



LAND AT BUTTS CLOSE AND TESS SQUARE, MARNHULL

Highways Statement of Common Ground – Topic Paper
Appeal- APP/D1265/W/24/3353912
Application- P/OUT/2023/02644

February 2025

Appeal by Mr P Crocker



1. INTRODUCTION

1.1 This Highways Statement of Common Ground (SOCG) has been prepared by Paul Basham Associates on behalf of Mr Paul Crocker (the Appellant) and agreed with Marnhull Parish Council (MPC) as the Rule 6 Party and Dorset Council (DC) as the Highway Authority.

1.2 This SOCG has been produced to support the Appeal (Ref: APP/D1265/W/24/3353912) against the non-determination of the proposed development consisting of:

“A full planning application for a mixed-use development comprising a food store, office space, café, and mixed-use space for E class uses (e.g. estate agents, hairdresser, funeral care, dentist, vet), and 2x 2-bed flats. Demolition of redundant agricultural sheds. Plus, a new parking area with 30 parking spaces for St. Gregory’s Church and St Gregory’s Primary School. Associated landscaping and engineering operations, access arrangements, on land west of Church Hill, Marnhull.

Outline planning application with all matters reserved except for access for up to 120 dwellings on land off Butts Close and Schoolhouse Lane, Marnhull” (application reference: P/OUT/2023/02644).

1.3 A Transport Statement (TS) was prepared by Paul Basham Associates (April 2023) (document reference: 106.0026/TS/3) [CD1.046 to CD1.046d] and submitted as part of the planning application. The TS detailed the hybrid development proposals associated with the full commercial application for the site known as Tess Square, and the outline residential application known as Butts Close. The report included the access arrangements, parking provision, servicing arrangements and traffic impact of the development proposals.

1.4 The submission was formally refused by Dorset Council (DC) for 5 reasons. In relation to transportation and highways Reason for Refusal no.3 stated: *Insufficient details of the proposed development have been submitted to enable the Highway Authority to fully assess the highway safety and sustainable transport implications of the proposal and, consequently, it is not clear whether the proposal would be likely to endanger road safety or result in other transport problems contrary to Objective 6 – Improving the Quality of Life, and Policies 2 and 13 of the adopted North Dorset Local Plan Part 1, and paragraphs 108 criteria d) and e), and paragraph 117 of the National Planning Policy Framework.*

- 1.5 Following conversations with DC Highway officers in August 2024 a Highway Response Technical Note (document ref: 106.0026/HRTN/3) [CD4.006c] which included two revised site layout drawings (ref: 22039/101/P3 and 22039/P201/P3) [CD4.006c] were submitted to DC as part of the Appeal submission on 17th October 2024 to address the highway reasons for refusal. The report provided further detail in relation to the proposed parking provision, delivery vehicle access, pedestrian access and a revised modelling assessment to include additional committed development and the impact of the school pick up and drop off car park.
- 1.6 The Council's Statement of Case [CD4.010] included the Highway Authority recommendation [CD4.010a] dated 4th December 2024, which confirmed that the submitted additional information was sufficient to resolve its objections as identified in Reason for Refusal No.3 and draft planning conditions were suggested. Accordingly, the Council no longer pursue Reason for Refusal No.3.
- 1.7 A Rule 6 appointment was granted on 5th December for Marnhull Parish Council, with the subsequent Marnhull Parish Council Statement of Case [CD4.011] received on 6th January 2025. This Statement of Case identified that this Rule 6 party seeks to provide evidence in relation to Reason for Refusal No.3.
- 1.8 The following will set out the agreements reached and the points which remain unresolved.

2. MATTERS FOR RESOLUTION

2.1 **Table 1** summarises the Highways matters for agreement between the Council's Highways Officer, the Rule 6 Party and the Appellant.

Matters	Agreement Reached between the Appellant and DC	Agreement Reached between the Appellant and the Rule 6 Party
1. The traffic generation impact of the proposed scheme on the local highway network is not considered severe in the context of the NPPF Paragraph 116, either in isolation or cumulatively with other committed developments.	Agree	Disagree
2. The Crashmap.co.uk website shows no clusters of recorded personal injury accidents in the study area shown in the Transport Statement for the years 2017 to 2021 inclusive.	Agree	Agree
3. The proposed scheme would not create an unacceptable impact on highway safety in the context of the NPPF Paragraph 116.	Agree	Disagree
4. The current road network in the vicinity of the appeal site experiences farm vehicles and HGV movements.	Agree	Agree
5. The TRICS assessment submitted as part of Highways Response Technical Note (106.0026HRTN3) [CD4.006c] is accepted as a fair representation of likely vehicle trips for both Tess Square and Butts Close.	Agree	Disagree
6. The scope of the Transport Statement (106.0026TS3) [CD1.046 - CD1.046d] and the Highways Response Technical Note (106.0026HRTN3) [CD4.006c] for both Tess Square and Butts Close is appropriate.	Agree	Disagree
7. The application has considered all relevant committed developments.	Agree	Agree
8. The vehicular access onto New Street via Butts Close is designed <ul style="list-style-type: none"> a) in accordance with Manual for Streets b) is suitable for all users c) can be covered by condition. 	a) Agree b) Agree c) Agree	a) Agree b) Disagree c) Agree
9. The vehicular access onto Schoolhouse Lane is designed <ul style="list-style-type: none"> a) in accordance with Manual for Streets b) is suitable for vehicles only c) can be covered by condition. 	a) Agree b) Agree c) Agree	a) Disagree b) Agree c) Disagree
10. No footway provision is included as part of the proposed access onto Schoolhouse Lane.	Agree	Agree
11. The Tess Square site is in a sustainable location in the context of its village location: <ul style="list-style-type: none"> a) Currently b) With the PRoW improvements requested by Dorset Council Highways Team (to be secured by S106). This includes: 	a) Disagree b) Agree	a) Disagree b) Disagree

<ul style="list-style-type: none"> • Divert and surface N47/31 to the middle boundary to link up with the site's paths and remainder of N47/31 to the health centre. • Divert and surface N47/31 to the south of the site to exit Church Hill north of St Gregory's Church. • Divert and surface N47/33 to the north boundary to link up with health centre. • Dedicate and surface informal footpath to west off Sackmore Lane. • Dedicate the north/south site paths to connect through the application area. • Three diversions 		
<p>12. The Butts Close site is in a sustainable location in the context of its village location:</p> <p>a) Currently</p> <p>b) With the PRoW improvements requested by Dorset Council Highways Team (to be secured by S106). This includes:</p> <ul style="list-style-type: none"> • Divert and surface N47/31 to the middle boundary to link up with the site's paths and remainder of N47/31 to the health centre. • Divert and surface N47/31 to the south of the site to exit Church Hill north of St Gregory's Church. • Divert and surface N47/33 to the north boundary to link up with health centre. • Dedicate and surface informal footpath to west off Sackmore Lane. • Dedicate the north/south site paths to connect through the application area. • Three diversions 	<p>a) Disagree b) Agree</p>	<p>a) Disagree b) Disagree</p>
<p>13. Car parking provision of 205 parking spaces, which includes 131 for the food store with cafe, 2 flats and mixed commercial building, 38 for the existing pharmacy and surgery building (31 existing plus 7 new) plus 36 for the school and church pick up/drop-off, as shown in Drawing 101 P3 [CD4.006], for Tess Square: This</p> <p>a) meets the Dorset Council's parking standards</p> <p>b) is appropriate for the scale of development</p>	<p>a) Agree b) Agree</p>	<p>a) Agree b) Agree</p>
<p>14. The parking layout at Tess Square is designed so that the following vehicles can access, turn and egress:</p> <p>a) 16.5m articulated vehicle - Drawings 106.0026-0002 P02</p> <p>b) 7.5T Box van – Drawing 106.0026-0003 P02</p> <p>c) private car – Drawing 106.0026-0001 P02.</p> <p>[Drawings found at CD1.046.]</p>	<p>a) Agree b) Agree c) Agree</p>	<p>a) Disagree b) Agree c) Agree</p>
<p>15. Blue badge parking would be provided in excess of 5% with 13 spaces provided as shown on Drawing 101 P3 [CD4.006]. This provision:</p> <p>a) meets the required standards</p> <p>b) is appropriate for the scale of development</p>	<p>a) Agree b) Agree c) Agree</p>	<p>a) Agree b) Agree c) Disagree</p>

c) is in the correct location		
16. Cycle parking provision for 66 bicycles will be provided across the Tess Square site, as shown on Drawing 101 P3 [CD4.006] and includes an internal store for 2 bicycles within the supermarket for staff bicycles. This provision: a) accords with Dorset Council's guidance b) are in acceptable locations c) can be secured by appropriate planning condition	a) Agree b) Agree c) Agree	a) Agree b) Agree c) Agree
17. The provision of a park and walk site for St Gregory's Primary school and the church using the Tess Square access, if actively used would be (in transport terms): a) appropriate in terms of its principle b) a benefit to the school c) a benefit to the church d) a benefit to local residents e) in the correct location	a) Agree b) Agree c) Agree d) Disagree e) Agree	a) Agree b) Agree c) Disagree d) Disagree e) Disagree
18. Car parking provision of 36 spaces in the park and walk car park is a sufficient number to meet the appellant's predicted demand.	Agree	Agree
19. Part of the layby on Church Hill currently used for parking is included within the Public Highway Extent Plan for Marnhull (Ref MG/122/22) [CD5.009] provided by Dorset Council. The remainder is in private ownership.	Agree	Agree
20. The route for HGVs and service vehicles to/from Tess Square should be exclusively via Church Hill - south of the Tess Square site access.	Agree	Agree
21. The Pilwell/Burton Street/Church Hill junction is not appropriate for use by HGVs and service vehicles associated with the Tess Square development.	Agree	Agree
22. The Pilwell/Burton Street/Church Hill junction is appropriate for additional car/small vehicle movements associated with the Tess Square development in the context of Highway safety	Agree	Disagree
23. It is agreed that a Delivery & Servicing plan can be conditioned for the Tess Square site and must include a route management strategy.	Agree	Agree
24. The developer will make a contribution of £52,952.88 (indexed linked), secured by a S106 Agreement, towards increasing the frequency of the existing bus service and to aid the establishment of a Saturday service. This is a benefit to local residents.	Agree	Agree
25. The developer will make a contribution of £4,800 (indexed linked), secured by a S106 Agreement, to provide pole and flag infrastructure at the following stops: 1. Mounters, Fingers Corner SW-bound 2. Mounters Finger Corner NE-bound 3. St Gregory's School W-bound 4. St Gregory's School E-bound 5. Pillwell W-bound 6. Pillwell E-bound This is a benefit to local residents.	Agree	Disagree

<p>26. The developer will undertake the following PRow upgrades estimated to be £44,000 (indexed linked). This includes:</p> <ul style="list-style-type: none"> • Divert and surface N47/31 to the middle boundary to link up with the site’s paths and remainder of N47/31 to the health centre. • Divert and surface N47/31 to the south of the site to exit Church Hill north of St Gregory’s Church. • Divert and surface N47/33 to the north boundary to link up with health centre. • Dedicate and surface informal footpath to west off Sackmore Lane. • Dedicate the north/south site paths to connect through the application area. • Three diversions <p>The PRow upgrades should be surfaced to the below specifications:</p> <ul style="list-style-type: none"> • 2m wide footpaths • Compacted and rolled stone surface, finish suitable for pushchairs/mobility vehicles • 150mm deep of 40mm scalpings base layer, 50mm deep of 20mm to dust surfacing • No stiles. Pedestrian gates to BS 5709 2018, if required. <p>This is a benefit to local residents.</p>	Agree	Disagree
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Table 1: Highways Matters for Agreement between the Appellant and the Council’s Highways Officer

3. POINTS OF DISAGREEMENT

3.1 The following elements remain in dispute with Dorset Council:

- A. The Tess Square site is in a sustainable location in the context of its village location currently.
- B. The provision of a park and walk site for St Gregory's Primary school and the church using the Tess Square access is a benefit to local residents.

3.2 The following elements remain in dispute with the Rule 6 Party:

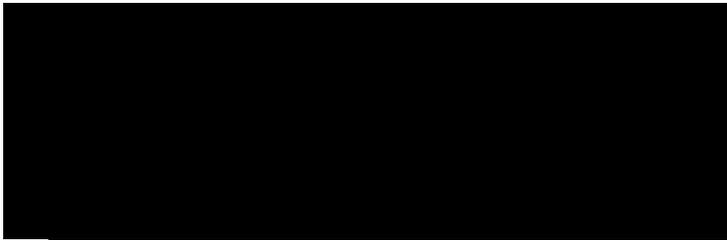
- C. Whether the TRICS data used in the Transport Statement and Highway Response Technical Note are appropriate to determine the predicted traffic generation from the appeal proposals.
- D. Whether the appeal proposals would have an unacceptable impact on highway safety on the lanes in and around Marnhull.
- E. Whether Church Hill can accommodate the increase in traffic resulting from the appeal proposals without having an adverse effect on driver safety and the safety of pedestrians, cyclists and equestrians.
- F. Whether the Transport Statement and Highway Response Technical Note have adequately assessed the impact of the appeal proposals on the link capacity and practical operation of the narrow lanes in and around Marnhull.
- G. Whether the proposed access via Butts Close makes appropriate provision for pedestrians and cyclists.
- H. Whether the omission of footways from the proposed access via School House Lane would be sufficient to deter pedestrian trips to and from the village via this route, and therefore whether safe means of access would be provided for all users.
- I. Whether the appeal proposals give priority first to pedestrian and cycle movements, both within the scheme and with neighbouring areas; and second – so far as possible – to facilitating access to high quality public transport, with layouts that maximise the catchment area for bus or other public transport services, and appropriate facilities that encourage public transport use.
- J. Whether the proposed park and walk facility is in a suitable location to be of benefit to users of the school and church.
- K. Whether the proposed Tess Square access is suitable to accommodate the predicted number and type of service vehicles
- L. Whether the proposed financial contribution towards public transport would result in access to high quality public transport for the village.
- M. Whether the proposed public right of way improvements would be of benefit to those walking to and from the appeal proposals.

4. CONDITIONS

- 4.1 Should the Inspector be minded to allow this Appeal it would be appropriate to consider necessary conditions. A separate list of suggested conditions will be agreed between the Appellant and Dorset Council Highways Department.

K. Hammonds

Kim Hammonds
Paul Basham Associates
Signed on behalf of Mr P Crocker



Helen Jackson
Signed on behalf of Dorset Council Highways Department



Richard Fitter
Director, Entran Ltd
Signed on behalf of Marnhull Parish Council