

From: Jones, Katy <katy.jones@herefordshire.gov.uk>

Sent: 13 May 2025 15:09

To: Carlisle, Heather <Heather.Carlisle@herefordshire.gov.uk>

Subject: RE: Three Elms NEQ ref. 222138 - Highways : LPA case officer update 3/3 [LICH-DMS.FID217697]: NEW INFORMATION: Action required.

Hi Heather,

Further to the applicant's response to the formal highway authority comments on the issue of the Three Elms access junction the aim of the local highway authority is a safe means of access which importantly has convenient and safe provision for active travel movements. Following a site visit by the applicant and the highway authority where key active travel routes were agreed the fundamental issue is the roundabout access location has become the desire line for active travel movements linking the agreed wider active travel network. The review of the roundabout and its associated pedestrian crossing points as submitted highlight the substandard nature of the access arrangement to accommodate the type and anticipated number of trips which are taken from the applicants own consultant's reports.

The central islands at the roundabout proposed were a size and design that would put those using those crossing points in proximity and potential conflict with drivers using the carriageway. The guidance details the standard bike length that should be considered is 1.8m, scooters 1.6m and there is the potential that bikes with child carriers will not be able to be accommodated which are longer and common place for parents with young children. This would not be in the interests of highway safety.

Three Elms Road is a key route into and out of the city and provides access to established residential, employment and education locations. The Transport Assessment sets out the AM and PM traffic flows which demonstrate two-way flows in excess of 1,000 vehicle movements.

Site access movements AM out 151/in 30, PM out 46/in 107. Three Elms movements AM north 549/south 540 and PM north 529/south 443 and then south of the access junction AM north 451/south 563 and PM north 527/PM 380.

From observations Three Elms Road is a busy route, the work carried out by the applicant also establishes the active travel trips from the proposed site as AM 56 pedestrians/20 cyclists and PM 47 pedestrians/16 cyclists. Clearly, we would hope that active travel trips increase over time including those already on the network.

The form of junction as presented was not considered attractive or safe to encourage active travel to the proposed site at a desire line and does not meet the sustainable travel hierarchy. Pedestrians and cyclists would be forced to either use an arrangement that does not have sufficient space to accommodate the typical type of movements or be forced from the desire line to use the signalised pedestrian crossing located further away to the north where users from the south would have to navigate further distance and additional vehicular crossing points. To encourage active travel movements, which is critical to support the trip rates proposed as part of the supporting evidence, a safe and convenient junction that is navigable by all ages including those with disabilities and mobility impairment is essential as part of the development proposals.

The mini roundabout would function in purely highway capacity terms, and the Transport Assessment demonstrates this, however it is not attractive or safe in the form presented to accommodate the active travel movements to and from the site and moreover of a sufficient quality for users on an agreed desire line. The provision of a signalised junction which is LTN 1/20 compliant with active travel movements designed into the junction would be an appropriate solution.

The applicants have reviewed the Three Elms junction and now included a signal-controlled Toucan pedestrian/cycle crossing adjacent to the proposed mini roundabout. The provision of a signal-controlled Toucan pedestrian/cycle crossing linking an agreed desire line to the site is welcomed and will provide active travel users the levels of convenience and safety required and will form the essential link that has been requested. The provision of this crossing will complete an essential linear route which the applicant's technical evidence has relied on, and the wider improvements have been agreed as part of the application negotiations linking the site to Grandstand Road towards Widemarsh Common and then towards the city centre and other associated routes and existing active travel provision. An active travel user will have a safe route with a combination of on and off cycle carriageway provision as agreed with safe controlled crossing points along that route.

Therefore, in conclusion, having regard to balancing a site junction that can accommodate the anticipated traffic flows, the mini roundabout for the level of development presently proposed has sufficient capacity although not having the inherent design to accommodate active travel movements in safe and convenient way. The applicant has now reviewed the scheme and proposed a signal-controlled Toucan pedestrian/cycle crossing adjacent to the mini roundabout site access, although not as part of the junction design as a comprehensive design solution, the crossing will provide an active travel link importantly on an agreed desire line. The provision of this signal-controlled Toucan pedestrian/cycle crossing is essential to the safety of active travel users. The combination of this crossing as now proposed by the applicant and the further crossing further north along Three Elms Road occupiers, visitors and those passing through the site will have safe means of crossing a key highway route into and out of Hereford City which accommodates high volumes of traffic movements as demonstrated by traffic survey data presented in the Transport Assessment. On this basis the highway authority removes its objections to the proposals regarding the site access and active travel links on Three Elms Road. The detailed design will form part of the formal Section 278 process, however, a Stage 1 Road Safety Audit should be undertaken prior to determination of this planning application, as is standard procedure at Herefordshire Council.

Kind Regards,

Katy

Herefordshire.gov.uk

Katy Jones
Area Engineer Team Leader
Tel | 01432 260122
Email: katy.jones@herefordshire.gov.uk

Economy & Environment Directorate
Plough Lane
Hereford
HR4 0LE

From: Carlisle, Heather <Heather.Carlisle@herefordshire.gov.uk>

Sent: 04 April 2025 16:45

To: Jones, Katy <katy.jones@herefordshire.gov.uk>

Subject: FW: Three Elms NEQ ref. 222138 - Highways : LPA case officer update 3/3 [LICH-DMS.FID217697]: NEW INFORMATION: Action required.

Importance: High

OFFICIAL

From: Tara Johnston [REDACTED] >

Sent: 04 April 2025 16:20

To: Carlisle, Heather <Heather.Carlisle@herefordshire.gov.uk>

Cc: Gibbons, Kelly <kgibbons@herefordshire.gov.uk>; Pauline Roberts [REDACTED] >

Subject: RE: Three Elms NEQ ref. 222138 - Highways : LPA case officer update 3/3 [LICH-DMS.FID217697]

Dear Heather,

Thank you for your email and providing the comments from WSP. Please see our response below.

In summary, our position remains that we consider that the proposed mini-roundabout junction arrangement, in conjunction with the various existing and already proposed active travel infrastructure along Three Elms Road, is suitable and acceptable in highways terms as previously agreed with officers and confirmed by the road safety audit. However, in the interest of progressing the application to determination and to address the concerns raised regarding active travel, the applicant proposes an alternative option of a mini-roundabout plus the provision of an additional signal-controlled Toucan pedestrian/cycle crossing. This alternative arrangement would fully address the comments raised by WSP. This is explained further below.

Active Travel

1. WSP states that the “fundamental issue” is the roundabout access location has become the desire line for active travel movements with the routes agreed on-site (in November 2024) and, with this in mind, the central islands at the roundabout are not suitable for accommodating the volumes of pedestrian trips anticipated nor wide enough to accommodate bikes. We maintain that our proposed option, alongside the existing and already proposed active travel infrastructure (including Toucan crossings) along Three Elms Road, is acceptable; however in the interests of finding a way forward, we consider that these new concerns could be fully addressed through the provision of a standalone signal-controlled pedestrian/cycle Toucan crossing to the south of the mini-roundabout. This would be in addition to the existing Toucan crossing to the south (adjacent to the Yazor Brook), the already proposed Toucan crossing to the north (in the vicinity of Grandstand Road), and (see below) the already proposed controlled cycle crossing on the spine road, just to the west of the mini-roundabout.
2. WSP states that, “To encourage active travel movements which is critical to support the trip rates proposed as part of the supporting evidence a safe and convenient junction that is navigable by all ages including those with disabilities and mobility impairment”. It is considered that the provision of a standalone Toucan crossing to the south of the mini-roundabout, alongside an already proposed controlled cycle crossing to the west of the mini-roundabout (close to the mini-roundabout at the eastern end of the proposed spine road) would fully address this

requirement. Indeed, it is noted that on the latest submitted version of Pell Frischmann drawing no. 105572-T-006, reference is already made to the inclusion of a “Proposed Controlled Cycle Crossing” immediately to the west of the mini-roundabout.

Proposed solution – Toucan crossing and mini roundabout

3. We consider that the provision of a standalone Toucan crossing to the south of the already proposed mini-roundabout, alongside the already proposed cycle crossing to the west of the mini-roundabout, is an appropriate solution which will fully address WSP’s requirements and the concerns raised. We have prepared an indicative sketch of this, as shown on the attached Pell Frischmann drawing no. 105572-ZZ-SK-DR-CD-SK005 (Revision P00). As can be seen, this alternative option also provides for controlled crossing facilities between the site and the new desire line through to Grandstand Road via Connaught Place. We also consider the provision of a standalone Toucan crossing alongside the already proposed mini-roundabout to be preferable to a fully signal-controlled junction arrangement, for the following reasons:
 - a. A standalone Toucan crossing alongside the mini-roundabout would overcome the inter-visibility issues associated with the eastern arm of the junction, as found with the fully signal-controlled junction arrangement.
 - b. It would provide sufficient highway capacity and would not, unlike a fully signal-controlled junction arrangement, provide excessive highway capacity. As noted previously, where excessive highway capacity is provided, this can have a detrimental effect in encouraging more vehicle-based trips than would otherwise be generated, therefore undermining the objective of encouraging a greater proportion of sustainable trips and undermining the (December 2024 NPPF-compliant) ‘vision-led’ approach.
 - c. Unlike a fully signal-controlled junction, a mini-roundabout would be effective as a permanent traffic calming / speed reduction measure, which is a primary driver behind the agreed highways design strategy on Three Elms road and should not be undermined. This, together with the proposed central islands, would require approaching drivers to slow down and consider the possibility of other vehicles approaching and emerging from other directions. A mini-roundabout would support the implementation of a proposed reduction in speed limit along Three Elms Road to 20mph.
 - d. As noted previously, the proposed speed limit reduction to 20mph is considered key to encouraging and promoting the use of active travel modes (i.e. walking and cycling) between the site and Hereford city centre, and indeed throughout the affected area. It is reiterated that another type of junction, for example a priority junction or a signal-controlled junction, would be less likely to achieve this.
 - e. The proposed access arrangement also has to consider landscape and environmental impacts. The proposed mini roundabout and toucan crossing arrangement, as well as being appropriate for highways use, also minimise the level of hedgerow that needs to be removed and, in turn, does not lead to detrimental wider landscape and visual impacts.
4. Overall, it is considered that the proposed alternative arrangement which includes a mini roundabout plus toucan crossing would address the highways concerns.

Design and safety – signalised junction

5. It is noted that WSP has requested a fully signal-controlled site access junction on Three Elms Road and, in January 2025, provided Pell Frischmann with a screenshot of a sketch indicating what a potential signal-controlled junction arrangement might look like. Using this as a base, Pell Frischmann has sought to sketch up a potential fully signal-controlled junction arrangement to test WSP's position which both meets highway design standards and provides sufficient highway capacity. This indicative sketch is shown on the attached Pell Frischmann drawing no. 105572-ZZ-SK-DR-CD-SK004 (Revision P00). Importantly it has not been possible to design an arrangement that meets highways design standards. Whilst this has been modelled (using LinSig software) and shown to provide ample highway capacity, we have identified a deficiency with regards to the eastern arm of the junction, which serves the existing parking court serving 10 no. house and provide driveways. This is explained as follows:
 - a. Due to the limits of the highway boundary (as indicated as a blue dashed line) on the eastern side of Three Elms Road, in order to provide the required inter-visibility between the junction 'stop' lines it is necessary to bring the eastern vehicle stop line closer to the centre of the junction. Otherwise, the inter-visibility between the northern and eastern, and southern and eastern, stop lines is interrupted by the corners of the highway boundary. By bringing the eastern vehicle stop line closer to the centre of the junction, there is no longer space to accommodate a signal-controlled crossing in front of it (as per design standards). Therefore, and considering the very limited use of this arm of the junction, an uncontrolled crossing is placed behind the stop line.
 - b. We have sought the opinion of the independent road safety auditor who undertook the original Stage 1 Road Safety Audit (RSA) for the original package of off-site highways mitigation measures, and they have commented on the fully signal-controlled junction sketch as follows – they "would not advocate an unorthodox layout with the pedestrian crossing prior to the stop line". Furthermore, they indicate that a departure from standard might be required.
 - c. The road safety auditors have confirmed that the provision of a fully signal-controlled junction arrangement is overcomplicating the matter. We also consider it to be a significant escalation versus what was raised for the first time on-site in November 2024, which was a request for a signal-controlled crossing over Three Elms Road, rather than a junction.
6. The applicant's position is that the toucan crossing plus the mini-roundabout is entirely acceptable and appropriate for the reasons outlined above and should be the option pursued. However, the applicant will accept the signalised junction requirement to bring this matter to a close, subject to the following three conditions:
 - a. That the scheme is in accordance with Pells' design only, which is based on WSP's sketch. As noted above, in order to achieve the required inter-visibility between the junction 'stop' lines on the eastern side of the junction, a departure from standard might be required. The Highway Authority will need to be supportive of this. Otherwise, in order to achieve a fully compliant design, would require realignment of this entire section of Three Elms Road, with various knock-on impacts on the application.
 - b. That the Council confirms in writing that no other outstanding matters, save for WSP costs for Grandstand Road (which we will respond on shortly).

- c. That the Council will take the application to planning committee at earliest opportunity.

Procedure

7. The proposed toucan crossing and mini roundabout does not require the Three Elms Road site access junction itself to be amended. Therefore, the applicant would be willing to accept a planning condition that requires the delivery of this toucan crossing arrangement.
8. In the event that a signalised junction is progressed, further consideration will be required in term of how this secured, as the previously proposed condition wording is not accepted.

Could you please review the above and attached drawings with WSP and confirm if this approach is acceptable? If possible, could you please provide a response by 22nd April?

Once you have had the opportunity to review this, it would be helpful to have a discussion on next steps and timescales for committee.

Kind regards,

Tara

Tara Johnston
Senior Planner

01452 316110 ext 316110

Lichfields.uk

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From: Carlisle, Heather <Heather.Carlisle@herefordshire.gov.uk>

Sent: 03 March 2025 17:23

To: Tara Johnston <[REDACTED]>

Cc: Gibbons, Kelly <kgibbons@herefordshire.gov.uk>

Subject: FW: Three Elms NEQ ref. 222138 - Highways [LICH-DMS.FID217697]: LPA case officer update 3/3

CAUTION: This email originated from an external source.
Good afternoon Tara,

As per my email below, I can now share an update. I trust this will assist in progressing matters and further inform discussions. I have sought clarification from WSP (in blue italics below) to supplement their formal consultation response following the questions/queries below.

Highway Safety - Mini-Roundabout vs Signalised Junction/Traffic Calming

The fundamental issue is the roundabout access location has become the desire line for active travel movements with the routes agreed on site, the review of the roundabout and its associated pedestrian crossing points highlight the substandard nature of the access arrangement to accommodate the type and anticipated number of trips which are taken from the applicants own consultant's reports. The central islands at the roundabout are of a size and design that would those using those crossing point in proximity and potential conflict with drivers using the carriageway. The guidance details the standard bike length that should be considered is 1.8m, scooters 1.6m and there is the potential that bikes with child carriers will not be able to be accommodated which are longer and common place for parents with young children. Three Elms Road is a key route into and out of the city and provides access to established residential, employment and education locations. The transport Assessment sets out the AM and PM traffic flows which demonstrate two-way flows in excess of 1,000 vehicle movements.

Site access movements AM out 151/in 30, PM out 46/in 107. Three Elms movements AM north 549/south 540 and PM north 529/south 443 and then south of the access junction AM north 451/south 563 and PM north 527/PM 380.

From observations Three Elms Road is a busy route, the work carried out by the applicant also establishes the active travel trips from the proposed site as AM 56 pedestrians/20 cyclists and PM 47 pedestrians/16 cyclists.

Based on 1,000 two way vehicle movements in the peak hour this equates to an average of 17 vehicles per min/1 vehicle every 4 seconds, these movements then need to be overlaid with the anticipated active travel trips, these average at 1.3 per min in the AM peak and 1.1 per min in the PM peak. Clearly, we would hope that active travel trips increase over time including those already on the network.

The form of junction is not considered attractive to encourage active travel to the proposed site at a desire line and does not meet the sustainable travel hierarchy. Pedestrians and cyclists would be forced to either use an arrangement that does not have sufficient space to accommodate the typical type of movements or be forced from the desire line to use the signalised pedestrian crossing located further where users from the south would have to navigate further distance and vehicular crossing points. To encourage active travel movements which is critical to support the trip rates proposed as part of the supporting evidence a safe and convenient junction that is navigable by all ages including those with disabilities and mobility impairment.

Road Safety Audit

The RSA predates this junction now being considered as the desire line for active travel trips to and from the site based on the routes agreed on site with the applicants, we could undertake an independent RSA if you feel this would be helpful. I would recommend TMS who are an industry leader. As case officer, I am happy to request this.

Policy position NPPF (December 2024) with regards to new transport policies.

I note your observations and agree with the comments there is now a steer to 'prioritise sustainable transport modes' and in my officer opinion this is now a significant shift towards a "vision-led" approach in transport and highways planning. This approach focuses on achieving sustainable and well-designed places by shaping transport solutions around a desired vision rather than simply reacting to predicted future demands. The concept is referenced across several revised paragraphs within the framework. I would still say that the key change in the NPPF is the prioritisation of sustainable transport modes. The revised text now explicitly states that such modes must be prioritised, considering the overall vision for

the area, as well as the type and location of development. This in my opinion, represents a stronger commitment than in previous versions of the framework, however I fully appreciate that this is subject to interpretation and has not been tested. The Framework also highlight the importance of early engagement, placing transport considerations at the heart of discussions with communities and highlights the importance of addressing local concerns. Traffic congestion is a key consideration that has been raised in third party representation.

Finally, I appreciate your concerns and that of your client about the potential risk of a legal challenge and as such we as the LPA are fully engaged with our legal team and any committee report would need to be cleared by my legal team before securing a place of the committee agenda.

Again, please accept my apologies for the delay in this update and if you would like me to arrange a TEAMS call to discuss further and agree next steps please can you let me know and I will prioritise this.

Kind regards,
Heather

From: Carlisle, Heather
Sent: 27 February 2025 11:23
To: Tara Johnston <[REDACTED]>
Cc: Gibbons, Kelly <kgibbons@herefordshire.gov.uk>
Subject: RE: Three Elms NEQ ref. 222138 - Highways [LICH-DMS.FID217697]: 27/2

Good morning Tara,
Firstly, I need to offer an apology in the delay for issuing an update, but unfortunately due to a personal matter, I have been working reduced hours and out of the office over the last month.

I have this morning picked up a reply from my highway team in response to several of the specific matters referenced in your original email below. As such, I have allocated time to review, and I will provide an update to you by email by the end of play on Monday.

Finally, apologies if I have missed this but has a response been issued in regard to the costing for the Grandstand Road work as referenced below?

Kind regards,
Heather

From: Carlisle, Heather
Sent: 22 January 2025 13:42
To: 'Tara Johnston' <[REDACTED]>
Subject: RE: Three Elms NEQ ref. 222138 - Highways [LICH-DMS.FID217697]: 22/1

Good afternoon Tara

As an update, thank you for your comprehensive email below which I have discussed with Kelly Gibbons this morning. As I am sure you will understand we need to further review and digest. I also do need to speak with LHA/WSP colleagues before I respond on behalf of the Local Planning Authority. I am currently trying to get a meeting with the LHA but realistically this internal meeting will not be until next week and I will revert after that.

Kind regards

Heather

From: Carlisle, Heather

Sent: 20 January 2025 08:23

To: 'Tara Johnston' [REDACTED]

Subject: RE: Three Elms NEQ ref. 222138 - Highways [LICH-DMS.FID217697]: receipt LPA 20/1

Good morning Tara

Please accept this email as receipt and I will discuss with my team later this week in regards to next steps.

Many thanks

Heather

From: Tara Johnston [REDACTED]

Sent: 17 January 2025 17:23

To: Carlisle, Heather <Heather.Carlisle@herefordshire.gov.uk>

Cc: Gibbons, Kelly <kgibbons@herefordshire.gov.uk>; Pauline Roberts [REDACTED]

Subject: Three Elms NEQ ref. 222138 - Highways [LICH-DMS.FID217697]

Dear Heather,

We have reviewed the Local Highway Authority Response dated 20th December 2024 and the additional evidence provided via email on 14th January 2025.

Please see our response below relating to the proposed planning condition requiring a signalised junction on Three Elms Road.

This application was submitted in July 2022 and has therefore been in determination for 2 and a half years. The applicant and its technical team find the inclusion of this additional requirement, particularly at this very late stage in the process, unacceptable. For the reasons outlined, the applicant is not willing to accept the planning condition as proposed and is also not prepared to consider the request for the signalised junction any further. The applicant considers their position to be robust as set out below.

Highway Safety - Mini-Roundabout vs Signalised Junction

1. The WSP response does not explain or justify why the mini-roundabout is unacceptable in highways terms, having previously been approved by the Highways Authority and their technical consultant. By way of background, the Highway Authority, in the context of the original outline planning application for the wider Three Elms allocation, requested that the previously proposed priority T-junction arrangement should be amended to a mini-roundabout. The new NPPF is not considered to have implemented such a change as to require a new junction arrangement, which we expand on below.
2. The appropriateness of a mini-roundabout junction design has been revisited and reviewed as part of the Transport Assessment (TA) for the current Three Elms NEQ outline planning application submission, with reference to prevailing highway design standards and best-practice guidance. It has also been subject to an independent Stage 1 Road Safety Audit (RSA), which has been submitted to the council. Both the audit team and the audit brief were approved by HC Highways in January 2024.

3. Extensive traffic modelling work included as part of the Three Elms NEQ TA demonstrates that the proposed mini-roundabout design would provide sufficient highway capacity – and it is considered that a larger junction would be excessive in this regard. As noted, where excessive highway capacity is provided, this can have a detrimental effect in encouraging more vehicle-based trips than would otherwise be generated, therefore undermining the objective of encouraging a greater proportion of sustainable trips.
4. In HC Highways' third set of post-submission comments on the Three Elms NEQ TA, received in July 2023, 'Section 6' discussed the proposed Three Elms Road site access junction, as shown on Pell Frischmann drawing no. 105572-T-006. The Highway Authority raised several queries relating to the design of the mini-roundabout – all of which were subsequently addressed and closed-out – however none of the comments questioned the junction type. In Pell Frischmann's response to the comments, it was re-stated for the avoidance of doubt that the Highway Authority had previously requested a mini-roundabout junction type. The Three Elms Road site access junction was not queried further, and this matter was therefore considered to be agreed.

Traffic Calming

5. It should also be noted that our proposed mini-roundabout would act as a traffic calming / speed reduction measure, as this, together with the proposed crossing islands, would require approaching drivers to slow down and consider the possibility of other vehicles, as well as pedestrians and cyclists, approaching and emerging from other directions. A mini-roundabout would support the implementation of a proposed reduction in speed limit along Three Elms Road to 20mph. It is not clear whether this has been factored into the comments from WSP, as delivery traffic calming has been a key consideration of the highways authority up until this point.
6. This proposed speed limit reduction to 20mph is considered key to encouraging and promoting the use of active travel modes (i.e. walking and cycling) between the site and Hereford city centre, and indeed throughout the affected area. It is considered that another type of junction, for example a priority junction or a signal-controlled junction, would be less likely to achieve this. Furthermore, in the context of a signal-controlled junction, the frequent presence of 'green' traffic signals being visible at distance along Three Elms Road could potentially encourage higher vehicle speeds, if an approaching driver on the main 'through' route believed that they would not be interrupted by traffic emerging from the site. For these reasons, the proposal for a mini-roundabout junction type is also considered appropriate from a highway safety perspective.

Road Safety Audit

7. The mini-roundabout junction design has been subject to an independent Stage 1 RSA. The auditors undertook their own site visit as part of the audit and were in receipt of the various transport technical work prepared in support of the Three Elms NEQ outline planning application, to provide the context for the mini-roundabout proposals. It should also be noted that the mini-roundabout proposals would be delivered alongside various other – active travel – measures along Three Elms Road, including a new Toucan pedestrian/cycle crossing just north of the proposed Three Elms Road / Grandstand Road mini-roundabout, two uncontrolled crossings between Grandstand Road and the site access junction, and the existing Toucan pedestrian/cycle crossing opposite that Yazor Brook parklands, in the vicinity of Whitecross Hereford High School. These, together with the proposed foot/cycleway

along the western side of Three Elms Road, will provide multiple new opportunities for pedestrians and cyclists to cross Three Elms Road in a safe manner and fully accords with the NPPF published in December 2024.

8. Notwithstanding these latest comments provided by WSP on 14th January, the proposed mini-roundabout site access junction was recently, as noted above, subject to a Stage 1 RSA. Whilst a signal-controlled junction arrangement may in their opinion have various benefits (a point we fundamentally do not agree with), this does not mean that the mini-roundabout arrangement is now unsuitable, or indeed unsafe. It should also not be forgotten that the original request on the site visit was for a signalised crossing (not junction). This has escalated, on somewhat spurious grounds, to a stated need for a signalised junction. This is an unreasonable and disproportionate response.

Policy position

9. In discussions with officers, reference has been made to the new NPPF (December 2024) with regards to new transport policies. The proposed changes to the NPPF were published in July 2024 and at this time no concerns were raised with regards to our proposals. Notwithstanding this, we have set out below a summary of the new policy position.
10. The new version of the NPPF requires proposed developments to take a 'vision-led' approach and to prioritise sustainable transport modes, and to demonstrate that any significant impacts from the proposed development either on the transport network (in terms of capacity and congestion) or on highway safety, with reference to Paragraph 115 (p. 33), "*can be cost effectively mitigated to an acceptable degree through a vision-led approach*". This vision-led approach is not an entirely new concept and has been a key consideration of the planning application for Three Elms NEQ, from a transport and highways perspective, throughout.
11. It is considered that the proposed development, taking account of the proposed Travel Plan and the proposed package of off-site active travel and highways measures, both within the immediate vicinity of the site (to be delivered by the applicant) and further afield (to be delivered by the council, secured via the S106), remains compliant with the NPPF in light of the changes brought forward in December 2024. Moreover, the proposed Three Elms Road / site access mini-roundabout junction, when seen in the context of the other active travel measures proposed along Three Elms Road - including a new Toucan signal-controlled pedestrian/cycle crossing just north of the proposed Three Elms Road / Grandstand Road mini-roundabout and the existing Toucan signal-controlled pedestrian/cycle crossing opposite the Yazor Brook parklands in the vicinity of Whitecross Hereford High School, together with the proposed foot/cycleway along the western side of Three Elms Road and the proposed speed reduction measures – is also considered to be both compliant with this policy, and supportive of the vision for the proposed development to facilitate and promote active travel in the first instance.

Procedural implications associated with the proposed condition

12. Setting aside our position above, we have serious reservations related to the procedural matters of the recommended condition.
13. This is an outline application with all matters reserved except for access (underlined for emphasis), which has been submitted in detail. However, it is understood that as a result of the LHA response, the detailed access on Three Elms Road would not be

approved as part of this application. The proposed signalised junction which has been proposed as an alternative via a condition, has not been assessed, tested or modelled within our planning submission. Therefore, this leaves a fundamental gap in the planning application as effectively no access is being approved. We are extremely concerned with this approach as it poses a potential risk for planning committee if questions are raised on this matter. The legal advice we have received is that this would leave any permission exposed to challenge through the JR process and given the time and resource we have invested in bringing this policy compliant application forward, and our eagerness to see delivery on site come forward, we are not prepared to be exposed to this risk.

We will await the Council's response to the above.

Separately to these matters, we are also reviewing the costs provided by WSP in relation to Grandstand Road and will provide a separate response on this matter.

Kind regards,

Tara

Tara Johnston
Senior Planner

BSc (Hons) MSc MRTPI

Lichfields, The Minster Building, 21 Mincing Lane, London EC3R 7AG

Lichfields.uk 



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