

Carl Tonks
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carl TONKS consulting
13 – 14 Orchard Street
Bristol
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also in Newport and Paris

Qualifications

BSc (Mathematics and Physics)
Lancashire Polytechnic (now University of Central Lancashire) 1988

MSc (Transport Planning and Engineering)
University of Southampton 2002

Chartered Fellow of the Institute of Logistics and Transport (**FCILT**)

Member of the Chartered Institution of Highways and Transportation (**MCIHT**)

Fellow of the Institute of Highway Engineers (**FIHE**)

Profile

Carl has 37 years' experience of transport planning and traffic engineering consultancy, more than 25 of which have been at senior management level, specialising in development related transportation consultancy; advising and representing developers from pre-feasibility to support for planning applications including, when required, expert witness representation at Public Local Inquiries, Tribunals and Courts of Law. His experience has also included advising public sector bodies and local residents' groups on traffic and transport implications of developers' submissions in terms of impact on adjacent transport infrastructure.

Carl's experience has encompassed all types and scales of development, including residential (from single unit schemes to strategic urban extensions of several thousand houses plus associated uses and infrastructure), employment, sustainable electricity generation (predominantly wind turbines and wind farms), urban regeneration (including major mixed-use City Centre redevelopment) and retail (individual stores; new build and extension, multi-occupier retail centres and asset management of existing store portfolios).

Carl is responsible for all aspects of the business, from its engineering output, to financial performance, recruitment, staff management and training.

carl TONKS consulting operates throughout England, Scotland and Wales with sites from Pembrokeshire to Essex and from Banffshire to Cornwall. In addition, although not typical, **cTc** has advised clients on sites in Northern Ireland and in Eastern Europe. **cTc** also operates from premises in Paris, primarily in order to keep the doors open to opportunities in Europe, following the UK's departure from the EU.

Employment History

cTc (comprising carl TONKS consulting, cTc Transport Planning and cTc Europe)
Managing Director; 2011 – Current

Carl owns and runs **cTc**, providing transport planning consultancy predominantly to the development sector. He works out of offices in Bristol, South Wales and Paris, as required to meet project priorities.

cTc is able to take on projects of all scales, from small residential or commercial development to major strategic urban extensions and regeneration. These can be addressed at any location in the UK, and/or Europe.

Carl takes personal responsibility for the output on all of **cTc**'s projects and all work is subject to his personal scrutiny to ensure compliance with his high standards of quality and service. Since setting up **cTc**, Carl has represented various clients in numerous Planning Appeals by Written Representations, Informal Hearing and Public Inquiry. He is a highly experienced Expert Witness, who revels in the challenge of presenting and defending technical evidence.

Waterman Boreham (Formally Boreham Consulting Engineers); Bristol and Cardiff
Regional Director; 2004 to 2011

Carl joined Boreham Consulting Engineers in 2004 with a remit to set up and direct a new regional presence in the South West of England, South and Mid Wales. He developed the business to a team of 12 staff in 2008, before being impacted by the economic downturn.

Carl managed Boreham's regional team through the acquisition by Waterman Group, including the recruitment of a representative in the Group's Cardiff office in 2007, which he remained responsible for, in addition to his Bristol office.

Whilst working in Boreham, Carl directed a wide range of transport planning projects for all kinds of development, including residential, retail, wind farms and commercial developments, in addition to a major traffic based asset management term-commission on behalf of an international food retailer.

He gave expert witness evidence in a number of public local inquiries, including planning appeals, Local Plan inquiries under the Town and Country Planning Act and infrastructure inquiries under the Energy Act (2004).

Throughout this employment Carl reported directly to the Company's Board of Directors on financial matters, to the CEO on personnel and business development matters and was a member of the Operational Board in regard to technical matters.

RPS; Newbury
Technical Director 2003 – '04

Carl joined RPS with a remit to manage and coordinate transport planning teams in several offices in the M4 corridor.

Whilst at RPS, Carl presented expert witness evidence to the Lands Tribunal on behalf of Restormel Borough Council.

Carl reported directly to the Board of Directors on all professional matters.

WSP Development; Bristol and Cardiff

Associate, then Associate Director

2000 – ‘03

Carl joined WSP Development with responsibility for establishing a transport planning presence in the Group's Bristol office.

On behalf of WSP, Carl was involved in schemes of varying scale, including a major urban extension of Swindon which totalled 6000 houses, plus various complementary land-uses.

He was also active on several retail term commissions, supporting new store developments and presented expert witness evidence to planning appeal public inquiries, local plan inquiries and Courts of Law; the latter in defence of a litigation case.

Carl reported to a Technical Director on all technical matters and to the Managing Director concerning business development.

Pinnacle Transportation; Bristol and Welwyn Garden City

Principal Engineer

1998 – 2000

Ove Arup and Partners; Bristol

Engineer

1997

Oscar Faber; Edinburgh and Glasgow

Consultant

1995 – ‘96

Parkman Consulting Engineers; Mold, Chester and Liverpool

Assistant Engineer, then Senior Assistant Engineer

1992 – ‘95

Halcrow Fox Associates; Birmingham

Assistant Consultant;

1989 – ‘92

Howard Humphreys and Partners; Leatherhead

Graduate Engineer;

1988 – ‘89

Project Examples

Expert Witness Evidence

Carl has acted as an Expert Witness at countless Public Inquiries, Informal Hearings, Tribunals and Courts of Law over the last 25 years.

Lands Tribunal – Carl was commissioned to provide evidence in support of Restormel Borough Council's defence against a claim for in excess of £12,000,000 damages in regard to mismanagement of a Planning Application for retail use of a site at Victoria Business Park. For a Case to reach the Lands Tribunal, the question of guilt is already established and the Tribunal sits to determine the quantum of compensation due. The Claimant had been in receipt of Planning Permission for retail use of an allocated employment site and the grant of that permission was itself the subject of a High Court Case in regard to alleged criminal activity on the part of the Planning Authority. Carl argued that the retail use which had been unlawfully consented on this site could not have operated to its owner's forecast trading levels due to the inadequacies of local infrastructure and the inability to provide sufficient car parking to cater for the Claimant's forecast retail demand. In order to resolve the lack of car parking, a multi-storey facility would have required to be constructed on former mining land, making this a highly expensive undertaking.

In order to access the site to meet the Claimant's forecast levels of demand, the access junction from the adjacent A30 Trunk Road would require to be grade separated at a cost of several millions of pounds and even then a significant capacity constraint would remain as the A30 was at that time single carriageway in this section. Consequently, Carl deduced that the cost of infrastructure required to facilitate the levels of trade forecast by the Claimant would exceed the value of the site by several fold, making the Planning Permission economically worthless. The argument was to a large part accepted by the Judge, who significantly reduced the value of the compensation ordered as a result.

Court Cases – Although uncommon for highway and traffic consultants to be required to provide evidence in Court, Carl has experience of being Expert Witness in a litigation case brought against a retailer of American Recreational Vehicles (RV). The Case had been brought against a specialist retailer, in regard to the sale of a vehicle which was over-sized for lawful use on the public highway in the UK. The defendant appointed Carl to confirm that the vehicle was lawful, however, on undertaking detailed measurements Carl was forced to conclude that it in fact was not. The defence was then shifted to argue that in light of no recorded enforcement against such vehicles, there was no demonstrable harm or loss to the claimant and the Case was successfully defended.

Public Inquiries – Carl's experienced spans Planning Appeals, Infrastructure Inquiries and Local Plan Inquiries. Predominantly, although not exclusively for residential proposals, Carl has appeared at many Planning Appeal Inquiries and on several occasions at Local Plan Inquiries in promoting exception sites for allocation. He has also appeared in support of proposed wind-farm developments at Inquiries held under Section 36 of the Electricity Act (1989).

Informal Hearings – Carl has represented appellants at many Informal Hearing Planning Appeals, predominantly although not exclusively for residential uses of different scales and kinds including open market, affordable, student accommodation and care homes.

Residential Development

Newland Homes; carl TONKS consulting is commissioned by Newland Homes to advise on transportation matters and liaise with the local highway authority on numerous sites throughout predominantly Gloucestershire, but also in South Gloucestershire, Wiltshire, Worcestershire, Somerset and North Somerset. These have included sites in Alderton, Bromsgrove, Cam, Claverham, Evesham, Frome, Gloucester, Mickleton, Nailsworth, Thornbury, Twyning, Stroud, Westbury and Yate. These commissions have included successful representation at numerous Appeals.

In granting planning permission for a development in Cam, the Appeal Inspector reported that traffic objections by third party consultants were “*rebutted by sound and convincing evidence*” by Newlands’ consultant, **carl TONKS consulting**. In recent years these proposals have typically comprised 40 – 120 dwellings, sometimes with other complimentary uses;

Keon Homes; carl TONKS consulting is commissioned to assist Keon Homes in promoting various sites in Warwickshire, Staffordshire, West Midlands and Leicestershire. Commissions have comprised producing Transport Statements, Travel Plans, managing Road Safety Audit procedures at Stages 2 and 3, as well as providing preliminary access feasibility advice;

Bridgwater Road, Bleadon; carl TONKS consulting represented a local landowner in promoting 200 dwellings, a local centre including retail and Health Centre uses and offices on a site fronting the busy A370 in Bleadon, North Somerset. This scheme was refused permission for various reasons including highway safety and Carl represented the client in a subsequent Appeal by Public Inquiry. In advance of the Inquiry Carl negotiated a withdrawal by the LPA of their highways Reason for Refusal and no highways defence was presented. However, under cross-examination at the Inquiry Carl rebutted substantial pressure in regard to Road Safety Audit matters. The Inspector’s Decision ultimately stated that highways did not present a material consideration, thereby agreeing with the evidence which Carl had presented; that all highways issues were appropriately addressed and despite having refused for highway reasons, the Council’s case had failed to convincingly demonstrate any material points of highway criticism;

University Accommodation, Falmouth; cTc Transport Planning provided support for a planning application for construction of new halls of residence for students of Falmouth University. The proposal gained planning permission at Appeal, where Carl appeared in regard to highway matters;

Bartlow Road, Castle Camps; carl TONKS consulting has provided access advice and a Transport Statement in support of a planning application for development of 10 homes on a former paddock in a Cambridgeshire village;

High Street, Sutton Benger; carl TONKS consulting represented a local land owner in promotion of a residential development on existing farmland in this Wiltshire village;

Castle End, Lea; cTc Transport Planning provided support for several planning applications for small scale residential development on a greenfield site adjacent to this small Herefordshire village. Planning permission was achieved at Appeal;

Park Lane, Cottingham; carl TONKS consulting provided a Transport Assessment in support of proposals for some 22 houses on a former commercial nursery in this East Riding of Yorkshire town;

Broadleaze Farm, Winscombe; carl TONKS consulting produced traffic and transport supporting documentation for a 60 house development on former farmland in this North Somerset village;

Gretton; carl TONKS consulting provided access advice and support for a planning application for two new dwellings on under-utilised land in this Gloucestershire village;

Sandford Road, Winscombe; carl TONKS consulting provided traffic support for a planning application for three new houses on an existing residential plot. The application was successful and permission was granted with no highway constraints;

Shipham Lane, Winscombe; carl TONKS consulting is commissioned to liaise with highways officers in support of a proposed residential development on farmland in North Somerset;

Rownhams Lane, Southampton; carl TONKS consulting represented Pigeon Investment in support of its proposals for a 140 dwelling development on farmland in Rownhams, in Test Valley and abutting Southampton. This commission involved attendance at Public Consultation and meetings with the Parish Council in addition to production and negotiation of a Transport Assessment;

Cwrdy Lane, Pontypool; cTc Transport Planning was commissioned to advise on access issues associated with proposals for development of a single dwelling off a private driveway with constrained geometry;

Wyson Lane, Brimfield; cTc Transport Planning is commissioned to provide a Transport Statement in support of a proposed development of 12 houses on a greenfield site in a Herefordshire village. A positive highways consultation response has been achieved;

Student Accommodation, University of Teeside; carl TONKS consulting produced a Transport Assessment in support of a planning application for student accommodation on campus at the University of Teeside, in Middlesbrough. The development comprised two towers of accommodation and developed through several iterations from 65 to 250 rooms, and planning permission was ultimately granted for 150 rooms;

Newbury Street, Kintbury; carl TONKS consulting advised on access and transportation matters concerning a proposed development of some 30 – 40 units off Newbury Street, in Kintbury.

Roebuck House, Torquay; carl TONKS consulting represented Welbeck's proposals to convert a former council office block in Torquay for mixed use; residential , healthcare and commercial.

Woodlawns, Brockworth; Carl directed all transport support provided for the re-development of under-utilised former sports pavilion land, to the rear of the Invista factory in Brockworth. Proposals included up to 200 dwellings, plus a warehouse of up to 150,000 sqft GFA. Planning permission was refused by Committee, although with no highways reason for refusal. Planning permission was subsequently achieved through an Appeal.

Raddlebarn Road, Sellyoak; **carl TONKS consulting** provided a Transport Statement in support of a proposal to convert a former café/tea room to provide student accommodation to serve Birmingham University;

Urban Extensions; Carl has been involved in promoting major, strategic urban extensions in several locations including Bridgwater, Gloucester, Leominster, and Swindon. These have ranged from around 1,000 to in excess of 4,500 dwellings, plus ancillary employment and retail uses.

Retail Development and Asset Management

Discount Food Stores; Carl has produced and negotiated Transport Assessments in support of many discount food stores, on behalf of both Lidl and Aldi. Locations have included sites in Birmingham, Bournemouth, Bristol, Cardiff, Coventry, Gloucester, Haverfordwest, Leatherhead, London, Newport, Newquay, Penzance, St Austell, Swindon and Truro. **cTc Transport Planning** has produced a Construction Traffic Management Plan for Lidl in Weston super Mare.

Bournemouth, Sovereign Centre; Carl produced and negotiated a Transport Assessment in support of proposals to develop a retail unit (for Lidl) within an existing multi-storey car park, thereby increasing demand, whilst simultaneously reducing parking capacity. Negotiation centred upon the centre's high sustainability credentials, including its location within a high density residential area and having a bus station within the development.

Tesco Asset Management; Carl directed a Nationwide project which comprised researching road works programs across the UK and assessing likely impact of programmed works on customer accessibility of Tesco stores. This project enables store management to be aware of likely risks to turnover and led to liaisons with highway authorities and works contractors with a view to reducing impact on store turnover. This project is acknowledged to have saved many millions of pounds in turnover which would otherwise have been lost due to impact on store accessibility.

Cinderford, Trilogy Developments; Carl directed a Transport Assessment in support of a proposed food store on existing garden centre and employment land in Cinderford. The analysis majored on the sustainability benefits of providing additional quality food retail opportunities in Cinderford, where previously the majority of residents undertook their main food shop away from the town, thereby generating unnecessary vehicle kilometrage.

Helston, Terrace Hill; Carl represented Terrace Hill in support of their planning application for an edge of town food store in Helston. The application gained permission, despite being considered in light of an application for extension of an existing edge of centre food store. The store was subsequently taken by Sainsburys.

Victoria Business Park, Restormel Borough Council; Carl represented Restormel in the Lands Tribunal, London in defence of a claim for compensation following the overturning by the Secretary of State for the Environment of a planning permission for factory outlet retail. As a result of the Tribunal, the sum was reduced from a claim of in excess of £12M (plus costs) to an award of less than £2M (no costs awarded) and operational traffic and parking issues had a material impact on this decision. Carl's evidence focussed on local traffic capacity and car parking requirements.

Dudley, Tesco; Carl represented Tesco in support of their proposal to demolish an existing multi-occupier retail park and replace it with a 100,000sqft Tesco store, constructed on stilts above a 900+ space car park. Proposals were contentious, particularly in view of the local highway authority's proposed improvement of a major, highly congested junction (Five Ways Roundabout), which was located at the corner of the site. The representations included negotiating the relative construction timing of the proposed retail development and highway improvement and representation at a Public Inquiry into Compulsory Purchase of land required for the construction of the adjacent highway scheme. Planning permission was achieved for this very significant development.

Woodborough Road, Winscombe; carl TONKS consulting represented a local landowner in regard to proposals for retail development of a former car sales site in a North Somerset town;

Employment / Commercial

Claas UK Headquarters, Saxham; carl TONKS consulting produced a Transport Assessment and Section 278 drawings in support of a proposed redevelopment of Claas UK's National Headquarters complex in Saxham, Suffolk.

Little Hall Farm, Rochford; carl TONKS consulting compiled a Transport Statement in support of a proposed extension of an industrial / employment estate on a former chicken farm in Essex;

Former Leyhill Prison Visitor Centre; carl TONKS consulting is commissioned to advise and liaise with highways officers in regard to a proposed mixed-use redevelopment of the former visitor centre and commercial greenhouses at Leyhill Prison, Tortworth.

Wind Turbine Development

AGRenewables Various sites; cTc Transport Planning were commissioned by AGRenewables to advise on construction vehicle access issues pertaining to their turbine development program at sites throughout England, Scotland, Wales and Northern Ireland.

Clean Earth Energy; Rushwall Wind Farm; cTc Transport Planning was commissioned by Clean Earth Energy to manage a Road Safety Audit and S278 Agreement for a temporary site access to deliver components for an unusually large turbine to be installed on farm land near Magor in Monmouthshire. This turbine has blades of length 68m, presenting specific issues in regard design and operation of the access junction.

Constant Energy Various sites; carl TONKS consulting has advised Constant Energy in regard to its proposed EWT turbine developments on farmland in Isle of Anglesey, Bedfordshire and Ceredigion.

EDP Various sites; carl TONKS consulting supported a National program of development of single 500 - 800kW turbines on sites throughout England and Wales, by surveying and specifying construction traffic access routes. Investigations included sites in Derbyshire, Essex, Lincolnshire and, Rhondda Cynon Taff.

Empirica Investment Various sites; carl TONKS consulting produced construction component access studies on behalf of Empirica for its programme of developing individual Enercon turbine installations on farmland across the north of England. This term-commission included sites in Cleveland, Cumbria, Derbyshire, County Durham, Lancashire, Northumberland, Staffordshire and East Riding of Yorkshire.

Infinite Renewables; cTc Transport Planning produced a routeing study for a single turbine installation in the County of Norfolk. The route was surveyed from the National Trunk Road network at the A1(M), to site and every junction tested to ensure it could be successfully traversed by the required loads;

Multi-turbine windfarm proposals; Carl has directed studies of construction vehicle access for proposals across mid-Wales and in the north of England, including giving evidence on behalf of **RES** at the Public Inquiry into proposals for (at the time) the UK's largest land-based windfarm at Keadby, in North Lincolnshire. In addition to numerous sites for RES, Carl has also advised **Acciona, Nuon Renewables, SSC** and a group of developers acting jointly through **Renewable UK**.

Peel Energy; carl TONKS consulting was commissioned by Peel to advise and represent their program of development of single 500kW turbines on sites in the North of England and Scotland.

Renewable UK (Cymru) Mid-Wales Wind-Farm Routes; Carl managed a study into construction traffic routeing into mid-Wales in order to access multiple (more than 20) windfarm sites which had been granted permission in and adjacent to the county of Powys, but which were encountering difficulties agreeing safe construction routes.

Renewable UK (Cymru) Annual Conference; Carl has appeared twice at the Renewable UK (Cymru) Conference; in 2009 where he gave a paper entitled "Tools to Solve the Problem" and on the Panel of Experts in 2010 to discuss component delivery issues in mid-Wales.

YnNi Teg; carl TONKS consulting is provided a Road Safety Audit Brief (Stage 2), negotiated agreement to the contents of the Brief and produced a Designer's Response to the subsequent Audit, in support of a wind turbine installation on land in Ceredigion, West Wales.

Other Uses

M5 Junction 21 Airport Park and Ride; **carl TONKS consulting** represented a local land owner in promotion of a circa 3,000 space Park and Ride on former agricultural land near to Junction 21 of the M5 motorway. This proposal was targeted specifically at serving trips to and from the planned expansion of Bristol International Airport to serve 12 million passengers per annum (mppa) and will remove the necessity for further encroachment of the Airport into the surrounding Green Belt in order to provide the required levels of parking on-site. The client ultimately chose to withdraw the Application for commercial reasons.

Claas UK commissioned **carl TONKS consulting** to provide general advice and planning advocacy in support of planning applications for agricultural machinery dealerships at various locations across the UK.

Holiday Accommodation, Kewstoke was promoted on two sites (and for two different clients) in Kewstoke, near Weston-super-Mare. Key issues which **carl TONKS consulting** addressed include the ability of local infrastructure to carry construction components in the form of static caravans / mobile homes from the National Strategic Road Network, to the site via often narrow country roads.

Puxton Park; **carl TONKS consulting** promoted an Application for additional over-flow car parking at this popular family leisure venue in North Somerset.

Land near Peterborough was investigated by **carl TONKS consulting** in regard to traffic and transportation constraints and opportunities for development of a woodland adventure venue for children. Proposals at this location were subsequently enlarged to include a glamping park. These proposals required considerable engagement with Highways England in regard to perceived impact and mitigation at a nearby junction with the A47 Trunk Road.

Summertown, Oxford; **carl TONKS consulting** provided a Transport Assessment in support of an application to provide a budget hotel on a site which previously contained several commercial and retail premises.

Pike Lock, Stroud; **carl TONKS consulting** undertook a Transport Assessment in support of an application for hotel and public house on this site adjacent to a major route a short distance from the M5 Junction 13.

Puxton Holiday Park; **carl TONKS consulting** supported a Planning Application for a holiday park of up to 40 mobile homes around a lake adjacent to the Puxton Park visitor attraction near Weston-super-Mare.

Alresford Hall Farm; **carl TONKS consulting** assisted the owners of Alresford Hall in Essex with their promotion of an adventure play visitor attraction within the grounds of the Hall, by producing a Transport Assessment and several Technical Notes addressing local highway concerns. Planning permission was achieved with no off-site highway works required. **cTc** subsequently provided a Staff Travel Plan and a Construction Traffic Management Plan to address Planning Conditions.

Various rural estate diversification; carl TONKS consulting has advised and represented various land owners in regard to proposals for rural diversification in order to make their estates more productive. These have included implementing various leisure proposals, from tree-top adventure parks, cafes / bar-restaurants, commercial / employment units and residential proposals on sites in Cambridgeshire, Devon, Essex, Norfolk, North Yorkshire and Somerset.