

Town and Country Planning Act 1990  
Planning and Compulsory Purchase Act 2004

Appeal by Catesby Estates

***Land South of Burford Road,  
Minster Lovell***

Proof of Evidence on Transport and Accessibility

Prepared by Dave Neale FIHE

on behalf of the Appellant

PINS Ref: APP/D3125/W/23/3331279

LPA Ref: 22/03240/OUT



Transport Planning Consultants

## **Table of Contents**

	<b>Page</b>
<b>1.0 Qualifications And Experience.....</b>	<b>1</b>
<b>2.0 Scope and Nature of Evidence.....</b>	<b>2</b>
<b>3.0 Planning Policy Context.....</b>	<b>7</b>
<b>4.0 Site Accessibility.....</b>	<b>12</b>
<b>5.0 Response to Rule 6 Party and Third Party Representations.....</b>	<b>21</b>
<b>6.0 Summary and Conclusions .....</b>	<b>25</b>

## **Drawings**

<b>23178-02a-2</b>	Proposed 3m footway/ cycleway
<b>23178-03-1</b>	Cycling route Sheet 1
<b>23178-03-2</b>	Cycling route Sheet 2
<b>23178-03-3</b>	Walking routes

## **Appendices**

<b>Appendix DN1</b>	Local Facilities Map
<b>Appendix DN2</b>	Extracts showing walking distances
<b>Appendix DN3</b>	Stagecoach consultation response
<b>Appendix DN4</b>	Bus Timetables
<b>Appendix DN5</b>	Updated PIC plot



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## **1.0 Qualifications And Experience**

- 1.1 My name is Dave Neale. I am an Associate Director of DTA Transportation Ltd, Transportation Planning Consultants. The consultancy specialises in expert advice on transport related issues throughout a broad range of projects for both the public and private sector. In particular, my expertise lies in advising on transport & highway implications of development, identifying design solutions & transport planning strategies and negotiating agreements.
- 1.2 I am a Fellow of the Institute of Highway Engineers (FIHE).
- 1.3 I have 20 years' experience in the field of Highway Development Management and Transport Planning, including 1 year as Interim Team Leader and 3 years as Senior Development Management Engineer at Warwickshire County Council ("WCC") and over 9 years in private practice. In total I spent 15 years at WCC, 10 of which were in Development Management. I have prepared transport and traffic reviews, Transport Assessments and contributed to the process of Environmental Impact Assessment for a wide range of projects for both the public and private sector.
- 1.4 The practise is based in the West Midlands and is involved in numerous residential developments across the country, including a significant proportion in the local area and neighbouring authorities. I am therefore familiar with the accessibility and highway impact requirements of schemes such as those presented in the planning application.
- 1.5 I have been instructed by Catesby Estates since 2022 and have provided advice on access to the site and offsite impacts. I have prepared this appeal statement. I also prepared the original transport assessment submitted in support of the planning application.
- 1.6 The following 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 professional opinions.



### 2.0 Scope and Nature of Evidence

- 2.1 This evidence has been prepared on behalf of the Appellant in support of its appeal against the refusal by West Oxfordshire District Council of an application for:

*"Outline planning permission for the development of up to 134 dwellings (Use Class C3) including means of access into the site (not internal roads) and associated highway works, with all other matters (relating to appearance, landscaping, scale and layout) reserved (amended description) (amended plans)"*

- 2.2 The application was reviewed in detailed by Oxfordshire County Council ("OCC") as the local highway authority and on the 13<sup>th</sup> January 2023 they recommended an objection (**CD D10**) based on the following reasons:

- The Transport Assessment does not adequately assess the traffic impact of the development on key junctions in Witney, namely the B4047/A4095 roundabout and the A4095/High Street roundabout.
- The proposals do not provide a valid cycle link into Minster Lovell. The proposed pedestrian footpath should be made 3m wide to function as a shared pedestrian and cycle route.
- Clarity is required on the deliverability of the proposed pedestrian links into the Bovis Homes site. There doesn't appear to be adopted highway abutting the edge of the site, bringing these links into question.

- 2.3 DTA produced 23178-03 Transport Note\_Final dated 1<sup>st</sup> February 2023 (**CD B2**) responding to the objections raised. OCC subsequently confirmed via email on the 16<sup>th</sup> February 2023 (**CD D15**) that:

*"the applicant's response to our comments has addressed all of our concerns.*

*OCC withdraw their objections and request that the conditions we requested are attached to any approval."*

- 2.4 Following a subsequent administrative error, despite a conflicting response being issued on the 28<sup>th</sup>, the officer confirmed again on the 2<sup>nd</sup> March that they had no objections to the proposals.



- 2.5 Whilst I do not give evidence as to the law, I am advised that the views of the relevant statutory consultee (here the Highways Authority) should be given considerable weight, and that there should only be departure from those views where there are clear and compelling reasons to do so<sup>1</sup>.
- 2.6 OCC were clear in their response of 1<sup>st</sup> February 2023 that ALL of their concerns had been addressed and therefore, they had no concerns regarding sustainable travel, accessibility or transport sustainability matters.
- 2.7 West Oxfordshire District Council (WODC), as the Local Planning Authority (LPA) refused the application on 21<sup>st</sup> November 2022. Reason for refusal ("RfR") 1 is stated below with the specifics relating to the accessibility of the site is highlighted in ***bold italics underlined text***.

*The proposal does not respect the village character and local distinctiveness as it extends the existing C20 development, which further delineates the historic from the modern. Cumulatively, it is not limited development. It would not protect the local landscape or setting of Minster Lovell. It would involve the loss of an area of green space that makes an important contribution to the character and appearance of the area and the scheme causes localised landscape harm by urbanising a greenfield site. **In addition, the site is divorced from key services and facilities on offer in Minster Lovell with future residents reliant on private vehicles to meet their daily needs.** While the development would provide up to 134 dwellings to include 40% affordable homes and 5% self-build plots; economic benefits, a children's play area, open space/recreational route, pedestrian and cycle links, biodiversity net gain, and sustainability measures. The adverse impacts identified would significantly and demonstrably outweigh the benefits. As such, the proposal is considered to be unsustainable development and is contrary to policies H2, OS2, OS4, T1, T3 and EH2 of the adopted West Oxfordshire Local Plan 2031, the West Oxfordshire Design Guide 2016, and the relevant paragraphs of the National Planning Policy Framework.*

- 2.8 Accordingly, the principal focus of this proof of evidence is accessibility to key services and facilities.

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<sup>1</sup> See, for example: Shadwell Estates Ltd v Breckland DC and Pigeon (Thetford) Ltd [2013] EWHC 12 (Admin) at paragraph 72; Visao v Secretary of State [2019] EWHC 276 (Admin) at paragraph 65; Swainsthorpe Parish Council v Norfolk CC [2021] EWHC 1014 (Admin) at paragraph 70).



2.9 My evidence concludes that the settlement of Minster Lovell has established transport links including public transport, with bus, foot and cycle links within the settlement connecting well to the adjacent community and good road links to the principal road network. The need to travel is reduced by the facilities available within Minster Lovell.

2.10 In that context, the site is well located with respect to accessing primary education and is within acceptable distances to key facilities and amenities within Minster Lovell. Accessibility by all modes is good and a convenience store and post office, primary school and leisure facilities are within the average trip lengths from the National Travel Survey as a whole, therefore the location of the site in accessibility terms is consistent with national comparators.

2.11 The Inspector has confirmed in their Case Management Conference (CMC) summary note that the main issues include:

*Whether the scale and location of the proposed development is appropriate in principle in terms of the policy approach to housing development in Minster Lovell and accessibility to services and facilities.*

2.12 They confirmed that whilst not forming part of the Council's reason for refusal, other matters raised by interested parties will also need to be addressed. In relation to my proof these relate to transport infrastructure, parking and highway safety. Therefore, I have responded to these matters towards the end of this proof.

2.13 Within the LPA's Statement of Case, they argue that the location of the development would likely lead to excessive use of motor vehicles and state that:

- Although the village has some facilities and even some employment opportunities, these are limited and would be more than an 800m walk from residents at the proposed dwellings, which it will suggest represents a broad indication of what most reasonably fit, unaccompanied adult not of advancing age would regard as easy walking distance;*
- On this basis, the LPA will suggest that even if they wished to use these limited local facilities, most residents would normally use private motor vehicles to access them; and that once in a car many more facilities that duplicate local shops/ facilities would then be readily accessible, making it less likely that they would choose to use the village shop(s).*



- *The LPA will argue that the great majority of new residents with jobs are very likely to work outside the village [noting also that access to the main A40 and Witney may well be a reason for many people choosing to live in this location], meaning that most will depend on use of private motor vehicles to travel to and from work;*
- *Moreover, most people would need to access the many facilities and services not available in the village [including health, most leisure, most shops, including large supermarkets, most older friends/ existing social support networks] and most would therefore also need to travel for the great majority of non-work related trips;*
- *As also noted above, the LPA is concerned that this combination of limited use of local shops, limited natural intermingling with existing residents [especially existing residents outside the Bovis development; reliance of motor vehicles to see existing friends] would mean that there would be limited opportunities to integrate into the community.*

2.14 The Society for the protection of Minster Lovell have raised the following matters as point of concern:

*4) Disadvantages to the new occupiers of the development, if granted, will include that it is located too far from the village to walk, hence cars will be used, highlighting the lack of parking in the village.*

*5) Most work opportunities lie to the East of the village and so the closest route to the A40 Eastbound is via the Brize Norton Road, through the centre of the village.*

*7) The dangerous junction between the Brize Norton Road and the B4047 will have increased traffic.*

2.15 As stated above and highlighted by the inspector, I have responded to these matters in section 5 of this proof.



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### Summary

- 2.16 This evidence therefore addresses the position of the scheme in light of both the NPPF requirements and those of local policy.
- 2.17 Those policies have been considered in detail. The impact of the scheme has been considered through a thorough (and agreed) Transport Assessment process which identifies appropriate mitigation measures for safety and accessibility. The scheme is therefore compliant with relevant national and local policy.
- 2.18 There are no grounds to refuse the appeal scheme on the basis of highway safety, traffic impact or accessibility.





### **3.0 Planning Policy Context**

#### **3.1 National Planning Policy**

##### **National Planning Policy Framework (December 2023)**

3.1.1 In December 2023, the National Planning Policy Framework (NPPF) was updated. The NPPF confirms that the Government encourages sustainable development. This is highlighted in Paragraph 10 which confirms that:

*“at the heart of the Framework is a presumption in favour of sustainable development”*

3.1.2 In specific relation to transport issues it is confirmed at para 108 and 109 that:

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

- a) the potential impacts of development on transport networks can be addressed;*
- b) opportunities from existing or proposed transport infrastructure, and changing transport technology and usage, are realised – for example in relation to the scale, location or density of development that can be accommodates;*
- c) opportunities to promote walking, cycling and public transport use are identified and pursued;*
- d) the environmental impacts of traffic and transport infrastructure can be identified, assessed and taken into account – including appropriate opportunities for avoiding and mitigating any adverse effects, and for net environmental gains; and*
- e) patterns of movement, streets, parking and other transport considerations are integral to the design of schemes, and contribute to making high quality places.*

*109 The planning system should actively manage patterns of growth in support of these objectives. Significant development should be focused on locations which are or can be made sustainable, through limiting the need to travel and offering a genuine choice of transport modes. This can help to reduce congestion and emissions, and improve air quality and public health. However, opportunities to maximise sustainable transport solutions will vary between urban and rural areas, and this should be taken into account in both plan-making and decision-making.”*



#### 3.1.3 The NPPF sets the following test in relation to development:

114. *In assessing sites that may be allocated for development in plans, or specific applications for development, it should be ensured that:*
- a) *appropriate opportunities to promote sustainable transport modes can be – or have been - taken up, giving the type of development and its location;*
  - b) *safe and suitable access to the site can be achieved for all users;*
  - c) *the design of streets, parking areas, other transport elements and the content of associated standards reflects current national guidance, including the National Design Guide and the National Model Design Code; and*
  - d) *any significant impacts from the development on the transport network (in terms of capacity and congestion), or on highway safety, can be cost effectively mitigated to an acceptable degree.*
115. *Development should only be prevented or refused on highways grounds if there would be an unacceptable impact on highway safety, or the residual cumulative impacts on the road network would be severe.”*

#### 3.1.4 Paragraph 116 of the NPPF goes on to say that:

116. *Within this context, applications for development should:*
- a) *give priority first to pedestrian and cycle movements, both within the scheme and with neighbouring areas; and second – so far as possible – to facilitating access to high quality public transport, with layouts that maximise the catchment area for bus or other public transport services, and appropriate facilities that encourage public transport use;*
  - b) *address the needs of people with disabilities and reduced mobility in relation to all modes of transport;*
  - c) *create places that are safe, secure and attractive – which minimise the scope for conflicts between pedestrians, cyclists and vehicles, avoid necessary street clutter, and respond to local character and design standards;*
  - d) *allow for the efficient delivery of goods, and access by service and emergency vehicles; and*
  - e) *be designed to enable charging of plug-in and other ultra-low emission vehicles in safe, accessible and convenient locations.”*



### 3.2 Local Planning Policy

#### West Oxfordshire Local Plan 2031

3.2.1 The West Oxfordshire Local Plan 2031 was adopted in September 2018. Those policies referenced in the RfR that are relevant to accessibility have been set out below.

3.2.2 Policy H2: Delivery of new homes, identifies Minster Lovell as a Village in the settlement hierarchy.

3.2.3 Policy T1: Sustainable Travel, states that:

*Priority will be given to locating new development in areas with convenient access to a good range of services and facilities and where the need to travel by private car can be minimised, due to opportunities for walking, cycling and the use of public transport, particularly where this would help to reduce traffic congestion on the routes around Oxford and the Air Quality Management Areas at Witney and Chipping Norton.*

*In addition to this;*

- *All new development will be designed to maximise opportunities for walking, cycling and the use of public transport, ensure the safe movement of vehicles and minimise the impact of parked and moving vehicles on local residents, business and the environment*
- *To promote increased home working and telecommuting, all new residential and commercial developments will be required to make provision for superfast broadband.*
- *Mixed-use developments will be supported in principle in accessible, sustainable locations subject to compliance with other relevant local plan policies.*

*Proposals for new developments that have significant transport implications either in themselves or in combination with other proposals will be required to include a Transport Assessment (TA), and a travel plan, in accordance with County Council requirements.*



#### 3.2.4 Policy T3: Public transport, walking and cycling states that:

*All new development will be located and designed to maximise opportunities for walking, cycling and the use of public transport.*

*Where opportunities for walking, cycling and using public transport are more limited, other measures will be sought to help reduce car use as appropriate (e.g. measures to promote home working or the opportunity for linked trips e.g. through mixed-use development).*

*New development will be expected to contribute towards the provision of new and/or enhanced public transport, walking and cycling infrastructure to help encourage modal shift and promote healthier lifestyles with particular regard to be given to safe and convenient routes to school.*

*Development that fails to make adequate provision of measures to encourage the use of non-car modes of transport will not be favourably considered.*

*West Oxfordshire District Council will continue to work in partnership with the highway authority, developers, local councils, bus and rail operators and other voluntary and community sector organisations, to:*

- Increase the use of bus, rail and community transport through the provision of improved services, facilities and information including specific schemes identified in the Local Transport Plan (Connecting Oxfordshire) and IDP; and*
- Provide safe and convenient travel within and between the network of towns and villages in West Oxfordshire, particularly for pedestrians, cyclists and other vulnerable road users, users of public and community transport including specific schemes identified in the Local Transport Plan and IDP.*

#### 3.2.5 The introductory wording to policy WIT4, Land west of Minster Lovell, states that:

*"Minster Lovell is a sustainable settlement close to Witney and also offering its own range of service and facilities".*

#### 3.2.6 The LPA accepted, through the allocation of that site, that the settlement of Minster Lovell is a sustainable location for new homes and development on the west of the village can be accommodated. The Appeal proposal is no different in this regard.



- 3.2.7 The position of the LPA as stated in WIT4 and the no objection consultation response received from OCC highlights that Minster Lovell has a range of facilities and is close to Witney which provides employment, leisure and secondary education, therefore, validating the findings of the submitted transport assessment and this proof of evidence.



### 4.0 Site Accessibility

#### 4.1 Introduction

4.1.1 The following section outlines the accessibility of the proposed development to local services available in Minster Lovell and broader services in Witney including employment and education available via walking, cycling and public transport infrastructure.

4.1.2 The site is located close to Witney (5km as a straight-line distance to the town centre) which is considered to be a main service centre in the settlement hierarchy in West Oxfordshire's Local Plan 2031.

4.1.3 The relationship of the site to local facilities is shown in **Appendix DN1**.

4.1.4 In terms of the broad accessibility to existing services, it is generally accepted that walking offers the greatest potential to replace short car trips, particularly for trips less than 2km. Further, a cycling distance of 5km is acknowledged as being representative of an acceptable cycling distance for most cyclists, particularly for journeys to work.

4.1.5 Paragraph 4.4.1 of Manual for Streets (Dft, 2007) confirms that:

*"Walkable neighbourhoods are typically characterised by having a range of facilities within 10 minutes' (up to about 800 m) walking distance of residential areas which residents may access comfortably on foot. However, this is not an upper limit and PPS13 states that walking offers the greatest potential to replace short car trips, particularly those under 2km. MfS encourages a reduction in the need to travel by car through the creation of mixed-use neighbourhoods with interconnected street patterns, where daily needs are within walking distance of most residents."*

4.1.6 Page 20 of the National Design Guide clarifies that as a definition "walkable" is where local facilities are within walking distance, generally to be no more than a 10 minute walk (800m radius).



- 4.1.7 Table 3.2 of IHT's Providing for Journeys on Foot confirms that journeys on foot suggest that for commuting, walking to school and recreational journeys, distances of 2 km can be considered acceptable. This guidance dates from 2000 and it is generally accepted that the MfS approach of 2km walkable neighbourhoods is the most appropriate benchmark.

#### 4.2 Pedestrian and Cycle Access

- 4.2.1 The site is located within walking and/ or cycling distance of a range of local facilities and services including education, health, and leisure facilities as well as bus stops served by regular services to larger local centres including Witney, Carterton, Burford, and Oxford. Therefore, the need to travel by car outside of Minster Lovell is reduced by the facilities already available within close proximity of the site on foot and by cycling.
- 4.2.2 The Bovis development on land adjacent to the development provides a new footway link at the north-eastern corner of the development connecting to the Burford Road/ Upper Crescent junction.
- 4.2.3 The appeal site will provide a new 3m footway/ cycleway along Burford Road as confirmed in the recent transport note. This will connect through to the new Bovis link that in turn accesses Upper Crescent. For ease of reference the plan is attached at **Drawing 23178-02a-2 (CD A4)**.
- 4.2.4 In combination with the new footway/ cycleway, it is likely the existing 40mph speed limit will be extended further west to incorporate the new access and route, thereby making it a more attractive route for future residents.
- 4.2.5 The site also benefits from being in the vicinity of national cycle route 57 that connects Farmington in Gloucestershire and Welwyn Garden City in Hertfordshire, the route being only 1km to the east of the site. The route in the vicinity of the site is primarily off-road along the B4047 Burford Road from School Lane to Windrush Valley Road. The route along School Lane and School Hill into Little Minster is on-road. The cycle route along with photos (taken on 4<sup>th</sup> January 2024 following Storm Henk) of the various sections is shown on **Drawings 23178-03-1 and 23178-03-2**.



4.2.6 As can be seen, despite the torrential rain, winds and flooding that had recently taken place, the route was still very much useable and during my site visit there were a number of cyclists that used the route, including children and adults. There was also the occasional dog walker.

4.2.7 An overview of route 57 is shown in the extract below.

**Extract 1 – National Cycle Route 57 (Osmaps.com)**



4.2.8 Local walking routes are facilitated by the lit hoggin path provided from the south-eastern corner of the Bovis development to Ripley Avenue play area, for which access from the appeal site is provided<sup>2</sup>.

4.2.9 The various routes and photos of those routes is shown on **Drawing 23178-03-3**. This shows that the hoggin path was in very good condition despite the recent heavy rain due to Storm Henk, demonstrating that it is a useable route all year round.

4.2.10 The footways are typically 1.5-2m in width around the village and in a good state of repair.

4.2.11 There is a shared surface section of the recently completed Bovis site through which the appeal site would connect. However, it is a low trafficked cul-de-sac which will have been designed to the satisfaction of the Highway Authority.

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<sup>2</sup>The landowners of the application site were also the owners of the land sold to Bovis Homes and hence access rights were reserved.





4.2.12 It is clear therefore, that both the walking and cycling routes for existing and future residents are in good condition and in accordance with para 114 of the NPPF, they promote safe and suitable access for pedestrians and cyclists to and from the appeal site.

### 4.3 Access to Local Services

4.3.1 As indicated at **Appendix DN1**, Minster Lovell has a number of local services and facilities including:

- SPAR convenience store
- Post office & stores
- Florist
- Hairdressers
- Furniture Store
- Car garage
- Primary School
- Minster Lovel Playgroup
- Village Hall
- Public Houses

4.3.2 The distances and journey times of the above local services and facilities from three points within the development site are presented in the tables below. Extract plans showing how these distances have been derived from Google Maps are attached in **Appendix DN2**.

**Table 1** – Local Services – Walking Distances

Local Service	Distance (km)			Journey Time*		
	Distance from nearest part of site	Distance from the centre	Distance from the furthest point	Journey Time from nearest part of site	Journey Time from the centre	Journey Time from the furthest point
SPAR convenience store	965m	1km	1.2km	11 minutes	12 minutes	14 minutes
Village Hall	910m	1km	1.1km	11 minutes	12 minutes	13 minutes
Post office & stores	645m	760m	950m	8 minutes	9 minutes	11 minutes
Florist	645m	760m	950m	8 minutes	9 minutes	11 minutes
Hairdressers	645m	760m	950m	8 minutes	9 minutes	11 minutes
Furniture Store	645m	760m	950m	8 minutes	9 minutes	11 minutes
Car garage	645m	760m	950m	8 minutes	9 minutes	11 minutes
Minster Lovel Playgroup	622m	745m	920m	7 minutes	9 minutes	11 minutes
Primary School	595m	690m	874m	7 minutes	8 minutes	10 minutes
Public Houses	965m	1.1km	1.3km	11 minutes	13 minutes	15 minutes
Bus Stops – service 234	73m	225m	350m	Less than a minute	3 minutes	4 minutes
Bus Stops – service 64, 233 and V25	650m	774m	970m	8 minutes	9 minutes	12 minutes

\*Assumes a walking speed of 1.4m/s (3.2mph or 5.0kph) taken from the Guidance for Providing for Journeys on Foot (IHT, 2000).



### 4.4 Education

- 4.4.1 The proposed residential development will generate demand for education with the resulting trips to access the local schools.
- 4.4.2 The nearest primary school to the site is St Kenelm's C of E School located to the east of the site on Wenrisc Drive. In 2022 the National Travel Survey states for children aged 5 to 10, most trips (86%) of less than a mile / 1.6km to and from school were made by walking. Therefore, the propensity to walk should be high.
- 4.4.3 The most direct route from the site to the primary school is via the new lit hogging path from the south-eastern corner of the Bovis development into Ripley Avenue play area, which can be accessed from the appeal site.
- 4.4.4 The nearest secondary school is Burford School, accessible off the A40 in Burford, 6.5km west of the site. Students could travel to school by bus, accessible via the 233 bus service, the 2020 NTS suggests 32% would take the bus. Other secondary school options are available in Witney also accessible via the 233 bus running every 30 minutes, that runs from 06:30 until 19:05. A sixth form college is also available in Carterton 7.2km southwest from the site also accessible via the 233 service.

### 4.5 Employment

- 4.5.1 There are employment opportunities within walking or cycling distance of the site. The closest concentrated employment area is the Bromag Industrial Estate, 2.7km east of the site. The Bromag Industrial Estate is accessible via national cycle route 57 which routes along the B4047 Burford Road. Therefore, whilst it would be outside the typical walking distance, it is within cycling distance. The route is described in section 4.2 above.
- 4.5.2 Bus services 64, 233 and 234 also stop on the B4047 Burford Road (Witney Downs Road stop) at the Bromag Industrial Estate. The journey time from the bus stop in Minster Lovell (White Hall Cottages) to Witney Downs Road stop is approximately 2-3 minutes.
- 4.5.3 In addition to local employment opportunities within Minster Lovell, good quality public transport links provide opportunities to access towns such as Witney, Carterton, Burford and Oxford.



### 4.6 Public Transport

- 4.6.1 The bus stops near to the site are served by the 64, 233, 234, V25 bus services.
- 4.6.2 The 64 provides services between Witney and Swindon, the 233 and 234 provide services between Witney and Burford and the V25 is a villager community bus providing a Wednesday service between Kingham and Witney.
- 4.6.3 In response to the planning application, Stagecoach West submitted representations highlighting the sustainable credentials of the site in relation to the existing bus network. Their response is attached in **Appendix DN3**. Key points raised are summarised below.

*This includes regular public transport services in the form of Stagecoach 233. This service operates from Woodstock, across Witney and then to Minster Lovell via a direct route using Burford Road, as far as the White Hart. Of the two buses per hour that reach this point, one then turns left down Brize Norton Road towards Carterton and the other continues hourly along Burford Road past the site itself. Both limbs arrive at Carterton and in fact the terminating bus inter-operate which means that every departure from Witney ultimately serves the site frontage albeit one via a very indirect route. However, the availability of a 30-minute service in both direction at the White Hart stops, which is only just over 1 km distant from most of the proposed plots, means that, at least on return journeys, residents would have a half-hourly service available.*

*Route 233 passes the top of Downs Road, which is the largest concentration of employment in West Oxfordshire, about 2km from the site. As well as the bus service, the distances involved appear to make cycling a credible prospect. We note that the Downs Road area is actually further from the North Witney and East Witney Strategic Allocations than it is from this site. Furthermore, the cycling routes from this site routes are relatively flat.*

*As well as Witney, service 233 links directly with both Carterton and Burford each hour. As well as secondary education in both towns, Carterton in particular is also a significant employment centre.*

*Epecially given the context of West Oxfordshire, it is apparent that the level of public transport provision is somewhat better than might be expected and offers a range of relatively credible travel choices that go beyond car use. [emphasis added]*

*The level of service directly to and from the site is actually under-estimated by the Transport Assessment. The direct Witney – Burford branch of the 233 runs directly past the site frontage in each direction every hour, as well as the other branch serving Brize Norton Road.*



- 4.6.4 It is understood that the services are now numbered the 233 and 234, with the hourly 234 passing the site and calling at the existing stops known as “White Hall Cottages”.
- 4.6.5 The routes to the various bus stops are show in **Appendix DN2**. The walking routes to the stops are suitable and with the proposed relocation of the stops on the Burford Road to nearer to the site, would provide an excellent route for future residents of the appeal site and the existing residents of the Bovis Homes development.
- 4.6.6 The White Hart stops have a shelter at the eastbound stop with other existing stops on Brize Norton Road and Burford Road being flag and pole. The development would provide a new westbound stop and eastbound stop supported by a shelter, hardstanding and dropped kerb crossing as requested by OCC.
- 4.6.7 The table below confirms the current timetables which are provided in **Appendix DN4**.

**Table 2 – Bus Services and Frequencies**

Service Number	Routes	Walking Distance to Bus Stop from Site	Typical Frequency		
			Mon – Fri	Sat	Sun
233	Witney Market Square - Burford Burford Primary School (via Carterton)	774m	Hourly	Hourly	Every 2 hours
234	Witney Market Square - Burford Burford Primary School (via Worsham)	225m	Hourly	Hourly	Every 2 hours
V25	Kingham - Bledington - Churchill - Burford - Carterton - Witney	774m	Wednesday only 1005, 1216	No Service	No Service
64	Witney, Market Place - Swindon, Bus Station	774m	0737, 1551	No Service	No Service

\*Timetable information correct as of 11<sup>th</sup> December 2023 & distances states are from the centre of the site.

- 4.6.8 In addition to increased patronage from future residents, which will deliver extra funding, a financial contribution of £151,822 is to be paid to OCC, towards the ongoing subsidy of the routes.



4.6.9 Importantly, in response to application 16/02588/OUT being the outline consent for the adjacent Bovis Homes development, OCC stated that in relation to access to bus:

*"Dwellers would be 800m from bus stops at which they could access Service Nos. 233 and S7 on Burford Road near the White Hart Inn"*

4.6.10 As can be seen, there would be a significantly shorter distance to the relocated bus stops on the Burford Road to access the 234 service with the majority of the site also being within 800m of the stops on the Brize Norton Road near to the Post Office. Therefore, as expected, the appeal site and the adjacent Bovis site are very similar in terms of distance to access to bus services.

4.6.11 The 233/234 arrives in Witney on the hour and half hour for the majority of the day and departs at 5 past and 35 minutes past the hour.

4.6.12 The S1 provides a connection into Oxford City Centre every 20 minutes at 13/ 33 and 53 minutes past the hour, meaning a short wait in Witney, which provide sufficient headroom for any delay in the 233/234 service.

4.6.13 Furthermore, the S7 provides a connection into Oxford City Centre as well as Hanborough Station every 30 minutes at 18 minutes past and 48 minutes past the hour.

4.6.14 The 233 and 234 take on average 12 minutes from Minster Lovell to arrive at Witney. The S1 has a journey time of 40 minutes from Witney to George Street in Oxford centre. Therefore, including walking time from the centre of the site and waiting time in Witney, it would take 1 hour and 15 minutes to travel to Oxford.

4.6.15 To travel to the railway station at Hanborough it would take 1 hour. Therefore, with the first bus service calling in Minster Lovell at 06:29 and the last bus service arriving back at 19:14 it would be reasonable for future residents to access Oxford and wider areas via public transport for leisure and employment journeys.

4.6.16 The train station accessed by the most direct route from the site is Hanborough Train Station located in Long Hanborough. The station is located 13km (as a straight-line distance) to the east and is accessible by the S7 bus service from Witney. The station provides access to Worcester and Great Malvern through to Oxford and London Paddington, with connections in Oxford up to Coventry and Birmingham.



4.6.17 Hanborough Train Station has a range of facilities including bicycle parking, seating, ticket machines and waiting areas and step free access. There is also parking provision for up to 246 vehicles (including accessible spaces). Parking is chargeable. A summary of the train frequencies is set out in **Table 3**.

**Table 3** – Train Services and Frequencies

Destination	Frequency	Journey Time
Worcester	1 hour	1 hour
London Victoria	1 hour	1 hour 5 mins

4.6.18 A new 850 space Park & Ride is under construction in Eynsham and is located on the A40 eastbound. The park and ride will combine existing bus services to/from Eynsham, Witney and Carterton as well as new services to deliver high-frequency bus services offering direct connections to a range of destinations in and around Oxford. The Park & Ride is planned to open in 2025.

#### 4.7 Summary and Conclusions on Accessibility

4.7.1 It is clear from the above that the Appeal Site is well connected to local services with bus, foot and cycle links within the settlement and good road links to the principal road network.

4.7.2 As part of the development proposals, the developer will provide a 3.0m footway/ cycleway along Burford Road connecting into the new Bovis Link and Upper Crescent.

4.7.3 Accessibility to nearby service and facilities are within the typical walking and cycling distances, with bus services providing regular access to Witney and Oxford.

4.7.4 It is my conclusion that the site is accessible, and the Appeal Scheme accords with relevant policy requirements. In particular, it is consistent with the accessibility requirements of the NPPF and policies T1 and T3 of the adopted local plan.



### 5.0 Response to Rule 6 Party and Third Party Representations

5.1 The Society for the protection of Minster Lovell have registered as a rule 6 party who are stated to represent c150 residents.

5.2 They have raised the following heading concerns:

- Disadvantages to the new occupiers of the development, if granted, will include that it is located too far from the village to walk, hence cars will be used, highlighting the lack of parking in the village.
- Most work opportunities lie to the East of the village and so the closest route to the A40 Eastbound is via the Brize Norton Road, through the centre of the village.
- The dangerous junction between the Brize Norton Road and the B4047 will have increased traffic.

5.3 The issues raised by the Parish Council and interested third parties relating to transport and accessibility, can be summarised as follows:

- Road Safety of Burford Road.
- Lack of connecting footway.
- Extensive use of the private car, cumulative impact of traffic.
- Lack of opportunities for walking, cycling and use of public transport

5.4 I have responded to the main matters regarding accessibility and connectivity in section 4 above, therefore, this section responds to those other matters raised being traffic generation, cumulative impacts and highway safety.

#### Highway Safety

5.5 Section 3.4 of the submitted transport assessment ("TA") (23178-01c dated 15<sup>th</sup> November 2022) (CD A23) sets out the personal injury collision information received from Oxfordshire County Council for the period of 1<sup>st</sup> January 2017 to 24<sup>th</sup> April 2022.

5.6 The TA analysed the recorded collisions to understand whether there were any inherent issues with junction arrangements, carriageway alignment or any other issues related to the layout of the highway.



- 5.7 There were 7 collisions at the A40/ B4047 roundabout. The recorded collisions were either related to loss of control, driver error or alcohol. There were no patterns that suggests any inherent safety issues with the operation of the roundabout.
- 5.8 There were 6 collisions along the Burford Road. All collisions were again the result of driver error. Two of the collisions were related to the right turn onto Burford Road from the Brize Norton Road. One was due to the failure to judge the speed and distance of a vehicle approaching from the west and other believe the approaching vehicle was turning left into Brize Norton Road.
- 5.9 In my opinion there is no fundamental safety issue with the operation of the Burford Road or its junction with the Brize Norton Road.
- 5.10 Finally, there were 4 recorded collisions on the Brize Norton Road. All collisions occurred due to various non alignment related issues, such as opening a car door, a trailer coming loose from its towing vehicle and a HGV failing to slow past a horse.
- 5.11 Following receipt of the above information and due to the time since the drafting of the TA, OCC have been contacted to provide the most recent PIC data from the 24<sup>th</sup> April 2022. This shows there have been 5 additional collisions in the study area, however, only two are within the village. The plan is attached at **Appendix DN5**.
- 5.12 The first was a slight collision at the Burford Road and Brize Norton Road junction and was due to a cyclist rolling into the centre of the carriageway into the path of an oncoming vehicle.
- 5.13 The second was also a slight collision on the Brize Norton Road near to its junction with Wenrisc Drive. This was due to a drunk passenger pulling the steering wheel of the vehicle causing it to collide with an electricity box at the side of the road.
- 5.14 A review of all personal injury accident data for the various periods shows there are no existing highways safety issues which would need to be addressed in respect of the development proposals.





### Cumulative Traffic Impacts

- 5.15 The forecast traffic generation and distribution of the appeal site, was derived from the approved transport assessment submitted in support of the Bovis Homes development to ensure a consistent approach. This was accepted by Oxfordshire County Council as Local Highway Authority.
- 5.16 Traffic surveys of the local road network and junctions were undertaken in June 2022.
- 5.17 Using these traffic counts, capacity assessments were undertaken for the site access, A40/ Burford Road roundabout and the Burford Road/ Brize Norton Road priority junction for the base year of 2022 and future year of 2027.
- 5.18 The TA forecast 75 vehicles entering and exiting the site towards Witney, with 34 turning to and from the Brize Norton Road and the remaining 41 continuing towards Witney in the morning peak. In the evening peak this reduced to 70 vehicles with 21 turning to and from the Brize Norton Road and 38 travelling towards Witney.
- 5.19 Only 5 and 4 vehicles respectively, were considered to head west towards the A40, which is largely due to A40 east facing slips being accessed from the Brize Norton Road.
- 5.20 The capacity assessments all demonstrated that the forecast traffic generation from the appeal site would have no material impact on junction operation in terms of queueing or delay.
- 5.21 Following submission of the TA, comments were received from Oxfordshire County Council as Local Highway Authority, which highlighted the need for further assessment of “key junctions” in Witney. A technical note was submitted to OCC (**CD B2**) that demonstrated there would only be 13 two-way AM vehicle movements and 11 two-way PM vehicles movements in Witney town centre and that therefore, no formal capacity assessment was necessary. This position was accepted by OCC and resulted in their removal of their objection to the planning application.



- 5.22 Helpfully, within their consultation response dated 13<sup>th</sup> January 2023, where they requested this further information, they did confirm that:

*The Transport Assessment has assessed three key junctions: the Burford Road site access, A40 / B4047 roundabout, B4047 / Brize Norton Road / Upper Crescent junction and Brize Norton/A40 sliproads.*

*The Decide and Provide approach was carefully considered when reviewing this Transport Assessment. Due to the size and location of the proposed site, additional traffic scenarios are unlikely to add value to the transport assessment process.*

*The Transport Assessment has adequately demonstrated that the proposals will not take any of these junctions over capacity.*

- 5.23 It was, therefore, adequately demonstrated to the satisfaction of the Local Highway Authority that the development would not result in an unacceptable cumulative impact on highway safety or capacity.


#### Village Car Parking

- 5.24 It has been demonstrated that the primary school and local shops are within reasonable and typical walking distance of the site as a whole. Therefore, whilst accepting a small number of linked trips may be undertaken by future residents on their way to and from work, such as school drop off or picking up bread/ milk, there would not be a fundamental impact on the safe operation of the local road network in the village. Furthermore, it is considered that any existing constraints associated to car parking, would likely reduce the tendency for future residents of the appeal site to want to drive.
- 5.25 Any local parking concerns have not resulted in any highway safety issues due to the lack of recorded collisions.
- 5.26 Finally, it is hoped the new footway/ cycleway and connection through to the recently completed footpath across the Ripley Avenue Play area will encourage walking and cycling to and from the development.



### 6.0 Summary and Conclusions

- 6.1 This evidence has considered the extent to which the proposed development on South of Burford Road, Minster Lovell complies with the relevant Transport Policy elements of the NPPF and local Plan Policies.
- 6.2 The NPPF tests are clear that in assessing development sites it should be ensured that:
- Appropriate opportunities to promote sustainable transport modes can be – or have been – taken up, given the type of development and its location;
  - Safe and suitable access to the site can be achieved for all users; and
  - Any significant impacts from the development on the transport network (in terms of capacity and congestion), or on highway safety, can be cost effectively mitigated to an acceptable degree.
- 6.3 It is clear from my evidence that the development proposals fully meet all these tests. In terms of Para 115 there is no severe impact on the road network, as is confirmed by the agreed transport modelling. There are, demonstrably, no unacceptable impacts on highway safety.
- 6.4 Policies T1 and T2 have been considered in detail. The impact of the scheme has been considered through a thorough (and agreed) Transport Assessment process which identifies appropriate measures for the site access, highway safety and accessibility. The scheme is therefore compliant with those policies.
- 6.5 On this basis, it is clear that there are no highway, accessibility or transportation reasons why planning consent should be withheld.



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