

Formula Land

Orchard Farm, Pershore

SLR Project No.: 227119

15 October 2024

Revision: V3

WCC'S EVOLVING POSITION

1.0 Introduction

- 1.1 All highways matters are now agreed. WCC Highways approach to this application resulted in a lot of abortive work and unnecessary delay to reach this position.

2.0 WCC Highways Response

- 2.1 We received a total of three Response Notes from WCC Highways:

- 8th February 2024
- 17th April 2024
- 1st July 2024

- 2.2 The 8/2/24 Response focussed on modelling, and raised a number of standard technical queries which have been resolved. However, the 8/2/24 Response Note fails to mention the request made by WCC Highways in parallel for a Paramics microsimulation model to be produced to assess the impact at the Three Springs Road junction. In our view this was an excessive request and not raised at the pre-application stage.

- 2.3 The 17/4/24 Response Note identified 20 critical points in the conclusion. We responded to this.

- 2.4 This led to a third Response Note (dated 1/7/24), which identified 18 critical points in the conclusion. We did not respond to this.

- 2.5 The first draft of the SoCG received from WCC Highways on 13th August 2024 included the following key issues:



1. To provide traffic surveys in neutral months – a request made after the TAG unit M1.2 guidance had been updated (See paragraph 2.4.5);
 2. The requirement for a street lighting assessment;
 3. The omission of committed development in the modelling work – (we had included TEMPRo to be robust);
 4. Signal timings in the model unlikely to reflect signal timings 'on the ground';
 5. The marginal change in signal timings could be overwhelmed by day to day variation in traffic demands;
 6. Adjusting the signal timings is unlikely to be a viable, realistic or adequate option to mitigate the Proposed Development;
 7. The coverage of the Paramics model is too limited to assess any reassignment;
 8. Traffic impact has not been properly or robustly assessed;
 9. Further financial contributions may be required
- 2.6 We did not do any further work.
- 2.7 However, during a call on 16th August 2024 WCC proposed a package of mitigation to address the impact of the Proposed Development. Rachel Sandy of WCC said at the call words to the effect of *'I included all of that in the SoCG to bring you to the negotiating table'*.
- 2.8 Following the call on 16th August 2024 the 18 critical points in the third Response Note (1/7/24) and the 10 key issues identified in the first draft of the SoCG were reduced to 4 outstanding points:
1. The PM peak models;
 2. The reassignment of traffic;
 3. A Stage 1 RSA for the Zebra Crossing; and
 4. The requirement for a Street Lighting Assessment.
- 2.9 We issued the PM peak models to WCC, and this matter was resolved on 10th September 2024.
- 2.10 We intended to undertake surveys of two minor junctions – Holloway / Rebecca Road and Rebecca Road / Worcester Road – in September to address the reassignment issue (which was raised in August 2024 after the distribution of traffic had been agreed). Due to roadworks on Holloway the surveys could not be undertaken until 2nd October.
- 2.11 However, on 2nd October WCC Highways notified us by e-mail that it was no longer concerned about the reassignment of traffic and this had been addressed by the proposed mitigation to the Three Springs Road junction, which had been agreed in August 2024.



- 2.12 A Stage 1 RSA for the Zebra Crossing was submitted and agreed with WCC Highways. WCC finalised and agreed the Designer's Response on 25/09/2024.
- 2.13 A Street Lighting Assessment was submitted as an Appendix to the Ecology Proof. However, in advance of receiving this, WCC Highways confirmed on 25th September and 2nd October that street lighting was no longer an issue, and this could be dealt with post-planning.
- 2.14 Therefore, submitting the PM peak models, the Stage 1 RSA for the Zebra Crossing, and the TRICS data files, addressed the 18 points of concern in the third Response Note (1/7/24) and the 10 key issues in the SoCG.
- 2.15 In recognition of what seemed to be a narrowing of hitherto a significant raft of highways related issues, Michael Davies wrote to Gillian McDermott on 3 October and asked: *"Do you have any further update from WCC on whether they intend to submit a proof / appear at the Inquiry. Unless we hear otherwise we have a draft highways proof. However, my understanding was that nearly all of the Highway issues raised have either been resolved through submissions made or could be resolved through condition etc"*. No response was provided to this email.
- 2.16 The issues which were not agreed in the first draft of the SoCG received from WCC Highways on 13th August 2024 that fell away following no further work are as follows:
1. The request to construct the Spine Road to the northern boundary of the Site to connect with the Holloway application, including potentially connecting a bus route through to Holloway (NB – we pushed back on this because although we can provide a 6.1m wide bus route the current Holloway application has a narrower road (5.5m) and level differences at the interface with the appeal site of circa 2m);
 2. Details of the full gradient of the Spine Road to be provided;
 3. The RSA team to consider street lighting in the Audit;
 4. To provide traffic surveys in neutral months – a request made after the guidance had been updated;
 5. The potential reassignment of traffic;
 6. The overestimation of link speeds on Three Springs Road in the Paramics Model;
 7. A full strategic lighting proposal in accord with WCC Street Lighting Design Guide and in consultation with the WCC Ecology Officer;
 8. The omission of committed development in the modelling work – (we had used TEMPRo to be robust);
 9. Signal timings in the model unlikely to reflect signal timings 'on the ground';
 10. The marginal change in signal timings could be overwhelmed by day to day variation in traffic demands;
 11. Adjusting the signal timings is unlikely to be a viable, realistic or adequate option to mitigate the Proposed Development;



12. The coverage of the Paramics model is too limited to assess any reassignment;
 13. Traffic impact has not been properly or robustly assessed;
 14. Further financial contributions may be required.
- 2.17 On **7th October 2024** (the day before the Proofs were due) we received a 21-page letter from WCC Highways – dated 27th September 2024 – that WCC Highways had ‘no objection’. Another indicator as to WCC’s intentions for not preparing a proof of evidence.
- 2.18 However, following the receipt of this letter we were still having difficulty reaching agreement on all Highways matters with WCC. A further email issued on 8th October 2024 by Rachel Sandy stated, *“Whilst you may have received an updated recommendation from Highways to the LPA, this is for the LPAs information.”* WCC Highways also placed significant emphasis on providing a pedestrian / cycle connection to the Holloway application to the north. Their request stated, *“We are also waiting for confirmation from your team regarding agreement that the S106 will contain the necessary clause to safeguard the land for the shared use path to connect from the emergency access to the Holloway Phase 2 site to prevent any potential for ransom should Holloway Phase 2 be permitted, and to ensure the area is developed comprehensively.”* We did not agree to this.
- 2.19 When we queried the status of the 8th October 2024 email on a Teams call on Thursday 10th October 2024 it was confirmed that the letter was in fact WCC’s formal position. Another clear example of obfuscation.
- 2.20 An updated SoCG agreeing all matters was received on 11th October 2024.
- 2.21 No Highways Proof of Evidence has been provided by WCC, and we do not believe WCC ever had any intention of producing a Proof of Evidence with the raft of points raised by Jacobs considered to be delaying tactics to what otherwise should have been a no objection point agreed much earlier. This would also have negated the requirement for a highways proof to have been prepared by the Appellant.
- 2.22 WCC is still pushing us to agree to a condition for a pedestrian / cycle connection to the Holloway application to the north east. This is a new demand, and not included in the list of conditions dated 27th September 2024.

3.0 Background Points

- 3.1 The points WCC has changed its position numerous times are as follows:
1. Trip generation;
 2. Trip distribution;
 3. Traffic modelling;
 4. The effectiveness of re-timing traffic signals i.e. the mitigation;
 5. Street lighting;



6. Response to RSA problems;
 7. Bus provision;
 8. The need for a connection to the Holloway application;
 9. The Travel Plan;
 10. WCC's 'in principle' position;
- 3.2 Further detail on each of these points can be provided as required.



