

Western Avenue Riverside Park Project

Stopping Up Order Application - Western Avenue and part of West Street

Responses to Common Objections (CO)

Background

Test Valley Borough Council (the “Council”) wishes to progress the development of the Western Avenue Riverside Park project which is a priority project for the Council and is referred to in the Andover Town Centre Masterplan. The project is intended to improve the vibrancy of Andover Town Centre by providing a new park adjacent to the River Anton with views across the river.

The Masterplan was informed by extensive community engagement and nearly 3,000 responses from the community were received. A significant proportion of the responses received from the community wished for more green space and access to the River Anton which is hidden within the Western Avenue gyratory. The Western Avenue Riverside Park scheme will achieve this, building on the success of the Town Mills Park and providing an extension of this space which is valued by Andoverians and visitors to the town centre.

The Masterplan engagement also identified the perceived distance between the town centre and key facilities, such as the Leisure Centre, Andover College and Simplyhealth and that this is exacerbated by the quality of existing pedestrian and cycle routes. This reduces the likelihood of people walking into the town centre from these locations. Comments from the community during the Masterplan engagement also highlighted the barrier of the ring road on accessing the town centre, creating poor arrival experiences for pedestrians and cyclists. The delivery of the Western Avenue Riverside park scheme will improve these connections and the arrival experience into the town centre from the west.

On 3 October 2025 full planning permission was granted for the project (planning permission reference 25/01047/FULLN). The project involves the closure / stopping up and removal of the southbound carriageway of the Western Avenue gyratory and associated changes to the highway network, including West Street and Waterloo Court, to allow for the development of a park with areas of hard and soft landscaping, play areas, lighting, pavilion, river viewing platforms and an off-road cycleway in Andover, Hampshire (the “Development”).

In order to facilitate the delivery of the Development the Council has made an application under section 247 of the Town and Country Planning Act 1990 (“TCPA”) to

the Secretary of State for Transport for a stopping up order, which, if granted, will authorise the stopping up of sections of highway at Western Avenue and West Street, Andover (the “SUO Application”).

Section 247(1) of the TCPA provides the power for the Secretary of State to “*authorise the stopping up or diversion of any highway outside Greater London if he is satisfied that it is necessary to do so in order to enable development to be carried out—*
(a) *in accordance with planning permission or*
(b) *by a government department.*”

The Council considers that the stopping up of the sections of highway at Western Avenue and West Street, Andover (via the SUO Application) are necessary in order to enable the Development (as authorised under the planning permission reference 25/01047/FULLN) to be carried out.

Case-law¹ has established that, for purposes of considering a section 247 TCPA application, the planning merits of the development should not be re-opened (as the planning merits or demerits will have been determined in favour of the development through the grant of planning permission). However, the Inspector (on determining a section 247 TCPA application) does have latitude to consider wider issues and will consider the overall public interest in diverting or stopping up a right of way and how it will affect those concerned. This may include consideration of issues that were not material considerations at the planning stage and/or issues that are overlapping (i.e. relevant to both the planning merits and the merit of whether or not the stopping up order should be confirmed).²

Following submission of the SUO Application the Council has been notified that a number of objections have been received to the SUO Application. Copies of those objections have been supplied to the Council.

The Council has considered the objections to the SUO Application and acknowledges that a number of those objections have common themes. The Council therefore sets out below its response to the common themes of those objections.

¹ See, for example, Vasiliou v Secretary of State for Transport [1991] 2 All ER 77 and R (Network Rail Infrastructure Ltd) v Secretary of State for Environment, Food and Rural Affairs [2017] EWHC 2259 (Admin) at paragraph 49.

² For a useful summary of the scope of the Secretary of State’s discretion see R (Network Rail Infrastructure Ltd) v Secretary of State for Environment, Food and Rural Affairs [2017] EWHC 2259 (Admin) at paragraph 49(3):

“...the Secretary of State is obliged to take into account any significant disadvantages or losses flowing directly from the stopping up order which have been raised, either for the public generally or for those individuals whose actionable rights of access would be extinguished by the order. In such a case the Secretary of State must also take into account any countervailing advantages to the public or those individuals, along with the planning benefits of, and the degree of importance attaching to, the development. He must then decide whether any such disadvantages or losses are of such significance or seriousness that he should refuse to make the order.”

Compliance with legislation and Circulars

CO1. The stopping up order is not necessary for the approved development to be carried out.

Response: The SUO Application has been submitted pursuant to section 247 of the TCPA. The power for the Secretary of State to authorise the stopping or diversion of any highway outside of London under s.247(1) TCPA is referred to above, and is also set out below for ease of reference:-

“The Secretary of State may by order authorise the stopping up or diversion of any highway outside Greater London if he is satisfied that it is necessary to do so in order to enable development to be carried out—

- (a) in accordance with planning permission or*
- (b) by a government department.”*

The Council considers that the proposed stopping up order (as applied for pursuant to the SUO Application) is necessary to enable the Development as authorised under planning permission reference 25/01047/FULLN to be carried out. The Council cannot, in the absence of a stopping up order, carry out works and remove the sections of highway (as described in the SUO Application); and the Council needs to stop up these sections of highway in order to carry out the Development.

CO2. The scheme fails to demonstrate that the highway is unnecessary, as required by legislation.

Response: The Council does not need to show that the highway to be stopped up are unnecessary.

The SUO Application has not been submitted pursuant to section 116 of the Highways Act 1980 (“HA 1980”). Section 116 of the HA 1980 provides the magistrates court with the power to stop up or divert a highway if the court considers that the highway is ‘unnecessary’ or in the case of a proposed diversion ‘can be diverted so as to make it nearer or commodious to the public’.

The necessity test for stopping up a highway under section 116 of the HA 1980 is different to the test under section 247 TCPA; the latter being tied to a planning permission or development being carried out by a government department. Please see the Council’s response to CO1 above which confirms that the proposed stopping up order (as applied for pursuant to the SUO Application) is necessary to enable the Development as authorised under planning permission reference 25/01047/FULLN to be carried out.

CO3. The area contained within the stopping up order application is excessive in scope and area.

Response: To enable the Development to be carried out in accordance with its planning permission, the full extent of public highway contained in the SUO Application is required to be stopped up and highway rights extinguished. Stopping up a reduced area of public highway would not allow for the Development, as approved under planning permission reference 25/01047/FULLN, to be carried out

CO4. There is an alternative scheme which would enable the objectives of the development to be carried out which the Council has not considered.

Response: The Council wishes to proceed with the Development as authorised by the planning permission. The timeframe for challenging the grant of planning permission has expired and the planning permission is free from legal challenge. The planning permission reference (25/01047/FULLN) is therefore capable of being implemented subject to (a) compliance with the planning conditions thereof and (b) the grant of the stopping up order pursuant to the SUO Application.

Consideration of the SUO Application should not be a re-run of the planning merits of the Development – which has been granted full planning permission. The existence of an alternative scheme of development is irrelevant to the SUO Application. The SUO Application is for the stopping of highways in order for the authorised Development to be carried out.

Notwithstanding and without prejudice to our comments above, the Council is aware of an alternative scheme submitted in June 2025³ as a representation to the planning application for the scheme (25/01047/FULLN). The principles of this alternative scheme have been discussed with residents at Chantry Lodge and Portland Grove during engagement events in 2025. The Council considers that the alternative scheme does not align with the objectives of the development, as identified by the community through the creation of the Andover Town Centre Masterplan (2020), to create a safe and accessible green space in the town that connects people to the river.

The Council considers that the alternative scheme proposed would introduce a conflict between vehicles and users of the park and would mean that there would be buses, cars and delivery lorries travelling through the heart of the park intended for people, including children, to play safely and enjoy nature. It would also significantly reduce the amount of green space delivered. The concept scheme in the Andover Town Centre Masterplan was developed to design out this conflict and the Development

³ The Council is aware that a variation to the alternative scheme has been submitted alongside objections to the Stopping Up Order application. The variation includes the construction of a roundabout to facilitate access to the Chantry Centre multi-storey car park. Given the similarity, the response to CO4 also covers the variation to the alternative scheme.

proposed, which has received planning permission, is intended to be taken forward by the Council with support from Hampshire County Council as Highway Authority.

CO5. The proposal to turn West Street into a two-way route is not essential for the scheme to be carried out and alternative, lesser measures have not been considered.

Response: The Development cannot be carried out unless the public highway subject of the SUO Application is stopped up and West Street turned into a two-way road. Alternative, lesser measures, such as keeping West Street one way and retaining part of Western Avenue (as shown on the alternative scheme put forward and referred to in the Council's response to CO4), would not allow the Development to be carried out as approved and would compromise the amount of green space delivered and the quality of the park.

CO6. The Department for Transport (DfT) Circular 1/97 and Manual for Streets 2 require that any stopping-up must be preceded by a full assessment of existing and potential future use, particularly by non-motorised users. No such analysis appears to have been made available.

Response: The DfT Circular 1/97 is guidance to assist local authorities in making orders under the HA 1980. As mentioned above, this application is made under section 247 TCPA, therefore DfT Circular 1/97 and Manual for Streets 2 are not relevant to the SUO Application. Further, DfT Circular 1/97 is generally accepted as out of date guidance.

Publicity and Engagement

CO7. The notice in The Gazette refers to a plan and draft order available at Beech Hurst, yet these have not been made available online, nor have residents been clearly informed of the practical effects on local access or travel patterns.

Response: The draft Order has been publicised in compliance with the guidelines from the DfT. In addition to the plan and draft Order being available at the Council's offices at Beech Hurst, copies have been placed in the library within the Chantry Centre. The area of highway to be stopped up and the associated changes to the highway network was made clear within the planning application documents, reference 25/01047/FULLN. Nearest residents at Chantry Lodge and Portland Grove have been informed of the proposals to stop up the highway, the overall scheme and the implications of the changes to the road network throughout the planning process, and in particular at the following in-person engagement events, the first three of which took place in advance of the planning application being submitted:

- 19th September 2024, between 1pm-7pm
- 6th December 2024, between 10-12pm
- 17th March 2025, between 3pm-7pm
- 16th October 2025, between 10-12pm

These engagement sessions took place in the residents' lounge at Chantry Lodge to help ensure maximum attendance. During these engagement sessions, council staff and representatives from the Highways Authority explained the changes to the road network and the associated impacts for users of West Street, including access arrangements. This included a dedicated engagement session on 17th March 2025 where the outcomes of the technical assessment work in respect of air, noise and traffic impacts (including changes to vehicle movement numbers along West Street) were presented.

At all engagement sessions, residents had the opportunity to ask questions in small groups on tables with council staff and their specialist consultant team to ensure all voices could be heard and plans could be shown to help answer questions. Council staff, technical specialists, and representatives from the Highway Authority were available during each engagement session where residents could 'drop in' and ask questions on the proposed scheme and the technical work undertaken.

A two-day public exhibition also took place on 27th and 29th March 2025 in a prominent unit in the Chantry Centre, visible from the High Street. The exhibition presented the scheme and clearly illustrated the stopping up of the highway and the proposed changes to the road network. The exhibition boards are publicly available to download on the following website: [Western Avenue redevelopment — ANDOVER TOWN CENTRE](#).

The Council submitted a Statement of Community Involvement ("SCI") with the planning application documents for the Development which outlined the extensive community and stakeholder engagement that has taken place since the adoption of the Andover Town Centre Masterplan. The SCI is publicly available with the planning application documents (reference 25/01047/FULLN) and can be downloaded using the following link: [statement of community involvement](#)⁴

CO8. The advertisement for the stopping up Order was published in the London Gazette and the Salisbury Journal, which are not publications that circulate locally in the Andover area.

Response: The DfT is the authority responsible for publishing the draft stopping up Order. The Council understands that the DfT has acknowledged that the Salisbury Journal was not the most appropriate local publication for the draft Order to be publicised in and has since re-advertised the draft Order in the Andover Advertiser. As

⁴ Should the hyperlink expire, please visit [Simple Search](#) and search under the planning application reference for the Development, reference 25/01047/FULLN.

part of the re-advertisement the publicity period was started afresh and lasted for a 28-day period from Friday 21st November – 19th December 2025.

CO9. The site notices advertising the draft Order have not been displayed at either end of West Street or Western Avenue.

Response: The site notices advertising the draft Order were displayed in three locations visible from the public highway; at either end of the southbound carriageway on the Western Avenue gyratory and on a lamppost opposite the Andover bus station. The notices were displayed in accordance with the guidance from DfT and photographic evidence of where they were displayed was taken. The photographic evidence was shared with DfT who has accepted that the site notices were displayed correctly.

Quality of life

CO10. The scheme is harmful to the local environment and the living conditions of residents and the community.

Response: The Development was granted full planning permission on 3rd October 2025. The planning application for the Development was supported by a Noise Assessment and Air Quality Assessment. These assessments were undertaken by specialists in their fields and the additional vehicle movements on West Street which would result from the proposed Development were modelled and assessed in terms of their impact in respect of air quality and noise pollution. The assessments concluded that the Development would not result in an unacceptable detrimental impact on the living conditions of residents or the local community in respect of air and noise pollution. The Development would result in the removal of a road and its replacement with a new park with significant new areas of grass, shrub and tree planting. The Council considers that this will bring benefits to the local environment through creating new areas for wildlife, enhancing and conserving existing habitats along the riverbank and providing new green spaces for the community to enjoy which is important for health and wellbeing.

CO11. Test Valley Borough Council's figures for noise were based on a single measurement site (Lidl car park) and do not assist in understanding the noise levels at Chantry Lodge and Portland Grove. No attempt has been made to project forward the noise levels resulting from the increased traffic in West Street which would result from the proposed stopping up order.

Response: The noise assessment which was carried out in support of the planning application for the Development has been undertaken in accordance with DMRB⁵ and the Noise Insulation Regulation 1975 based upon traffic flows and the associated acoustic modelling. An Environmental Sound Survey (using actual site-based noise surveys) has been undertaken in the Lidl car park to determine the background acoustic conditions, and an assessment has been undertaken in accordance with BS4142⁶.

A separate assessment has been undertaken taking the traffic flows as a result of the Development (provided by the scheme Transport Consultant, Stantec). This took account of vehicle traffic, including deliveries lorries and customers to and from Lidl, using the new two-way road network on West Street. From this an acoustic model of the Site and environs has been generated in Datakustik CadnaA® modelling software. CadnaA® considers various inputs, including topography, buildings and noise sources, and calculates sound levels in accordance with national and international standards; in this case, the relevant UK standards are the procedures set out within ISO 9613-24⁷. Using the available data, assessments have been made for the short-term and long-term impacts on the Nearest Sensitive Receptors (NSRs) along the nearby road network. The results of the traffic change assessment are then presented in context with the Effect Levels outlined in DMRB and consideration against the Regulations is provided.

Both of the above methodologies are industry standard and were agreed with the Environmental Health Officer to be appropriate for considering the impact of this Development.

CO12. Air pollution measurements were taken at several sites, again no attempt has been made to project forward the impact on air quality in West Street resulting from the increased traffic levels should the proposed stopping up order be granted.

Response: The Air Quality Assessment was informed by the proposed traffic flows as a result of the Development and examined the impact of road traffic emissions upon existing receptors adjacent to local roads. This took account of vehicles, including deliveries lorries and customers to and from Lidl, using the new two-way road network on West Street.

The key traffic related pollutants considered were nitrogen dioxide (NO₂) and particulate matter (PM₁₀ and PM_{2.5}). The assessment has been undertaken with reference to the advice provided within the 'Land-Use Planning and Development

⁵ Design Manual for Roads and Bridges.

⁶ British Standard 4142 is a nationally standard method used to assess sound and its impact on humans in residential premises.

⁷ ISO 9613-24 stands for the International Standard for Acoustics. This standard provides an engineering method for calculating sound pressure levels under various meteorological conditions, helping to predict environmental noise levels from sources of known sound emissions.

Control: Planning for Air Quality', guidance dated May 2017, produced by Environmental Protection UK and the Institute of Air Quality Management.

The assessment has been undertaken using the Atmospheric Dispersion Modelling Package ADMS-Roads Air Quality Management System Version 5.1, to establish air pollutant concentrations at the proposed Development. Specifically, ADMS-Roads has been used to disperse emissions of NO₂, PM₁₀ and PM_{2.5} from local road sources and derive resultant road contributions to the concentrations of these pollutants at specific existing receptor locations. When added to the background concentration, this provides an indication of the resulting air quality at each receptor location.

The ADMS-Roads model requires the input of background pollutant concentration data (taken from Council monitoring locations), hourly traffic flows, annual average vehicle speed, vehicle classification broken down into light and heavy-duty vehicles (LDV/HDV), information on the type of road (all provided by the scheme Transport Consultant Stantec) and meteorological data. The above methodology is industry standard and is based on background data collected by the Council, and the impact calculated and modelled based on changes in traffic flows as a result of the scheme. The methodology was agreed with the Environmental Health Officer and considered appropriate for considering the impact of the development.

Congestion

CO13. Reducing the capacity of Western Avenue and making West Street two-way would cause congestion. The Government require Test Valley Borough Council to build 15,000 extra homes in the Borough over the next plan period which has not been considered in any of assessment calculations.

Response: As part of the Draft Local Plan 2042, for the plan period 2025-2042 (17 year period) a total of 15,878 homes (934 per year) is being planned for across the Borough.

A comprehensive Transport Assessment was undertaken by transport specialists, Stantec, to support the planning application for the Development. The Transport Assessment considered the potential future growth in and around Andover town centre "based on the full implementation of the masterplan", the anticipated traffic generated from the new theatre, and the impact of stopping up the relevant parts of the highway to carry out the approved Development. This included an assessment of the changes to vehicle numbers using West Street from all users, including private cars, buses, refuse vehicles and deliveries. The Transport Assessment was also accompanied by vehicle tracking drawings to demonstrate how vehicles would turn around and manoeuvre.

The assessment concluded that the proposed new two-way arrangement on West Street would be safe for all users, including private vehicles and deliveries accessing

Lidl, deliveries to the Chantry Centre and buses. Taking into account potential future growth, the assessment concluded that the proposed stopping up of the highway and the associated changes to the highway network can take place without adverse impact on the function, safety, character or accessibility to the local or strategic highway network. The assessment was reviewed by Hampshire County Council as Highway Authority who considered it to be robust in its assessment and supported its conclusions.

CO14. The Council is delivering a new theatre along this road and this will bring extra traffic into the town.

Response: The predicted vehicle movements associated with the creation of the new theatre have been taken into account within the Transport Assessment which was submitted in support of the planning application for the Development. The Transport Assessment concluded that the stopping up of the highway and the associated changes to the road network could take place without detriment to the safety or function of the local road network.

Highway and Pedestrian Safety

CO15. Two-way traffic in West Street will increase the potential for accidents.

Response: A Road Safety Audit (Stage 1) was undertaken by Hampshire County Council as the relevant Highway Authority for the area. This was submitted with the planning application for the Development, and no highway safety issues were identified with the proposed changes to the highway network, including the changes to West Street, Western Avenue and all proposed junctions. As part of the next stage of detailed design post the grant of planning permission, a further Road Safety Audit (Stage 2) has been undertaken. This also concluded that there were no highway safety issues with the Development.

CO16. The changes to the road network along West Street will reduce the width of the pavement and this will be unsafe for pedestrians.

Response: Whilst the Development proposes the pavement is narrowed in places along West Street to facilitate two-way vehicular movements, all proposed pavement widths comply with the relevant standards imposed by the Highway Authority and are above the minimum threshold. All pavements have also been reviewed by the Highway Authority as part of the Stage 1 and Stage 2 Road Safety Audit process, both of which have concluded that the new pavement widths are safe.

CO17. The planning permission for the Andover Leisure Centre specifically required the pavement along West Street to be widened by planning condition in the interests of safety. This is being narrowed as a result of the proposal and will be unsafe.

Response: Full consideration has been given to providing adequate, safe shared footway provision adjacent to the Leisure Centre. The resulting minimum 3.0m width complies with Hampshire County Council's Technical Guidance and no safety problems were raised in the Stage 2 Road Safety Audit or as part of the Highway Authority's consideration of the planning application.

CO18. The planning permission for Chantry Lodge included a planning condition requiring the pavement to be widened and the proposals to turn West Street into two-way running for vehicular traffic will reduce this in width which will be unsafe.

Response: Planning permission was granted in 2018 under reference 18/00481/FULLN to change 6 ground floor units from classes A1 (retail), A2 (financial and professional services), A3 (restaurants and cafes) and B1 (office and light industrial) to form 5 apartments for the elderly at Chantry Lodge. As part of this approved proposal, a loading bay on West Street associated with the previously permitted commercial uses was removed as it would no longer be required when the commercial units were converted to residential use. That planning permission (as varied) by permission reference 18/03331/VARN did not require the footway to be extended any more than was necessary to remove the existing loading bay and connect the pavement at either end to the existing footway and there is no planning condition on the planning permission for Chantry Lodge that requires the footway to be retained at that width in perpetuity.

A previous planning application for the scheme at Chantry Lodge was refused because of the lack of defensible space between the street facing windows and the public footway and the resulting amenity issues in respect of noise, privacy as well as the fear of crime and anti-social behaviour. The subsequent application for Chantry Lodge, which was approved, successfully dealt with this concern by providing a footfall survey which demonstrated that desire lines for pedestrian users of facilities in the vicinity would not pass adjacent to Chantry Lodge. Therefore, the level of footfall that would pass the windows of dwellings was considered limited and in accordance with the relevant planning policies in respect of amenity and no planning conditions were imposed in this respect.

The new park will provide an attractive and safe route for pedestrians to walk from Andover College into the centre of town and accessing the town centre by walking past Chantry Lodge would be an unfavourable option as it would not be the most direct route. Further, another more direct route which is via an existing dedicated pedestrian

walkway through the Lidl car park will remain in place as is secured by planning condition as part of the permission for the Lidl store.

In addition, at this location, the footway is not proposed to be shared with cyclists (see response to CO19 below) and so the minimum width required by the Highway Authority is 2m. The footway outside those apartments facing West Street would be reduced by 0.21m to accommodate the changes to the road to make it two-way for vehicular traffic. The resulting distance between ground floor apartments and the road would be 3.78m. This complies with the standards in highway safety terms and was considered sufficient during the determination of the planning application for the Development to provide for the amenity of residents on the ground floor.

CO19. There will be an increased risk to cyclists coming into conflict with reduced width cycle ways and having to negotiate crossing 2-way congested traffic.

Response: As part of the proposals a new dedicated off-road cycle way is proposed in the western part of the park and will run parallel with the remaining A3057 Western Avenue carriageway. This cycleway replaces the existing, on-road cycleway in West Street which will be removed as part of the changes to West Street. The new cycle way has been designed to connect into the National Cycle Network north and south of the park. The cycle route proposed is safer as it is off-road and has been designed to allow cyclists to travel north-south without coming into conflict with pedestrians using the park. The proposed new cycleway has been assessed as part of the Stage 1 and Stage 2 road safety audits and no safety issues have been identified.

CO20. Stopping up this part of Western Avenue risks displacing pedestrian and cycle movements onto the A3057, where traffic speeds and volumes are materially higher.

Response: The scheme proposes a dedicated, off-road cycleway which will run parallel with the remaining A3057 Western Avenue carriageway meaning there will be no displacement of cyclists onto the A3057. The new riverside park will provide a safe and attractive north-south route into the town centre for pedestrians in place of the existing southbound carriageway. Improved crossing points are proposed along West Street and Waterloo Court to ensure safe and easy pedestrian and cyclists movements across these roads. These improvements to provide an off-road cycleway and enhanced pedestrian routes and crossings have, through their design, ensured that there will be no displacement of cyclists or pedestrians onto the A3057.

CO21. Dropping off for Andover College is proposed along Western Avenue with a longer walk over an old wooden bridge which will be dangerous.

Response: The Development as approved does not affect existing vehicular access arrangements for Andover College.

CO22. The drop off point for private buses transporting school children to swimming lessons at the Andover Leisure Centre is moving further away and will result in a long, uncovered, unsafe route for school children.

Response: The alternative drop off and collection point for private buses associated with school swimming lessons has been developed in consultation with Places Leisure, who run the Leisure Centre. The proposed location utilises an existing bus stop on the eastern side of the southbound carriageway of Western Avenue, north of the proposed park. Children will not be required to cross any road to reach the Leisure Centre and the walk is approximately 5 minutes in duration. The route is fully lit by streetlamps and utilises dedicated pedestrian walkways. Two routes are possible to the Leisure Centre, only one of which requires the use of the wooden footbridge. A replacement wooden footbridge has recently been installed by Hampshire County Council due to its deteriorating condition and has been designed in accordance with the appropriate highway standards for pedestrian footbridges.

CO23. When West Street is reconfigured into a two-way street it will be difficult for pedestrians to cross.

Response: As part of the approved Development, the speed limit along West Street is to be reduced to 20mph and improvements have been proposed to the location and surfacing of existing crossings on West Street to facilitate ease of movement for pedestrians when crossing West Street.

The new riverside park will provide a safe pedestrian route north-south in place of the existing Western Avenue southbound carriageway and footway that forms the gyratory. A signalised crossing is proposed at the northern end across West Street to enable safe and efficient pedestrian and cycle movements north (to the Leisure Centre and College) and south (to the bus station and Town Mills Park). A pelican crossing is proposed at the southern end of the park facilitating access across Waterloo Court to Town Mills Park. Both crossings tie in with existing pedestrian footways, are fully compliant with the relevant standards and no safety issues were raised as part of the road safety audits that have been undertaken.

CO24. Accessing and exiting the car park in Chantry Lodge would be more difficult with two-way traffic in West Street and the requirement to cross southbound traffic in Western Avenue to travel north to the Folly roundabout.

Response: No changes to the access and egress arrangements in and out of the Chantry Lodge car park, accessed off Chantry Street, are proposed as part of the

Development. The existing junction where Chantry Street meets West Street currently requires users from Chantry Street to give way to the traffic on West Street. As part of the Development, the junction is being re-designed to accommodate two-way traffic but the 'give way' arrangement will be carried forward to the new design. Whilst users of Chantry Street would be required to give way to vehicles from both the left and right, this is typical of many 'give way' junctions and the Transport Assessment for the Development demonstrates that this arrangement is safe. A signalised junction is proposed where West Street would meet Western Avenue to facilitate the safe and effective movement of all traffic heading north towards Folly roundabout.

Availability of proposed drop off location for school swim lessons

CO25. The drop off point for private buses transporting school children to swimming lessons at the Andover Leisure Centre cannot be relied upon as it will also be used by buses.

Response: As the proposed location is a bus stop, rather than a bus stand, buses will not be permitted to park in this location once passengers have disembarked. In addition, a bus lane is being introduced as part of the scheme in between Folly roundabout and the park. As such, in the event that a bus is already in the bus stop, a bus can temporarily wait in the bus lane without causing congestion.

Access to West Street for emergency services

CO26. The proposed changes to West Street will make access and parking for the emergency services more difficult and dangerous.

Response: West Street is being widened as part of the scheme to fully accommodate all expected vehicles, including emergency services. The proposed road layout for West Street has been designed in accordance with the relevant standards and fully assessed by Hampshire County Council as Highway Authority. No concerns have been raised by the Highway Authority in respect of access for emergency services. The Stage 2 Road Safety Audit demonstrates that the proposed road layout for West Street would be safe and accessible for all users. Vehicle tracking for emergency service vehicles has been undertaken and this demonstrates that there would be more than sufficient space for such vehicles to access and manoeuvre within the new road space.

While occasional incidents can result in emergency vehicles temporarily blocking a highway, these situations are by their nature infrequent and unpredictable. Emergency services have statutory powers to stop, block or close a road at any time where required to protect life or property, regardless of the underlying road layout. These

operational decisions sit entirely with the emergency services and are outside the scope of the SUO application.

Removal of the taxi rank and short stay lay-by on West Street

CO27. The stopping up of West Street will mean the loss of the taxi rank and short stay layby close to the bus station, an amenity essential to many.

Response: A survey of the taxi rank and layby was undertaken by the Highway Authority in 2024 during peak morning and afternoon periods mid-week.

The survey showed that the taxi rank was under-utilised and this was corroborated by the Licensing Manager at Test Valley Borough Council. As part of the development of the new theatre along Waterloo Court, additional taxi bay space will be provided. This was considered sufficient by the Licensing Manager to account for the loss of the taxi bay on West Street as part of the Development.

The short-stay layby can accommodate one vehicle at a time, and the survey showed that this is presently used predominantly by private vehicles associated with pickups and drop-offs to the bus station. As an alternative, there are multiple public car parks within the vicinity of the bus station and less than a five-minute walk, that could be used for pickups and drop-offs, including Town Mills, and the Chantry Centre multi-storey.

The Council is aware that this layby is used for deliveries to the Costa Coffee pod outside the bus station. Costa coffee no longer lease this from the Council and the terms of the lease for any future occupier will amend the location of deliveries to a new location in service yard E.

Other users of the layby include private school buses. A bus stand north of the proposed new park will be available for use for this purpose. This is also within a five-minute walk of the bus station, along a route with dedicated pedestrian footpaths.

Loss of car parking

CO28. The scheme results in a net loss of on-street parking, worsening an already constrained situation for residents and visitors.

Response: The Development would not result in the loss of any on-street parking, only the loss of a short-stay loading bay and taxi rank on West Street which has been discussed in the response to CO27. As part of the Development, an on-street loading bay is proposed along Chantry Street to provide space for small delivery vehicles. This was incorporated into the Development at the request of residents at Chantry

Lodge who highlighted during early engagement discussions with the Council that delivery vehicles park on West Street or Chantry Street, contrary to the existing Traffic Regulation Orders in place (double yellow lines).

CO29. There will be a net loss of car parking as a result of the stopping up order.

Response: There would be no loss of car parking as a result of the stopping up order nor as a result of the overall Development approved as part of the planning permission.

Impact on businesses

CO30. The changes to the road network will stop people visiting the town and will drive what few businesses we have left in the town out, risking the closure of local businesses and more job losses in the area.

Response: The stopping up of the highway and associated changes to the road network are to facilitate the delivery of the Development which is a key regeneration scheme for the town centre which was realised in principle through the aspirations of the Andover Town Centre Masterplan (2020). The Council was successful in securing £18.3M of Levelling up Funding in 2023 from the Department for Communities, Housing and Local Government to go towards funding the new theatre and the Development.

As part of the bid, the Council had to submit an economic case outlining the economic benefits the Development would realise in the town. Cadence Innova⁸ was commissioned by the Council to prepare this economic case which was informed by a range of sources.⁹ The economic case demonstrated that the Development would increase footfall and dwell time in the town centre by providing a park to visit and 'stay at', overall improving the visual attractiveness of the area and attracting locals as well as drawing external people to the area. It also demonstrated that the Development would have positive physical and mental health outcomes through providing more opportunities for walking, cycling and access to nature and greenspace.

CO31. The number of Lidl customers will decline if made to enter and exit West St, entering across two-way traffic and exiting into two-way traffic instead of the current safe entrance and exit from Western Avenue and could lead to the loss of another shop in Andover.

⁸ Founded in 2007, Cadence Innova is a consultancy focused on public transformation. Specialising in change consulting, the advisory firm is known for working across public services and the nation's transport network. It was recently rated silver in the local government and public sector categories of Consultancy.uk's [annual list](#) of top advisory firms in the UK

⁹ Including English Indices of Deprivation, Census and Labour Market Statistics, DfT Walking and Cycling Statistics, Ordnance Survey data on access to greenspace, Public Health England's Health Profile for Test Valley, Andover Town Profile

Response: The Council has worked closely with Lidl in respect of the changes to the road network that will impact their access and egress arrangements into the store. Lidl has not objected to the Development.

CO32. The existing taxi rank in West St, adjacent to the bus station, would be relocated to the other side of the Chantry Centre, across the road and opposite the entrance and exit to the multi storey car park. This will make it extremely difficult for people with disabilities and mothers with children to access the buses and coaches parked at the bus station.

Response: The taxi space is being relocated to an existing taxi rank on Waterloo Court opposite the proposed western entrance to the new theatre that will overlook Town Mills Park. This existing taxi rank is to be improved and is closer to the town centre and shops on the high street than the taxi rank on West Street that is to close as part of the Development. As part of the planning proposals¹⁰ for the development of the new theatre there will be a significant new area of public realm on Waterloo Court which will allow easy and safe access from the taxi rank to the level access ramp in the Chantry Centre that connects to the bus station.

Further comments

The Council wishes to confirm, for the avoidance of doubt that:

- The Council's application to stop up the sections of highway aforementioned (pursuant to the SUO Application) has been made pursuant to section 247 TCPA, not section 116 of the HA 1980.
- It does not propose to respond to grounds of objections which are pure planning matters that do not relate to the functioning of the highways as the SUO Application is not intended to be a re-run of the planning merits of the Development. Nevertheless, the fact that the Development has been granted planning permission, as well as the importance attaching to the Development, are relevant matters for the Secretary of State to consider in deciding whether to confirm the SUO Application.¹¹
- Planning permission has been granted for the Development and the timeframe for challenging the grant of that permission has now expired, with no challenge having been lodged.
- The Council will not be able to carry out the Development unless the order is granted pursuant to the SUO Application, the Council therefore considers the stopping up Order is necessary in order to enable the Development to be carried out and that the legal test in section 247 TCPA has been satisfied.

¹⁰ Planning application reference 25/01677/FULLN recommended on 30th October 2025 with a resolution to grant planning permission.

¹¹ R (Network Rail Infrastructure Ltd) v Secretary of State for Environment, Food and Rural Affairs [2017] EWHC 2259 (Admin) at paragraph 49(3).

A number of matters within objections are not addressed above as they are not pertinent to the matters for consideration under the SUO Application. These include:

- The cost of the scheme exceeding the budget.
- The use of the new park would result in detriment to wildlife.
- The river is not maintained.
- Increased littering.
- There is plenty of river frontage already that needs to be serviced.
- No provision has been made for the maintenance of the proposed park.
- The scheme is a waste of levelling up funds.
- No one will use the park and a proper assessment of its use has not been undertaken.
- The proposal would not increase footfall in the town.
- People visiting Lidl, the leisure centre and college will all be negatively impacted as this work is carried out.

For the avoidance of doubt, these matters are not accepted by the Council.