**TRANSPORT AND INFRASTRUCTURE PLANNING**

DRAFT STATEMENT OF COMMON GROUND ON HIGHWAYS AND TRANSPORT ISSUES

WITH HIGHWAYS ENGLAND

IN RELATION TO LAND AT SOUTH CALDECOTTE APPLICATION REF. 19/01818/OUT

FOR **HB (SOUTH CALDECOTTE) LTD**

**REF: APP/Y0435/W/20/3251121**

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1. INTRODUCTION
   1. This draft Statement of Common Ground (SoCG) on Highways and Transport issues has been prepared by BWB Consulting Ltd on behalf of HB (South Caldecotte) Ltd following refusal of planning application reference 19/01818/OUT for development at South Caldecotte by Milton Keynes Council (MKC), the local planning authority. This SoCG has been prepared taking into account the Procedural Guidance issued by the Planning Inspectorate in August 2019 and should be read in conjunction with the main SoCG.
   2. The planning application (LPA reference 19/01818/OUT) was made on 17th July 2019 and validated on the same date. The planning application was presented to the LPA’s Development Control Committee on 6th February 2020 with an officers’ recommendation for refusal. At the meeting, the Committee resolved to refuse planning permission with three reasons for refusal. The decision notice was issued on 26th February 2020 and the appeal was lodged on 17th April 2020.
   3. The decision letter is included within D.1 of the Appeal Core Documents.
   4. The second reason for refusal relates to transport and is worded as follows:

*“The proposal, by reason of failure to demonstrate provision of necessary infrastructure to mitigate the impact of the development, in particular in relation to transport, would have a harmful impact on the transport network, in terms of road, cycle and public transport provision, and would therefore fail to mitigate the impact of development, contrary to Plan:* ***MK policies INF1, CT1****.”*

* 1. Highways England (HE) issued a Planning Response (HEPR 16-01) dated 28th January 2020 setting out their formal recommendation as follows:

*“Recommend that planning permission not be granted for a specified period (see Annex A – further assessment is required)”.*

* 1. The reasoning provided in Annex A of the response was as follows:

*“After reviewing the submitted revised transport assessment including VISSIM modelling works for the A5/A4146/Brickhill Street roundabout, it is clear there are still outstanding issues. Given the proposed development site’s proximity and predicted trips in the AM or PM peak periods, the impact of both light goods vehicles LGV and heavy goods vehicles HGV showing significant on the A5 (sic), part of the SRN.*

*Therefore, to enhance the smooth operation of A5, the applicant needs to submit revised VISSIM models showing the junction’s capacity assessments for both the A5 Kelly’s Kitchen roundabout and the A5 Redmoor junction; as set out in the Technical Note 06 and 07 (dated 24 January 2020) produced by our Framework Consultant, AECOM”.*

* 1. A copy of the HE Planning Response (HEPR 16-01) is included within J.24 of the Appeal Core Documents along with Technical Notes 06 and 07 produced by AECOM on behalf of HE.

1. THE DEVELOPMENT
   1. Planning application (LPA reference 19/01818/OUT) was made on 17th July 2019 and validated on the same date.
   2. The site is allocated for the form of development proposed by Policy SD14 of the adopted development plan which is Plan:MK.
   3. Policy SD14 requires provision of a minimum of 195,000m2 of floorspace for a mix of Class B2 and Class B8 uses.
   4. Application 19/01818/OUT was supported by the following set of reports and drawings submitted with the application. They are therefore the documents on which the application was determined.

Highways Reports

1. **Transport Assessment** (version P10, dated July 2019)
2. **Framework Travel Plan** (version P6, dated July 2019)

Table : Drawings Appended to Transport Assessment Report

|  |  |
| --- | --- |
| **Drawing No.** | **Description** |
| SCD-BWB-GEN-01-DR-TR-001\_S2\_P7 | Proposed Site Access Roundabout and Dual Carriageway Link to the A5 |
| SCD-BWB-GEN-01-DR-TR-002\_S2\_P2 | Pedestrian Infrastructure and Redway Improvements around Bow Brickhill Station |
| SCD-BWB-GEN-01-DR-TR-003\_S2\_P2 | Existing Forward Visibility Assessment at V10 Brickhill Street Bend/ Crest |
| SCD-BWB-GEN-01-DR-TR-004\_S2\_P2 | Forward Visibility Assessment at V10 Brickhill Street Bend – Horizontal Alignment |
| SCD-BWB-GEN-01-DR-TR-005\_S2\_P2 | Proposed Walton Park Roundabout Mitigation Scheme |
| SCD-BWB-HGN-XX-SK-D-130\_S1\_P2 | V10 Brickhill Street Cross Section Through Visibility Splay |

The Proposal

* 1. The application proposed the following scale of development:

Table : Proposed Development Quantum

|  |  |
| --- | --- |
| **Use Type** | **Space** |
| B8 Use Class warehousing and distribution with ancillary B1a office space | 192,159 m2 |
| B2 Use Class general industrial | 48,040 m2 |
| B1 Office | 999 m2 |
| A3 Use Class Café | 350 m2 |
|  | **241,548 m2** |

**Access**

* 1. The site will be accessed from Brickhill Street via a new roundabout junction. This includes proposals to upgrade Brickhill Street to dual carriageway between the A5 and site access. This is shown on BWB Drawing No. **SCD-BWB-GEN-01-DR-TR-001\_S2\_P7**.
  2. Milton Keynes is based on a grid road system of urban clearways with lay-bys for bus stops, with no direct building frontages and generally no at-grade pedestrian crossings as detailed in Policy CT8 of Plan:MK. Therefore, a Grid Road reserve is to be provided adjacent to Brickhill Street between the A5 roundabout and the railway line to the north – to enable the future improvement of the road to Grid Road standards.
  3. Within the site, the main estate road will be built to adoptable standards and designed to accommodate the needs of public transport services.

**Redways and Pedestrian Access**

* 1. The site will be linked into the Milton Keynes Redways network. Redways are shared-use paths for cycling and walking.
  2. The Redways provide connections to the north to the railway station and the Caldecotte residential district; and south to Watling Street and to Bletchley and Fenny Stratford.
  3. The existing Public Rights of Way (PROW) through the site will be retained.

1. PLANNING CONTEXT

Introduction

* 1. It is agreed that the following policies and guidance are those that are relevant to the consideration of this appeal in terms of assessing the impact of the development on the strategic road network (SRN).

**National Planning Policy Framework (2019)**

* 1. It is agreed that the following sections of the National Planning Policy Framework should be considered with regards to the assessment of the appeal in terms of traffic and transportation impacts.
* Section 2: Achieving sustainable development
* Section 8: Promoting healthy and safe communities
* Section 9: Promoting sustainable transport

**DfT Circular 02/2013 The Strategic Road Network and the delivery of sustainable development (2013)**

* 1. It is agreed that the following paragraphs of the Circular should be considered with regards to the assessment of the appeal in terms of traffic and transportation impacts on the SRN.
* Paragraphs 9-11: The strategic road network and economic growth
* Paragraph 17: Promoting sustainable transport solutions through Local Plans
* Paragraphs 21-24: Development Management: General principles
* Paragraphs 25-27: Development Management: Assessment of development impact
* Paragraphs 28-30: Development Management: Travel Plans
* Paragraphs 31-32: Development Management: Demand management
* Paragraphs 33-36: Development Management: Capacity enhancement

**Supplementary HE Guidance**

* 1. It is agreed that the following guidance document should be considered with regards to the assessment of the appeal in terms of traffic and transportation impacts on the SRN.
* The strategic road network. Planning for the future: A guide to working with Highways England on planning matters (2015).

1. AREAS OF AGREEMENT (PRIOR TO DETERMINATION)

**Introduction**

* 1. The following Transport Assessment parameters have been agreed between BWB and AECOM acting on behalf of Highways England during the production of the Transport Assessment report and prior to the determination of the planning application.

**Various Items of Agreement**

* 1. **Table 3** provides a summary of the key items that have been agreed between BWB and HE and the AECOM responses this is documented in.

Table : Transport Assessment Items Agreed between BWB and HE

|  |  |  |
| --- | --- | --- |
| **AECOM Response** | **Date** | **Items Agreed** |
| **TN01**  Scoping Material Review | 19/01/2018 | * No items agreed. |
| **TN02**  Transport Assessment Review | 02/11/2018 | * The weekday peak hours for existing traffic flows at the A5 Kelly’s Kitchen roundabout are 07:30-08:30 and 17:00-18:00. * trip generation based on rounded development figures of 2.6m sq.ft or 241,548 sq.m. * Light vehicle and Heavy vehicle trips generations agreed for weekday AM and PM peak hours. * Local trip distribution for light and heavy vehicles agreed (as far as A5 Kelly’s Kitchen roundabout). * Committed developments and highway schemes. * Assessments Years (2023 opening year to assessment mitigation needs and 2031 future year for HE information). * TEMPro growth factors using alternative assumptions applied to avoid double-counting committed development trips. |
| **TN03**  VISSIM Audit | 02/11/2018 | * Use of overlapping connectors to manage static routes. |
| **TN04**  Audit of Revised VISSIM Model | 26/04/2019 | * Major network coding errors associated with overlapping connectors addressed. * Signal coding and detector errors addressed. * Reduced speed areas coded on the roundabout. * Evidence of saturation calibration flow provided. * Evidence of journey time calibration provided. * Clarification on journey time validation criteria. |
| **TN05**  Audit of Revised VISSIM Model | 01/08/2019 | * Conflict areas, coding errors and inconsistencies addressed. * Desired Speed Decision coding errors addressed. * Link-Connector coding errors addressed. * Evidence provided supporting calibration of MOVA, by way of minimum and maximum signal green times extracted from video footage. |
| **TN06**  Revised Transport Assessment Review | 24/01/2020 | * No road safety issue at A5 Kelly’s Kitchen roundabout junction since upgrades to roundabout in 2014 as a result of Newton Leys development. |
| **TN07**  Audit of Forecast VISSIM Model | 24/01/2020 | * Model calibration and latent demand report issued addressed. * Evidence that journey time on route D-A validates well. |

1. AREAS OF AGREEMENT (POST-DETERMINATION)

**Introduction**

* 1. The following Transport Assessment parameters have been agreed between BWB and Highways England since the determination of the planning application.
  2. BWB prepared two separate responses to Technical Note 06 and Technical Note 07 produced by AECOM on behalf of HE in relation to ‘Revised Transport Assessment Review’ and ‘Audit of forecast VISSIM model’ respectively.
  3. BWB responded in the following documents, which were submitted to HE on 5th February 2020.
* **SCD-BWB-GEN-XX-RP-TR-006\_TN\_S2\_P1** ‘Response to TN06 Technical Note’ (dated 5th February 2020); and
* **SCD-BWB-GEN-XX-RP-TR-005\_TN\_S2\_V2** ‘Forecast VISSIM Model Technical Note’ (dated 4th February 2020).
  1. A copy of the BWB responses referred to above are included within C.1 and C.2 of the Appeal Core Documents.
  2. Highways England subsequently responded on 24th March 2020 by email with the following technical note responses.
* **Technical Note 08** ‘South Caldecotte Revised Transport Assessment Information Review’ (dated 20th March 2020); and
* **Technical Note 09** ‘South Caldecotte, Audit of forecast VISSIM model’ (dated 20th March 2020).
  1. A copy of the AECOM technical notes referred to above are included within M.9, M.10 and M.11 of the Appeal Core Documents.
  2. Based on these responses, the following items have been agreed between BWB and Highways England since the determination of the planning application.

**A5 Redmoor Junction Capacity Assessment**

* 1. In light of the information submitted by BWB in **SCD-BWB-GEN-XX-RP-TR-006\_TN\_S2\_P1**, it is agreed that the impact of the proposed development on the A5 Redmoor junction is relatively limited and therefore no junction capacity assessment is required.

**A5 Redmoor Junction Personal Injury Collision (PIC) Analysis**

* 1. In light of the information submitted by BWB in **SCD-BWB-GEN-XX-RP-TR-006\_TN\_S2\_P1**, it is agreed that the proposed development is unlikely to have a significant impact on collisions at the Redmoor junction and therefore measures are not required to mitigate the impact of the development in safety terms at this junction.

**Bus Provision**

* 1. In light of the information submitted by BWB in **SCD-BWB-GEN-XX-RP-TR-006\_TN\_S2\_P1**, it is agreed that the assessment of the SRN is a worst case and does not allow for any modal shift away from the private car toward sustainable modes and therefore the status of the public transport strategy has no direct bearing on the SRN impact modelled to date.

**A5 Kelly’s Kitchen Roundabout VISSIM Model**

* 1. A video conference meeting between Highways England, the Appellant and BWB was held on 26th March 2020 to discuss the outstanding matters, including clarifications from BWB.
  2. This was followed up in the form of a technical note prepared by BWB, titled ‘Revised Forecast VISSIM Model Technical Note’ (document no. **SCD-BWB-GEN-XX-RP-TR-010\_TN**) and dated 2nd April 2020. The technical note details the four changes made to the forecast VISSIM model along with a summary of the results.
  3. The above technical note and revised forecast VISSIM model files were submitted to Highways England on 3rd April 2020 for their consideration.
  4. Highways England subsequently responded on 24th April 2020 by email with the following technical note.
* **Technical Note 10 ‘South Caldecotte, Audit of revised forecast VISSIM model’ (dated 24th April 2020).**
  1. Based on the information contained in the technical note, it is agreed that the VISSIM model is coded correctly. It is also agreed that the proposed mitigations reduce delay across the modelled network and offset any overall increase in delay resulting from the proposed development trips in both peak hours.

1. AREAS OF DISAGREEMENT
   1. The following item remains an area of disagreement between BWB and Highways England.

A5 Kelly’s Kitchen VISSIM Model – Traffic Impact and Mitigation

* 1. The outstanding issue is set out in AECOM’s Technical Note 10 dated 24th April 2020 and solely relates to the interpretation of the proposed development traffic impact at the junction at the Opening Year (2023).
  2. Whilst Highways England agrees that the proposed mitigations offset any overall increase in delay resulting from the proposed development trips in both peak hours, they consider that further mitigation is proposed at the junction to address queuing on the A5 south approach in 2023 during the morning peak hour.
  3. BWB has responded to Highways England in form of a technical note, titled ‘VISSIM Model & Mitigation Technical Note’ (document no. **SCD-BWB-GEN-XX-RP-TR-013\_TN**) and dated 14th May 2020. The technical note details further mitigation measures at the A5 Kelly’s Kitchen Roundabout in the form of improvements to the S278 design along with a summary of the revised VISSIM model results.

1. SIGNED
   1. Agreed on behalf of Highways England by…

Date:

* 1. Agreed on behalf of the Appellant by…

**Matthew Addison, Associate Director, BWB Consulting Ltd.**

Date: