



**THE TOWN & COUNTRY PLANNING ACT
1990 (AS AMENDED)
THE TOWN AND COUNTRY PLANNING
APPEALS (DETERMINATION BY
INSPECTORS) (INQUIRIES PROCEDURE)
(ENGLAND) RULES 2000**

**LAND TO THE SOUTH OF ROMSEY
AVENUE**

**INSPECTORATE REFERENCE
APP/A1720/W/21/3271412
LPA REFERENCE P/18/1073/FP**

**PROOF OF EVIDENCE OF ALEC
PHILPOTT IN RESPECT OF HIGHWAYS
AND TRANSPORTATION**

JULY 2021



the journey is the reward

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Prepared by:	Alec Philpott
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**Land to the South of Romsey Avenue,
Inspectorate Reference APP/A1720/W/21/3271412
LPA Reference P/18/1073/FP**

Proof of Evidence of Alec Philpott in Respect of Highways and Transportation

List of Contents

Sections

1	Qualifications and Experience	1
2	Introduction and Scope of Evidence	2
3	Relevant Policy	5
4	Potential Displacement of Parking and Effect on Amenity/Convenience.....	7
5	Impact on Highway Safety.....	20
6	Summary and Conclusions	25

Tables

Table 4.1 Summary of distance displaced parked vehicles move, as presented by SMA Technical Note (02/10/2019) Table 1	9
Table 4.2: Parking Displacement Results from Scenario One (distance moved in metres).....	14
Table 4.3: Parking Displacement Results from Scenario Two (distance moved in metres).....	15
Table 4.4: Parking Displacement Results from Scenario Three (distance moved in metres).....	16

Appendices

APPENDIX AP1: Stuart Michael Associates Drawing 5611.025C	
APPENDIX AP2: Parking Displacement Study	
APPENDIX AP3: Highway Code – Rule 238, 242, 243	
APPENDIX AP4: TRICS Servicing Assessment	

1 Qualifications and Experience

- 1.1 My name is Alec Philpott. I hold a Bachelor of Engineering Degree and am a Fellow of both the Chartered Institution of Highways & Transportation and the Chartered Institute of Logistics and Transport.
- 1.2 I am a Director at Mayer Brown Limited (MBL), Transportation Consultants.
- 1.3 I have been engaged in the practice of civil engineering for over 25 years, specialising in transport planning. I have extensive experience in working with both public and private sector Clients, regularly advising on highways, transport and road safety matters. My experience includes a wide range of transportation projects for various types of development proposals, including residential, retail and employment developments. I have extensive experience of assessing the transport impacts of development proposals.
- 1.4 I have visited the site, including during the morning peak during school drop-off, and I am familiar with the local highway network and surrounding area.
- 1.5 The evidence that I have prepared and provide for this appeal reference APP/A1720/W/21/3271412 is true and I confirm that the opinions expressed are my true and professional opinions.

2 Introduction and Scope of Evidence

Introduction

- 2.1 My evidence considers the transport related matters which are the subject of this Planning Appeal.
- 2.2 The planning application that is now the subject of this Inquiry was submitted to Fareham Borough Council (FBC) by Foreman Homes Ltd (the Appellant) on 20th August 2018 (ref P/18/1073/FP).
- 2.3 The proposals comprise outline planning for a residential development of 225 dwellings, bird conservation area and public open space with all matters reserved except for access.
- 2.4 The site is presently used for growing crops and lies outside of the defined settlement boundary, although adjacent to an urban area which is largely occupied by residential properties and associated estate roads, which are subject to high on-street parking demand.
- 2.5 To the north of the appeal site, Romsey Avenue and Beaulieu Avenue would form the primary means of accessing the development by car from the A27.
- 2.6 Approximately 400m east of the site's centre lies Wicor Primary school and 800m northeast lies Cams Hill school.
- 2.7 Romsey Avenue, from which the proposals seeks to achieve a single vehicle access point, facilitates both pedestrian and vehicular movements associated with children either walking to, or being dropped/collected at, these schools.
- 2.8 In order to achieve access to the development site for larger vehicles, the Appellant's team resolved to promote a series of traffic regulation orders (TROs) on Romsey Avenue, taking the form of double yellow lines, to prohibit any on-street parking from occurring. These TROs are illustrated on drawing **5611.025C** prepared by Stuart Michael Associates, included at **Appendix AP1**. These TROs were accompanied by a series of planned highway works to provide inset layby provisions on Beaulieu Avenue, Romsey Avenue and the site access itself to accommodate some of the parking displaced by the proposals.

2.9 Dialogue between the Appellant's team and Hampshire County Council (HCC) (acting as the highway authority) during the determination period culminated in HCC raising no objection to the application on transportation grounds.

2.10 However, in their consultation response dated 19th December 2019 (**CDB.13b**), in relation to the matter of displacement of on-street car parking, HCC stated:

"....., FBC as planning authority should satisfy themselves that walking distances to alternative parking spaces are acceptable on amenity grounds."

2.11 On the 21st September 2020 FBC Planning Committee Members resolved to refuse planning permission, citing 12 reasons.

2.12 Recognising the potential effect on existing residents' amenity and potential for road safety issues arising from the displacement of car parking, and being cognisant of policies CS5 and CS17 of the Local Plan Part 1: Core Strategy and DSP40 of the Local Plan Part 2: Development Sites and Policies, reason for refusal (c) provided by Members stated:

"The proposal would result in extra parking restrictions being placed on Beaulieu Avenue and Romsey Avenue and on-street parking being displaced from the access road into the development site onto Romsey Avenue. As a result the development would lead to an increase in car parking on both Beaulieu Avenue and Romsey Avenue which would be inconvenient to users of the highway and harmful to highway safety;"

2.13 The Refusal Notice is reproduced at **CDC.4**.

2.14 In June 2021, HCC entered into an Agreed Statement of Highways Matters with the Appellant (**CDD.3**). Section 4 addresses car parking. Within this, paragraph 4.4 reiterated HCC's position as follows:

"...HCC considered that the introduction of parking restrictions will not incentivise inappropriate or dangerous parking and as such will not result in a severe impact on the operation of the highway network. HCC noted that FBC as planning authority should satisfy themselves regarding the amenity impact of the increased vehicular use of this section of highway, both in terms of the amenity acceptability of displaced parking due to the introduction of parking restrictions increasing walking distances to alternative parking spaces and the amenity acceptability of other impacts to the surrounding residential area, such as air quality and noise levels."

Scope of Evidence

2.15 In order to assist the Inspector and to provide further detail on reason for refusal (c), I have produced evidence considering the relevant policies and components of the reason for refusal, as follows:

- Relevant Policy;
- Potential Displacement of Parking and Effect on Amenity/Convenience; and
- Impact on Highway Safety

2.16 My evidence draws on a Parking Displacement Study produced by my team at Mayer Brown I shared this with the Appellant's transport consultant, David Wiseman of Stuart Michael Associates, on 22nd June 2021 I have received no written comments on it, but I discussed it with Mr Wiseman on 25th June 2021.

3 Relevant Policy

3.1 I consider below the transport policy relevant to Reason for Refusal (c).

[Fareham Local Plan Part 1: Core Strategy \(adopted 4th August 2011\) \(CDE.1\)](#)

3.2 Policy CS5 part 3 states that FBC will permit development which:

- Does not adversely affect the safety and operation of the strategic and local road network, public transport operations or pedestrian/cycle routes; and
- Is designed/implemented to prioritise and encourage safe and reliable journeys by walking, cycling and public transport.

3.3 Policy CS17 High Quality Design sets requirements for all development to:

- “ensure that the public realm has pedestrian priority, is safe, secure, functional and accessible, and is constructed of quality materials and well maintained”;
- “provide appropriate parking for intended uses taking account of the accessibility and context of a development and tacking climate change”.

[Fareham Local Plan Part 2: Development Sites and Policies \(adopted 8th June 2015\) \(CDE.2\)](#)

3.4 Within the glossary of terms, the Local Plan Part 2 identifies amenity as follows:

Amenity: A positive element or elements that contribute to the overall character or enjoyment of an area. For example, open land, trees, historic buildings and the inter-relationship between them, or less tangible factors such as tranquillity.

3.5 In the context of FBC’s reason for refusal, amenity is afforded to local residents who have enjoyed the convenience of unrestricted parking on roads adjacent to, or in close proximity to, their properties.

3.6 Policy DSP40 identifies that, where FBC does not have a five-year supply of land for housing, additional housing sites outside the urban area boundary may be permitted where they meet all of a number of criteria, including:

- *v. The proposal would not have any unacceptable environmental, amenity or traffic implications.*

[National Planning Policy Framework June 2019](#)

- 3.7 Chapter 9 of the National Planning Policy Framework (NPPF) June 2019 addresses sustainable transport. Paragraph 108 states that applications should ensure that safe and suitable access to the site can be achieved for all users and that 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.
- 3.8 Paragraph 109 goes on to state that 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. If negative impacts on a road network are less than “severe” for the purposes of paragraph 109 of the NPPF, they remain material considerations pointing against the grant of permission to be factored into the overall planning balance: **Redhill Aerodrome Ltd v SSCLG** [2015] P.T.S.R. 274 at [32] (**CDK.13**).
- 3.9 Chapter 12 of the NPPF addresses design issues. Paragraph 127(f) requires that planning policies and decisions should ensure that developments:
- create places that are safe, inclusive and accessible and which promote health and well-being, with a high standard of amenity for existing and future users;”

[Review of Policy in the Context of the NPPF](#)

- 3.10 In the context of the proposed development, policies CS5 and CS17 require that development does not adversely affect highway safety, which is consistent with the NPPF paragraph 108, 109 and 127(f) safety requirements.
- 3.11 DSP40 seeks to ensure that additional housing sites do not have any unacceptable impact on amenity or traffic and is also consistent with paragraphs 108, 109 and 127(f) of the NPPF.

4 Potential Displacement of Parking and Effect on Amenity/Convenience

Introduction

- 4.1 This section of my evidence is structured as follows:
- i) Explanation of the approach of the Appellant's Transport Consultant (SMA) to the parking analysis, including methods used and their conclusions/results;
 - ii) A critique of the approach utilised by SMA in relation to parking displacement;
 - iii) A review of the potential level of displacement of vehicle parking;
 - iv) Consideration of any existing displacement of residents' vehicles that currently occurs; and
 - v) Commentary on the impacts of any further displacement of existing residents' cars.

Appellant's Approach

- 4.2 In seeking to address a number of comments made by the Highway Authority, SMA submitted a Transport Statement Addendum (Rev B) dated 9th October 2019.
- 4.3 The Technical Note dated 2nd October 2019 contained at Appendix J of the TA Addendum (**CDA.32**) considers, at paragraphs 1.15-1.29, the displacement of parked vehicles which could occur as a result of the proposed TROs required to be implemented to protect safe vehicular access to the proposed development site.
- 4.4 The assessment adopts a parking survey methodology which originated from Lambeth Council, a central London borough, and utilises a 200m survey cordon. At the time of developing the parking survey methodology, Lambeth Council considered this 200m cordon as an appropriate threshold to set when establishing how far a London resident moving into a development may be likely to park their car from their home. This 200m distance equates to approximately a two and a half minute walk (assuming the generally accepted speed of 80m/min).

4.5 The Lambeth Council Parking Survey Guidance Note (LCPSGN) (**CDH.3**) rightly identifies that:

“Most forms of development have the potential to increase the amount of on-street parking, more commonly known as parking stress. High parking stress can affect highway safety, the free-flow of traffic, amenity, access by emergency services, refuse collection and delivery of goods.” (my emphasis added)

4.6 It is clear from the LCPSGN that high parking stress is considered to give rise to potential highway safety concerns.

4.7 In relation to residential developments, the LCPSGN identifies that:

“The Council requires a parking survey to cover the area where residents of a proposed development may want to park. This generally covers an area of 200m (or a 2 minute walk) around a site.....” (my emphasis added)

4.8 Indeed, adding an increased demand to a high parking stress area will also result in a displacement of existing residents’ vehicles. By seeking to carefully manage any high parking stress situations, it is my opinion and experience that the LCPSGN seeks to avoid (and ideally eliminate) any unnecessary impact on existing residents.

4.9 Moreover, the guidance suggests that the LCPSGN process was developed to consider the effect of future residents moving to a development and to identify the potential to accommodate associated additional parking demands on local roads.

4.10 The Appellant’s Transport Consultant, SMA, have used the LCPSGN to consider the effect of the development on existing local residents and to consider whether the resulting displacement of car parking is acceptable. This, in my opinion, is in contrast to the LCPSGN intended purpose.

4.11 Notwithstanding this, within their survey analysis, SMA identify that up to 13 existing residents’ vehicles may be displaced as a result of the necessary TROs and highway amendments.

4.12 SMA recognize that two of the vehicles (numbered 10 & 11) presently park across driveways, so it has been assumed that these would continue to park in the same location as they are most likely associated with the property they are parking adjacent to.

4.13 Consequently, 11 existing residents’ vehicles are essentially displaced to alternative parking locations as part of their analysis.

- 4.14 The redistribution assumes each of these 11 displaced cars will relocate from their recorded location in the parking survey to the nearest available parking space following the implementation of the TROs required to facilitate the development proposals.
- 4.15 Table 1 of the SMA Technical Note sets out the measured displacement of these vehicles and is replicated below:

Car Number	Distance Moved (m)
1	19.4
2	26.2
3	38.4
4	44.7
5	45.1
6	21.8
7	29
8	12.5
9	34.7
10	0
11	0
12	10.5
13	4.8
Average Distance	22

Table 4.1 Summary of distance displaced parked vehicles move, as presented by SMA Technical Note (02/10/2019) Table 1

- 4.16 The Technical Note concludes (para 1.19) that:

“the furthest distance a displaced car is potentially moved is 45.1m, whilst the average distance is 22m. This is well within the 200m walking distance accepted within the Lambeth Methodology. Based on industry accepted walk times, it would take some 15 seconds to walk this average distance and 32 seconds to walk the furthest distance, and so will have no material impact on actual walk times for residents. While this may be considered an inconvenience to residents, it should be noted that cars should not have been parking within the bellmouth and this displacement of observed parking is a result of enforcing the parking restriction requirement set out in the Highway Code, not as a result of the proposed development.”

(my emphasis added)

- 4.17 It is evident from the above that the Appellant’s team accept that their estimated degree of displacement of parking is sufficient to cause inconvenience to residents.
- 4.18 While FBC’s primary concern relates to an existing resident’s maximum degree of displacement, I should point out that the average displacement of 22m identified by SMA is being unfairly reduced by inclusion of vehicles 10 & 11, which are assumed never to be displaced.

- 4.19 The true average displacement from SMA's table is actually 27m once these two vehicles are removed from the calculations.

Analysis of Appellant's Approach

Permutations of vehicular arrivals

- 4.20 The approach presented in the SMA Technical Note considers a single scenario whereby vehicles arrive such that they are able to park in the nearest alternative parking space to their original position. Consequently, under the scenario that SMA has considered, the maximum distance a parked vehicle is displaced is somewhat minimised.
- 4.21 It is reasonable to assume that the 11 vehicles which have been considered as displaced by SMA might arrive in a random fashion.
- 4.22 Based on 11 random events (i.e. cars arriving), the potential number of permutations of arrival possibilities of the 11 cars would equate to 39,916,800 (being factorial 11 (11!) - essentially 40 million possible outcomes).
- 4.23 By exploring the single event which SMA have, of the possible ~40 million, the Appellant's transport consultant's approach lacks robustness and under-estimates the potential maximum distance that parking may be displaced.
- 4.24 My evidence considers a small number of other possible arrival profiles to test whether the displacement cited by the Appellant is a fair reflection of what could actually be the true impact on local residents.

Quantum of displaced vehicles

- 4.25 As set out above, the calculations contained in the SMA Technical Note (reproduced at Appendix J of **CDA.32**) consider the implications of displacing 13 parked cars (although 2 of those do not get displaced as they park across driveways, so 11 are essentially displaced).
- 4.26 This level of displacement is premised on surveys undertaken on Monday 26th and Tuesday 27th November 2018, contained in Appendix G and Appendix H of the October 2019 Transport Assessment Addendum (Rev B) (**CDA.32**), which assumes that the layby provision for 4 cars made on the access road to the development site adequately accommodates the existing demand.

- 4.27 However, the same survey undertaken by the Appellant's team identified greater demand for parking on the access road into the development site than the layby provision of 4 vehicles, with 5 vehicles recorded overnight on the site access road on both days surveyed.
- 4.28 Moreover, it is evident from openly available imagery and images submitted by the public that the demand for parking on the access road reaches in the order of 7 to 9 cars. These additional vehicles were not considered as part of SMA's submissions.
- 4.29 Further details of this greater demand for parking are provided in the Technical Note appended at **Appendix AP2**.
- 4.30 My evidence will explore the potential impact of this additional parking pressure on the possible maximum parking displacement.

Cause of displacement

- 4.31 As set out above, based on para 1.19 of the SMA report, the Appellant's team take the view that any displacement of vehicles is not a result of the proposed development, on the basis that vehicles should not be parking within the bellmouth of junctions and enforcement could prohibit this (Highway Code Rule 243 included at **Appendix AP3**)
- 4.32 The Highway Code is largely divided into "do not" and "must not" elements, with the latter underpinned by enforceable legislation.
- 4.33 Rule 243 cited by SMA states:

"DO NOT stop or park:

- near a school entrance
- anywhere you would prevent access for Emergency Services
- at or near a bus or tram stop or taxi rank
- on the approach to a level crossing/tramway crossing
- opposite or within 10 metres (32 feet) of a junction, except in an authorised parking space
- near the brow of a hill or hump bridge
- opposite a traffic island or (if this would cause an obstruction) another parked vehicle
- where you would force other traffic to enter a tram lane

- where the kerb has been lowered to help wheelchair users and powered mobility vehicles
 - in front of an entrance to a property
 - on a bend
 - where you would obstruct cyclists' use of cycle facilities
 - except when forced to do so by stationary traffic.”
- 4.34 Rule 243 is not a legal requirement and vehicles can lawfully park within 10m or opposite a junction, subject to not obstructing the highway – as they presently do around the Romsey Avenue area.
- 4.35 At the point a vehicle obstructs the highway, they are in contravention of Rule 242 of the Highway Code, which is underpinned by legislation, when the Police are able to take action. Rule 242 (included at **Appendix AP3**) states:
- “You **MUST NOT** leave your vehicle or trailer in a dangerous position or where it causes any unnecessary obstruction of the road.”
- 4.36 This position is echoed by HCC, who state:
- “If there are no waiting restrictions on the road, a CEO [Civil Enforcement Officer] has no powers to issue a PCN or remove a vehicle. If a vehicle is causing an obstruction or danger by parking on a footway, or too close to a junction you can report it to the police by calling 101.” [Waiting Restrictions, Hampshire County Council, <https://www.hants.gov.uk/transport/parking/waiting-restrictions>]*
- 4.37 It follows that, if the existing parking around these junctions was considered to be problematic, the Police would have been likely to have intervened, and/or HCC would have promoted TROs to enable them to take enforcement and resolve such a situation.
- 4.38 In the absence of any such action by HCC or the Police, it is reasonable to conclude that the existing parking does not cause any significant access issue.
- 4.39 On this basis (and given the fact that the development proposals need to promote the TROs to achieve safe access to their site) it is plainly the position that any displacement of car parking is a direct result of the development proposals and should not be attributed to existing residents' parking habits.

Potential Parking Displacement – Further Considerations

- 4.40 In order to present a more complete picture of potential displacement of vehicle parking, I include within **Appendix AP2** a Technical Note prepared by my team considering the following:
- i) Scenario 1: Assessment of a series of random arrival profiles (rounds) for the 11 cars the SMA October 2019 Technical Note considers displacing, to identify any variations in maximum displacement distance reported;
 - ii) Scenario 2: A series of random arrival profiles (rounds) for the 11 displaced vehicles in item (i), but with the 3 additional vehicles identified on Streetview imagery on the access road also being accommodated within the calculations – a total of 16 cars (14 of which are displaced); and
 - iii) Scenario 3: A series of random arrival profiles (rounds) for the 11 displaced vehicles in item (i), but with the 5 additional vehicles identified by residents' photographs on the access road also being accommodated within the calculations – a total of 18 cars (16 of which are displaced).
- 4.41 Under scenarios (ii) and (iii) above, the area within which cars can park on Romsey Avenue has been marginally extended beyond that SMA have considered, to accommodate the extra parking demand observed on the access road.
- 4.42 It is acknowledged that, as part of any reserved matters applications, the Appellant may seek to promote additional parking within the development site itself to accommodate the observed additional demand that exceeds the 4 layby provision proposed on the access road. This could mitigate the need to consider Scenarios 2 and 3 above. However, in the absence of such detail, I consider it appropriate to set out these possible scenarios. Moreover, any additional parking to accommodate these vehicles internally would still result in displacement and inconvenience for existing residents – the degree of which is not possible to quantify without any such detail.
- 4.43 The findings of the study are summarised in the tables below, with highlighted cells identifying distances which exceed those identified by SMA as the maximum a resident would be displaced:

Car	Round 1	Round 2	Round 3	Round 4	Round 5
1	0.0	0.0	0.0	0.0	5.6
2	3.2	17.0	3.2	17.1	27.2
3	51.8	16.8	17.0	16.9	37.1
4	6.3	6.3	54.0	39.3	39.3
5	0.0	50.0	73.5	74.2	5.2
6	81.8	87.8	69.5	17.0	17.1
7	74.7	58.9	30.2	69.8	57.1
8	6.9	6.9	46.0	46.7	64.5
9	33.7	33.8	0.0	0.0	0.0
10	0.0	0.0	0.0	0.0	0.0
11	0.0	0.0	0.0	0.0	0.0
12	10.1	15.4	20.7	0.0	0.0
13	0.0	10.2	0.0	0.0	0.0
Average:	21	23	24	22	20

Table 4.2: Parking Displacement Results from Scenario One (distance moved in metres)

Car	Round 1	Round 2	Round 3	Round 4	Round 5
1	0	5.5	0.0	0.0	20.1
2	3.2	26.7	17.1	26.6	11.8
3	21.8	17.1	17.3	43.0	28.4
4	6.3	48.2	67.9	6.3	63.5
5	78.1	0	49.7	49.8	0.0
6	91.5	66.8	17.0	17.1	81.7
7	84.7	108.8	69.6	79.0	75.0
8	69	68.4	6.8	6.8	67.8
9	0	33.9	126.5	34.8	34.3
10	0	0	0.0	0.0	0.0
11	0	0	0.0	0.0	0.0
12	0	31.8	0.0	24.4	0.0
13	0	0	5.4	0.0	0.0
14	100.2	24.7	96.7	66.1	39.4
15	72.8	73.1	73.6	92.2	29.0
16	95.1	96.3	100.1	104.6	105.9
Average:	39	38	40	34	35

Table 4.3: Parking Displacement Results from Scenario Two (distance moved in metres)

Car	Round 1	Round 2	Round 3	Round 4	Round 5
1	29.3	35.3	0.0	0.0	0.0
2	0.0	11.3	3.3	46.1	3.2
3	37.1	17.0	52.3	42.7	43.0
4	53.8	68.1	53.6	39.0	6.4
5	0.0	0.0	88.5	79.0	78.4
6	69.6	66.8	111.3	91.4	110.6
7	123.7	57.2	74.4	34.6	19.6
8	73.6	58.9	6.9	128.9	115.0
9	46.7	142.1	56.7	0.0	34.3
10	0.0	0.0	0.0	0.0	0.0
11	0.0	0.0	0.0	0.0	0.0
12	0.0	0.0	0.0	30.5	10.5
13	173.9	15.3	15.2	0.0	0.0
14	87.1	90.5	34.2	71.1	96.2
15	30.1	101.3	85.7	72.4	91.2
16	121.4	96.4	120.6	100.1	130.4
17	51.4	120.1	83.2	45.7	104.6
18	108.4	43.4	54.4	103.2	50.0
Average:	56	51	46	49	49

Table 4.4: Parking Displacement Results from Scenario Three (distance moved in metres)

- 4.44 It can be seen from Table 4.2 above that, for scenario 1, displacement of vehicle parking could be up to 87.8m.
- 4.45 Table 4.3 indicates that if an allowance is made for the maximum observed parking on the access road identified by Google imagery, then displacement of vehicles could be up to 126.5 for the arrival profiles considered.
- 4.46 Table 4.4 shows that if the maximum observed parking identified by images submitted from the public is allowed for, displacement of vehicles could be up to 173.9m.
- 4.47 All of these maximum displacement figures are far in excess of the 45.1m cited by SMA.

4.48 The above tables represent just 5 arrival profiles (rounds) of the millions of permutations possible for each scenario. However, it is clear that the maximum distance a vehicle would be likely to be displaced, as cited by SMA during the application process, significantly underestimates the potential impact on local residents.

4.49 In reality, there is a very significant displacement of existing residents' parking which might occur.

Existing displacement of road users

4.50 It is noteworthy that the displacement figures presented by SMA and, indeed, those presented in the Mayer Brown Technical Note have no regard for how far a resident may be already parking away from their home.

4.51 Submissions made by local residents in respect of the application have identified that they already have to park in excess of 100m from their home:

Comment by O Jones, 44 Romsey Avenue (04/09/2020) – “On-road parking spaces are often hard to find when a few of the residents have visitors. We have on occasions had to park >100m away.”

4.52 Consequently, any displacement of vehicles as a result of the proposed TROs should be considered as additional displacement, over and above any existing distance vehicles are parked from their owners' preferred locations.

4.53 It follows that, when SMA state that their calculated maximum displacement “...is well within the 200m walking distance accepted within the Lambeth Methodology”, their conclusion has no regard for the total distance someone may be parking away from their home allowing for any existing displacement occurring.

4.54 Consequently, the SMA conclusion is flawed.

Impact of additional displacement on road users/residents

4.55 As defined by the Local Plan (see paragraph 3.4 above), a resident or road user's amenity can be a subjective matter with some elements being less tangible than others.

4.56 However, of the 231 representations made on the application by residents that mention highway matters, 105 specifically mentioned the ability to park.

4.57 Given the quantum of comments submitted by residents as part of the application process, enjoyment of parking in close proximity to their property is plainly a matter which affects local residents' amenity.

- 4.58 The Local Plan does not specify what is an acceptable distance a resident may expect to park from their property.
- 4.59 Clearly, there will be a degree of subjectivity on what is an acceptable distance to park from a home. What may be acceptable to an able-bodied individual may be less acceptable to someone with a mobility impairment, small child, or someone with a car full of shopping.
- 4.60 Moreover, acceptability of displacement will also depend on what a resident has historically experienced. For example, someone who lives in a central London borough which may be subject to controlled parking zones is more likely to be accommodating about displacement than a resident who has enjoyed unfettered kerbside parking adjacent to their property.
- 4.61 Nevertheless, it is generally accepted that a resident will, naturally, try to park as close to their home as possible. This is reflected in the British Parking Forum Position Paper 4 (2004) entitled On-street parking in residential areas, which states:
- “However drivers will invariably park as near as possible to their property – sometimes to the detriment of others. Although residents generally have no entitlement to park outside their homes they still expect to be able to do so. Difficulties with parking close to one’s home can lead to disputes between neighbours. There is anecdotal evidence that there has been an increase in the number of disputes between neighbours relating to parking issues”*
- 4.62 Notwithstanding the fact that the Appellant made no allowance for existing displacement which may be occurring, they apply a 200m threshold for acceptable displacement, established by the Lambeth parking methodology.
- 4.63 For reasons given above, the application of this 200m threshold established for a central London borough is not appropriate to Hampshire and was established to consider future residents’ ability to park, rather than acceptability of displacement of existing residents as a result of a development.
- 4.64 The sheer volume of comments raised by residents relating to parking is a clear indication that they feel their amenity is likely to be impacted.
- 4.65 Indeed, as identified by the resident’s comment above, an existing displacement of 100m is already a cause for concern and an increase to this figure will highly likely be detrimental to their enjoyment of the highway.

Summary

- 4.66 **Consequently I consider that the Appellant has significantly underestimated the potential maximum displacement of residents parking. This significant underestimation is due to the Appellant's failure to consider the random nature in which vehicle arrivals are likely to occur. Additionally, the Appellant has underestimated the level of parking which could be displaced from the access road, based on their own observations. Moreover, the application of a 200m displacement threshold (derived by a central London borough) is not an appropriate figure. Consequently FBC were justified in refusing the application on the basis of inconvenience to road users (RfR (c)).**

5 Impact on Highway Safety

Introduction

- 5.1 This section of my evidence is structured as follows:
- i) Explanation of activities prohibited and permitted on double yellow lines
 - ii) Consideration of traffic volumes and composition
 - a. Existing baseline
 - b. Development traffic attraction
 - iii) Parking Stress
 - iv) Potential for prejudicing highway safety

Activities prohibited and permitted on double yellow lines

- 5.2 The Highway Code (rule 238 included at **Appendix AP3**) states:

“You MUST NOT wait or park on yellow lines during the times of operation shown on nearby time plates (or zone entry signs if in a Controlled Parking Zone) – see ‘Traffic signs’ and ‘Road markings’. Double yellow lines indicate a prohibition of waiting at any time even if there are no upright signs. You MUST NOT wait or park, or stop to set down and pick up passengers, on school entrance markings (see ‘Road markings’) when upright signs indicate a prohibition of stopping.”

- 5.3 While it is clear that, generally, vehicles should not be parked unattended on double yellow lines, there are some activities which can take place that would not be in contravention of the Highway Code. These include:

- i) Stopping a vehicle for loading/unloading. A vehicle doing so would most likely be attended;
- ii) Parking of a vehicle displaying a valid Blue Badge (maximum duration 3 hours). A vehicle doing so may not be attended for that period.

- 5.4 Either of the activities identified above would be subject to a stationary vehicle not causing an unnecessary obstruction of the road (which would be in contravention of Highway Code rule 242).

- 5.5 It is nonetheless entirely possible that existing residents may need to park on the double yellow lines being proposed, to undertake loading/unloading themselves, or park an exempt vehicle or to receive a delivery – something which they have been able to do unfettered to date.
- 5.6 Based on the SMA plan **5611.023C**, there are 17 properties with direct frontage to the proposed double yellow lines which may seek to undertake such activities (being numbers 15, 17, 19, 21, 23, 14, 16, 18, 20, 22, 24, 26, 28, 30 and 32 Romsey Avenue and 15 & 16 Beaulieu Avenue).

Consideration of vehicle volumes and composition

Existing Flows

- 5.7 To provide some context of baseline flows, SMA's traffic surveys have been reviewed (Appendix C of the August 2018 Transport Assessment (**CDA.40**)) to identify the level of existing flows on Romsey Avenue and the proportion which are larger vehicles.
- 5.8 Over the course of a typical weekday the surveys identify that Romsey Avenue carries 1,057 vehicles, of which 45 are classified as HGVs.
- 5.9 It is noteworthy that there is a considerable peak in flows in the morning and afternoon periods, during which school traffic is likely to be at its greatest.
- 5.10 It is clear from the above that Romsey Avenue carries a reasonable volume of vehicles at present.

Proposed Development Flows

- 5.11 SMA's Transport Assessment (August 2018) (**CDA.40**) included estimations of traffic flows to/from the development site.
- 5.12 Table 5.4 of the SMA TA identifies that the proposals could attract 147 vehicle movements in the AM peak hour and 129 in the PM peak hour. Furthermore, Table 5.1 of the Transport chapter of the Environmental Statement (August 2018) at PDF page 262 (**CDA.4**) identifies a total of 1,000 daily vehicle movements likely to access the development site. This figure is replicated at Table 6.8 within chapter 6 of the June 2021 updated Environmental Statement (**CDAA.1c**).
- 5.13 This level of daily trips is reported to effectively double the level of traffic on part of Romsey Avenue.

- 5.14 The SMA transport assessment did not include any estimation of service vehicles likely to access the development proposals. The Transport Chapter of the Environmental Statement also remains mute on HGV impact.
- 5.15 In order to gauge the level of service vehicles and larger vehicles that could access the development, Mayer Brown have undertaken a TRICS assessment using the same broad TRICS selection criteria that were adopted in the original SMA analysis.
- 5.16 The criteria were as follows:
- i) Multi-modal surveys for TRICS category '03 Residential – M Mixed Private/Non Private Housing'
 - ii) Located within England; and
 - iii) Suburban area, Edge of Town or Neighbourhood Centre (PPS6 Local Centre) Locations
- 5.17 Additionally, only TRICS surveys with servicing vehicle data were selected for the assessment.
- 5.18 The full TRICS analysis is contained in **Appendix AP4** and identifies the potential for 67 daily service vehicles visiting the proposed development, 9 of which are classified as OGV's (ordinary goods vehicles, being vehicles with more than one pair of wheels on the rear axle, or larger).
- 5.19 Clearly, the above TRICS analysis identifies a potential to significantly increase service vehicle volumes (including larger vehicles), with a 20% increase in larger vehicles likely on Romsey Avenue compared to the baseline scenario.

Parking Stress

- 5.20 As set out in Section 4 of my evidence, the Lambeth Parking Survey Methodology identifies that high parking stress can contribute towards highway safety issues.
- 5.21 Appendix H of the SMA Transport Addendum (part of **CDA.32**) provides details of the parking stress for the area which was subject to the parking surveys.
- 5.22 It is noted that the survey identifies the site access road as being at 100% stress, with Beaulieu Avenue being up to 83% stressed.
- 5.23 These two roads form part of the main route between the A27 and the proposed development and have been identified by the Appellant's consultant as suffering from high parking stress.

5.24 It follows from the concerns raised by the LCPSGN that the level of parking pressure could contribute towards highway safety issues.

Potential for prejudicing highway safety

5.25 The purpose of the proposed TROs is to preserve the free flow of traffic and swept paths of larger vehicles accessing the development site.

5.26 If a vehicle were to stop on the double yellow lines, it is possible that service vehicles (particularly larger ones) could be obstructed resulting in blocking back of the highway, or inappropriate manoeuvres, mounting of the footway etc.

5.27 It is reasonable to assume that existing residents or others on Beaulieu Avenue and Romsey Avenue will need to stop on the proposed double yellow lines to undertake permitted loading/unloading activities or for disabled parking activities.

5.28 The TRICS system does not include a provision to interrogate the datasets specifically for residents loading/unloading or disabled parking activities.

5.29 In the absence of this, it is reasonable to assume that the “servicing” activity identified by TRICS is a close proxy to estimate potential activity associated with loading/unloading.

5.30 The TRICS datasets identify an average of 0.298 servicing trips per unit, for the proposed development. Applying this level of servicing activity to the 17 existing dwellings which have frontage onto the proposed double yellow lines means that there could be approximately 5 vehicles stopping on the double yellow lines daily to undertake servicing of some form.

5.31 It is entirely possible that this activity could impede the free flow of vehicles into the development site, particularly any larger service vehicles accessing the development.

5.32 While it is acknowledged above that rule 242 of the Highway Code should prohibit obstruction of the highway, the driver of a loading/unloading vehicle is only likely to be aware they have caused an obstruction once it has occurred. At this point, there is a potential for highway safety to have been compromised.

5.33 Given the above frequencies of servicing to both the existing and proposed residents, there is a real possibility of an obstruction occurring on a frequent, daily, basis.

5.34 It is possible that the Appellant could promote loading restrictions in addition to the double yellow lines to prohibit any such activity and, in theory, eliminate obstructions from occurring. However, no such restrictions have been proposed, and any such

restrictions would further impact on the amenity and enjoyment of the public highway that residents presently enjoy.

Summary

- 5.35 **Consequently I consider that the development proposals, by virtue of a combination of parking stress, sheer volumes of traffic and typical day to day activities of local residents, is likely to give rise to conflict and resulting highway safety issues. Consequently FBC were justified in refusing the application on the basis of inconvenience to road users (RfR (c)).**

6 Summary and Conclusions

6.1 My evidence considers the transport related matters which are the subject of this Inquiry. I have been instructed by FBC to provide expert witness services for the Inquiry. My evidence considers the following:

- The appropriateness of the Appellant's Transport Consultant's review of potential parking displacement as a result of the development proposals;
- The implications on degree of parking displacement of undertaking a more representative assessment;
- What constitutes an impact on convenience/amenity in terms of displacement; and
- The implications of the proposed TROs and general parking demand on highway safety and free flow of traffic.

Parking Displacement

6.2 I demonstrate that the Appellant's Transport Consultant has significantly underestimated the potential for maximum parking displacement of existing residents' vehicles.

6.3 I have calculated that, on a like for like assessment (Scenario 1) the actual parking displacement could be nearly 100% greater than estimated by the Appellant's consultant (45.1m vs. 87.8m).

6.4 Moreover, I have calculated that, once an allowance has been made for the displacement of all observed parked vehicles on the public highway, then the displacement could be as significant as 173.9m, nearly four times greater than reported during the planning application process.

6.5 I have also demonstrated that, in their submissions, the Appellant's Transport Consultant has had no regard for any existing displacement that residents may presently be encountering.

6.6 Furthermore, I have demonstrated that the Appellant's Transport Consultant has applied an inappropriate measure of what may be considered an acceptable degree of displacement and that it is, in fact, likely residents and existing road users could be significantly inconvenienced by the proposed development.

6.7 I conclude that the development is not in compliance with Policies CS5 (part 3), CS17 and DSP40(v) or the NPPF paragraphs 108(b) and (c) and 127(f). Although I do not consider the residual impacts on the road network to be “severe” for the purposes of NPPF paragraph 109, I consider them to be significant.

Highway Safety

6.8 I have demonstrated that the development proposals will effectively double the level of vehicle flows on sections of Romsey Avenue leading to the development site which are frequented by school children.

6.9 I have demonstrated that sections of the highway network between the A27 and the site are under high parking stress, which is a factor recognised to contribute towards highway safety issues.

6.10 I have calculated that there will be a reasonable demand for servicing the existing properties fronting the proposed double yellow lines.

6.11 I conclude that there is a reasonable likelihood that such servicing activities combined with high parking demand and a significant increase in daily traffic arising from the development are likely to give rise to conflicts occurring, prejudicing highway safety.

6.12 Consequently, I conclude that the that the development is not in compliance with Policies CS5 (part 3), CS17 and DSP40(v) as well as NPPF paragraphs 108(b) and (c), 109 and 127(f).

Conclusion

6.13 The development would result in significantly greater displacement of existing residents’ cars than suggested by the Appellant, to a degree that could be significantly inconvenient and impact on existing residents’ enjoyment of the highway.

6.14 The combination of proposed TROs, significant increases in traffic flows and general day to day activities associated with existing residents would be likely to prejudice the free flow of traffic and highway safety.

6.15 In my opinion, the unacceptable impact on highway safety and the significant impact on existing residents in terms of displacement of parking justifies FBC’s decision to refuse the application.