLLED DOCUMENT		
Document No:	106.0026/POE/3	
Status:	Original	
	Name	Date
Prepared by:	Kim Hammonds	March 2025

Disclaimer

This document has been prepared in accordance with the scope of Paul Basham Associates Ltd's appointment with its client and is subject to the terms of that appointment. It is addressed to and for the sole use and reliance of Paul Basham Associates clients. Paul Basham Associates accepts no liability for any use of this document other than by its client and only for the purposes, stated in the document, for which it was prepared and provided. No person other than the client may copy (in whole or in part), use or rely on the contents of this document, without the prior written permission of a Director of Paul Basham Associates. Any advice, opinions, or recommendations within this document should be read and relied upon only in the context of the document as a whole. The contents of this document are not to be construed as providing legal, business or tax advice or opinion.

© Paul Basham Associates Limited 2022



Paul Basham Associates Ltd
The Bothy
Cams Hall Estate
Fareham
PO16 8UT

**MIXED USE DEVELOPMENT
LAND AT BUTTS CLOSE & LAND WEST OF CHURCH HILL
MARNHULL**

PROOF OF EVIDENCE

Contents

1.	QUALIFICATIONS AND EXPERIENCE.....	2
2.	INTRODUCTION.....	3
3.	RELEVANT PLANNING POLICIES.....	5
4.	NATIONAL HIGHWAY GUIDANCE	10
5.	CLARIFICATION REGARDING PARKING FIGURES.....	12
6.	SUSTAINABLE TRAVEL.....	13
7.	HIGHWAY SAFETY.....	19
8.	TRAFFIC IMPACT.....	24
9.	ADDITIONAL INFORMATION	31
10.	SUMMARY AND CONCLUSIONS.....	33

Figures

Figure 1: Walking Isochrone map for Tess Square – Extract of Figure 4 within Transport Statement TS3

Figure 2: Footway Provision - Marnhull (Part 1)

Figure 3: Footway Provision – Marnhull (Part 2)

Figure 4: Public Rights of Way – extract of Figure 3 from Transport Statement (Purple – footways, Green – Bridleways)

Figure 5: Extract of Marnhull Circular Cycle Route – Dorset Council

Figure 6: Personal Injury Collision (PIC) Data - MAVRIC 2019 – 2023 (Slight – purple dot / severe – green dot)

Figure 7: New Road/B3092 pedestrian use

Figure 8: Church Hill pedestrian use

Figure 9: Schoolhouse Lane – Butts Close vehicular access (approximate location)

Figure 10: Extract taken from TRICS Good Practice Guide 2025 – Figure 4

Figure 11: Screen shot from traffic survey 13th February 2025

Figure 12: Extract of the Public Highway Mapping – Source: Dorset Council

Figure 13: Google map images showing Church Hill northbound

Figure 14: Google map images showing Church Hill southbound

Tables

Table 1: Personal Injury Collision Data

1. QUALIFICATIONS AND EXPERIENCE

- 1.1 I, Kim Hammonds, am an Associate Transport Planner and Business Lead for Travel Plan Coordination at Paul Basham Associates Ltd. I am a Chartered Transport Planning Professional and hold a MSc degree in Transport Planning from Oxford Brookes University and a BA (Hons) degree in Geography from the University of Portsmouth. Within my current role I have personally managed an extensive range of projects including work from all stages of the planning process from pre-application, feasibility, land promotion to full planning permissions, discharge of conditions and technical approvals.
- 1.2 I have worked in the transportation sector for 18 years, including 7 years in local authority and the remainder in consultancy. Whilst in consultancy I have primarily focused on supporting development planning for both public and private sector clients, including large mixed-use schemes, residential, employment, retirement and care, leisure and education uses. I have also held posts at both Buckinghamshire County Council and East Hampshire District Council.
- 1.3 I have provided professional advice for residential and commercial developments. I have personally assisted applicants from a transport and highway perspective across England, including Hampshire, Dorset, and Somerset amongst others.
- 1.4 Through this experience I have developed a sound understanding of the development needs and the associated transport and highway implications. I have undertaken works including but not limited to the preparation of Transport Assessments, Travel Plans, Environmental Impact Assessments, Section 278 Agreement support, S106 transport negotiations, Travel Plan Coordination implementation and Expert Witness at Appeal. I have also completed a significant number of public consultations and member briefings for applications of various sizes and various land uses including those similar to that which is subject to this appeal.
- 1.5 The evidence which I have prepared and provided for this appeal is my true and professional opinion and in accordance with the Chartered Institution of Highways and Transportation (CIHT) code of conduct.

2. INTRODUCTION

- 2.1 This Proof of Evidence (POE) has been prepared on behalf of Mr Paul Crocker, the Appellant, in relation to their appeal against the refusal of a planning application for the following development:

“A full planning application for a mixed-use development comprising a food store, office space, café, and mixed-use space for E class uses (e.g. estate agents, hairdresser, funeral care, dentist, vet), and 2x 2-bed flats. Demolition of redundant agricultural sheds. Plus, a new parking area with 30 parking spaces for St. Gregory’s Church and St Gregory’s Primary School. Associated landscaping and engineering operations, access arrangements, on land west of Church Hill, Marnhull.

Outline planning application with all matters reserved except for access for up to 120 dwellings on land off Butts Close and Schoolhouse Lane, Marnhull” (application reference: P/OUT/2023/02644).

- 2.2 A Transport Statement (TS) was prepared by Paul Basham Associates (April 2023) (document reference: 106.0026/TS/3) [CD1.046 to CD1.046d] and submitted as part of the planning application. The TS detailed the hybrid development proposals associated with the full commercial application for the site known as Tess Square, and the outline residential application for the site known as Butts Close. The report included the access arrangements, parking provision, servicing arrangements and traffic impact of the development proposals.
- 2.3 The submission was formally refused by Dorset Council (DC) for 5 reasons. In relation to transportation and highways reason for refusal no.3 stated: *Insufficient details of the proposed development have been submitted to enable the Highway Authority to fully assess the highway safety and sustainable transport implications of the proposal and, consequently, it is not clear whether the proposal would be likely to endanger road safety or result in other transport problems contrary to Objective 6 – Improving the Quality of Life, and Policies 2 and 13 of the adopted North Dorset Local Plan Part 1, and paragraphs 108 criteria d) and e), and paragraph 117 of the National Planning Policy Framework.*
- 2.4 Following conversations with DC Highway officers in August 2024 a Highway Response Technical Note (document ref: 106.0026/HRTN/3) [CD4.006c] which included two revised site layout drawings (ref: 22039/101/P3 and 22039/P201/P3) [CD4.006c] were submitted to DC as part of the Appeal submission on 17th October 2024 to address the highway reasons for refusal. The report provided further detail in relation to the proposed parking provision, delivery vehicle access, pedestrian access and a revised modelling assessment to include additional committed development and the impact of the proposed pick-up and drop-off car park.

- 2.5 The Council's Statement of Case [CD4.010] included the Highway Authority recommendation [CD4.010a] dated 4th December 2024, which confirmed that the submitted additional information was sufficient to resolve its objections as identified in reason for refusal No.3 and draft planning conditions were suggested. Accordingly, the Council no longer pursue reason for refusal No.3.
- 2.6 A Rule 6 appointment was granted on 5th December 2024 for Marnhull Parish Council, with the subsequent Marnhull Parish Council Statement of Case [CD4.011] was received on 6th January 2025. This Statement of Case identified that this Rule 6 party seeks to provide evidence in relation to reason for refusal No.3.
- 2.7 It is understood from the main Statement of Common Ground [CD4.019] that the transport issues are no longer in dispute between the Appellant and the Local Planning Authority, as it states that:
"In respect of Highway safety matters, as a result of additional information submitted by the appellant, the Council will not be defending the third reason for refusal."
- 2.8 The objections which have been submitted from the Rule 6 party remain, as outlined in the matters of dispute within the Highway Statement of Common Ground [CD4.016], and are summarised as follows:
- Marnhull is not a sustainable location for development
 - highway safety issues will be exacerbated and
 - capacity issues will be exacerbated.
- 2.9 In this Proof of Evidence, I will consider:
- Whether the site can be considered as sustainable in the context of the NPPF
 - Whether the local highway network has any existing safety concerns
 - Whether the proposed development would have a 'severe' impact on highway safety or capacity in the context of the NPPF
 - Additional clarifications.
- 2.10 I will treat each issue separately, with a separate chapter addressing each point above.
- 2.11 All of the evidence provided should be read in the context of Dorset Council Highways department raising no objection.

3. RELEVANT PLANNING POLICIES

- 3.1 I have undertaken a review of relevant national and local planning policies which I summarise in this chapter.

National

Revised National Planning Policy Framework (NPPF)

- 3.2 The National Planning Policy Framework (NPPF) was originally published in March 2012, revised in July 2018 and then updated in February 2019, July 2021, December 2023 with the most recent update published in December 2024 (following determination of this application) and acts as the central guidance for development planning.
- 3.3 At the heart of the NPPF there is ‘*a presumption in favour of sustainable development*’ (para 11).
- 3.4 Of most relevance to this application is Paragraph 116, which states:
‘Development should only be prevented or refused on highways grounds if there would be an unacceptable impact on highway safety, or the residual cumulative impacts on the road network, following mitigation, would be severe, taking into account all reasonable future scenarios’.
- 3.5 The NPPF Glossary includes definitions related to the terms ‘*Transport Statement*’, ‘*Transport Assessment*’ and ‘*Travel Plan*’. There is no definition provided for the term ‘*severe*’ in the context of Paragraph 116 within the NPPF and it is a matter of judgement for the decision maker, however as part of the Hartnell’s Farm Appeal Decision¹ [CD 13.003] a definition of ‘*severe impacts*’ was discussed, which cross-referred to an earlier Secretary of State decision. This stated, “*the term ‘severe’ sets a high bar for intervention via the planning system in traffic effects arising from development; mere congestion and inconvenience are insufficient in themselves but rather it is a question of the consequence of such congestion*”, which the Inspector agreed with. The definition has also been referenced as ‘*a fair approach*’ within the Land North of Asher Lane Appeal Decision² [CD13.004].
- 3.6 Reason for refusal No.3 makes reference to paragraphs 108 (parts d and e) and 117 of the NPPF. This is in relation to the 2023 document which stated:

“Transport issues should be considered from the earliest stages of plan-making and development proposals, so that:

a) the potential impacts of development on transport networks can be addressed;

¹ Appeal Ref: APP/D3315/W/16/3157862 Land at Hartnell’s Farm, Monkton Heathfield Road, Monkton Heathfield, Taunton, Somerset, TA2 8NU

² Appeal Ref: APP/P3040/W/17/3185493 Land north of Asher Lane, Ruddington, Nottinghamshire NG2 7YG

b) opportunities from existing or proposed transport infrastructure, and changing transport technology and usage, are realised – for example in relation to the scale, location or density of development that can be accommodated;

c) opportunities to promote walking, cycling and public transport use are identified and pursued;

d) the environmental impacts of traffic and transport infrastructure can be identified, assessed and taken into account – including appropriate opportunities for avoiding and mitigating any adverse effects, and for net environmental gains; and

e) patterns of movement, streets, parking and other transport considerations are integral to the design of schemes, and contribute to making high quality places”. (Paragraph 108 – NPPF 2023)

“All developments that will generate significant amounts of movement should be required to provide a travel plan, and the application should be supported by a transport statement or transport assessment so that the likely impacts of the proposal can be assessed.” (Paragraph 117 – NPPF 2023)

- 3.7 As part of the update to the NPPF in December 2024, these paragraphs have been updated with Paragraph 108 now referenced at 109. Due to changes with the wording applied to the former paragraph 108, the full paragraph 109 has been included for information and states:

“Transport issues should be considered from the earliest stages of plan-making and development proposals, using a vision-led approach to identify transport solutions that deliver well-designed, sustainable and popular places. This should involve:

- a) making transport considerations an important part of early engagement with local communities;*
- b) ensuring patterns of movement, streets, parking and other transport considerations are integral to the design of schemes, and contribute to making high quality places;*
- c) understanding and addressing the potential impacts of development on transport networks;*
- d) realising opportunities from existing or proposed transport infrastructure, and changing transport technology and usage – for example in relation to the scale, location or density of development that can be accommodated;*
- e) identifying and pursuing opportunities to promote walking, cycling and public transport use; and*
- f) identifying, assessing and taking into account the environmental impacts of traffic and transport infrastructure – including appropriate opportunities for avoiding and mitigating any adverse effects, and for net environmental gains.” (Paragraph 109 – NPPF 2024)*

3.8 Paragraph 117 is now referenced as 118 and includes that; *“the application should be supported by a vision-led transport statement or transport assessment so that the likely impacts of the proposal can be assessed and monitored.” (Paragraph 118 – NPPF 2024)*

3.9 In addition, we would also consider Paragraph 110 of the NPPF (2024) which states:
“The planning system should actively manage patterns of growth in support of these objectives. Significant development should be focused on locations which are or can be made sustainable, through limiting the need to travel and offering a genuine choice of transport modes. This can help to reduce congestion and emissions, and improve air quality and public health. However, opportunities to maximise sustainable transport solutions will vary between urban and rural areas, and this should be taken into account in both plan-making and decision-making.”

Local

North Dorset Local Plan – Part 1 (2016)

3.10 The North Dorset Local Plan provides the current statutory local planning policy for the area of Marnhull. A core theme throughout the plan is sustainable development.

3.11 This plan outlines a number of key policies to support development control decisions with Policy 1: Presumption in Favour of Sustainable Development a key consideration. In relation to highways and the application site the most applicable policy is Policy 13: Grey Infrastructure: Transport which states:

“By working alongside developers, agencies, and other partners, the Council will ensure that the necessary grey infrastructure is put into place to support growth, development and North Dorset's economy. The adequacy, availability and provision of grey infrastructure will be key considerations when planning applications are considered. Development will be expected to maintain, enhance and provide grey infrastructure, as appropriate to the particular development, by way of direct (on/off site) or indirect (by way of financial contribution) provision.

Transportation

A more sustainable approach to transport in North Dorset will be developed by:

...b. supporting measures to make more effective use of the existing route network including: improvements to traffic flows at ‘pinch points’ and key junctions; and schemes to improve environmental quality on busy routes or to improve road safety; and

- c. the use of Transport Assessments and Transport Statements, which the Council will require to be submitted by developers to assess the impact of new development on the existing highway network, clarify its consequences and put forward mitigation measures, when considering planning applications; and*
- d. seeking improved scheduled bus services between the main towns in and beyond the District and within the main towns; encouraging community-led transport schemes in rural areas; seeking improved demand responsive public transport services; and improved rail services to and from Gillingham; and*
- e. the production of Travel Plans in association with Transport Assessments/Statements with emphasis on public transport and which will be expected from developers; and*
- f. providing and enhancing walking and cycling facilities in the main towns and in rural areas, particularly between villages and nearby towns; and completing the North Dorset Trailway as a strategic walking and cycling route; and*
- g. developing and enforcing parking standards and guidance both for residential development and other uses and the development of a strategy for off-street parking, focusing on Council and other publicly owned car parks...*

...Public Realm

For all large-scale development proposals, and proposals on prominent sites, the Council will seek the incorporation of public art and will encourage liaison with local artists. Developers should consider the visual impact of infrastructure such as street and other lighting at the development design stage and take full account of the needs of people with disabilities.”

- 3.12 Policy 23 – Parking is also of relevance, which states that *“Development will be permitted provided that: provision for residential and non-residential vehicle and cycle parking is made in accordance with the Council’s parking standards, unless a different level of provision can be justified by local or site-specific circumstances; provision for motorcycle parking is made to a level appropriate for the size and location of the development, having regard to the council’s standards and guidance; and provision for parking for people with impaired mobility is made in accordance with the Council’s standards and guidance.”*
- 3.13 In relation to Marnhull it is also noted that within Policy 2 – Core Spatial Strategy Marnhull is described as a larger village identified as the focus for growth, to meet the local needs outside of the four main towns.

- 3.14 Objective 6 – Improving the Quality of Life was also referenced as part of the original reason for refusal no. 3. This states:

The objective is to improve the quality of life of North Dorset’s residents, particularly the older population and the young, by:

- *encouraging the provision of viable community, leisure and cultural facilities both in the main towns and rural communities;*
- *retaining the current range of healthcare and education services and ensuring that additional healthcare and education facilities are provided in accessible locations;*
- *ensuring that a network of multi-functional green infrastructure including sport and recreation facilities, open and natural space, is provided across the district;*
- *securing an integrated approach to private and public transport (including parking provision and management), which improves accessibility to services; and*
- *ensuring that development makes a positive contribution to enhancing existing and providing new transport infrastructure.*

Dorset Council Local Transport Plan 3 (LTP3) (2011-2026)

- 3.15 The Transport Statement [CD1.046] details the LTP3 policies that are applicable to this application. Of most relevance to this Proof of Evidence is Policy LTP A1 and LTP A3 which states:

“Support and encourage development and redevelopment proposals which minimise the impact of the private car by reducing the need to travel, as well as the distance travelled.” (LTP A1)

“In order to ensure that new development is adequately served, mitigates impacts on the existing network and promotes sustainable travel options, the authorities will work with the Local Planning Authorities to ensure that requirements for developer funding for transport are applied through the planning process.” (LTP A3)

- 3.16 Policy LTP E1, *“The authorities will prioritise and promote walking for trips under 2km, and cycling for trips under 5km, for people of all ages. In order to encourage modal shift from the car and improve local accessibility”* and Policy LTP E3. *“Walking and cycling infrastructure investment will be targeted towards enhancing existing facilities and creating continuous, convenient and safe routes”* are also relevant in relation to the S106 requirements and the sustainability review.

- 3.17 Dorset Council are currently consulting upon LTP4 however this document is not adopted and has not be considered as part of this Proof.

4. NATIONAL HIGHWAY GUIDANCE

Manual for Streets (2007)

- 4.1 Manual for Streets (MfS), published for the Department for Transport, comprises technical guidance which can be used for lightly trafficked residential streets, high streets and lightly trafficked lanes in rural areas. MfS guidance does not apply to the trunk road network which is set out in the Design Manual for Roads and Bridges (DMRB). The appeal scheme has been developed in accordance with MfS guidance.
- 4.2 Chapter 7.2 of Manual for Streets indicates the required widths for various road types and the vehicles that can be accommodated. Figure 7.1 demonstrates widths to allow two vehicles to pass one another concurrently whereby two cars can do so at 4.1m in width, a car and a Heavy Goods Vehicle (HGV) can do so at 4.8m and two HGVs can do so at 5.5m.
- 4.3 Chapter 7.4 and the information box entitled *Influence of geometry on speed*, included on page 89, discusses achieving appropriate traffic speeds. Paragraph 7.4.4 discusses traffic calming measures with psychology and perception referencing the impact that street features and human activity can have on vehicle speeds.
- 4.4 Chapter 7.5 clarifies stopping sight distances, which have been applied to the Butts Close vehicular access arrangement.

Manual for Streets 2 (2010)

- 4.5 Manual for Streets 2 Chapter 1 provides additional clarity regarding when to apply MfS guidance. In the case of the Butts Close site, which includes a vehicle access onto Schoolhouse Lane, paragraph 1.3.2 confirms that; *'the starting point for any scheme affecting non-trunk roads, designers should start with MfS'*.
- 4.6 Paragraph 1.3.3 then goes onto say the following, which is applicable to the Schoolhouse Lane vehicular access:

"Where designers do refer to DMRB for detailed technical guidance on specific aspects, for example on strategic inter-urban non-trunk road, it is recommended that they bear in mind the key principle of MfS and apply DMRB in a way that respects local context. It is further recommended that DMRB or other standards and guidance is only used where the guidance contained in MfS is not sufficient or where particular evidence leads a design to conclude that MfS is not applicable"

- 4.7 Section 2.8 reviews networks, contexts and street types specifically for rural areas and includes specific reference to Dorset County Councils 2008 rural roads protocol found in *Managing Dorset's Rural Road: Our New Approach to Road Management in a High Quality Environment*, which is still applicable.
- 4.8 Chapter 3 makes reference to Highway Design, Risk and Liability. This includes acknowledging that there is a relationship between carriageway width and vehicle speeds, with 'safer roads' experiencing more accidents than 'so-called dangerous ones', whilst section 3.2 summarises the importance of professional judgement when applying design guidance.
- 4.9 Section 8.2 refers to design speeds as part of carriageway design, with paragraphs 8.2.5-8.2.8 making direct reference to TD9/93 (Paragraph 1.2) that '*Speeds vary accordingly to the impression of constraint that the road alignment and layout impart to the driver*', which is of particular note to the rural environment of Marnhull.
- 4.10 Section 10.5 also provides additional information regarding visibility splay requirements to support the points made in Manual for Streets.

LTN1/20 Cycle Infrastructure Design (2020)

- 4.11 Local Transport Note 1/20 Cycle Design Infrastructure, published for the Department for Transport, comprises technical guidance to local authorities on delivery high quality, cycle infrastructure.
- 4.12 In relation to this application site Chapter 11, Table 11-1 details cycle parking requirements for specific land uses, including residential provision.

Design Manual for Roads and Bridges

- 4.13 The Design Manual for Roads and Bridges (DMRB) contains information about current design standards relating to the design, assessment and operation of motorway and all-purpose trunk roads in the United Kingdom.
- 4.14 CD 109 Highway link design (revision 1) details stopping sight distances in Table 2.10 which has been applied for an 70kph design speed (43mph) for the junction from Butts Close site onto Schoolhouse Lane.
- 4.15 CD 123 Geometric design of at-grade priority and signal-controlled junctions (version 2.1.0) includes junction visibility arrangements within Figure 3.4. This guidance has been applied here, in regard to the stopping sight distance visibility splay for the junction from the Butts Close site onto Schoolhouse Lane.

5. CLARIFICATION REGARDING PARKING FIGURES

- 5.1 Within the HTRN [CD4.006c] references to parking need to be clarified in relation to Drawing 101 P3 [CD4.006].
- 5.2 The Tess Square site has a total parking provision of 205 spaces including the surgery and the drop-off/overflow car park, of which 131 spaces are proposed for the new commercial development. This information remains correct.
- 5.3 The drop-off/overflow parking for the school and the church is 36 spaces. References in paragraph 1.1, 2.1, 3.8, 6.6, 6.10 and 7.6 should be read as this, instead of 30.
- 5.4 The surgery parking is 38 spaces in total, of which 7 are new and 31 are existing. References in paragraphs 3.3 and 3.11 should be read as such.
- 5.5 Drawing 101 P3 refers to the surgery parking with '*31 existing spaces (7 spare)*'. This should be read as 31 existing spaces (7 new).

6. SUSTAINABLE TRAVEL

- 6.1 The Local Highway Authority did not raise sustainability as part of reason for refusal no.3, which was subsequently removed. As part of the HSoCG [CD4.016] Dorset Council confirmed that the location at Tess Square is not sustainable in its current arrangement but with the proposed S106 enhancements to the PRoW and the bus service this objection has been resolved. Moreover, the highway reason for refusal has now been resolved.
- 6.2 The Parish Council as Rule 6 party have outlined in their Statement of Case [CD4.011] the following elements which all relate to sustainable travel, within paragraphs 4.6 – 4.8:
- Most people in employment moving to the proposed Butts Close development will work some distance from their home
 - At present, most residents travel to work by car
 - The bus service is poor and not a realistic option for many journeys to work
 - There are no safe cycle routes between Marnhull and the main towns.
 - There is no dedicated provision for cyclists within the village

Travel from Marnhull

- 6.3 This Hybrid application looks to respond directly to the issue of out-commuting by providing new local services that would not only reduce the need for individuals to leave Marnhull by car but would also provide employment opportunities within the village, that are currently absent.
- 6.4 Further to this, the provision of local facilities within Marnhull would encourage an increase in walking trips within the village, to a cluster of local services. Table 2 within the Transport Statement [CD1.046] summarises the services within 1500m of the Butts Close residential proposal and notes that the Tess Square scheme would deliver a number of local facilities within c. 1km of the site. The facilities at Tess Square would also provide the majority of Marnhull with new facilities within a 20-minute walk (c1.6km) of existing dwellings, as shown in the isochrone mapping at **Figure 1** (Figure 4 of the Transport Statement) which accords with policy LTP E1.

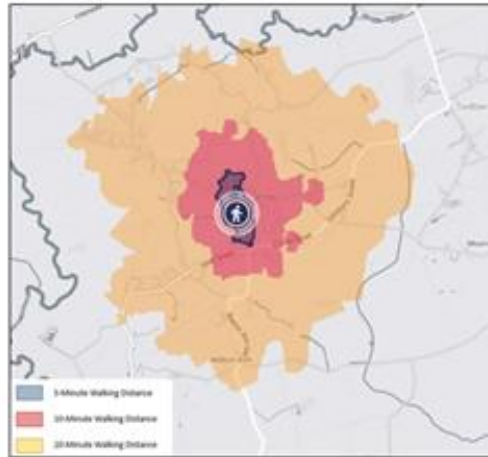


Figure 1: Walking Isochrone map for Tess Square – Extract of Figure 4 within Transport Statement TS3

Sustainable Travel Opportunities

- 6.5 The accessibility of the site is detailed within Section 3, paragraphs 3.8 – 3.28 of the Transport Statement [CD1.046] which reviews the walking, cycling and public transport opportunities available within Marnhull as well as the local facilities within a walkable or cyclable distance (based on distance not upon highway design).
- 6.6 Existing residents of Marnhull utilise a mixture of footpaths, PROWs (public rights of way) and road routes to navigate around the village as a few of the local roads do not have footway provision. **Figures 2 and 3** summarise the current footway locations and PROWs. It is noted that the roads to the north-west do not include footway provision for c. 670m of Burton Street, between the junctions of Pilwell Street and the junction with Sackmore Lane. After then Burton Street benefits from a footway on the northern side of the carriageway until c. 10m after the junction with Ham Lane.



Figure 2: Footway Provision - Marnhull (Part 1)



Figure 3: Footway Provision – Marnhull (Part 2)

- 6.7 In the Appeal response³ [CD13.002] for Land between Salisbury Street, Tanzey Lane and Sodom Lane, Marnhull, Dorset the Inspector details potential pedestrian connections used by prospective residents. Paragraph 62 of the report stated: “... *I find it more likely that people would take the crossfield route through the Crown Road site than use Sodom Lane. Indeed, I passed people walking on this route, even in the falling light levels and inclement weather at my site visit.* “. This highlighted that rather than use Sodom Lane, which does not have a footway connection in the vicinity of that site, residents currently use a ‘cross-field’ PRoW route instead.
- 6.8 Tess Square’s proposal focuses on the enhancements to the existing footways that are part of the PRoW network to the west and south of the site, to enable better pedestrian connectivity and meet policy LTP E3 requirements (LTP3). The HSoGC [CD4.016] confirms that the Appellant is proposing to upgrade the surfacing of sections of the PRoW to all weather surfacing. DC are in agreement with this approach and have provided a recommendation to be included within the S106, as part of their most recent response. This would enable more pedestrian movements along the PRoW routes, including individuals with protected characteristics to be able to access the PRoW network, which may not be possible currently.
- 6.9 In addition to this a new park & walk car park is proposed for the school and church. This would be accessed through the Tess Square car park and would be supported by associated walking routes to the school, utilising a new northern connection and the church.

³ APP/D1265/W/23/3323727 for Land between Salisbury Street, Tanzey Lane and Sodom Lane, Marnhull, Dorset

- 6.10 In relation to the school, this proposal would enable the school to benefit from a park and walk location, which would then provide a traffic free route to the rear of the school. It could also act to remove some existing vehicular use on New Street. For those travelling from the north and north-east the creation of this link to the school will also benefit pedestrians who can walk through or passed the Tess Square development to the access the school.
- 6.11 The Rule 6 Party's Statement of Case [CD4.011] advises that the footpath improvements proposed in the vicinity of the Tess Square site are not on desire lines and that improvements are not wide enough for equestrian or cycle use. Through discussions with Dorset Council's Highways teams the decision to support enhancements to the existing PRow network was felt to be appropriate for the scale and uses of development. The designation of these routes is as footways rather than bridleways, therefore cycle and equestrian use is not a consideration.
- 6.12 In relation to Butts Close residential development, pedestrian and vehicular access onto the local highway network would be via Butts Close only. This would include pedestrian access, details of which would be included as part of the subsequent Reserve Matters application. There would be vehicular access onto Schoolhouse Lane.
- 6.13 Butts Close is a residential cul-de-sac, which include footway connections as part of the PRow routes. A footway is afforded on the north-western side of the road, before it moves onto the eastern side of the road. At the junction of New Street footways then continue both east and west and on both the northern and southern sides of New Street, as shown on **Figure 3**.
- 6.14 In terms of cycle routes, there are no dedicated Public Rights of Way that are listed as bridleways in the immediate vicinity of the site (**Figure 4**).



Figure 4: Public Rights of Way – extract of Figure 3 from Transport Statement (Purple – footways, Green – Bridleways)

6.15 As referenced in paragraph 3.21 of the Transport Statement [CD1.046], the sites are adjacent to an extension of the National Cycle Network (routes 25 and 250), utilising Sodom Lane to travel north on Burton Street. The Dorset Council website also includes a mapped cycle route⁴ that utilises New Street, Church Hill, Sodom Lane and Nash Lane, an extract of which is shown in **Figure 5**. It is noted that whilst traffic free cycle routes are not available locally the presence of advertised cycle routes, utilising local roads suggests they are conducive to cycling.



Figure 5: Extract of Marnhull Circular Cycle Route – Dorset Council

⁴ https://www.dorsetcouncil.gov.uk/documents/35024/281990/Route_3_-_Marnhull_.pdf/c3d592e9-b7f1-d22b-d6ee-3a15dca2f312

- 6.16 Paragraph 3.22 and Figure 7 of the TS highlight that within a 35-minute cycle distance (5-6 miles) Sturminster Newton, West Orchard, Kington Magna, Stalbridge, Gillingham, and the edge of Shaftesbury can be reached. This distance is further than the 5km cycle distances that are promoted within policy LTP E1 of LTP3, however this distance reflects the rural location of the site. Further to this the distance that people are willing to cycle varies based on a cyclists' confidence level, it is my professional opinion that confident cyclists could choose to cycle the 5-6 miles.
- 6.17 The concerns raised by the Parish Council around the bus service enhancements and contributions have been acknowledged. However, a S106 contribution towards bus provision has been agreed with Dorset Council, as confirmed in the HSoCG [CD4.016].
- 6.18 The provision of new pedestrian connections associated with the Tess Square development, as well as the enhancements to the adjacent PRow network (including all weather surfaces) provide new and improved connections for existing residents of Marnhull as well as enhanced facilities for those with protected characteristics. This includes a new pedestrian route to access St Gregory's Primary School, delivered as part of the park & walk car park arrangements. This directly responds to section f of Policy 13 of the Local Plan and paragraph 109 sections b, c, e and f of the NPPF (Dec 2024) and LTP 3 policies A1, A3, E1 and E3.
- 6.19 Further to this, the ability to implement new footway provision on a rural road network, where there is limited land available, has been acknowledged. No new footway provision is to be provided on the existing local highway network due to the lack of available land, however the provision of footways is understood to change the perceived risks of travelling on the rural road network, and would have an urbanising effect, as discussed in MfS 1 and 2. The decision is considered to accord with Paragraph 110 of the NPPF (Dec 2024), taking into account the rural nature of the locality as well as taking account of Dorset's rural roads protocol (referenced in MfS 2 Section 2.8).

7. HIGHWAY SAFETY

- 7.1 The original reason for refusal stated that *“Insufficient details of the proposed development have been submitted to enable the Highway Authority to fully assess the highway safety and sustainable transport implications of the proposal...”*. As part of the original application a Transport Statement and Travel Plan were submitted in accordance with the requirements of Policy 116 of the NPPF and Policy 13 section c and e of the Local Plan.
- 7.2 A further Highway Response Technical Note was published in December 2024 and subsequently reason for refusal no. 3 was removed. This confirms that the Highway Authority had sufficient information to fully assess the safety and sustainable transport impacts of the proposal. This is confirmed within the Statement of Common Ground [CD4.016] with Dorset Council.
- 7.3 Paragraph 4.13 of the Parish Council’s statement of case [CD4.011] suggests there are *‘negative consequences for highway safety, congestion and inconvenience and environmental harm’* and that *‘The Appellant has not proposed any mitigation to address this impact...’*
- 7.4 In the context of the NPPF Paragraph 116 consideration has been given to whether there would be an unacceptable impact on highway safety and whether the residual cumulative impacts on the road network, following mitigation, would be severe, taking into account all reasonable future scenarios.

Existing Safety Review

- 7.5 To understand whether there are reported safety issues associated with pedestrian, cycle or equestrian activities on the local road network the Transport Statement [CD1.046-CD1.046D] included a review of personal injury accident data collected from Crashmap, in the vicinity of the application site, for the 5-year period between 2017-2021.
- 7.6 The data has since been reviewed while preparing this Proof, using both MAVRIC (Mapping Application for Visualising Road Injury Casualties), the DfT’s new mapping tool, which reports data from 2019-2023, as well as Dorset Highways’ accident data that covers 2020-2024. The results of the Personal Injury Collision (PIC) assessment are displayed in **Figure 6** and summarised in **Table 1**.

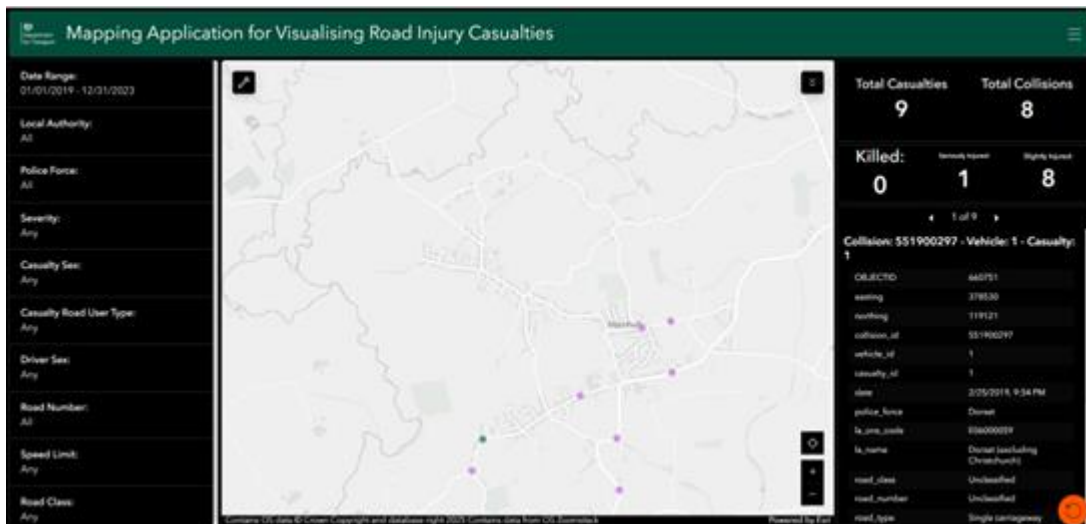


Figure 6: Personal Injury Collision (PIC) Data - MAVRIC 2019 – 2023 (Slight – purple dot / severe – green dot)

Date	Severity	Location	Those Involved	Database
02.25.2019	Slight	Sodom Lane	1 x pedestrian 1 x vehicle	MAVRIC
06.09.2020	Slight	New Street	3 x vehicles	Dorset/MAVRIC
04.08.2021	Slight	Sodom Lane	1 x pedestrian 1 x vehicle	Dorset/MAVRIC
13.01.2022	Slight	Walton Elm Hill (B3029)	1 x vehicle	Dorset/MAVRIC
08.10.2022	Slight	School House Lane (B3029)	1 x vehicle	Dorset/MAVRIC
25.01.2023	Serious	Mounters	2 x vehicles	Dorset/MAVRIC
28.02.2023	Slight	Crown Road (B3029)	2 x vehicles (inc. 1 HGV)	Dorset/MAVRIC
28.05.2023	Slight	Common Lane junction	2 x vehicles	Dorset/MAVRIC

Table 1: Personal Injury Collision Data

7.7 As exhibited in **Table 1**, there have been two recorded PICs within a 200m radius of the proposed site boundary, both of which have been reported as slight. No personal injury collisions have been reported to include cyclists or equestrians. As shown in **Figure 6** there are also no clusters of reported collisions. Therefore, in my professional opinion the current design of the local highway network does not raise any existing highway safety concerns regarding the existing local use.

7.8 The assessment also included a review of the roads to the north of the site, with no PIAs reported on Sackmore Lane or Burton Lane.

- 7.9 From the information available within Mfs 1 (section 7.4) and Mfs 2 (paragraph 8.2.4) there is an acknowledgement that *'drivers tend to adopt higher speeds in response to more generous highway geometry...'* and that there is a relationship between carriageway width and vehicles speeds, with *'safer roads'* experiencing more accidents than *'so-called dangerous ones'*. It is my professional opinion that whilst some may consider that the rural roads through Marnhull feel *'unsafe'* this provides drivers with the required guidance to drive in a more cautious manner, which is reflected in the absence of reported personal injury collisions.
- 7.10 In paragraph 6.8 of this proof of evidence, it has been acknowledged that residents in Marnhull already utilise available connections in the absence of formalised footway provision (as was noted by the Inspector). This is further supported with images obtained from Google Maps, taken in September 2023 with pedestrians utilising the junction of New Road/B3092 (**Figure 7**) and Church Hill (**Figure 8**).



Figure 7: New Road/B3092 pedestrian use



Figure 8: Church Hill pedestrian use

Schoolhouse Lane Access

- 7.11 A retained point of dispute with the Rule 6 party is that the presence of a vehicular access onto Schoolhouse Lane would encourage pedestrians to use Schoolhouse Lane to travel between the Butts Close site and the Church Hill/New Street/Schoolhouse Lane/Crown Road junction.
- 7.12 The Appellant has removed all footway provision onto Schoolhouse Lane, including at the vehicular access to remove the indication that pedestrian movements through the junction are supported. This approach has been agreed as acceptable with Dorset Council's highways team. Whilst the internal arrangements of Butts Close will be subject to a separate Reserve Matters application, it is intended that appropriate signage/wayfinding is installed within the site to discourage pedestrian movements onto Schoolhouse Lane, and this can be conditioned as part of the RM application.

- 7.13 The proposed vehicular access Schoolhouse Lane has hedging located adjacent to the edge of the carriageway. Whilst the hedge within the access visibility splay will be managed to ensure visibility can be retained, there is no verge available for pedestrians to use (**Figure 9**).



Figure 9: Schoolhouse Lane – Butts Close vehicular access (approximate location)

- 7.14 MfS guidance looks to promote the hierarchy of movements, with consideration of pedestrian movements first. It also notes that professional judgement should be applied when implementing guidance. The limited potential to implement a suitable width footway along Schoolhouse Lane, without impacting on other elements of the site boundary has resulted in the decision to promote pedestrian movements via the Butts Close access and to design out pedestrian movements from the Schoolhouse Lane junction.
- 7.15 Whilst pedestrian movements cannot be physically prevented, appropriate signage and barriers will be implemented to dissuade pedestrians from making this movement from the Schoolhouse Lane junction.
- 7.16 The lack of pedestrian access will also be reiterated as part of the travel planning work, required to support the future occupation of the Butts Close site.

Delivery & Servicing Plans

- 7.17 The HRTN [CD4.006c] provided tracking drawings within Appendix D for the largest vehicle that could visit the Tess Square site, which was a 16.4m long articulated vehicle.
- 7.18 These drawings were accepted by the Highway Authority, who subsequently proposed the wording for a condition which would require a Delivery and Servicing Plan to be provided for approval prior to occupation of Tess Square.
- 7.19 The HSoCG [CD4.016] also confirms agreement with all parties that servicing and delivery vehicles, associated with the Tess Square site, would be required, as part of any Delivery and Servicing Plan to travel to and from the site via the southern arm of Church Hill. This requires delivery vehicles to use the Church Hill/New Street/Schoolhouse Lane/Crown Road junction.

- 7.20 This is not the first development of this type to be implemented in a rural setting, and there are a variety of agreed delivery methods and vehicle sizes that are utilised by companies to minimise their delivery vehicle impacts on local road networks. The assessment considered the maximum potential vehicle size using the site, which is a 16.4m long articulated vehicle, and this assessment was accepted by the Highway Authority. In reality, the size and mix of uses proposed at Tess Square would very likely see deliveries made by a mix of vehicle sizes including smaller transit, panel vans and box vans.

Use of Local Roads

- 7.21 Marnhull Parish Council also acknowledge in their Statement of Case the existing condition of the local road network. In paragraph 4.12 this includes, *“These [local road] routes are substantially different in character to the B3092, with restricted widths and limited forward visibility in places”*. They also noted that: *“...No consideration is given in the assessment of Church Hill to cyclists, pedestrians or horse riders who frequently use this narrow road or indeed to scenarios where articulated lorries must pass school buses, other lorries and agricultural machinery using the road.....”* (Paragraph 4.12).
- 7.22 From the personal injury collisions evidence available from Dorset Council there is no recorded safety issue, both for the roads in the immediate vicinity of the site, but also across Marnhull village. It is my opinion therefore that whilst the local road network is rural in design there is not a notable highway safety issue currently observed in relation to the use of these roads. This includes their use by lorries, agricultural machinery, buses and pedestrians, as is the current observed situation.
- 7.23 In relation to parking NPPF Paragraph 116 states that an application should only be refused if there is an unacceptable impact on highway safety. As explained above, the proposed scheme would not have a detrimental impact on highway safety (let alone unacceptable) and therefore should not be refused.

8. TRAFFIC IMPACT

- 8.1 The original reason for refusal stated that *“Insufficient details of the proposed development have been submitted to enable the Highway Authority to fully assess the highway safety and sustainable transport implications of the proposal...”*. As part of the original application a Transport Statement and Travel Plan were submitted in accordance with the requirements of Policy 116 of the NPPF and Policy 13 section c and e of the Local Plan.
- 8.2 A further Highway Response Technical Note was published in December 2024 which included clarification of discrepancies within the Transport Statement, and subsequently the original highway reason for refusal was removed. This confirms that the Highway Authority had sufficient information to fully assess the impacts of the proposal and found no issue.
- 8.3 The Rule 6 objection raises questions with the assessment generated using the TRICS database within paragraphs 4.9 – 4.13 which includes:
- The TRICS sites selected for Butts Close are ‘edge of town’ locations which is not representative of a rural Dorset village.
 - The trip generation figures provided in respect of Tess Square are for 12-hours and not daily.
 - That (the) food store had to be assessed as a Food Superstore as it was too large to be modelled as a convenience store using data from the TRICS database.
 - No junction modelling or swept path analyses have been provided for large vehicles that will be using the Pilwell / Church Hill junction
 - Neither the Transport Statement, nor the Highway Response Technical Note cover routes from the proposed development to the north via Burton Street (the main village thoroughfare but an extremely narrow and unlit rural road with no footways) or via New Street / Sackmore Lane and out to Henstridge and the surrounding area.
 - The proposed development would add many additional car journeys on to an unsuitable rural road network with negative consequences for highway safety, congestion and inconvenience, and environmental harm. The Appellant has not proposed any mitigation to address this impact on the rural road network in terms of both highway mitigation, and the adverse effects would not be adequately mitigated by the proposed level of investment and intervention in sustainable transport measures.
- 8.4 The following looks to take these points in turn and provide a response to the Rule 6 Objection,

TRICS

- 8.5 To understand the traffic generation potential of the site the TRICS database has been assessed for the proposed land uses.

8.6 TRICS is the industry standard system of trip generation analysis for the UK and Ireland. The system allows users to establish potential levels of trip generation for development scenarios using a database of transport surveys with filtering processes and is widely used by transport planning consultants and local authorities.

8.7 The Rule 6 objection (paragraphs 4.9 – 4.10) raises the following observations with regard to the traffic generation assessment:

- The location of the site's selected using the TRICS database are not reflective of a rural village;
- The trip generation figures for Tess Square are for 12 hour and not daily; and
- The food store assessment considers a food super store rather than a convenience store.

Sites Selected - Location

8.8 On Page 13 of the TRICS Good Practice Guide 2025 (Dec 2024) [CD5.010] Figure 4 provides a visual representation of location definitions available within the TRICS database (shown at **Figure 10** below). This highlights that there is not a category specifically included to reflect rural locations.

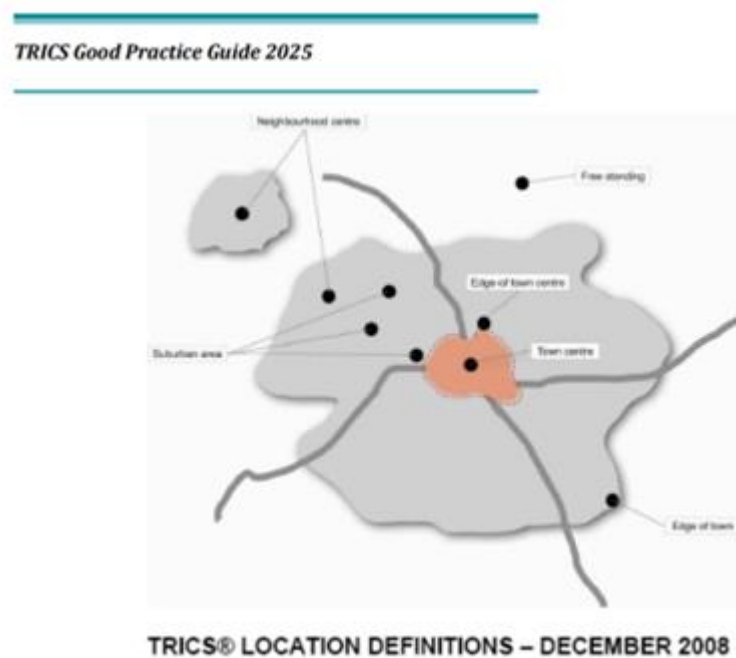


Figure 10: Extract taken from TRICS Good Practice Guide 2025 – Figure 4

- 8.9 Paragraph 5.17 of the Transport Statement reflected the site selection process, stating:
- 'It should be noted that Edge of Town locations are the most applicable & robust surveys to utilise when assessing rural sites, with paragraph 4.4 of the TRICS user guide stating that "The ranked comparison of TRICS location types showed the Edge of Town category ranking mostly at the top in terms of trip rates". The reference to Town in this case, does not mean that all survey sites are collated solely from towns, but include villages too.'*
- 8.10 The TRICS Good Practice Guide 2025 Section 5 confirms, following TRICS review of data, that there are
- "... a considerable number of other factors are influencing trip generation to a significantly greater degree than region alone. (5.4) On the other hand, the vehicular analysis by location type did show an overall structured and consistent variation in trip rates. The ranked comparison of TRICS location types showed the Edge of Town category ranking mostly at the top in terms of trip rates, with the Town Centre/Edge of Town Centre grouping of categories ranking mostly at the bottom."*
- 8.11 The decision in the originally submitted TA for the scheme, to include End of Town locations, presented a robust assessment of the TRICS outputs and generated an expected increase in vehicle trips. The subsequent HRTN continued to apply the same parameters whilst using more recent surveys and in my professional opinion is considered to present a robust assessment of likely vehicle movements.
- 8.12 Limitations with the TRICS database may mean that that a site selection might not perfectly reflect the site's location when calculating traffic associated with a proposed land use. However, in the absence of other data, this assessment is the nationally accepted approach taken when assessing planning applications.
- Time Assessed*
- 8.13 The focus of a highway assessment is to understand the impact the proposed development would have upon the peak periods of the background highway network. The standard application is to reflect the periods between 0800-0900 hours for the morning peak and 1700-1800 hours for the afternoon/evening peak and for weekdays only.
- 8.14 To enable the assessment of multiple land uses in a location the baseline assessment is for a 12-hour period (0700-1900) which is referred to as 'daily' and reflects the available data for all of the land uses.
- 8.15 Full details of the TRICS outputs have been included in the Appendices within the Transport Statement and from a review of these, the peak flows associated with all of the land uses assessed are included within the 12-hour period assessed.

- 8.16 Vehicle trips outside of the 12-hour assessment period do occur but these do not reflect peak times on the network. In my professional opinion, if the highway network can accommodate the 'peak' movements then the network will necessarily be able to accommodate trips outside of this period when baseline traffic flows on the network are by definition 'off-peak' and therefore lower.

Food Store Assessment

- 8.17 The TRICS database is limited by the surveys that have been uploaded to its system. The data available is constantly being updated with new surveys, however fewer non-residential schemes are surveyed and therefore available for assessment. This is the case with food stores where 1 survey site was available within the parameters utilised at the time of producing the TS and the HRTN.
- 8.18 Food store trip generation profiles can also vary between a local convenience store and a larger supermarket. The local convenience store is likely to attract pass-by and linked-trips associated with individuals already on the local highway network, as well as local walking and cycling traffic, therefore 'new trips' on the network are likely to be far reduced. In contrast, larger supermarkets, where people complete a 'weekly shop', will see an increase in private car trips due to the need to transport a larger amount of food/items and these locations are reflective of '*destinations*' that generate their own trips.
- 8.19 The assessment of a supermarket development ensures that a higher proportion of car trips is recorded on the network, and therefore that a 'worst-case' scenario is considered as part of the site's traffic assessment.
- 8.20 As mentioned within the Parish Council's statement [CD4.011] the site is a rural village and people have to travel by car to access these facilities currently. Therefore, the provision of a local facility within walking and cycling distance of many Marnhull residents will help to reduce the number of existing car trips away from the village, particularly for small 'top-up' shops.

North of Tess Square

- 8.21 The Rule 6 objection (paragraphs 4.11 and 4.12) raises the following observations about the traffic generation assessment:
- There is no junction modelling or swept path assessment for Pilwell Junction; and
 - the routes north via Burton Street have not been assessed.

Pilwell Junction

- 8.22 The Modelling Technical Note [CD4.020] responds directly to paragraph 4.11 of the Rule 6 Party Statement of Case, in that it includes a modelling assessment for the Pilwell Junction, utilising survey data collected in February 2025.
- 8.23 The scenarios tested included a 2025 baseline to a 2030 future scenario including both the proposed development and committed developments within Marnhull.
- 8.24 The outcome of this assessment confirmed that the Pilwell Junction operates within capacity during the AM and PM peak hours in all the scenarios tested and in my professional opinion would not be considered to represent a severe impact in the context of the NPPF Paragraph 116.
- 8.25 Swept path analysis of the Pilwell Junction has not been undertaken as the largest vehicles that would use the Pilwell Junction would be associated with customer traffic to the site. Delivery and servicing vehicles would be required to use the Church Hill/New Street/Schoolhouse Lane/Crown Road junction, and this would be conditioned as part of a required Delivery and Servicing Plan.
- 8.26 Notwithstanding this, the survey outputs confirmed that the Pilwell Junction currently accommodates daily bus movements between the Pilwell and Church Hill arms of the junction, as shown in **Figure 11**. This confirms that whilst the Tess Square site would support all large vehicles using the southern section of Church Hill, the Pilwell Junction can accommodate larger vehicle movements, without an impact on highway safety, as is the current situation.



Figure 11: Screen shot from traffic survey 13th February 2025

- 8.27 In relation to highway safety, it is also noted that the Pilwell Junction includes footway provision around both the northern bend, onto Burton Street, and the southern bend, onto Church Hill (both marked on **Figure 2** and shown in **Figure 11**). The Tess Square development would continue to utilise the existing footway connection available across the Burton Street arm, with pedestrians able to travel between the PRoW on the western side of the carriageway and the footway on the eastern side.
- 8.28 The implementation of the Tess Square proposal is not shown to have a detrimental impact on the vehicular operation of the Pilwell junction, and pedestrian and vehicular arrangements will remain unaltered and there have been no personal injury collision reports for the junction. In addition, servicing and deliveries associated with the Tess Square site are to come to/from the south. Consequently, in the absence of any existing highway safety evidence, the use of the Pilwell Junction is acceptable in terms of highways operation and Paragraph 116 of the NPPF.

Distributions and travel on Burton Street

- 8.29 The original modelling work completed within the TS assumed a 50/50 split of vehicle movements associated with Tess Square, travelling either north or south onto the network. From a review of the junction data collected at the Pilwell Junction in February 2025 this confirmed that in the peak periods, vehicles passing the site access are largely split 50% north/50% south. Therefore the 50/50 split of Tess Square trips has been retained.
- 8.30 The Modelling TN then presented a 'worst case' scenario that considered 30% of Tess Square vehicle trips travelling to/from the north of the Pilwell junction. In this scenario, the proposed Tess Square development with the park and walk facility could generate c. 33-35 vehicle movements each way during the AM peak hour, and c. 60-62 vehicle movements each way during the PM peak hour.
- 8.31 This level of vehicle movements would represent an additional vehicle movement in each direction every 2 minutes during the AM peak hour, and every minute during the PM peak hour. This reflects all new trips onto the network, with no consideration of pass-by, linked or diverted trips.
- 8.32 Modelling for junctions north of the site, including the Pilwell Junction were not raised as a concern by Dorset Council. Having completed a review of both the Pilwell Junction and the Church Hill/New Street/Schoolhouse Lane/Crown Road junctions, which would experience the most vehicle movements directly associated with the Butts Close and Tess Square proposals, neither junction had highway capacity issues and therefore assessments of junctions located further from the site have not been considered necessary.
- 8.33 In addition to this, **Figure 6** confirms that there are no personal injury collisions from the last 5 years at these junctions and therefore no highway safety reviews have been necessary either.

9. ADDITIONAL INFORMATION

Church Hill – Use of Layby

- 9.1 The Rule 6 party advise in paragraph 4.16 of their Statement of Case that the area of parking used to support the delivery vehicle tracking is private land, however from the information supplied by Dorset Council within the Public Highway Extent Plan [CD5.009], an extract of which is shown below in **Figure 12**, the majority of the layby appears to be public highway (shown in purple).



Figure 12: Extract of the Public Highway Extent Plan – Source: Dorset Council

- 9.2 **Figure 12** shows that the purple (public highway) follows a straight alignment between the grassed areas to the south and the north of the layby area currently utilised for parking. A review of the locality, with Google maps extracts below, therefore suggests that at the southern end of the layby the majority of the hardstanding is public highway (if taken from the back edge of the grass verge), however towards the northern end this area is reduced to reflect the reduced verge. This information was therefore the basis for confirming the suitability of vehicles passing, in the unlikely event a 16.4m articulated vehicle met a car.



Figures 13 and 14: Google map images showing Church Hill northbound and southbound

- 9.3 Whilst it is noted that in the absence of any parking restrictions on Church Hill a vehicle could park on the public highway, the assessment has been made reflecting the extent of the public highway based on the mapping provided. In the images at **Figures 13** and **14** the area in question is shown and any vehicle could utilise the area within the public highway to undertake passing manoeuvres. Alternatively, if vehicles are parked here this would not be an option and vehicles would need to manoeuvre accordingly.

Carriageway measurements

- 9.4 The measurements provided on Drawing 106.0026-0013 Rev P01 – Existing carriageway geometries of Church Hill submitted within Appendix D of the HTRN [CD4.005c] have been taken from the available Ordnance Survey mapping.

10. SUMMARY AND CONCLUSIONS

10.1 This Proof of Evidence has been prepared on behalf of Mr P Crocker (the Appellant) to appeal the proposed development consisting of the *“A full planning application for a mixed-use development comprising a food store, office space, café, and mixed-use space for E class uses (e.g. estate agents, hairdresser, funeral care, dentist, vet), and 2x 2-bed flats. Demolition of redundant agricultural sheds. Plus, a new parking area with 30 parking spaces for St. Gregory’s Church and St Gregory’s Primary School. Associated landscaping and engineering operations, access arrangements, on land west of Church Hill, Marnhull.*

Outline planning application with all matters reserved except for access for up to 120 dwellings on land off Butts Close and Schoolhouse Lane, Marnhull” (application reference: P/OUT/2023/02644).

10.2 The initial Appeal application included a highway reason for refusal No. 3, which has subsequently been withdrawn. The Statement of Common Ground [CD4.019] with Dorset Council includes: *“Highway safety matters, in and of itself, are not a reason for refusal. In light of additional information submitted by the Appellant, the Council will not be defending the third reason for refusal.”* A Highway Statement of Common Ground [CD4.016] has also been agreed between the Appellant, Dorset Council Highways Team and the Rule 6 Party.

10.3 The Rule 6 party’s objections to the scheme include reason for refusal No.3 as well as the following summarised matters in dispute:

- Marnhull is not a sustainable location for development
- highway safety issues will be exacerbated and
- capacity issues will be exacerbated.

10.4 The evidence provided within my Proof of Evidence demonstrates that

- the location of the development does not have an existing highway safety issue,
- that the proposed PRow enhancements would provide alternative pedestrian routes away from existing carriageways,
- that the proposed commercial development would support an increase in sustainable travel opportunities within the village and
- the local highway network has capacity to accommodate the associated vehicle movements, subject to a Delivery and Servicing plan.

- 10.5 It is my view that sufficient information has been supplied to the Highway Authority to determine the suitability of the application, in relation to the NPPF, hence their removal of the objection, and that the development proposal would not conflict with the requirements of the NPPF.
- 10.6 Paragraph 116 of the NPPF states 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' taking into account all reasonable future scenarios. From the information detailed within this report I invite the Inspector to find in the Appellant's favour in relation to all highways matters subject to this appeal.