



Rebuttal Proof of Councillor Dr Tony Vickers – on behalf of Greenham Parish Council and Newbury Town Council

Sandleford Park, Newtown Road, Newtown, Newbury

Outline planning permission for up to 1,000 new homes; an 80 extra care housing units (Use Class C3) as part of the affordable housing provision; a new 2 form entry primary school (D1); expansion land for Park House Academy School; a local centre to comprise flexible commercial floorspace (A1-A5 up to 2,150 sq m, B1a up to 200 sq m) and D1 use (up to 500sq m); the formation of new means of access onto Monks Lane; new open space including the laying out of a new country park; drainage infrastructure; walking and cycling infrastructure and other associated infrastructure works. Matters to be considered: Access.

Planning Application Reference: 20/01238/OUTMAJ

Planning Inspectorate Reference: APP/W0340/W/20/3265460

Rebuttal Proof

By Councillor Dr Tony Vickers

1. I wish to rebut statements in the Proof of Evidence for the Appellants by Mr Owen Jones and Mr David Bird, which relate to the evidence I shall give to the Inquiry as regards access to the Appeal site by/for 'active travel' modes.
2. Mr Jones in his PoE (1.2) quotes the wording of the outline planning application which is the subject of the Appeal and then proceeds in 1.3 to assert that "all matters are reserved for subsequent approval save for means of access from Monks Lane". We question how the "walking and cycling infrastructure" elements of access from Monks Lane can have been given so little regard.
3. I would like to rebut Mr Bird's PoE (4.4) which states that, "access from the public highway is not a reserved matter".
4. The Appellants' – and the LPA's – disregard for walking and cycling elements is evidenced by their continuing throughout the seven years since the first outline planning application was submitted and even after the publication of LTN 1/20 (CD18.5) by DfT (published on 27th July 2020), to base the design of the Monks Lane junctions, in particular the main junction onto the spine road, on Manual for Streets (MfS) (CD8.29), as stated by Mr Bird in his PoE at 4.6. The LTN 1/20 should have been a material planning consideration.
5. We have been unable to establish with the Highway Authority (HA) what weight LTN 1/20 carries in this Appeal as compared to MfS, or what weight it should have been given by Mr Goddard on behalf of the LPA as its HA adviser. However, since MfS was not published by the Government and has not been revised since 2010 and LTN 1/20 is an official DfT publication, as local councils with no independent professional advice available to us, we believe that it ought to have carried more weight than MfS.
6. Both publications are only guidance and even LTN 1/20 acknowledges (1.1.1) that it is for each Highway Authority to determine its own standards for highway infrastructure design, although "there will be an expectation that local authorities will demonstrate that they have given due consideration to" its content.
7. LTN 1/20, in its Introduction (page 5), acknowledges that "much has changed" since 2008 (when LTN 2/08 covered similar ground as regards infrastructure for active travel) and that it is based on "proven design elements" pioneered in Wales and London. It was these design elements that SPOKES referred to in their responses to previous SSSA proposals when objecting to the provisions made by the Appellant for cycling. Both our councils endorsed SPOKES's views.
8. The Appellants acknowledge that the LPA gives high priority to cycling and walking but the LTP is silent on infrastructure design matters, making no reference to MfS or to any other published standards.

9. Nevertheless, in stating that because the LPA has accepted the Appellant's locations for and design of road access points to the existing Monks Lane public highway, we believe the conclusion must not be drawn that all means of access by cycling and walking to/from the Appeal site – not just at Monks Lane – are to be accepted by SoS as having been decided. As SoS, a Minister of Government surely ought to be advised to follow the latest official guidance on this matter, as set out in LTN 1/20, if the LPA and local Highway Authority are silent on their policy.
10. Moreover, the emerging LCWIP of the Council (CD18.8) is quite clear that LTN 1/20 will be adopted as policy – possibly before this Inquiry concludes, according to its latest published Forward Plan for Executive Decisions. LTN 1/20 states that no government funding will be forthcoming for highway schemes unless there it can be demonstrated that due regard has been given to its contents. The Council intends to produce a new LTP in 2022 which will reflect this and incorporate the LCWIP and hence more firmly adopt LTN 1/20 as guidance to developers.
11. LTN 1/20 states in Chapter 14 how its contents should be reflected in all new developments and in national and local planning policies. It refers to NPPF para 91 in 14.2.3. In 14.2.9 there is explicit reference to the Network Management Duty of traffic authorities including pedestrian and cycle traffic.
12. We fail to understand what reason there might be for the Appellants and the LPA not to accept that the design of the main access junction onto Monks Lane needs to be reviewed, other than a lack of will. A signalised junction would almost certainly use less land and have no negative impact on traffic flows. It might even improve access from properties along Monks Lane. There will of course be costs involved in re-design and perhaps re-modelling of traffic flows. There might be increased costs related to installation of signals.