



**PINS Ref:
APP/X1165/W/20/3245011
CD7.26**

**LAND TO THE SOUTH OF
WHITE ROCK
BRIXHAM ROAD
PAIGNTON**

PROOF OF EVIDENCE OF

**ROGER KEY
BSc(Hons) CEng FICE FCIHT**

ON TRANSPORT MATTERS

DECEMBER 2020

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1. INTRODUCTION

- 1.1 I am Roger Key, a civil and highway engineer and founding director of Key Transport Consultants Limited. I hold a Bachelor of Science degree with honours in civil engineering from the University of Nottingham. I am a Chartered Engineer, and a member of the Institution of Civil Engineers (ICE) and the Chartered Institution of Highways and Transportation (CIHT). I was elected a fellow of the ICE in 2002 and of the CIHT in 2003. I have worked in transportation aspects of development planning since 1988.
- 1.2 I was previously a Regional Director at Capita with responsibility for all Bristol office transport planning and civil engineering projects. I founded Key Transport Consultants Ltd (KTC) in 2005. I have broad experience across all relevant surface transport modes including walking, cycling, buses and cars. I have experience on projects of all scales having directed many through planning, design and construction. I have presented expert evidence on highway, traffic and transportation issues at numerous public inquiries for both private and public sector clients.
- 1.3 Of relevance to this inquiry, I have been involved with the evolution of the transportation aspects of the Inglewood project continuously since early pre-application discussions in 2016. Through liaison with Torbay Council officers, I led the development of the highway access proposals that form a part of the application, agreed the scope of the off-site traffic impact assessment, agreed the extent of traffic impacts and, where agreed to be necessary, proposed mitigation measures. I also identified the measures proposed to improve access to the site for pedestrians and cyclists and to provide a direct bus service.
- 1.4 The evidence that I have prepared and provide for this appeal, reference APP/X1165/W/20/3245011, in this proof of evidence is true and has been prepared and is given in accordance with the guidance of my professional institutions. I confirm that the opinions expressed are my true and professional opinions.

Format of Proof of Evidence

- 1.5 In this proof of evidence, I consider the putative reasons given by the Council for refusal of the application in section two. I then summarise the comprehensive position of common ground reached with Torbay Council on the transportation aspects of the application in section three. In section four I consider the representations made by third parties. I provide a summary and draw conclusions in section five.
- 1.6 Documents highlighted in bold provide the current transport evidence to support the application.

2. THE COUNCIL'S PUTATIVE REASONS FOR REFUSAL

- 2.1 Torbay Council's Planning Committee considered application number P/2017/1133 at its committee meeting on 10 February 2020 and passed a resolution deciding the position it would have taken with respect to the application, had it been formally determined by the Committee (CD10.3).
- 2.2 The first three reasons for refusal refer to policy objections and these are addressed by other witnesses on behalf of the appellant.
- 2.3 The fourth reason for refusal refers to the absence of a completed Section 106 Agreement and the consequent absence of a mechanism required to ensure delivery of measures to mitigate the impact of the development on, among other things, the highway network. With respect to the transportation aspects of the application, the reason for refusal goes on to say that this would be contrary to, among others, Policies TA1 and TA2 of the Torbay Local Plan 2012 -2030 and, again among others, Policy T1 of Brixham Peninsula Neighbourhood Plan. The third informative in the Officer Report to the Planning Committee (CD10.1 page 7) explains that, on the basis of information available at the time of writing, it appeared that the matters included in the fourth reason for refusal were capable of alleviation via a Section 106 Agreement.
- 2.4 Therefore, it is clear that Torbay Council, as both local planning authority and local highway authority, had no reasons for refusal of the application on transportation grounds that it considered could not be resolved by addressing the outstanding matters in a binding legal agreement.

Section 106 Agreement

- 2.5 A **Section 106 Agreement** has been drafted and includes two contributions, proposed by Torbay Council, that are intended to mitigate transportation aspects of the application. These contributions are:
- a Sustainable Transport Contribution of £222,000, which is sought in line with Torbay Council's Planning Contributions and Affordable Housing Supplementary Planning Document and would be spent on improving walking and cycling infrastructure that would serve the development; and
 - a Supplementary Sustainable Transport Contribution of £500,000, which makes provision for the Council to procure a bus service to the site, in the event that the

Owner fails to enter into a separate Bus Service Agreement to secure delivery of the same service by an agreed date.

2.6 Both contributions have been agreed in principle and magnitude by the appellant.

3. COMMON GROUND

- 3.1 I have engaged with Torbay Council's officers, led by Mr Adam Luscombe, Service Manager – Strategy and Project Management Team, with respect to the highway and transportation aspects of the application since the early stages of scheme masterplan investigation in the spring of 2016. Discussions continued before and after submission of the application and resulted in all highway and transportation matters being agreed with Mr Luscombe, as set out in our first Statement of Common Ground – Transport Issues Update: March 2020 (SoCGTI) (CD7.20 Appendix 2 March 2020).
- 3.2 Through extensive pre-application discussions we agreed the scope of the Transport Assessment. Following appropriate investigations, we agreed that the impact of the development on the local highway network required mitigation and could be satisfactorily mitigated by a package of highway improvements, mainly along the existing A3022 Brixham Road. The improvements are set out in section 2 of the **SoCGTI (CD7.21 Appendix 2 December 2020)** and the drawings showing the proposed improvements are listed in **Table 4.1** of the SoCGTI December 2020.
- 3.3 The mitigation package includes the drawings listed below. With the exception of the drawing for the Windy Corner improvement, for which the agreed layout is presented as Annex A to the SoCGTI, all the drawings listed above were included in the Transport Assessment (CD1.27 at Part 2) submitted in November 2017 in support of the application. For ease of reference, all of these drawings are included in **Appendix A** to this proof.
- the site access roundabout and bus stop infrastructure (shown on drawing **0734-057**) (CD1.27 Part 2 Appendix E);
 - online widening of the A3022 Brixham Road to the north of the site access (**0734-018 Rev A and 020 Rev A**) (CD1.27 Part 2 Appendix F);
 - a Toucan crossing of Brixham Road located just north of the site access (**0734-023 Rev B**) (CD1.27 Part 2 Appendix F);
 - a new uncontrolled crossing of Brixham Road located to the north of Hunters Tor Drive (**0734-29 Rev A**) (CD1.27 Part 2 Appendix F);
 - an improvement to the junction of Brixham Road with Long Road and Goodrington Road (**0734-040 Rev A**) (CD1.27 Part 2 Appendix F);
 - an off-highway shared footway/cycleway connecting the appeal site to the White Rock development to the north (**0734-055**) (CD1.27 Part 2 Appendix F); and

- an improvement of the junction of A3022 Brixham Road with the A379 Dartmouth Road, known as Windy Corner (**0734-064 Rev A**) (see SoCGTI Annex A at CD 7.12 Appendix 2 December 2020).

Windy Corner

- 3.4 The proposed improvement at Windy Corner was the subject of pre-application discussions with Torbay Council Highways Department from early 2017 until submission of the application in November 2017. Tests presented in the original TA (CD1.27) assessed the capacity of:
- a) the junction as it was at the time;
 - b) the Council's own improvement scheme (see CD1.27 Part 2 - Appendix F Torbay Drawing 8/9/7_01B and footnote 2 on page 4 of CD7.20 Appendix 2), which was delivered in the summer of 2019 and provided an increase in capacity at the junction;
 - c) the same improved layout with Inglewood and other development traffic added in a forecast year of completion of 2024; and
 - d) a scheme proposed by KTC (see CD1.27 Part 2 - Appendix F KTC Drawing 0734-053 and footnote 3 on page 4 of CD7.20 Appendix 2 March 2020) to further improve the capacity of the junction to mitigate the impact of the Inglewood development traffic.
- 3.5 Extensive post-application discussions are reported in the SoCGTI (CD7.20 Appendix 2 March 2020) and led to revision and agreement of the proposed improvement shown on drawing 0734-064 (SoCGTI Annex A (CD7.20 Appendix 2 March 2020) and repeated at **Appendix A**).
- 3.6 As context, the Council undertook its own improvement scheme on the A379 Dartmouth Road to the south of Windy Corner during the summer of 2019. The current layout of the road and junction is shown on drawing 0734-060 (SoCGTI Annex A). After completion of the Torbay Council improvement scheme, all pedestrian crossing facilities within the existing junction remain uncontrolled, meaning that pedestrians are not afforded priority at any time within the signal cycle and have to cross the junction when there are gaps in the flow of road traffic. The nearest pedestrian priority crossing is a zebra crossing, located some 90m north of the junction on Dartmouth Road.
- 3.7 A summary of the issues investigated since completion of the Council improvement at Windy Corner with supporting analysis is presented in paragraphs 3.8 to 3.31 of the SoCGTI December 2020 (CD7.21 Appendix 2 December 2020). The key changes resulting from the

discussions comprised the addition of a traffic signal-controlled pedestrian crossing across all lanes of Dartmouth Road to the south of the junction, together with changes to the lane designations on the Brixham Road arm of the junction.

- 3.8 The supporting traffic capacity analysis for the agreed layout is set out in Technical Note 9 (TN9), which considered a range of options to improve the pedestrian amenities within the junction at Windy Corner. TN9 is presented as Annex B to the SoCGTI (CD7.20 Appendix 2 March 2020) and the agreed solution was investigated within TN9 as Option 3a. As set out at paragraph 3.13 of the SoCGTI, Mr Luscombe and I:

“agreed that the layout shown on drawing 0734-064 in Annex A presents the preferred solution for the Inglewood improvement of the Windy Corner junction because it would introduce a small overall improvement in traffic conditions, compared to the existing junction performance if the Inglewood development does not proceed, while also introducing a new, safe, signal-controlled pedestrian crossing of Dartmouth Road (south).”

- 3.9 To inform the inquiry, a further update to the analysis of the Windy Corner junction was undertaken in November 2020 to address concerns expressed by Brixham Town Council regarding the impact of traffic likely to be generated at Windy Corner by a development at Noss Dart Marina. This is a consented development located within South Hams District on the A379 Bridge Road some 6.7km (4.1 miles) away from Windy Corner. The updated analysis is provided at paragraphs 3.14 to 3.24 of the SoCGTI. The new analysis has been agreed with Mr Luscombe of Torbay Council.
- 3.10 Mr Luscombe also agreed that the results of the tests including an allowance for traffic generated by the Noss Dart Marina development reconfirm that the Inglewood improvement at Windy Corner mitigates the impact of the Inglewood development traffic by delivering an improvement in PM peak traffic conditions and an improvement in safe crossing amenities for pedestrians.
- 3.11 A further review was undertaken in December 2020 following a public consultation held by Torbay Council in November 2020 that sought views on the proposed layout shown on drawing number 0734-064 at Windy Corner. For clarity, drawing 0734-064 amended the lane allocation and pedestrian facilities but did not change the principle of the layout from that previously consulted upon.
- 3.12 The responses to the consultation are summarised in **Annex D** of SoCGTI December 2020 (CD7.21 Appendix 2 December 2020), along with my agreed response with Mr Luscombe. The most common points raised were concerns about:

- a) the Brixham road crossing;
- b) an increase to the lanes outside the Churston Broadway shops; and
- c) turning right out of Langdon Lane.

3.13 With respect to the Brixham Road crossing, the installation of signal controls was investigated but found not to be practicable due to the lack of available space. The existing uncontrolled crossing would be retained but would be a little wider. A safe route past the junction would be available via controlled crossings using the zebra crossing on Dartmouth Road to the north and the proposed new signal controlled crossing of Dartmouth Road. This route is considered to provide acceptable mitigation. It is agreed that signage should be provided between Hookhills Road and Langdon Lane, directing pedestrians across the Zebra crossing and returning across the signalised crossing on Dartmouth Road, highlighting this as the controlled crossing route.

3.14 A number of respondents appear to have understood that more traffic lanes would be added on Dartmouth Road, to the north of Windy Corner, alongside Churston Broadway shops. To confirm, no alterations are proposed to the number of lanes on Dartmouth Road adjacent to the shops, where the two existing southbound lanes and one northbound lane would be retained. What is proposed is to move the northbound junction exit lane across to the west (removing the grass verge) on the opposite side from the shops, for a short distance. This helps to accommodate the right turn lane. Additionally, southbound straight ahead movements would be permitted in the existing southbound right turn lane.

3.15 In our exchanges Mr Luscombe acknowledged that right turns from Langdon Lane are challenging currently and would remain so with the proposed layout. It is recognised that this is not improved. However, Torbay Council has accepted previously that, when undertaking more notable works to the junction to improve capacity in the future (which it understands to be required but has not yet considered), it will need to reconsider this arrangement.

3.16 Having reviewed the responses, **Revision A of drawing 0734-064** has been produced to clarify the details of the proposal and is included at **Appendix A**. Drawing **0734-064 Revision A** includes the following minor changes:

- correction of the description in the inset box showing the right and left swept paths exiting Brixham Road, which previously incorrectly read as: “two estate cars turning right”;
- strengthening the clarity of the location of the signalised crossing points on Dartmouth Road by showing arrow heads to each of the three crossing sections;
- changing an annotation from “new shared footway/cycleway” to “repositioned shared

footway/cycleway”;

- replacing an annotation “Straight ahead movements permitted from both southbound lanes” on Dartmouth Road with “Straight ahead movements permitted from both existing southbound lanes”; and
- addition of a note identifying signage to be provided to direct pedestrians to the controlled crossings on Dartmouth Road.

3.17 Having taken account of the update set out in paragraphs **Error! Reference source not found.** to 3.16 of the SoCGTI December 2020 update (CD7.21 Appendix 2 December 2020) and the responses to the public consultation summarised in **Annex D** of that document, Mr Luscombe and I agree that the proposed layout shown on drawing number 0734-064 Revision A presents an agreed scheme to mitigate the impact of the Inglewood development at Windy Corner.

3.18 Hence, we also agree that our previous overall conclusion on Windy Corner remains unchanged by the new analysis and review undertaken in November and December 2020, in that:

- the Inglewood proposals at Windy Corner meet the test set out in NPPF para 109 because they would not give rise to an unacceptable highway safety impact – in fact they would provide a safety benefit for pedestrians; and
- they would not cause a severe residual cumulative impact at the junction.

Sustainable Transport Measures

3.19 I have agreed with Mr Luscombe various measures to improve movement by sustainable travel modes.

3.20 First, the application proposes a network of new footway/cycleway links connecting to neighbouring areas. These include:

- a new traffic signal-controlled Toucan crossing on A3022 Brixham Road, which links to an existing footway/cycleway that runs broadly parallel to and segregated from Brixham Road, connecting from the Goodrington Road/Long Road junction to the north through to the Hunters Tor Drive junction to the south;
- a safe off-highway pedestrian and cyclist route to the north, linking to the White Rock development area and the education, employment and retail areas to the north (see drawing **0734-055** in **Appendix A**); and

- improvements to the pedestrian route to the south, by providing an uncontrolled crossing of Brixham Road adjacent to the Hunters Tor Drive junction and a new traffic signal-controlled crossing of Dartmouth Road at the Windy Corner junction.

3.21 Secondly, a Sustainable Transport Contribution is agreed in principle and magnitude and included in the Section 106 Agreement to assist the Council in delivering a range of walking and cycling infrastructure improvements between the site and Paignton Town Centre that will be of benefit both to the development and to others in the vicinity.

3.22 Thirdly, the application proposes to extend bus services that currently terminate at the nearby South Devon College to terminate instead at the site. The operator, Stagecoach South West, wrote twice, first in October 2017 to confirm its willingness to make this change (CD1.27 Part 2 Appendix I) and again, in December 2017 to express its support for the application (CD4.22 and CD4.22a).

3.23 As the above letters are now some three years old, I have contacted the Managing Director of Stagecoach South West, Mr Mike Watson, who is responsible for Stagecoach bus operations in Torbay to seek confirmation that Stagecoach South West's position had not changed. I drew Mr Watson's attention to the previous letters and in reply, Mr Watson confirmed the following by email on 1st December 2020:

"Broadly speaking, we would honour the level of support previously offered for the Inglewood development and the costs broadly stand also. Our preference would be for either a diversion of the 13 or, if the full service including weekends and evenings is required, extension of the 23 would probably be more cost effective. We are happy to work with Torbay to determine which is in the best interests of the community."

3.24 I then sought and obtained express confirmation that Mr Watson was content for me to quote his response in this proof. Mr Watson's reply was as follows:

"That's fine. In terms of the previous costing given, the quote might need updating but we agree to the principles and so there would unlikely be substantial change. We would also propose to deliver any final solution in consultation and partnership with Torbay Council."

3.25 It is clear, therefore, that Stagecoach South West remains supportive of the proposed development and is willing to alter its bus services, in liaison with the appellant and Torbay Council, to serve the proposed development.

3.26 Two bus stops are included on the highway layout immediately to the west of the proposed site access roundabout for use by the extended bus service (see drawing 0734-057 in **Appendix A**).

3.27 A draft agreement has been discussed with Stagecoach South West to enable the appellant to secure the delivery of the extension of the bus service within a binding legal agreement. A contribution named the Supplementary Sustainable Transport Contribution is included in the Section 106 Agreement to provide the Council with an appropriate amount of money to deliver the bus service in the event that the Owner fails to do so by an agreed date.

Policy Compliance

3.28 Mr Luscombe and I agreed that the proposed development satisfies the transport policy requirements of the adopted Torbay Local Plan 2012-2030 and the Brixham Peninsular Neighbourhood Plan 2012-2030.

3.29 We also agreed that there would be no unacceptable impacts on highway safety, or severe residual cumulative impacts on the road network to warrant refusal on highway grounds in line with NPPF 2019 paragraph 109.

Agreement Summary

3.30 Mr Luscombe and I agree at paragraph 3.33 of the SoCGTI that:

- *all highway improvements proposed as part of the Inglewood application would be safe and sufficient to mitigate the significant impacts of the development traffic;*
- *appropriate measures are proposed to enhance the walking, cycling and public transport network serving the development;*
- *the highway and sustainable travel measures are deliverable and can be secured by condition or agreement;*
- *the transport interventions would be safe and would improve road safety for all users and travel modes; and*
- *once the transport mitigation measures are delivered, there would be no unacceptable impact on highway safety and any residual cumulative impacts on the road network would not be severe.*

Consequently, it is agreed that, subject to the imposition of planning conditions and an agreement to secure delivery of the transport mitigation measures, there are no highway or transport grounds to object to the application.

3.31 In light of all the above, all transportation matters are agreed between Torbay Council and KTC, on behalf of the appellant.

4. THIRD PARTY RESPONSES

- 4.1 A range of representations that address highway and transport issues have been made in response to the application since it was submitted in November 2017.

Bus Operator Support

- 4.2 Stagecoach South West is the largest bus operator in Torbay. It operates the services currently serving South Devon College to the north of the application site and the services linking Paignton and Brixham. After submission of the application Stagecoach South West wrote in support of the application on 4th December 2017 (CD4.22a) and explained that their response was:

“.....not lightly or casually advanced. Typically the company will neither object nor support, except in the most exceptional of circumstances, especially when a proposal is a departure from a recently-adopted Development Plan.

“In this instance Stagecoach is of the view that the site, and the proposals, are very sustainably located compared to reasonably credible alternatives that are achievable and deliverable in the near term. This includes the major sites already allocated in the Local Plan, intended to meet the housing needs of the Authority.”

Later in the letter Stagecoach went on to say:

We have worked with the applicant to ensure that the site will be served with a regular bus service, that will also serve to enhance travel choices available to committed and existing development in the immediate vicinity helping to reduce dependence on personal car use in a wider area. The site is well within walking and cycling distance of significant local destinations including South Devon College, as well as having its own Primary School. As such, the impacts of development in terms of traffic generation can be expected to be significantly less than would likely be the case otherwise.”

- 4.3 As set out at paragraphs 3.22 to 3.25 above, I have confirmed with the Managing Director of Stagecoach South West that their views on the application remain unchanged in principle to those submitted in their response in December 2017.
- 4.4 Clearly, Stagecoach South West consider that the application proposes sustainable development and confirmed that they had worked with the applicant to “ensure that the site will be served by a regular bus service”. I described the arrangements for the delivery of that service at paragraph 3.22.

Other Representations

- 4.5 The majority of representations that address highway and transportation matters raise concerns or object to the application. I have summarised these responses at **Appendix B** of this proof, along with my responses. Having considered all the issues raised, I remain of the opinion that, subject to the imposition of a number of planning conditions and delivery of the proposed mitigation measures, there are no unacceptable impacts on highway safety and, for the purposes of the NPPF, any residual cumulative impacts on the road network would not be severe. Indeed, at all locations where improvements are proposed, the improvement not only mitigates the impact of the development but also provides varying amounts of betterment.
- 4.6 In particular, while delivery of the proposed improvement at Windy Corner would mitigate the traffic impact of the Inglewood development, delivery of a controlled pedestrian crossing as part of the improvement would represent a significant, material, pedestrian safety improvement of benefit to the wider local community, which is something Torbay Council has sought to deliver for many years.
- 4.7 There is no requirement in national or local town planning policy for individual new developments to remedy existing problems on the local highway network¹. Rather, NPPF requires:
- new development to include cost effective measures to mitigate all significant impacts on the transport network and on highway safety (para 108c);
 - developments must not have an unacceptable impact on highway safety (109); and
 - the residual cumulative impacts on the road network should not be severe (109).

In my view, all these requirements are satisfied by the development proposals.

¹ As recently confirmed by the High Court in *Hawkhurst PC v Tunbridge Wells DC* [2020] EWHC 3019 (Admin) [138].

5. SUMMARY AND CONCLUSION

Summary

5.1 I have engaged with Torbay Council's officers, led by Mr Adam Luscombe, with respect to the highway and transportation aspects of application APP/X1165/W/20/3245011 since the early stages of scheme masterplan investigation in the spring of 2016. Discussions continued before and after submission of the application and have been updated in preparation for the public inquiry. These discussions resulted in all highway and transportation matters being agreed with Mr Luscombe, as set out in our **Statement of Common Ground – Transport Issues Update: December 2020** (SoCGTI) (CD7.21 Appendix 2 December 2020).

5.2 A package of mitigation measures has been agreed and includes:

- the site access roundabout and bus stop infrastructure (shown on drawing **0734-057**);
- online widening of the A3022 Brixham Road to the north of the site access (**0734-018 Rev A and 020 Rev A**);
- a Toucan crossing of Brixham Road located just north of the site access (**0734-023 Rev B**);
- a new uncontrolled crossing of Brixham Road located to the north of Hunters Tor Drive (**0734-29 Rev A**);
- an improvement to the junction of Brixham Road with Long Road and Goodrington Road (**0734-040 Rev A**);
- an off-highway shared footway/cycleway connecting the appeal site to the White Rock development to the north (**0734-055**); and
- an improvement of the junction of A3022 Brixham Road with the A379 Dartmouth Road, known as Windy Corner (**0734-064 Revision A**).

I have also agreed with Mr Luscombe various measures to improve movement by sustainable travel modes.

5.3 Mr Luscombe and I agreed at paragraph 3.33 of the SoCGTI that:

- all highway improvements proposed as part of the Inglewood application would be safe and sufficient to mitigate the significant impacts of the development traffic;

- appropriate measures are proposed to enhance the walking, cycling and public transport network serving the development;
- the highway and sustainable travel measures are deliverable and can be secured by condition or agreement;
- the transport interventions would be safe and would improve road safety for all users and travel modes; and
- once the transport mitigation measures are delivered, there would be no unacceptable impact on highway safety and any residual cumulative impacts on the road network would not be severe.

Consequently, it is agreed that, subject to the imposition of planning conditions and an agreement to secure delivery of the transport mitigation measures, there are no highway or transport grounds to object to the application.

- 5.4 In light of the above, all significant transportation matters are agreed between Torbay Council and KTC, on behalf of the appellant.
- 5.5 Since the SoCGTI was first submitted, I have updated the traffic capacity analysis for the Windy Corner junction to include traffic generated by a development at Noss Dart Marina, near Kingswear. The analysis is presented in the **SoCGTI December 2020** update. I have agreed with Mr Luscombe that the new analysis does not change the conclusions previously reached.
- 5.6 A range of representations that address highway and transport issues have been made in response to the application.
- 5.7 Stagecoach South West, the largest bus operator in Torbay, operates the services currently serving South Devon College to the north of the application site and the services linking Paignton and Brixham. Stagecoach South West has reaffirmed in December 2020 that it supports the application, considers that the application proposes sustainable development and confirmed that it has and will continue to work with the appellant and Torbay Council to “ensure that the site will be served by a regular bus service”.
- 5.8 Having considered all the concerns and objections raised on highway and transport issues, I remain of the opinion that, subject to the imposition of a number of planning conditions and delivery of the proposed mitigation measures, there are no unacceptable impacts on highway safety and any residual cumulative impacts on the road network would not be severe. Indeed, at all locations where improvements are proposed, the improvement not only mitigates the impact of the development but also provides varying amounts of betterment.

Conclusion

5.9 In my opinion the proposed development satisfies the transport policy requirements of the adopted Torbay Local Plan 2012-2030 and the Brixham Peninsular Neighbourhood Plan 2012-2030.

5.10 NPPF requires that:

- new development includes cost effective measures to mitigate all significant impacts on the transport network and on highway safety (para 108c);
- developments must not have an unacceptable impact on highway safety (109); and
- the residual cumulative impacts on the road network should not be severe (109).

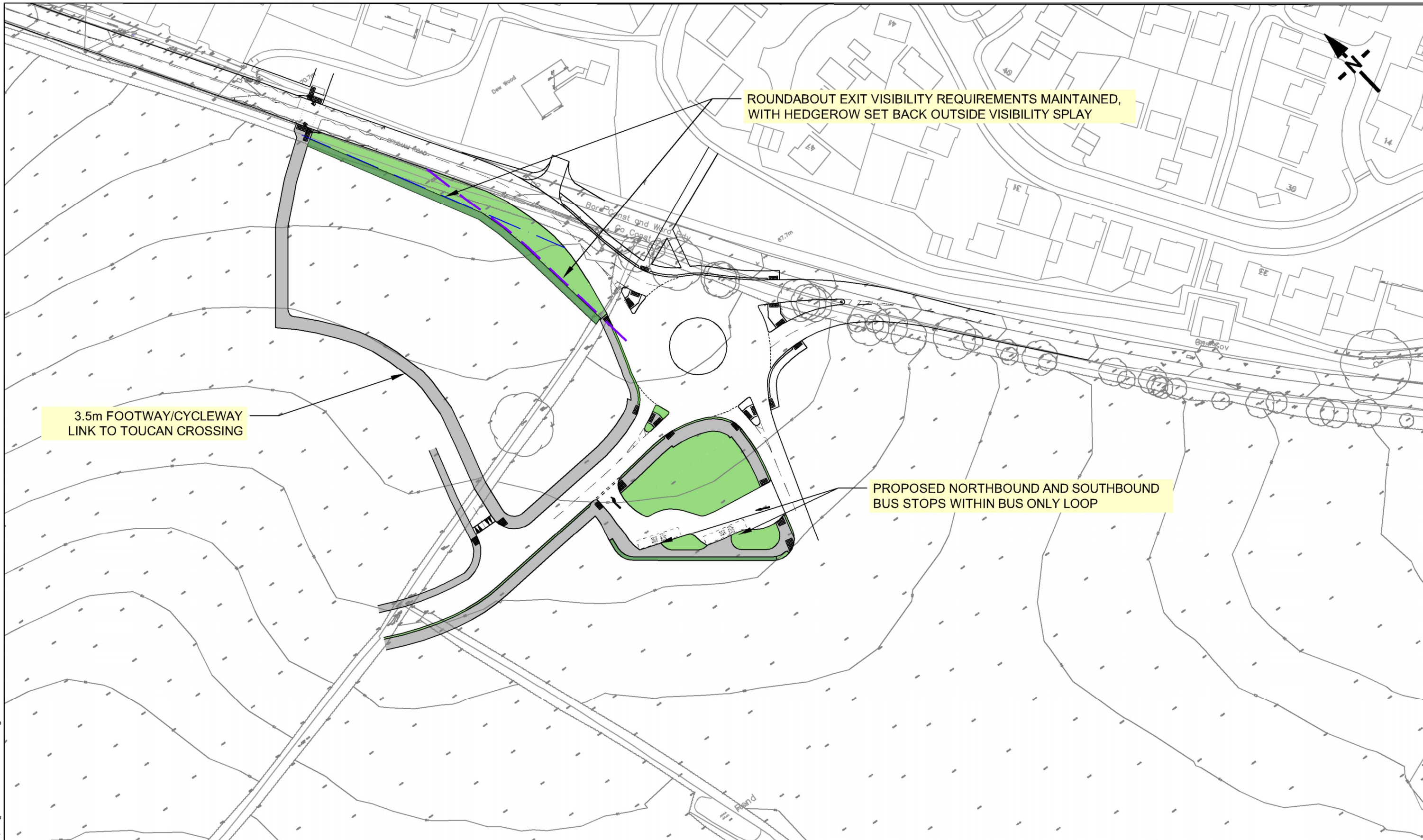
In my view, all these requirements are satisfied by the development proposals.

5.11 In light of the above, I consider that there are no reasonable highway or transport grounds not to grant consent to the application.

Appendix A Highway Improvement Drawings



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PROPOSED FOUR-ARM
ACCESS ROUNDABOUT

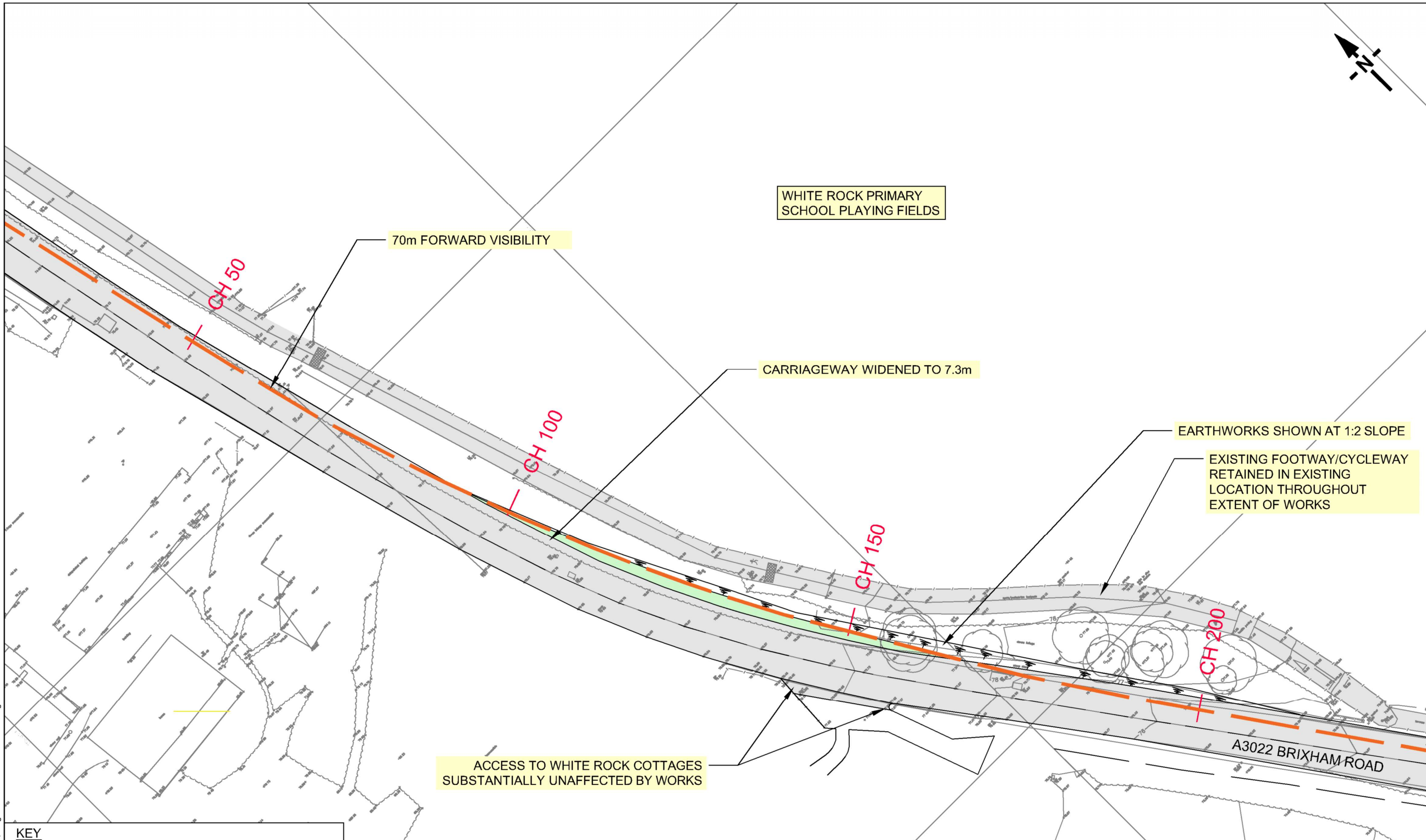


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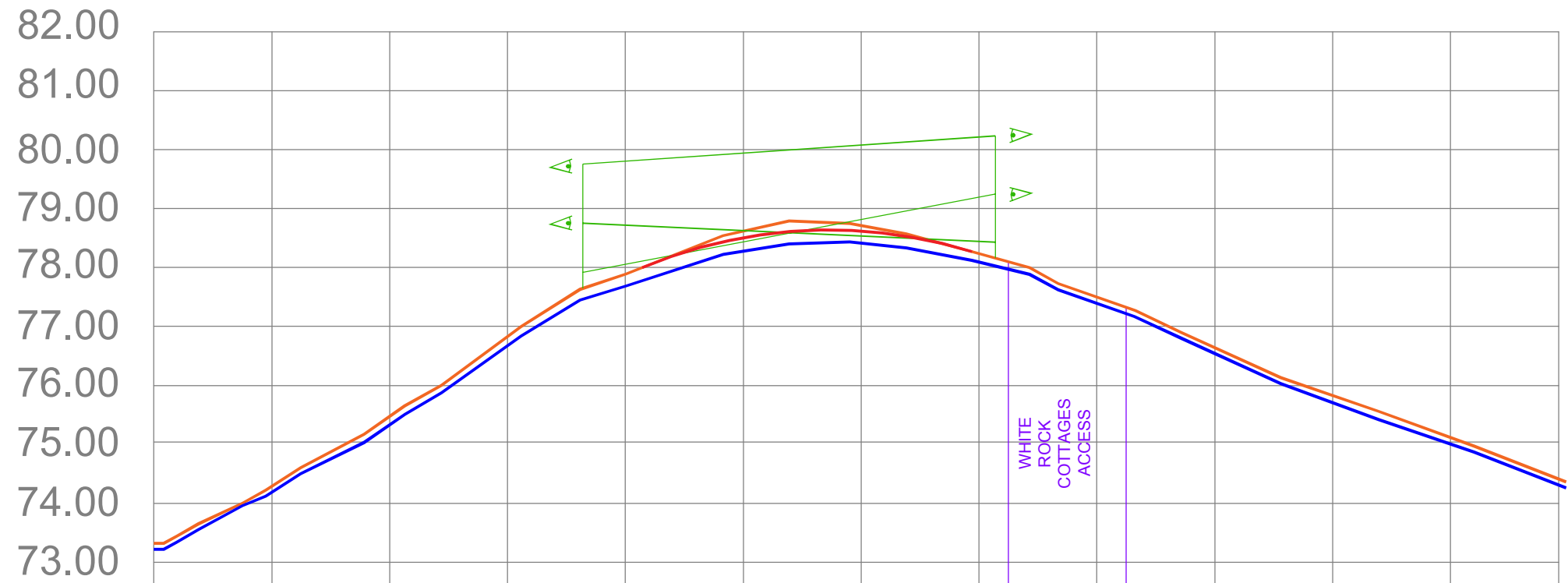
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[Green Box]		VERGE			
[Orange Dashed Line]		70m FORWARD VISIBILITY ONE STEP BELOW DESIRABLE MINIMUM (30mph/60kph) TO TD9/93			

A	Amendment to site name.	FF	DRK	DRK	JUN 17
REV		DR	CH	PA	DATE

INGLEWOOD, PAIGNTON				ABACUS PROJECTS LTD	
ON-LINE ROAD WIDENING ON A3022 BRIXHAM ROAD TO 7.3m 70m FORWARD VISIBILITY				 KEY TRANSPORT CONSULTANTS LTD 26 BERKELEY SQUARE BRISTOL BS8 1HP Tel : 0117 920 9430 E-mail : info@key-transport.com	
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LONG SECTION



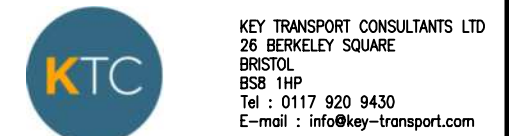
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	EXISTING CENTRE LINE LEVELS	73.32	74.28	75.43	76.83	77.89	78.62	78.72	78.24	77.50	76.64	75.79	75.07
	PROPOSED CENTRELINE LEVELS						78.51	78.62					
	PROPOSED VISIBILITY LEVELS	73.22	74.51	75.40	76.84	77.94	78.76	78.89	78.48	77.61	76.58	75.69	75.00

KEY

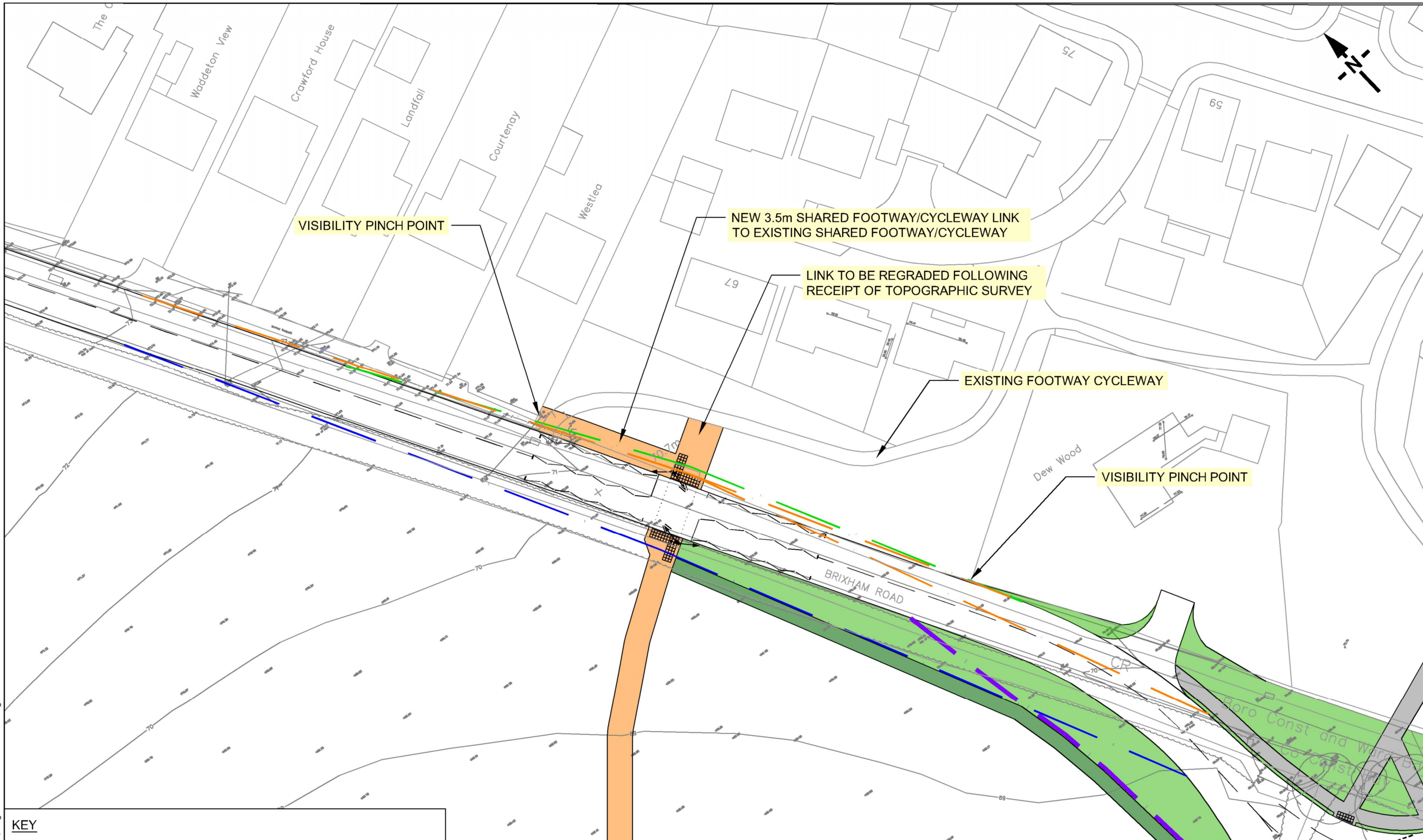
- EXISTING LEVELS ALONG THE CARRIAGEWAY CENTRELINE
- PROPOSED CARRIAGEWAY LEVEL (84m VERTICAL CURVE BASED ON TD9/93 ONE STEP BELOW DESIRABLE MINIMUM CREST K VALUE 10 FOR 30mph/60kph DESIGN SPEED)
- PROPOSED LEVELS ALONG THE 70m VISIBILITY SPLAY
- 70m FORWARD VISIBILITY FROM A DRIVER'S EYE HEIGHT OF 1.05m - 2m TO AN OBJECT HEIGHT OF 0.26m - 1.05m

A	Amendment to site name.	FF	DRK	DRK	JUN 17
REV		DR	CH	PA	DATE

INGLEWOOD, PAIGNTON					ABACUS PROJECTS LTD	
INVESTIGATION OF ON LINE WIDENING OF A3022 BRIXHAM ROAD TO 7.3m LONG SECTION ALONG 70m FORWARD VISIBILITY SPLAY						
DRAWN BY	CHECKED BY	PASSED BY	DATE	SCALES @ A3 SIZE	ISSUE STATUS	DRAWING NUMBER
FF	DRK	DRK	JAN 17	H 1:1,000 V 1:100	PRELIMINARY	0734-020
						REV. A



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 CAD FILE NAME : F:\DATA\Jobs\0734_Whit Rock 2_Paignton\AutoCAD\0734-023RevB.dwg



KEY

- 1.5m X 80m PEDESTRIAN VISIBILITY SPLAYS
- 2.5m X 50m PEDESTRIAN AND CYCLIST VISIBILITY SPLAYS
- 2.5m X 80m PEDESTRIAN AND CYCLIST VISIBILITY SPLAYS

A	Introduction of new section of shared footway/ cycleway along edge of carriageway to link to existing.	FF	DRK	DRK	MAR 17
B	Realignment of footway/ cycleway through site and adjustment of bus stop locations to match those shown on drawing 0734-032.	FF	DRK	DRK	JUN 17
REV		DR	CH	PA	DATE

INGLEWOOD, PAIGNTON
 POTENTIAL NORTHER CROSSING
 TOUCAN CROSSING

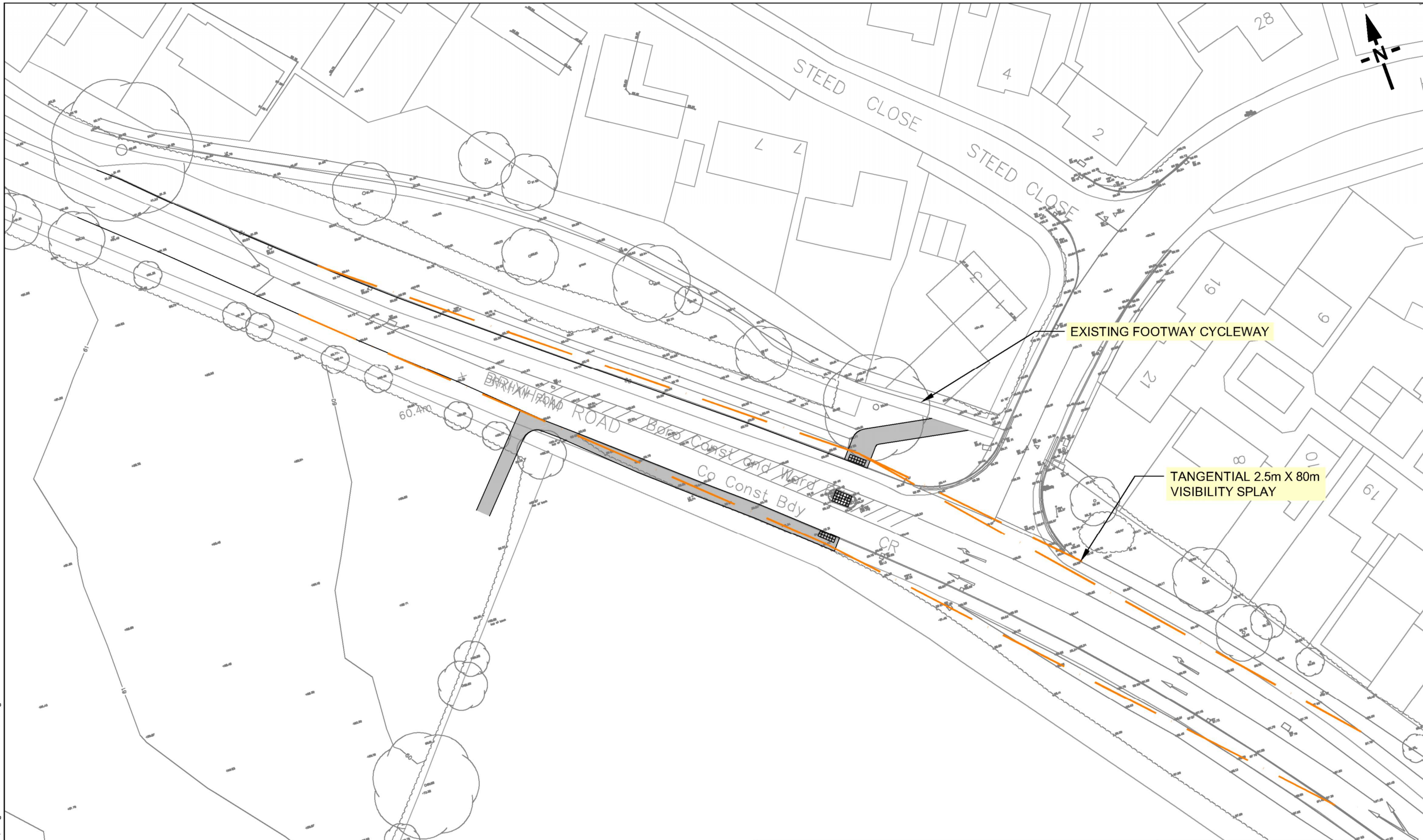
DRAWN BY	CHECKED BY	PASSED BY	DATE	SCALES @ A3 SIZE	ISSUE STATUS
FF	DRK	DRK	JUN 17	1:1,000@A3	PRELIMINARY

ABACUS PROJECTS LTD

KEY TRANSPORT CONSULTANTS LTD
 26 BERKELEY SQUARE
 BRISTOL
 BS8 1HP
 Tel : 0117 920 9430
 E-mail : info@key-transport.com

DRAWING NUMBER	REV.
0734-023	B

CAD FILE NAME : F:\DATA\A\Jobs\0734_White Rock 2_Paignton\AutoCAD\0734-029RevA.dwg
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EXISTING FOOTWAY CYCLEWAY


TANGENTIAL 2.5m X 80m VISIBILITY SPLAY

KEY

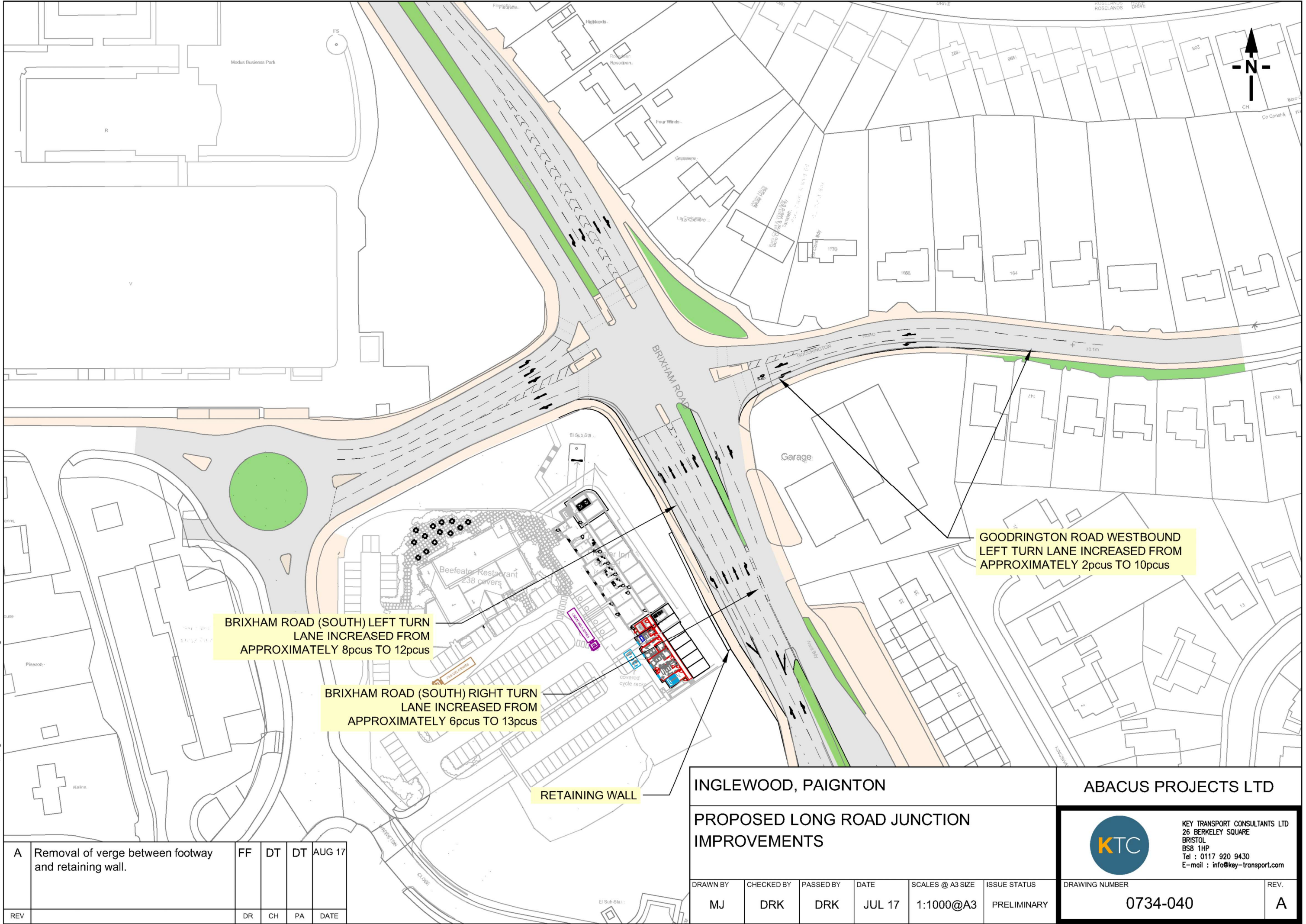
--- 1.5m X 80m PEDESTRIAN VISIBILITY SPLAYS

A	Amendment to site name.	FF	DRK	DRK	JUN 17
REV		DR	CH	PA	DATE

NOTE: DUCTS TO BE INCLUDED TO ALLOW FOR POTENTIAL FUTURE UPGRADE TO SIGNAL CROSSING

INGLEWOOD, PAIGNTON					ABACUS PROJECTS LTD	
POTENTIAL SOUTHERN CROSSING OPTION 3 - UNCONTROLLED CROSSING					 KEY TRANSPORT CONSULTANTS LTD 26 BERKELEY SQUARE BRISTOL BS8 1HP Tel : 0117 920 9430 E-mail : info@key-transport.com	
DRAWN BY	CHECKED BY	PASSED BY	DATE	SCALES @ A3 SIZE	ISSUE STATUS	DRAWING NUMBER
FF	DRK	DRK	MAR 17	1:500@A3	PRELIMINARY	0734-029
						REV.
						A

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BRIXHAM ROAD (SOUTH) LEFT TURN LANE INCREASED FROM APPROXIMATELY 8pcus TO 12pcus

BRIXHAM ROAD (SOUTH) RIGHT TURN LANE INCREASED FROM APPROXIMATELY 6pcus TO 13pcus

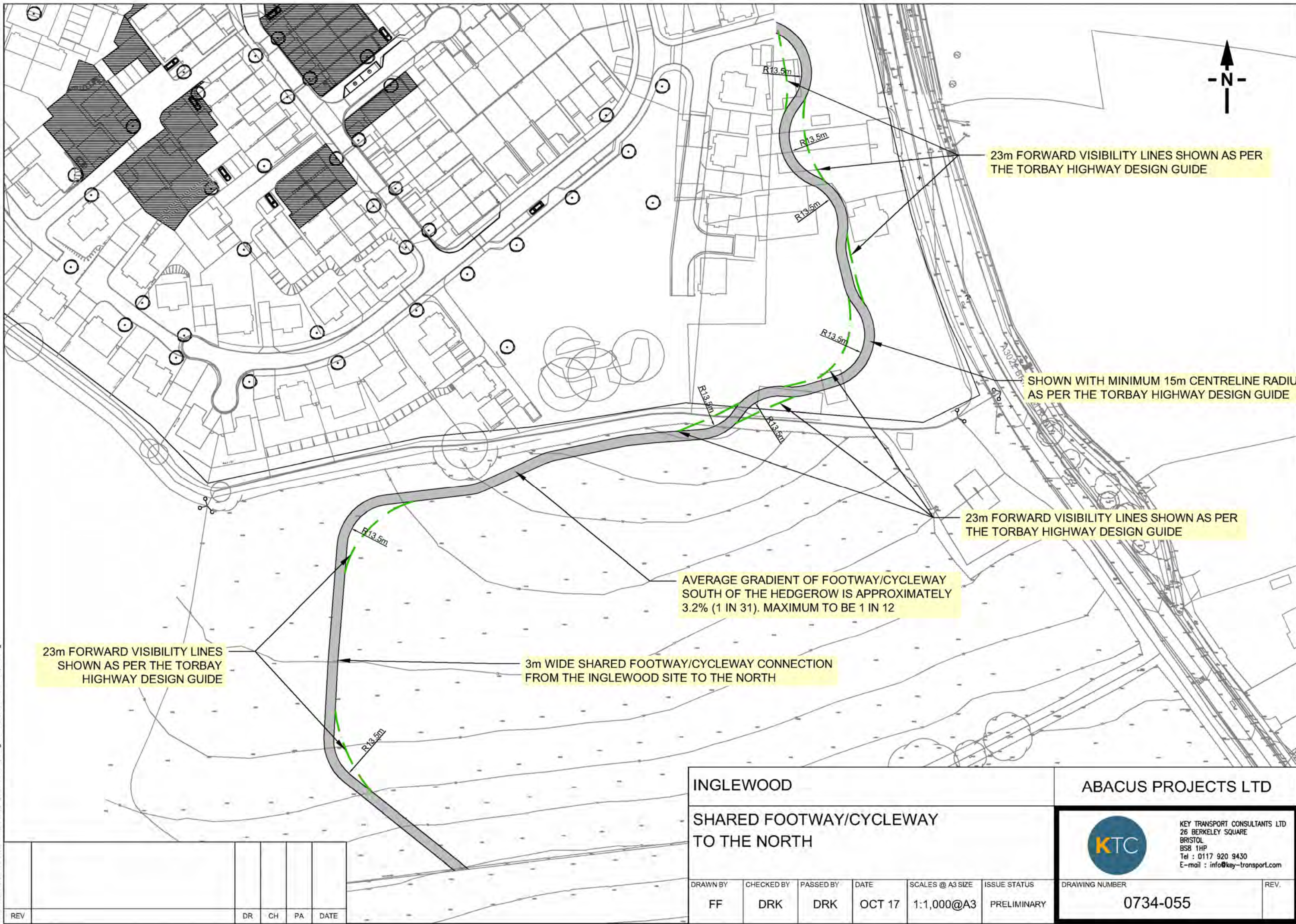
GOODRINGTON ROAD WESTBOUND LEFT TURN LANE INCREASED FROM APPROXIMATELY 2pcus TO 10pcus

RETAINING WALL

A	Removal of verge between footway and retaining wall.	FF	DT	DT	AUG 17
REV		DR	CH	PA	DATE

INGLEWOOD, PAIGNTON					ABACUS PROJECTS LTD	
PROPOSED LONG ROAD JUNCTION IMPROVEMENTS					 KEY TRANSPORT CONSULTANTS LTD 26 BERKELEY SQUARE BRISTOL BS8 1HP Tel : 0117 920 9430 E-mail : info@key-transport.com	
DRAWN BY	CHECKED BY	PASSED BY	DATE	SCALES @ A3 SIZE	ISSUE STATUS	DRAWING NUMBER
MJ	DRK	DRK	JUL 17	1:1000@A3	PRELIMINARY	0734-040
						REV.
						A

CAD FILE NAME : F:\DATA\Jobs\0734 - White Rock 2, Paignton\AutoCAD\0734-055.056.dwg
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23m FORWARD VISIBILITY LINES SHOWN AS PER THE TORBAY HIGHWAY DESIGN GUIDE

SHOWN WITH MINIMUM 15m CENTRELINE RADIUS AS PER THE TORBAY HIGHWAY DESIGN GUIDE

23m FORWARD VISIBILITY LINES SHOWN AS PER THE TORBAY HIGHWAY DESIGN GUIDE

AVERAGE GRADIENT OF FOOTWAY/CYCLEWAY SOUTH OF THE HEDGEROW IS APPROXIMATELY 3.2% (1 IN 31). MAXIMUM TO BE 1 IN 12

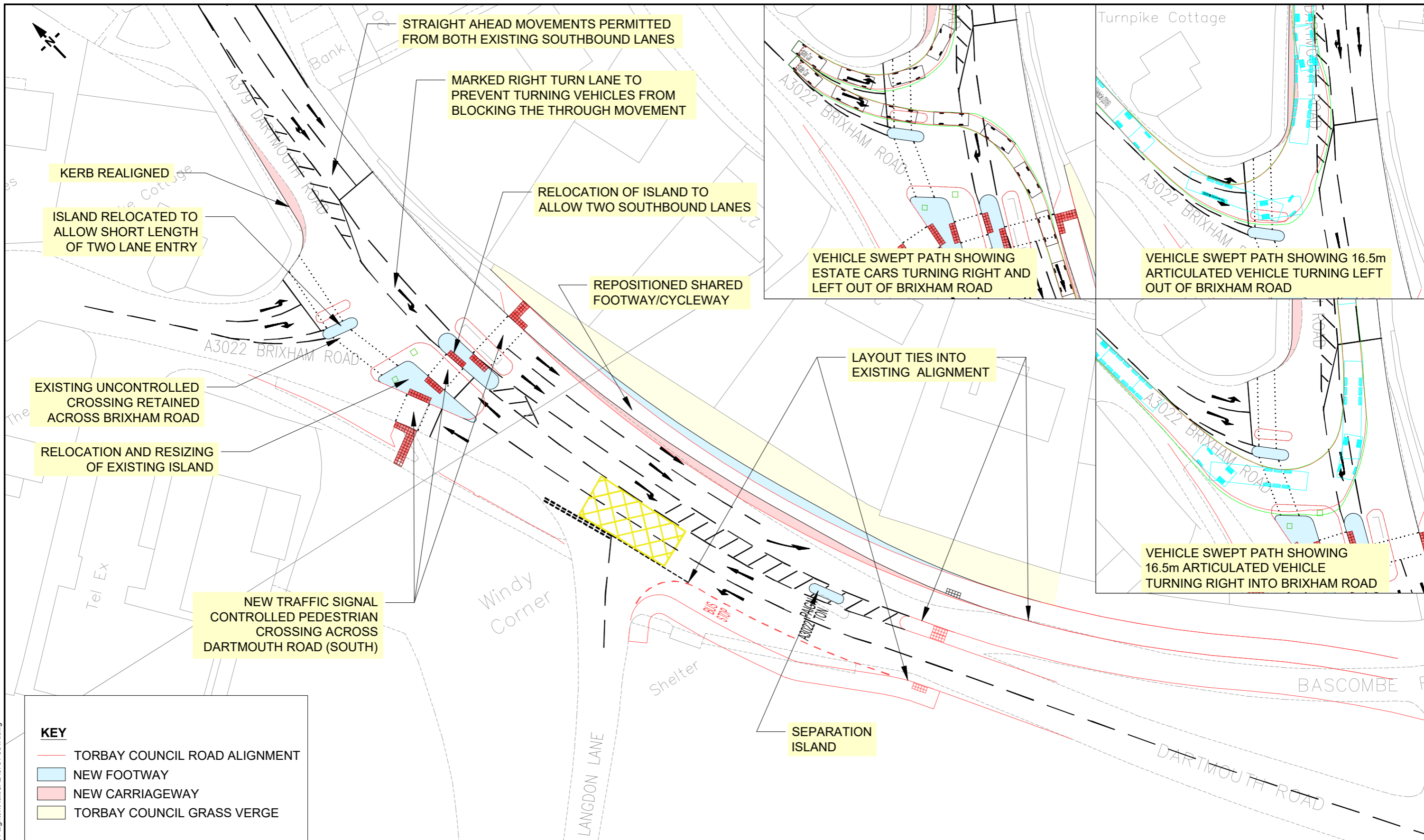
23m FORWARD VISIBILITY LINES SHOWN AS PER THE TORBAY HIGHWAY DESIGN GUIDE

3m WIDE SHARED FOOTWAY/CYCLEWAY CONNECTION FROM THE INGLEWOOD SITE TO THE NORTH

INGLEWOOD					ABACUS PROJECTS LTD				
SHARED FOOTWAY/CYCLEWAY TO THE NORTH					KEY TRANSPORT CONSULTANTS LTD 26 BERKELEY SQUARE BRISTOL BS8 1HP Tel : 0117 920 9430 E-mail : info@key-transport.com				
DRAWN BY	CHECKED BY	PASSED BY	DATE	SCALES @ A3 SIZE	ISSUE STATUS	DRAWING NUMBER	REV.		
FF	DRK	DRK	OCT 17	1:1,000@A3	PRELIMINARY	0734-055			

REV	DR	CH	PA	DATE

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STRAIGHT AHEAD MOVEMENTS PERMITTED FROM BOTH EXISTING SOUTHBOUND LANES

MARKED RIGHT TURN LANE TO PREVENT TURNING VEHICLES FROM BLOCKING THE THROUGH MOVEMENT

KERB REALIGNED
ISLAND RELOCATED TO ALLOW SHORT LENGTH OF TWO LANE ENTRY

RELOCATION OF ISLAND TO ALLOW TWO SOUTHBOUND LANES

REPOSITIONED SHARED FOOTWAY/CYCLEWAY

EXISTING UNCONTROLLED CROSSING RETAINED ACROSS BRIXHAM ROAD

RELOCATION AND RESIZING OF EXISTING ISLAND

NEW TRAFFIC SIGNAL CONTROLLED PEDESTRIAN CROSSING ACROSS DARTMOUTH ROAD (SOUTH)

LAYOUT TIES INTO EXISTING ALIGNMENT

VEHICLE SWEEP PATH SHOWING ESTATE CARS TURNING RIGHT AND LEFT OUT OF BRIXHAM ROAD

VEHICLE SWEEP PATH SHOWING 16.5m ARTICULATED VEHICLE TURNING LEFT OUT OF BRIXHAM ROAD

VEHICLE SWEEP PATH SHOWING 16.5m ARTICULATED VEHICLE TURNING RIGHT INTO BRIXHAM ROAD

SEPARATION ISLAND

KEY

- TORBAY COUNCIL ROAD ALIGNMENT
- NEW FOOTWAY
- NEW CARRIAGEWAY
- TORBAY COUNCIL GRASS VERGE
- SIGNALISED CROSSING TACTILE PAVING

NOTE: SIGNAGE TO BE PROVIDED BETWEEN HOOKHILLS ROAD AND LANGDON LANE DIRECTING PEDESTRIANS ACROSS THE ZEBRA CROSSING (LOCATED ON DARTMOUTH ROAD JUST OFF THE DRAWING TO THE NORTH) AND RETURNING ACROSS THE SIGNALISED CROSSING ON DARTMOUTH ROAD, HIGHLIGHTING THIS AS A ROUTE VIA CONTROLLED CROSSINGS

A	Minor changes to annotations	BE	DRK	DRK	12/20
REV		DR	CH	PA	DATE

INGLEWOOD				ABACUS PROJECTS LTD	
WINDY CORNER HIGHWAY IMPROVEMENTS TYING IN TO TORBAY COUNCIL 2019 IMPROVED LAYOUT - WITH SIGNALISED & UNCONTROLLED PEDESTRIAN CROSSING FACILITIES (OPTION 3A)					
DRAWN BY	CHECKED BY	PASSED BY	DATE	SCALES @ A3 SIZE	ISSUE STATUS
MJ	SLF	DRK	JAN'20	1:500@A3	PRELIMINARY
DRAWING NUMBER					REV.
0734-064					A

KEY TRANSPORT CONSULTANTS LTD
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E-mail : info@key-transport.com

**Appendix B
Review of
Representations on
Highway and Transport
Issues**



Reference Number	Precis of Concern/Objection	Author's Response
1	<p>Increased traffic & congestion on Brixham Road</p> <p>The purpose of the Paignton to Brixham "Ring Road" has become obsolete.</p> <p>The congestion this development will present in the immediate area would be catastrophic.</p> <p>The extra traffic that would be generated by so many extra vehicles in a confined peninsular will create even further gridlock.</p> <p>Traffic backs up from Windy Corner to Kingsway.</p> <p>Whatever roads are constructed, they will be jammed with the excess traffic, we still have difficulty accessing these now, with extra vehicles it will cause traffic jams elsewhere.</p> <p>The narrowing of the road along the Peninsula will massively increase existing congestion.</p> <p>Impact on traffic using Dartmouth High Ferry.</p> <p>2024 is when KTC believe the existing layout is likely to fail without the</p>	<p>The impact of development traffic on A3022 Brixham Road was investigated by agreement with and to the satisfaction of the local highway authority. It was agreed that the scope of the investigations should include all junctions between Long Road, 850m to the north of the site, and Windy Corner, 850m to the south.</p> <p>The base analyses included traffic forecast to arise from committed and consented developments. By agreement with the Council, these included the consented White Rock and Yannon's Farm developments and the committed Devonshire Park and Yalberton Road sites that were yet to be completed at the time that the traffic surveys were undertaken. Due allowance was made for the predicted completions in the analysed years of 2019 and 2024. In post-application analyses traffic from the Wall Park site within the Brixham Neighbourhood Plan was added. The Statement of Common Ground on Transport Issues, updated in December 2020 presents analysis at Windy Corner to include traffic generated by a consented development at Noss Dart Marina. Consequently, additional traffic from committed, consented and newly built developments is accounted for in the traffic analyses.</p> <p>The impact of development traffic was identified to warrant mitigation at the bend on Brixham Road north of the site access, and at the Long Road and Windy Corner junctions with Brixham Road. Improvements are proposed to mitigate all significant impacts of the development traffic at each of these locations and these improvements have been agreed by the Council.</p> <p>There are no proposals to reduce the width of any of the local roads.</p> <p>The base traffic analysis for the without-development tests included all traffic on the existing network, quantified through numerous traffic surveys. By definition, the flows recorded in the surveys included traffic travelling along the A3022 and, at Windy Corner, the A379 associated with use of the Dartmouth Higher Ferry.</p> <p>Capacity tests were undertaken for without- and with-development scenarios in 2019, the year of first occupation assumed at the time of application submission, and 2024, the assumed year in which the development would be completed.</p> <p>Existing and predicted future increases in traffic flows have been included in the base case traffic analyses. Where significant impacts of development traffic have been identified, proposals to</p>

	<p>Inglewood redesign. This is not how residents see matters progressing.</p> <p>Since the original application was submitted, the developments (commercial & domestic) in the Long Road / Nortel vicinity have dramatically increased the volume of traffic.</p> <p>The roads in the area of the proposed development are already highly congested. Putting even more traffic into this area cannot be contemplated until the existing problems are solved.</p>	<p>improve the highway network have been agreed with Torbay Council as local highway authority to mitigate the impacts.</p> <p>Congestion is acknowledged to occur on the local road network by the author, who has observed and experienced it in different circumstances and at various times of day on visits over a number of years. There is no requirement in national or local town planning policy for individual new developments to remedy existing problems on the local highway network. Rather, NPPF requires new development to include cost effective measures to mitigate all significant impacts on the transport network and on highway safety (para 108c). Developments must not have an unacceptable impact on highway safety (109) and the residual cumulative impacts on the road network should not be severe (109). All these requirements are satisfied by the development proposals.</p>
2	<p>Traffic impact at Windy Corner</p> <p>This year has seen the improvements to Windy Corner junction carried out. While there have been some benefits from this, as expected the flow of traffic towards Brixham has not improved at all.</p> <p>KTC analysis at Windy Corner indicates a lack of understanding.</p> <p>The traffic analysis does not include the effect of cumulative traffic arising from future housing developments on the Brixham Peninsular except for Wall Park.</p> <p>The improvements at Windy Corner won't achieve the predicted capacity and will be unsafe due to the short length of new two-lane section south of the junction.</p>	<p>The impact of the development traffic was thoroughly investigated within the Transport Assessment (CD1.27) that supported the application and in the immediate post-submission period. The analysis demonstrated that further improvements to the Windy Corner junction proposed as part of the application would fully mitigate the impact of the development traffic. Indeed, the proposed improvements would also achieve a small improvement on the forecast conditions without the development.</p> <p>After submission of the application, in May 2018, the Council requested further analyses of the 2024 tests to add the traffic generated by 203 dwellings in the Brixham Neighbourhood Plan that were included in the Council's five year housing land supply. At the time the Council estimated that of the 203 dwellings, some 185-190 would have been committed but not built and that not all traffic generated by these developments would travel to or through Windy Corner. With the Council's agreement, the traffic generated by the Wall Park site, comprising 165 dwellings, plus 59 touring caravan pitches and a sports pitch, was added to the base flows in the 2024 analyses for Windy Corner to represent the additional traffic generated by the sites included in the five year housing land supply that would pass through Windy Corner. The further analyses were presented in Technical Note 5 (CD2.36).</p> <p>During the summer of 2019 Torbay Council implemented an improvement scheme on the A379 Dartmouth Road to the south of the Windy Corner junction, its purpose being to extend the length of two-lane northbound approach to the junction and, hence, the overall flow of traffic through the junction. The traffic analyses for the Inglewood application were updated since the Torbay improvement scheme was completed and, as a result of subsequent discussions, a revised layout</p>

	<p>Lack of a signalised pedestrian crossing and reduction in width of footway from Broadsands at Windy Corner.</p>	<p>is proposed, as shown on drawing 0734-064 Revision A at Appendix A of this proof of evidence. The improvement includes a widening of the southbound side of Dartmouth Road to two lanes south of the junction with Brixham Road. This is the key feature of the improvement that further enhances the traffic capacity of the junction.</p> <p>The length of the new two-lane section south of the junction was raised as a concern by Torbay Council and resolved to their satisfaction in November 2019, as evidenced by the agreement of the proposed improvement set out in the SoCGTI (CD7.20 Appendix 2 March 2020).</p> <p>There are no crossings within the existing junction layout that provide priority for pedestrians to cross. However, the proposed layout has been amended by agreement with the Council to include traffic signal-controlled crossings of all lanes of Dartmouth Road on the south side of the junction. These crossings will provide a safe, prioritised route for pedestrians, connecting locations to the south-west of the junction, such as Galampton village and Churston Grammar School, to locations and amenities to the north of the junction, including the Broadsands shops, Post Office and Churston Library. No reductions to footway widths are proposed.</p> <p>The traffic capacity analysis for the revised layout (presented at Annex C of the SoCGTI) demonstrates that the Inglewood improvement of the Windy Corner junction would achieve an overall improvement in traffic conditions, compared to the existing junction performance if the Inglewood development does not proceed, while also achieving an improvement for pedestrian safety.</p> <p>The Council has aspired to improve the pedestrian amenities at Windy Corner for many years, on the basis of Street View photographic evidence, since at least 2008. Delivery of the controlled crossings as part of the Inglewood improvement would represent a significant, material pedestrian safety improvement of benefit to the wider local community.</p> <p>I have updated the analysis at Windy Corner to include traffic generated by a consented development at Noss Dart Marina and this is presented in the SoCGTI (CD7.21 Appendix 2 December 2020). I have agreed with Mr Luscombe of Torbay Council that the new analysis does not change the conclusions previously reached.</p>
3	Insufficient parking	<p>The application is in outline, so the detail of the site layout, including the parking provision, will be subject to condition and reserved matters approval.</p>
4	Increase the size of the roundabout at the site entrance	<p>The layout and capacity of the site access roundabout have been agreed with the local highway authority. The size of the roundabout was chosen to meet the demand from: a) the existing through traffic on the A3022; b) the additional traffic generated by the Inglewood development; and c) other</p>

		developments along the Western Corridor. The design also provides spare capacity in case of future growth in traffic flows. The layout accords with all geometric design criteria.
5	Bus service 13 is not enough to service 400 new homes	Improvements to local bus services to serve the development have been agreed in principle with Stagecoach, the main bus operator in Torbay. Stagecoach has written in support of the proposed development (see CD4.22 and CD4.22a). The 13 service passes along Hunters Tor Drive, close to the south-east corner of the site. Stagecoach has not expressed concern about the capacity of its 13 service. A final decision on the preferred solution for provision of the bus service has not been taken but current options include alteration of either the 13 or 23 services.
6	Pavements will be needed along Brixham Road	<p>A continuous existing footway/cycleway, most of it set back and segregated from the vehicle carriageway, runs along the east side of the A3022 Brixham Road connecting Kingsway to the north and destinations beyond, and with Hunters Tor Drive and destinations to the south. Several crossings, including one controlled pedestrian/cycle priority (Toucan) crossing, are proposed on Brixham Road to connect to the existing footway/cycleway.</p> <p>A new off-carriageway footway/cycleway is also proposed to connect the Inglewood development northwards to the new development areas at White Rock and Long Road, both to the west of Brixham Road.</p>
7	No provision for children walking to school across Brixham Road	<p>Several new crossings are proposed to enable school children (and all other people) to cross Brixham Road. Uncontrolled crossing points are proposed across all arms of the site access roundabout to provide pedestrian connections between the development site and the footway/cycleway that runs broadly parallel to the east side of Brixham Road.</p> <p>A Toucan crossing is proposed a short way to the north of the site access roundabout to provide a safe, controlled crossing for pedestrians and cyclists.</p> <p>A new uncontrolled pedestrian crossing of Brixham Road is proposed close to the southern limit of the development leading towards Hunters Tor Drive and on along quiet residential roads towards the amenities at Broadsands Road, then along Dartmouth Road towards Churston and Galampton.</p> <p>New traffic signal-controlled crossings are proposed across the southern, Dartmouth Road arm of the Windy Corner junction as part of the improvements proposed at the junction. These will afford a significant improvement in pedestrian safety at the junction. Coupled with the existing zebra crossing on Dartmouth Road a short way to the north of the junction, these amenities will provide a safe pedestrian route connecting all directions of approach to the junction.</p>

8	Emergency services travel through the bad traffic	<p>The worst congestion in the vicinity of the site occurs on the approaches to the Windy Corner junction, where, on the Brixham Road arm in particular, there is limited space for drivers to pull aside to allow emergency service vehicles to pass. This is likely to be the greatest cause of impedance to the progress of an emergency service vehicle. At the Windy Corner junction, improvements have been proposed and agreed with the Council that will achieve a small overall improvement in traffic conditions, compared to the existing junction performance if the Inglewood development does not proceed. This will have a small overall beneficial impact on traffic flows through the junction, making it easier, in general, for emergency service vehicles to proceed.</p> <p>Given the locations of the emergency service premises in Torbay, most emergency call outs would be expected to approach the Windy Corner junction on Dartmouth Road, from both directions. Both the northbound and southbound approaches on Dartmouth Road have two lane approaches, which means there is space for queueing vehicles to move aside to enable an emergency service vehicle to pass in advance of the junction.</p> <p>The Inglewood improvement will provide for the first time two lanes on the southbound Dartmouth Road exit from the junction. This will provide more space for drivers obstructing the progress of an emergency service vehicle to pull forward cautiously through the junction, whether approaching on either Brixham Road, or on the southbound Dartmouth Road approach. By doing so, it will make it easier for an emergency service vehicle heading south to pass other vehicles.</p> <p>Elsewhere along Brixham Road, just south of the bend to the immediate north of the site (adjacent to White Rock Primary School), the carriageway reduces to approximately 6.1m wide and is flanked on both sides by high hedge banks. At present, it would be very difficult, if not impossible, for an emergency service vehicle to pass through between two lines of vehicles pulled in tight to the side of the existing carriageway on this section of the road. The proposed improvement would widen the carriageway to 7.3m, and provide a significant width of grass verge on the inside of the bend to improve forward visibility. A 7.3m carriageway would be wide enough to enable a large emergency service vehicle to pass with care between two lines of vehicles pulled in tight to the side of the new carriageway. The provision of the proposed verge would also enable southbound vehicles to pull over with two wheels on the verge, making more space for emergency service vehicles to pass. This would provide a significant improvement in enabling the passage of emergency service vehicles along this section of Brixham Road, as the entire length of Brixham Road would be a minimum of 7.3m width between Windy Corner and the dual carriageway section that commences at the White Rock Way junction to the north.</p>
9	If the predicted traffic and general congestion ensues, what plans are in place for a new 'Ring Road'?	See response to point 1.

	Where will the new road to ease the traffic congestion around this new town be built?	
10	<p>Please consider using roundabout access to the main ring road as opposed to yet another set of traffic lights.</p> <p>The Brixham Road is already cluttered with traffic lights.</p>	<p>A roundabout is proposed as the main access to the development and the junction has been agreed by the local highway authority.</p> <p>Only one new set of traffic lights is proposed, a Toucan crossing located just north of the proposed site access roundabout. This is to provide a safe crossing of Brixham Road that will assign priority to pedestrians and cyclists when a demand to cross is registered. The crossing is not expected to be especially heavily used but will provide an important safety feature, particularly for parents escorting their children to and from the primary schools at White Rock and in the proposed development.</p>
11	<p>Brixham Peninsula Neighbourhood Plan Policy T1 - transport policy and carbon footprint. The peripheral location of this site will lead to growth rather than containment of car travel</p>	<p>Compliance of the application with the BPNP Policy T1 was considered in the SoCGTI at paragraph 6.4. Torbay Council's representative agrees that the proposed development meets the requirements of BPNP Policy T1.</p> <p>There is no requirement in BPNP Policy T1 for new development to constrain car travel such that it does not lead to growth in car use.</p> <p>The requirements of NPPF are for the development to:</p> <ul style="list-style-type: none"> • include cost effective measures to mitigate all significant impacts on the transport network and on highway safety (para 108c); and • not have an unacceptable impact on highway safety, and the residual cumulative impacts on the road network should not be severe (109). <p>Torbay Council's representative agrees that the proposed development meets these requirements.</p>
12	<p>The traffic on the local roads is already horrendous, particularly on the section of the Brixham Road between the current White Rock development and Windy Corner. There are constant queues of cars at the busiest times, with the resultant noise, fumes and pollution for those whose homes border the road.</p>	<p>Matters of traffic impact are addressed at items 1 and 2 in this Appendix B.</p> <p>Matters of air quality and noise are addressed in the main Statement of Common Ground agreed by Mr Fitton for the appellant and Mr Pickhaver for Torbay Council (CD7.21) as follows:</p> <ul style="list-style-type: none"> • at paragraph 8.25 it was agreed that "<i>The development raises no issues regarding air quality</i>"; and • at paragraph 8.26 it was agreed that: "<i>The development raises no insurmountable issues regarding noise impact. Environmental Health has noted that a small number of dwellings</i>

	<p>The development will create additional traffic in an already congested area with associated noise, fume, particulate and Nitrogen oxide pollution.</p> <p>Impact of new roundabout on air quality and the enjoyment of outside space and garden. Adding a roundabout so close, will increase pollution levels during the day to a point where it could be dangerous to mine and my family's health</p>	<p><i>are located close to the road; but consider that issues arising from this can be addressed through reserved matters."</i></p> <p>From a transport planning perspective, planning conditions are suggested in the SoCGTI at paragraph 5.1 i) and k) to encourage the take up of electric vehicles and non-car travel and to secure delivery of a Travel Plan. If these conditions are imposed, the application will meet the requirements of the NPPF in that:</p> <ul style="list-style-type: none"> • it will be designed to enable charging of plug-in and other ultra-low emission vehicles in safe, accessible and convenient locations (para 110 e)); and • it will provide a travel plan (111). <p>The location of the site access roundabout was chosen to minimise impact on the driveways of properties on Brixham Road opposite the northern part of the site frontage, while retaining as much of the mature hedgerow and trees along the southern part of the site boundary, and also satisfying highway design criteria.</p>
13	<p>Paignton Neighbourhood Plan Policy PNP22 encourages active travel in the Western Corridor requires financial contributions from each developer to fund in full necessary active travel, public transport and highway infrastructure</p>	<p>The development proposals include a new off-highway footway/cycleway linking the site to the White Rock development area to the north and a range of other footway/cycleway measures, which will enable active travel.</p> <p>A Section 106 contribution is proposed to fund wider improvements to sustainable transport infrastructure and to secure the delivery of a regular bus service between Paignton town centre and the site.</p> <p>The development proposals include all highway infrastructure improvements that are agreed by Torbay Council to be necessary to mitigate the significant impacts of the development.</p> <p>In light of the above, the development satisfies the requirements of Paignton Neighbourhood Plan Policy PNP22.</p>
14	<p>Traffic congestion can be quite severe particularly in the holiday season</p> <p>Traffic surveys were incomplete and misleading being undertaken during Torbay roadworks.</p>	<p>The traffic flows on Brixham Road have been surveyed on several occasions, in both 2017 and 2019, at times to identify traffic flows in different prevailing conditions, for example during school term time and in holiday periods. Surveys in July 2019 were undertaken when the Torbay highway works were substantially completed. Further surveys were undertaken in term time in September 2019.</p>

		All the survey results, including those in the holiday season, were considered in a Technical Note (TN6 (CD2.37)) that was submitted for consideration by Torbay Council. In the SoCGTI, Torbay Council's representative agreed that the traffic analysis submitted in the original Transport Assessment and subsequent submissions - the Transport Assessment Addendum 1 (CD2.5) and Technical Note 5 (CD2.36) - did not need to be repeated.
15	Additional traffic from the development will use Waddeton Road and Stoke Gabriel Road as a "rat run"	<p>The concern relates to use of these roads as a route towards the A385, leading to Totnes and beyond, to avoid using the signed A classified route along Brixham Road and Totnes Road, particularly at times when there is congestion on these roads.</p> <p>There will be no vehicle connection from the development to Waddeton Road.</p> <p>Sample journey times using Google Maps from the site access roundabout on the A3022 Brixham Road to a destination on the A385 just west of the Longcombe turning reveal that, even in peak periods, a journey via the A classified route is normally quicker than routes via Waddeton Road, or via Long Road/Aish Road. In no sample test was a route along Stoke Gabriel Road, Galmpton suggested as an option for routes from the development site towards Totnes.</p> <p>In contrast, for journeys between Totnes and, say, A3022 New Road, Brixham the route via Waddeton Road and Stoke Gabriel Road is proposed as an option in both weekday peak hours. However, this route is not proposed as an option for journeys in the opposite direction, from Brixham to Totnes. Based upon these sample journeys, it is concluded that development of land in Brixham (such as the sites included in the Brixham Peninsular Neighbourhood Plan), are more likely to give rise to additional use of Stoke Gabriel Road and Waddeton Road than development on the appeal site.</p>
16	The new lights at Windy Corner create unacceptable light pollution and more lights would further harm wildlife and birds in the area such as the bats and cirl buntings	The design and location of new street lighting will be controlled by planning condition and, therefore, subject to subsequent approval by Torbay Council at the detailed design stage.
17	I estimate two vehicles per dwelling, plus service and trade vehicles, plus pub, school and nursery traffic would result in over 5000 journeys added to the existing traffic every day	The total daily traffic generated by the development was assessed most recently in section three of the Transport Assessment Addendum 1 (CD2.5 Part 1). Summing the flows forecast in Tables 3.7 (which makes no allowance for trips that remain internal within the development), 3.14 and 3.15, the total daily two-way flow is predicted to be $1791+592+412= 2795$ vehicles. The impact of this traffic was assessed appropriately in all subsequent analyses.

18	During construction of the development, there will be more roadworks and the volume of heavy traffic is considerable	Construction traffic arises for a limited period and is normally dealt with as a reserved matter. The appellant would accept a planning condition requiring approval of a Construction Traffic Management Plan.
19	It takes one accident or break down and the whole area is gridlocked	Resilience of the local highway infrastructure is a matter for the local highway authority, Torbay Council, to address through the Local Plan review process. As agreed with the appropriate representative of Torbay Council and reported in the SoCGTI, the development meets the relevant requirements of the current Torbay Local Plan.