



15/00619/FUL- South West Milton Keynes

Rebuttal Proof of Evidence -
Highways / Transportation

Milton Keynes

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1. INTRODUCTION

1.1 Background and Scope

1.1.1 This Rebuttal Proof of Evidence ('rebuttal proof') responds to matters arising from the following proofs of evidence:

- Updated Proof of Evidence of Martin Paddle¹ relating to Transport, Highway and Accessibility matters, on behalf of the appellant
- Proof of Evidence of James Bedingfeld² on Transport matters, on behalf of Buckinghamshire Council (BC)

1.1.2 This rebuttal proof should be read alongside my main³ and summary⁴ proofs of evidence.

1.1.3 For reasons of brevity, I do not rehearse points already addressed in my main proof, neither is this rebuttal a complete response to the points raised in the above proofs, which will be fully examined at the Inquiry. Where I have not addressed a point, this should not be taken to mean that I agree with it.

1.1.4 I provide this evidence on behalf of Milton Keynes Council (MKC) with regard to transportation / highways matters. This evidence has been prepared, and is given in accordance with, the guidance of the Royal Town Planning Institute. I confirm that this evidence sets out my professional and honest assessment and I believe it to be true.

¹ CD20C (and appendices CD20D/CD20E)

² CD21B

³ CD12/N

⁴ CD12/O

2. UPDATED PROOF OF EVIDENCE OF MARTIN PADDLE FOR THE APPELLANT⁶

2.1 Liaison with the Appellant

- 2.1.1 I have undertaken extensive liaison with the appellant, as described at section 1.4 of my main proof⁵. It is disappointing to see Mr Paddle again erroneously suggest (1.2⁶) that the Transport Response Notes (TRNs), Road Safety Audits (RSAs) and Designer's Responses (DRs) solely 'address points raised by BC following the appeal submission'.
- 2.1.2 In my main proof⁵, I have noted⁷ that many of the matters raised by MKC remain unaddressed; however, the RSAs and DRs were provided by WSP in direct response to my requests⁸, given the importance of ensuring the deliverability of the proposed mitigation schemes.
- 2.1.3 In any case, it is helpful that Mr Paddle notes BC's requirement for additional information following the appeal submission (1.2⁶), and WSP's response to those requests (TRNs 1-3). Alongside MKC's requests for additional information, this evidences BC's view that the appellant's submissions were insufficient, and WSP's acceptance of that view (via the provision of the requested additional information).
- 2.1.4 At 2.10⁶, Mr Paddle summarises a number of the matters raised by MKC, going on (2.11⁶) to say that 'I do not accept these criticisms'. This is then contradicted by his further acceptance (same paragraph) that changes and updates have been made to address a number of these points⁹.

2.2 New Evidence / Consultation

- 2.2.1 At paragraph 2.14 of his proof⁶, Mr Paddle states that 'All parties at the appeal have had the opportunity to comment on the proposed mitigation through consultation on the appeal and on the live planning application within BC'.
- 2.2.2 This is not the case, given that Mr Paddle's proof now introduces the potential signalisation of Emerson Roundabout. This has never previously been raised with MKC. It is a wholly-new proposal upon which the Local Planning Authority (LPA), Local Highway Authority (LHA) and the public have had no opportunity to comment.

2.3 Sustainable Transport Access

- 2.3.1 Paragraph 4.18 of Mr Paddle's proof⁶ confirms that 'The principal objective of the public transport strategy is to provide a new high quality, fast, frequent and reliable bus service between the Proposed Development and Central Milton Keynes (CMK) via the rail station'. Several potential options are presented in paragraphs 4.19-4.20⁶, with the 'preferred option' being a new high-frequency service, the target of which would be a 'journey time between the Proposed Development and CMK [Central Milton Keynes] of circa 20 minutes'.
- 2.3.2 At 4.21 and 4.22 of his proof⁶, Mr Paddle proposes that the new bus service would not necessarily commence until the occupation of the 100th new home. This means that the first tranche of new

⁵ CD12/M

⁶ CD20C

⁷ CD12/M 1.4.2

⁸ CD12/M 1.4.1

⁹ Also confirmed at 4.33.

homes would not benefit from the proposed bus service, instead relying on an hourly service¹⁰ which would influence their travel habits from the outset.

- 2.3.3 I have liaised with MKC's Public Transport team regarding the appeal proposals. An email from Mr Simmonds, Public Transport Technical Lead at the Council, can be found in Appendix A and is summarised below:
- a. There have been no recent discussions with the appellant regarding public transport;
 - b. The extension of Arriva Service 3 would meet the Council's requirements in terms of the route, but the journey time would be 35-40 minutes and additional service capacity would be required;
 - c. In order to achieve a service time of 20 minutes, bus priority measures would be required at key junctions;
 - d. MKC's public transport team agrees that the appellant's proposed changes to the bus stop on the north side of Buckingham Road (eastern arm) at Junction 1 (Buckingham Road/Sherwood Drive/Water Eaton) could cause conflict with vehicles using that road, and could encourage pedestrians alighting the bus to cross the road away from a formal crossing point (6.4.7¹¹); and,
 - e. The level of queuing predicted by WSP as a result of the appeal development would have adverse impacts on the wider public transport network.
- 2.3.4 Consequently, there is currently no certainty that the level of service targeted by the appellant is actually achievable. Given the concerns about deliverability, these are not matters which can be conditioned.
- 2.3.5 In the context of the above, I note WSP's view (4.28¹²) that Travel Demand Management 'is an important element of the Proposed Development'...'The objectives of the design are to...minimise the need to travel by providing a mix of land uses that are within acceptable walking and cycling distances of each other'. Referring to Table 3.1 of the proof¹², the nearest facility to the development is a 33-minute walk from the site, with most of the listed facilities being considerably further away, emphasising the importance of public transport provision serving the development.

2.4 Access Junctions

A421 Left-in Access

- 2.4.1 Paragraph 4.45 of Mr Paddle's proof¹² notes the inclusion of crash barriers at the proposed A421 access junctions 'to minimise the risk of any loss of control collisions around the bend' - a matter raised in WSP's Stage 1 RSA¹³.
- 2.4.2 At paragraph 4.47¹², Mr Paddle accepts that the alignment of the proposed pedestrian / cycle route does not comply with the recommendation in LTN1/20¹⁴ that routes should be direct, going on to state that the proposed crossing location across the new access is designed to ensure that there is sufficient visibility / stopping distance from the junction with the A421.

¹⁰ Table 4.1.

¹¹ CD12/N

¹² CD20C

¹³ CD16/D

¹⁴ CD13/E

2.4.3 Access is not a Reserved Matter in this appeal and, in respect of this proposed access:

- a. Post and rail fencing and 'low level' (<26cm) landscaping¹⁵ cannot be guaranteed to prevent pedestrians from following the existing direct alignment which, by Mr Paddle's admission (4.47¹⁶) would result in pedestrians crossing in an unsafe location.
- b. The current access drawings (Figures 4.3 and 4.4¹⁶) show different road alignments into the site, and Figure 4.4 shows the pedestrian / cycle crossing point as 'Indicative', which is unacceptable given that the plan is proposed to be conditioned.
- c. No details have been provided with regard to the width of the proposed pedestrian/cycle route, and whether this accords with current guidance.

Buckingham Road Access

2.4.4 I have previously raised issues with the position of the proposed toucan crossing on Buckingham Road which impinges on the junction of the foot/cycleway to the west (Figure 4.5¹⁶). As access is not a Reserved Matter, the location of this crossing cannot be 'determined at detailed design' stage as proposed (4.50¹⁶).

2.4.5 Likewise, the location of a further crossing of Buckingham Road at the end of Weasel Lane (4.50¹⁶) is not shown on any drawings within the planning application or appeal evidence and must be confirmed at determination stage. At present, there has been no consultation of the LPA, LHA or the public on this proposal.

2.4.6 Mr Paddle proposes that the 'design of the routes for pedestrians and cyclists will be in accordance with LTN1/20 and will be refined at detailed design' stage - i.e., post-planning. This is again unacceptable, given that these are access details which are not reserved matters.

2.4.7 Figure 4.6 of Mr Paddle's proof of evidence¹⁶ erroneously shows the forward-visibility onto the roundabout from the centreline of the Buckingham Road (east) approach. The measurement should be taken from the centre of the approach lane (not the carriageway centreline), as shown in Figure 2.1:

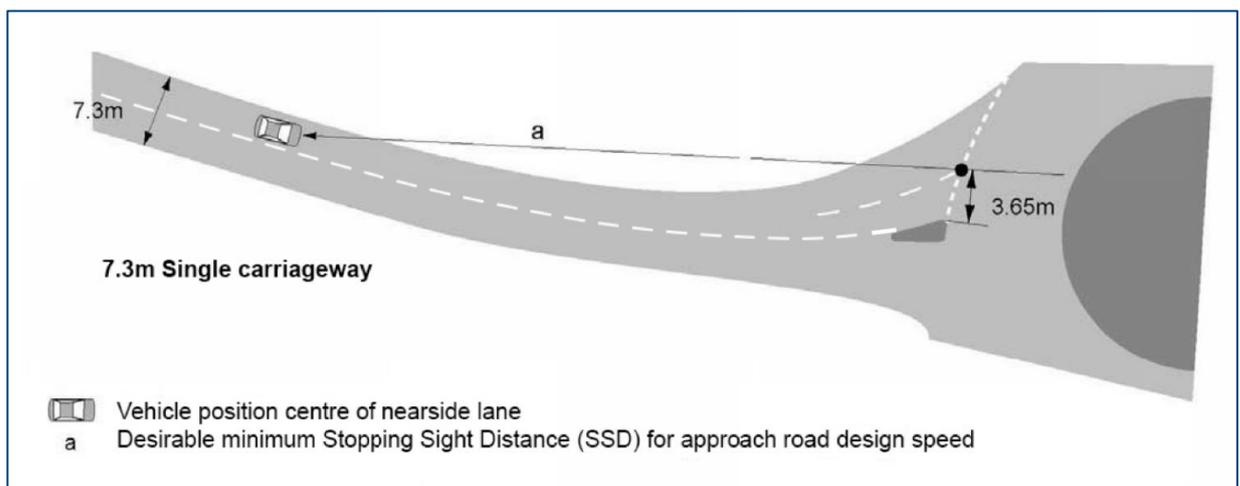


Figure 2.1: DMRB CD116¹⁷ Geometric Design of Roundabouts Figure 3.39 - measurement of Stopping Sight Distance on roundabout approach

¹⁵ Figure 4.4, CD20C

¹⁶ CD20C

¹⁷ CD13/N

2.4.8 It can be seen that, on this basis, the 160m visibility splay indicated by Mr Paddle cannot be achieved without the requirement for third-party land (part of the property known as New Leys).

2.5 Policy

2.5.1 I refer to paragraph 5.19 of Mr Paddle's proof¹⁸, at which he states that 'the transport modelling evidence base that supports Plan:MK includes the Proposed Development with the 2031 Reference Case. In this regard, MKC and the Local Plan Inspector have also assessed the cumulative impact of the Proposed Development on the wider area at a strategic level and concluded that it was acceptable by recommending Plan:MK for adoption'.

2.5.2 This is a fundamentally flawed argument. As noted in 6.2 of my main proof¹⁹, AECOM (the consultants that built the MKMMM for MKC) have stated that it is presently unsuited to the assessment of development-specific impacts²⁰. The model assesses the cumulative unmitigated impact of planned growth, identifying that mitigation (set out in policy) will be required to ensure that the impact of this growth is acceptable in transportation terms.

2.5.3 The Reference Case modelling sets out a 'baseline' against which the effect of Plan:MK²¹ interventions can be assessed. It includes the following committed highway schemes:

Scheme	Delivered by
A421 Dualling	By 2031
Monkston & Brinklow Junctions	2019
Crownhill & Loughton Junctions	2019
A5 Improvements	By 2031
Bletchley Station Highway Improvements	2017
Brooklands City Street Phase 2	2017
Nova City Street	2018
Calverton Lane/Fairways	2021
Kiln Farm Junction	2016
Bridge over Broughton Brook	2018
H10 Extension	2018
V2/H4 Extension	2021
East-West Rail	2024
M1 J13-J16 SMP	By 2031
M1 J16-J19 SMP	2021
M1 J11a / Dunstable Northern Bypass	2017

Figure 2.2: Highway schemes included within MKMMM Reference Case scenarios (Table 8 of MKMMM Highway Model Traffic Forecasting Report, 2017²²)

2.5.4 None of these schemes are in the area assessed within the 2020 TA²³ or subsequent TRNs²⁴.

¹⁸ CD20C

¹⁹ CD12/M

²⁰ Milton Keynes Multi Modal Model Updated, Highway Model Traffic Forecasting Report, November 2017, paragraph 1.9.2.

²¹ CD/5

²² CD12/A

²³ CD10/H/A

²⁴ CD16/A, CD16/B, CD16/C

- 2.5.5 There is no suggestion by AECOM or MKC that the Reference Case model presents an acceptable scenario. Indeed, the model shows a general worsening of traffic conditions across the network, leading to the requirement for mitigation.
- 2.5.6 It is not, and cannot be, the case that MKC would predict and accept severe / unacceptable transport impacts from development. Rather, a range of policies set out at 7.1 in my main proof²⁵ require that developments contribute to the overall transport vision set out in Plan:MK and mitigate their impacts accordingly.
- 2.5.7 Turning to the MKC Transport Infrastructure Delivery Plan (October 2019²⁶) (paragraph 5.3.5 onward of Mr Paddle's proof²⁷), I note that 'No one type of transport infrastructure scheme is considered to be capable of solving all the identified issues or achieve all the Mobility Strategy objectives' (4.1.2²⁶) and that funding will, in part, need to be provided by developers (5.3.2²⁶) via s106/s278.
- 2.5.8 From paragraph 5.40 of his proof²⁷, Mr Paddle identifies a number of schemes as 'noteworthy in relation to the Proposed Development':
- 3. New Urban Redway Super Routes
 - 19-23. Travel Planning
 - 89. Smart Sensors
 - 84. UTC (Urban Traffic Control) Expansion
 - 83. Speed Reduction
 - 53. Salden Chase Rail Station
 - 67. Pinch Point Junction Improvements
 - 76. Bletchley Southern Bypass
- 2.5.9 All of these schemes are identified in the Transport Infrastructure Delivery Plan as requiring additional assessment / feasibility / design work (6.3.1²⁶). This mirrors my own discussions with the Transport Planning team at MKC, in which they have indicated that none of these schemes are currently ready to proceed, as was discussed with WSP²⁸.
- 2.5.10 Consequently, it is wrong for Mr Paddle to suggest that the MKMMM modelling indicates that the Council would accept the level of traffic impact which it predicts. It is also wrong for Mr Paddle to imply that the schemes set out in the Infrastructure Delivery Plan would accommodate all of the impacts of planned growth. In any case, these schemes are not ready to proceed, and the proportionate impact/contribution of the appeal development is unknown.
- 2.5.11 The 2020 TA²⁹ and subsequent TRNs³⁰ make no assessment of the wider reassignment of traffic, the impact of that reassignment, and to what extent the impact of traffic from the appeal development might be mitigated by those schemes. As I have explained in my main proof, the appellant's view that the traffic predictions in its evidence will not actually materialise, combined with the lack of any assessment of the potential wider impacts of that traffic, means that the TA²⁹, TRNs³⁰ and related ES

²⁵ CD12/M

²⁶ CD12/K

²⁷ CD20C

²⁸ Appendix F, CD12/M

²⁹ CD10/H/A

³⁰ CD16/A, B, C

chapters³¹ fail to meet the requirements of the National Planning Policy Framework (NPPF), the Planning Practice Guidance (NPPG) and the Environmental Impact Assessment (EIA) Regulations.

- 2.5.12 As set out in my main proof, the appellant predicts a severe residual operational impact as a consequence of its development traffic, but asks the Inspector to accept that this partial-mitigation will combine with wider works by others (which require part-funding by developers, but to which it proposes no contribution) to make its impacts acceptable. On the basis of the above, the appellant's position is clearly contrary to policy and is unsupportable.
- 2.5.13 Mr Paddle's proof³² then (5.43 onwards) turns to the MKC Strategy for First Last Mile Travel (2017³³). Whilst the proof rightly notes the Council's recognition of the congestion that would arise without investment in strategic and development-specific mitigation measures, I note that the Strategy also:
- Has objectives including removal of the risk of congestion (p.5³³)
 - States that 'Without investment in transport system [sic] there is a risk that the significant potential for growth in Milton Keynes will be stifled by congestion.' (p.8³³)
 - Shows the reduction of congestion at key junctions and routes as part of the first step in delivering the Strategy (p.14³³).
- 2.5.14 Evidence presented by the appellant indicates severe congestion on key routes including the A421, contrary to the objectives of the Strategy.
- 2.5.15 At 5.90 of his proof³², Mr Paddle refers to the Milton Keynes Strategy for 2050³⁴, which acknowledges worsening traffic congestion (5.91³²). This is confirmed at page 44 of the Strategy for 2050³⁴ which states that 'Congestion on our grid road system is increasing rapidly and we need to make sure that everyone can move around the city easily', going on to say (p.46) 'Some key grid road junctions will exceed their capacity...The 'grid lock' that will result if we fail to act would hold back our economic ambitions and damage our quality of life'.
- 2.5.16 As noted at 5.91 of Mr Paddle's proof³², constructing new road capacity is no long-term solution, as it is proven to create more traffic. WSP's initial approach during my discussions with them was that their client would provide a s106 contribution commensurate with the cost of physical works to mitigate the traffic impact of their proposed development. I asked repeatedly for WSP to provide an assessment of the actual cost of the mitigation works, as well as an indication (to demonstrate proportionality and NPPF/CIL compliance) of what this contribution might achieve as part of a wider package of measures. For a variety of reasons, including practical issues (MKC is not a signatory to the s106 for the wider development), no such assessment was forthcoming and the appellant instead proposes to undertake mitigation works via s278.
- 2.5.17 This leaves the appellant in a position whereby it proposes part-mitigation through highway capacity improvements, without any assessment of the wider traffic reassignment which it says will occur, without any contribution to the wider measures which it says would alleviate congestion, and whilst simultaneously arguing that these capacity enhancements are not a long-term solution.

³¹ CD17/C

³² CD20C

³³ CD12/E

³⁴ CD12/D/A

2.6 Network Modelling to Evidence Traffic Reassignment

- 2.6.1 The 2016 TA³⁵ utilised MKC's strategic traffic model ('MKTM')³⁶. The 2020 TA³⁷ stepped away from the use of models which could assess reassignment of traffic across the road network due to congestion³⁸. The appellant states that such reassignment is likely to occur³⁹, and that a network traffic model could be used to assess those effects⁴⁰.
- 2.6.2 At 1.4⁴¹ WSP confirms that 'Microsimulation models are used to model the behaviour of individual vehicles through a network in real time and will reassign traffic based on delays within the network'. The appellant accepts that SATURN and VISUM models are commonly developed to cover areas of this scale (2.4), but WSP makes no reference to the ability of microsimulation models to combine micro- and meso- (high level) elements for simplicity.
- 2.6.3 I have previously suggested that WSP could consider the development of a microsimulation model⁴², but I have never indicated that it is the only option available to them. The appellant has not undertaken any work to provide an alternative model (e.g. SATURN), and whilst they have used a manual approach to the assessment of reassignment due to the Shenley Park proposals⁴³, no such work has been provided in respect of wider reassignment effects.
- 2.6.4 At paragraph 6.6 of his proof⁴⁴, Mr Paddle states that 'in the absence of developing further operational scenarios using either MKMMM or possibly a microsimulation model [which he subsequently dismisses], it is not possible to assess how and whether any redistribution would occur'. This again introduces conflicting arguments within Mr Paddle's evidence, which simultaneously states that such redistribution would occur, whilst also arguing that WSP's TA/TRNs/ES Chapters are robust.
- 2.6.5 Mr Paddle's proof accepts that as a consequence of the proposed development there is the potential for vehicles to reassign across a 'very large' area (2.2⁴¹). Residential accesses and other smaller roads 'would be potential alternative routes for traffic' (2.3⁴¹). The minimum area which WSP considers could be subject to traffic reassignment is shown in Figure 2.3, and the area considered in the 2020 TA³⁷ / subsequent TRNs⁴⁵ is shown for comparison in Figure 2.4.

³⁵ CD2/E*

³⁶ 6.2.1 of CD10/HA

³⁷ CD10/H/A

³⁸ 6.2.2 of CD10/HA

³⁹ 7.3.18, 8.3.25, 8.3.33, 8.3.46, 8.3.53, 8.3.61 of CD10/H/A, 12.4 of CD20C

⁴⁰ 6.6 of CD20C

⁴¹ MJP14, appended to CD20C - Page 165 of CD20E

⁴² 1.4 of CD12/M

⁴³ 6.6.6 of CCD10/H/A

⁴⁴ CD20C

⁴⁵ CD16/A, B, C



Figure 2.3: Extent of required model network predicted by WSP (MJP14⁴⁶ Figure 2-2)

⁴⁶ MJP14, appended to CD20C - Page 165 of CD20E

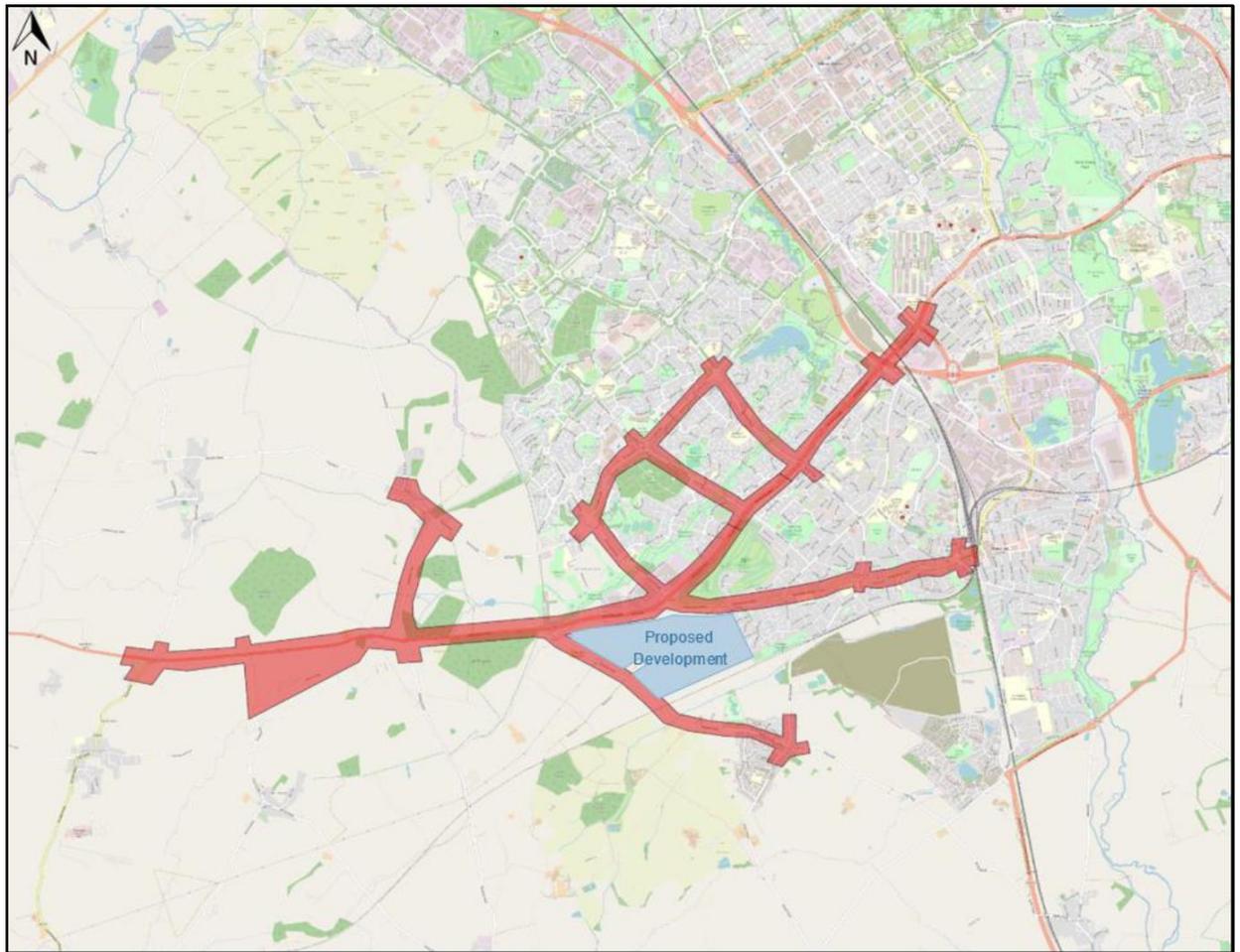


Figure 2.4: Extent of area considered in TA/TRNs (MJP14⁴⁷ Figure 2-1)

- 2.6.6 WSP argues that data requirements (2.5⁴⁷) and the need for junction-specific modelling (2.14⁴⁷) mean that microsimulation is an inappropriate approach in this case. However, the same data is required in relation to SATURN or VISUM modelling, as used by the appellant in its 2016 TA⁴⁸. Indeed, WSP states that alternative approaches (such as SATURN or VISUM)⁴⁹ may be required in order to achieve a realistic and viable model⁵⁰.
- 2.6.7 Furthermore, the methods of data collection set out in MJP14⁴⁷ are not the only options available to the appellant. For example, alternative means of data collection could include mobile phone data (for O-D), Google API (for journey times) and other existing data (e.g. DfT counters, ATC/MCC data already in the public domain).

⁴⁷ MJP14, appended to CD20C - Page 165 of CD20E

⁴⁸ CD2/E*

⁴⁹ 2.4 of CD20C

⁵⁰ 2.17 of CD20C

2.7 MKC's Current Position

- 2.7.1 Contrary to paragraph 6.22 of Mr Paddle's proof⁵¹, it is the findings of the 2020 TA⁵² and subsequent TRNs⁵³ which lead MKC to the view that additional assessment work is still required in order to confirm the impact of the appellant's proposals. As noted by Mr Paddle (5.77⁵⁴), Transport Assessment is an iterative process and the Council's position is informed by the appellant's own assertion that traffic would likely redistribute as a consequence of predicted congestion and delay arising from its development traffic.
- 2.7.2 With regard to the MKMMM, I have already explained that AECOM, who prepared the model on the Council's behalf, do not consider it to be fit for the purpose of determining development-specific impacts. This view is broadly reflected in paragraph 12.16 of Mr Paddle's proof⁵⁴, which identifies the usual role and potential deficiencies of such models. In any case, there is no detailed analysis of the model in the appellant's 2020 TA⁵⁵ and its TRNs⁵⁶, contrary to the requirements of the NPPF, NPPG and the EIA Regulations.
- 2.7.3 Taking Mr Paddle's following statement (12.14, p143⁵⁴) at face-value, the appellant seems to suggest that any development which was included within the MKMMM has already been proven acceptable in transportation terms. That is plainly unsupportable as evidenced by the refusal of BC to accept the use of that model; the appellant's own decision to submit a Transport Assessment based on a different methodology, and without any detailed assessment of the MKMMM; the appellant's own proposal to mitigate locations other than those identified as problematic in the MKMMM; and by the requirements of the NPPF/NPPG and EIA Regulations.

2.8 Impact on Highway Safety

- 2.8.1 Table 9.11 of Mr Paddle's proof⁵⁴ shows that WSP predicts that the proposed development would lead to 180 additional Slight collisions, 21 Serious collisions and two Fatal collisions over the 60-year assessment period. This needs to be considered in the context of the Mobility Strategy for Milton Keynes 2018-36 which seeks a continued reduction in Fatal and Serious collisions⁵⁷.
- 2.8.2 Post-mitigation safety is considered at paragraph 10.26-10.30⁵⁴, but does not include a detailed analysis of the likely effects of the proposed mitigation schemes, nor of the predicted congestion and redistribution. With regard to the latter, it may be, for example, that there would be rerouting of traffic past sensitive locations (e.g. schools), but this does not form part of the appellant's evidence.

2.9 Delivery of Mitigation

- 2.9.1 Despite the increased level of mitigation proposed in the 2020 TA⁵⁵ and subsequent TRNs⁵⁶, the appellant initially sought to make a financial contribution to MKC in lieu of physical (s278) works. The most recent draft s106 included the appellant's proposed mitigation contribution of £209,517.

⁵¹ CD20C

⁵² CD10/H/A

⁵³ CD16/A, B, C

⁵⁴ CD20C

⁵⁵ CD10/H/A

⁵⁶ CD16/A, B, C

⁵⁷ p.12 CD12/C

- 2.9.2 I have repeatedly sought clarity on the cost of the proposed mitigation, and Mr Paddle has now included such costings at Appendix MJP18⁵⁸, which identifies a total cost of £2,780,234 for junctions in the MKC area. This figure excludes ongoing updates to costings for junctions 16 and 17 'to reflect recent discussions with BC' (10.25⁵⁹) - the detail of these changes is unknown, since the matter has not been discussed with MKC as the relevant LHA.
- 2.9.3 Whilst the mitigation works are now proposed to be delivered by the appellant via 278, on which basis the costings now received assist in the identification of suitable bonds (subject to checking and approval), it is regrettable that, until relatively recently, the appellant sought to provide MKC with a contribution equivalent to less than one-tenth of its total mitigation costs.
- 2.9.4 It is disappointing that Mr Paddle (10.20⁵⁹) revisits the prospect of a s106 contribution in lieu of the s278 works. No value is assigned to this potential contribution, and WSP has never provided the requested assessment of what such a contribution might deliver in practice, and whether it would meet the relevant NPPF/CIL tests.
- 2.9.5 Contrary to paragraph 10.24 of Mr Paddle's proof⁵⁹, MKC has never objected to the principle of a s106 contribution in this regard, but has rightly insisted upon the required information to ensure that any such contribution is capable of being secured, is fair & reasonable, and meets the relevant tests.

2.10 Junction 17: Emerson Roundabout

- 2.10.1 The 'monitor and manage' approach set out by Mr Paddle (10.9⁵⁹) in respect of Emerson Roundabout is a wholly-new proposal upon which MKC has not been consulted, despite the appellant's discussions with BC (which is not the relevant highway authority).
- 2.10.2 This proposal introduces the prospect of part-time traffic signals at Emerson Roundabout⁶⁰. These proposals:
- a. Constitute new evidence - they are not included within the 2020 TA⁶¹ or the TRNs⁶². Their inclusion is contrary to the Inspector's instruction that no new evidence would be considered beyond the end of January 2021;
 - b. Have not been subject to public consultation;
 - c. Introduce signalisation on a 70mph dual-carriageway, without any proposal to reduce approach speeds as is required;
 - d. Are not supported with the required RSAs (unlike the other mitigation proposals);
 - e. Have not been reviewed by the Local Planning Authority; and,
 - f. Have not been discussed with the Local Highway Authority.
- 2.10.3 As with the appellant's proposals for J5 Tattenhoe Roundabout⁶³, the limited space for queuing at the proposed stop-lines on the roundabout means that the junction exits could easily be blocked by queued vehicles (particularly HGVs).

⁵⁸ CD20E

⁵⁹ CD20C

⁶⁰ MJP 22, CD20E

⁶¹ CD10/H/A

⁶² CD16/A, B, C

⁶³ CD16/C: Drawing 9442-TP-SK-004 P05

- 2.10.4 The design appears to show stop lines located at the very end of the islands, presumably to maximise capacity; however, this provides little space for horizontal clearance to signal infrastructure or appropriate set back distances from the primary signal heads to the stop lines (so the signals can be seen by drivers). This could also create an issue with vehicles having no space to overshoot the stop line before they block traffic from the adjacent arm. DMRB CD123⁶⁴ para 7.2.5 states that 'Primary signal heads should be located a minimum of 1 metre beyond the stop-line' - it would appear that this has not been achieved by the design.
- 2.10.5 Because of these issues, it may be impossible to site signal infrastructure (e.g. signal heads/columns) in locations where it would not be struck by traffic. In terms of the signal heads, it may not be possible to site these in locations where they would be seen by drivers.
- 2.10.6 I further note that the entry path curvature is slackened on all arms which, particularly given that the signals are proposed to be part time, could have a detrimental impact on the safety of the junction due to increased vehicle entry speeds to the roundabout.

2.11 Additional Evidence

- 2.11.1 As noted previously, MKC strongly objects to the appellant's inclusion of new evidence in Mr Paddle's proof, relating to Emerson Roundabout. It would also appear that the appellant intends to amend its proposals for junction 16 - a matter which has not been discussed with MKC, despite the junction being within its area.
- 2.11.2 In relation to Mr Paddle's comments at 12.26 of his proof⁶⁵, I have explained to the appellant that MKC's consideration of the live planning application in the BC area is being led by another practice. Given the Inspector's requirement that all evidence relating to this appeal was to be provided by the end of January 2021, the matters raised by Mr Paddle are related to the BC application only.
- 2.11.3 It is disappointing to note WSP's suggestion at my most recent meeting with them (minuted at MJP26⁶⁶) that they were unaware of any potential interaction between queues at junctions within their study area, and were awaiting details from MKC in order to consider these matters. In this regard, I note that Mr Paddle raised this with MKC on 7th April 2021 (MJP27⁶⁷), which is the same day that WSP wrote to BC⁶⁸ to discuss the blocking between junctions 16 and 15 which is indicated in TRN3⁶⁹. The appellant was clearly aware of these issues in the MKC area, but had not raised them with MKC.
- 2.11.4 In any case, given that the BC application is not the subject of this appeal, the appellant's position cannot have been prejudiced by MKC's responses to that separate matter.
- 2.11.5 On the same basis, MKC would strongly object to the submission of any further evidence by the appellant (as suggested at 12.26 and 12.27⁶⁵). Given the Inspector's requirements and the limited time available in advance of the Inquiry, there would simply be no time for such evidence to be considered.

⁶⁴ CD13/F

⁶⁵ CD20C

⁶⁶ CD20D

⁶⁷ CD20E

⁶⁸ Appendix H of CD21B

⁶⁹ CD16/C

3. PROOF OF EVIDENCE OF JAMES BEDINGFELD FOR BUCKINGHAMSHIRE COUNCIL⁷⁰

3.1 Overview

- 3.1.1 By reference to paragraph 2.3 of Mr Bedingfeld's proof⁷⁰, it is unclear why Buckinghamshire Council (BC) has provided commentary on matters relating to impacts / proposed mitigation within the MKC area. As shown in my main proof, there have been significant discussions between the Appellant and MKC, and between MKC and BC, so there is no need for commentary by BC on matters for which it is not the Local Highway Authority (other than where those issues relate to parts of the highway directly affecting its network - e.g. Bottledump roundabout).
- 3.1.2 I further note that Mr Bedingfeld's proof⁷⁰ has not been ratified by BC Councillors, meaning that it does not represent the formal position of that Council.

3.2 BC Highways' Consideration of the MKC Application

- 3.2.1 Paragraph 6.4 of Mr Bedingfeld's proof⁷⁰ describes a number of the requests for additional information made by BC following the appellant's submission of the 2020 TA⁷¹. However, the proof does not mention that, until very recently, discussions were ongoing between BC and the appellant in respect of TRNs 2 & 3⁷². Neither is there any detail of the meetings between Hydrock (for MKC) and Mr Bedingfeld, nor of BC's statement⁷³ that it was unable to provide a view on the appeal even at the deadline for submission of draft Statements of Common Ground.

3.3 Access Strategy

- 3.3.1 In respect of the proposed A421 left-in access, Mr Bedingfeld has no issue with 'the principle' (8.15⁷⁰) of the proposed junction, but agrees with me that there are further points that need to be confirmed in order for its design to be considered safe and appropriate. He rightly also notes that measures are required in order to ensure safe crossing movement for non-motorised users, given the potential high vehicle speeds on this access (8.13⁷⁰).
- 3.3.2 The difference between my view and that of Mr Bedingfeld is that, given that access is not a reserved matter, I believe that these points need to be addressed in advance of determination.

3.4 Off Site Impact Assessment

- 3.4.1 Paragraph 8.20⁷⁴ of Mr Bedingfeld's proof unfortunately mirrors the appellant's own erroneous presentation of modelling undertaken in support of Plan:MK. It is right that Plan:MK⁷⁵ acknowledges the potential for congestion predicated on unconstrained growth; however, that is not an acceptance of this scenario, and I have shown in my main proof⁷⁶ that policy seeks to protect the operation of the highway network.
- 3.4.2 I have further noted in my main proof that, despite requests by MKC, until the submission of Mr Paddle's proof of evidence, the appellant has never sought to quantify the financial cost of its proposed

⁷⁰ CD21B

⁷¹ CD10/H/A

⁷² CD16/B and CD16/C

⁷³ CD19/G

⁷⁴ CD21B

⁷⁵ CD/5

⁷⁶ 7.1, CD12/M

mitigation works. Related to this, the appellant has also never responded to MKC's requests for an assessment of whether a contribution based on that approach might meet the relevant tests in terms of delivering alternative infrastructure commensurate with the impacts related to the development.

3.4.3 Mr Bedingfeld provides an overview of his view on the proposed junction mitigation schemes, concluding that the appellant is required to provide mitigation of its significant impacts at:

- J1 Sherwood Drive/Water Eaton Road/B4034 Buckingham Road
- J2 Shenley Road/Newton Road/B4034 Buckingham Road
- J5 Tattenhoe Roundabout
- J6 Bottledump Roundabout
- J12 Kingsmead Roundabout
- J14 Furzton Roundabout
- J15 Bleak Hall Roundabout
- J16 Elfield Park Roundabout
- J17 Emerson Roundabout
- J18 Windmill Hill Roundabout

3.4.4 In respect of **Junction 5: Tattenhoe Roundabout**, Mr Bedingfeld has 'safety concerns' (8.27⁷⁴) regarding exit-blocking, and I would further note that these concerns are also operational issues which have not been reflected in the modelling. Furthermore, Mr Bedingfeld makes no reference to the inevitability of exit-blocking which would occur due to use of the junction by HGVs, nor of the other design matters raised in my main proof.

3.4.5 With regard to **Junction 6: Bottledump Roundabout**, Mr Bedingfeld rightly recognises the need to reflect unequal usage of traffic lanes within the junction modelling (8.30⁷⁴). However, his proof does not mention that the appellant has continued to incorrectly assign 50% of traffic to each approach lane within the model.

3.4.6 In respect of **Junction 1: Sherwood Drive/Water Eaton/B4034 Buckingham Road**, Mr Bedingfeld notes (8.40⁷⁴) that junction measurements taken by BC showed variations of up to 1.8m between the actual existing layout and the Ordnance Survey mapping used by WSP for design purposes. He also notes (8.41⁷⁴) the potential for vehicle collisions. As set out in my main proof, I do not share his view that outstanding matters are for detailed design, as the points which I have raised go to the deliverability of the proposed scheme.

3.4.7 Turning to **Junction 16: Elfield Park roundabout**, BC has rightly (8.106⁷⁷) raised concerns with the appellant regarding blocking-back to J15 Bleak Hall Roundabout. These concerns mirror those set out in my main proof⁷⁸. Notwithstanding comments within the proof⁷⁷ regarding the potential effects of a 5% reduction in traffic, and wider comments regarding future traffic trajectories, none of these scenarios have been presented in the 2020 TA⁷⁹, the TRNs⁸⁰ or the related ES chapters⁸¹.

⁷⁷ CD21B

⁷⁸ CD12/M

⁷⁹ CD10/H/A

⁸⁰ CD16/A, B, C

⁸¹ CD17/C

- 3.4.8 I note that BC's position (8.108⁷⁷) is that blocking-back between junctions 'may not' occur - BC does not state that such conditions will not arise. However, referring to Appendix H of Mr Bedingfeld's proof⁷⁷, WSP states that there is queuing space for 203 vehicles between J16 and J15, assuming equal usage of both lanes⁸² and not accounting for HGVs or the larger gaps one would expect between slow moving (rather than stationary) vehicles. However, TRN3⁸³ (table 5.10) predicts a PM peak hour queue of 292 vehicles on this link. Even if the queue was reduced by 89⁸⁴ vehicles, it would still reach (and block) the exit of J15.
- 3.4.9 Regarding **Junction 17: Emerson Roundabout**, BC has raised issues with unacceptable queuing and delay arising from the proposed mitigation scheme shown within TRN3⁸³ (8.112⁷⁷), in relation to which Mr Bedingfeld agrees with me that there would be significant adverse impacts on roads including the A421.
- 3.4.10 I further note that BC highlights how blocking back between junctions would only be avoided in its view 'if queuing is equal between the two lanes where dual carriageway' - however, that is unlikely to be the case, given drivers' habit of favouring queuing in the nearside lane, leading to unequal lane usage⁸⁵. I appreciate that the queues that I have indicated in my main proof of evidence would be shortened by their distribution across more than one lane; however, I have not been able to estimate the potential extent of any such reduction as the appellant has provided no evidence in that regard⁸⁶.
- 3.4.11 In response to its dialogue with BC, the appellant has provided Mr Bedingfeld with details of a wholly-new proposal for part-time signalisation of the roundabout. As mentioned previously in this Rebuttal, this is not only new evidence before the Inquiry (contrary to the Inspector's express instructions), it is a proposal which has never been discussed with MKC as the relevant LHA. For the reasons set out previously, the proposal is likely to be undeliverable and I note BC's comments (8.115⁷⁷) in that regard.
- 3.4.12 Mr Bedingfeld states (8.125⁷⁷) that that the appellant 'has provided a comprehensive mitigation package'. This contrasts with paragraph 8.17 of his proof⁷⁷ at which he describes the appellant's proposed mitigation as mostly comprising of 'minor kerb or central island amendments which would not constitute significant improvements'.

⁸² Upon which I comment further at 3.4.10.

⁸³ CD16/C

⁸⁴ 292-203.

⁸⁵ I note, for example, that the Traffic Signs Manual (REF) includes 'Use both lanes when queuing' signage intended to address this issue at roadworks and elsewhere.

⁸⁶ E.g. by reference to observations or through the use of a microsimulation traffic model.

Appendix A Comments from MKC Public Transport Team

From: Stuart Simmonds <Stuart.Simmonds@Milton-keynes.gov.uk>
Sent: 20 April 2021 11:17
To: Luke Hutcheson <LukeHutcheson@hydrock.com>; Phil Caves <Phil.Caves@Milton-Keynes.gov.uk>
Cc: James McKechnie <JamesMcKechnie@hydrock.com>
Subject: RE: [Hydrock: 16414-TBCA] South West Milton Keynes - Planning Appeal

Hello Luke,

The discussions referred to regarding extension of service 8/8A go back a number of years and I've not heard anything recently. The extension of Arriva service 3 mentioned in the document is now a more likely option than service 8 as Arriva has recently (01/04/21) extended the service to Snelshall West. The extension of this service would meet the requirement of a direct service from the site to CMK via Milton Keynes Central rail station, but journey time would be 35 - 40 minutes. Additional capacity would be required on service 3 if this option was favoured.

I note the proposal of a new dedicated service. To achieve a journey time to CMK of 20 minutes I would expect to also see details of bus priority measures at key junctions within MK particularly given the additional queuing at junctions identified because of the traffic generated by the development. For less resource it would be possible to introduce a higher frequency service by extending an existing service, such as service 3 above, which would enable the link to Bletchley to be provided. This option should not therefore be excluded from any tender, but I would be guided by BC

In respect of the Buckingham Road/Sherwood Drive junction I'm obviously pleased that the stops and shelters are retained. I agree with the comment about the bus stop on the north side in para 6.4.7 of the Hydrock Proof of Evidence dated 13/4/21. I'll leave others better qualified to comment on the loss of footway.

The additional queuing on Buckingham is of concern. Buckingham Road is part of the route of one of the key bus services in Milton Keynes (Arriva service 4) and it would not be advantageous to see journey times extended. Similarly, the additional queueing identified on other roundabouts will impact again on service 4 and also on a number of other local bus services and therefore the wider public transport network.

regards

Stuart Simmonds

Public Transport Technical Lead

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