



## **Notice of a meeting of Planning Committee**

**Thursday, 17 February 2022  
6.00 pm  
Council Chamber - Municipal Offices**

### **Membership**

<b>Councillors:</b>	Garth Barnes (Chair), Paul Baker (Vice-Chair), Barbara Clark, Bernard Fisher, Stephan Fifield, Paul McCloskey, Tony Oliver, John Payne, Richard Pineger, Diggory Seacome and Simon Wheeler
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The Council has a substitution process and any substitutions will be announced at the meeting.

### **Important Notice**

#### **Filming, recording and broadcasting of council meetings**

This meeting will be recorded by the council for live broadcast online at <http://www.cheltenham.gov.uk> and [www.youtube.com/user/cheltenhamborough](http://www.youtube.com/user/cheltenhamborough).

The Chair will confirm this at the start of the meeting.

If you make a representation to the meeting, you will be deemed to have consented to be filmed and to the possible use of those images and sound recordings for broadcasting and/or training purposes.

### **Agenda**

- 5b**                      **21/02148/FUL Land East Leckhampton Reservoir,                      (Pages 3 - 18)**  
**Leckhampton Hill, Cheltenham**  
[Planning application documents](#)

**Contact Officer:** Claire Morris, 01242 264130  
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<b>APPLICATION NO:</b> 21/02148/FUL		<b>OFFICER:</b> Mr Ben Warren
<b>DATE REGISTERED:</b> 28th September 2021		<b>DATE OF EXPIRY:</b> 23rd November 2021
<b>WARD:</b> Leckhampton		<b>PARISH:</b> Leckhampton With Warden Hill
<b>APPLICANT:</b>	The Applicant	
<b>AGENT:</b>	Simon Firkins	
<b>LOCATION:</b>	Land East Of Leckhampton Reservoir Leckhampton Hill Cheltenham	
<b>PROPOSAL:</b>	The erection of 2 dwellings	

## Update to Officer Report

### 1. OFFICER COMMENTS

- 1.1. Determining Issues
- 1.2. As mentioned in the committee report, Councillor Horwood and Councillor Nelson have been in direct contact with Gloucestershire Highways in order to discuss their formal comments on the application. In addition, further highways related information has been sent to Gloucestershire Highways for review and comment.
- 1.3. Following a further site visit, Gloucestershire Highways have provided a follow up response to Councillor Horwood and Councillor Nelson (dated 11<sup>th</sup> Feb 2022), which will be circulated to members as a further consultee comment. In conclusion, Gloucestershire Highways have confirmed their position remains that no objection is raised to the application on highway safety grounds and therefore their original comment and recommendation of 'No objection' remains.
- 1.4. In response to the latest comments from Highways, Councillor Horwood has submitted a further representation (dated 11<sup>th</sup> Feb 2022).
- 1.5. In addition to the above, the applicant has provided a further supporting statement and response to some of the comments made on the application, this focuses on highway matters and Public Right of Way (PROW), as well as addressing other relevant material considerations.
- 1.6. All of the above comments and information will be circulated to members for review ahead of the committee meeting.

### 2. CONCLUSION AND RECOMMENDATION

- 2.1. Officers have no reason to dispute the comments and recommendation made by the Local Highways Authority, the recommendation therefore remains to approve the application. Furthermore, the further highway related comments and information does not require any

amendment to the suggested conditions, the conditions therefore remain the same as those in the original officer report, as set out below;

### 3. CONDITIONS

- 1 The planning permission hereby granted shall be begun not later than the expiration of three years from the date of this decision.

Reason: To accord with the provisions of Section 91 of the Town and Country Planning Act 1990, as amended by Section 51 of the Planning and Compulsory Purchase Act 2004.

- 2 The planning permission hereby granted shall be carried out in accordance with the approved plans listed in Schedule 1 of this decision notice.

Reason: For the avoidance of doubt and in the interests of proper planning.

- 3 Prior to the commencement of development (including demolition and site clearance), the Tree Protection measures identified in drawing number 20093.502 B and the mhp Arboricultural survey, impact assessment and protection plan received on 21st January 2022 be installed, inspected and approved in writing by the Local Planning Authority, these measures shall remain in place until the completion of the construction process.

Reason: To safeguard the existing tree(s) in the interests of visual amenity, having regard to adopted policies GI2 and GI3 of the Cheltenham Plan (2020). Approval is required upfront to ensure that important trees are not permanently damaged or lost.

- 4 All landscaping works shall be carried out in accordance with the approved details (drawing no. 20093.101 C) prior to first occupation of any part of the development unless otherwise agreed in writing by the Local Planning Authority.

Any trees or plants indicated on the approved scheme which, within a period of 10 years from the date of planting, die, are removed or become seriously damaged, diseased or dying shall be replaced during the next planting season with other trees or plants of a location, species and size which shall be first agreed in writing by the Local Planning Authority.

Reason: In the interests of the character and appearance of the area, having regard to adopted policies D1, GI2, GI3 and L1 of the Cheltenham Plan (2020), and adopted policies SD4, SD6, SD7 and INF3 of the Joint Core Strategy (2017).

- 5 Prior to the implementation of the landscaping strategy as detailed in drawing number 20093.101 C, a Landscape Management Plan based on the Landscape Strategy drawing shall be submitted to and approved in writing by the Local Planning Authority. The scheme shall comprise of a drawing and document that covers:

- a. Aims and objectives of the scheme
- b. A plan with annotations showing the soft landscape, hard landscape, vegetation and artificial features to be retained, created and/or managed;
- c. Measures (including establishment, enhancement and after-care) for achieving the aims and objectives of management;
- d. A work and maintenance schedule for 10 years and arrangements for beyond this time;
- e. Monitoring and remedial or contingency measures;

The scheme shall be implemented as approved by the Local Planning Authority.

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Reason: To conserve and enhance the landscape value of the land and in accordance with JCS policies D1, GI2, GI3 and L1 of the Cheltenham Plan (2020), and adopted policies SD4, SD6, SD7 and INF3 of the Joint Core Strategy (2017).

- 6 The development hereby permitted shall not be first occupied until the proposed dwellings have been fitted with an electric vehicle charging point. The charging points shall comply with BS EN 62196 Mode 3 or 4 charging and BS EN 61851 and Manual for Gloucestershire Streets. The electric vehicle charging points shall be retained for the lifetime of the development unless they need to be replaced in which case the replacement charging points shall be of the same specification or a higher specification in terms of charging performance.

Reason: To prioritise movement by sustainable transport modes, having regard to adopted policy SD4 of the Joint Core Strategy (2017) and paragraph 110 of the National Planning Policy Framework (2019).

- 7 Prior to the occupation of the development hereby permitted, the vehicular access shall be laid out and constructed in accordance with the submitted plan drawing no. 21.20.008 PL005 with the area of driveway within at least 5.0m of the carriageway edge of the public road surfaced in bound material, and shall be maintained thereafter.

Reason: In the interests of highway safety, in accordance with adopted JCS policy INF1.

- 8 Prior to the commencement of development, including any works of demolition or site clearance, a Construction Method Statement shall be submitted to and approved in writing by the Local Planning Authority.

The approved method statement shall be adhered to throughout the development process and shall, where necessary:

- i) specify the type and number of vehicles expected during the construction of the development;
- ii) allocate space for the parking of vehicles for site operatives and visitors;
- iii) allocate space for the loading and unloading of plant and materials;
- iv) allocate space for the storage of plant and materials used in constructing the development;
- v) specify the intended hours of construction;
- vi) specify measures to control the emission of noise, dust and dirt during construction;
- vii) provide for wheel washing facilities; and
- viii) specify the access points to be used and maintained during the construction phase.

Reason: To minimise disruption on the public highway and to adjacent land users, and accommodate the efficient delivery of goods and supplies during the course of the construction works, having regard to adopted policy INF1 of the Joint Core Strategy (2017). Approval is required upfront because without proper mitigation the works could have an unacceptable highway impact during construction.

- 9 Notwithstanding the provisions of The Town and Country Planning (General Permitted Development) (England) Order 2015 (or any order revoking and/or re-enacting that order with or without modification), no extensions, garages, sheds, outbuildings, walls, fences or other built structures of any kind (other than those forming part of the development hereby permitted) shall be erected without express planning permission.

Reason: Any further extension or alteration requires further consideration to safeguard the amenities of the area and to conserve the landscape value of the land, in accordance with JCS policies D1, GI2, GI3 and L1 of the Cheltenham Plan (2020), and adopted policies SD4, SD6, SD7 and INF3 of the Joint Core Strategy (2017).

- 10 The works shall be carried out in accordance with the information and measures contained within the Drainage and Maintenance strategy received on 18th November 2021.

Reason: To ensure the proper provision for surface water drainage and/ or to ensure flooding is not exacerbated in the locality (The Cheltenham Strategic Flood Risk Assessment, National Planning Policy Framework and Planning Practice Guidance). If the scope of surface water drainage is not agreed before works commence, it could affect either the approved layout or completed works, in accordance with adopted JCS policy INF2.

- 11 Prior to the installation of any external lighting, details of the lighting shall be submitted to and approved in writing by the Local Planning Authority.

Reason: In the interests of the character and appearance of the area with regard to Cheltenham Plan policies D1, L1 and SL1, adopted JCS policies SD6, SD7, SD9 and SD14, and the Cotswold AONB Management Plan 2018-23.

- 12 No external facing materials shall be applied unless in accordance with:  
a) a written specification of the materials; and  
b) photos of the physical sample(s) of the materials.  
The details of which shall have first been submitted to and approved in writing by the Local Planning Authority.

Reason: In the interests of the character and appearance of the area, having regard to adopted policy D1 of the Cheltenham Plan (2020) and adopted policy SD4 of the Joint Core Strategy (2017).

### INFORMATIVES :-

- 1 In accordance with the requirements of The Town and Country Planning (Development Management Procedure) (England) Order 2015 and the provisions of the NPPF, the Local Planning Authority adopts a positive and proactive approach to dealing with planning applications and where possible, will seek solutions to any problems that arise when dealing with a planning application with the aim of fostering the delivery of sustainable development.

At the heart of this positive and proactive approach is the authority's pre-application advice service for all types of development. Further to this however, the authority publishes guidance on the Council's website on how to submit planning applications and provides full and up-to-date information in relation to planning applications to enable the applicant, and other interested parties, to track progress.

In this instance, having had regard to all material considerations, the application constitutes sustainable development and has therefore been approved in a timely manner.

- 2 The Local Planning Authority (LPA) are aware that there is an alleged Public Right Of Way (PROW) that is suggested to be crossing the application site. This route is not included on the Definitive Map's held by Gloucestershire County Council (GCC), however the LPA are aware that an application has been made to GCC for this route to be included within the Definitive Maps register. The Definitive Map Modification Order (DMMO) application to add this route has not yet been determined by GCC.

The applicant should be aware that if the PROW is established, it is a criminal offence to obstruct the PROW under the Section 137 Highways Act 1980. In order to be able to

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complete the development as proposed, the applicant would be required to apply to the Council under Section 257 of the Town and Country Planning Act 1990 for the path to be diverted. The applicant should be aware that there is no guarantee that an application for a diversion will be successful.

- 3 Given the proximity of the highway and road junction, traffic noise will be a significant impact at the site of the proposed dwellings. The applicant should therefore give careful consideration to noise control through their choice of materials, glazing and ventilation arrangements.
- 4 With regards to the existing nearby public rights of way, ASH42 & CHL18, the County Council have offered the following information that the applicant should be aware of:
  - 1) No change to the surface of the public right of way can be approved without consultation with the County Council and there must be no interference with the public right of way, either during development or once it has been completed, unless:-
    - a) The development will temporarily affect the public right of way; then the developer must apply and pay for a temporary closure of the route (preferably providing a suitable alternative route); or
    - b) If the development will permanently affect the public right of way, then the developer must apply for a diversion of the route by the Planning Authority under the Town and Country Planning Act 1990 as part of the planning application process. No development should take place affecting the route of the path prior to the confirmation of a TCPA path diversion order.
  - 2)
    - a) There must be no encroachment on the width of the public right of way.
    - b) No building materials may be stored on the public right of way.
    - c) Vehicle movements during construction should not unreasonably interfere with the use of the public right of way by walkers, etc., and the developer or applicant is responsible for safeguarding the public use of the way at all times.
    - d) No additional temporary or permanent barriers (e.g. gates, stiles, wildlife fencing) may be placed across the public right of way and no additional gradients or structures (e.g. steps or bridges) are to be introduced on any existing or proposed public rights of way without the consent of the county council.

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I write to you in respect of the email received Thursday, 20th January 2022. From the correspondence received, your email relates to the consultation response issued to Cheltenham Borough Council on the 1st November 2021 by Gloucestershire County Council in respect of application ref 21/02148/FUL. The application description is for the erection of 2 dwellings at Land East Of Leckhampton Reservoir Leckhampton Hill Cheltenham Gloucestershire. The following matters have been raised and will be addressed below:

- Claimed path across the site;
- Vehicle speeds of descending traffic along the frontage of the site;
- Available visibility for egressing vehicles onto Leckhampton Rd, particularly cyclists;
- Accident data in the vicinity of the site and the junction of Old Bath Rd with Leckhampton Rd;
- The use of banksmen by Severn Trent when egressing the site;
- Principle of use of the access for residential units and the impact onto Undercliff Avenue, Leckhampton Hill, Leckhampton Road and Old Bath Road.

I must note that the principle of development at this site for the erection up to 3no. dwellings has already been established under planning ref 20/01620/PIP which ultimately adds significant weight to our recommendation.

As per the Joint Core Strategy Policy INF1 and the National Planning Policy Framework (NPPF) 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. Where severe impacts attributed to the development can be considered likely, these must be mitigated to the satisfaction of the Local Planning Authority.

In this instance, when I assessed the current planning application determined that the development, in light of its scale and likely impact on the road network, would not be severe in capacity terms nor be conducive to an unacceptable impact on highway safety. I have reviewed the case file; evidence presented by the applicant, yourself and members of the public, as well as carried out a site visit in the context of the expressed concerns. In this process, I conducted a hand held speed gun survey which the summary of the results is presented below on table 1. Based on my professional judgement and observations made, I do not find the evidence before me supports a recommendation of refusal.

With respect to the claimed path across the site, I have discussed this matter with the Local Planning Authority whom has confirmed that the planning application can be determined without prejudice to the consultation, and that the route could be diverted at a later stage pursuant the powers of the Town and Country Planning Act.

As mentioned, I have carried out a hand held speed survey and Gloucestershire County Council considers a speed survey to be relevant when acquired within the most recent 3 years. Anything beyond this time period may not be a true reflection of the existing occurrences. No relevant speed surveys were carried out at the vicinity of the site within this period, hence the need to carry out this assessment. The survey was carried out on the 4th February 2021 between 11:26am and 11:51am to ascertain speeds for descending traffic along the frontage of the site. The weather conditions were sunny but the road was wet as it had rained earlier in that day. 100 vehicle speeds were acquired during this period, and are presented in the table below, this survey provides an evidence led insight to local conditions.

Table 1 - Speed measurements Leckhampton Rd (mph)

33	32	25	27	30	26	29	31	22	32
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35	37	23	26	27	29	27	33	33	30
34	20	19	24	27	30	22	27	29	27
34	31	18	23	27	31	30	31	33	32
32	29	31	31	30	28	33	31	26	29
31	39	35	31	31	30	29	33	27	28
32	39	30	30	27	32	27	32	34	30
32	31	34	27	27	29	30	36	21	27
36	29	26	33	28	29	29	35	27	26
34	35	20	31	29	27	27	29	34	35

The outputs of the survey show an average speed of 30mph at the vicinity of the site, however in accordance with the DMRB guidance, where speed measurements have been taken either partially or entirely in wet weather conditions, 4kph should be added to the outputs for single carriageways, which equates to circa 2.4mph, making the acquired average speeds of 32mph. The 85th%ile speeds resulting from this would be 35mph which, in accordance with the guidance set in Manual for Streets, results in a necessary Y distance of 51 metres to the east off the site access. I can confirm that a visibility splay distance of 51 metres can be achieved to the edge of the carriageway east off the site access from a point 2.4m back the centre of the junction, therefore the Highway Authority is satisfied that there is sufficient visibility when egressing the site for both oncoming vehicles and cyclists. All results presented above are to the nearest mph.

In terms of westbound visibility off the site access, a measurement can be made to the centreline of the carriageway as vehicles are unlikely to overtake at this section due to the right turn access onto Old Bath Road. Leckhampton Rd is subject to a design speed of 30mph at the vicinity of the site, which in accordance with Manual for Streets guidance, is required to provide a visibility splay of 43m. It is clear that a distance of 43m can be achieved to the centre line of the carriageway on this basis.

With regards to the accident data at the vicinity of the site, the data within the most recent 5 years, which is an industry standard time period that deems the data relevant, shows a single incident occurred near the vicinity of the site. That incident was a rear shut incident on the Old Bath Road and does not suggest there is a poor safety record in the locality.



Based on the collision data presented before me, it is safe to conclude that there are no existing patterns indicative of problems in relation to the operation and safety of the local highways.

In relation to the use of banksman by Severn Trent, this company has its own individual Health and Safety requirements which is not relevant to the application.

Lastly, the principle of the use of the vehicular access for residential purposes has already been established under application ref 20/01620/PIP. I must note that this permission was for 3no. dwellings which in itself would result in a greater number of trips onto the network than currently proposed. A typical residential dwelling generates on average 4 to 5no. daily vehicle movements. The 7-day average daily traffic flow for Leckhampton Road is circa 6,849 vehicles, this development will add circa 10no. daily trips onto the network which represents a 0.15% capacity impact.

Whilst I appreciate your concerns and the submissions presented to me, it is not the view of the Highway Authority that this development should be refused on highways grounds, and consequently, will not need to amend the recommendation to the Local Planning Authority at this time.

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14<sup>th</sup> February 2022

Ben Warren  
Planning Officer  
Place and Growth  
Cheltenham Borough Council

Dear Ben

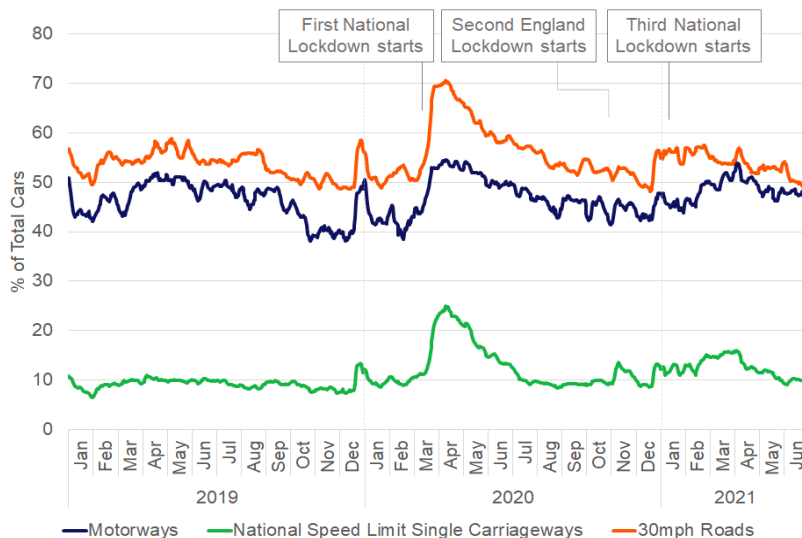
### **Land east of Leckhampton Reservoir – reference 21/02148/FUL**

The submissions to this application by Councillor Horwood contain some factual errors and other misrepresentations to the extent the applicant considers it necessary to correct those in advance of the forthcoming committee meeting, and to ensure that members of the committee have all the facts available to them when determining this application.

Councillor Horwood's letter and subsequent response raise four main issues which we cover in turn below:

#### **Site access and highway safety**

- Permission in Principle for up to 3 dwellings was granted in October last year, with no objection from the highway authority.
- Contrary to Councillor Horwood's assertions, [the latest Department for Transport data](#) shows there have been just four 'slight' accidents in the last 22 years in the vicinity, (most recently in January 2016, a rear shut on Old Bath Road). There is not a poor safety record here, as confirmed by County Highways in its recent response to Councillor Horwood (11/02/2022).
- Councillor Horwood's statement that 30% of drivers recorded by the Parish Council were speeding compares favourably with the latest official Government national speed compliance data, where more than 50% of drivers exceeded 30mph speed limits. Despite this, which is a legal/driver issue of course, this area of the highway network is not unsafe.



Government speed data show the percentage of cars breaking the speed limit during local traffic surveys, aggregated as a national average. The Orange line shows that over 50% of drivers broke the speed limit on 30mph roads. Note this does not show the speeds recorded, only those that were travelling faster than the limit.

[Vehicle speed compliance statistics for Great Britain: April to June 2021 - GOV.UK](#)

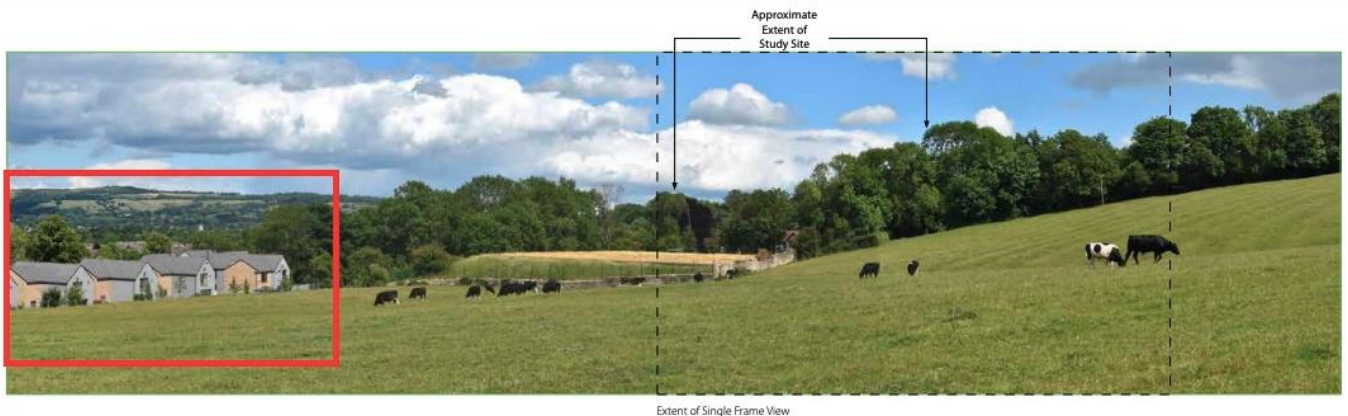
- Councillor Horwood's personal statements about the safety of the road here include 'evidence' such as a YouTube video showing vehicles using the road in heavy snow. This is far from typical of normal conditions of course and, in line with the other points made by Councillor Horwood, apply to almost all roads if users do not take due care and attention or abide by the law.
- An approved standardised methodology for collection of traffic data, including the 85th percentile figure, ensures outlier data (such as snowy conditions or an overzealous cyclist) do not incorrectly influence the true aggregate risk profile of a road.
- County Highways undertook their own survey which confirmed, based on recorded speeds, visibility can be achieved in both directions, with the proposal representing no harm to highway safety and a capacity impact of just 0.15%. The Parish Council's three datasets, collected over a longer timeframe, show the same or slower speeds.
- Councillor Horwood's claim that Severn Trent always use a banksman when exiting the site is wrong. Severn Trent has its own Health and Safety procedures and an email from Severn Trent dated 9th February 2022 confirmed:  
*"Severn Trent staff enter the Leckhampton site via the opening adjacent to Leckhampton hill booster / reservoir. There is a small area where the vehicles can turn, they do this without a banksman as they are single person working [sic] almost exclusively. They then return to the road facing the direction of travel. The booster site is visited at least every two weeks."*
- The comments about the unapproved A417 'missing link' proposal relate to something that may happen at some future point and are not relevant.
- This application is to be determined on the basis of current, official, and verified information, all of which, including a secondary assessment by County Highways, confirm this proposal is completely acceptable in respect of all highways matters.

### **Claimed Public Right of Way (PROW)**

- In July 2020 an application for a claimed footpath to be added to the Definitive Map was made.
- The route crosses the site connecting CHL18 ('the tramway') with Leckhampton Hill through a hedgerow with limited visibility, over a muddy surface, directly onto the highway within the 40mph zone at a point with no barriers or pavement.
- Access to footpath CHL18 from Leckhampton Road already exists just to the north, next to the Scout Hut, at a safe crossing point in the 30mph zone with footpaths on both sides of Leckhampton Road. The motive behind Councillor Horwood motioning that the Parish Council add to his support for the claimed footpath route is unclear, but it does not seem to align with the repeated concerns relating to safe use of the public highway outside the site.
- The alleged PROW is fully acknowledged in the planning application submission.
- The PROW application has yet to be determined (the application for the PROW is, like many, being decided by a Public Inquiry). As it stands there has never been, nor is there currently, a PROW across the site.
- The County Council and CBC both confirm that the route could be diverted at a later stage if required and that the planning application should be determined without prejudice to the outcome of the PROW matter.
- The Gloucestershire PROW team has been consulted and does not object to the planning application.

### Site sensitivity / Proximity to the AONB

- The Council's own landscape consultant confirms the proposals comply with relevant local and national landscape policy and supports the application subject to conditions.
- The Architects Panel supports the application.
- The image below helps to demonstrate the acceptability of the scheme in landscape terms. This is a view looking east from the AONB. The recent development of large, three storey dwellings (on land previously owned by CBC) is clearly visible in this view. In contrast, the application site is screened by dense vegetation which will remain during and after development.



### Tree Officers' Report

- A number of dead, dying, diseased and low-quality trees, including some dangerously overhanging the highway, have been removed.
- All tree removal was undertaken in accordance with DEFRA guidelines.
- An updated landscape strategy includes significant additional planting as requested by the tree officer, who has no objection.

### Concluding points

- The site is within the Principle Urban Area (PUA) of Cheltenham.
- It has permission in principle for three houses. In response to pre-application discussions, this application is for two dwellings.
- County Highways did not object to the PiP for three houses and has, after very thorough assessment, not objected to this application because there is no highway reason for it to do so.
- The Tree Officer does not object.
- The Council's own landscape consultant has no objection.
- The design is influenced by the context and evolved following officer advice at the pre-application stage, with the applicant willingly altering the scheme accordingly.
- The Architects Panel support the proposal, stating '*The scale and character of the contemporary design works well with the steep contours of the site*'.
- CBC cannot demonstrate a five year housing supply, which adds more weight to an anyway acceptable scheme.
- The owners of the site are on the Self Build Register and the Council is not yet delivering sufficient self-build plots to meet the demand.
- The Officer report is thorough and clear in its recommendation to permit, and we commend that recommendation to you.

The applicant will take the opportunity to present to Councillors at the meeting on Thursday. This letter provides more information than it would have been possible to convey in the time available at the meeting and we thus appreciate the opportunity to provide the clarifications within this letter at this stage.

Yours sincerely

**Simon Firkins MRTPI**  
**SF Planning Limited**



Thanks for that full reply and for explaining your thinking in much more detail. I do appreciate that.

On the right of way, I will obviously take your word for the legal advice you have received so I suppose it will be up to the committee to make the building of the second dwelling dependent on any such diversion of the right of way being agreed. They clearly shouldn't just grant permission for building on a right of way regardless. This may be one for our Head of Planning (copied in) to advise the committee on.

Likewise he may want to advise the committee on your very surprising suggestion that 'the principle of development.. has already been established under planning ref 20/01620/PIP' and that this adds 'significant weight' to your highways recommendation. This can't be right. I raised highways concerns at the outline stage and was told very clearly that they could not be considered then and had to be considered at this stage. So that outline permission cannot possibly have 'significant weight' in your highways advice.

And I'm afraid I still have to dispute the highways advice itself.

The traffic data you took is a single data set taken on one day over just half an hour which is never going to be reliable. The parish data is much more comprehensive, meets GCC's own standards using professional

monitors, was taken over time and is up to date as I will explain to the committee. I find it very hard to believe the average speed at this point is generally only slightly over 30mph when the speed limit at the edge of the site is still 40 and the robust parish data further down the road still shows significantly higher average speeds there.

Your accident data is also obviously incomplete. The idea that there has only been one accident there in the last 5 years goes against all the evidence of local people. And as I was once told by a medical research director, anecdotal evidence is still evidence. I actually included for you concrete video evidence of three accidents within five minutes in icy weather. Although this was from 2010, the road layout and usage hasn't changed materially since then. And your site visit took place on a Friday morning when traffic wouldn't have been particularly busy and there would have been few if any sports cyclists descending the hill which I've highlighted as a particular risk to life.

If I'm interpreting your visibility calculation correctly, it seems to be based on the visibility from the site exit into the road as if the road was flat and takes no account either of the lie of the land or the visibility towards the site which (again as shown in video evidence) is obscured for descending traffic by the lip of the hill road above and its twists and foliage.

In fact you do seem to be ignoring all the video evidence I gave you of accidents, fast cyclists and sharp braking and awkward manoeuvres by cars at this junction. And you discount as 'not relevant' the past use of banksmen by Severn Trent as dictated by their health & safety requirements without asking why they had such a requirement at this site. This is all evidence and cannot simply be ignored. I hope the committee will take it into account.

But thanks again for taking the time to reply in such detail.

I am copying in the chair and vice chair of the committee for their information as well as Cllr Oliver who mentioned this application to me earlier.