**TRANSPORT AND INFRASTRUCTURE PLANNING**

STATEMENT OF COMMON GROUND ON HIGHWAYS AND TRANSPORT ISSUES

WITH MILTON KEYNES COUNCIL HIGHWAYS

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

**Nottingham**

**Waterfront House, Station Street, Nottingham NG2 3DQ**

**T: 0115 924 1100**

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1. INTRODUCTION
   1. This SoCG has been prepared taking into account the Procedural Guidance issued by the Planning Inspectorate in August 2019 and should be read in as an appendix to 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 (“the Transport RfR”) 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 CT2, CT3, CT5 and SD14 (C.3) of Plan: MK.

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 in Policy SD14 of the adopted development plan which is Plan: MK. The application site covers the entire allocated area (the Site).
   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 1: 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 Scheme proposed the following scale of development:

Table 2: 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.

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. The Redway would be routed through the development itself and a Redway is not proposed along the length of Brickhill Street which LPA Highways and Transport Officers consider to be a requirement.
  2. The Redways provide connections to the north to the railway station and the Caldecotte residential district; and south to Watling Street.
  3. The existing Public Rights of Way (PROW) through the site will be retained and redirected.

1. PLANNING CONTEXT

Introduction

* 1. For the purposes of this appeal the development plan comprises the policies contained in Plan:MK (adopted March 2019).
  2. It is agreed that the following transport-related policies are those that are relevant to the consideration of this appeal.

Plan: MK (March 2019)

* Policy CT1 – Sustainable Transport Network
* Policy CT2 – Movement and Access
* Policy CT3 – Walking and Cycling
* Policy CT4 –Crossover on Redways
* Policy CT5 – Public Transport
* Policy CT7 – Freight
* Policy CT8 – Grid Road Network
* Policy CT10 – Parking Provision
* Policy INF1 – Delivering Infrastructure

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 4. Decision-Making
* Section 8: Promoting healthy and safe communities
* Section 9: Promoting sustainable transport
* Section 12 Achieving Well design Places

Supplementary Planning Documents/Guidance

* 1. It is agreed that the following documents should be considered with regards to the assessment of the appeal in relation to highways and transport.
* South Caldecotte Development Framework (June 2019 consultation not adopted)
* Parking Standards SPD (January 2016)
* Mobility Strategy for Milton Keynes 2018-2036 (October 2019)
* Cycling Strategy for Milton Keynes 2013
  1. It is agreed that the following policies are cited as forming the reason for highways refusal:

contrary to Plan: MK policies INF1, CT1 CT2, CT3, CT5 and SD14 (C.3) of Plan: MK.

1. AREAS OF AGREEMENT (GENERAL HIGHWAYS)

Introduction

The following Transport Assessment parameters have been agreed between BWB and the Local Planning Authority (LPA) and Stirling Maynard Transportation (Highways consultants representing the LPA hereafter referred to as SMT) **Vehicle and HGV Trip Generation**

* 1. It is agreed that, based on a total gross floor area of 241,548 sq m (equal to 2,600,000 sq. ft) with a 80%/20% split between B8 and B2 use classes respectively, the development would generate 556 and 422 two-way vehicle trips during the weekday morning and evening peak hours respectively.
  2. A summary of the agreed trip rates/generations is provided in **Tables 3 and 4** for vehicles and HGVs respectively.

Table 3: Agreed Vehicle Trip Rates and Generations – Weekday Peak Hours

|  |  |  |  |  |  |  |
| --- | --- | --- | --- | --- | --- | --- |
|  | **Morning Peak (08:00-09:00)** | | | **Evening Peak (17:00-18:00)** | | |
| **Arrive** | **Depart** | **Two-way** | **Arrive** | **Depart** | **Two-way** |
| Vehicular Trip Rates | | | | | | |
| **B2 Industrial Units - 20% = 48,310 sq.m.** | 154 | 79 | 233 | 47 | 133 | 180 |
| **B8 Warehousing / Distribution - 80% = 193,238 sq.m.** | 207 | 116 | 323 | 70 | 172 | 242 |
| **Total (241,548 sq.m.)** | **360** | **195** | **556** | **116** | **305** | **422** |

Table 4: Agreed HGV Trip Rates and Generations – Weekday Peak Hours

|  |  |  |  |  |  |  |
| --- | --- | --- | --- | --- | --- | --- |
|  | **Morning Peak (08:00-09:00)** | | | **Evening Peak (17:00-18:00)** | | |
| **Arrive** | **Depart** | **Two-way** | **Arrive** | **Depart** | **Two-way** |
| HGV Trip Rates | | | | | | |
| **B2 Industrial Units - 20% = 48,310 sq.m.** | 7 | 10 | 17 | 3 | 5 | 8 |
| **B8 Warehousing / Distribution - 80% = 193,238 sq.m.** | 33 | 37 | 70 | 37 | 39 | 75 |
| **Total (241,548 sq.m.)** | **40** | **46** | **86** | **40** | **43** | **84** |

Non-HGV Traffic Distribution

* 1. The distribution of non-HGV traffic has been based on 2011 Census method of travel to work ‘Origin-Destination’ journeys between all national Mid-layer Super Output Areas (MSOAs) as the origins and ‘Milton Keynes 024’ MSOA as an existing employment destination. Based on this assessment, the distribution proportions for the non-HGV traffic as set out in **Table 5** is agreed.

Table 5: Agreed Distribution of Non-HGV Development Traffic

|  |  |
| --- | --- |
| **Main Routes** | **Percentage** |
| A - A5 (S) | 21% |
| B - A4146 | 8% |
| C - Watling Street | 3% |
| D - A5 (N) | 34% |
| E - Station Road | 7% |
| F - Caldecotte Lake Drive | 1% |
| G - Bletcham Way (W) | 1% |
| H - V10 Brickhill Street | 11% |
| I - Bletcham Way (E) | 15% |
| **Total** | **100%** |

HGV Traffic Distribution

* 1. Originally, BWB estimated that 78% of HGV trips would route to/from the proposed site access via the A5 Kelly’s Kitchen roundabout with the remaining 22% to/from the A4146 on V10 Brickhill Street. However, SMT questioned the accuracy of utilising annual average daily traffic (AADT) flows from the Department for Transport (DfT) counter points as these are often estimated and exclude traffic using Station Road and Watling Street.
  2. Therefore, it was agreed to alter the split of HGV traffic distribution from the proposed access on Brickhill Street and the Transport Assessment assumes 60% of HGV trips would route via the A5 Kelly’s Kitchen Roundabout with the remaining 40% to/from the north on the local highway network.

Study Area

* 1. The following study area was agreed at the scoping stage of the Transport Assessment, it is agreed that this remains appropriate:
  2. Proposed Site Access / Brickhill Street (priority roundabout);
  3. A5 Trunk / Brickhill Street / Watling Street/ A4146 (a.k.a. Kelly’s Kitchen Roundabout) under Highways England control;
  4. V10 Brickhill Street / Station Road (mini-roundabout);
  5. V10 Brickhill Street / Caldecotte Lake Drive (a.k.a. Tilbrook Roundabout);
  6. A4146 Bletcham Way / V10 Brickhill Street (a.k.a. Walton Park Roundabout); and
  7. Bow Brickhill Level Crossing.
  8. Traffic surveys, comprising of classified turning counts and queue length surveys, were undertaken at existing Junctions 2-5 on 18th October 2017. On review of this data, it is agreed that the weekday peak hours of the local highway network are 08:00-09:00 and 17:00-18:00, with the exception of Kelly’s Kitchen Roundabout, which has a slightly earlier weekday morning peak hour between 07:30-08:30. It is agreed that this provides sufficient information to make an informed judgement as to the effects of the proposals.

Assessment Years

* 1. It is agreed that the Transport Assessment assesses the baseline operation of the MKC Highways’ junctions (Year 2018) and assesses the impact of the development at the Opening Year (2023) assuming full build-out and operation.

Committed Developments

* 1. It is agreed that the traffic impact assessment considers the committed developments summarised in **Table 6**. It is agreed that there have been no additional commitments that require to be considered.

Table 6: Agreed Committed Development Considered

|  |  |  |
| --- | --- | --- |
| **Planning Ref.** | **Name** | **Description** |
| 15/01533/OUTEIS | Land at Eaton Leys | *“Outline planning application with all matters reserved for a residential-led development including up to 1,800 dwellings, distributed between Aylesbury Vale and Milton Keynes as follows: Within Milton Keynes; the development of up to 600 dwellings, a local centre to include retail and a community centre, a health centre, land reserved for a one form of entry primary school, associated highway infrastructure including one proposed vehicular accesses with the A4146, one proposed pedestrian and cycle bridge crossing the river Ouzel, multi-functional public open space, informal amenity space, children's play space, open space incorporating the scheduled monument, surface water attenuation and strategic landscaping, and associated services and utilities infrastructure. Within Aylesbury Vale; the demolition of all existing farm buildings (except farmhouse) and the development of up to 1,200 dwellings, one 2 forms of entry primary school, associated highway infrastructure including one proposed vehicular accesses with the A4146, one proposed pedestrian and cycle bridge crossing the river Ouzel, multi-functional public open space, informal amenity space, children's play space, playing fields, allotments, surface water attenuation and strategic landscaping, and associated services and utilities infrastructure. | Land At Eaton Leys Galley Lane Little Brickhill”* |
| 17/03361/FUL | Land East of V10 Brickhill Street | *“Change of use of land to form new access from Tilbrook roundabout, car park, stopping-up of Bradbourne Drive, erection of gatehouses, landscaping, and associated works. | Land East of Brickhill Street V10 Bradbourne Drive Tilbrook Milton Keynes”* |

Highway Mitigation Schemes

* 1. It is agreed that the following committed highway mitigation schemes should be accounted for in the future year assessments as part of the Transport Assessment:
* A highway mitigation scheme at Tilbrook Roundabout secured as part of the Land East of V10 Brickhill Street application (17/03361/FUL).

Potential Transport Schemes

* 1. MKC Transport Policy Team raised potential issues associated with the Oxford to Cambridge Expressway and a possible Mass Transit Route. However, it is agreed with the LPA that both of these schemes may be brought forward in the future and both may be located close to the site, neither have sufficient certainty.

Traffic Growth Factors

* 1. It is agreed that it is appropriate to use background traffic growth factors from the National Trip End Model (NTEM) and modified in TEMPro (v7.2) for the local geographical area of Milton Keynes Local Authority.
  2. Owing to the significant amount of committed development allowed for in the Transport Assessment as detailed in 4.9 and Table 6, it is agreed that the use of the ‘apply alternative assumptions’ function in TEMPro is reasonable. To this end, household growth across the period to 2031 was reduced by 1,100 to avoid double-counting traffic associated with the Eaton Leys development and Land South of A5, which have been accounted for.
  3. In accordance with the assumptions presented in paragraph 4.12 above, Table 7 presents the local traffic growth factors that have been extracted from TEMPro (Trip End Model Presentation Programme) agreed with the LPA. These are the factors that have been applied to the surveyed flows to project traffic flows on the network in the Opening and Future assessment years.

Table 7: Agreed Local Traffic Growth Factors

|  |  |  |
| --- | --- | --- |
| Year | Weekday AM Peak Period  (0700 - 0959) | Weekday PM Peak Period  (1600 - 1859) |
| 2017-2018 | 1.0167 | 1.0166 |
| 2018-2023 | 1.0833 | 1.0838 |
| 2018-2031 | 1.1813 | 1.1871 |

Source: NTEM/TEMPro v7.2

Brickhill Street proposed dualling and New Roundabout

* 1. It is agreed that the form and location of site access roundabout on Brickhill Street is suitable. Adequate junction capacity assessments have been undertaken that demonstrate that the proposed geometry would comfortably accommodate demand in the Opening Year (2023) with committed and proposed development traffic in both the weekday morning and evening peak hours.
  2. The LPA position is that this does not include sign-off of technical approval, which will need to be agreed with both MKC and Highways England as part of the S278 technical approval process.

1. AREAS OF AGREEMENT (TRAFFIC IMPACT AND MITIGATION)

Introduction

* 1. The following traffic impact and mitigation proposals as a result of the development have been agreed between BWB and MKC Highways during the production of the Transport Assessment report.

Impact at Bow Brickhill Level Crossing

* 1. It is agreed that the proposed development would have an acceptable impact on queuing on the approaches to the level crossing.
  2. MKC Transport Policy Team has identified an aspiration for potential land requirements for a bridge to replace the level crossing as part of the East West Rail Project. The Scheme does not give rise to an unacceptable impact in this regard to the level crossing. MKC Transport Policy Team is yet to complete its own study into the land requirements associated with the bridge over the railway line at the time of writing. Again, this is not considered to be a determinative issue in this appeal.

Impact on Brickhill Street / Station Road Mini-roundabout

* 1. It is agreed that no mitigation is required at this junction as a result of the proposed development. MKC Highways Officers requested it to be demonstrated that the scheme did not prejudice the provision of a standard size roundabout due to HGV traffic usage.

Impact on Tilbrook Roundabout

* 1. It is agreed that the impact of the proposed development on this junction can be accommodated once the mitigation proposals secured as part of the Land East of V10 Brickhill Street (a.k.a. the Red Bull Mitigation Scheme) are in place.
  2. The Red Bull Development Planning Application REF:17/03361/FUL has been implemented, and the S278 Agreement for their works to the roundabout was completed on 20th December 2019 to deliver improvements at Tilbrook Roundabout.

Impact on Walton Park Roundabout

* 1. It is agreed that the impact of the proposed development at this junction would be offset by the mitigation proposals (see Drawing No. SCD-BWB-GEN-01-DR-TR-005). The mitigation proposals can be secured through the Section 106 agreement.

Requirement to Upgrade Brickhill Street to Grid Road Standard

* 1. It is agreed that Policy SD14 requires Brickhill Street to be upgraded to grid road standard. It is agreed that Brickhill Street is proposed to be upgraded to a dual carriageway between the A5 and the site access roundabout, along a distance of approximately 400 metres. It is agreed that the upgrading of Brickhill Street to grid road standard between the site access roundabout and the railway is not required for capacity reasons.

Improved Forward Visibility along Brickhill Street

* 1. It is agreed that the proposals include improvements to forward visibility to the bend on Brickhill Street (see Drawings No. **SCD-BWB-GEN-01-DR-TR-003 and 004**), which is currently substandard. The Scheme will provide 215 metres forward visibility by widening the highway verge and extending the highway boundary into the site, compared to just 60 metres at present. Approximately 320 metres of existing hedgerow located adjacent to the inside of the bend will be removed and replaced alongside the revised alignment.

1. AREAS OF DISAGREEMENT
   1. The following matters remain areas of disagreement between the Appellant and the LPA. However, it is anticipated that these can all be addressed. The Parties agree to provide PINS with an update as soon as there is a relevant change in circumstances in relation to these matters

Public Transport Strategy

* 1. The initial public transport strategy outlined in Paragraphs 7.7-7.11 of the Transport Assessment proposes to increase the frequency of existing services (Routes 11/12) or extend the service length to route through the internal roundabout proposed within the site. Both services would be operated by Vale Travel and have a frequency of two buses per hour in each direction during weekday morning and evening peak periods.
  2. MKC Highways has requested that the Scheme provides a commitment to a frequent service, from early morning to late evening, including weekends, given the Site’s likely round-the-clock operation.
  3. BWB is continuing to liaise with MKC Passenger Transport Team on this with the aim of having an appropriate arrangement for the public transport strategy agreed in writing. The Passenger Transport Team have not to date provided the Appellant with the information required to assess this. Both parties agree to work towards reaching an appropriate arrangement as part of the agreed planning obligations prior to the commencement of the Inquiry.
  4. The Appellant agrees that an appropriate level of services and associated developer contributions will be secured as part of the Section 106 agreement.

Redway Infrastructure Provision

* 1. The Scheme proposes an off-line Redway Route through the site rather than alongside Brickhill Street. The LPA accepts that the presence of the Anglian Water compound and the obstacle this presents along Brickhill Street. Notwithstanding this, the LPA position is that the on-line Redway to Brickhill Street is a requirement and should be provided. The Appellant by contrast considers the off-line route through the site to comprise an appropriate solution.
  2. The LPA expect a financial contribution towards the wider Super Redway Routes programme, specifically to fund an upgrade of the V10 Super Route including the delivery of the missing Redway link adjacent to Walton Park along the V10 Grid Road between H9 and H10. The need for this is not agreed between the parties.

Impact at A5 Kelly’s Kitchen Roundabout

* 1. Highways England have placed a holding response on the application, recommending that planning permission is not granted until after June 26th, 2020 to allow sufficient time to address highways impacts issues in relation to the A5 road.
  2. Highways England (HE) is currently reviewing the VISSIM model. The LPA has requested that any mitigation sought by HE will need to be assessed for its impact on queuing on the non-A5 arms of the junction.

Safeguarded Land to enable Upgrade Brickhill Street to Grid Road Standard

* 1. Whilst it has been agreed that the upgrading of Brickhill Street between the site access roundabout and the railway to a Grid Road is not required to enable the development, the LPA requires evidence that sufficient width in reserve land (notwithstanding the Anglian Water compound outside of the Appellant’s control) has been safeguard to facilitate future improvements.
  2. Linked to the above, whilst the LPA accepts that upgrading the Brickhill Street/Station Road mini-roundabout to an alternative junction solution is not required as a result of the Scheme, they require that sufficient land is safeguarded in the vicinity of it to improve the junction to a minimum 40m ICD roundabout or a suitable alternative junction arrangement that offers comparable HGV provision and capacity.

1. SIGNED
   1. ****Agreed on behalf of the Council by…

Nigel Weeks Stirling Maynard Transportation

Date: 02-07-2020

* 1. Agreed on behalf of the Appellant by…



Matthew Addison, Associate Director, BWB Consulting Ltd.

Date: 03-07-2020