

# **Technical Response to the Appellant's Highway & Transport Statement of Case Appendix 1 to Statement of Case of the Local Planning Authority (Kirklees Council)**

**Appeal reference:** APP/Z4718/W/25/3375000

**Application reference:** 2024/91242

**Site:** Land north east of, Shepley Road, Stocksmoor, Huddersfield, HD4 6XW

**Description of development:** Erection of residential development (50 dwellings) with associated access, parking, public open space, landscaping and infrastructure

**Appellant:** Newett Homes

**Date:** 24/12/25

## **Introduction**

1. As part of the Appellant's Statement of Case, a 'Highways and Transportation Statement of Case' (H&T SoC) document has been provided. This H&T SoC document (Appendix 3 to the Appellant's main SoC document) introduces a significant amount of new technical details, including new survey data, that was not submitted at the application stage. The document contradicts or supersedes in a range of areas the Appellant's final Transport Assessment Addendum (TAA) report submitted during the planning application determination period. The technical details included in the Appellant's H&T SoC document have been prepared by the Appellants new transport consultant (their third different consultant). This includes a completely new assessment of development traffic impact on Stone Wood Lane, and significant amounts of additional data and analysis. The H&T SoC document also seeks to reject the use the 'Sensitivity Test' trip rates that had been agreed between the LPA and the Appellant's previous transport consultant (their second consultant who produced the TAA report), which had been agreed to provide a robust assessment and to test a reasonable future scenario, as is required.
2. Therefore, this Technical Response to the Appellant's H&T SoC document has been produced to supplement the Council's main Statement of Case document, and forms part of the Council's Statement of Case. This includes a summary of issues where there is agreement, and where necessary, identifies where there are areas of disagreement, and presents the Council's updated assessment of the development impact based on the Appellant's new transport consultants traffic assessments and data. This information and assessment contained in this report will be elaborated on further as part of the LPA's evidence.

## **Response to the Appellant's Highways & Transport Statement of Case document (Appendix 3 to the Appellants main State of Case document)**

### *Traffic Surveys*

3. The Appellant's H&S SoC document includes new Automatic Traffic Count (ATC) survey data that have been undertaken since refusal of the planning application. This includes five separate locations along the Shepley Road / Stone Wood Lane corridor, with the surveys recording traffic volumes and speeds over a 7-day period from Monday 15<sup>th</sup> to Sunday 21<sup>st</sup> of September 2025. A full copy of the survey data sheets have been provided in the Appellant's H&S SoC document.
4. Whilst these new ATC surveys are unhelpful in some respects, as this new data was clearly not available prior to determination of the planning application and adds a certain level of confusion regarding the traffic data sources, the LPA accepts the new volumetric traffic data as being reasonable, given that the data is generally consistent with the previous ATC surveys that had been carried in similar locations on Stone Wood Lane. In terms of the speed data, again this new data appears to generally accord with previous ATC surveys, so is also accepted by the LPA. The ATC surveys also provide additional data on the two steep sections of Shepley Road / Stone Wood Lane, which supplement the previous ATC surveys. Therefore, for the purposes of the Appeal, the LPA will also refer to this new ATC data in its evidence.
5. However, in the Appellant's H&S SoC document, only their new ATC data has been utilised. This approach is not accepted by the LPA, as some of the previous ATC

data is required to confirm that adequate visibility is provided at the proposed site access (e.g. the ATC data at Site 2 contained in the previous Transport Assessment Addendum). The previous ATC data (including the ATC data in the original Transport Assessment) is also helpful, as it provides two additional weeks of traffic flow data (with the new ATC data, this then covers three separate weeks, during different months, in April 2024, December 2024 & September 2025), which can be used for comparison purposes. The previous ATC data will continue to be used by the LPA as part of the assessment of the development, in addition to the new ATC survey data, with the following ATC data now utilised to inform the LPA's assessment of the development, as set out further in this Technical Response report:

- TA (by AMA) data Site 1 (At proposed site access) - w/c Friday 12/04/24
- TAA (by TPS) data Site 2 (On hill circa 30m south of the proposed site access at 30mph/NSL Transition) - w/c Friday 13/12/24
- H&T SoC (by Optima) data Site 1 (On hill circa 110m south of the proposed site access) - w/c 15/09/26
- H&T SoC (by Optima) data Site 2 (On hill though single-track section through woods at circa 740m chainage) - w/c 15/09/26
- H&T SoC (by Optima) data Site 3 (South of bend at top of hill through woods at circa 530m chainage) - w/c 15/09/26
- H&T SoC (by Optima) data Site 4 (South of single-track section at circa 320m chainage) - w/c 15/09/26
- H&T SoC (by Optima) data Site 5 (North of single-track section closest to Jos Lane at circa 120m chainage) - w/c 15/09/26

6. The results of the seven ATC surveys identified above have been analysed by the LPA and the data that will be utilised by the LPA is summarised in the tables contained at Appendix A of this Technical Response report. These tables include some additional data analysis that has not be included in the Appellant's H&S SoC document. However, as this data is based on the Appellant's ATC survey data, which they have submitted in support of the proposals at various stages, there should be no reason for the Appellant to question the data.
7. The following Table 1 includes the weekday peak hour two-way vehicle flows on Shepley Road / Stone Wood Lane between the Appeal site and Shepley, which will now inform the LPA assessment of the development. This includes the 'maximum average weekday' and 'maximum weekday' two-way vehicle flows:

<b>Table 1 - Weekday Peak Hour Two-way Flows</b>					
		<b>AM Peak (0800-0900)</b>		<b>PM Peak (1700-1800)</b>	
		<b>Vehicles</b>	<b>Data Source</b>	<b>Vehicles</b>	<b>Data Source</b>
Max. Average Weekday (Row A)	69	TA w/c 12/04/24	74	H&T SoC w/c 15/09/25	
Max. Weekday (Row B)	90	TA on 12/04/24	89	H&T SoC on 18/09/25	

8. The data in Table 1 shows that the 'maximum average weekday' two-way vehicle flows were 69 (from the w/c 12/04/24 ATC survey) and 74 (from the w/c 18/09/25

ATC surveys) vehicles respectively, and is the data that will now be utilised by the LPA, to ensure that a robust assessment of development traffic impact is considered. This data analysis is slightly different to that used by the Appellant in their new traffic assessment analysis contained in their H&T SoC document (that identified 65 and 74 two-way vehicles in the weekday AM and PM peak periods respectively), as the Appellant has not sought to utilise the previous ATC survey data, which the LPA considered to be a less robust approach.

9. The data in Table 1 also shows the 'maximum weekday' two-way peak hour vehicle flows were 90 (from the 12/04/24 ATC survey) and 89 (from the 18/09/25 ATC surveys) vehicles respectively, which are also used to inform the LPA assessment of the development, but have not been used in the Appellant's new assessment who have not sought to consider the 'maximum weekday' two-way peak hour vehicle flows.
10. The additional ATC survey summary data (produced by the LPA) in Appendix A of this Technical Response report, also includes some other data analysis that will be used in the LPA's assessment of the development (this includes additional 24hr and weekly traffic flow data).
11. In the Appellant's H&S SoC document, they have identified average and 85<sup>th</sup> percentile speed data along the Shepley Road / Stone Wood Lane route (but using their new ATC survey data only). However, the LPA do not accept that average speed data is of relevance in this situation, as it not typically used for traffic engineering assessment purposes, where 85<sup>th</sup> percentile data is used. Also, the speed data (particularly that obtained on the single-track sections of Stone Wood Lane) will not have been recorded in entirely free flow conditions (due to vehicles slowing when passing other highway users), may have been undertaken in wet conditions, and the summary analysis includes network peak hour speed data, all of which is contrary to the guidance contained in 'CA185 - Vehicle speed measurement' contained in the Design Manual for Roads and Bridges (DMRB). Notwithstanding these potential issues (and taking into account that the aforementioned DMRB document is guidance, as it is a standard to be applied rigidly to the Trunk Road and Motorway Network only), it appears that there aren't substantial variations in the recorded speeds outside of network peak periods. Therefore, as this is the best speed data that is available at this time, the LPA accept that the 85<sup>th</sup> percentile data can be used for assessment purposes. However, the speed survey data within the vicinity of the single-track sections of Stone Wood Lane needs to be treated with caution.
12. The additional ATC survey analysis included in Appendix A of this Technical Response report, includes the speed data at all of seven ATC survey sites previously mentioned, which include the ATC survey data to the south of the Appeal site access, which was used to determine the site access visibility splay looking to / from the south. The seven ATC surveys along Shepley Road / Stone Wood Lane indicate 85<sup>th</sup> percentile speeds ranging from 22.1 - 33.3mph. The data also shows some high speed readings in certain locations, with recorded speeds of 40mph or more at 5 of the 7 count sites, and at 2 of the sites there is a recorded speed in excess of 50mph.
13. In summary, the LPA accept the Appellant's new ATC data as forming the basis of assessment, on the basis that it is used in conjunction with the previous ATC data

used to inform the assessments previously undertaken by the Council and the Appellant. However, the average speed data that has been referenced by the Appellant is not considered to be relevant to the case. The ATC surveys have also not been undertaken in full accordance with good practice. As such, the results need to be treated with caution and are likely to be an underestimate of traffic speeds, particularly along the single-track sections of Stone Wood Lane, as all speed data was not obtained in free flow conditions. The Council will also reference the more robust base traffic flows obtained from the three sets of ATC data, to ensure a robust assessment of development traffic is considered as part of the Appeal.

#### Pedestrian/Cycle/Equine Surveys

14. The Appellant's H&S SoC document includes new 'Pedestrian/Cycle/Equine Surveys' on Shepley Road / Stone Wood Lane, which it states was '*in order to capture active travel user trips along the route*'. However, the LPA would raise a number of concerns with the new data as follows:

- As confirmed in the H&S SoC document, there was a problem with the count equipment at one end of the route during the first Saturday survey, resulting in that survey needing to be redone. Therefore, the Saturday survey data (combined from two separate data sources) provides an incomplete and somewhat unreliable record of users along the route (e.g. the stated purpose of the survey).
- The H&S SoC document includes details of two public rights of way that connect with Stone Wood Lane, including KIR/137/20 to the east (accessed opposite Jenkyn Lane near ch.10) and KIR/191/10 (accessed from the low point in Stone Wood Lane near ch.810). However, there are additional footpath connections located near ch. 540, which lead into Lower Stone Wood and Upper Stone Wood to the north and south of Stone Wood Lane respectively that provide onward connections to the wider footpath network. Whilst these paths are not recorded on the Council's Definitive Map and Statement, they are well established and well used footpaths, which have not been mentioned in the H&S SoC document or picked up in the survey data. Therefore, this omission also affects the reliability of the new survey data, and also explains why the active travel users flows at either end of Shepley Road & Stone Wood Lane do not match for the weekday survey (they don't match for the weekend survey as they were undertaken on different days).
- All of the surveys were undertaken in Autumn, when active travel users are unlikely to be at their peak (e.g. this would be more likely in summer months). Similarly, for the redone Saturday survey, this was undertaken during wet conditions, and it is clear from the data that this has suppressed the active travel user flow data. This is clear as the data undertaken at the Shepley Road end of the route, which the survey data sheets suggest were undertaken in dry conditions for both survey days, show that the active travel users at the weekend (54 users over the 12hr survey) were substantially higher than the weekday data (31 users over the 12hr survey). However, for the data obtained on Stone Wood Lane to the southeast, which includes the redone weekend data obtained in wet conditions, this shows the complete opposite, with substantially fewer active travel users (8 users over the 12hr survey) for the weekend survey than for the weekday data (24 users of the 12hr survey).

Therefore, the weekend survey data undertaken in wet conditions is not useful for assessment purposes.

15. In light of these issues, the LPA considers that the new Pedestrian/Cycle/Equine Survey data included in the H&S SoC document is unreliable, and very limited weight can be given to the data. The data only provides a snapshot of active travel user activity, so does not form any robust basis for assessment. That said, the LPA notes that the data for the AM weekday peak hour period indicates lower active travel flows than for the hours on either side of this time period, which provide some evidence (but of limited weight due to the deficiencies with the data and being only a snapshot of user activity) that active travel users are already avoiding Stone Wood Lane during this busier weekday AM network peak traffic period.

#### Existing Personal Injury Accident Data

16. Up to date Personal Injury Accident (PIA) data has been included in the Appellant's H&S SoC document, covering a 15 year period, from 1<sup>st</sup> July 2010 to 30<sup>th</sup> June 2025. The search area includes the full length (1.2km) of the Shepley Road / Stone Wood Lane corridor between the Station Road / Cross Lane and Jenkyn Lane / Jos Lane junctions. The search confirmed that there has been one recorded incident that involved two vehicles, and resulted in a single 'slight' injury to one of the vehicle drivers, which occurred at the Shepley Road / Cross Lane junction.
17. The LPA can confirm that this collision search information is factually correct. However, the LPA would dispute the findings set out in the H&S SoC document, which state: *'despite its non-standard width and geometry and given the recorded instances of use by pedestrians, cyclists and those on horseback, Stone Wood Lane operates safely in practice.'*
18. The LPA notes that the lack of personal injury related incidents along the route is not evidence that the road operates safely. PIA data only includes incidents that resulted in personal injury, and that were reported to the Police (or were otherwise recorded e.g. through hospital admissions). The data also does not record damage only type incidents. Therefore, the PIA record is an incomplete record of 'accidents' on Stone Wood Lane, and so it is wrong to surmise that this confirms the road operates safely.
19. To illustrate this, data from the latest Reported Road Casualty Great Britain (RRCGB): Annual Monitoring (2024) can be utilised, which identifies casualty rates on rural road at Table 10 of the monitoring report. When this casualty rate data is applied to the 1.2km length of Shepley Road / Stone Wood Lane along the Appellant's study area, and utilising the weekly traffic flows recorded from the various ATC surveys (3,599 - 4,323 vehicles per week), this equates to an average casualty rate of 0.04 - 0.05 casualties per year or 1 casualty every 20 - 25 years. Therefore, the fact that there has only been 1 incident within the study area (and none on the most sub-standard section of Stone Wood Lane), which resulted in 1 casualty, has no statistical significance. It is noted that the incident that has been identified by the Appellant at the Shepley Road / Cross Lane junction involved two vehicles. Thankfully this incident only resulted in one casualty. However, it is only by chance (accidents are often defined as random multi-factor events) that both drivers were not injured. Had this been the case, then then the casualty rate would be well above the 15 year average (based on this generalised metric, which is

provided for illustrative purposes only). This demonstrates that no statistical significance can be placed on the rate of 'accidents' along Stone Wood Lane, which the Appellant uses as their main justification why they consider the route 'operates safely in practice', which is an incorrect assumption.

20. It is also noted that given the sub-standard nature of Stone Wood Lane, it is likely that damage only type incidents are frequent occurrences, with incidents of varying degree of severity (but that may have not resulted in a reported injury incident). This has been alluded to in many of the high number of public comments made regarding the Appeal site. Also of note are incidents that have been described on a number of occasions in these comments. The first relates to a head on collision between two vehicles that has been mentioned at the top of the hill on exit of Stone Wood, and the second being a loss of control type incident at the bottom of the hill at the start of Stone Wood that has been suggested resulted in the bridge structure being damaged. Whilst this is only anecdotal evidence and must be treated with caution, there is also no reason to doubt that these incidents have occurred. Council Officers attending site have also had firsthand experience of minor damage incidents to their own vehicles when passing vehicles in the very narrow sections, due to scraping their vehicle with vegetation at the side of the road, an issue that has again been mentioned in the public comments.
21. In summary, the LPA disagrees with the Appellant's assumption that the Personal Injury Accident (PIA) record demonstrates that Stone Wood Lane '*operates safely in practice*', which is a flawed assumption. The Appellant's assessment also ignores the high number of comments from local people, who have identified safety concerns along the route, and have identified a number of incidents that they are aware of that do not form part of the PIA record (as damage only non-injury related incidents are not recorded). The statements made in the Appellant's H&T SoC document that they do not consider the route to be intimidating for pedestrians (and presumably other active travel users) is not the view expressed by local people, or the experience of Council Officers who have visited the route on numerous occasions, including during the busier (in terms of traffic) AM weekday peak period. Therefore, the LPA consider that the Appellant has not adequately considered the safety risks for all users along Stone Wood Lane, which are exacerbated by the highly constrained nature of the route (that the Appellant appears to accept to some degree), nor have they considered the perception of safety for these users, which is also an important consideration.

### Development Proposals

22. As confirmed in the Council's Highway Development Management (HDM) consultation responses provided during the planning application consultation period, whilst the principle of the site layout was acceptable, the street layout had not been designed in full accordance with the Council's Highway Design Guide SPD, and as such, was not suitable for adoption. Whilst the Appellant had indicated that they were to amend the layout, to allow the streets to be considered for adoption, a revised site layout plan was not agreed prior to determination of the application. Therefore, the current site layout that is subject to the Appeal remains unsuitable for adoption. However, highway adoption is not a mandatory requirement of the planning process, and the LPA did not cite this as reasons for refusal, as the streets could remain private should the Appeal be allowed. However, as final details of the street layout had not been agreed, a suitably worded planning

condition would be necessary, to ensure that the site layout is designed to a commensurate standard to an adoptable street and that a Stage 1 Road Safety Audit is carried out. A condition would also be required to agree the waste collection arrangements for the Appeal site, as the Council's Waste Teams will not routinely enter private streets without prior agreement.

23. The revised site access arrangements (shown on drawing 24071-LE-00-ZZ-DR-D-0001-P4) included in the Transport Assessment Addendum report addressed the main outstanding issues raised in relation to the site access. Therefore, it was confirmed in the final HDM consultation response of 11/04/25 that there was no objection to the principle of the proposed site access, and that any further changes that may be required, including any changes that may arise from the required Stage 1 Road Safety Audit process in due course, could be addressed via a suitably worded planning condition. This remains the case.

#### Construction Access

24. As stated in the Appellants H&T SoC document, construction access to the Site would be required from Shepley Road, with all HGV movements prohibited from utilising Stone Wood Lane to the east, and during the construction phase, a Construction Management Plan (CMP) will be required that will need to address/mitigate any potential impacts arising from the development, and ensure that the Site operates efficiently and safely. It is agreed that the CMP would need to be secured by a suitably worded planning condition.
25. A planning condition would also be required for pre and post construction highway conditions surveys and remediation, to ensure that any damage caused to the highway that is associated with construction activities at the Appeal site is rectified, which would need to be secured by a suitably worded planning condition.

#### Site Accessibility

26. The Appellants H&T SoC document sets out in broad terms the Appeal sites accessibility by active and sustainable transport modes, and concludes that:

*'As such the Site is in a sustainable location and is compliant with the NPPF which requires at paragraph 110 that people are offered "a genuine choice of transport modes". Noting also the last sentence of paragraph 110 which states that "opportunities to maximise sustainable transport solutions will vary between urban and rural areas, and this should be taken into account in both plan-making and decision-making."'*

27. The Appellant's H&T SoC document goes on to quote sections from the Council's Delegation Report that concluded by stating:

*'The site is within the urban envelope, albeit on the edge of the settlement, within a location considered sustainable for residential development. It is accessible, lying within an existing established settlement and close to various local amenities and facilities. At least some, if not all, of the daily, economic, social and community needs of residents of the proposed development can be met within the area surrounding the application site, which further indicates that residential development at this site can be regarded as sustainable.'*

28. Whilst the LPA do not dispute that the Appeal site's location could be regarded as sustainable, taking into account its rural context, the site's accessibility by active and sustainable transport modes is relatively low, which has not been sufficiently acknowledged by the Appellant who have not taken this into account in their development trip generation, making it not robust, or consider the number of new active travel users associated with the development that may travel along Stone Wood Lane. The site's relatively low level of accessibility is demonstrated by the Department for Transport's (DfT) 'Connectivity Tool Lite', which has been applied to this site and copy of the output is included in Appendix B of this Technical Response report. It is noted that this connectivity tool provides only an indication of the Appeal site's relatively low level of accessibility, which would have been highlighted further had that Appellant undertaken a more thorough qualitative and quantitative assessment of the site accessibility and the associated impacts of the development on active travel users.
29. Whilst the information set out in the Appellant's H&T SoC document about the site accessibility by active and sustainable transport modes is not generally in dispute by the LPA, the information is considered to provide only a high level assessment, which does not provide a thorough accessibility audit in accordance with Planning Practice Guidance (PPG) and Active Travel England's (ATE) 'Standing Advice Note: Active Travel and Sustainable Development'. This includes a lack of assessment of development trips by active and sustainable transport modes, with the new supporting traffic assessment contained in the H&T SoC document failing to consider the site's relatively low level of accessibility. The assessment also fails to consider the negative effects of development traffic on active travel users on Stone Wood Lane, with the Appellant concluding that the proposed passing place improvements will also provide a (net) betterment to existing users of the route including pedestrians, cyclists, horse riders. The LPA rejects this conclusion and considers that the additional traffic arising from the development would have a significant and unacceptable impact on the safety and amenity of active travel users (both existing and proposed) on Stone Wood Lane, which is an important active travel route linking the settlements of Stockmoor and Shepley, and that the proposed passing bay improvement will fail to mitigate the impact. The additional development traffic on this route will also have negative impact on the nationally recognised cycle route (National Cycle Network Route 627), and will conflict with the core principles in Local Transport Note 1/20 'Cycle Infrastructure Design', by exacerbate existing issues along the route.

*Agreed 'Sensitivity Test' Trip Rates and Future Assessment Scenario*

30. In the pre-application advice letter from the LPA, it was confirmed that a Transport Assessment or Statement was required to support the planning submission, and that the scope of the assessment should be agreed in advance with the Council's Highway Development Management (HDM) Team. This approach is consistent with the National Planning Policy Framework (NPPF), December 2024; and the accompanying Planning Practice Guidance (PPG), relating to Travel Plans, Transport Assessments and Statements.
31. The planning application was validated on 10/05/24 and was supported by a Transport Assessment and Travel Plan produced by AMA (the Appellant's first transport consultant). However, the scope of these reports, including the development trip generation assessment and distribution, had not been discussed

or agreed in advance of their submission with HDM, contrary to the pre-application advice.

32. HDM then reviewed the supporting information, including the Transport Assessment and Travel Plan, and provided a consultation response dated 14/10/24. In this response, HDM raised concerns regarding the traffic assessment methodology, including the approach to the development's vehicle trip generation and distribution assessments.
33. Following the HDM Consultation response, the Appellant appointed a new (second) transport consultant (TPS) to respond to the issues raised by HDM, including the concerns relating to the traffic assessment methodology that had been used in the original Transport Assessment. A number of meetings and discussions were held between the new transport consultant and HDM, which culminated in the production of a new Transport Assessment Addendum. As part of the discussions that took place in advance of the Transport Assessment Addendum being prepared, it was agreed between both parties that a 'Sensitivity Test' of traffic impact was undertaken in the new assessment, to ensure that a robust assessment of the developments impact on Stone Wood Lane was undertaken (as this was the key area of concern in terms of traffic impact). The Transport Assessment Addendum report confirmed at paragraph 4.5 the rationale for using the 'Sensitivity Test' assessment was:

*'In order to provide a robust assessment, taking into account the likely low levels of walking and cycling....'*

34. The 'Sensitivity Test' trip rate utilised within the Transport Assessment Addendum was based on a robust two-way weekday peak hour vehicle trip rate of 0.7 trips per dwelling, for both the AM and PM weekday peak hour periods, and equated to 35 two-way vehicle trips based on the 50 dwellings proposed. The Transport Assessment Addendum then estimated that up to 16 (47%) and 19 (53%) two-way vehicle trips in the weekday AM peak and PM peak hour periods respectively, could be generated on Stone Wood Lane (see paragraph 4.11 of the Transport Assessment Addendum).
35. HDM reviewed the Transport Assessment Addendum report and provided the consultation response dated 14/10/24. In this response, HDM continued to raise concerns regarding the traffic distribution methodology (which had been revised by the Appellant's consultant since the original Transport Assessment, using a different methodology). In particular, the assumption made in the Transport Assessment Addendum that no primary school children living at the development site would attend schools to the east and travel to school via Stone Wood Lane (e.g. those attending Shepley First School) was not accepted by the LPA. However, the HDM consultation response concluded that the level of weekday peak hour vehicle trips identified in the Transport Assessment Addendum (based on the agreed 'Sensitivity Test' trip rates that had been agreed by both parties in advance), which had been estimated by the Appellant's consultant to utilise Stone Wood Lane were reasonable, with the HDM consultation response summarising by stating:

*'... it is accepted that the development may increase vehicle trips on Stone Wood Lane by approximately 19 two-way trips during peak hour periods.'*

36. As part of the Appellant's H&T SoC document, a completely new assessment of development traffic generation and distribution has been undertaken, by a new (third) transport consultant (Optima). As with the previous Transport Assessment (and elements of the subsequent Transport Assessment Addendum), the scope of this new assessment has not been agreed with the LPA in advance of the Appeal. This is particularly problematic in this situation, given the complex nature of the new assessment that has been used by the Appellant, which includes numerous assumptions that have not been discussed or agreed previously. This approach is contrary to paragraph 116 of the National Planning Policy Framework (NPPF), which states that '*all reasonable future scenarios*' should be taken into account, which the NPPF glossary defines as:

*'Reasonable future scenarios (for assessing potential highways impacts): a range of realistic transport scenarios tested **in agreement with the local planning authority** [Bold added for emphasis] and other relevant bodies (including statutory consultees where appropriate), to assess potential impacts and determine the optimum transport infrastructure required to mitigate any adverse impacts, promote sustainable modes of travel and realise the vision for the site.'*

37. It is understood from the H&T SoC document, that the new assessment methodology has been proposed by the Appellant's new transport consultant, as they believe that the '*Council's methodology in arriving at 16 to 19 development trips on Stone Wood Lane is incorrect and flawed*', as they have stated at paragraph 5.7.4 of the H&T SoC document.

38. It is reiterated that the previous assessment methodology was not based on the '*Council's methodology*'. On the contrary, this assessment was the '*Sensitivity Test*' that the Appellant's previous (second) consultant had proposed (based on the '*Sensitivity Test*' trip rates that had been agreed in advance with HDM), and their own assessment of traffic distribution, with the Appellant's transport consultant clearly believing at the time that it was a '*reasonable future scenario*' to form the basis of assessment of development traffic impact on Stone Wood Lane. Therefore, the statement at paragraph 5.7.4 of the Appellant's H&T SoC document is inaccurate.

39. It is also reiterated that HDM did not agree with the assessment methodology used to derive the traffic distribution in the '*Sensitivity Test*' assessment contained within the Transport Assessment Addendum report. Instead, HDM confirmed that it was accepted as being a reasonable assessment scenario for considering the proportion of weekday peak hour development traffic that may use Stone Wood Lane (e.g. the 47% and 53% during the weekday AM and PM peak hour periods respectively, as identified in the Transport Assessment Addendum). Therefore, this previously accepted and reasonable future traffic distribution scenario, which was utilised by both the Council and the Appellant in the assessment of development traffic impact along Stone Wood Lane should continue to be utilised. However, for simplicity, the LPA suggests that a 50% figure should be used for both peak periods as part of this Appeal.

40. In the Appellant's H&T SoC document, the use of the 0.7 two-way '*Sensitivity Test*' trip rate has been questioned, stating at paragraph 5.4.4:

*'TPS then proceeded to apply a 'sensitivity test' trip rate of 0.7 two-way vehicle movements per dwelling for the remainder of their analysis. A trip rate of 0.7 is also*

*the value that the Council have considered in the April 2025 consultation response. It is unclear where the 0.7 value has come from, but it appears to be unjustified and not supported with any evidence. It should therefore not be used.'*

41. To put the 'Sensitivity Test' trip rate into context, as it was not fully explained in the Appellant's Transport Assessment Addendum report, and as this appears to have confused the new (third) transport consultant when preparing the H&T SoC document, the 'Sensitivity Test' trip rate was a trip rate that HDM had advised the Appellant's consultant to utilise given the Appeal sites relatively low level of accessibility. This 'Sensitivity Test' trip rate was considered reasonable, as it was also being used at the time for a nearby residential development proposal at Storthes Hall (Planning Application reference 2023/93667) as their baseline trip rate (e.g. prior to taking into account any Travel Plan measures that may reduce the vehicle trip rate), and the use of the same vehicle trip rate was considered to provide a robust approach, and to ensure consistency of assessments of developments sites in the local area. The use of this 'Sensitivity Test' trip rate was suggested by HDM as both development sites had similar accessibility characteristics, including their proximity to no significant amenities within easy walking distance of the sites, and as the Storthes Hall site is located within close proximity to the Appeal site (it is located circa 2km to the north and within the same MSOA areas as the Stocksmoor site).
42. The outline planning application for the Storthes Hall residential development site has subsequently been approved. As part of the final submission for this planning application, a Transport Assessment Addendum (TAA) report dated 13/12/24 was produced (by the same transport consultants that are now acting for the Appellant at the Appeal), which included the final vehicle trip rate that was ultimately agreed for that development, with the relevant extracts from their TAA report included at Appendix C of the Technical Response report showing the agreed trip rates. As can be seen from the Storthes Hall TAA report extract, a reduced vehicle trip rate of 0.630 two-way weekday peak hour trips was ultimately agreed for that development, which was set out in Table 3.1 of the Storthes Hall TAA report. The reduced two-way vehicle trip rate of 0.630 was agreed by HDM, as it included a 10% reduction from the 0.7 two-way trip rate (e.g. a Vision-led approach), as the applicant for that site had agreed to provide a financial contribution of £1,000,000 (to be paid in £200,000 instalments over 5 years) to enable a new bespoke bus service to be provided through the Storthes Hall site, ensuring that the site was accessible by public transport. The development also agreed to provide a Sustainable Transport Fund (STF) to enable all dwellings to be provided with either an annual Residential MCard bus pass, or another sustainable transport measure of the same value.
43. It is understood that the Appellant for the Appeal site is prepared to agree to provide a similar Sustainable Transport Fund (STF) for their development (to the current value of the Residential MCard bus and rail zone 2-5 pass), as part of their package of Travel Plan measures, which was confirmed in the Transport Assessment Addendum. Therefore, the LPA considers that it is now reasonable for a similarly reduced 'Sensitivity Test' trip rate of 0.630 to be utilised for the Stocksmoor site, as both developments sites will have similar levels of accessibility by public transport following the agreed mitigation and Travel Plan measures; albeit the Storthes Hall site may still have slightly better public transport accessibility given the bespoke

nature of the new bus service improvement that has been secured for that development.

44. Based on this reduced 'Sensitivity Test' trip rate, which takes account of the Appellant's agreement to provide a Sustainable Transport Fund (STF) to support a package of Travel Plan measures, the Appeal site is estimated to generate a total of 32 two-way vehicle trips in both the AM and PM weekday peak hour periods (e.g. 50 dwellings multiplied by the reduced 'Sensitivity Test' trip rate of 0.630).
45. Based on 50% of development traffic utilising Stone Wood Lane (e.g. the 50% traffic distribution that the LPA recommends is now used for simplicity, as stated above, rather than the 47% and 53% assumed for the weekday AM and PM peak hour periods respectively, which was the traffic distribution identified by the Appellants previous consultant in their Transport Assessment Addendum), the Appeal site is estimated to generate 16 two-way vehicle trips in both the AM and PM weekday peak hour periods on Stone Wood Lane.
46. In summary, the LPA does not accept the Appellant's rejection of the use of a 'Sensitivity Test' trip rate, which had been utilised to ensure a robust assessment of development traffic impact on Stone Wood Lane. The use of a 'Sensitivity Test' trip rate was agreed in advance with the Appellant's previous (second) transport consultant prior to their completion of the Transport Assessment Addendum report, which is in accordance with the NPPF that states that '*all reasonable future scenarios*' should be agreed in advance with the LPA. The LPA also rejects the Appellant's assertion in the H&T SoC document that the traffic distribution methodology used in the 'Sensitivity Test' assessment was the '*Councils methodology*', as the traffic distribution was that proposed by the Appellant's consultant in their Transport Assessment Addendum. Whilst this traffic distribution methodology was not fully accepted by the LPA, it was agreed to form a reasonable basis for assessment as identified in the final HDM consultation response. Notwithstanding that the previous 'Sensitivity Test' assessment had been agreed as a 'reasonable future scenario' between both parties, the LPA recommend that an adjusted version of the 'Sensitivity Test' assessment is considered as part of the Appeal. This takes into account a 10% reduction to the previously agreed 'Sensitivity Test' trip rate (as the Appellant is understood to have committed to provide a Sustainable Transport Fund to support Travel Plan measures at the Appeal site) and a simplified assessment of traffic distribution that assumes 50% of development traffic utilises Stone Wood Lane (rather than 47% and 53% in the AM and PM weekday network peaks respectively, as had been proposed by the Appellant's consultant in the Transport Assessment Addendum).
47. Based on the adjusted version of the 'Sensitivity Test' assessment, the Appeal site is estimated to generate a total of 32 two-way vehicle trips in both the AM and PM weekday peak hour periods, of which 50% may use Stone Wood Lane, which equates to 16 two-way vehicle trips along this route. This realistic future scenario takes account of the Appeal sites relatively low level of accessibility, the Travel Plan measures now proposed, is consistent with the trip rates agreed for a nearby development site at Storthes Hall, and is based on a methodology previously proposed by the Appellant's consultant in their Transport Assessment Addendum and subsequently agreed by the LPA as forming a reasonable basis for assessment. Therefore, this adjusted 'Sensitivity Test' assessment is in

accordance with the requirements of the NPPF, which requires that 'all reasonable future scenarios' be taken into account.

*The Appellants new trip rate, traffic generation and traffic distribution assessment*

48. As part of the Appellant's H&T SoC document, a completely new assessment of development traffic generation and distribution has been undertaken (the scope of which had not been previously discussed or agreed with the LPA contrary to the NPPF guidance). The Appellant's new assessment concludes at paragraph 5.7.2 of the H&T SoC document by stating:

*'the proposed development will generate a maximum of 7 two-way vehicular movements along Stone Wood Lane during the busiest morning and evening peak hour periods. This represents 25% of the total 28 vehicle movements predicted (see Table 5.4), which is considered to be robust taking account of each journey purpose and some of the worst-case assumptions applied.'*

49. The LPA do not accept that the new assessment provides a robust basis for assessment or that it is based on worst-case assumptions.

50. The new development traffic generation assessment included in the Appellant's H&T SoC document, has been calculated using data from the TRICS database. The new assessment identified two-way vehicle trip rates of 0.555 and 0.559 per dwelling, in the AM and PM weekday network peak hour periods respectively, as shown in their Table 5.3. This is the third such TRICS assessment that the Appellant's (three) transport consultant's have now undertaken (for the Transport Assessment, Transport Assessment Addendum and now for the Appellant's H&T SoC document), all of which have incrementally increased the developments vehicle trip rate. However, none of these TRICS assessments have adequately taken into account the development site's relatively low level of accessibility and are not considered to provide a robust basis for assessment.

51. For the new TRICS assessment that is now being relied upon by the Appellant, the TRICS search parameters are set out at paragraph 5.4.1 of the H&T SoC document. Whilst it is helpful that the search parameters have now been identified in the new document (which had not been the case for the previous assessments, contrary to good practice), no justification has been provided why these TRICS search parameters are considered to be reflective of the Appeal site, and appear to be generalised trip rates that could be applied to any housing development below 500 dwellings located in a suburban area (e.g. the two main TRICS search parameters that have been used). As such, the derived trip rates are not reflective of the nature of the Appeal site, which is in a somewhat isolated location away from the wider suburban area, has a relatively low level of accessibility and is not within easy walking distance of any significant local amenities that serve the day to day needs of residents. Therefore, it is not accepted that these trip rates provide a robust basis for assessment as has been suggested in the H&T SoC document, and are generic trip rates that do not reflect the Appeal site.

52. To put this issue into context, 'Method of Travel to Works' data from the 2011 Census for MSOA Kirklees 051 & 56 has been obtained by the LPA, which is the same datasets that have been utilised by the Appellant later in their new traffic distribution assessment included in their H&T SoC document (See further comments below relating to the new traffic distribution methodology that the

Appellant now proposes). The 'Method of Travel to Works' data has been shown individually for each MSOA and in a combined dataset, as well as a comparison with the wider Kirklees area, as shown in Table 2 below (in accordance with normal practice, this excludes those not in employment and who work from home from the dataset):

<b>Table 2</b> <b>Method of Travel to Work (excluding 'Not in employment' and Work mainly at or from home')</b> <b>2011 Census Data - QS701EW Dataset</b>								
<b>Method of Travel to Work</b>	<b>E02002321: Kirklees 051</b>		<b>E02002326: Kirklees 056</b>		<b>Combined Kirklees 051&amp;056</b>		<b>Kirklees</b>	
Underground, metro, light rail, tram	5	0.2%	0	0.0%	5	0.1%	155	0.1%
Train	88	2.7%	92	3.1%	180	2.9%	5,421	2.9%
Bus, minibus or coach	220	6.8%	95	3.2%	315	5.1%	15,134	8.2%
Taxi	17	0.5%	7	0.2%	24	0.4%	1,727	0.9%
Motorcycle, scooter or moped	23	0.7%	20	0.7%	43	0.7%	1,280	0.7%
Driving a car or van	2,438	75.4%	2,466	82.8%	4,904	78.9%	125,678	68.4%
Passenger in a car or van	201	6.2%	133	4.5%	334	5.4%	12,566	6.8%
Bicycle	27	0.8%	20	0.7%	47	0.8%	1,829	1.0%
On foot	202	6.3%	135	4.5%	337	5.4%	19,083	10.4%
Other method of travel to work	11	0.3%	12	0.4%	23	0.4%	960	0.5%
Totals	3,232	100.0%	2,980	100.0%	6,212	100.0%	183,833	100.0%

53. As can be seen from the above Table 2, within the combined MSOA that encompasses the Appeal site (and also the aforementioned Storthes Hall site), the car / van driver percentage (78.9%) is significantly higher than the Kirklees average (68.4%) by over 10%. Therefore, this suggests that a more robust vehicle trip rate is appropriate for the Stocksmoor site than has been derived by the Appellant's transport consultant's in their various assessments, including the new generic trip rate for a suburban residential developments included in the H&T SoC document.

54. Whilst the above 'Method of Travel to Work' data relates to commuter trips, as a high-level assumption, it is reasonable to assume that other trips from the Stocksmoor site could have a similar modal split. This is considered reasonable, as the majority of other trip types such as education, shopping, sport / leisure, holiday/day trips and other personal business trips are likely to be motor-vehicle trips, given the lack of facilities within easy walking distance of the Appeal site. Therefore, if the local car / van driver percentage identified for combined MSOA 51 & 56 in Table 2 are applied to the weekday AM and PM two-way peak person trip rates identified in Table 4.1 of the Appellant's previous Transport Assessment Addendum report (as this is the only assessment that has been undertaken by the Appellant's consultants that has attempted to consider 'person trips', which is required by good practice) of 0.987 and 0.876 two-way person trips, this would equate to two-way vehicle trips rates of 0.779 (0.987 x 78.9%) and 0.691 (0.876 x 78.9%) in the weekday AM and PM network peak periods respectively. This demonstrates that the 'Sensitivity Test' trip rate of 0.7 two-way vehicle trips utilised within the Appellant's Transport Assessment Addendum report was a realistic figure to form the basis of the traffic assessment for the Appeal site (Notwithstanding that a 10% reduction to this 'Sensitivity Test' trip rate is now

accepted by the LPA as described above, on the basis that a robust Travel Plan and associated measures were provided). This also demonstrates that the Appellant's new trip rate assessment is not robust.

55. As part of the Appellant's H&T SoC document, a completely new assessment of development traffic distribution has been undertaken. The Appellant's new traffic distribution assessment is considered by the LPA to overly elaborate, unnecessarily complex, disproportionate to the scale of assessment being undertaken, and includes numerous assumptions that are questionable at best and others that appear to be flawed.

56. Some of the concerns regarding the various assumptions within the new traffic distribution methodology contained in the Appellant's H&T SoC document are as follows:

- Data from TEMPro for MSOA 051 & 056 has been used to determine vehicle journey purpose at the Appeal site. This data has been used as Stocksmoor lies on the edge of these two MSOA, which the LPA do not dispute. However, using this data from a wide area and then applying it to the Appeal site is incorrect, as this assumes that the travel patterns and modal split of people living in Stocksmoor are the same as people living in the remaining areas of MSOA 051 & 056. It is noted this wider area includes the villages of Shepley, Shelley, Kirkburton and Highburton, which all have a range of local facilities, including schools (both primary and secondary), shops, medical facilities etc. that are within easy walking distance. This is not the case for the Appeal site that is not within easy walking distance of any such facilities, and the most direct walking route to the nearest facilities that would accommodate the daily needs of residents is along Stone Wood Lane when walking to Shepley (a walk of over 1km before reaching any local facility). In particular, the data relating to primary education trips will certainly not be the same for the Appeal site, as it will be easy to walk to a primary school for a large proportion of people living in these other villages, which will clearly not be the same for the Appeal site where it is likely that the vast majority of all trips to/from primary school will be by car (or by bike, should parents feel safe to do so). Therefore, the manner in which this data has been utilised is flawed.
- Commuter trips have been assigned using 2011 Census data for MSOA 051 & 056. Whilst it has not been confirmed in the report, it is understood that this has been done using the '*WU03EW - Location of usual residence and place of work by method of travel to work (MSOA level)*' dataset, utilising the car/van driver data. This assessment approach is relatively standard and has been used for many years, and can provide an indication of commuter traffic distribution. However, the 2011 Census data is now old and does not reflect current commuter patterns. Unfortunately, the later 2021 Census data cannot readily be used for the same purpose, as it was affected by Covid restrictions, so there is no more recent Census data that could be used. Therefore, the usefulness of the 2011 Census data is diminishing, as the data is outdated and unreliable. This is one of the reasons why the LPA had asked for a 'first principles' type assessment of trips by all modes and trips types for the assessment (which has not been undertaken in any of the assessments), and accords with the principles in the NPPF that require a Vision-led approach to assessment and not 'predict and provide' as has

been done consistently by the Appellant's various transport consultants in their assessments.

- Whilst it is acknowledged that the 2011 census data can still give an indication of commuter traffic distribution, this type of assessment is open to significant interpretation and requires many judgements to be made regarding route choice between the origin (home) and destination (work) of these trips. In the new assessment included in the Appellant's H&T SoC document, which includes the detailed data and distribution assumptions at Appendix I, there has been no attempt to try and simplify the assessment to make the routing assumptions more transparent and auditable. Instead, separate traffic distribution assumptions have been made for 153 different MSOA areas, which makes it extremely difficult to check and validate each assumption. A much better approach that is easier to audit is to group the more distant MSOA into larger areas (e.g. all Leeds areas could have been grouped together rather than having 19 different Leeds MSOA areas to check). Notwithstanding this, some of the route choices that have been assumed are questionable. For example, there are a number of commuters to MSOA areas in Sheffield that have been assumed to travel via New Mill to the west (avoiding Stone Wood Lane), which would appear to be an error. Also, for commuters heading to all MSOA in Leeds, none of this traffic has been assumed to use Stone Wood Lane, which is clearly wrong, as it is quicker (or at least as quick, notwithstanding the problems on Stone Wood Lane) to travel to all areas of Leeds via the M1 rather than the M62, and Stone Wood Lane potentially provides a quicker route to the M1 (as the route avoids more congested routes and involves fewer junctions to contend with).
- In addition to the flawed / questionable assumptions relating to the route choice in the Appellant's new commuter traffic distribution, the data analysis is also flawed. As can be seen from the data in Appendix I of the H&T SoC document, the dataset they have used includes 3,714 commuters. However, within the MSOA 051 & 056 dataset, there are 4,212 commuters. Therefore, the analysis ignores circa 12% of commuters from the dataset. There is no explanation in the H&T SoC document to explain why this is the case. However, it appears that all MSOA with 3 or fewer people have been removed from the analysis. This approach is flawed, as it discounts MSOA areas that include a smaller work population, which are likely to be MSOA further away from the site. These excluded MSOA are more likely to be accessed via the motorway network, with the nearest connection to the motorway (M1) being to the south and east. Therefore, this is also likely to diminish the traffic distribution assigned to use Stone Wood Lane.
- There are also various flaws in the new assessment relating to education trips contained in the H&T SoC document. Whilst it has not been acknowledged in the Appellant's assessment, there are school buses to both Kirkburton Middle School and to Shelley High School that are available in Stocksmoor. Therefore, the assumption that secondary school children will be driven to school by car in the same proportion as primary school children is a clear error, and certainly does not align with a Vision-led

approach to transport planning (e.g. a target of the site's Travel Plan should to encourage all secondary school children to use the bus if they are able).

- The assumption that primary school children (that are most likely to be driven to school by car) would be evenly split between Thurstonland First School and Shepley First School is also questionable. Whilst for education planning purposes, the Appeal site sits within the Thurstonland Primary Admission Area (PAA), this does not mean that parents are most likely to choose this school. Similar to the MSOA data, the Appeal site sits on the boundary of the Thurstonland and Shepley PAA's and so these areas should be grouped together if this is being used to judge which primary school children from the Appeal site may attend, and if a consistent approach to data analysis is being used (e.g. to reflect the Appellant's approach of combined MSOA from two areas due to the site being on or close to the boundary). Using the same 2024 school planning data as used in the H&T SoC document (but using Table C that focuses on where children live in the local area, which is included in Appendix D of this report) this indicates that there are 253 children in the Shepley First School and Thurstonland First School PAAs, of which 139 (55%) attend Shepley First School and 42 (17%) attend Thurstonland First School, with the remainder choosing other first schools. Therefore, it is not a robust assumption to assume an even split (as has been done in the Appellant's H&T SoC document) of children attending each first school, when the majority of children in the two combined PAAs attend Shepley First School (with Shepley First School also being marginally closer to the Appeal site). It is noted that the LPA does not suggest that the above alternative assumption is the true split of where children who live in Stocksmoor currently prefer to go to primary school, but is presented to demonstrate the flaw in the Appellant's assumptions. Given that Rule 6 status has been granted to Stocksmoor Vision, this local group may be able to provide more information on this matter.
- For the shopping and 'other' trips, the H&T SoC document has made the assumption that 25% of these trips will distribute on four identified primary routes. However, this is no more than an assumption, which is not based on any evidence. The only justification provided for this is that a '*robust allowance*' for traffic heading towards Skelmanthorpe and the motorway network via Stone Wood Lane has been identified. However, the LPA do not consider this to be a robust assumption, as the route via Stone Wood Lane to the M1 may be marginally longer, but is likely to be quicker (or at least as quick, notwithstanding the problems on Stone Wood Lane) than alternative routes, as this route avoids other congested streets (e.g. Far Bank, which has extensive on street parking, and a primary school that is busy during the AM peak period).

57. In summary, the Appellant's H&T SoC document includes a completely new assessment of development traffic generation and distribution (the scope of which had not been previously discussed or agreed with the LPA contrary to the NPPF & PPG). This Appellant's new assessment concludes at paragraph 5.7.2 of the H&T SoC document by stating:

*'the proposed development will generate a maximum of 7 two-way vehicular movements along Stone Wood Lane during the busiest morning and evening peak*

*hour periods. This represents 25% of the total 28 vehicle movements predicted (see Table 5.4), which is considered to be robust taking account of each journey purpose and some of the worst-case assumptions applied.'*

58. The LPA do not accept that the new assessment provides a robust basis for assessment or that it is based on worst-case assumptions. The assessment also fails to take account of the sites relatively low level of accessibility and includes numerous questionable assumptions and apparent flaws, and is not accepted by the LPA.

*Future Year Assessment and Design Flows on Stone Wood Lane*

59. In the H&T SoC document, it is suggested at paragraph 5.3.2, that 2030 is considered to represent a robust future design year. Paragraph 5.3.3 goes on to set out background traffic growth rates from 2025 to 2030, utilising data obtained from Temprow 8.1 for average values within for Kirklees MSOA 051 & 056, which provide growth factors of 1.052 for both AM and PM weekday peak periods. Both the future design year, and the proposed growth rates are accepted by the LPA.

60. The H&T SoC document then utilises these growth rates to determine 2030 Base Traffic Flows, as shown in their Table 5.2. However, as previously identified in this report (See Table 1 and Appendix A), the previous ATC survey data undertaken for the original Transport Assessment identified a higher average weekday peak hour flow than has been identified in the Appellant's data. Therefore, the traffic flow data identified in this report at Table 1 has been used as the basis to apply the future traffic growth. This revised data is included in the Table 3 below:

	<b>Table 3 - Weekday Peak Hour Two-way Flows on Stone Wood Lane</b>			
	<b>AM Peak (0800-0900)</b>		<b>PM Peak (1700-1800)</b>	
	<b>Vehicles</b>	<b>Comment</b>	<b>Vehicles</b>	<b>Comment</b>
Row A Max. Average Weekday Base ATC Flows (See Table 1)	69	TA w/c 12/04/24	74	H&T SoC w/c 18/09/25
Row B Max. Weekday ATC Flows (See Table 1)	90	TA 12/04/24	89	H&T SoC 18/09/25
Row C 2030 Base Traffic Flow	73	Row A Flow x 1.05	78	Row A Flow x 1.05

61. In the Appellant's H&T SoC document, 'Design Traffic Flows' have been identified in their Table 5.2 for Stone Wood Lane.

62. However, the LPA have produced their own Table 4 below, which shows the Design Traffic Flows that the LPA will refer to at the Appeal to consider design parameters for Stone Wood Lane. This information has been produced, as the Design Traffic Flows presented by the Appellant in the H&T SoC report are not considered to be robust (as they do not consider the maximum average weekday peak hour flows from the three sets of ATC survey data, do not include a robust assessment of development traffic, and do not consider an additional scenario that considers design flows based on the current maximum recorded peak hour flows).

63. These Design Traffic Flows are slightly different to the Appellant's data, as they include the more robust average weekday peak hour flows identified previously in

Table 1 of this report, together with the adjusted 'Sensitivity Test' development flows, again to ensure a robust assessment. An additional Design Traffic Flow scenario has also been included, which add the existing maximum weekday peak hour flows identified in Table 1 of this report (with no traffic growth applied), together with the adjusted 'Sensitivity Test' development flows, which demonstrates that weekday peak hour flows could exceed 100vph (a key threshold when considered shared surface highways).

Time Period	Table 4 - Two-way Vehicle Movements on Stone Wood Lane				
	2030 Base Flows	Max. Weekday ATC Flow	Adjusted 'Sensitivity Test' Development Trips	2030 Base + Development	Max. Weekday (no traffic growth applied) + Development
AM Peak Hour (08:00 to 09:00)	73	90 (on 12/04/24)	16	89	106
PM Peak Hour (17:00 to 18:00)	78	89 (on 18/09/25)	16	94	110

In summary, The LPA accepts the future design year, and the proposed traffic growth rates contained in the H&T SoC document. However, the LPA have provided a more robust assessment of future design year traffic flows, utilising all of the base traffic count data available (from all three ATC surveys provided by the Appellant in their various assessments, which show higher average weekday flows that used in the Appellant's assessment, and have included the maximum peak hour flows recorded from the various surveys as an additional test scenario) on Stone Wood Lane, as the LPA does not consider the assessment provided by the Appellant in their latest assessment to be suitably robust.

*Materiality Assessment of Traffic Impact on Stone Wood Lane*

64. To consider the magnitude of traffic impact of development traffic on Stone Wood Lane, the adjusted 'Sensitivity Test' assessment flows (e.g. using the reduced 0.630 two-way weekday peak hour vehicle trip rate that includes a 10% reduction that assumes an affective Travel Plan would be implemented, and a simplified assessment of traffic distribution that assumes 50% of development traffic utilises Stone Wood Lane) has been utilised. Also, whilst the Appellant's new trip generation and distribution methodology contained in the H&S SoC document is not accepted by the LPA, and is not considered to form a robust basis for assessment, the Appellant's suggested development traffic flow scenario has also been considered for completeness. The development traffic increases have been compared to the maximum average weekday base flows obtained from the three ATC surveys (e.g. those shown in Table 1 of this report) as shown in Table 5 below:

Table 5 Base + Development Weekday Peak Hour Two-way Flows on Stone Wood Lane				
	AM Peak (0800-0900)		PM Peak (1700-1800)	
	Vehicles	% Increase	Vehicles	Comment
Base Flow (Table 1 Row A)	73	N/A	78	N/A
Adjusted 'Sensitivity Test' Flow	16	21.9%	16	20.5%
Appellants H&S DoC Flows	7	9.6%	7	9.0%

65. In the Appellant's H&T SoC document (and in the previous Transport Assessment Addendum), reference has been made to the previous 'Guidance on Transport Assessment' (GTA) document produced by the Department for Transport (DfT) in 2007, which has since been withdrawn and replaced by the current NPPF Planning Practice Guidance (PPG), and have stated that:

*'The previous national Guidance on Transport Assessments GTA document (now withdrawn) suggested that a development traffic generation of 30 two-way trips per hour represented an appropriate threshold figure above which further assessment may be required but below which the impact could be considered non-material. Whilst the Government's current Planning Practice Guidance (PPG) does not specifically refer to 30 two-way trips per hour this remains a threshold which is generally applied within the industry including by many local highway authorities and National Highways.*

*It is evident by any measure than an additional 7 two-way vehicular trips along Stone Wood Lane, which equates to one additional vehicle every minutes, represents a non-material' impact. Furthermore, in terms of the volume of development, the additional trips are certainly not 'severe' which is the test applied in paragraph 116 of the NPPF. The matter of unacceptable 'highway safety' referenced in the same paragraph of the NPPF is considered in Chapter 6.'*

66. Whilst the LPA acknowledge that the 30 two-way trip threshold is often still used in certain circumstances, such as when to consider detailed junction capacity modelling, the LPA do not accept this to be an appropriate threshold that serves any purpose in this situation for the reasons which follow. It is also noted that the same section (relating to when an assessment was needed) of the former GTA document stated:

*'These thresholds are for guidance purposes and should not be read as absolutes. There are a range of qualitative factors that need to be taken into account that the thresholds do not necessarily capture. There will also be site-specific issues that assessments will need to take into account. In some circumstances, a TA may be appropriate for a smaller development than suggested by the thresholds...'*

67. The current Planning Practice Guidance (PPG) also recommends a similar approach, suggesting that assessment thresholds need to be considered on a case by case basis, and take account of impact on sensitive areas, which is the case with the impact on Stone Wood Lane due to its constrained nature and its important local (and national, given that it is a NCN route) access function for active travel users.

68. Of more help in considering the significance of the traffic impact on Stone Wood Lane is the former 'Guidelines for Traffic Impact Assessment' document produced by the Institute of Highways & Transportation (IHT) in 1994, and was superseded by the aforementioned GTA document. This former guidance document suggested that traffic impact may be considered material or significant should there be an increase of 10% of traffic on a link, or 5% in sensitive locations, which would apply to Stone Wood Lane. The guidance also suggested that lower percentage increases may also give rise to concerns. Based on these thresholds, which were previously deemed to represent material increases in traffic, it is clear that the scale of impact of development traffic on Stone Wood Lane is material, with development

traffic increases of over 20% based on the adjusted 'Sensitivity Test' assessment trips (as can be seen from Table 4 above); and even when considering the lower trip generation estimates proposed in the Appellant's H&T SoC document, which the LPA have demonstrated are not robust, the 5% threshold for a material or significant impact in a sensitive location is still exceeded.

In conclusion, the LPA do not accept the Appellant's assertion in their H&T SoC document that the former 'Guidance on Transport Assessments' documents assessment threshold of 30 two-way peak hour trips has any bearing on the Appeal. The LPA consider that the thresholds identified in the earlier 'Guidelines for Traffic Impact Assessment' document produced by the Institute of Highways & Transportation (IHT), are of more help to consider the significance of the impact of development traffic from the Appeal site on Stone Wood Lane. Based on this former guidance, which suggests thresholds for material or significant traffic increases at 10% on a link, or 5% in sensitive locations, it is clear that the scale of impact of development traffic on Stone Wood Lane is material, even when considering the Appellant's new development traffic assessment methodology, which the LPA do not consider to be robust.

#### Proposed Stone Wood Lane Highway Improvements

69. At Section 6 and 7 of the Appellant's H&T SoC document, they have set out what they consider to be the benefits of the proposed works on Stone Wood Lane, which they have stated *'will not only mitigate the low impact of the development proposals but will also provide a betterment to existing users of the route including pedestrians, cyclists, horse riders and drivers.'*
70. Whilst the LPA continues to accept that the works in themselves would provide some marginal improvement over the current passing bay arrangements, the LPA still conclude that the works are not adequate to mitigate the adverse impact of additional development traffic along Stone Wood Lane on all users, which will be particularly detrimental to active travel users.
71. The Appellant's H&T SoC document goes into some length, questioning the use of research and guidance documents referenced by the LPA (including TAL 2/04 'Rural Traffic Calming: Bird Lane, Essex', produced by the Department for Transport - DfT), which were highlighted by the LPA to give an indication of what the design requirements for passing places on single track rural road should be, with the Appellant's main concern appearing to be that the documents highlighted are too old. However, the Appellant has not highlighted any alternative guidance or research on this matter, which supports their view that the design of the passing places following mitigation are adequate. It is also worth noting that the latest guidance document referenced by the LPA (TAL 2/04 produced by the DfT), was produced in 2004, only three years prior to Manual for Street was first published, which the Appellant's case relies upon heavily (e.g. the only evidence they have pointed to, to assume that the passing place widths are adequate).
72. The Appellant's H&T SoC document also discusses the effect of vehicle delay relating the adequacy (or otherwise) of the improved passing places. The LPA can confirm that it is not the delay to vehicular traffic that gave rise to the reason for refusal in this case. It is the significant inadequacy and shortcomings of the passing place provision, even if the mitigation works were implemented, which is of concern and that will not be materially improved by the proposed mitigation works.

Therefore, the additional traffic generated by the development will exacerbate existing problems along the route.

73. The Appellant's H&T SoC document sets out their justification why passing places are not required at 60m intervals, as is recommended in the DfT guidance (TAL 2/04) that has been highlighted by the LPA. The LPA agrees that the 60m distance between passing places is not a rigid distance that must be applied in all cases, and acknowledges that when there are lower traffic flows, a greater separation distance could be acceptable, subject to the passing places being well designed and affective. However, the LPA considers the passing place provision will remain to be inadequate in a number of respects, even when taking into account the proposed mitigation.
74. The Appellant's H&T SoC document goes on to state that *'what is of more importance, is achieving good inter-visibility between passing places whatever distance that may be, irrespective of setting rigid separation distances'*. The LPA agree that this is one of the most important factors, as without adequate inter-visibility between passing place, vehicles entering the single-track section without being able to see the exit, are unable to avoid meeting a vehicle coming in the opposite direction. When these vehicles meet at relatively low speed (at higher speeds a collision could occur), these vehicles can then stop and reverse back to the previous passing place. However, given the highly constrained nature of the route (which is narrow, steep and lacks adequate forward visibility in various locations) and the lack of adequate passing places, these reversing movements can be lengthy (which justifies why frequent passing places are required), and well beyond what is usually considered as a maximum safe reversing distance (20m is quoted in various guidance documents, including Manual for Streets, and the Councils Highway Design Guide SPD, as the maximum recommended reversing distance when discussing the need for turning heads, which highlights the well-known safety concern relating to excessive reversing distances). These lengthy and difficult reversing movements (e.g. on bends, steep gradients, and narrow sections of highway etc) present a significant safety risk for all road users, but particularly for any active travel users who have been forced to wait in the immediate vicinity (due to the lack of footways) of the reversing vehicles.
75. In addition to passing places requiring adequate inter-visibility, it is important that they are suitably sized to accommodate the range of traffic (all modes) that will use the route. Whilst there are no rigid local or national standards relating to this, various guidance is available, including the guidance referenced by the LPA. The various guidance is consistent, and recommends that passing places need to be of suitable length to accommodate a least one vehicle (of the types that are expected to use the road), but longer when multiple vehicles need to be accommodated. Passing places also need to be of suitable width to allow a range of users (all modes) to pass with safe clearances (both from those passing, and the features adjacent to the carriageway), and include adequate tapers at either end to allow for vehicles to safely and effectively manoeuvre (it is noted that no swept path analysis has been provided by the Appellant to demonstrate their suggested improvement would work in practice). Critically, they also need to include adequate inter-visibility as has previously been mentioned, and as the Appellant has accepted is important.

76. The Appellant's H&T SoC document suggests that whilst the passing bay provision on Stone Wood Lane may not comply with the guidance that has been highlighted by the LPA, they consider that the provision is adequate. The LPA reject this. In particular, the Appellants suggestion that all passing places have adequate inter-visibility is wrong. Further information provided on this and elaborated as part of the LPA's evidence.
77. The Appellant's H&T SoC document has focused on the passing place provision on Stone Wood Lane. However, this deficiencies with this provision is not the only safety related issue along the route. The route is also narrow (including narrow verges, where they are available and sometimes are absent), steep in places, unlit and has restricted forward visibility in various locations along the route, and lacks any dedicated active travel user provision. Whilst the 85th percentile traffic speeds on the route are well below the 60mph speed limit, the speeds are also relatively high (and not low as the Appellant suggest) given the shared surface nature of the route. These (and other) features create safety risks along the route that effect all roads users, but have greatest impact on safety (and the perception of safety) for active travel users, which has not been acknowledged by the Appellant (who believe the situation for these users will improve following development) or adequately assessed.
78. To conclude, the LPA did not object to the development due to the increased delay to vehicular traffic along Stone wood Lane (although this is likely to be an adverse impact of additional development traffic along this route) and can confirm that this issue did not give rise to the reason (Reason 1) for refusal in this case. It is the significant inadequacy of the passing place provision along the route (even if the proposed mitigation works were implemented), together with other sub-standard features and conditions along the route that contribute to highway safety related risks that will be exacerbated by the development, which the LPA have concluded will not be satisfactorily mitigated by the proposed improvement works. These sub-standard features and conditions contribute towards safety risks along the route that effect all roads users, but have greatest impact on the safety (and the perception of safety) for active travel users, and are of the most concern, which has not been acknowledged by the Appellant (who believe the situation for these users will improve following development) or adequately assessed and mitigated.
79. Therefore, the LPA remain of the view that the detrimental impact of development traffic on the local highway network, namely Stone Wood Lane, would adversely impact the safe and efficient movement of traffic by all modes, and be particularly detrimental to active travel users, leading to unacceptable impacts on highway safety and the amenity of active travel users utilising the route, and would compound the existing problems that already exist, which are of particular concern during weekday network peak periods.

## **Summary**

### *Response to appellant's Highways and Transport Statement*

80. As part of the Appellant's Statement of Case, a 'Highways and Transportation Statement of Case (H&T SoC) document has been provided. This H&T SoC document (Appendix 3 to the Appellant's main SoC document) introduces a significant amount of new technical details, including new survey data, that was not submitted at the application stage. The document contradicts or supersedes in a

range of areas the Appellant's final TAA report submitted during the planning application determination period. The technical details included in the Appellant's H&T SoC document have been prepared by the Appellant's new transport consultant (their third different consultant). This includes a completely new assessment of development traffic impact on Stone Wood Lane, and significant amounts of additional data and analysis. The document also seeks to reject the use of the 'Sensitivity Test' trip rates that had been agreed between the LPA and the Appellant's previous transport consultant (their second consultant), which had been agreed to provide a robust assessment and to test a reasonable future scenario, as is required. Therefore, this Technical Response to the Appellant's Highway & Transport Statement of Case document (Appendix 1 to the Council's main Statement of Case) has been produced to supplement the LPA's main Statement of Case document, and forms part of the LPA's Statement of Case. This supplementary Technical Response to the Appellant's H&T SoC document, includes details of issues where there is agreement, and where necessary, identifies where there are areas of disagreement, and presents the LPA's updated assessment of the development impact based on the Appellant's new assessments and data. A summary of the key issues that are set out in detail earlier in this Technical Response are summarised below:

#### *Traffic Surveys*

81. The LPA accept the Appellant's new ATC data as forming the basis of assessment, on the basis that it is used in conjunction with the previous ATC data used to inform the assessments previously undertaken by both parties. However, the average speed data that has been referenced by the Appellant is not considered to be relevant to the case. The ATC surveys have also not been undertaken in full accordance with good practice. As such, the results need to be treated with caution and are likely to be an underestimate of traffic speeds, particularly along the single-track sections of Stone Wood Lane, as all speed data was not obtained in free flow conditions. The Council will also reference the more robust base traffic flows obtained from the three sets of ATC data provided in the Appellant's various assessments, to ensure a robust assessment of development traffic is considered as part of the Appeal.

#### *Pedestrian/Cycle/Equine Surveys*

82. The LPA consider that the new Pedestrian/Cycle/Equine Surveys data included in the H&S SoC document is unreliable, and very limited weight can be given to the data. The data only provides a snapshot of active travel user activity, so does not form any robust basis for assessment. That said, the LPA notes that the data for the AM weekday peak hour period indicates lower active travel flows than the hours on either side of this time period, which provide some evidence (but of limited weight due to the deficiencies with the data and small sample size) that active travel users are already avoiding Stone Wood Lane during this busier traffic period.

#### *Existing Personal Injury Accident Data*

83. The LPA disagrees with the Appellant's assumption that the Personal Injury Accident (PIA) record demonstrates that Stone Wood Lane '*operates safely in practice*', which is a flawed assumption. The Appellant's assessment also ignores the high number of comments from local people, who have identified safety concerns along the route, and have identified a number of incidents that they are

aware of that do not form part of the PIA record (as damage only non-injury related incidents are not recorded). The statements made in the Appellant's H&T SoC document that they do not consider the route to be intimidating for pedestrians (and presumably other active travel users), is not the view expressed by local people, or the experience of Council Officers who have visited the route on numerous occasions, including during the busier (in terms of motor traffic) AM weekday peak period. Therefore, the LPA consider that the Appellant has not adequately considered the safety risks for all users along Stone Wood Lane, which are exacerbated by the highly constrained nature of the route (that the Appellant appears to accept to some degree), or considered the perception of safety for these users, which is also an important consideration.

### *Development Proposals*

84. As confirmed in the Council's Highway Development Management (HDM) consultation responses provided during the planning application consultation period, whilst the principle of the site layout was acceptable, the street layout had not been designed in full accordance with the Council's Highway Design Guide SPD, and as such, was not suitable for adoption. Whilst the Appellant had indicated that they were to amend the layout, to allow the streets to be considered for adoption, a revised site layout plan was not agreed prior to determination of the application. Therefore, the current site layout that is subject to the Appeal remains unsuitable for adoption. However, highway adoption is not a mandatory requirement of the planning process, and the LPA did not cite this as reasons for refusal, as the streets could remain private should the Appeal be allowed. However, as final details of the street layout had not been agreed, a suitably worded planning condition would be necessary, to ensure that the site layout is safe and designed to a commensurate standard to an adoptable street and that a Stage 1 Road Safety Audit is carried out. A condition would also be required to agree the waste collection arrangements for the Appeal site, as the Councils Waste Collection Teams will not routinely enter private streets without prior agreement.
85. The revised site access arrangements (shown on drawing 24071-LE-00-ZZ-DR-D-0001-P4) included in the Transport Assessment Addendum report addressed the main outstanding issues raised in relation to the site access. Therefore, it was confirmed in the final HDM consultation response of 11/04/25 that there was no objection to the principle of the proposed site access, and that any further changes that may be required, including any changes that may arise from the required Stage 1 Road Safety Audit process in due course, could be addressed via a suitably worded planning condition. This remains the case.

### *Construction Access*

86. As stated in the Appellants H&T SoC document, construction access to the Site would be required from Shepley Road, with all HGV movements prohibited from utilising Stone Wood Lane to the east, and during the construction phase, a Construction Management Plan (CMP) will be required that will need to address/mitigate any potential impacts arising from the development, and ensure that the Site operates efficiently and safely. It is agreed that a CMP would need to be secured by a suitably worded planning condition.
87. A planning condition would also be required for pre and post construction highway conditions surveys and remediation, to ensure that any damage caused to the

highway that is associated with construction activities at the Appeal site is rectified, which would need to be secured by a suitably worded planning condition.

#### *Site Accessibility*

88. Whilst the information set out in the Appellant's H&T SoC document about the site accessibility by active and sustainable transport modes is not generally in dispute by the LPA, the information is considered to provide only a high level assessment, which does not provide a thorough accessibility audit in accordance with Planning Practice Guidance (PPG) and Active Travel England's (ATE) 'Standing Advice Note: Active Travel and Sustainable Development'. This includes a lack of assessment of development trips by active and sustainable transport modes, with the new supporting traffic assessment contained in the H&T SoC document failing to consider the site's relatively low level of accessibility. The assessment also fails to consider the negative effects of development traffic on active travel users on Stone Wood Lane, with the Appellant concluding that the proposed passing place improvements will also provide a betterment to existing users of the route including pedestrians, cyclists, horse riders. The LPA rejects this conclusion and considers that the additional traffic arising from the development would have a significant and unacceptable impact on the safety and amenity of active travel users (both existing and proposed) on Stone wood Lane, which is an important active travel route linking the settlements of Stockmoor and Shepley, and that the proposed passing bay improvement will fail to mitigate this impact. The additional development traffic on this route will also have negative impacts on the nationally recognised cycle route (National Cycle Network Route 627), and will conflict with the core principles in Local Transport Note 1/20 'Cycle Infrastructure Design', by exacerbate existing issues along the route.

#### *Agreed 'Sensitivity Test' Trip Rates and Future Assessment Scenario*

89. The LPA does not accept the Appellant's rejection of the use of a 'Sensitivity Test' trip rate, which had been utilised to ensure a robust assessment of development traffic impact on Stone Wood Lane is undertaken. The use of a 'Sensitivity Test' trip rate was agreed in advance with the Appellant's previous transport consultant prior to their completion of the Transport Assessment Addendum report, which is in accordance with the NPPF that states that 'all reasonable future scenarios' should be agreed in advance with the LPA. The LPA also rejects the Appellant's ascertain in the H&T SoC document that the traffic distribution methodology used in the 'Sensitivity Test' assessment was the 'Councils methodology', as the traffic distribution was that proposed by the Appellant's consultant in their Transport Assessment Addendum. Whilst this traffic distribution methodology was not fully accepted by the LPA, it was agreed to form the reasonable basis for assessment as identified in the final HDM consultation response. Notwithstanding that the previous 'Sensitivity Test' assessment had been agreed as a 'reasonable future scenario' between both parties, the LPA have agreed to an adjusted version of the 'Sensitivity Test' assessment. This takes into account a 10% reduction to the previously agreed 'Sensitivity Test' trip rate (as the Appellant is understood to have committed to provide a Sustainable Transport Fund to support Travel Plan measures at the Appeal site) and a simplified assessment of traffic distribution that assumes 50% of development traffic utilises Stone Wood Lane (rather than 47% and 53% in the AM and PM weekday peaks, as had been proposed by the Appellant's consultant in the Transport Assessment Addendum).

90. Based on the adjusted version of the 'Sensitivity Test' assessment, the LPA estimate that Appeal site could generate a total of 32 two-way vehicle trips in both the AM and PM weekday peak hour periods, of which 50% may use Stone Wood Lane, which equates to 16 two-way vehicle trips along this route. This realistic future scenario takes account of the Appeal sites relatively low level of accessibility, the Travel Plan measures now proposed, is consistent with the trip rates agreed for a nearby development site at Storthes Hall, and is based on a methodology previously proposed by the Appellant's consultant in their Transport Assessment Addendum and subsequently agreed by the LPA as forming a reasonable basis for assessment. Therefore, this adjusted 'Sensitivity Test' assessment is in accordance with the requirements of the NPPF, which requires that 'all reasonable future scenarios' be taken into account.

*The Appellants new trip rate, traffic generation and traffic distribution assessment*

91. The Appellant's H&T SoC document includes a completely new assessment of development traffic generation and distribution (the scope of which had not been previously discussed or agreed with the LPA contrary to the NPPF & PPG). The Appellant's new assessment concludes at paragraph 5.7.2 of the H&T SoC document by stating:

*'the proposed development will generate a maximum of 7 two-way vehicular movements along Stone Wood Lane during the busiest morning and evening peak hour periods. This represents 25% of the total 28 vehicle movements predicted (see Table 5.4), which is considered to be robust taking account of each journey purpose and some of the worst-case assumptions applied.'*

92. The LPA do not accept that the new assessment provides a robust basis for assessment or that it is based on worst-case assumptions. The assessment also fails to take account of the sites relatively low level of accessibility and includes numerous questionable assumptions and apparent flaws, and is not accepted by the LPA.

*Future Year Assessment and Design Flows on Stone Wood Lane*

93. The LPA accepts the future design year, and the proposed traffic growth rates contained in the H&T SoC document. However, the LPA have provided a more robust assessment of future design year traffic flows, utilising all of the base traffic count data available (from all three ATC surveys provided by the Appellant in their various assessments, which show higher average weekday flows than used in the Appellant's assessment, and an additional scenario that includes the maximum peak hour flows recorded from the various surveys) on Stone Wood Lane, as the LPA does not consider the assessment provided by the Appellant in their latest assessment to be suitably robust.

*Materiality Assessment of Traffic Impact on Stone Wood Lane*

94. The LPA do not accept the Appellant's assertion in their H&T SoC document that the former 'Guidance on Transport Assessments' documents assessment threshold of 30 two-way peak hour trips has any bearing on the Appeal. The LPA consider that the thresholds identified in the earlier 'Guidelines for Traffic Impact Assessment' document produced by the Institute of Highways & Transportation (IHT), are of more help to consider the significance of the impact of development

traffic from the Appeal site on Stone Wood Lane. Based on this former guidance, which suggests thresholds for material or significant traffic increases at 10% on a link, or 5% in sensitive locations, it is clear that the scale of impact of development traffic on Stone Wood Lane is material, even when considering the Appellant's new development traffic assessment methodology, which the LPA do not consider to be robust.

### *Proposed Stone Wood Lane Highway Improvements*

95. The LPA did not object to the development due to the increased delay to vehicular traffic along Stone wood Lane (although this is likely to be an adverse impact of additional development traffic along this route) and can confirm that this issue did not give rise to the reason (Reason 1) for refusal in this case. It is the significant inadequacy of the passing place provision along the route (even if the proposed mitigation works were implemented), together with other sub-standard features and conditions along the route that contribute to highway safety related risks that will be exacerbated by the development, which the LPA have concluded will not be satisfactorily mitigated by the proposed improvement works. These sub-standard features and conditions contribute towards safety risks along the route that effect all roads users, but have greatest impact on the safety (and the perception of safety) for active travel users, and are of the most concern, which has not been acknowledged by the Appellant (who believe the situation for these users will improve following development) or adequately assessed and mitigated.
96. Therefore, the LPA remain of the view that the detrimental impact of development traffic on the local highway network, namely Stone Wood Lane, would adversely impact the safe and efficient movement of traffic by all modes, and be particularly detrimental to active travel users, leading to unacceptable impacts on highway safety and the amenity of active travel users utilising the route, and would compound the existing problems that already exist, which are of particular concern during weekday network peak periods.

### **List of documents**

97. The following documents are relevant to the Appeal, in addition to those referred to in the Councils main Statement of Case document:
- Kirklees Highway Design Guide SPD (2019)
  - Kirklees Transport Strategy (2025)
  - Planning Practice Guidance (PPG) - Travel Plans, Transport Assessments and Statements
  - Active Travel England (ATE) 'Standing Advice Note: Active Travel and Sustainable Development'
  - Active Travel England (ATE) - Critical Safety Issues for walking, wheeling and cycling (2025)
  - Local Transport Note 1/20 'Cycle Infrastructure Design' - DfT
  - DfT Inclusive Mobility – DfT
  - Manual for Streets - DfT
  - Manual for Streets 2 - CIHT
  - Design Manual for Roads and Bridges (DMRB) - Highways England
  - CA185 - Vehicle speed measurement' - (DMRB) – Highways England
  - Setting local speed limits (2024) – DfT

- Technical Standard - Roads (Appendix C) - HS2 rural road design criteria
- TAL 2/04 'Rural Traffic Calming: Bird Lane, Essex' – DfT
- TAL 3/04 'Quiet Lanes' - DfT
- Reported road casualty Great Britain (RRCGB), annual report:2024 - DfT
- PPR026 – Accident analysis on rural roads – A technical guide (2004), TRL Limited
- Guidelines for Traffic Impact Assessment - Institute of Highways & Transportation (IHT) 1994
- Site/aerial photographs, OS and other mapping, topographical survey data etc.

## **Appendices**

Appendix A - ATC Data Summary - Shepley Road and Stone Wood Lane

Appendix B - Department for Transport (DfT) – Connectivity Tool Lite Output

Appendix C - Trip Rate Extract (Table 3.1) from Storthes Hall (application reference 2023/93667) TAA Report

Appendix D - Planning Area 22:Shelley – PAA School Data (See Table C)

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