

THE CITY OF DURHAM TRUST

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10 October 2021

Dear Mr Jones,

DM/21/02360/FPA: Sniperley Park

The City of Durham Trust has already written regarding the lack of a masterplan for the whole of County Durham Plan site H5, and followed this with an analysis of the NPPF and County Plan policies against which we judge the application to fail.

Our third submission expands on the transport-related policies and provides detailed commentary demonstrating the failure to comply with NPPF and County Plan policies.

Summary of objection

- The application does not “give priority first to pedestrian and cycle movements” (NPPF para. 112) or incorporate “convenient, safe and high quality ... pedestrian and cycle routes” (Policy 5).
- In the design of pedestrian and cycle access within the site, the application does not have regard to the policies of the County Durham Strategic Cycling and Walking Delivery Plan (Policy 21) nor does the design reflect current national guidance (NPPF para. 110c).
- The arrangements for car parking are unimaginative and wasteful of land, and thereby do not reflect current national guidance including the National Design Guide and the National Model Design Code (NPPF para. 110c) or realise opportunities for net environmental gains (NPPF para. 104).
- The layouts do not “maximise the catchment area for bus ... services” (NPPF para. 112a) or provide “appropriate, well designed, permeable and direct routes for ... bus access” (Policy 21). Half of the site is beyond the desirable 400m maximum from a bus stop, and no safe crossing of the A691 is proposed to reach the westbound bus stop.
- The development is not “connected to the existing development to the east of the A167 through suitable, convenient, safe and attractive cycleways and footpaths” (Policy 5i) and this means that “opportunities to promote walking, cycling and public transport” have not been “identified and pursued” (NPPF para. 104) and “safe and suitable access to the site” has not been achieved for all users (NPPF para. 100b).
- The Travel Plan target for car trip reduction is not ambitious enough, allowing a modal share for cars considerably higher than the 2011 census rate for the area. The measures proposed for encouraging sustainable travel are inadequate.

The following sections substantiate the Trust's objection with detailed examples from the various application documents.

Cycle and path network within the site

NPPF paragraph 112 requires that developments “give priority first to pedestrian and cycle movements, both within the scheme and with neighbouring areas”. Policy 5 requires the incorporation of “convenient, safe and high quality bus, pedestrian and cycle routes within, and also connecting to adjoining facilities”.

For cycle routes, high quality would now entail compliance with LTN 1/20, the current national guidance for cycling design, as stipulated in the policies of the County Durham Strategic Cycling and Walking Delivery Plan which, according to Policy 21, “all development should have regard to”. This is confirmed by NPPF paragraph 110c which requires the design of transport elements to reflect current national guidance. The Trust considers that to comply with Policy 21 applications must take into account such design guidance and that any departure from the guidance must be justified by the applicant.

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The Trust is not aware of any documentation indicating that the applicant has had regard to these policies and design guidance, and various features of the path network do not comply.

In summary, the impression given by the Adoptable Highways Layout, which includes details of the path network, is that the design prioritises motor traffic access to the site. This is contrary to NPPF paragraph 112. Footways are provided along access roads, but are not continuous across side roads (which could have provided “priority first to pedestrian movements”), and often cease partway along each cul-de-sac. The adoptable cyclepath only reaches half the site and is indirect. It also has no priority at the many places where it crosses side roads, meaning that cycling might actually be safer and more convenient on the access road itself. There is a path network round most of the edge of the site, but its meandering design suggests its main function is for leisure and exercise. It also fails to link to many of the cul-de-sacs, making its use for daily travel unnecessarily inconvenient.

Turning to matters of detail, a few examples are given as evidence.

Cycleways are shown in pink. This short cycleway link meets the main access road but does not connect across the verge to allow people to join the cycleway on the other side.



Pavements are shown in green (see excerpt below). Each cul-de-sac has the pavement stopping well before the end of the road. It is likely that it is the type of design where the carriageway comes up to the same level as the footway to provide a shared space at the end of the road. A change of surface would be preferable so that drivers have a clear signal that the space is different.

Note the sinuous footpath that skirts the site. From many cul-de-sacs there is no formal connection to the footpath shown. People will inevitably create a path by walking across the grass, but there should be a properly designed connection to ensure wheelchair accessibility.



Another example: a path passing between two areas of housing (starting in the middle at the bottom of the excerpt and proceeding north-east), without links to the ends of the roads on either side:

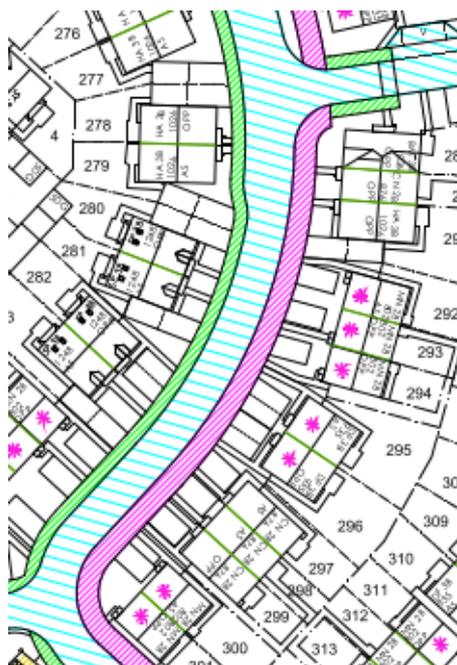
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The path network is supposed to connect to the local centre by the B6532, therefore the footways on the main access roads should be connected through the cul-de-sacs via continuous separated footways, rather than a space shared with parking and motor vehicles. This would help promote the use of the network to residents. It is not clear which of the paths round the edge of the site will be for cycling as well as walking. Figure 5 in the Residential Travel Plan seems to distinguish an internal path network (round the northern edge of the site) and an internal cycle path network (starting at the end of the Fire Station access road and running along the south-western edge of the housing), but no rationale is given for this design. Only at the northern corner of the site is a cycling link towards the B6532 shown: the other links are shown as pedestrian only.

The design should be encouraging cycling as well as walking from all parts of the development. Consideration should be given to paths which separate the two modes on the most important axes. This is encouraged in LTN 1/20.

The next excerpt shows a cycle path in pink passing a large number of driveways. The pavement on the other side also passes many driveways. Both abut the carriageway. Typical street construction over the last few decades has the footway sloping towards the carriageway whenever a drive is crossed. This creates an undulating surface which is harder to use with wheeled equipment such as buggies, wheelchairs and cycles, and can be dangerous in icy conditions. The foot and cycleways should maintain a level surface with a steady crossfall sufficient only for drainage, using suitable sloping kerbs to provide access for cars. Careful attention to the provision of dropped kerbs for wheelchair access will then be needed at junctions. Alternatively the paths could be set further back, so that the slope of any driveway access is between the cycle path and the carriageway.



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The following excerpt shows another example where the adoptable footway ceases soon after turning into the cul-de-sac, and again, no formal connections are shown to the path that skirts the edge of the site. Properly-designed formal access, with a continuous footway along the cul-de-sac, should be provided. The shared surface style of provision is more likely to result in cars being parked obstructing pedestrians.



The design shown above where the cycleway meets the side turning is unsuitable because cyclists will be at risk from turning vehicles while negotiating a kerbed transition which is angled rather than end-on. The cycleway should be set back from the main road sufficiently that an end-on crossing of the side road can be provided. If the footway or cycleway has a continuous surface and maintains the same level across the side road opening this will help to “give priority first to pedestrian and cycle movements” in accordance with NPPF paragraph 112. There is no evidence of priority being given to pedestrian and cycle movements anywhere in the scheme. The cycleway as currently proposed will be unattractive and potentially less safe than using the carriageway.

If traffic levels are considered to be high enough to warrant providing a cycleway, it should be properly designed in accordance with LTN 1/20. Rather than a cycleway along the access road, separate foot and cycle paths directly through the heart of the site would be a far better way to provide the prioritised and high quality network required by NPPF paragraph 112 and Policy 5. Leisure paths round the edge, while very welcome, do not fulfil these policy requirements.

Car parking

The distribution of visitor parking spaces across the site is uneven. Some cul-de-sacs have been provided with several, others with very few. Those along the main access routes are not frequent enough to discourage people from parking closer to their destination, and so there will likely be visitors obstructing the main carriageway or parking their vehicles partly on the footway.

The general layout, with car parking mostly in front of houses, will make streets unattractive and dominated by parked cars. This is particularly the case with smaller semidetached houses like those in the above excerpt where most of the street frontage is taken up with parking spaces. Paragraph 4.31 of the Design and Access Statement acknowledges this issue, and says that parking “should be carefully designed to be typically no more than 4 spaces appear [sic] in a row, and areas of landscaping and/or planting should be used to break up the appearance”. This stated intention does not seem to have been successfully carried through in the actual plans.

The new National Model Design Code notes that “the arrangements for car parking can have a major impact on the quality of place. They should aim to minimise the impact of the car and solutions will vary depending on context”. The Guidance Notes for Design Codes section M.3.i favours unallocated parking as an efficient use of land, and also suggests options such as parking courts and car barns to concentrate allocated parking provision. While locating residential car parking in front of each house does simplify

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the provision of electric car charging points, this is by no means the only possible solution to encourage the use of electric vehicles.

The Transport for the North Decarbonisation Plan recommends actions which local authorities can take to help decarbonise transport. These include car-free zones and streets, and unbundling the cost of parking from new housing prices to incentivise take-up of car-free or car-lite development.

There is an excellent opportunity for Sniperley Park to make more efficient use of the land available taking advantage of the proximity of the Park and Ride site to satisfy part of the residential parking requirement. Residential parking will be used predominantly when the Park and Ride car park is relatively empty, and vice versa. Streets within a suitable distance of the Park and Ride car park could be designed car-free, with no or minimal parking available outside the houses, and narrower access roads primarily for refuse collection, deliveries and cycling or walking. Householders would rent a space in the Park and Ride, decoupling the cost of the parking from the house ownership. This would provide an incentive for people to limit and reduce their car ownership, in line with the demand reduction targets of the TfN Decarbonisation Plan. These measures could be combined with car club provision. With less need to provide residential parking spaces and access road capacity, land could be reallocated to green space without reducing the density of the development or the yield for the developer.

By proposing an unimaginative street plan the developer has failed to address various requirements of NPPF. For example paragraph 104 requires development proposals to realise the “opportunities from existing or proposed transport infrastructure” (e.g. proximity of the Park and Ride site) and “changing transport technology and usage” (e.g. transport decarbonisation entailing demand reduction and a move away from the private car) and to assess the “environmental impacts of traffic and transport infrastructure” (e.g. the land requirement for access roads and parking) “including appropriate opportunities for avoiding and mitigating any adverse effects” (e.g. by not providing parking allocated to every plot) with the aim that “patterns of movement, streets, parking and other transport considerations are integral to the design of schemes, and contribute to making high quality places” (rather than streets dominated by car parking).

There is no evidence that the developer has seriously considered any of these fundamental requirements.

Entrance to the development

The crucial need for a masterplan for the entire site and the policy failure in isolating this part of the site have already been commented on by the Trust. It has also identified the areas of policy failure that relate to layout, design and creating a distinctive development.

The developers propose a new roundabout on the A691 giving access to the new development. The parkland area at the entrance to the site, divided into two by the main access road, represents a key failure in relation to design and layout. This simply wastes the opportunities that might have been taken if a coordinated overview of the whole open space network were to be produced first. There is another missed opportunity to create a much improved development by undergrounding the pylon suspended power line, and this seems to have not been considered in the current submission.

The significant pedestrian and cycling failures of the roundabout are identified below. To these can be added the functionless open spaces that attach to it. Who would want to take a stroll, let their children play or have a picnic close to a busy main road? The small play area is isolated to the edge of the housing area and close to the power line. There are opportunities here to make the open space and play provision more central to the scheme with design benefits and allow housing to be closer to bus stops. There is need to consider the appearance of the site and its footpath connections in relation to the River Browney valley to the southwest, but this should not impede a more structured and unified consideration of the open space provision.

Bus stops and services

Formal bus laybys on the A691 are proposed, and this is welcome. Unfortunately no crossings are shown to access the west-bound bus stop, aside from the uncontrolled crossings at the roundabout. The road currently has a 60mph limit but the developers propose that it be lowered to 40mph.

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Table 3 of the CIHT publication *Planning for Walking* (March 2015) suggests that for 40mph roads uncontrolled crossings or central refuges are only appropriate in low flow environments. For the A691 a signal controlled crossing would be recommended.

This is backed up by Table E/4.1 of CD195 *Designing for cycle traffic* (Highways England, September 2019). For a cycle route crossing a two-lane roundabout entry as shown in the proposals, a parallel pedestrian/cycle crossing would be required. It follows that a pedestrian-only crossing should also be light controlled.

Without proper crossings of A691, the access to the bus stops cannot be considered safe. The X5 and X15 buses on this road would provide useful access to St Leonard's School, for example, but without safe crossings parents would be more likely to drive their children there.

The residential travel plan states that the desirable maximum distance to a bus stop is 400m, and the absolute maximum is 800m. The main Environmental Statement does not show which houses fall into each category and which bus stops are accessible, but the Residential Travel Plan includes a diagram which shows that a large proportion of the properties fall beyond the 400m limit, with the furthest properties being over 900m from the Park and Ride bus stop, and almost 800m from the A691 stops. It is a little hard to tell, but it appears that the measuring point is from the middle of the Park and Ride car park, rather than the actual bus stop, and so the actual distances might be about 40m longer.

It is possible that from the northern part of the site bus stops on the B6532 might be closer, but without a masterplan for the whole of the Sniperley Park site, it is not possible to assess this.

Another way to shorten the distance to bus services would be to provide a footpath connection from the northern end of the development linking with Witton Gilbert footpath 8, allowing access to the A691 about 500m north-west of the proposed bus stops. Further stops could be provided there. This might require the acquisition of land which the developer does not currently control.

Using the adoptable cycleway, which connects to the Park and Ride car park, could give residents a means of shortening the journey time to reach the bus stops. Secure cycle parking should be provided both there, and at the A691 bus stop.

Policy 5 requires the incorporation of “convenient, safe and high quality bus ... routes within, and also connecting to adjoining facilities”. The Residential Travel Plan diagram appears to be working on the assumption that there will be no bus routes within the site. Confusingly a separate file attachment, which appears from the file name to be Environmental Statement Figure 7.10 “Development Land Use Plan” shows a purple dashed line labelled “indicative location of proposed bus route through site”. This enters the site via the new roundabout off the A691, but where it exits is not clear, as the purple line follows the alignment of the main access road (with cycleway) and bends round towards the Park and Ride car park but does not actually connect. The Trust has not been able to find any evidence of consultation with bus companies in the documentation, so it is unclear what is being proposed and whether it would be viable.

The design of the development does not facilitate bus routes within the site. The whole topic of public transport provision would be better addressed via a masterplan for the full green belt release.

Assessment of site accessibility: pedestrians and cyclists

Section 10 of the Environmental Statement covers transport and access. The document quotes various parts of County Plan policies the NPPF. For example, paragraph 10.18 quotes the requirement for the development to be “connected to the existing development to the east of the A167 through sustainable, convenient, safe and attractive cycleways and footpaths”.

Paragraph 10.27 lists some of the improvements identified in the Durham City Sustainable Transport Delivery Plan, including the need to “ensure that adequate cycle priority (and protection for cyclists) is provided at the Sniperley roundabout at the junction of the A691 and A167” and the need to widen off-road footpaths.

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Paragraphs 10.48 to 10.58 list a number of types of potential impact from transport, including:

- severance
- accidents and safety
- pedestrian and cyclist delay
- pedestrian and cyclist amenity
- pedestrian and cyclist fear and intimidation

Despite this awareness of the adverse effects that traffic levels can have on pedestrians and cyclists using the highway, and the improvements which are needed, paragraph 10.74 states that the uncontrolled crossings in the area “provide safe and convenient walk and cycle access to the established residential areas of Durham Moor, Framwellgate Moor, and Durham city centre”. Paragraph 10.76 says that the cycleway on the A691 “connects with existing traffic-free infrastructure along the eastern side of the A167 and on-carriageway sections to facilitate direct and safe cycle access to a wide range of amenities”. Paragraphs 10.80 and 10.81 claim that wide areas of the city are accessible on foot or by cycling. These assertions are repeated with almost identical wording at paragraphs 10.114 and 10.116.

The consideration of the impacts on pedestrians and cyclists has been limited to the additional impact caused by the additional motor traffic generated by the development. The report does not consider whether the existing conditions are suitable. It is plain that they are not. Several studies have identified the Sniperley roundabout as currently unsafe and inconvenient for people walking or cycling, including:

- Durham City Sustainable Transport Delivery Plan (Durham County Council / Systra, December 2018)
- Walking and Cycling Evidence Paper (Durham City Neighbourhood Plan Working Party, March 2019)
- Durham City Strategic Cycle Routes (Transport Initiatives for Durham County Council, October 2014)

If you apply the LTN 1/20 junction assessment tool to the junctions in the area, and to the new roundabout junction proposed for access to the site from the A691, all of the potential cycle movements that cross arms of the roundabouts would achieve a score of zero. CD195 Designing for Cycling Traffic, which is part of the Design Manual for Roads and Bridges, requires grade separation or signal-controlled crossings where cycle routes cross high flow 40mph roads or 2-lane roundabout entries within a 30mph limit.

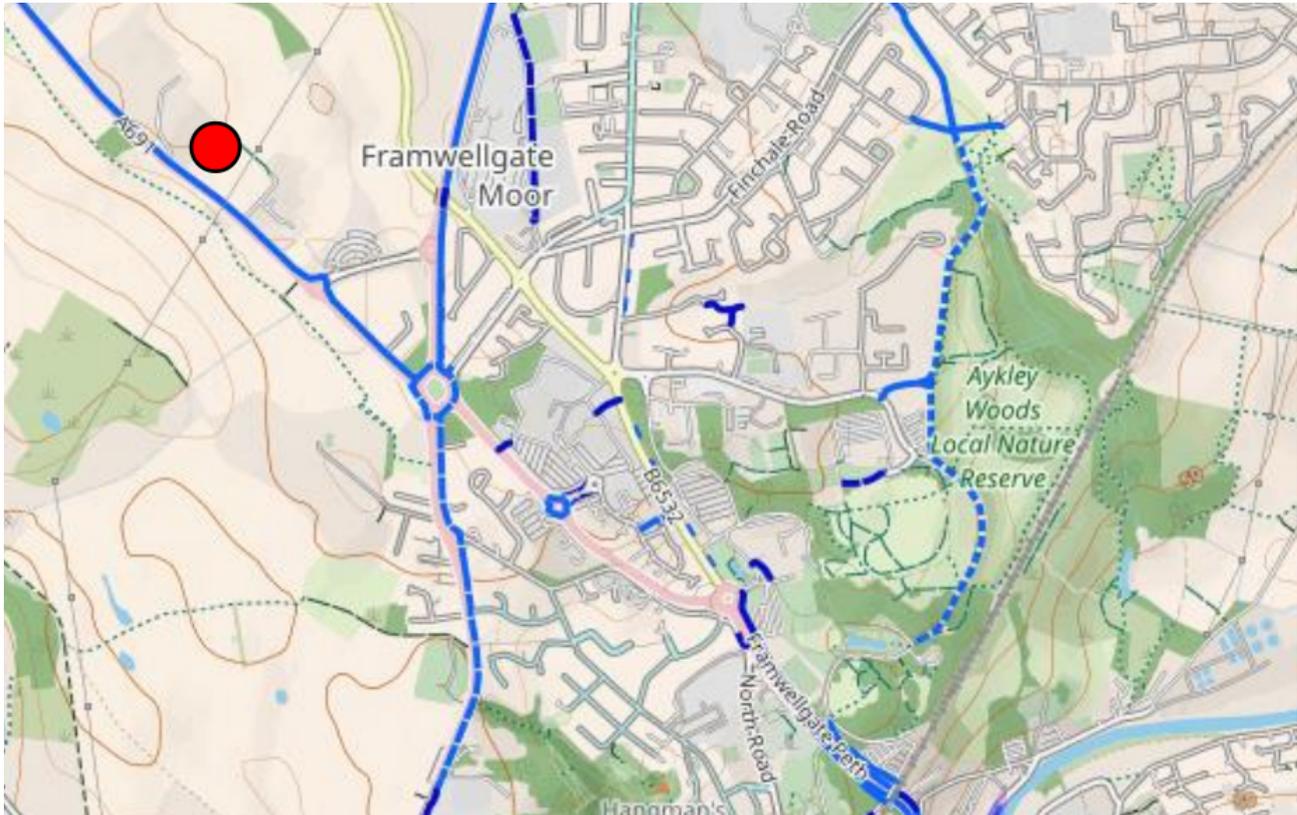
As noted in LTN 1/20 paragraph 4.2.4:

Abrupt reductions in the quality of provision for cyclists – such as a busy high-speed roundabout without facilities – will mean that an otherwise serviceable route becomes unusable by most potential users.

While the developers may try to argue (contrary to the clear intention of Policy 5) that improving the existing conditions is not their responsibility, there can be no such justification for the design of the new roundabout. The existing path along the A691 to Witton Gilbert is of adequate quality for cycling and walking, apart from at the junctions. The new roundabout adds a further junction without the appropriate crossing assistance, and will make existing journeys longer and less safe.

Conditions on the “on-carriageway sections” beyond the A167 mentioned in paragraph 10.76 are not compliant with the LTN 1/20 guidance either. The plan of local cycle routes at Figure 2 in the Residential Travel plan and Figure 10.2 of the Environmental Statement makes it obvious that there are no connections to any sort of coherent network to the east of the site at present.

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The Local Cycling and Walking Infrastructure Plan for Durham City identifies the need for cycle routes from the Sniperley roundabout south-east along the A691 to County Hall roundabout to link to the city centre and north-east along Dryburn Park, Front Street and Finchale Road to link to local amenities such as the Framwellgate Moor shops and schools.

The assertion in paragraph 10.74 that there already exists “safe and convenient walk and cycle access” to the areas east of the A167 is completely baseless and false.

The subsequent paragraphs 10.109 to 10.122 are concerned with access to local amenities. Again, the conclusion in paragraph 10.122 that overall the site “has good pedestrian links to all local amenities. Cycling is also a viable option for local journeys” is unsubstantiated. The only evidence given is the distance to the amenities. The document does not take account of the fact that pedestrians and cyclists may have to wait several minutes for a gap in the traffic when crossing the two-lane entry and exit arms of the roundabout. Nor does it consider what proportion of parents would be happy to let their children negotiate these junctions unaccompanied on the way to secondary school.

Policy 5i states “the development must be connected to the existing development to the east of the A167 through suitable, convenient, safe and attractive cycleways and footpaths”. The Trust would argue that making a pedestrian or cycle link to the existing paths on the west of the A167 is not sufficient to comply with this policy. The applicant must demonstrate the existence, or propose the provision, of “suitable, convenient, safe and attractive cycleways and footpaths” that connect not just to the other side of the A167, but into the existing development on the east side. That means, in the view of the Trust, links that extend as far as a range of local amenities such as those the developer has given in Table 10.16.

This view is backed up by the penultimate paragraph of Policy 5, requiring “convenient, safe and high quality bus, pedestrian and cycle routes within, and connecting to, adjoining facilities”, and for the movement frameworks of each site to “incorporate any relevant schemes within the Durham City Sustainable Transport Delivery Plan”. This part of the policy has not been addressed in the applicant's Planning and Affordable Housing Statement: in paragraph 4.34 this part of the policy is not quoted, and on page 25 the responses to the policy also stop short at the response to Policy 5k. Policy 21b requires links “to existing services and facilities”. Policy 21 is not addressed anywhere in the Planning and Affordable Housing Statement, being merely summarised (omitting this aspect of the policy) in paragraph 4.39.

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Paragraph 3.15 of the Planning and Affordable Housing Statement states that the linear park, required by Policy 5, will enable the provision of a network of footpaths and cycleways “ensuring access to the proposed local centre, school, the wider countryside and existing development to the east of the site”. Is the applicant suggesting that the requirement for links to the existing development to the east will only be met via routes that first pass north-east through the linear park? It appears to be so: in the response to Policy 5i, found on page 24 of the Planning Statement the applicant states that “the site does not have a boundary with the A167” and then goes on to say that cycleways and footpaths will allow linkages to be created via future phases of the housing allocation.

If the applicant is suggesting that the existing underpass where Framwellgate Moor Bridleway 4 passes under the A167 will be sufficient to provide the connections to the east, that is simply not good enough. There need to be multiple safe connections across the A167 spaced at reasonably frequent intervals along the 2km stretch from the Sniperley to the Pity Me roundabouts in order to counter the severance effect of the A167 and ensure “sustainable and cohesive communities” to use the policy wording. If a first phase is built out and occupied without such connections being established at the outset, the occupants will certainly get into the habit of driving everywhere.

The stance taken in Policy 5 has backing in NPPF paragraph 112a which requires developments “give priority first to pedestrian and cycle movements, both within the scheme **and with neighbouring areas**” (emphasis added).

In conjunction with this proposed first phase of development, the Trust would expect to see, as a minimum, enhancements to the pedestrian and cycling environment to provide safe crossings of existing roads, including at all the roundabouts, and high quality continuous links to the Framwellgate Moor shops and schools, to the County Hall roundabout (linking to existing routes to the city centre), and to Durham Johnston School.

Section 6 of the Planning and Affordable Housing Statement gives draft heads of terms for a Section 106 agreement “based on pre-application discussions with the Council”. This includes land for the Park and Ride extension, a public transport contribution, and an off-site highways works contribution. A highways contribution is alluded to in paragraph 4.26 of the Residential Travel Plan, for an improvement scheme to reduce peak-hour queuing on the A167.

Because the pre-application discussions are not published, and there is no detail on what the Section 106 contributions would cover, the public cannot scrutinise or comment on whether the highways works and public transport contribution are sufficient and appropriate to deal with the many sustainable transport deficiencies of the site location identified above. These matters are of the utmost important in avoiding a car-dependent development, and they must not be left to a planning condition for future agreement between the developer and the local authority.

Travel Plan targets

The draft Residential Travel Plan suggests a target of a 5 percentage point reduction in car travel, to a modal share of 68%. This is considerably higher than the 57% modal share for travel to work by car/van (either as driver or passenger) in the 2011 census for area E00171856, within which the site falls. Many areas in Framwellgate Moor, just the other side of the A167, had well under 50% of people travelling to work by car. The Trust considers that the Travel Plan should aim for a much lower starting target, reflecting that the best time to get people to change their travel habits is when they move house. Policy 5 requires that the Travel Plan reduce reliance on the private car, not entrench it.

For promoting use of public transport, it is proposed that copies of bus timetables would be provided, along with a £100 voucher for each household. A longer-term subsidised bus fare scheme would be a more effective incentive, especially if coupled with personalised travel planning for each household which is only mentioned as a possible remedial measure in paragraph 8.3.

Overall the Travel Plan promises no more than an information pack, vouchers, some surveys, and setting up a Bicycle User Group, which, by the estimates of trip generation, would contain about three members.

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Even if this were a good Travel Plan, it could not make up for the poor design decisions which repeat the mistakes made at countless suburban estates built over the last few decades. A Travel Plan is no substitute for actually designing developments which promote sustainable transport through their layout, density, connections, and quality of environment, as is required by the NPPF.

Refusal of planning permission on transport grounds

Developers are fond of quoting paragraph 109 of the NPPF which states that “development should only be prevented or refused on highways grounds if there would be an unacceptable impact on highway safety”. An earlier version of the NPPF referred to refusal “on transport grounds”. That set such a high bar that it was very difficult to refuse applications that failed to address sustainable transport, unless there was also a severe impact on the highway. The change of wording in 2018 was to clarify that it is appropriate to refuse applications on transport grounds beyond the impact on highway safety. For example, if a development proposal fails to identify and pursue opportunities to promote walking, cycling and public transport, it is appropriate to refuse the application even if highway safety has not been significantly affected. In this way the NPPF supports the urgent need to promote sustainable transport as part of the nation's response to the climate crisis.

In addition to points already made in earlier correspondence, the Trust considers that this application has failed to comply with local and national planning policies relating to transport to such an extent that it would be right to refuse it on those grounds alone.

Yours sincerely,

John Lowe
Chair, City of Durham Trust