



**Land East of Manor Trading Estate,
Benfleet, Masterplan Development**

**Proof of Evidence of Justin Bass
in Relation to Highways Matters**

Text

**Appeal Reference:
APP/M1520/W/22/3310794**

LPA Reference: 21/0532/OUT

on behalf of

The Smith Family

January 2023

INTERMODAL TRANSPORTATION

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CONTENTS	PAGE
QUALIFICATIONS AND EXPERIENCE	1
1 INTRODUCTION / SCOPE OF EVIDENCE.....	2
2 SITE LOCATION AND CHARACTERISTICS OF LOCAL ROAD NETWORK	4
3 ASSESSMENT OF THE CONDITION OF THE ESTATE ROADS	7
4 SCHOOL DROP-OFF / PICK-UP ARRANGEMENTS	11
5 POSSIBLE FORMAL PEDESTRIAN CROSSING FACILITY ON CHURCH ROAD.....	13
6 REASON FOR REFUSAL FIVE	17
7 SUMMARY AND CONCLUSIONS	23

APPENDICES (SEE SEPERATE VOLUME)

APPENDIX JB1: LOCAL AND WIDER CONTEXT PLAN

APPENDIX JB2: ESSEX HIGHWAYS CONSULTATION RESPONSE

APPENDIX JB3: FEBRUARY 2020 PLANNING APPLICATION
INFORMATION

APPENDIX JB4: DRONE SURVEYS

APPENDIX JB5: SUMMARY OF ESTATE ROAD CONDITION INSPECTION

APPENDIX JB6: DRAWING 16.3839/P205B

APPENDIX JB7: COMPOSITE OVERLAY PLANS

APPENDIX JB8: EXTRACTS RELATING TO PARKING SPACE
DIMENSIONS



QUALIFICATIONS AND EXPERIENCE

- i) My name is Justin Bass and I am a Master of Science in Transport Planning and Management, a Member of the Chartered Institute of Logistics and Transport and a Member of the Chartered Institution of Highways and Transportation.
- ii) I have been employed in the civil engineering sector for 25 years and have been actively engaged in traffic, transportation and highway work for 23 years.
- iii) I am Director of Intermodal Transportation Ltd, a specialist transport planning and highway engineering consultancy providing, among other things, development control and highway design services to both public sector and private sector clients and have extensive experience of providing advice to clients in relation to the highways and transportation aspects of new development. I have given evidence at a number of planning appeals on behalf of both private and public sector clients.
- iv) I have been and am currently involved in the preparation of various traffic, transportation and road studies throughout the country on behalf of private companies as well as assisting local authorities in development control matters. I have been involved with development proposals in this general area since 2004.
- v) During the formative part of my career I worked for De Leuw Rothwell Consulting Engineers for 7 years covering many civil engineering disciplines before specialising in traffic and transportation.
- vi) I have previously held certificates for safety audit competence and undertaken independent road safety audits.
- vii) The evidence which I have prepared and provide in my proof is true and has been prepared and is given in accordance with the guidance of my professional institution and I confirm that the opinions expressed are my true and professional opinions.



1 INTRODUCTION / SCOPE OF EVIDENCE

Introduction

- 1.1 Intermodal Transportation Ltd (ITL) was instructed by Smart Planning Ltd on behalf of the Smith Family in July 2018 to consider the highways and transportation aspects of planning application 21/0532/OUT which related to the provision of a mixed use commercial and residential development on land to the east of Manor Trading Estate in South Benfleet, Essex.
- 1.2 The site location in the local and wider context is shown on the plan at **Appendix JB1** of my proof.
- 1.3 The scheme involved the expansion of the existing employment units at the Trading Estate and provision of 68 residential dwellings. The Transport Assessment report [**CD A1.2**] produced by ITL in conjunction with the proposal was dated April 2021 (*IT1932TA_14.04.21_Issued*).
- 1.4 During ITL's involvement in the application we have held scoping and pre application discussions with Essex County Council (ECC), the Local Highway Authority (LHA) in this instance.
- 1.5 Essex Highways did not object to the scheme (application reference: 21/0532/OUT) and a copy of their consultation response dated 4th November 2021 is contained in **Appendix JB2** of my proof.
- 1.6 Planning permission was, however, subsequently refused by Castle Point Borough Council (CPBC) as confirmed in their Decision Notice dated 10th May 2022. The refusal of planning permission did not include highway related reasons per-se. However, parking related issues were cited as a reason for refusal, i.e. within reason for refusal five. CPBC's Statement of Case confirms that the Council are still pursuing their reason for refusal relating to parking matters.



1.7 In addition, the Officers report to committee for the application indicates that minor weight only should be attached to the improved drop off facilities for Robert Drake primary school that are to be provided in conjunction with the proposal and also that the provision of improved pedestrian crossing facilities within the vicinity of the school was not supported by the LHA.

1.8 Within this proof of evidence, I consider the following matters: -

- a) The condition of the roads within Manor Trading Estate;
- b) The proposed relocation of the drop off / pick up facilities on Church Road for the Robert Drake primary school to within the application site;
- c) The possible provision of a formal pedestrian crossing point in Church Road adjacent to the Robert Drake primary school; and
- d) Whether the proposed parking provision for the commercial aspect of the scheme should be regarded as acceptable.

Scope of Evidence

1.9 My evidence is structured as follows: -

	Qualifications and Experience
Section 1	- Introduction / scope of evidence
Section 2	- Description of the site location and the characteristics of the local road network
Section 3	- Assessment of the condition of the estate roads
Section 4	- School drop-off / pick-up arrangements
Section 5	- Possible formal pedestrian crossing facility on Church Road
Section 6	- Reason for refusal five
Section 7	- Summary and conclusions



2 SITE LOCATION AND CHARACTERISTICS OF LOCAL ROAD NETWORK

Site Location

- 2.1 The site is located to the east of Manor Trading Estate in South Benfleet, within the Borough of Castle Point, Essex. The site is approximately 5km east of Basildon town centre with Canvey Island approximately 6km south of the site, whilst Southend-On-Sea is approximately 8km to the east.
- 2.2 A wooded area bounds the site to the north, whilst Hesten Lodge and Church Road form the site's southern boundary. Existing built development on the Manor Trading Estate forms the site's western boundary, whilst Keswick Road forms the eastern boundary.

Local Road Network

- 2.3 Within this section I describe the characteristics of the local road network, which is shown on the local and wider context plan at **Appendix JB1**.
- 2.4 Vehicular Access to the residential aspect of the site and the proposed office units would be achieved off Church Road.
- 2.5 The main portion of the commercial aspect of the scheme is located to the east of an existing single storey commercial building which fronts on to Brunel Road and would be accessed via the junction of Armstrong Road and Church Road.
- 2.6 Brunel Road runs in a north to south alignment parallel with and immediately alongside the westernmost boundary of the appeal site turning through 90 degrees at its southern end before heading westwards and connecting with Armstrong Road. At its northern end, Brunel Road again turns through 90 degrees, changes in name to Parsons Road and heads westwards towards Fulton Road. Fulton Road runs in a southern direction from that point and changes in name to Armstrong Road approximately 150m to the south. Armstrong Road runs westwards for a short distance from that point before heading southwards to its priority junction with Church Road.



- 2.7 Brunel Road, as measured on available OS mapping, varies in width from 6m to 6.4m within the vicinity of the site and supports footways of approximately 1.5m in width along its eastern and western kerb lines. Parsons Road has a carriageway and footways of a similar width to Brunel Road. Armstrong Road is approximately 7.6m wide with 2.2m and 2.3m footways to the western and eastern sides respectively within the vicinity of its junction with Church Road.
- 2.8 The Manor Trading estate roads essentially make up a circulatory road network and are aligned by various industrial/commercial properties. The roads contained within the estate up to and including Armstrong Road are private and are not part of the publicly adopted highway. I discuss the condition of the roads within the next section of my proof.
- 2.9 Church Road runs in an east to west alignment past the proposed residential site access and is approximately 7.5m wide and is subject to a speed limit of 30mph within the vicinity of the proposed access. The road has footways on both sides and the footway on the northern side is 2.2m and is separated from the main carriageway by a grass verge adjacent to the site. The footway on the southern side of the road is 2.5m wide with a grass verge adjacent.
- 2.10 The vehicular access to Robert Drake primary school is located to the east of the site frontage on Church Road and is located approximately opposite the junction of Church Road with Spencer Road, the latter running south from Church Road. Yellow zig – zag lines (school keep clear lines) are marked on the northern side of Church Road, within the vicinity of the vehicular access to the school and there is currently a vehicular lay-by between the access to the school and the access to Hesten Lodge. To the east of Spencer Road, Church Road is restricted to access only for vehicles in excess of 7.5 tonnes. Plate 2.1 over the page shows an aerial view of Church Road adjacent to Robert Drake primary school.
- 2.11 Parking is currently restricted on Church Road to the west of the school access by double yellow lines which extend for 25m from the school access. A series of single and double yellow lines are marked on both sides of Church Road extending to Roseberry Avenue. There are no parking restrictions on Church Road to the east of the school access, with the exception of double yellow lines at the crossroads junction of Church Road / Stanley Road / Keswick Road.



Plate 2.1: Aerial view of Church Road within the vicinity of site



- 2.12 Church Road westbound eventually leads to Rushbottom Lane with an intervening set of traffic lights at the junction with Manor Road. Rushbottom Lane leads south to the signal controlled junction at the A13 and High Road. This is the most direct route to the A13 westbound from the site access.
- 2.13 The signed route from the Manor Trading Estate to the principal road network for heavy goods vehicles is to turn right out of Armstrong Road into Church Road, left onto Rushbottom Lane as far as the junction with the A13, which is signal controlled.



3 ASSESSMENT OF THE CONDITION OF THE ESTATE ROADS

- 3.1 Within this section of my proof I consider the condition of the existing private estate roads at the Manor Trading Estate. In order to assess the condition of the roads I visited the site with a colleague on Wednesday 11th January 2023 and we undertook a walkover survey to assess the general condition of the roads within the estate.
- 3.2 Based on my visual inspection of the roads it would appear that the existing estate roads were originally constructed in concrete but in most locations have since been overlaid with a flexible tarmacadam type surfacing. It appears, however, that in most locations the overlay is relatively thin, I measured a typical depth of 30mm on site. As a result, as is typically the case with flexible road overlays on concrete surfaces, there is extensive reflective cracking at the expansion joints of the original concrete road surface. In addition, the flexible overlay has lifted / disintegrated in many locations and water ingress appears to have eroded the concrete and flexible surfaces leading to potholing and rutting of the road surface.
- 3.3 I set out a summary of my site observations at **Appendix JB5** and would confirm that the basic conclusion from those observations is that the existing estate roads are generally in a relatively poor state of repair with some sections of the roads in worse condition than others. My understanding is that the condition of the estate roads has been deteriorating for a number of years and as a result the appellants submitted a planning application relating to the repair, renovation and improvement of the private road infrastructure at the estate in February 2020. The application, reference: 20/0159/FUL, was subsequently approved. At the time of that planning application the appellants undertook their own inspection of the roads and produced a schedule or required remediation works along with an associated plan. A copy of that information is contained at **Appendix JB3** of my proof with the drawing being a reduced scale copy.
- 3.4 I am advised by the appellants that it was estimated at that time that the remediation works shown on the schedule at **Appendix JB3** were costed at circa £2 million to complete.



- 3.5 Prior to the February 2020 planning application, the appellants commissioned a drone survey of the estate roads. A further survey was undertaken on Saturday 7th January 2023. A3 print outs of the drone surveys are contained in **Appendix JB4** of my proof. I have compared the two surveys and the extracted views from each, which are also contained at **Appendix JB4**, show that the roads have continued to deteriorate during the 3.5 year period between them.
- 3.6 The table at **Appendix JB5** of my proof summarises my observations of the condition of the existing estate roads. For ease of reference I have adopted the same system that was used at the time of the aforementioned February 2020 planning application in terms of dividing the estate roads in to sections for the purposes of the survey. The photographic plates referenced within the table are also contained at **Appendix JB5** of my proof as is a drawing showing the locations of the major defects that have been noted.
- 3.7 The information contained at **Appendix JB5** confirms that the estate roads are generally in a poor state of repair with some notable defects. In addition to the defects noted at **Appendix JB5**, during my site visit I also observed that there are little to no road markings present on site, particularly give way markings indicating priority at junctions. I also noted that in many locations vehicles are parked on footways making them impassable by pedestrians and additionally at bends and junctions reducing the width of the available road carriageway.
- 3.8 I consider that the defects and poor parking behaviour that I have observed on site have highway safety implications and summarise those in Table 3.1 over the page.



Table 3.1: Potential highway safety implications of estate road defects / parking

Item	Issue	Potential Highway Safety Implication(s)
1	Potholes	<p>1. Drivers could swerve into the path of oncoming vehicles to avoid potholes.</p> <p>2. Vehicles could be thrown off-line / drivers could lose control as a result of hitting a pothole.</p> <p>3. Motorcyclists / cyclists hit the potholes and could be thrown from their vehicles, this can be a particular problem if the potholes are filled with water and road users do not realise that they exist.</p> <p>4. Water within potholes freezes causing a skidding hazard.</p>
2	Poor footway surface	Pedestrians could either trip and suffer injury or choose to walk in the road carriageway to avoid poor sections of footway and could be struck by passing vehicles.
3	Ponding of water on footways	Pedestrians could slip on ice causing injury or walk in the road to avoid the water / ice and could be struck by vehicles.
4	Lack of road markings and priority signing at junctions	Drivers could be unsure of priorities and vehicles could collide as a result of that.
5	Vehicles parked on footways	Pedestrians may walk in the road carriageway and could be struck by passing vehicles.
6	Vehicles parked on corners and at junctions	Parked vehicles block visibility at junctions or reduce the available carriageway width both of which could lead to collisions.



- 3.9 I would therefore conclude that from the perspective of highway safety the estate roads would benefit from the implementation of remedial works. Furthermore, I consider that if the roads are not remediated they will most likely continue to deteriorate and the number of locations where defects have potential highway safety implications would be likely to increase.
- 3.10 I am advised by appellants that, with the exception of one lamp column, the street lighting system at the estate is not currently operational. I consider that the lack of street lighting could increase the hazardous nature of the various defects that I have highlighted above.
- 3.11 Further to the above, I would confirm that I consider that in principle the implementation of the remedial works set out in the schedule contained at **Appendix JB3** of my proof should address the potential highway safety concerns listed at items 1 to 4 in Table 3.1 above.
- 3.12 Parking enforcement within the estate would be required in order to address items 5 and 6 set out in Table 3.1 and I note that the covering letter, dated 28 February 2020, submitted with application 20/0159/FUL indicated that the improvement proposals for the estate roads would include “...*implementation of parking restrictions to prevent parking on footways and the blocking of roads through indiscriminate parking/loading.*”



4 SCHOOL DROP-OFF / PICK-UP ARRANGEMENTS

- 4.1 Within this section of my proof I discuss the proposed relocation of the existing drop off / pick up layby from Church Road to the proposed location within the application site.
- 4.2 The existing layby which is used for school drop-off / pick-up is located along the northern side of Church Road and to the east of the school access. The layby extends across the existing Hesten Lodge access to the east. A yellow box junction marking is provided within the layby with the aim of preventing parked vehicles from blocking the Hesten Lodge access. The lay-by and box junction marking is shown in Plate 2.1 of my proof.
- 4.3 The layby is approximately 50m in length including the box junction marking and provides parking for 6 to 7 cars / light vehicles.
- 4.4 The layby is extensively used at school drop off / pick up times and parked vehicles within the lay-by encroach on visibility splays for drivers emerging from the existing Hesten Lodge access. In addition, the parking activity and the vehicle alighting and boarding activity within the layby at school drop off and pick up times gives rise to highway safety concerns. Those concerns include the potential opening of vehicle doors into the carriageway of Church Road, which could be struck by passing vehicles and / or lead to passing vehicles swerving and striking other passing vehicles. In addition, potential alighting from vehicles into the carriageway and boarding of vehicles from that location could occur with a resulting risk of passengers being struck and injured by passing vehicles. Finally, poorly positioned vehicles at the eastern end of the lay-by, parked on the taper, could reduce the available road carriageway width and could lead to collisions of opposing vehicles on Church Road.
- 4.5 In the light of the above and given that the proposed vehicular access arrangement for the development would be provided in the approximate location of the existing Hesten Lodge access it is proposed in conjunction with the scheme to remove the existing drop off / pick up layby and replace it with a drop off / pick up parking area within the application site. I would confirm that as part of the scoping discussions relating to this application, see the scoping correspondence at Appendix A of the submitted Transport Assessment **[CD**



- A1.2]**, Essex Highways indicated that the layby should be removed. Furthermore, when reviewing the application, Essex Highways did not object to the removal of the layby.
- 4.6 Amendment of the existing waiting restrictions on Church Road within the vicinity of the site would be required in conjunction with the proposed access junction works. Suggested condition 8 of Essex Highways Consultation response for the application, contained at **Appendix JB2**, confirms that requirement consider that the removal of the lay-by and provision of waiting restrictions within the vicinity of the proposed site access would have the potential to improve highway safety within the vicinity of the site.
- 4.7 A reduced scale copy of the final amended scheme drawing is contained at **Appendix JB6** of my proof and shows the relocated school drop off / pick up area that is proposed on the eastern side of the site access road. The relocated parking area would provide 12 car parking spaces, i.e. in the order of 5 additional parking spaces compared to the existing layby on Church Road. The drawing at **Appendix JB6** also shows how the access / egress to Hesten Lodge would be incorporated within the site access arrangements.



5 POSSIBLE FORMAL PEDESTRIAN CROSSING FACILITY ON CHURCH ROAD

- 5.1 During production of the Transport Assessment report for this application, Essex Highways requested that, in conjunction with the removal of the drop off / pick up layby on Church Road, the study include consideration of the provision of improved pedestrian crossing facilities on Church Road within the vicinity of the school. This requirement is referenced within the scoping correspondence at Appendix A of the April 2021 Transport Assessment for the application.
- 5.2 At present there is a school crossing patrol on Church Road just to the west of the junction with Spencer Road. As part of the production of the Transport Assessment report **[CD A1.2]**, in accordance with the scoping request of Essex Highways, the feasibility of the provision of a formal pedestrian crossing on Church Road, within the vicinity of the school was investigated in principle.
- 5.3 Taking the position of the existing crossovers and property accesses on Church Road into consideration, three possible locations for the provision of a proposed (zebra) crossing within the vicinity of the school were considered. The three possible locations were shown on Drawing IT1932_TA_04 of the submitted Transport Assessment report **[CD A1.2]**. Of the three options, Option B, i.e. within the vicinity of property 268 Church Road and close to the existing school crossing patrol location, was regarded as the preferred location. However, for the avoidance of doubt, I would confirm that, subject to further investigations, I would not rule out the possibility of identifying additional suitable locations for a formal crossing on Church Road within the vicinity of the school.
- 5.4 Essex Highways did not engage with ITL during the determination period of the planning application and as such the three possible crossing locations or other alternative locations were not discussed / debated with them at that time. However, perusal of Essex Highways consultation response for this application, which is contained in **Appendix JB2** of my proof, confirms that a requirement for the provision of a formal pedestrian crossing facility on Church Road is not included within their suggested conditions.



- 5.5 Further to the above the planning Officer's delegated report, dated 10th May 2022, for the application indicates that *"In terms of the pedestrian crossing, a number of options were considered by the Highway Authority however all locations introduce difficulties in implementation, there being a considerable number of residential and employment crossovers in proximity in addition to identified junction conflict. Consequently, the provision of a crossing is not supported by the Highway Authority and in the absence of such support cannot be provided."*
- 5.6 My understanding is that there is no public record of the highway authority's position in relation to the possible locations for a proposed crossing other than the discussion within the planning Officer's delegated report. However, in the lead up to this appeal I have spoken with the Officer at Essex Highways who reviewed the application and he advised that the three potential locations put forward for the formal crossing were considered during the determination period of the planning application but that it was considered that all three had potential issues and therefore a requirement for the provision of a crossing was not included within Essex Highways' consultation response.
- 5.7 During my aforementioned conversation with Essex Highways we discussed in general some of the reasons why the three possible crossing locations set out within the submitted Transport Assessment **[CD A1.2]** were regarded as unsuitable.
- 5.8 I have not, however, been provided with a definitive list of the reasons as to why each of the three possible crossing locations set out within the submitted Transport Assessment **[CD A1.2]** were regarded as unsuitable and, therefore, I reserve the right to serve rebuttal evidence in relation to this matter in due course should the Council set out those reasons within their evidence.



- 5.9 Notwithstanding the above, I would highlight that the planning Officer's delegated report indicates that the Essex County Council Infrastructure Planning Officer commented that the provision of a crossing would be welcomed. In addition, the planning Officer's delegated report also confirms that 30 letters of support were received in relation to the appeal proposal and included support for improved crossing facilities.
- 5.10 Finally, I am advised by the appellants that the local view is that the provision of a formal crossing within the vicinity of the school would represent a highway safety benefit. Having viewed video footage of traffic movements and crossing behaviour in the area outside the school during the school AM peak hour, as provided by the appellants, I would not disagree with that view. Furthermore, I would highlight that the provision of a formal crossing would also benefit other pedestrians in the area including those walking to / from the appeal proposal and Hesten Lodge.
- 5.11 The video footage that I observed was recorded on Thursday 5th January 2023 by the appellants at around 08:40 hours. The footage shows the activity in the area in front of Robert Drake primary school and shows reasonable levels of passing traffic with vehicles parked in the existing lay-by and opposite on the southern side of Church Road, a number of pedestrians using the school crossing patrol and other pedestrians crossing in un-designated locations. I consider that the provision of a formal crossing should focus crossing activity to one single designated location and also ensure that the crossing location itself is conspicuous.
- 5.12 Based on my site observations / measurements, subject to further detailed investigations, I consider that it should be possible to locate a zebra crossing in the previously suggested Option B location, although I would also not rule out the possibility of identifying a suitable alternative location.



- 5.13 In the light of the above the appellants propose a planning condition to the following effect: -

“Prior to commencement of the development a scheme to provide a pedestrian crossing on Church Rd in the vicinity of the site access broadly in accordance with Intermodal Drawing No: IT1932/TA/04 or any other location that is agreed to be appropriate with Essex Highways shall submitted to the Local Planning Authority. In the event that a scheme for the provision of a pedestrian crossing on Church Rd in the vicinity of the site access is approved so as to permit it’s construction contemporaneously with the new site access detailed in Condition 2, the pedestrian crossing so approved shall be provided prior to the occupation of any dwelling on the Site.”



6 REASON FOR REFUSAL FIVE

- 6.1 Within this section I consider the Council's fifth reason for refusal, which relates to the proposed parking provision at the commercial element of the scheme and which is reproduced below for ease of reference: -

"The proposal fails to demonstrate the provision of appropriate car parking, powered two wheeled vehicle parking and cycle parking facilities for the proposed commercial units, contrary to the provisions of the adopted Essex parking standards and the provisions of Policy T8 of the adopted Local Plan and TP8 of the New Local Plan. Further, it is not considered that the applicant has adequately demonstrated that the proposed development will adequately mitigate its impact on the existing parking provision within the adjoining Industrial estate in order to ensure that existing operations are not compromised by the proposal."

- 6.2 The Officer's report to committee and the Council's statement of case go further and indicate that the provision of car parking bays below 2.9m x 5.5m is not acceptable in the light of the adopted Essex parking standards **[CD D5]** and also that the submitted masterplan does not shown parking for cycles, powered two wheelers (PTWs) or disabled parking. The Council's statement of case also indicates that the masterplan does not show parking for vans / commercial vehicles.

Parking requirements

- 6.3 Table 6.1 over the page sets out the relevant parking standards for the commercial aspect of the scheme from the adopted Essex parking standards **[CD D5]**.



Table 6.1: Essex Parking Standards

Class of Use	Car (Maximum)	Cycle (Minimum)	Powered Two Wheeler (Minimum)	Disabled (Minimum)
B1 Business	1 Space per 30 sqm	1 space per 100 sqm for staff plus 1 space per 200 sqm	1 space, + 1 per 20 car spaces (for 1 st 100 car spaces), then 1 space per 30 car spaces (over 100 car spaces)	200 vehicle bays or less = 2 bays or 5% of total capacity, whichever is greater, Over 200 vehicle bays = 6 bays plus 2% of total capacity
B8 Warehousing	1 space per 150 sqm	1 space per 500 sqm for staff plus 1 space per 1000 sqm		
B2 Industrial	1 space per 50 sqm	1 space per 250 sqm for staff plus 1 space per 500 sqm		

Source : Essex Parking Standards: Design and Good Practice (September 2009)

- 6.4 Table 6.2 shows the required parking provisions at the commercial element of the appeal proposal that can be calculated by applying the standards to the development details shown on drawing 16.3839/P205B.

Table 6.2: Permissible Parking Provision For The Commercial Aspect of the Proposed Development

Class of Use	Parameter	Car	Cycle (Minimum)	Powered Two Wheeler (Minimum)	Disabled (Minimum)
B1 Office	2,600 sqm	87	39	6	5
B8 Warehousing	2,616 sqm	18	8	2	2
B2 Industrial	1,143 sqm	23	7	2	2

- 6.5 Table 6.2 confirms that the adopted Essex parking standards [CD D5] require a maximum car parking provision of 128 car parking spaces at the commercial aspect of the development. Examination of drawing 16.3839/P205B confirms that the outline layout includes 156 car parking spaces for the use of the commercial aspect of the scheme, which represents an over provision of 28 car parking spaces relative to the requirements of the adopted Essex parking standards [CD D5].



Alleged loss / displacement of existing parking facilities on the Manor Trading Estate

- 6.6 The Council's reason for refusal five indicates that it has not been demonstrated that the development proposal would adequately mitigate its impact on the existing parking provision within and the operations of the adjoining Industrial estate.
- 6.7 Furthermore, the Officer's report to committee states "*... the area to be redeveloped for B2 and B8 uses appears to provide a parking facility for the existing units. It is not clear where such parking is to be accommodated within the submitted scheme*", whilst the Council's statement of case states that "*... the proposals fail to explain how the existing parking spaces within the employment site and which are displaced by the proposed development, will be replaced*"
- 6.8 The composite plan at **Appendix JB7**, which represents an overlay of the scheme layout on an aerial image of the site, demonstrates that only a relatively small proportion of the proposed scheme sits on existing employment land on the Manor Trading Estate.
- 6.9 A marked up plan provided by the appellant is also contained at **Appendix JB7** and confirms the names of the businesses that occupy the existing compounds that fall within the proposed commercial development area. I am advised that the none of the compounds are used for parking associated with the main building fronting Brunel Road and that all of the leases for the compounds would be terminated if planning permission was granted. As such, it is apparent that the appeal proposals would not displace parking associated with existing units on site that would remain following the implementation of the appeal proposal.



- 6.10 Furthermore, the composite plan demonstrates that the existing yard areas at the immediate rear of the existing commercial building within the site fronting Brunel Road would be enlarged in conjunction with the appeal proposal and as a result would provide increased parking and storage for the existing units. In addition, I would highlight that the existing commercial building has car parking on its western flank immediately adjacent to Brunel Road, which is separate from and not affected by the appeal proposal.

Provision of / PTW / disabled parking and parking for vans and commercial vehicles

- 6.11 In response to the Council's position in terms of the proposed parking provision, in particular for the commercial aspect of the scheme, I would highlight that the planning application is in outline only with all matters except for vehicular access reserved. Furthermore, I would highlight that the submitted Transport Assessment **[CD A1.2]** sets out, in chapter 7, calculation of the parking requirements at the development and does not in any way dispute the need to provide cycle, PTW or disabled parking, all of which in my view could be accommodated on the scheme layout drawings at the reserved matters stage of the application.
- 6.12 I would confirm that the Essex parking standards **[CD D5]** do not include a numerical standard relating to the provision of van parking. As such my understanding is that van parking can be provided to suit the operational needs of the development if required. I consider that there is sufficient scope within the outline scheme layout such that at the reserved matters stage of the planning application a number of the proposed parking bays could be provided to the van parking space dimensions set out within the adopted Essex parking standards **[CD D5]**, i.e. 3.5m x 7.5m if deemed to be required. My expectation would be that if van spaces are deemed to be required that the number that would be provided would be likely to be low.
- 6.13 Notwithstanding the above, my understanding is that an amended layout plan is to be prepared in due course showing that cycle, PTW, disabled and van parking could be accommodated within the design.



Size of car parking bays

- 6.14 In terms of the size of the car parking bays that are to be provided at the commercial aspect of the scheme I would confirm that the adopted Essex parking standards **[CD D5]** do indicate to a preferred car parking bay size of 2.9m x 5.5m and also a minimum bay size of 2.5m x 5m, which the standards indicate should only be used in exceptional circumstances.
- 6.15 However, it is my experience that the dimensions of 2.5m x 5m are accepted by other Local Planning Authorities in Essex and that the dimensions of 2.9m x 5.5m are not always required. In addition, I would highlight that within paragraph 8.3.58 and figure 8.18 of Manual for Streets (MfS) parking bay dimensions of 2.4m x 4.8m are discussed / shown. Paragraph 8.3.49 of MfS actually indicates that for perpendicular parking dimensions of 2.4m x 4.2m are acceptable, although I expect that the 4.2m dimension may have been indicated in error. Finally, I would highlight that, as an example, the adopted parking standards for the adjacent County of Suffolk only require car parking spaces to be provided at the dimensions of 2.5m x 5m. The relevant extracts from these documents are contained at **Appendix JB7** of my proof.
- 6.16 I am, therefore, of the view that the Council's requirement in this instance for the parking bays to be provided at the dimensions of 2.9m x 5.5m is not consistent with practice in other parts of Essex and other local authority areas and is not justified. However, as noted above, the application is in outline only with all matters except for vehicular access reserved and therefore should it be concluded that car parking spaces at the development should be provided to the larger dimensions the scope does exist to amend the layout to incorporate the larger spaces. The ability to provide the larger spaces if required is supported by the fact that, as discussed above, an overprovision of car parking spaces is currently shown on the development masterplan. My understanding is that the aforementioned amended layout plan that is to be prepared in due course would also show that the larger car parking spaces requested by the Council could be accommodated within the design.



- 6.17 In the light of the above I would conclude that the appeal proposal should be regarded as acceptable from a parking provision perspective.



7 SUMMARY AND CONCLUSIONS

- 7.1 I provide evidence in relation to highway matters at this Inquiry on behalf of the Smith Family, who submitted a planning application for a mixed use scheme on land to the east of Manor Trading Estate in 2021. The application was assigned the application reference 21/0532/OUT by Castle Point Borough Council (CPBC) the Local Planning Authority (LPA) but was refused planning permission.
- 7.2 I have confirmed within my proof that Essex Highways, in their capacity as Local Highway Authority (LHA) for the local road network, did not object to the planning application. I have also confirmed that the refusal of planning permission did not include highway related reasons per-se, although parking related issues were cited as a reason for refusal, i.e. reason for refusal 5.
- 7.3 Within my proof I have discussed the condition of the existing roads within Manor Trading Estate. I have demonstrated that defects in the roads along with poor parking behaviour and the lack of road markings and signing at the estate have potential highway safety implications.
- 7.4 I have discussed the proposed amendments to the drop off / pick up arrangements for Robert Drake Primary School that are proposed in conjunction with the development proposal and have demonstrated that the amended arrangements would include additional off-road drop off / pick up spaces for the use of the school.
- 7.5 I have considered the possible provision of a formal pedestrian crossing facility on Church Road within the vicinity of Robert Drake Primary School in conjunction with the development proposal. I have concluded that it should be possible to achieve an acceptable crossing arrangement.
- 7.6 Finally, I have demonstrated that the Council's fifth reason for refusal in relation to the application, which relates to the proposed car parking provision, is unfounded.



- 7.7 The evidence which I have prepared and provide in my proof is true and has been prepared and is given in accordance with the guidance of my professional institution and I confirm that the opinions expressed are my true and professional opinions.

Signed 

Dated 31st January 2023