



**Land At Mornings Mill Farm,
Polegate, East Sussex**

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

**Appeal Reference:
APP/C1435/W/22/3297419**

LAP Reference: WD/2021/0174/MEA

on behalf of

The Vine Family

August 2022

IT432
INTERMODAL TRANSPORTATION

Hunters Court, Beelden Road, Saffron Walden, Essex, CB11 4AA
Tel: 01799 529529 Fax: 01799 529530 e-mail: enquiries@inter-modal.co.uk



CONTENTS	PAGE
QUALIFICATIONS AND EXPERIENCE	1
1 INTRODUCTION / SCOPE OF EVIDENCE.....	2
2 SITE LOCATION AND CHARACTERISTICS OF LOCAL ROAD NETWORK	5
3 SUBMITTED TA AND CONSULTATION RESPONSES OF ESCC AND NH AND REQUIRED HIGHWAY IMPROVEMENTS.....	8
4 HIGHWAY AND TRANSPORTATION SUSTAINABILITY MATTERS.....	13
5 CONSIDERATION OF WDC'S STATEMENT OF CASE.....	22
6 CONSIDERATION OF RULE 6 PARTY STATEMENT OF CASE AND THIRD PARTY REPRESENTATIONS.....	27
7 CONCLUSIONS	36

APPENDICES

APPENDIX JB1:	SITE LOCATION LOCAL AND WIDER CONTEXT
APPENDIX JB2:	RELEVANT HIGHWAY AND TRANSPORTATION POLICIES
APPENDIX JB3:	21 ST JULY 2021 ESCC EMAIL



QUALIFICATIONS AND EXPERIENCE

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



1 INTRODUCTION / SCOPE OF EVIDENCE

Introduction

- 1.1 Intermodal Transportation Ltd (ITL) was instructed by The Vine Family and University of Brighton (UoB) in March 2017 to consider the highways and transportation aspects of planning application WD/2017/1942/MAO which related to the proposed urban expansion of Polegate and Willingdon broadly in accordance with Wealden District Council (WDC) adopted Core Strategy (2013) Policy SD4. The proposals known as Mornings Mill Farm (MMF) would involve the provision of new homes, commercial development, a primary school, a medical centre and local community uses on 51.21ha of land situated to the north of the A2270 Eastbourne Road and south of the Brighton to Eastbourne railway line.
- 1.2 The site location in the local and wider context is shown on the plan at **Appendix JB1** of my proof.
- 1.3 In November 2018, a revised development proposal was submitted that proposed a reduced level of development to fully accord with the adopted Core Strategy Policy SD4 allocation under WDC planning Ref: WD/2017/1942/MEA. The revised planning submission was accompanied by updated Transport Assessment and Travel Plan reports prepared by ITL.
- 1.4 However, the 2018 scheme was refused planning permission at an appeal for non-determination and the reasons for refusal included a highway related reason.
- 1.5 Subsequently the UoB disposed of their part of the site, the Hindslands site, and the Vine Family submitted a new application for the same development mix but solely on land that they controlled. That application was submitted in 2021 and assigned the application reference WD/2021/0174/MEA by Wealden District Council (WDC) the Local Planning Authority (LPA). Notwithstanding that application WD/2021/0174/MEA was presented to planning committee with an officer recommendation for approval WDC refused planning permission for the application and included the following highway related reason for refusal: -



“The proposal has not demonstrated that a safe and suitable access arrangement can be achieved for all users and this is a significant issue left over and unresolved from the appeal into WD/2017/1942/MEA and PINS case APP/C1435/W/19/3230484. The scheme would therefore be contrary to Saved Policies EN1, EN2, TR3 and TR13 of the Wealden Local Plan 1998, Spatial Planning Objectives SPO7 and SPO15 and Policies WCS7 and WSC14 of the Wealden Core Strategy Local Plan 2013 and the guidance within Chapter 9 of the NPPF.”

- 1.6 The policies cited within the above reason for refusal are at **CD1.1** (NPPF), **CD2.1** (WDC Core Strategy) and **CD2.2** (WDC Local Plan) and the compliance of the appeal proposal to those policies is discussed in **Appendix JB2** of my proof.
- 1.7 During ITL’s involvement in the recent application we have held scoping and pre and post application discussions with East Sussex County Council (ESCC), the Local Highway Authority (LHA) in this instance, and latterly post determination discussions with National Highways England (NH), the Highway Authority for the nearby A27 trunk road. In addition, I attended and spoke at the planning committee south meeting on 4th November 2021 at which the application was heard.
- 1.8 Neither ESCC nor NH objected to application WD/2021/0174/MEA. I would confirm that, in the light of ESCC’s concerns, at the time of application WD/2017/1942/MEA, relating to the relationship of the scheme to the Hailsham Polegate and Eastbourne Movement and Access Corridor (HPEMAC), particular attention has been paid with the current application to ensure that the proposed Mornings Mill Farm access arrangements dovetail with and compliment the HPEMAC proposals.
- 1.9 The vehicular access arrangements proposed in conjunction with application WD/2021/0174/MEA are shown on application drawing IT432/RTA/03E, which is contained within the composite book of plans for the appeal proposal [**CD3.1**], and involve the provision of a priority T junction with ghosted right turn approximately 130m south of Broad Road and a signal controlled access



including pedestrian and cycle crossing facilities approximately 170m south of the northern access junction.

Scope of Evidence

1.10 My evidence is structured as follows: -

- Qualifications and Experience
- Section 1 - Introduction / Scope of Evidence
- Section 2 - Description of Local Road Network
- Section 3 - A summary of the key aspects of the Transport Assessment and consultation responses of ESCC and NH
- Section 4 - Highway and Transportation Sustainability Matters.
- Section 5 - Consideration of highway aspects of WDC's statement of case
- Section 6 - Consideration of highway aspects of Rule 6 Party statement of case and third party representations
- Section 7 - Summary and Conclusions



2 SITE LOCATION AND CHARACTERISTICS OF LOCAL ROAD NETWORK

Site Location

- 2.1 The site is situated immediately to the south-east of Polegate and north-west of Lower Willingdon. The site is situated to the north-eastern side of the A2270 (Eastbourne Road), from which vehicular access is currently taken, and to the south-west of the Brighton to Eastbourne railway line. In total, the development site comprises 51.21ha of land. The site is in the ownership of the Vine Family and comprises land forming part of Mornings Mill Farm.
- 2.2 To the north-west side, the site borders the Hindsland site and open fields / playing fields. To the south-east is open land, whilst to the north-east the site borders the 'Coastway' railway line between Eastbourne and Brighton. The A2270 Eastbourne Road forms the site's south-western boundary and the site has 2 existing vehicular access points on to Eastbourne Road.

Local Road Network

- 2.3 Within this section I describe the characteristics of the local road network and, in order to assist the reader, the general configuration of the network is shown on drawing IT432/POE/001 contained within **CD3.2**.
- 2.4 Eastbourne Road runs on a roughly south-east to north-west alignment adjacent to the site and gently curves away towards the north-west. Eastbourne Road is approximately 9.5m wide adjacent to the site and is subject to a 40mph speed limit. The road carriageway supports indicative cycle lanes on both sides of the main vehicular carriageway for cyclists to travel north and south and there is street lighting throughout in the vicinity of the appeal site. There is a continuous footway along the south-west side of Eastbourne Road but no footway along the frontage of the site, except for a short section associated with the existing bus stop at the access to the Hindslands site to the north. At the southern boundary of the site frontage along Eastbourne Road there is a pelican crossing linking the public footpath to the west side of Eastbourne Road and to the south of this there is a footway along the eastern side of the vehicular carriageway. The footway along the western side of Eastbourne Road is around 2.0m in width,



opposite the appeal site. However, it is set back from the highway and separated by a grassed highway verge strip, also with a width of approximately 2.0m.

- 2.5 Eastbourne Road is an important local distributor road connecting Eastbourne to the trunk road network (A27) and other principal routes to the north of Polegate. It also serves to provide access to local residential streets and has some direct frontage access to residential properties. To the north of the site, Eastbourne Road connects to Wannock Road and Polegate High Street at a four-arm signal controlled cross-roads junction located around 750m to the north of the site, before connecting to the A27 at a further traffic signal controlled junction located a further 300m to the north-west. To the south of the site, Eastbourne Road forms the main traffic route into Eastbourne with traffic flows splitting at the Willingdon Roundabout located approximately 2km to the south of the appeal site.
- 2.6 From Willingdon Roundabout the A2270 continues as Willingdon Road and connects to the A259 coast route just to the north of Eastbourne railway station. From Willingdon Roundabout it is also possible to travel south into central Eastbourne via the A2021 Kings Drive, which provides access to Sussex College and Eastbourne District General Hospital before connecting to the A2280 Cross Levels Way at the Rodmill Roundabout. Cross Levels Way continues north-east wards to connect to the southern end of the A22 Golden Jubilee Way, a high-quality highway link into Eastbourne from the A27 trunk road. Cross Levels Way provides vehicular access to the large retail park located to the east of Hampden Park. It is also possible to travel from Eastbourne Road to the retail park via Decoy Drive and Lottbridge Drove although this route involves crossing the railway line at a level crossing at Mountfield Road situated next to Hampden Park railway station. Mountfield Road and Cross Levels Way are the only two road crossings of the railway line between Polegate and Eastbourne railway stations.
- 2.7 To the north of the appeal site, the A27 passes Polegate to the north side along the Polegate Bypass. The A27 is a trunk road linking towns along the south coast from Portsmouth in the west to Pevensey to the east. To the east of Pevensey, the coast route continues as the A259 while to the west the A27



connects to the A23 (M23), London to Brighton route, and the M27 linking Portsmouth to Southampton. The Polegate bypass also forms part of the A22 London to Eastbourne road between the Cophall Roundabout to the north of Polegate and the A22 / A27 roundabout at the eastern end of Polegate Bypass.

- 2.8 The area around the site offers good access to existing public transport services, with a wide range of services operating on seven days per week. I discuss the bus services operating in the local area in more detail within chapter 4 of my proof.
- 2.9 There are existing cycle lanes along Eastbourne Road and the draft proposals for the HPEMAC scheme include proposals for a combined off-carriageway cycle and pedestrian route along the northern side of the road carriageway. As shown on application drawing IT432/RTA/03E, which is included within **CD3.1**, the proposed development would offer the opportunity to provide a southbound bus lane and would provide a high-quality signal connection across the highway.
- 2.10 I discuss the appeal site from a highways and transportation sustainability perspective in section 4 of my proof.



3 SUBMITTED TA AND CONSULTATION RESPONSES OF ESCC AND NH AND REQUIRED HIGHWAY IMPROVEMENTS

Introduction

- 3.1 Within this section of my proof, I summarise the key aspects of the submitted TA report **[CD3.4]** along with the consultation responses of ESCC in their capacity as LHA for the County road network and NH (formally Highways England (HE)) in their capacity as LHA for the Strategic Road Network (SRN).

Submitted TA

- 3.2 Following appeal reference: APP/C1435/W/19/3230484 ITL liaised with ESCC including attending a meeting at their offices on 10th March 2020 and then via a Microsoft Teams meeting on 8th September 2020. At the meeting of 10th March 2020, the minutes of which are contained at Appendix D of the submitted TA, it was agreed that, other than at the site access junctions for the appeal proposal, no further junction capacity modelling would be required if a further application was submitted for the scheme.
- 3.3 That agreement was reached because, as noted in the Statement of Common Ground (SoCG) **[CD13.4]** with ESCC, it was considered that the junction capacity assessments undertaken in conjunction with the 2019 planning appeal for application reference: WD/2017/1942/MEA provided an acceptable basis for assessing the performance of the local road network under the with Mornings Mill Farm proposal scenario.
- 3.4 As a result of the aforementioned discussions with ESCC it was agreed that only the following issues required consideration if a further application for the Mornings Mill Farm proposal was submitted: -
- a) The layout of the site access junctions and how they dovetail with the Hailsham, Polegate and Eastbourne Movement and Access Corridor (HPEMAC) proposals;
 - b) Calculation of non-car mode person trips and distribution of those trips;
 - c) Capacity analysis of the site access junctions; and



- d) Consideration of the relocation of bus stops on Eastbourne Road in conjunction with the provision of the proposed access junctions.

3.5 I summarise below how each of the above matters was addressed within the submitted TA and the subsequent submissions.

Item a)

3.6 Following the submission of further information, on 1st July 2021 and 3rd August 2021, during the determination period of planning application WD/2021/0174/MEA, including an amended access junction arrangement drawing, an accompanying stage 1 road safety audit and a designer's response to the stage 1 safety audit, ESCC confirmed their in-principle agreement in relation to the proposed access arrangements for the Mornings Mill Farm proposal.

3.7 The agreed access junction arrangements are shown on application drawing IT432/RTA/03E, which is included within **CD3.1**, and consist of a priority junction with ghosted right turn to serve the northern portion of the appeal site and a signal controlled junction including pedestrian and cyclist crossing facilities to serve the southern portion of the site. There would not be an internal vehicular connection between the 2 junctions and the northern junction would serve 150 dwellings plus the medical centre, whilst the southern junction would serve the remainder of the development proposed on the site.

3.8 As shown on drawing IT432/RTA/03E, which is included within **CD3.1**, a southbound bus lane would be provided on Eastbourne Road adjacent to the site in conjunction with the appeal proposal. That bus lane is not proposed as part of the HPEMAC scheme and, therefore, its provision in conjunction with the appeal proposal represents a benefit in the context of the operation of local bus services.

3.9 Furthermore, examination of drawing IT432/RTA/03E, which is included within **CD3.1**, confirms that, as agreed in the SoCG [**CD13.4**] with ESCC, the access arrangements for the Mornings Mill Farm proposal would dovetail with and compliment the HPEMAC proposals and would in no way compromise those proposals.



Item b)

- 3.10 The TA **[CD3.4]** includes the calculation of the volume of person trips expected at the development along with the likely distribution of those trips.

Item c)

- 3.11 The further information that was submitted on 1st July 2021 **[CD7.1]** included capacity assessments of the site access junctions shown on drawing IT432/RTA/03E, which is included within **CD3.1**. The results of the capacity assessments confirmed that the access junctions would operate acceptably without significant queuing or delay.

Item d)

- 3.12 Drawing IT432/RTA/03E shows the very minor amendment of the southbound bus stop just south of Broad Road that would be required in conjunction with the scheme. In addition, the drawing shows the proposed revised layout of the southbound bus stop that is to be relocated to a point just north of the existing Mornings Mill Farm main entrance in conjunction with the HPEMAC scheme. I confirm that ESCC did not raise any concerns in relation to the proposed amendments to these 2 southbound bus stops.

Consultation Response of ESCC

- 3.13 As previously noted, ESCC in their capacity as LHA did not raise an objection in relation to the appeal proposal within their consultation response **[CD7.5]**. The non-objection of ESCC was conditional on the provision of highway improvements and section 106 contributions, which are confirmed / discussed at the end of this chapter.

Consultation Response of NH

- 3.14 As previously noted, NH in their capacity as highway authority for the SRN did not raise an objection in relation to the appeal proposal within their consultation response **[CD7.3]**. The non-objection of NH was conditional on the provision of highway improvements, which are confirmed / discussed at the end of this chapter. A SoCG with NH is included as **CD13.3**.



Required Highway Improvements

3.15 In the light of the consultation responses of ESCC and NH, the WDC committee report for the appeal proposal **[CD5.1]** indicates that the following works are required prior to the occupation of any dwellings at the development and that thereafter up to 150 dwellings can be occupied at the development: -

- Completion of the A2270/Wannock Road/Polegate High Street signalised junction works; and
- Completion of HPEMAC phase 1.

3.16 Furthermore, the WDC committee report indicates that with the provision of the following highway improvements, in addition to those listed at paragraph 3.15 above, the remainder of the dwellings at the Mornings Mill Farm development could be occupied: -

- Highway improvements to the A27 Cophall roundabout in accordance with Intermodal Transportation Ltd's drawing IT432/SK/13 "Possible capacity improvement on Cophall roundabout" or other such scheme of works to provide substantially similar effect, which is included within **CD3.2**; and
- The completion of improvements works to the A27/A22 Golden Jubilee Roundabout and the A22 Golden Jubilee Way and Dittons Road Roundabout.

3.17 As set out within the WDC committee report the following further highway and transportation related improvements are to be delivered in conjunction with the Mornings Mill Farm scheme: -

- Provision of bus stop improvements to include raised kerbs, shelters, seating, and real time passenger information at 2 stop locations closest to the southern access (one of these being the southbound bus stop that is to be relocated in conjunction with the scheme);
- A £420,000 financial contribution towards bus services on the A2270 payable in 4 instalments of £105k at 75th dwelling; 150th, 225th and 300th;



- A financial contribution towards Huggetts Lane/A2270 junction to upgrade the signals technology of £50,000 to be made prior to occupation of the 75th dwelling;
- A Travel Plan to be provided for each phase of the development for each of the land uses, a Travel Plan Audit fee of £18k (£4.5k per phase) and bond sum of £140,000; and
- Car club provision for five cars (unless otherwise agreed) within the site on roads that are publicly adoptable in dedicated bays with charging facilities and car club membership for first occupants of each dwelling for a minimum of 1 year.

3.18 As noted within the SoCG **[CD13.4]** with ESCC the Appellants agree to the above improvements and the identified trigger points for their provision.

3.19 However, I would confirm that the Appellants' agreement to the following transport contribution requested by WDC is conditional on WDC demonstrating in the CIL Compliance Statement it is required to produce that the contribution being sought meets the CIL Regulations: -

- A £1,383,000 financial contribution towards public realm improvements in Polegate High Street to be paid in 2 instalments.



4 HIGHWAY AND TRANSPORTATION SUSTAINABILITY MATTERS

Introduction

- 4.1 In order to confirm that the site is accessible by non-car travel modes I examine accessibility by walking, cycling and public transport below.

Walking

- 4.2 Walking is the most important travel mode and it can be regarded as the most sustainable, often forming part of a multi-modal journey in conjunction with public transport. Government statistics indicate that 22% of all journeys by UK households are made on foot (source DFT LTN1/04) and the results of the 2020 National Travel Survey (NTS) indicate that 83% of journeys under one mile (1.6km) are undertaken on foot. It is therefore considered that this distance should be regarded as applicable in terms of defining the walk-in catchment of a new development such as the development at the appeal site.
- 4.3 In the light of the above, a review of local facilities, including healthcare, education, leisure and shopping was conducted within the 1.6km walking distance. The review illustrates that a range of facilities are available within this distance of the development site. In addition, it should be noted that the overall development would add additional facilities that are within walking distance of existing residential properties in Willingdon and Polegate such as: the Medical Centre, new School, Community Facilities and local shops.
- 4.4 Table 4.1, over the page summarises the local facilities that would be available to residents of the proposed development site within the defined 1.6km walking distance.



Table 4.1: Summary of Selected Existing Local Services and Facilities Accessible Within 1 Mile (1.6km) of the Application Site Boundary.

Facilities	Approximate Walking Distance from the Site
Restaurants and Pubs	
Horse and Groom (PH)	870m*
The Triangle Cafe	440m**
The British Queen (PH)	500m**
The Viceroy Indian Restaurant	1.1km
The Dinkum	1km***
The Seven Sisters pub	870m**
Retail and Shops	
Eso / Tesco Express	580m*
Co-Op	920m***
One Stop	825m***
Ladbrokes	830m***
Post Office (Co-Op Polegate Station)	920m***
Kontour Cycles	1.1km***
BP / M&S Simply Food	1.1km**
Educational Facilities	
Willingdon Community School	600m*
Willingdon Primary School	1.25km*
Polegate School	1.5km***
Leisure/Health and Fitness	
Kamsons Pharmacy (The Triangle)	440m**
Kamsons Pharmacy (High Street)	820m***
Manor Park Medical Centre / Polegate Dental Practice	850m*
Polegate Town FC	950m*
Municipal Services	
Willingdon Library	560m**
Polegate Town Council	900m***
Willingdon and Jevington Parish Council	470m**
The Polegate Community Association	1.3km***

* Measured from proposed northern access

** Measured from proposed southern access

*** Measured from access to Black Path



- 4.5 As Table 4.1, above, illustrates, the site is close to a range of local facilities which would provide for everyday necessities, i.e. convenience goods, health and education services as well as a variety of specialist retail, employment and information centres that can be accessed on foot within 1.6km.
- 4.6 Table 4.1 shows that in terms of retail, the site is well located for access on foot with a collection of convenience stores, and a post office. The nearby Tesco 'One Stop' store, situated on Eastbourne Road to the north of the appeal site, provides convenience shopping opportunities from 6am-10pm daily. As indicated above, the planning application includes small retail units, a medical centre and community facilities to serve the site. All of these facilities would be located within a short walk for all new residents, as well as serving the wider existing community.

Cycling

- 4.7 The former national planning guidance PPG13 (paragraph 77) stated that "*Cycling also has potential to substitute for short car trips, particularly those less than 5 kilometres [in length]sic, and to form part of a longer journey by public transport*". There has been no recent advice that supersedes this and therefore the PPG 13 advice remains the most recent in this respect. As well as Willingdon and Polegate, a reasonable proportion of Eastbourne falls within 5km of the site and cycle journeys between the site and Eastbourne would be enhanced with the implementation of the HPEMAC scheme. Furthermore, I would highlight that the retail and employment opportunities adjacent to the Lottbridge roundabout are located within 5km of the site via National Cycle Route 21, which is predominantly segregated from traffic within the vicinity of the site, runs adjacent to the A22 and which can be accessed via Poly Arch. In addition, I would confirm that the LIDL foodstore on Dittons Road could also be accessed from the site via the shared footway / cycleway running on the southern side of the B2247. I therefore consider that cycling could be used for commuter trips, shopping trips and leisure trips to facilities within the local area, including to the railway station at Polegate.



- 4.8 The development proposal would facilitate the upgrading of the existing public footpath which passes through the middle of the site from Eastbourne Road to the railway crossing at Polly Arch. This would potentially link the existing cycle lanes in Eastbourne Road with Dittons Road and the Cuckoo Trail off-road cycle track. The development site would also provide a network of off-road cycle tracks and cycle links through lightly trafficked residential streets.

Public Transport

- 4.9 The area around the site offers good access to existing public transport services, with a wide range of services operating on seven days per week. Regular bus services connect the local area to Eastbourne and neighbouring settlements, such as Hailsham and Eastbourne town centre, with bus stops accessible at the junction of Broad Road with Eastbourne Road at the south western corner of the application site. The nearest railway station is located at Polegate town centre and it is between a 920m and approximately 1.2km walk from the site via either Black Path or the footways along Eastbourne Road and Polegate High Street. Polegate railway station is located on the East Coastway Line between Brighton and Eastbourne, with train services operated by Southern. Polegate railway station offers direct trains to coastal towns such as Eastbourne, Brighton, Bexhill and Hastings and to other stations such as London Victoria, Ashford International and Gatwick Airport.
- 4.10 It is generally recognised that the maximum convenient walking distance in order to access urban bus services is around 500m. This walking distance to a bus stop has emerged from theoretical studies and has been supported by research undertaken for the National Travel Survey (NTS). There is a northbound bus stops located on Eastbourne Road around 180m walking distance from the proposed northern site access junction, whilst there is a southbound stop around 90m walking distance from the proposed junction. These stops are served by bus services with destinations including Eastbourne, Lewes and Hastings. There are alternative bus stops situated on Coppice Avenue to the south-west of the application site, approximately 560m walking distance from the proposed northern site access.



4.11 Table 4.2 summarises the bus services available from the above mentioned bus stops.

Table 4.2: Bus Service Summary

Bus Service	Route*	Weekday		Weekend	
		First/last Service	Peak Frequency	First/last Service	Peak Frequency
Services from Broad Road Bus Stops on Eastbourne Road					
51/51x**	Heathfield – Hailsham – Eastbourne	06:18-23:21	2 buses per hour	Sat 07:36-23:21 Sun 09:13-22:21	2 buses per hour
54/54A** *	Uckfield – Hailsham – Polegate – Eastbourne	06:24-20:17	1 bus per hour	Sat 08:25-20:17 Sun 09:00-19:00	1 bus per hour
98****	Hastings – Bexhill – Sidley – Hailsham – Polegate – Eastbourne	08:02-17:28	1 bus per hour	Sat 08:02-17:28 Sun - N/A	Hourly N/A
125	Lewes – Alfriston – Polegate – Eastbourne	10:11-13:09	2 buses per day	Sat - NA Sun – N/A	NA N/A
Additional Services from Coppice Avenue, Broad Road (North Bound)*****					
6	Eastbourne – Langney Shops	09:01 – 17:50	1 bus per hour	09:01 – 17:50 Sun – N/A	1 bus per hour Sun – N/A
26	Eastbourne – Seaford	N/A	N/A	Sat – N/A 10:16 – 18:16	Sun – N/A 1 bus every 2 hours



25	Eastbourne - Lewes	N/A	N/A	09:15 – 18:15 Sun – N/A	1 bus every 2 hours Sun – N/A
41	Eastbourne – Hailsham - Eastbourne	10:24	1 bus per day (Tuesdays and Thursdays only)	N/A	

Notes:

- *Frequencies shown from Broad Road stop are for southbound direction.
- ** Southbound 51 / 51X services available from stop at Broad Road / Coppice Avenue junction.
- *** 54A service offers a reduced route compared to 54
- ****On Saturdays 98 service is available from stop at Broad Road / Coppice Avenue junction.
- ***** Corresponding southbound services typically available from Willingdon Community School stop.

4.12 As outlined in Table 4.2 above, there is a good provision of bus services connecting the site into Eastbourne town centre and to Hailsham from the nearest bus stops along Eastbourne Road. Services 54 and 98 combine to provide two services per hour to Eastbourne and Hailsham with additional services provided by 51X at peak times. Other destinations are also served directly from these bus stops including Hastings and Lewes. The principal services, 51 and 54, operate throughout the day and into the evenings from Monday to Saturday and also on Sunday. The majority of services calling at the nearest bus stops also call at Polegate railway station, which is located to the north of the appeal site.

4.13 The bus services available from the bus stops along Coppice Avenue provide access to additional bus routes not serving the Eastbourne Road stops. However, these stops are less convenient to potential residents and employees located at the appeal site. Further bus services are also available from the bus stops at Polegate railway station and Eastbourne town centre via connections from the nearest bus stops.

4.14 I would highlight that the implementation of the HPEMAC proposals should improve the reliability / frequency of bus services passing the site and further enhance the site's already good sustainability profile.



- 4.15 Polegate railway station is located within the defined 1.6km walk-in catchment from the appeal site, with access via Black Path in Polegate serving the northern part of the site and the southern and western parts able to access the station via Eastbourne Road and Polegate High Street. As noted above in paragraph 4.2, the NTS results suggest that 83% of all journeys less than 1.6km in length are undertaken on foot and, therefore, I consider that the railway station at Polegate could be accessed on foot by residents and employees of the proposed development.
- 4.16 Polegate Station is a principal stop along the line from Brighton to Eastbourne and some direct services continue eastwards to Bexhill and Hastings. There are regular direct train services to London Victoria, which call at Gatwick Airport, East Croydon and Clapham Junction giving a very comprehensive range of connecting public transport options. London Victoria is reached in only 1 hour and 16 minutes by the fastest direct trains. All passing services are scheduled to stop at Polegate station and Southern advises that this station is staffed at all times and offers step-free access from the street to both platforms. Polegate railway station offers a very attractive option for travel to and from the appeal site. Polegate Station is accessible by bus services calling at bus stops on Eastbourne Road as well as by direct and convenient walking routes from the application site. The range of train services available from Polegate is outlined in Table 4.3 over the page.



Table 4.3 Typical train services from Polegate railway station

Route	Weekday			Weekend		
	Operating Times	Services per hour (Peak)	Services per hour (Off-Peak)	Operating Times	Services per hour Peak	Services per hour Off-Peak
Eastbound						
Polegate - Eastbourne	05:24-00:10	4	3	Sat - 05:36-02:17 Sun - 07:37 – 00:13	4 2	4 2
Polegate - Hastings	05:24-00:10	3	2	Sat - 05:36-00:10 Sun – 07:37 – 23:03	4 2	4 2
Polegate – Hastings (Ore)	05:24-00:11	3	2	Sat - 05:36-22:39 Sun – 07:37 – 21:37	3 2	3 2
Westbound						
Polegate – Lewes / Brighton	04:58-00:15	4-2	2-2	Sat - 05:04-00:14 Sun – 06:42 – 23:07	4 - 2 2 - 2	4-2 2 - 2
Polegate – London Victoria	04:58-22:32	2	2	Sat - 05:04-22:13 Sun – 08:05 – 21:07	2 2	2 1

Note: trains to Brighton sometimes require a change at Lewes



- 4.17 Table 4.3, above indicates that Polegate is well served by frequent train services, with up to 4 trains per hour towards Eastbourne, Hastings and Ore and up to 2 / 3 trains per hour towards London. Moreover, the services run from early morning into the early hours during weekdays and weekends providing a comprehensive level of accessibility by train.
- 4.18 Table 4.3 only tabulates direct services available from Polegate. Many other destinations and public transport services can be made by changing at principal stations served by the services from Polegate. These include Lewes and Brighton for westbound routes towards Southampton as well additional services to London. From Brighton the Gatwick Express can be used, a non-stop express, service between Brighton, Gatwick Airport and London Victoria although direct services from Polegate to London Victoria also call at Gatwick Airport.
- 4.19 It should also be noted that additional peak hour services run between Polegate and London Bridge, offering an alternative to London Victoria for commuter travel. Polegate is also linked to Ashford International with an hourly service offering connections to Eurostar services to continental Europe, without the need to travel into London and cross to St Pancras International station. This route is accessible with only one change at the nearby Hampton Park station. As noted above, trains to London from Polegate also call at London Gatwick Airport which provides access to domestic and international flights to many destinations.
- 4.20 In the light of the above I conclude that, overall, the site is well positioned relative to local facilities and to allow access by non-car modes of transport linking the site locally and regionally, either directly or through interchange facilities.



5 CONSIDERATION OF WDC'S STATEMENT OF CASE

5.1 Within their Statement of Case [CD11.5] WDC indicate that:

"5.13 The application was for outline planning permission with all matters reserved except for access. It is noted that in respect of the earlier appeal which related closely to the same site (ref WD/2017/1942/MEA, APP/C1435/W/19/3230484) ('the 2019 appeal') the Inspector concluded that the scheme would compromise planned bus priority measures forming part of the Hailsham, Polegate & Eastbourne Movement and Access Corridor ('HPEMAC'). The HPEMAC is a sustainable transport corridor from Hailsham to Eastbourne which seeks to minimise predicted traffic congestion in the Eastbourne and South Wealden areas as a result of increased development."

5.2 In response to the above comment of WDC I would initially highlight that ESCC the LHA for Eastbourne Road have agreed within a SoCG [CD13.4] that *"...the access junction arrangements shown on application drawing IT432/RTA/03E would dovetail with and compliment the HPEMAC proposals and would in no way compromise those proposals."*

5.3 Furthermore, I would highlight that the access arrangements shown on drawing IT432/RTA/03E, which is included within **CD3.1**, include a southbound bus lane, which was not included on the drawings upon which the inspector at appeal reference: APP/C1435/W/19/3230484 based her decision. The provision of the southbound bus lane in conjunction with priority measures at the southern signal-controlled site access junction would enable buses to bypass any queuing vehicles / congestion on Eastbourne Road on the approach to the southern access junction. This would mean that delays for southbound buses on Eastbourne Road because of the proposed southern access junction should be minimal.

5.4 The access junction arrangements shown on drawing IT432/RTA/03E, which is included within **CD3.1**, respect / accommodate the northbound bus lane proposed as part of the HPEMAC scheme. The southern access junction has been designed in such a way that the northbound bus lane would effectively by-



pass the junction. In that regard, the only times that buses in the northbound bus lane would be held at a red signal would be if the proposed pedestrian crossing of Eastbourne Road at the southern access junction was called or if the on-demand signalised exit only from the residential properties on the western side of Eastbourne Road was activated. This would mean that delays for northbound buses on Eastbourne Road because of the proposed southern access junction should be minimal.

5.5 The northern access junction would take the form of a priority junction with a ghosted right turn lane, which was demonstrated within the information submitted on 1st July 2021 to be sufficient to accommodate any vehicles waiting to turn right into the site without blocking through movements on Eastbourne Road. As such, the provision of the northern site access junction would not lead to material delays for north and southbound buses on Eastbourne Road.

5.6 I therefore conclude that the proposed vehicular access arrangements for the appeal proposal would not compromise the HPEMAC scheme and would not lead to notable / severe delays for the buses travelling on Eastbourne Road within the vicinity of the site. Furthermore, I would highlight that the comments of WDC in relation to the relationship of the proposed access arrangements to the HPEMAC scheme are at odds with the position of ESCC, the LHA for Eastbourne Road, who have raised no objection to the highway aspects of the appeal proposal.

5.7 Notwithstanding the above, I highlight that the inspector for appeal reference: APP/C1435/W/19/3230484, the drawings associated with which did not include the southbound bus lane shown on the drawings for the current scheme, commented at paragraph 26 on page 6 of the appeal decision **[CD11.1]** that:

“The delays expected to affect southbound buses are perhaps relatively small in themselves and they are certainly small in the context of an overall journey time from Hailsham to Eastbourne exceeding half an hour.”

5.8 Furthermore, at paragraph 53 on page 11 of the appeal decision **[CD11.1]** the inspector states that:



“The disruption of the HPEMAC would conflict with the Framework for the reasons given above and would seem wasteful of imminent and fully funded mitigation. It is therefore something to which I attach a good deal of weight, but whether the specific delays involved would amount to a “severe” impact on the road network (as required by paragraph 109 of the Framework) is perhaps doubtful in the context of the tilted balance.”

5.9 As indicated above, the access arrangements that were considered as part of appeal reference: APP/C1435/W/19/3230484 did not include the southbound bus lane proposed as part of the current scheme and include a signal controlled northern access rather than the priority junction now proposed. As such, they would be expected to lead to greater delays for bus services using Eastbourne Road than the access arrangements proposed in conjunction with the current scheme. However, even on the basis of those less favourable access arrangements the inspector for appeal reference: APP/C1435/W/19/3230484 queried whether a severe impact on the operation of the road network would occur.

5.10 Within their Statement of Case WDC then go on to indicate that:

“5.13 Whilst the current appeal scheme aimed to address the earlier criticisms made in the earlier appeal, the Council considers the HPEMAC has not been given sufficient consideration. The Eastbourne Road, off which the site lies and onto which the detailed access is proposed, sees significant and high levels of congestion. In the opinion of the Council, the impact from adding traffic from the appeal scheme into this network cannot be sufficiently mitigated and the concerns of the earlier appeal Inspector have not been addressed.”

5.11 In response to the above comment from WDC I would firstly confirm that the capacity and congestion on the local and strategic road networks was considered in detail prior to and at the time of appeal reference: APP/C1435/W/19/3230484.



- 5.12 As a result of the aforementioned considerations of the capacity and congestion on the local and strategic road networks, as set out earlier in my proof, both ESCC and NH have agreed that, subject to the provision of identified highway improvements, the traffic associated with the Mornings Mill Farm proposal can be acceptably accommodated on the local and strategic road networks. Furthermore, I would confirm that, as a result of the earlier considerations of capacity and congestion on the local road network, ESCC only required the proposed site access junctions to be modelled in conjunction with planning application reference: WD/2021/0174/MEA and it was demonstrated that the access junctions would operate acceptably without significant queuing or delay.
- 5.13 In addition to the above, I would confirm that it is my understanding that the appeal inspector from the earlier appeal did not raise concerns in relation to traffic congestion per se, rather, as discussed above, in relation to the effect of the development access junctions on the operation of the HPEMAC.
- 5.14 Within their Statement of Case WDC then indicate that:

“5.14 Having regard to the overall purpose of the HPEMAC to minimise congestion, this failure to promote bus use would be detrimental to the operation of the local road network. Thus the proposal would be contrary to Policy TR3 of the WLP 1998, which requires that new development does not perpetuate unacceptable traffic conditions and that it provides appropriate public transport facilities. The proposal has not demonstrated that a safe and suitable access arrangement can be achieved for all users and this is a significant issue left over and unresolved from the 2019 appeal by the Inspector. The current scheme would therefore be contrary to Saved Policies EN1, EN2, TR3 and TR13 of the Wealden Local Plan 1998, Spatial Planning Objectives SPO7 and SPO15 and Policies WCS7 and WSC14 of the Wealden Core Strategy Local Plan 2013 and the guidance within Chapter 9 of the NPPF.”



- 5.15 I have demonstrated above that the access arrangements associated with the appeal proposal would not compromise the HPEMAC scheme. In addition, I have demonstrated that the appeal proposal can, with the provision of agreed highway improvements be acceptably accommodated on the local road network. As such, I do not consider that the proposal would be contrary to Policy TR3 of the WLP 1998.
- 5.16 Further to the above, I would confirm that the proposed arrangements shown on drawing IT432/RTA/03E, which is included within **CD3.1**, were the subject of an independent stage 1 road safety audit, which is included in **CD7.1**. The audit and ITL's designer's response were submitted on 1st July 2021 and ESCC raised no objection to the highway aspects of the scheme including the proposed vehicular access arrangements. As such, I consider that it has been demonstrated that a safe and suitable access can be achieved for all users.
- 5.17 In the light of the clarifications provided above and as demonstrated within **Appendix JB2** of my proof I consider that the appeal proposal would not be at odds with Saved Policies EN1, EN2, TR3 and TR13 of the Wealden Local Plan 1998, Spatial Planning Objectives SPO7 and SPO15 and Policies WCS7 and WSC14 of the Wealden Core Strategy Local Plan 2013 and the guidance within Chapter 9 of the NPPF.



6 CONSIDERATION OF RULE 6 PARTY STATEMENT OF CASE AND THIRD PARTY REPRESENTATIONS

Introduction

- 6.1 Within this section I consider the Rule 6 Party Statement of Case along with comments raised by third parties. In order to avoid repetition and excessive quotation of the third party comments, where possible I have looked to summarise the key highway and transportation points contained within those comments. Furthermore, if a number of third parties have all raised comments on a common theme I have responded collectively to that point rather than to each individual comment.

Consideration of Rule 6 Party Statement of Case

- 6.2 Within their Statement of Case, dated 23rd June 2022 [C11.6], Willingdon and Jevington Parish Council indicate that when making representations to the Inquiry they will, non-exclusively, refer to:

“... the impact of the highways improvements proposed by the appellants as part of the access arrangements and of the effect of these upon common land not in the ownership or control of the appellants.”

- 6.3 As indicated above, the proposed site access junction arrangements have been duly considered and assessed. The proposed arrangements have been reviewed by ESCC, the LHA for Eastbourne Road, have been subjected to an independent stage 1 road safety audit and have been capacity assessed. In addition, it has been ensured that the access junction proposals do not negatively impact on the HPEMAC scheme.
- 6.4 On the basis of the investigations undertaken ESCC did not raise an objection in relation to the highway aspects of the development proposal including the proposed vehicular access arrangements.



Consideration of third party representations

6.5 Within their statement for the appeal, as submitted on 22nd June 2022 Willingdon Residents Association indicate, under the heading of Infrastructure, that the A2270 has recently been highlighted as the busiest and most congested A road in England. Within his written submissions to the Inquiry, Councillor Douglas Murray also refers to the A2270 being the most congested A road in England.

6.6 In response I would advise that internet research confirms that the A2270 was listed as the most congested 'A' road in England by 'MotorTransport' who are a motor news organisation. However, the article on the 'SussexWorld' website dated 11th March 2022 that refers to the 'MotorTransport' claim suggests that the congestion was due to roadworks at the junction with the A27. I consider that roadworks are not a permanent feature and do not therefore consider that any weight should be attached to the 'MotorTransport' claim in the context of considering the normal operation of the A2270.

6.7 Willingdon Residents Association go on to indicate within their statement, under the heading of Infrastructure, that:

"The lack of infrastructure, which was highlighted by the Inspector when the previous plan was put forward, has still not been addressed and there seems to have been no communication or 'joined up thinking' with the people conducting the Hailsham to Eastbourne Movement and Access Corridor (HPEMAC), which is going to make the A2270 road narrower and therefore more congested."

6.8 I confirm that the proposed access junction arrangements have been reviewed and accepted by ESCC who have also discussed / shared them with JACOBS who have produced the HPEMAC scheme drawings. An email from ESCC confirming that fact is contained at **Appendix JB3** of my proof. As such, the assertion that there seems to have been no communication or joined up thinking with the people conducting the HPEMAC scheme is inaccurate. I would also highlight that, as indicated earlier, ESCC have agreed within a SoCG [CD13.4] that "...the access junction arrangements shown on application drawing IT432/RTA/03E would dovetail with and compliment the HPEMAC



proposals and would in no way compromise those proposals.”.

- 6.9 The final comments that Willingdon Residents Association make within their statement, under the heading of Infrastructure, are that neither this application nor the HPEMAC proposals take into account the proposed changes at the Huggett’s Lane junction if and when the Brodricklands/Hamlands Farm site is completed. In addition, it is indicated that traffic travelling slower along the A2270 because of congestion will lead to increased pollution levels.
- 6.10 I consider that whether or not the Brodricklands/Hamlands Farm proposals dovetail with the HPEMAC scheme proposals should not be of concern in the context of considering the Mornings Mill Farm proposal as the junction is somewhat distant (approximately 680m) from the appeal site. Furthermore, I would confirm that the performance of the Huggett’s Lane junction was modelled as part of the investigations at the appeal site. As noted earlier in my proof, the Appellants have agreed to a financial contribution of £50,000 being paid in conjunction with the appeal proposal to upgrade the signals technology at the junction with a view to improving the performance of the junction.
- 6.11 Dr Katy Read of Biodiversity Advanced Ltd and Katherine Johnson of Idom have prepared evidence relating to pollution matters.
- 6.12 Under the heading of *Traffic* the Willingdon Residents Statement goes on to comment that if 2 new sets of traffic lights are installed on the A2270 within close proximity of one another that would lead to traffic congestion on the road.
- 6.13 I would clarify that application drawing IT432/RTA/03E, which is included within **CD3.1**, confirms that the southern development access junction would be signal controlled and the northern access junction priority controlled. As such, the proposal would only involve the provision of 1 signal controlled junction and not 2 as suggested by the Willingdon Residents Association. Furthermore, I confirm that the modelling of the junctions that was submitted on 1st July 2021 indicated that the junctions would operate acceptably without severe queuing and delay.



- 6.14 Under the Traffic heading, Willingdon Residents Association go on to comment that the removal of a pelican crossing, which I understand to be just south of the existing farm access, would lead to highway safety issues involving children accessing the local schools. Councillor Douglas Murray also raises this issue within his written submissions.
- 6.15 I confirm that it is not intended in conjunction with the Mornings Mil Farm proposal to remove the existing pelican crossing on Eastbourne Road to the south of the existing farm access. That crossing is located to the south of the note at the bottom of drawing IT432/RTA/03E, which indicates that the proposed alignment would tie in to the HPEMAC scheme. As such, I would highlight that the proposed scheme would provide the road safety benefit of the provision of an additional controlled crossing on Eastbourne Road.
- 6.16 Willingdon Residents Association then go on to comment that because of congestion on the A2270 rat running of local roads in Willingdon occurs and the highway safety issues associated with that would be exacerbated by the development proposal.
- 6.17 I confirm that ESCC did not request that the TA for the appeal scheme should consider the issues cited by Willingdon Residents Association in Coppice Avenue, Gorringe Valley Road, and Wannock Avenue. Those issues would appear to be existing and would in part appear to be related to the operation of Willingdon Community School. As such, I do not consider that it should be for the Mornings Mill Farm proposal to address them and I also consider that if those issues were of concern to ESCC in the context of ensuring the safe operation of the local road network they would have already / be planning to investigate potential solutions to them.
- 6.18 Willingdon Residents Association also comment that if the Mornings Mill Farm development goes ahead, it would affect the operation of the strategic and local road networks and the safety of all road users including upon planned bus priority measures.



- 6.19 As previously indicated, subject to the provision of various highway improvements, neither ESCC, the LHA for the local road network, or NH, the highway authority for the SRN objected to the appeal proposal. Furthermore, as previously indicated I confirm that ESCC have agreed within a SoCG **[CD13.4]** that “...*the access junction arrangements shown on application drawing IT432/RTA/03E would dovetail with and compliment the HPEMAC proposals and would in no way compromise those proposals.*”.
- 6.20 Willingdon Residents Association’s indicate that they consider that the appeal proposal would be in conflict with Policies TR3 and TR13 of the WLP 1998. However, I consider that I have demonstrated within my proof that any such claim is unfounded.
- 6.21 Willingdon Residents Association comment that a minimum of an extra 1500 cars are likely to come onto the A2270 through Willingdon as well as commercial vehicles associated with the employment area and construction vehicles for the next 10 years and possibly longer.
- 6.22 In terms of the volume of traffic attracted to the development proposal, I confirm that the robust TRICS (Trip Rate Information Computer System) based traffic calculations summarised in Table 5.6 on page 24 of Appendix B of the TA for the appeal scheme **[CD3.4]** indicate that the proposal would attract 951 and 748 two way traffic movements during the typical weekday AM and PM peak hours respectively. Those figures are substantially lower than Willingdon Residents Association’s estimate of 1500 cars. I also confirm that the TRICS data represents trip rates that have been derived from surveys of comparable similar sites and is not directly influenced by Census data as suggested by Councillor Douglas Murray within his written submissions, although I would confirm that the TRICS secondary filtering criteria do include population and car ownership.



- 6.23 Notwithstanding that construction impacts would be temporary only, the proposed planning conditions for the development include a requirement for a Code of Construction Practice to be submitted with each development phase. The Code of Construction Practice would, amongst other things, include management of traffic during construction in order to ensure that construction vehicle impacts are minimised.
- 6.24 Finally, Willingdon Residents Association comment that the development would be likely lead to a reliance on private cars, further exacerbating road congestion problems and subsequently that pollution is unlikely to cease to be something that needs serious consideration for some time.
- 6.25 As confirmed in chapter 4, the site is within walking distance of Polegate rail station. Furthermore, the site is well located to encourage trips on foot and cycle to key local facilities and would be located immediately adjacent to the HPEMAC which would provide increased frequency bus services and priority measures for those services.
- 6.26 In the light of the above, ESCC have agreed within a SoCG **[CD13.4]** that the Mornings Mill Farm proposal would be highly accessible by non-car modes of transport and I would conclude that the proposal would have the potential to encourage everyday journeys by non-car modes.
- 6.27 As noted above, Dr Katy Read of Biodiversity Advanced Ltd and Katherine Johnson of Idom have prepared evidence relating to pollution matters.
- 6.28 A number of other third parties have commented that the local area and the A270 Eastbourne Road is already congested and that the increase in traffic from the development could not be accommodated. Those parties include, Councillor Douglas Murray, Mr S A Jack, Mr R Ruth, Mr M Ruddick, R J Bennett, Miss P Hudson and Mr R Burnside.



- 6.29 However, I confirm that extensive modelling of the local and strategic road networks has previously been undertaken in conjunction with the re-development of the site. On the basis of the results of the modelling, ESCC have agreed that, subject to the provision of various highway capacity improvements, which are listed in section 3 of my proof, the appeal proposal can be acceptably accommodated on the local road network as have NH in relation to the SRN.
- 6.30 Councillor Murray and Miss P Hudson also commented that the Polegate crossroads / traffic lights, which I understand to be the signal controlled junction of Polegate High Street/the A2270/Wannock Road, experiences unacceptable congestion / is a bottleneck. However, as noted earlier in my proof, ESCC have designed a scheme to improve the operation of that junction and require that scheme to be implemented prior to the occupation of any dwellings at the appeal site.
- 6.31 Mrs R Ruth has also suggested that the appeal proposal would compromise the ability of children to safely access schools. However, as noted above, an additional controlled crossing of Eastbourne Road is proposed in conjunction with the proposal and I consider that will improve conditions for all pedestrians including school children.
- 6.32 Councillor Murray suggests that the proposed access junction arrangements for the appeal scheme block off access for several homes on Foulride Green. I confirm that it is proposed that one of the many existing access / egress points through the western portion of Foulride Green be converted to an on-demand signal controlled exit only in conjunction with the provision of the proposed southern, signal controlled, access junction. However, the properties that may utilise that existing access are served by 2 further existing access / egress points. As such, I confirm that access to homes will not be blocked off in conjunction with the proposal. In fact, I consider that the appeal scheme access proposals would improve access / egress for the homes on the western portion of Foulride Green as the proposals include hatched central areas on Eastbourne Road where cars waiting to turn right into the western portion of Foulride Green can wait clear of through traffic. In addition, the provision of an



on-demand signal controlled exit point from the western portion of Foulride Green would provide an un-opposed opportunity for drivers from that location to access Eastbourne Road.

- 6.33 Councillor Murray then suggests that the site's connection to Black Path is not safe for walking and cycling and that any attempts to improve the connection will be resisted. However, the inspector at the earlier appeal reference: APP/C1435/W/19/3230484 indicated in the final sentence of paragraph 29 on page 7 of the appeal decision [CD11.1] that:

"...pedestrians would also be able to use existing routes towards Polegate from the north of the site, via Black Path or "Polyarch" without the need for upgrading."

- 6.34 The inspector for appeal reference: APP/C1435/W/19/3230484 goes on to confirm in paragraphs 30 and 31 on page 7 of the appeal decision [CD11.1] that:

"30. Whether the routes via Black Path or "Polyarch" could be upgraded to meet the formal standards for cycle paths or those required by the Disability Discrimination Act is less certain. The former route runs over Polegate Town Council's land, with the appellants benefitting from an easement which permits various vehicles, including motor vehicles, to pass over a particular strip of land to the site. It is not absolutely clear that this confers a right to upgrade the path, but the existence of the easement suggests there is a reasonable prospect of suitable access being achieved.

31. Moreover, a surfaced path runs parallel to the strip of land covered by the easement. It is not wide enough to constitute a formal cycle path and public use in perpetuity cannot be guaranteed. However there is no particular concern that access will be denied and its quality is such that cyclists from the development could use it. Consequently, the Black Path route would provide a suitable, if not perfect, route to Polegate for cyclists from the north of the site."



- 6.35 As such, it is clear that Councillor Murray's comments in relation to the connection via Black Path are at odds with the Inspector's considered opinion in conjunction with appeal reference: APP/C1435/W/19/3230484.
- 6.36 The final point I consider relates to a claim that the development will cause further parking problems for Polegate and a suggestion that is linked to commuting from Polegate station.
- 6.37 I confirm that the development would provide parking that accords with the requirements of ESCC and would therefore meet its own parking needs. In addition, the development, which would be within walking distance of Polegate train station and would be located adjacent to the HPEMAC corridor, not to mention within walking distance of everyday facilities, would provide the opportunity encourage trips by non-car modes. Consequently, I do not consider that the proposal would cause parking problems for the local area.



7 CONCLUSIONS

- 7.1 The Vine Family submitted a planning application for the Mornings Mill Farm development proposal in 2021. The application was assigned the application reference WD/2021/0174/MEA by Wealden District Council (WDC) the Local Planning Authority (LPA). Notwithstanding that application WD/2021/0174/MEA was presented to planning committee with an officer recommendation for approval WDC refused planning permission for the application.
- 7.2 I have confirmed within my proof that neither ESCC, in the capacity of LHA for the local road network, nor NH, in the capacity of highway authority for the SRN objected to application WD/2021/0174/MEA. I have further confirmed that the non-objections of ESCC and NH were conditional on the provision of highway improvements and contributions and I have listed those improvement measures in section 2 of my proof.
- 7.3 I have demonstrated within my proof that the proposed vehicular access arrangements for the proposal would dovetail with and compliment the HPEMAC proposals and would in no way compromise those proposals and have confirmed that ESCC have agreed with that conclusion within a SoCG.
- 7.4 I have reviewed the proposal in the light of the highways and transportation planning policies cited by WDC within their reasons for refusal and would conclude that the proposal should not be regarded to contravene those policies.
- 7.5 I have also demonstrated that the appeal site is located in an accessible location a point that ESCC have agreed within a SoCG.
- 7.6 Finally, I have considered the Statement's of Case of WDC and Willingdon and Jevington Parish Council along with the written submissions to the Inquiry by other interested third parties. I have demonstrated that the objections to the appeal proposal that are contained within those documents are unfounded and I would conclude that there are not highways and transportation grounds to prevent the granting of this appeal.



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

Signed 

Dated 5th August 2022