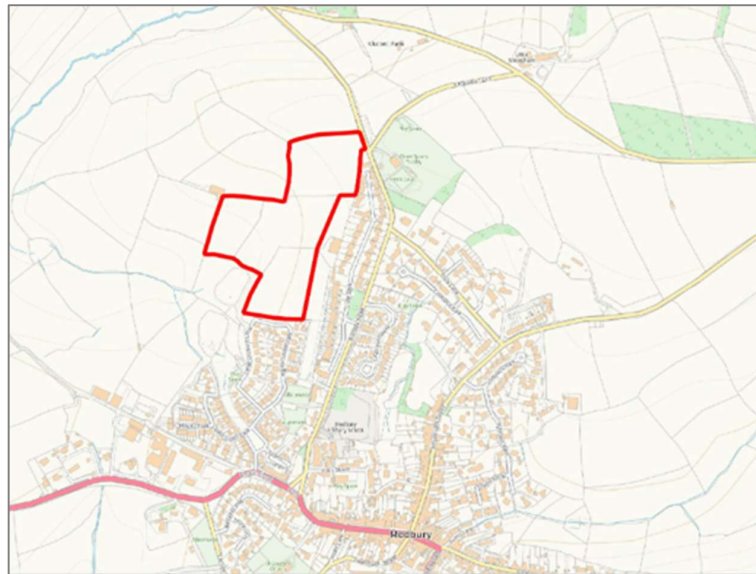


Proposed Palm Cross Extension, Higher Green Park off Lanveoc Way, Modbury, Devon

Planning Reference 4116/24/OPA



Site Location - South Hams District Council Report

Highway Assessment for Modbury Parish Council

June 2026

1 TERMS OF REFERENCE

Aprica Ltd has been commissioned by Modbury Parish Council to comment on the outline planning proposals for “*up to 75 dwellings and all other associated development, with all matters reserved apart from access*” (‘the proposals’).

The purpose of this report to is assess the proposals for Modbury PC so that it can consider making a formal representation to South Hams District Council as part of the planning application consultation process. The report is based on prevailing highway conditions, a site visit, and available illustrative drawings and documents.

Ian Taylor has produced this report. Ian is an Incorporated Engineer and a Member of the Institution of Civil Engineers (I.Eng MICE), with thirty-five years’ experience of public and private sector highway infrastructure disciplines including transportation planning, RoSPA accredited accident investigation & prevention, traffic management, road safety audits, traffic regulations, and highway design & construction. Ian has led on numerous major highway schemes for Local Authorities and has presented at Planning Committees, Council meetings, public meetings and drop-in events, and at Public Inquiry.

2 INTRODUCTION

The scope of this report is to consider the current proposals with a view to offering expert comments on useability by the travelling public and the impact on the highway network. To provide clarity, this report is separated into the following parts:

- 1 Terms of Reference
- 2 Introduction and Executive Summary
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EXECUTIVE SUMMARY

Aprica Ltd has been commissioned by Modbury Parish Council to undertake an independent highway assessment of outline planning application 4116/24/OPA (up to 75 dwellings at the Palm Cross Extension). Based on comprehensive site assessment, a review of technical documents, and planning policy analysis, this report concludes that the proposed development fails to demonstrate safe and suitable access for all users.

The proposal would materially worsen existing highway constraints and residential amenity, conflicting directly with the National Planning Policy Framework (NPPF), Local Transport Note (LTN) 1/20, Active Travel England (ATE) standards, and the Joint Local Plan (JLP). The primary grounds for this conclusion are:

Severe Vehicular Safety Risks (NPPF Para 115): The proposed access strategy is considered to be unsafe. It forces all permanent residential and years of heavy construction traffic through the as yet unadopted residential streets of the existing Palm Cross estate. Funnelling this cumulative traffic volume into the single, visibility-constrained Lanveoc Way junction at the A379 would push the local network beyond its safe capacity, introducing an unacceptable risk to highway safety.

Hostile and Fragmented Active Travel Network: The pedestrian and cycle proposals fail continuity and inclusivity design tests. To the south, the developer refuses to construct a critical missing footway outside 1 Lanveoc Way, forcing vulnerable users into a dangerous vehicular bottleneck – the exact reason for the refusal of the adjacent Penn Park (TTV24) allocation. To the north, severe gradients at the Barracks Hill egress require physical staggered barriers that unlawfully discriminate against non-standard cycles and mobility scooters, contravening LTN 1/20 and ATE inclusivity mandates.

Refusal to Mitigate Car Dependency (JLP DEV29-32): Despite claims of sustainability, the applicant has explicitly rejected the Highway Authority's (Devon County Council) requested Section 106 mitigations. By refusing to fund £225,000 for essential evening and Sunday bus services, and resisting contributions for 20mph zones and footway orders, the development guarantees near 100% car dependency.

Flawed Transport Assessment: The applicant's transport modelling relies on theoretical desktop software that completely ignores real-world highway friction, topography, and the lived experience of existing residents.

The proposed development does not provide a coherent, inclusive, or safe transport network, and its unmitigated cumulative impacts on local highway safety and infrastructure would be severe.

For the above reasons it is recommended that Application 4116/24/OPA is refused.

3 BACKGROUND AND REVIEW OF EXISTING HIGHWAY NETWORK

3.1 Development Background

The proposed site is located on the northern periphery of Modbury, extending beyond the established Palm Cross estate on Lanveoc Way. The site is outside the established settlement boundary of Modbury as defined in the Joint Local Plan (JLP) and Neighbourhood Plan (MNP1).

The first phases of the Palm Cross Estate were approved around ten years ago, via Lanveoc Way, a single access which directly adjoins the A379 Church Street. The current application seeks to utilise this same single access point to connect to the wider highway network, via multiple existing internal roads. These internal roads remain unadopted despite construction having been completed some six years or so ago, allegedly due to poor construction, inferior materials, and subsidence.

Whilst Devon County Council (DCC), who are the Highway Authority, did not initially object to the applicant's theoretical desktop models for capacity, they made a formal objection to this application on the grounds of unacceptable pedestrian infrastructure. Of particular concern was the lack of commitment from the developer to dedicate land in front of 1 Lanveoc Way as highway, and to construct a footway from there (where the existing footway terminates abruptly) to the end of 'Drovers Way', an unadopted track to the west of Lanveoc Way. This would not only provide safe pedestrian access to Modbury's industrial estate, it would also link up with a potential pedestrian link from the Penn Parks development site which is currently stalled because of inadequate pedestrian connectivity. DCC considers these works to be proportionate and beneficial for public access and safety and recommends that, if the application is approved, this requirement should be secured through a legal agreement before development begins.

Additionally, although the Highway Authority requested mitigation for poor public transport this has been refused by the applicant.

There are local concerns, discussed later, about the ability of the existing roads to cope with long-term heavy construction traffic and permanent residential traffic. There are also concerns, including from the NHS, about overwhelming Modbury Health Centre and other local facilities. No proposed new community buildings, healthcare facilities, or school expansions are proposed. Local residents also feel that the additional development would severely impact existing residents' amenity and enjoyment due to construction traffic and permanent residential traffic passing existing homes.

Measured from the furthest extent of the proposed development, the pedestrian routeing to key local amenities is approximately 800 metres to Modbury Primary

School, 1000 metres to the town centre's facilities and 1100 metres to the Modbury Health Centre. The pedestrian routes connecting the site to most of these facilities would be via the town's naturally steep topographical gradients, particularly the steep inclines (likely to be well below 1 in 10) returning from the town centre to the site.

Modbury is serviced by the Stagecoach Number 3 bus route, which provides hourly daytime connections Monday to Saturday between Plymouth and Kingsbridge. There is no evening or Sunday service. The nearest bus stops are located on the A379 Church Street near the Lanveoc Way junction. Both are well below current standards.

All these matters are discussed in more detail later in this report.

3.2 Existing Highway Network

Other than a new proposed pedestrian and cycle accesses onto Barracks Hill (discussed below), the only access to and from the local road network is via Lanveoc Way, which emerges directly onto the A379 Church Street.



Proposed Accesses to Existing Highway - Stantec

Visibility for traffic emerging from Lanveoc Way is restricted due to a series of bends on both A379 approaches, and a blind brow for traffic approaching from the east. Unmaintained foliage each side of Lanveoc Way also reduces visibility. There are no formal 'visibility splays' and there is no footway on the A379 to the west of Lanveoc Way. Of significant concern is the view for drivers on the A379 itself, in that Lanveoc Way is 'lost' in the landscape due to foliage, gradients etc.



Eastbound approach to Lanveoc Way (Arrowed) – Aprica image



Westbound approach to Lanveoc Way (Arrowed) – Aprica image

Pedestrians

Site assessment of the existing highway network reveals that the proposed pedestrian routes serving the site are severely constrained by a combination of missing infrastructure and unattractive (and for vulnerable road users potentially dangerous) gradients. These physical bottlenecks are split across the southern and northern boundaries of the estate, undermining the real-world viability of active sustainable travel for the proposed expansion.

Southern Access (Lanveoc Way): Pedestrian egress to the south presents immediate, compounding safety hazards. The western footway terminates abruptly, forcing pedestrians (since pedestrians normally follow 'desire lines') to cross at an uncontrolled point close to the A379 junction, or walk in the carriageway if heading west.



Footway Terminating Abruptly at Lanveoc Way/A379 - Aprica Image

Pedestrians walking eastwards, towards the town centre, face a narrow footway initially, then no footways at all until they reach further narrow restricted footways at the severe gradient down into the town. In addition there is a series of steep steps. The journey is difficult for even the fittest unencumbered of pedestrians and those with pushchairs, wheelchairs etc. find it impossible. At well below 1 in 10, most of the route's gradients significantly exceed the 1 in 20 (5%) preferred maximum for accessible design (Manual for Streets, LTN1/20 etc).



Church Stret Northern Footway – Aprica Image



Church Street Narrow Southern Footway (Terminating) - Aprica Image

Pedestrians heading for the local Primary School via the link adjacent to 'Bombers Physical Training' have just 1.5 metres of footway available. They then have to walk in the carriageway to the school as there are no footways at the location.



Footway to School – Aprica Image

Because of the lack of footways and the steep topography of Modbury, parking for the school is severe. All day parking by staff and visitors, as the small school car parks quickly become full, is compounded by 'school run' traffic on Barrack Road and Back Street. These problems can only be exacerbated by additional development.



Parking on Back Street – Aprica Image



Parking Build Up Before School Closing Time – Aprica Image

For pedestrians walking westwards, a critical gap in the footway network exists on the western side of 1 Lanveoc Way. Without this link, a seamless connection between the existing housing estate and the industrial estate is impossible and forces pedestrians into the carriageway and the path of vehicles.



A379 Church Street at Lanveoc Way, No Footways – Aprica Image

This exact infrastructure failure mirrors the adjacent JLP Allocation TTV24 (Penn Park) development, which was refused by South Hams in 2024 and again by the Planning Inspectorate in 2025, precisely because it would cause an unacceptable 'increase in pedestrian traffic on a highway lacking adequate footways'.

Northern Access (Barrack Road/Dark Lane): The northern boundary of the network also introduces steep, challenging topography that severely compromises safe active travel. For the average pedestrian, these excessive inclines act as a major deterrent, rendering walking unattractive and effectively guaranteeing high car dependency. For vulnerable road users, however, these gradients transition from being merely unattractive to actively hazardous. The Highway Authority has explicitly identified that the steepness of the terrain creates a distinct safety risk for cyclists and young children 'egressing at speed out into the carriageway'. DCC has mandated the installation of physical staggered barriers (baffle barriers) to prevent pedestrians from emerging directly onto the road, which proves that the natural topography of the network introduces an inherent risk to highway safety. This measure directly contravenes current LTN 1/20 standards (Principle 16), discussed later.

The South Hams Case Officer Committee Report acknowledges that the proposal overloads an already constrained highway network, forcing all traffic and construction vehicles through the Palm Cross estate to a single, known problematic, junction at Lanveoc Way/A379 Church Street. The report also records a formal Highway Authority objection over unsafe pedestrian access, confirming that the network is not fit for this scale of development. The objection confirms that pedestrians might be forced onto the carriageway of the A379 at a bend and junction with no adequate footway, creating unsafe conditions and that access towards the A379 lacks safe pedestrian infrastructure. The application fails to show that adequate visibility splays can be achieved at this already problematic junction onto the A379, leaving a fundamental road safety concern unresolved.

Whilst the applicant points to the inclusion of multiple pedestrian and cycle access points to argue that the site is highly sustainable, a local site assessment reveals that every proposed route introduces unmitigated safety hazards. To the north, the proposed Barracks Hill shared-use path utilises slopes so steep that the Highway Authority itself warns that children could emerge, out of control, onto the carriageway near a blind hill brow. It also places pedestrians and cyclists directly onto the narrow Barracks Road and Dark Lane, where there are no footways or cycle infrastructure and, in the case of the section outside the QE2 sports ground, no street lighting. To the south, the applicant's refusal to build the missing footway link at 1 Lanveoc Way fragments the network, forcing pedestrians into a dangerous vehicular bottleneck. The applicant is not proposing multiple safe choices, they are proposing multiple flawed routes that place vulnerable road users at risk.

Vehicles

The A379 is a strategic route, straight through Modbury, directly linking towns and villages, including Plymouth/Plymstock, Kingsbridge/Dartmouth and beyond. All

traffic from the Palm Cross site feeds straight into the A379, a route with severe, historic constraints.

Developers often model junctions in isolation, ignoring what happens further along a route, where issues can compound those at the modelled junction. The applicant's transport modelling (in the Transport Assessment) treats the A379 as a standard, unhindered arterial route. Local residents and the Parish Council contend that this ignores the reality of the local highway network. The A379 through Modbury town centre features severe historic 'pinch-points' where the carriageway narrows significantly, frequently requiring single file give way manoeuvres, especially when accommodating agricultural vehicles, HGVs, and seasonal tourist traffic including caravans and motorhomes heading to the south coast.

Funnelling traffic from an additional 75 dwellings into this network does not merely impact the immediate access junction, it exacerbates the 'platooning' effect of traffic backing up through the town's pinch-points. The TA fails to adequately measure this cumulative, knock-on congestion, suggesting that the true impact on the strategic network has been severely underestimated.

The existing junction of Lanveoc Way and the A379 currently operates at the limit of its safe capacity. The same can be said of the existing estate itself, even without the proposed 75 additional dwellings. Whilst the applicant might point to theoretical visibility splays in engineering drawings, the physical reality at the junction is entirely different. Road geometry, on-street parking, frequent delivery vehicles, and the speed of traffic approaching on the A379 routinely obscure sightlines. Around the junction and within the estate, physical evidence, in the form of repeated damage to kerbs and signage, show that the geometry struggles to even accommodate existing usage. There is barely a kerb without tyre marks (from over-running) and footway parking is rife. There is hardly a safe unobstructive parking space available on-street even during the working day. Matters are far worse during the evenings and at weekends when more people are at home. Forcing a major new development to rely on existing estate roads and a single, already compromised junction with the A379, constitutes a severe and unacceptable risk to highway safety.

The proposed application seeks to route all new residential and construction traffic through the existing Palm Cross estate, specifically via Higher Green Park. These existing roads were designed, built and occupied as quiet, residential culs-de-sac, not as primary distributor roads for a wider housing allocation. The roads are, as mentioned, already severely congested and pose a genuine threat to pedestrians, especially children. The proposed layout creates an inherent conflict between vulnerable road users - such as children playing on their own estate - and the inappropriate volume of vehicular traffic being forced through it.



Children Playing, With Vehicles Approaching – Resident Video Clip

The full video demonstrates the issues far more clearly and can be seen here on YouTube:

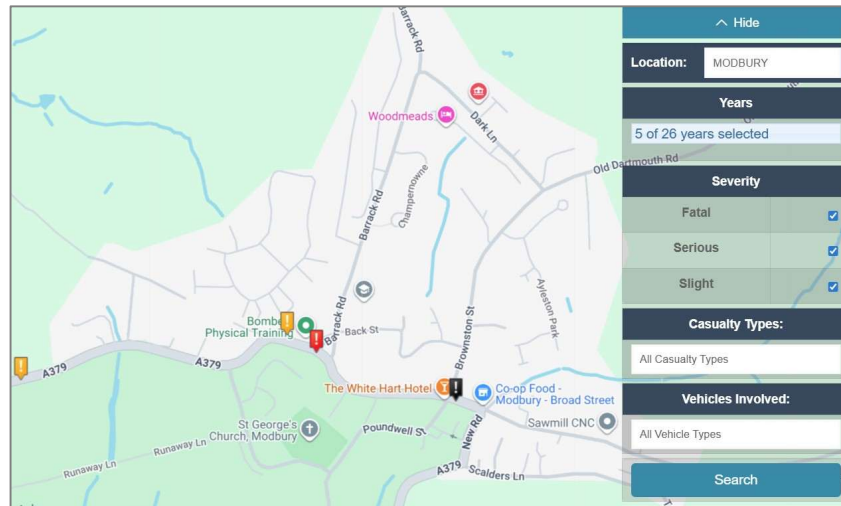
https://drive.google.com/file/d/1R_WcQ0S8DL62ZvxB9lq0pNdFPE7KOOXu/view?usp=drive_link

It is a matter of public record that this existing infrastructure (Phases 1 and 2) remains unadopted by Devon County Council allegedly due to historic construction failures including subsidence and incorrect surfacing materials. It seems inappropriate and indeed somewhat reckless to subject an unadopted, structurally compromised residential road network to the severe load-bearing demands of a multi-year construction phase, followed by the permanent daily traffic of 75 new households.

3.3 Collisions and Road Safety

'CrashMap' is a website that uses official government data (the STATS19 database) collected by police forces across the country, to allow users to see where, when, and (for a fee) how road traffic collisions (RTC's) are occurring in their local area.

For the latest verified five-year period (2020 to 2024 inclusive) CrashMap shows one slight, one serious and one fatal injury collision in the vicinity of Church Street and Barrack Road. In terms of the actual number of injury collisions, it should be noted that although there is little published data on unreported collision numbers, the Department for Transport (DfT) suggests that 'for every reported and recorded injury collision there could be as many as 5 unreported injury collisions and 20 damage-only collisions'. Near misses could be as many as 300 per recorded injury collision.



Injury Collision Map – CrashMap

The Transport Assessment (TA) (see below) relies heavily on official police STATS19 collision data to establish its safety baseline. Local residents and organisations assert that this data presents an incomplete and dangerous misrepresentation of highway safety at the existing Palm Cross estate, specifically regarding the Lanveoc Way junction with the A379. Bearing in mind the above-mentioned unrecorded collision numbers and near-misses, this assertion is probably correct. Relying solely on the TA's desktop metric fails to satisfy the requirement for a rigorous, real-world safety assessment. In any case, perceived danger is enough to put many road users off using sustainable travel modes such as walking, wheeling and cycling.

The lived experience of residents is that exiting and entering the A379 at Lanveoc Way is already highly hazardous. Compromised visibility, the speed of oncoming traffic on the A379, and parked/stationary vehicles frequently forces drivers into dangerous manoeuvres simply to navigate the existing junction. Adding the traffic from an additional 75 dwellings into this already compromised access point constitutes an unacceptable risk to highway safety.

The baseline data fails to account for the reality of the internal road network within the Palm Cross estate. Narrow road widths, often conveniently categorised as 'traffic calming' also act, in reality, as hazardous pinch-points and visibility blockers for pedestrians, especially children who cannot see or be seen over vehicle bonnets etc. Introducing construction traffic and long-term residential overflow through an estate characterised by tight corners and children playing (at the play area on Higher Green Park or on their own house frontages close to the road) poses a severe, unmitigated risk that the theoretical baseline data ignores.



Parking on Lanveoc Way Looking Towards the A379 - Google

4 PLANNING APPLICATION DOCUMENTS REVIEW

4.1 The Transport Assessment (TA) & Technical Note (TN)

Transport Assessment

A TA serves as the technical foundation for any application's highway proposals and the developer's TA of 30 September 2025 is no exception. A TA is required to assess and mitigate the potential negative transport impacts of a development in order to promote sustainable development. The Department for Transport (DfT) mandates that TA's should *'support national planning policy, which sets out that planning should actively manage patterns of growth in order to make the fullest possible use of public transport, walking and cycling, and focus significant development in locations which are or can be made sustainable'*.

A TA is formed using four core elements: Establishing the baseline of current road conditions; Calculating the prediction of future traffic generated by the site; Conducting a stress test of local junctions through mathematical modelling; and proposing mitigation measures to offset the impact. However, the theoretical model is only as robust as the data fed into it. It is entirely possible that the 'desktop data' used to construct the TA is disconnected from the on-the-ground reality of the local highway network. Because the baseline data fails to account for unrecorded, localised hazards and the trip predictions could severely underestimate 'rural' car dependency, the subsequent stress tests and proposed mitigations would be inherently flawed. Consequently, the TA's conclusion that the development provides 'safe and suitable access' must be scrutinised and, if necessary, challenged.

SLR's Transport Assessment (TA) v4 30 September 2025 estimates that the proposed 75-dwelling development would generate 40 two-way vehicle movements during the morning peak hour and 38 during the evening peak, with a total of 329 two-way trips across a typical day. Most of these trips (62%) are expected to travel west along the A379, with the remainder heading east, meaning the majority of development traffic would bypass the centre of Modbury. The assessment concludes that this level of trip generation represents less than one additional vehicle per minute during peak times, resulting in only a modest increase in traffic flows at key junctions - about 7% at the A379/Lanveoc Way junction and 3% at the A379/Barrack Road junction. Junction modelling indicates that these increases would not exceed previously accepted levels, and that the local highway network will continue to operate within capacity with minimal delays. Overall, the TA finds that the development would have a minimal and acceptable impact on the highway network, with no significant effects on safety or congestion.

The TA also suggests that the proposed Palm Cross Extension in Modbury is well-positioned to encourage sustainable and active modes of travel. The site is said to benefit from close proximity to key amenities including schools, shops, and bus stops, making it feasible for residents to walk or cycle for everyday journeys. Examples given are that the site is within walking distance of the town centre and local facilities, and National Cycle Network Route 28 can be reached within an 18-minute cycle ride.

To further promote active travel, the development masterplan includes a new pedestrian access point at the north-eastern edge, to improve connectivity to existing footpaths and the wider community. The TA also commits to a Framework Travel Plan, which will encourage residents to use walking, cycling, and public transport. These measures, combined with the site's location and existing travel patterns, demonstrate a strong alignment with national and local policies aimed at promoting sustainable transport choices.

Analysis of Transport Assessment

Data

The TA uses 2011 Census data to describe existing travel patterns and mode share. This data is around 15 years old and may not reflect current travel behaviours, especially given changes in remote working, public transport use, and local demographics since 2011.

The trip generation estimates are based on the TRICS database and do not appear to be validated against local, recent residential developments. There is no sensitivity analysis to test the impact of higher-than-expected car ownership or trip rates.

The TA focuses on the incremental impact of this development alone, with little discussion or consideration of any cumulative effects from other planned or recent developments in the area.

There is no assessment of non-standard events and seasonal variations such as holiday traffic, school term times or special events that could significantly affect traffic flows.

There is no discussion or analysis of collision data or road safety impacts, which is a standard consideration in many transport assessments.

Sustainable Travel Evidence

Whilst the TA highlights that 13% of work trips in 2011 were by sustainable modes, 80% of trips were by car or van. There is no evidence provided to demonstrate that new residents would choose sustainable modes at a higher rate than the existing population does. A physical site assessment arguably demonstrates the opposite – a walk to and from local shops, negotiating severe gradients, probably with shopping, can be demanding for all but the most able person. Cycling is arguably worse. There is no cycle infrastructure, widths are severely restricted and gradients mean that uphill cycling is slow for any cyclist. NCNR 28 is poorly maintained and does not seem to be a maintenance priority for the Highway Authority. As for 'improving connectivity to existing footpaths and the wider community', existing footpaths, particularly at the north-eastern edge, are few and far between and those that do exist are woefully inadequate.

Whilst the Framework Travel Plan aligns with best practice, its feasibility is doubtful because of the rural context, existing travel behaviours, and limited public transport options. Achieving 'a 10% reduction in single-occupancy car use' would require sustained effort, ongoing investment, and probably further enhancements to local infrastructure and services beyond those currently proposed. There are no clear targets, monitoring mechanisms, or enforcement measures to ensure uptake of walking, cycling, or public transport. In any case Travel Plans are notoriously weak in terms of monitoring or enforcement, and the uptake of 'incentives' such as cycle vouchers and subsidised bus travel is frequently very low.

The TA mentions the proposed new pedestrian access points and the proximity to bus stops, but does not provide detailed plans or commitments for improving cycle and bus infrastructure, bus service frequency, or pedestrian safety. There is no reference to surveys, pilot schemes, or case studies showing successful modal shift in similar rural or semi-rural developments.

The mode share table (Table 3.1) shows that 80% of work trips are by car, with only 1% by bicycle and 2% by bus, indicating a strong car dependency in the area. The TA relies on the existence of nearby bus stops and the National Cycle Network

(NCN) but does not provide evidence of current usage levels or the quality/frequency of these services.

As mentioned above, whilst the applicant points to the inclusion of multiple pedestrian and cycle access points to argue that the site is highly sustainable, all these proposed measures introduce unmitigated safety hazards.

In summary, the TA's conclusions about minimal traffic impact and the potential for sustainable travel are based on optimistic assumptions, outdated data, and a lack of robust evidence or monitoring to support claims of significant modal shift or low traffic impact. The assessment of traffic generation and network impact is weakened by its reliance on generic trip rates, lack of local validation, limited scenario testing, and absence of cumulative impact analysis or robust mitigation plans. Neither, and importantly, does the TA demonstrate that the development would avoid creating a severe impact on the safety of the local highway network. The trip generation figures prove that there would be a significant increase in trips by all modes and as it stands there is no mitigation proposed to demonstrate that the development would not lead to increased safety issues. Whilst the TA proposes some mitigation - mainly additional pedestrian access, a TRO contribution, and a future Travel Plan - these measures are modest and lack robust, detailed commitments or monitoring. The effectiveness of the mitigation would depend on future actions by the Local Authority and the implementation of the Travel Plan, which is not specified in the TA and as mentioned above is highly unlikely.

The June 2025 Technical Note (TN)

The applicant's June 2025 Technical Note exposes a contradiction in the approach to sustainable travel, directly conflicting with the decarbonisation objectives of Joint Local Plan Policies DEV29 and DEV32. Whilst the overarching application claims to champion active and sustainable transport, the Technical Note explicitly refuses Devon County Council's request for a Section 106 contribution of £225,000 to enhance evening services on the Stagecoach 3 bus route. The applicant dismisses evening demand as 'low' and commercially unviable. Locals view this refusal as a fatal flaw. By declining to support essential evening public transport, the developer effectively guarantees that the residents of these 75 proposed dwellings would remain entirely reliant on private cars for all evening employment, social activity, and emergencies. A development cannot be deemed sustainable whilst at the same time actively rejecting the Highway Authority's requested mitigations for public transport.

Furthermore, the Technical Note's defence of highway safety relies heavily on theoretical desktop modelling that is entirely divorced from the physical reality of Modbury's road network. In defending their traffic data, the applicant uses 'Junctions 10' software to claim that there is 'significant spare capacity' at the

Lanveoc Way junction. However, mathematical models assume flawless visibility and unhindered carriageways, completely ignoring the real-world position at this junction, namely severe friction caused by on-street parking, agricultural, commercial and seasonal vehicles (caravans etc), and the potential speed of oncoming traffic on the A379. Alarming, the applicant openly acknowledges localised hazards elsewhere in the Note - they justify an unconventional junction priority at Higher Green Park specifically to reduce vehicle speeds particularly on the downhill section. It is contended that relying on painted 'give way' lines to mitigate acknowledged speeding issues entering an existing residential road, whilst simultaneously ignoring the severe physical constraints at Lanveoc Way, demonstrates a wholly inadequate approach to highway safety.



Unconventional Junction Proposal - SLR

Finally, the applicant's approach, in the Technical Note, to active travel infrastructure is unacceptably fragmented. Devon County Council (DCC) highlighted the critical need for a seamless pedestrian footway linking Lanveoc Way to the TTV24 allocation (Penn Park), requesting a minor £2,500 contribution for a legal order to facilitate this. The Technical Note rejects this, insisting that delivering the footway is the responsibility of a separate, currently unbuilt development. Infrastructure in Modbury should not and cannot be delivered in this disjointed, piecemeal fashion which places road users in danger. The applicant must be held solely responsible for delivering holistic, safe pedestrian access directly related to the land that they wish to alter, and their refusal to do so further demonstrates the inappropriate and unfair approach to the effects and impact of this application.

4.2 Proposed Vehicular Access

As mentioned a number of times above, the proposed vehicular access to the site is via one single give way junction – the existing Lanveoc Way/A379 Church Street. This has a funnelling effect in that it forces all new residential and construction traffic to navigate narrow, unadopted, and heavily populated internal estate roads, only to then use the single existing exit point onto the A379. By treating the existing residential streets of Higher Green Park and Lanveoc Way as a dedicated access corridor for a major new development, the applicant is creating an unacceptable cumulative safety risk for existing residents, whilst simultaneously pushing the Lanveoc Way/A379 junction beyond its safe capacity. Heavy construction traffic, which could persist for up to three years, travelling through the existing Phase 1 and Phase 2 road network would present road safety hazards for existing locals, and ruin their 'enjoyment' of their properties.

4.3 Proposed Pedestrian Access

As established in the 'Existing Highway Network' section of this report, the pedestrian network is currently fragmented and hazardous. The applicant's proposed access details completely fail to resolve the baseline hazards. Instead of delivering the seamless footway required at Lanveoc Way, the applicant passes the buck to a future developer. Instead of resolving the dangerous egress speeds at Barracks Hill, they offer a compromised layout, whilst actively fighting the financial contributions required to lower the speed limit on Barracks Hill/Barrack Road/Dark Lane to 20mph. The proposed access plans do not fix the network, they simply add more users to an already broken system.

4.4 Road Safety Audit (RSA)

The RSA1 for this scheme (J Bartlett Ltd, 20 June 2025) raises no concerns whatsoever. This is unusual. The Designer's Response (SLR 25 June 2025) is a simple acknowledgement. The RSA lacks the necessary rigor and scope to appropriately evaluate the proposed access arrangements, particularly regarding the interventions at Lanveoc Way and Barracks Hill. The brevity of the 'nil return' RSA is highly irregular given the non-standard give-way junction geometry, lack of footway connectivity, and the inclusion of staggered barriers within the preliminary design. By failing to scrutinise these complex and irregular features, the RSA ignores critical safety and accessibility risks, including the known potential for staggered barriers to obstruct non-standard cycles and impede pedestrian flow, which directly contradicts the inclusive mobility principles established in LTN 1/20 and by Active Travel England. Omitting these geometric and active travel concerns at Stage 1 undermines the validity of the audit process, failing to provide the evidence necessary to demonstrate that 'safe and suitable access to the site can

be achieved for all users' as explicitly required by the NPPF. The RSA process to date should be closely scrutinised and if necessary challenged.

4.5 Design & Access Statement

The applicant's Design & Access Statement (DAS) presents the idealised vision of a highly permeable, sustainable, inclusive extension to the Modbury settlement. It highlights the provision of multiple pedestrian links and internal shared surfaces to argue that the layout prioritises active travel and community cohesion. However, from a highways and transport perspective, the DAS is significantly disconnected from the topographical, structural, and legal realities of the site.

Whilst the DAS points to the proposed network of internal roads, designed to encourage active travel, it ignores the critical severance at the site boundaries. The 'Access' element of the Statement relies heavily on routeing pedestrians and cyclists to the south, yet the applicant refuses to construct the missing footway link outside 1 Lanveoc Way. The DAS fails to acknowledge that delivering high quality internal paths is entirely redundant if they abruptly terminate and force vulnerable users into a hazardous vehicular bottleneck just metres from the site boundary. This approach creates an isolated enclave rather than the cohesive, connected community the DAS claims to deliver.

A core statutory requirement of any DAS is to demonstrate inclusive design that safely accommodates all users, regardless of age or mobility. The applicant's DAS claims to achieve this, yet the physical engineering proposals dictate otherwise. By relying on a northern egress (Barracks Hill) with gradients such that the Highway Authority has mandated restrictive staggered barriers, the design excludes users of non-standard cycles, mobility scooters, and wheelchairs. A design cannot be considered inclusive when its topography requires physical mitigations that physically discriminate against the mobility impaired. As mentioned above, in the analysis of the TA, there is no attractive, convenient or demonstrably safe means of access/egress for pedestrians or cyclists, whether to or from the north or south. No level of measures within the site can address this and the existing infrastructure precludes mitigation outside the site on the wider network.

The DAS implies a peaceful residential environment but fails to reconcile this with its own vehicular access strategy. It proposes routeing all new residential traffic, and multi-year heavy construction vehicles, exclusively through the existing, unadopted residential streets of Higher Green Park Phases 1 and 2. Those vehicles are then funnelled into the single, constrained junction at the A379. The DAS fails to demonstrate how this single point of access can safely accommodate the 75-dwelling cumulative vehicular load, both temporary and permanent, along with pedestrians who are forced into the carriageway. There is also the issue of

destroying the residential amenity, air quality, and highway safety for the existing Palm Cross residents.

Ultimately, the Access strategy outlined in the applicant's DAS is, at best, aspirational rather than deliverable.

4.6 Other Documents

There are many other documents lodged on the Planning Portal, not least a great number of objections from individuals, Modbury Parish Council and the South Hams Society. Modbury Parish Council (the PC) has submitted a complaint to the Local Government & Social Care Ombudsman, alleging maladministration by South Hams District Council in its handling of the planning process. The PC's challenge asserts that the approval significantly contravenes the policies established in the Modbury Neighbourhood Plan and fails to address fundamental safety risks, specifically the overloading of the local highway network and the inadequate pedestrian infrastructure at the Lanveoc Way/A379 junction.

The South Hams Society has also lodged a detailed objection focusing on the fact that the site is outside the settlement boundary, constitutes a loss of good agricultural land, and will exacerbate existing infrastructure issues.

All but one of the many individual consultation responses is an objection, the one other being a 'comment' of concern. There are no responses whatsoever in support. This paints a very telling picture of everyone but the developer's view of the proposal.

5 TRANSPORT & HIGHWAY POLICIES

There are a number of local and national planning policies that any development proposal should consider prior to the submission of a planning application. This report is focused on those relating to transport and highways, with a selection of these policies detailed below. Sustainable travel to development sites is a key objective for both national and local government.

5.1 National Planning Policy Framework (NPPF)

The NPPF sets out the method within which planning applications should be considered by planning authorities. In respect of matters relating to highways, authorities may refuse development only where the traffic impact on highway safety is unacceptable, and where cumulative impacts on the network are severe. The proposed development fails to comply with Chapter 9 of the NPPF, regarding sustainable transport and highway safety.

The applicant relies heavily on the 'severity' threshold of NPPF Paragraph 115 to defend their vehicle capacity data. However, the framework explicitly clarifies that development must be refused if there is an 'unacceptable impact on highway safety.' As established by the documented structural subsidence of the unadopted estate roads, the hazardous pedestrian egress at Barracks Hill (onto narrow roads with no footways and discontinuous streetlighting), and the unsafe omission of a continuous footway at Lanveoc Way, this proposal introduces multiple, unmitigated threats to life and safety. The cumulative highway safety defects of this design provide clear, unambiguous grounds for refusal under Paragraph 115.

Furthermore, the NPPF dictates that significant development must limit the need to travel and offer a 'genuine choice of transport modes' (Paragraph 109) whilst 'giving priority first to pedestrian and cycle movements' (Paragraph 116). By explicitly refusing the Highway Authority's requested £225,000 Section 106 contribution to enhance evening bus services on a network that already leaves residents entirely isolated on evenings and all day on Sundays, the applicant has guaranteed that this site would be entirely car-dependent. A development cannot be considered compliant with national sustainability mandates whilst actively rejecting the exact financial mechanisms required to make it anything like sustainable. The application fails both local and national policy.

5.2 Local Transport Note (LTN) 1/20

The Department for Transport (DfT) LTN 1/20 provides advice to local authorities on delivering high quality, cycle infrastructure, providing specific guidance on how such infrastructure should be designed and implemented. There is fundamental conflict with LTN 1/20.

The applicant's proposed active travel network fails to comply with LTN 1/20, the most critical failure being at the proposed Barracks Hill egress, where the natural topography creates an unresolvable, unmitigable conflict with national design standards. The gradients at this northern boundary have led the Highway Authority to explicitly demand physical mitigation in the form of staggered 'baffle' barriers to prevent cyclists from egressing at speed out into the carriageway. However, LTN 1/20 Summary Principle 16 explicitly forbids these access control measures, stating that they 'reduce the usability of a route for everyone' and unlawfully discriminate against users of non-standard cycles or mobility aids. Consequently, the applicant faces an irreconcilable constraint, whereby the only physically viable engineering solution is strictly prohibited by current regulatory frameworks. The gradient is deemed to be too steep to be safe without physical barriers, yet the mandatory installation of those barriers explicitly violates national design and equality standards, rendering the route undeliverable.

Furthermore, the remaining pedestrian and cycle infrastructure contravenes the core LTN 1/20 principle that active travel networks must be coherent. LTN 1/20 guidance dictates that routes should not abruptly terminate or force vulnerable users into hazardous vehicular environments. By explicitly refusing to construct the missing footway link outside 1 Lanveoc Way, the applicant physically fragments the southern network, placing pedestrians and cyclists directly into the estate's primary vehicular bottleneck and onto the carriageway of the A379. This hazard is compounded by the scheme's inappropriate reliance on routeing shared pedestrian and cycle movements through narrow, unadopted internal estate roads, directly contradicting LTN 1/20's clear presumption against shared-use spaces in constrained residential environments. The cumulative result is an active travel plan that is flawed, legally non-compliant and, in practical terms, unsafe.

5.3 Active Travel England (ATE)

ATE is the government executive agency responsible for encouraging everyone to make walking, wheeling and cycling the preferred choice for short journeys, and assess the active travel merits of a development proposal. Their objective is to ensure that at least 50% of short trips are made by sustainable modes by 2030. ATE enforces active travel standards in the planning system. Whilst Local Authorities sometimes let poor walking and cycling infrastructure slide, ATE was created specifically to put an end to car-dependent housing estates. ATE assesses larger planning applications and can formally object to them if they wish. It is highly likely that ATE will require measures to ensure that people can travel by sustainable modes. Whilst the applicant claims to promote sustainable transport, the proposed infrastructure fails ATE's assessment criteria. ATE's mandate requires that active travel routes must be inclusive, continuous, and designed to facilitate a genuine modal shift away from private vehicle use. When assessed against ATE's core planning toolkits, this application demonstrates critical, unmitigated failures.

ATE mandates that all new active travel infrastructure must be designed to accommodate the full spectrum of users, including those using non-standard cycles (such as cargo bikes, tricycles, and hand-cycles used by disabled riders), as well as mobility scooters. The proposed Barracks Hill cycleway fails this test. Because the gradient causes the Highway Authority to demand physical staggered 'baffle' barriers to prevent high-speed collisions, the route becomes physically impassable for ATE's required 'design vehicles' such as cargo bikes and adapted tricycles. Under ATE's assessment criteria, an active travel route that relies on physical barriers to mitigate a steep gradient is legally discriminatory, inherently unsafe, and must not be considered.

A core principle of ATE's planning assessment is that internal site permeability is entirely redundant if the external connections to the wider community are broken. ATE refers to this as 'network severance.' The applicant's refusal to physically

construct the missing footway link outside 1 Lanveoc Way constitutes a total network severance. By forcing pedestrians and cyclists off a dedicated path and into a constrained vehicular 'A' road bottleneck simply to access the town centre etc, the application creates a critical failure point. Under ATE guidance, developments must bridge these immediate infrastructure gaps, not pass the responsibility to future third parties.

ATE frequently applies a benchmark test to active travel designs: "Is the infrastructure safe and intuitive enough for an unaccompanied 12-year-old to use?". The southern access arrangements are clearly unacceptable for an unaccompanied 12 year old. Given the applicant's additional reliance on unadopted paths, combined with the necessity of navigating high-speed downhill gradients, and exiting onto Barracks Hill where the developer refuses to fund a 20mph safety zone, the answer would be an unequivocal "No". The applicant's active travel proposals are hostile to vulnerable users, guaranteeing that parents would default to accompanied, if not driving, for school and leisure trips, entirely defeating ATE's objective of modal shift.

ATE also rigorously assesses the viability of developments based on the safety and continuity of the 'first and last mile' of a resident's journey. ATE guidance dictates that high-quality internal estate paths are effectively redundant if the final connections to vital local amenities are severed, hazardous, or missing. In this case those connections are clearly severed, hazardous or missing. The applicant's proposed active travel network therefore fails this 'last mile' test on all counts. To the south, the applicant's refusal to construct the missing footway link outside 1 Lanveoc Way creates a critical severance. Pedestrian infrastructure is also very poor for those heading for the town centre, with absolutely no physical scope for mitigation even if funds were made available. To the north, the 'last mile' routing forces children and vulnerable users to navigate steep, hazardous gradients at Barracks Hill where the applicant actively refuses to fund the required 20mph safety zone. Because the developer is leaving the most dangerous segments of the network completely unresolved, the application fails ATE's continuity mandates and guarantees that residents would default to private vehicle use for short, local journeys.

In summary the applicant's Transport Assessment presents a theoretical active travel network that completely collapses when subjected to real-world scrutiny. The physical topography of the site and surrounding network create a hostile environment for walking and cycling. By failing the safety parameters of both the DfT's LTN 1/20 guidance and the strict inclusivity tests of Active Travel England, the applicant's sustainable transport claims are proven to be undeliverable. Consequently, if approved, this 75-dwelling application would operate as an isolated, near 100% car-dependent estate, in direct violation of local and national planning frameworks.

5.4 Plymouth and South West Devon Joint Local Plan 2014-2034 (JLP)

The current JLP is now considered out of date and not fit for purpose but technically remains in use for determining current planning applications. This application frustrates the overarching spatial strategy of the JLP, whilst explicitly violating the mandatory transport mitigations required by the various 'DEV' Policies, as discussed below.

The JLP is designed to deliver a cohesive, sustainable spatial strategy that promotes integrated communities and prevents isolated, car-dependent sprawl. A core principle of the JLP's vision for sustainable rural settlements is that new developments must seamlessly integrate with the existing built environment and adjacent land allocations. The applicant's proposal directly undermines this statutory vision. By refusing to physically construct the critical missing footway link outside 1 Lanveoc Way, the applicant completely severs their site from the adjacent JLP Allocation TTV24 (Penn Park), and the links to the historic town centre are very poor. The JLP does not support piecemeal, fragmented development. By choosing to leave a vital infrastructure gap and/or pass the responsibility to a future third-party developer, the applicant is attempting to get away with building an isolated, disconnected enclave rather than a cohesive extension to the Modbury settlement. This conscious severance is a direct challenge to the JLP's spatial strategy.

Policy DEV29 (Specific Provisions Relating to Transport and Parking)

Policy DEV29 sits within the overarching spatial vision of the JLP and dictates that developments must provide safe and convenient access for all transport modes (walking, cycling, public transport, and private vehicles). It legally requires major developments to submit Transport Assessments and Travel Plans to prove that they won't severely disrupt the local network. DEV29 states that developers must ensure that sufficient provision and management of car parking protects the amenity of surrounding residential areas and ensure safety of the highway network. This includes parking which must not spill out onto the highway, which would be certain to happen on this heavily car-dependent estate.

The application fails every relevant metric of JLP Policy DEV29, which mandates that development must: "Provide safe, convenient and attractive access for walking, cycling and public transport; Ensure permeability and connections to the wider network; Mitigate the impacts of the development on the transport network". The proposed application does not fulfil any of these requirements. The active travel network cannot be considered 'safe or attractive' when the northern egress at Barracks Hill forces vulnerable users to navigate steep, unmitigated gradients to get to a narrow road with no footways. The site cannot claim 'permeability' when it actively refuses to fund the Drovers Way public footpath order or construct

continuous footways at Lanveoc Way. Most critically, Policy DEV29 requires developers to mitigate their impacts. The applicant is actively refusing to pay the required £225,000 Section 106 contribution to secure evening services for the Stagecoach Number 3 bus route, and is contesting the required funding for a 20mph safety zone on Barracks Hill/Barrack Road/Dark Lane. A development that deliberately isolates itself, refuses to fund essential public transport and safety mitigations, and guarantees heavy car dependency cannot be considered legally compliant with JLP Policy DEV29.

Policy DEV30 (Meeting the Community and Highway Needs of New Development)

This is the crucial policy for traffic and congestion. It states that development will not be permitted if the cumulative impact on the highway network would be "severe". This mirrors the NPPF. It also requires developers to deliver or financially contribute to the community infrastructure required to meet the needs it generates. The applicant's current proposal contravenes the core premise of this policy. Rather than mitigating their impact, the applicant is actively resisting it. By refusing to fund the £225,000 required for evening bus services, disputing the £20,000 required for the Barrack Road 20mph safety zone, and declining the £2,500 legal order for the Drovers Way public footpath, the developer is attempting to maximise the commercial value of 75 new dwellings by transferring the infrastructure burden, and the associated safety hazards, directly onto the existing Modbury community. A development that refuses to meet its generated infrastructure needs cannot be approved under DEV30.

Policy DEV31 (Waste Management)

DEV31 sets out the local standards for how much parking a development must provide to ensure that vehicles do not spill out onto the surrounding public highway network and obstruct the passage of large refuse vehicles. The proposed application fails to demonstrate how heavy municipal refuse and recycling vehicles could safely service these 75 new homes without significantly affecting the existing infrastructure. There is demonstrable evidence to show that such vehicles already struggle to navigate the estate's roads.

The proposed development conflicts with the 'Thriving Towns and Villages' (TTV) framework of the JLP, which mandates that growth must be commensurate with a town's infrastructure capacity and sustainable accessibility. By placing an untenable burden on the town's already constrained highway network, and failing to provide safe pedestrian connectivity, the application conflicts with the 'place-led' approach of the TTV policies. Furthermore, it undermines the Modbury Neighbourhood Plan (MNP1), which was adopted to guide sustainable and community-supported growth. The proposal fails to uphold the Plan's policies

regarding safe pedestrian connectivity and sustainable transport, and the objective to prioritise site locations which integrate with the town's existing character.

Policy DEV32 (Delivering Low Carbon Development)

DEV32 mandates the inclusion of sustainable travel infrastructure, such as electric vehicle (EV) charging points and secure cycle storage, to reduce reliance on fossil-fuel vehicles. DEV32 must be read alongside the adopted Plymouth and South West Devon Climate Emergency Planning Statement and requires all new development to drastically reduce carbon emissions, transition away from fossil fuel reliance, and build resilience against climate change. The applicant's proposal undermines this statutory low-carbon mandate. By severing active travel routes (such as omitting the Lanveoc Way footway link) and refusing to fund public transport provisions (the Stagecoach Service 3 evening and weekend services), the developer guarantees that this would be an almost 100% car-dependent estate. A development that forces its new residents to rely on private vehicular travel for almost every evening, weekend, leisure, and school journey completely contradicts the overarching carbon-reduction targets of Policy DEV32.

5.5 The Highway Authority: Devon County Council (DCC)

Whilst South Hams District Council makes the final planning decision, Devon County Council (DCC) is the Highway Authority and acts as the statutory consultee for all things related to roads. DCC assesses applications against its own strategic plan and engineering standards. This application conflicts with the newly adopted Devon and Torbay Local Transport Plan (LTP).

One of the central aims of the LTP is the urgent need to decarbonise the transport network, reduce rural isolation, and facilitate a definitive modal shift away from private vehicle use toward public transport and active travel. The applicant's proposal acts in direct opposition to these county-wide objectives. The LTP relies heavily on developer contributions to make rural public transport networks viable and frequent. By actively refusing the Highway Authority's requested £225,000 Section 106 contribution to secure crucial evening and weekend provisions for the Stagecoach Service 3, the applicant is deliberately denying future residents the exact infrastructure the LTP demands. This refusal ensures that the 75-home estate would function as a hugely car-dependent enclave, actively working against the region's statutory carbon-reduction and sustainable travel targets.

Furthermore, the LTP mandates the creation of safe, cohesive, and resilient active travel networks that prioritise and protect vulnerable road users, referred to as creating 'Greater places for people'. The applicant's proposed pedestrian and cycle infrastructure completely fails this mandate. The refusal to physically construct the critical footway link at 1 Lanveoc Way creates a severe network severance, directly violating the LTP's connectivity goals. This failure is compounded by the hazardous

situation at the proposed Barracks Hill pedestrian & cycle access, and the applicant's resistance to funding the requisite 20mph safety zone on Barrack Road. By delivering an active travel network that is fragmented, topographically dangerous, and lacking basic speed mitigation on adjacent roads, the application fails to provide the safe, sustainable transport environment required by the Devon and Torbay Local Transport Plan.

5.6 Air Quality & Environmental Health (South Hams)

The application conflicts with the South Hams Air Quality strategy and Environmental Health protection mandates. By refusing to deliver or fund suitable mitigation measures, the applicant is forcing people in the 75 new households to use private cars. These vehicles would funnel into the bottleneck at Lanveoc Way, which would inevitably cause localised congestion, queuing, and engine idling, thereby introducing a concentrated, unacceptable increase in exhaust emissions and particulate pollution directly outside existing residential properties. A layout that engineers localised traffic bottlenecks, whilst refusing public transport mitigation, stands in direct opposition to South Hams' air quality and climate emergency mandates.

Furthermore, the application fails to demonstrate how it would protect the Environmental Health of existing Palm Cross residents during the inevitable multi-year construction phase. The applicant proposes routeing all HGVs, construction plant and regular delivery traffic directly through the as yet unadopted Phases 1 and 2. Beyond the structural risk to the as yet unadopted road surface, this routeing would subject existing residents to years of continuous industrial-level noise, vibration, and significant airborne dust/particulate matter (PM10 and PM2.5) directly outside their front doors. This prolonged, unmitigated exposure to construction pollution along an unsuitable residential corridor is a breach of statutory Environmental Health standards and residential amenity protection.

6 SUSTAINABLE TRAVEL

National and local planning policies establish a clear sustainable transport hierarchy: walking, wheeling and cycling, public transport, and finally the private vehicle. This section consolidates the earlier elements of this report to provide a definitive assessment of the site's realistic capacity to support sustainable travel.

Walking

The proposed pedestrian network fails to provide safe, continuous, attractive routes, which directly disregards Active Travel England (ATE) standards.

By explicitly refusing to construct the missing footway link outside 1 Lanveoc Way, the applicant structurally severs the site from the existing highway network. Under ATE criteria, this constitutes a catastrophic 'first and last mile' network failure, forcing pedestrians off a dedicated footway and into the carriageway of a dangerous vehicular bottleneck on an 'A' classified road.

Exiting the site to the north directs pedestrians onto Barracks Hill which is narrow with restricted visibility and lacks a continuous protected footway network. The applicant's reluctance to fund the required 20mph safety zone (other than via its Section 106 monies) creates a hostile environment that fails ATE's core test of 'being safe for an unaccompanied 12-year-old'.

Wheeling & Cycling

The mandate for 'segregated' (as opposed to shared use) cycle facilities: "*Cycles must be treated as vehicles not as pedestrians. On urban streets they should not share space with pedestrians. Distinct tracks for cyclists should be made*" comes directly from the Department for Transport's LTN 1/20 design standards. The ruling is strictly enforced, in the planning system, by Active Travel England. The infrastructure proposed for this development's cyclists and those using mobility aids drastically fails these safety, continuity, and inclusivity mandates.

The northern egress relies on gradients and dangers such that the Highway Authority has demanded staggered barriers (also known as baffle barriers) to prevent cyclists from losing control and entering the live carriageway at speed. However, because physical barriers can unlawfully discriminate against non-standard cycles (such as cargo bikes and adapted tricycles) and mobility scooters, this proposed mitigation contravenes LTN 1/20 Summary Principle 16. The applicant is in a potential regulatory deadlock because of this - the route is unsafe without barriers, but the barriers render the route non-compliant.

The scheme relies on squeezing cyclists and wheeled mobility users through narrow, unadopted, residential roads and narrow shared pedestrian footways and paths. This directly contradicts LTN 1/20's clear presumption against shared-use spaces in constrained urban or residential environments, establishing an engineered conflict between wheeled users, pedestrians, and vehicles.

Bus Travel

The site is serviced by the Stagecoach Number 3 bus route on the A379, which provides daytime connections Monday to Saturday. This service ceases entirely in the evenings and does not operate at all on Sundays. Devon County Council formally recognised this severe limitation and requested a £225,000 Section 106 contribution to secure evening services, to help future residents to have a viable alternative to the car for social, employment, and emergency trips. The applicant

has refused to pay this contribution, citing low demand. By actively declining the exact financial mitigation required to make the site in any way viable for public transport, the applicant guarantees that residents would be entirely cut off from sustainable travel outside of core daytime hours.

The local bus stops are well below current DfT/ATE standards, which require raised 'bus boarder' kerbs, tactile pavings for the visually impaired, bus stop clearway markings, and shelters. The northern side stop is a simple flag, hidden and obstructed by foliage, on a narrow footway, whilst the one on the southern side is barely any better other than having a shelter. Pedestrians crossing from the estate to the southern side have to walk along Church Street, cross at the uncontrolled crossing point, then back along the extremely narrow southern footway, a 70 metre hazardous walk and virtually impossible for those with pushchairs or wheelchairs etc.



Bus Stops (Arrowed) Failing Current Standards - Aprica Image

Rail Travel

Modbury does not possess its own rail station, meaning that residents must rely on onward travel to regional hubs such as Ivybridge, Totnes, or Plymouth. Plymouth is the most viable but since the bus service terminates around half a mile from the station, the bus to rail connection entails a lengthy walk across the city centre. Access to the other stations requires multiple connecting bus journeys. Consequently the viability of rail travel is inextricably linked to the local bus provision. By refusing to fund the evening and Sunday enhancements to the Stagecoach Number 3 route, the applicant has indirectly severed access to the wider rail network for any resident needing to travel outside of standard working

hours. This compound failure further isolates the site and puts even more reliance on the private car.

The Private Car

Because the applicant's proposed active travel network is physically fragmented and does not allow for the area's topographical and highway width challenges, and because they have rejected the funding required for public transport, the inevitable result is near 100% private car dependency. This total reliance on private vehicles would force the daily traffic of 75 households, alongside multi-year construction traffic, into the single constrained bottleneck at Lanveoc Way. This engineered funnel would cause localised congestion and unacceptable exhaust/particulate pollution right outside existing residential properties, directly conflicting with the Council's Air Quality strategies.

With no viable alternative to the car, vehicle ownership on the estate would predictably outstrip the applicant's modelled estimates. This would inevitably result in heavy on-street overspill parking along the narrow internal roads, as can already be seen at Phases 1 and 2. Under JLP Policies DEV29 and DEV31, this overspill would physically obstruct the safe passage of municipal refuse vehicles, emergency services and other large vehicles, presenting an unmitigated failure of the site's transport layout.

7 CONCLUSIONS AND RECOMMENDATIONS

7.1 Conclusions

Having reviewed the submitted planning application, the accompanying transport evidence, and the physical conditions on the ground, it is concluded that the proposed Palm Cross extension fundamentally fails to demonstrate safe and suitable access for all users. The development would place an untenable burden on an already constrained highway environment characterised by severe gradients, fragmented pedestrian infrastructure, and a single, compromised vehicular access point.

Taken together, the evidence indicates that the proposal would materially worsen existing highway safety and residential amenity. The applicant's reliance on theoretical desktop modelling is entirely disconnected from deliverable, on-the-ground mitigation. Specifically, the proposal fails on three critical fronts:

Unacceptable Impact on Highway Safety: Routeing all multi-year construction traffic and permanent residential traffic through the unadopted, structurally compromised internal roads of the existing Palm Cross estate to a single, visibility-

constrained bottleneck at the A379 creates an inherent safety conflict, directly failing the test of NPPF Paragraph 115 (highway safety and severe network impacts).

Flawed Active Travel Network: The proposal fails to provide a coherent or inclusive network for walking, wheeling, or cycling. The unmitigated, unmitigable gradients at Barracks Hill, combined with the lack of continuous footways, physically discriminate against vulnerable users and directly contravene LTN 1/20 and Active Travel England core inclusive design mandates. Notably, this exact infrastructure failure mirrors the adjacent Penn Park (TTV24) allocation, which was refused on these precise grounds.

Refusal to Mitigate Car Dependency: The applicant has refused the Highway Authority's requested Section 106 mitigations (£225,000 for evening/Sunday bus services and £2,500 for the Drovers Way footway order). By rejecting the financial mechanisms required to make the site in any way sustainable, the applicant guarantees near 100% car dependency, standing in direct conflict with Joint Local Plan Policies DEV29 through DEV32 (covering sustainable transport, network capacity, and climate change mitigations).

7.2 Recommendations

Based on the findings set out in this report, it is recommended that Planning Application 4116/24/OPA should be refused based on the following primary planning grounds:

Ground 1: Severe and Unacceptable Highway Safety Risks (NPPF Para 115). The development relies on a single, constrained junction (Lanveoc Way/A379) and forces inappropriate traffic volumes—including heavy construction vehicles—through narrow, unadopted residential streets, posing a severe risk to existing and future residents.

Ground 2: Inadequate and Discriminatory Pedestrian/Cycle Infrastructure. The proposal fails to provide a continuous, inclusive active travel network. The missing footway connection at 1 Lanveoc Way and the hazardous topographical constraints at the Barracks Hill egress demonstrably fail the safety and inclusivity standards set by LTN 1/20, Active Travel England, and JLP Policy DEV29.

Ground 3: Failure to Mitigate Impact (JLP Policy DEV30). The applicant's explicit refusal to fund essential, Highway Authority-requested public transport enhancements and off-site active travel works demonstrates a failure to mitigate the development's impact, ensuring unsustainable, heavy car dependency in direct conflict with local climate and transport policies.