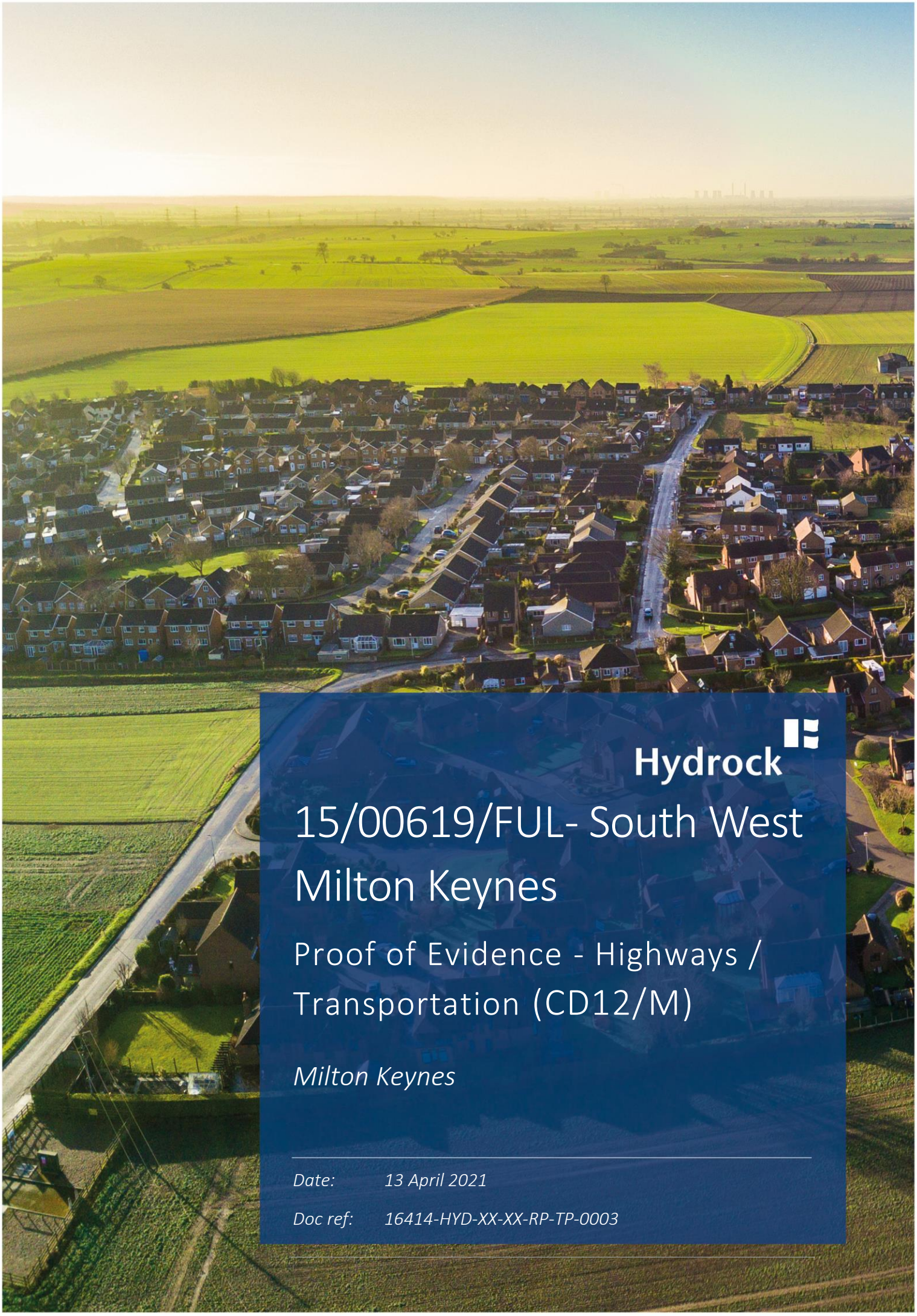

Hydrock

15/00619/FUL- South West Milton Keynes

Proof of Evidence - Highways / Transportation (CD12/M)

Milton Keynes

Date: *13 April 2021*

Doc ref: *16414-HYD-XX-XX-RP-TP-0003*

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1. INTRODUCTION

1.1 Qualifications and Experience

1.1.1 My name is James McKechnie. I am a Chartered Member of the Chartered Institute of Logistics and Transportation (CILT) and a Fellow of the Chartered Institution of Highways and Transportation (CIHT), which is the highest grade of membership of that institution. I have a BA (Hons) degree in Geography and a Post Graduate Diploma in Transport Planning and Highway Engineering.

1.1.2 I have twenty-four years' experience in planning related disciplines, of which the most recent twenty years has been in the highways and transportation consultancy field. This has provided me with extensive experience of transportation / development planning and development management matters, having provided advice in both private and public sector roles during this time, and as a member of a national Design Review Panel.

1.1.3 I am the national Transportation Divisional Director with Hydrock Consultants Ltd, prior to which I was an Associate and then Technical Director with the company. I have been employed by Hydrock since 2010, before which I was the Associate Director leading AECOM's Transportation Development Planning teams in the south west of England, also managing the Highways Agency's Area 1 Spatial Planning Framework (development management) contract during this time.

1.1.4 Before joining AECOM, I was Senior Transport Planner at Torbay Council, with responsibility for Highways development management matters, accessibility, sustainability, cycling, Local Plan and Local Transport Plan policy formulation. Prior to this I worked for the engineering consultant Parsons Brinckerhoff as transport advisor to Devon County Council, Torbay Council and the Highways Agency.

1.1.5 I have advised private and public sector organisations in relation to the highway impacts of a significant number and range of development proposals throughout England and Wales. These include a large number of planning applications for new homes, mixed-use, educational, energy, commercial and logistics schemes. I acted as Project Director on the Hinckley National Railfreight Interchange scheme in Leicestershire, and I am the retained Highways consultant for the Local Planning Authority responsible for delivering the Hinkley Point C nuclear new build in Somerset - both of these are Nationally Significant Infrastructure Projects (NSIPs). I am a committee member of the CIHT, as well as sitting on Highways England's Sustainable Development Steering Group, which is the national liaison panel between Highways England and the development sector.

1.1.6 My experience includes successfully representing clients at Public Inquiries including Land North of Marnel Park, Basingstoke; Isle of Portland Aldridge Academy; Route 39 Academy; and CPO Inquiries relating to the Midlands Metro and the extension of Manchester Piccadilly railway station. Alongside the above, my experience includes a range of other Inquiries, Hearings and Written Representations appeals.

1.1.7 Additionally, I have represented clients at numerous Local Plan and, previously, Structure Plan, Examinations; and on a variety of Strategic Housing Land Availability Assessment (SHLAA) panels.

1.1.8 I provide this evidence on behalf of Milton Keynes Council, 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.

1.2 Preface

1.2.1 My Proof of Evidence[1] has been prepared on behalf of Milton Keynes Council (MKC) in relation to a planning appeal against MKC's refusal to grant planning permission for application 15/00169/FUL - an outline planning application for physical improvements to the Bottledump roundabouts and a new access onto the A421 (priority left in only) to accommodate the development of land in Aylesbury Vale District.

1.2.2 This document supersedes my earlier Proof of Evidence, dated 15th September 2020[2].

1.2.3 In this proof, I have reviewed the Council's decision to refuse to grant planning permission in the context of the Transport Assessment[3] (TA) which was current at the time of determination, the appellant's 2020 TA[4] and Travel Plan[5] (TP), Transport Response Notes (TRN) 1[6] & 2[7], and in relation to WSP's January 2021 submissions including TRN3[8]. I have reviewed the proposed access arrangements into the site, as well as the junction mitigation works proposed in TRN3[8]. Finally, I have drawn conclusions in the context of applicable national and local policy.

1.2.4 MKC is the Local Planning Authority (LPA) and Local Highway Authority (LHA) in relation to the scope of my Proof of Evidence. This being a cross-boundary matter, Buckinghamshire Council (BC) is the adjacent LPA and LHA and, as would be expected, I have had regular meetings with that authority in relation to its position on this matter.

1.2.5 I have also had meetings and frequent correspondence with WSP who are acting for the Appellant, and with Iceni Projects who are acting for the Rule 6 party Newton Longville Parish Council & West Bletchley Town Council.

1.2.6 I have worked with the Appellant, BC and Iceni Projects to provide the Inquiry with Statements of Common Ground (SoCG). In relation to the Appellant and Iceni Projects, SoCG between those parties and MKC were provided on 31st March 2021 as requested by the Inspector (reference CD19/C and CD19/D respectively).

1.2.7 In relation to BC, discussions between the parties led to the drafting of a SoCG which was ultimately superseded by the production of an agreed email note to the Inspector (dated 31st March 2021)[9] stating that it was not possible at that time to produce a meaningful SoCG between BC and MKC given that BC was still assessing the Appellant's technical submissions and had yet to reach a conclusion on that exercise. It remains the intention of MKC to enter into a comprehensive SoCG with BC when it is possible to do so.

1.3 The Council's Decision Notice

1.3.1 MKC's Decision Notice dated 15th November 2019 sets out a single Reason for Refusal (RfR):

[1] CD12/N
[2] CD12/M
[3] CD2/E*
[4] CD10/H/A
[5] CD10/H/B
[6] CD16/A
[7] CD16/B
[8] CD16/C
[9] CD19/G

'That in the opinion of the Local Planning Authority there is insufficient evidence to mitigate the harm of this development in terms of increased traffic flow and impact on the highway and Grid Road network, with specific reference to Standing Way and Buckingham Road, thus this will be in contravention of Policies CT1 and CT2 (A1) of Plan:MK.'

1.3.2 Subsequent to determination of the application, pre-application discussions were held with the appellant in anticipation of a further planning application, leading to the production of the 2020 TA[10]. See Appendix G for the Statement on Highways Matters by Mr Weeks, who provided comments on the scope of the 2020 TA10[10] on behalf of MKC.

1.3.3 The 2020 TA was subsequently used by the appellant as the initial evidential basis for the Public Inquiry. Whilst it has been described by the appellant as an 'updated TA', that 2020 TA[10] was in fact a completely new analysis based on new data and a wholly-different approach. The 2020 TA[10]was the focus of my earlier Proof of Evidence[11] (16414-HYD-XX-XX-RP-TP-0003-P02).

1.3.4 In the interim, the appellant produced further evidence which, in relation to the MKC highway network, includes the following principal documents:

- September 2020
  - » Transport Response Note 1 (TRN1) (CD16/A) - 78 pages plus extensive appendices
- December 2020
  - » Transport Response Note 2 (TRN2) (CD16/B)
- January 2021 documents:
  - » Transport Response Note 3 (TRN3) (CD16/C)
  - » Road Safety Audit (RSA) Brief for junctions within BC (CD16/D)
  - » RSA Brief for junctions within MKC (CD16/D)
  - » RSA and Designer's Response (DR) for junctions within MKC
  - » An Addendum Environmental Statement (ES) Chapters 10, 11 and 12, covering traffic and transport, air quality, and noise and vibration (CD17/C)

1.3.5 As set out in MKC's letter[12] to the Planning Inspectorate (PINS) (September 2020), the appellant's extensive new transport evidence also includes:

- February Traffic Surveys Technical Note (Appendix MJP10 of Mr Paddle's earlier proof)
- Model calibration Technical Note (Appendix MJP11 of Mr Paddle's earlier proof)
- Appendix MJP12 of Mr Paddle's earlier proof, which is a Technical Note of more than 200 pages, including alternative proposals for Tattenhoe Roundabout (now superseded by TRN3[13])

1.3.6 Given the volume of evidence, much of which is now superseded, the appellant has provided a Signposting Guidance Document setting out which elements remain current[14].

1.3.7 It is important to note that the proposals on appeal are for highway works that seek to facilitate access to the overall development which is not within Milton Keynes, being the subject of a separate planning

[10] CD10/H/A
[11] CD12/M
[12] CD12/Q
[13] CD16/C
[14] CD16/E

application - Ref 15/00314/AOP - dealt with by BC. My evidence focusses only on matters within the administrative area of MKC.

1.4 Liaison with the Appellant

1.4.1 As noted previously, I have had regular meetings and correspondence with WSP, who act on behalf of the appellant. Meetings / correspondence between WSP and Hydrock have included:

- 22/7/20 – Raw traffic data requested from WSP (received 27/7/20)
- 22/7/20 & 12/8/20 & 14/8/20 – traffic distribution spreadsheets / model files / queue data requested by Hydrock (WSP provided on 28/8/20)
- 22/7/20 & 12/8/20 & 14/8/20 – assessment of traffic diversion requested by Hydrock (reiterated in subsequent dialogue) - i.e., technical analysis of the diversion of vehicles away from areas of congestion, which WSP states would occur in practice
- 23/7/20 - email from WSP confirming they were seeking client instructions on matters including the extent and impact of traffic diversion away from areas of congestion (Appendix A)
- 29/7/20 - WSP/Hydrock meeting (Minutes at Appendix B). Minutes paragraphs 1.3, 4.3 and 4.4 record the agreement that traffic would be likely to redistribute away from areas of congestion, and that WSP would consider a draft methodology to address the extent and impact of this redistribution.
- 18/8/20 – Hydrock/WSP virtual meeting - at which WSP confirmed that no additional modelling would be undertaken to indicate the scale, location and impact of traffic diversion (Minutes at Appendix C). Section 3 of the Minutes records further agreement that reassignment/diversion of trips would be likely; that this had been considered by WSP; that WSP had concluded that a strategic traffic model would be needed to assess this reassignment; and that the 2020 TA[15] included a methodology to test reassignment associated with the Shenley Park Sensitivity Test (without the use of a strategic model). Section 9 of the Minutes sets out the agreement between WSP and Hydrock that as many technical matters as possible should be resolved before the Inquiry, provided that WSP was able to provide the required technical evidence.
- 18/8/20 - MKC provided comments on draft highways SoCG (response from WSP 8/9/20)
- 21/8/20 & 7/9/20 – Road Safety Audits requested (WSP provided January 2021)
- 21/8/20 – Hydrock requested confirmation of assessment of exit blocking in Buckingham Road access model (superseded by January 2021 modelling)
- 7/9/20 – Hydrock noted issues with modelling of Tattenhoe Roundabout / blocking of Buckingham Road access / requirement for additional detail of A421 access / walk & cycle isochrones misplaced / lack of clarity re accident mitigation / detail of s106 financial contributions & methodology.
- 14/9/20 – Hydrock / WSP meeting
- 11/9/20, 15/9/20 & 30/9/20 – further MKC comments on draft SoCG
- 30/9/20 & 16/10/20 – clarification requested on traffic distribution, s106/costings/CIL compliance.
- 2/10/20 – Hydrock queried typographic errors in MJP10.
- 6/10/20 – based on clarifications from WSP, Hydrock approved the traffic data used by WSP and provided updated SoCG.

[15] CD10/H/A

- 6/10/20 & 15/10/20 – Hydrock again requested details of the s106 and costings.
- 6/10/20 - WSP provided (now superseded) Draft SoCG (Appendix D) stating their then-current view that 'In the absence of a strategic model, the potential for the reassignment of trips is unknown'.
- 15/10/20 – Hydrock raised issues with latest modelling of Tattenhoe Roundabout – model and scheme drawing did not match / saturation flow queries / internal links would block - issue persists in latest WSP submissions
- 16/10/20 – Hydrock provided comments on draft s106 / request for phasing assessments to support proposed triggers
- 19/10/20 – Hydrock queried Bottledump roundabout modelling (no westbound traffic in WSP model)
- 19/10/20 – Hydrock queried mismatch between model and scheme drawing of Sherwood Drive / Water Eaton junction and reiterated requirement for revised modelling of Tattenhoe & Bottledump roundabouts
- 20/10/20 – Hydrock comments on RSA Audit Team CVs (approved 21/10/20)
- 20/10/20 – Hydrock comments on revised WSP drawing & model of Sherwood Drive / Water Eaton junction – model still does not match drawing; also, Hydrock tracking of Tattenhoe Roundabout provided, showing conflicts for HGVs due to lane widths (issue persists in latest WSP submissions)
- 2/11/20 (followed up 18/11/20) – Hydrock note in advance of meeting with WSP: details still awaited regarding A421 access, Bottledump Roundabout, Tattenhoe Roundabout, Sherwood Drive/Water Eaton junction, RSA Audit Brief, mitigation (s106) costings, mitigation phasing, traffic redistribution, alternative uses of s106 monies
- 3/11/20 - WSP comments on Hydrock email of 2/11/20 (Appendix E). Item #9 reaffirms the shared view that reassignment of traffic across the wider network could occur.
- 19/11/20 – Hydrock asked WSP for Tattenhoe and Bottledump models which had been sent to Buckinghamshire Council but not MKC
- 12/3/21 & 23/3/21 – Hydrock requested costings (and trigger assessment) for mitigation works and provided potential dates for a meeting with WSP
- 23/3/21 – WSP / Hydrock / Carter Jonas meeting. The agreed Minutes (Appendix F) of which record matters including:
  - WSP's will review proposed cycling provision in line with Department for Transport Circular 1/20.
  - 8a - WSP's view that the only way to assess traffic re-routing is via the use of a strategic traffic model, stating that the Milton Keynes Multi Modal Model (MKMMM) is a suitable evidence base for that purpose.
  - 12 & 15 – WSP had previously looked at how they might predict redistribution & that a strategic model would be needed to do so. WSP considered, and discarded, the use of a microsimulation model.
  - 14 - WSP's view that the MKMMM, which has not been used by WSP, provides suitable evidence for MKC to make a judgement on traffic redistribution.
- 26/3/21 – Hydrock provided comments on WSP note of meeting on 23/3/21 and also on draft SoCG.

- 26/3/21 – 'Signposting Guidance' document provided by WSP (not previously seen by MKC).
- 1/4/21 - WSP email to PINS containing latest Draft SoCG with MKC[16]. Line 1 of the table to the rear of the document confirms WSP's view that the MKMMM contains only a cumulative, as opposed to site-specific, impact assessment of traffic redistribution across the wider highway network - a point reiterated at line 11 of the same table.

1.4.2 Given the extensive and regular dialogue set out above, it is disappointing that there have been significant delays in the provision of information, and that some comments made by MKC remain unaddressed in WSP's latest submissions. It is of particular note that the evidence submitted to the Inquiry is focussed on the comments of BC, and makes little or no reference to the proactive input of Hydrock on MKC's behalf.

1.4.3 Paragraph 35 of the draft Highways Statement of Common Ground (SoCG) between WSP and MKC[16] states that:

'It is agreed that Hydrock (for MKC) has raised a range of technical points in relation to the appeal documents in discussion, and WSP has sought to respond to a number of these subsequent to the submission of the appeal.'

1.4.4 Item 3 of the table at the rear of the draft SoCG[16] relates to the TRNs[17]. WSP confirms that:

'TRN 1,2 and 3 respond to comments raised by BC. Whilst MKC has made requests for additional information, the Appellant has yet to receive any detailed response on either the Updated TA or the TRNs.'

1.4.5 Given the extensive discussions to-date and my earlier Proof of Evidence[18] it is clear that MKC has in fact provided substantial input in respect of the appellants evidence base during the appeal process. It is disappointing that WSP acknowledges that whilst it has provided a response to comments by BC, it accepts that it has made no comprehensive response to matters raised by MKC, including in my earlier Proof of Evidence[18] which addressed matters relating to the 2020 TA[19].

[16] CD19/C
[17] CD16/A, CD16/B, CD16/C
[18] CD12/M
[19] CD10/H/A

2. PREVIOUS TRANSPORT ASSESSMENTS

2.1 Background

2.1.1 The appellant has previously presented two relevant Transport Assessments (TAs), one in support of the planning application and another as part of its appeal submissions (the 2020 TA[20], now superseded in a large part by TRN1-3)[21]. The Council's case refers firstly to the earlier TA[22] (2016) as that is the document upon which Members based their decision to refuse to grant planning consent.

2.1.2 In the interests of moving the appeal forward and focussing on the latest evidence, the wording of the reason for refusal has now been considered by MKC in the context of the 2020 TA[20] (where it remains current) and TRN1-3[21].

2.1.3 Nevertheless, it is helpful to briefly consider the earlier TA[22] (2016) and the veracity of Members' decision-making in the context of that document.

2.2 Modelling

2.2.1 The development was assessed with reference to strategic traffic modelling by the Local Highway Authority and, most recently (in the 2020 TA[20] and subsequent TRNs[21]), without the use of those models.

2.2.2 The Milton Keynes Multi Modal Model (MKMMM) assesses the impact of Plan:MK development but does not include the proposed transport mitigation measures associated with the appeal site. Consequently, it presents an 'unmitigated' scenario, as is commonly the case for strategic models designed to assess the overall effect of development plan growth, and to inform (rather than include) the related mitigation. It is for the developers of individual sites to identify mitigation and to work with the authorities to agree its acceptability.

2.2.3 As part of their work prior to the 2020 TA[20], a high-level comparison of the model referenced in the 2016 TA[22] (Milton Keynes Transport Model - MKTM), the subsequent MKMMM and the adjacent (and overlapping) Buckinghamshire County Council (BCC) Countywide Model was made by the appellant's consultants[23] who reached the conclusion that these models 'correlate reasonably well'. However, that conclusion was erroneously reached on the assumption that a junction which is 'approaching capacity' in one model is actually operating much the same as in another model which shows it to be 'over capacity' and vice versa.

2.2.4 These are strategic models which cover a wide area, identifying the overall likely consequences of planned development. It is commonly understood that the use of such models can be more problematic at a localised scale, meaning that they cannot necessarily be taken at face value in assessing individual development impacts. Furthermore, the exact means by which development traffic is 'loaded' onto or exits from the network is generally necessarily a general representation and not reflective of actual access proposals.

[20] CD10/H/A
[21] CD16/A, CD16/B, CD16/C
[22] CD2/E*
[23] CD/3B

2.2.5 There is no detailed technical evidence which would demonstrate that the appellant's assertions about the purported comparability of the models being accurate and there is a gap in the assessment process (especially given that the MKMMM does not include proposed mitigation, meaning that the effects of those measures are untested in the model).

2.2.6 5.16 of the Appellant's Statement of Case[24] asserts that there was no policy basis or empirical evidence to support the refusal in 2019. As is evidenced in the subsequent text, the Council's decision to refuse the application subject of this appeal was properly based on a lack of sufficient evidence provided by the appellant at that stage.

2.2.7 Mouchel's TA[25] (August 2016) used the Milton Keynes Traffic Model (MKTM) to determine locations for assessment, with local traffic models (using MKTM flows) utilised to assess junction performance.

2.2.8 The MKTM has a base year of 2009, now 12 years ago and prior to both the 2011 and 2021 Census (data from which would now commonly be used to inform traffic distribution assumptions for example). A future (forecast) year model was produced, representing traffic conditions in 2026 inclusive of planned development growth locally.

2.2.9 Neither the MKTM baseline nor forecast year models quite meet Department for Transport (DfT) WebTAG requirements for stability, although they are close to meeting those requirements. The TA[25] reports that a few links in the vicinity of the appeal site were outside of DfT stability requirements.

2.2.10 Strategic models can usually only provide cues for detailed analysis of potential congestion hotspots. They are not generally of a fine enough grain to deal with the detailed impacts of individual developments, meaning that Transport Assessments using such models should contain cross-checks against observed flows. This does not appear to have happened at planning application stage, nor in the subsequent model comparison Technical Note 18[26], other than for junctions in Buckinghamshire where the Council raised concerns regarding model traffic forecasting[27] and in Bletchley.

2.2.11 The trip generation of the development was derived by Halcrow and was inputted to the MKTM. The model assesses 1,855 new homes and, taking these as an example, the resultant vehicle trip rates are 0.67 (trips per dwelling) in the AM peak hour and 0.54 in the PM peak hour. The TA[25] does not provide comparator evidence (from the industry-standard TRICS database for example) to allow verification of these trip rates.

2.2.12 The MKTM was used to distribute and assign trips to the network, albeit the reassignment of trips due to additional demand / queuing / delay was not represented in the TA[25] analyses. The TA[25] states that this represents a 'worst case'[28] but that is not necessarily so, as there may actually be diversion of existing trips to other locations which become impacted but have not been fully assessed.

2.2.13 Where local junction models have been produced, the TA[25] states that these were validated by reference to Google Traffic screenshots. That is not a commonly accepted methodology. The models should have been calibrated in line with the manufacturer's instructions, including the accurate reflection of geometric parameters and the interaction of opposing vehicles.

[24] CD19/H
[25] CD2/E*
[26] CD/3B
[27] CD2/E* paragraph 7.28.
[28] CD2/E* paragraph 7.36.

2.2.14 Paragraph 8.7 of the TA[29] states that no capacity assessment of the proposed A421 left-in-only access was undertaken as it is suggested that there would be no constraint on the main road as a consequence of the access arrangement. For a development of this scale and location it would be common practice to provide supporting evidence including, for example, a geometric review of the proposed diverge arrangement (against standards), and a modelled and/or first-principles assessment of the geometric delay (deceleration, cornering speeds and potential queuing) associated with the diverge lane and the bend into the site.

2.2.15 The TA[29] provides additional analyses of traffic flows in Bletchley, including a comparison of observed (surveyed) and modelled (MKTM) flows. Per-direction, there are flow differences of up to 27%, with the observed flows being higher than those in the model. This is stated to be within the daily variation in traffic, which is incorrect as the maximum observed daily variation on the link/flow in question is 14%.

2.2.16 In summary, the evidence before the Council at determination stage failed to adequately demonstrate the impact of the development and Members of MKC were correct to refuse to grant planning consent.

[29] CD2/E*

3. 2020 WSP SUBMISSIONS

3.1 Transport Assessment

3.1.1 The 2020 TA[30] adopted a different methodology from the previous iterations, stepping away from direct use of the Council's strategic traffic models and using a TRICS-based trip generation / spreadsheet distribution instead. As noted previously, the scoping discussions with WSP were on the understanding that the appellant was minded to submit a further planning application, rather than a planning appeal (which would usually be supported by a Proof of Evidence, as opposed to a new TA). Whilst the initial scope of the TA was agreed, that does not and cannot equate to the agreement of the eventual findings of that document, or exclude the requirement for further assessment work. This is confirmed by the statement of Mr Weeks who acted for the Council in relation to defining the scope of the 2020 TA (see Appendix G).

3.1.2 Given that the 2020 TA[30] and subsequent TRNs[31] follow a completely different methodology from the 2016 TA[32], the appellant evidently no longer supports the determination-stage TA, adding further weight to Members' decision to refuse planning consent.

3.1.3 Likewise, in agreeing to prepare the 2020 TA[30] using a different methodology, the appellant accepted the argument put forward by BC[33] that the Milton Keynes Multi Modal Model (MKMMM) would not be a suitable evidence base to support the new TA[30] / TRNs[31] - a stance which contradicts its subsequent statements that the MKMMM provides suitable evidence as to the redistribution of traffic which would result due to congestion relating to the proposed appeal development.

3.1.4 The 2020 TA[30] and subsequent TRN1-3[31] identify locations where significant queuing and delay are predicted, as described in detail in Section 6 of this proof of evidence. However, WSP argues that drivers would re-route to avoid those locations[34]. Whilst that may be the case, there is no further detailed assessment of where that re-routing would occur, or what its impacts might be.

3.1.5 Given WSP's view that the MKMMM provides sufficient information, there is no analysis of that model within the 2020 TA[30] or TRNs[31]. This renders the 2020 TA[30] and TRNs[31] insufficient as an evidence base to support a development of this scale and level of predicted impact. The appellant cannot argue that its evidence over-predicts traffic impacts in some locations (e.g. the A421) without providing evidence as to where drivers may re-route / what the impact of that re-routing would be. That insufficiency of evidence is contrary to the requirements of the NPPF[35], NPPG[36] and the EIA Regulations.[37]

3.1.6 During my initial meetings with WSP, acting for the appellant, it was agreed that WSP would draft a methodology for the assessment of such re-routing[38]; regrettably, at the meeting on 18th August 2020, WSP confirmed that it had no such instructions from its clients and would not be presenting this information[39].

[30] CD10/H/A
[31] CD16/A, CD16/B, CD16/C
[32] CD2/E*
[33] Point 8(a) of Appendix F
[34] For example, at paragraphs 8.3.25, 8.3.34, 8.3.46, 8.3.54, 8.3.62 of CD10/H/A
[35] Section 7.2 of this proof of evidence.
[36] Section 7.3 of this proof of evidence.
[37] Section 7.4 of this proof of evidence.
[38] Paragraph 1.4.1 of this proof of evidence.
[39] Paragraph 1.4.1 of this proof of evidence.

3.1.7 As can be seen from paragraph 1.4.1 of this proof, it was suggested by WSP that MKC ought to be able to come to a view as to the impact of the appeal development by reference to its strategic traffic models. However, that approach is wrong because:

- It is not the responsibility of the LHA/LPA to undertake such assessments on behalf of a planning applicant. This work would usually be undertaken by the developer's consultants, or by others with developer funding.
- In taking a different approach to the preparation of the 2020 TA[40] and subsequent TRNs[41], WSP accepted that the available MK strategic traffic models were not suited to the assessment of the impact of its development in any case.
- The MKMMM would require further work, funded by the appellant, in order to provide a development-specific assessment of traffic impacts across the wider highway network.
- Given the scale of impact which WSP predicts on key routes including the A419, the NPPF, NPPG and EIA Regulations require the provision of a comprehensive evidence base assessing the wider impacts of the appeal development. Even if MKC was currently able to come to a view as to the likely wider effects of the proposed development on traffic flow, which it cannot, the TA/TRNs and EIA would still need to address that in order to be complete.

3.1.8 Given that the 2020 TA[40] is superseded, at least in terms of its technical assessments, by TRN3[42], I do not dwell further upon it in this Proof of Evidence.

3.2 Travel Plan

3.2.1 The revised (2020) Framework Travel Plan[43] is an update of the 2016 document[44].

3.2.2 Table 7.1, now reflecting 2011 Census data, indicates an opening year residential motor vehicle mode share of 75%, with a targeted reduction to 63% after five years - a 16% reduction on baseline figures, equating to the removal of 119 motor vehicle trips.

3.2.3 Table 7.4 indicates a 16% motor vehicle reduction for employment uses over the same period. The TP[43] assumes that all education motor vehicle trips will be associated with other uses, with 24% of such trips being by car/van passengers. No modal shift targets are identified for education trips.

3.2.4 A Travel Plan Manager (TPM) would be appointed for a 12-month period, but there is no formal commitment as to how long the role would persist (a change from the earlier TP[44]).

3.2.5 Initial funding would mirror the period of appointment of the TPM, with subsequent funding requirements passing to the Travel Plan Co-ordinators of elements of the appeal site (no specific funding identified at this stage).

3.2.6 I consider that the TP[43] has some potential to create modal shift away from private motor vehicles, but am concerned that there are insufficient specific commitments in relation to its implementation.

3.2.7 Furthermore, the trip rates (from TRICS) used in the 2020 TA[40] and subsequent TRNs1-3[41] refer to sites which, in many cases, already have Travel Plans. Consequently, one cannot simply apply a further

[40] CD10/H/A
[41] CD16/A, CD16/B, CD16/C
[42] CD16/C
[43] CD10/H/B
[44] CD2/E*

'Travel Plan reduction' to those trip rates, bringing into question the validity of the 'sensitivity test' which WSP has presented to test the potential effect of the TP[43].

3.2.8 On this basis, and due to my previously-stated concerns regarding the TP[43], which offers no greater level of measures than would generally be expected from such a document, I place no reliance on the 'Travel Plan' modelling scenario. My view is consistent with that of MKC at scoping stage for the 2020 TA.

4. AMENDED APPLICATION

4.1.1 I understand that the current (undetermined) amended proposals put to BC relating to matters in the BC administrative area and application 15/0034/AOP include:

- Changes in standards of climate change resilience requiring a modified drainage strategy that impacts on the current scheme parameters;
- The oil pipeline that crosses the site has been found to be located further to the west than the record plans which informed the current masterplan / parameter plans;
- Draft policy H6 of the VALP, as proposed to be modified, requires provision to be made for elderly person accommodation within schemes of the scale proposed here, so the application has been amended to include 60 elderly care units (within Use Class C3) within the total quantum of development.

4.1.2 These amendments are currently under review by BC and MKC under the cross-boundary consultation process. BC does not currently have a resolution on these changes from its planning committee, and the determination of the application will follow the Public Inquiry for the MKC application.

4.1.3 The amended application is supported by the same technical evidence as submitted in respect of the appeal. It follows that the issues raised in this proof of evidence are equally relevant to the revised application and have been raised with the applicant as part of MKC's consultation responses to BC.

5. POINTS OF ACCESS

5.1.1 Three vehicular accesses are proposed (and described in paragraphs 4.3.16 to 4.3.35 of the 2020 TA[45]:

- a left-in (only) junction on A421 Standing Way;
- a four-arm roundabout on Buckingham Road; and
- a priority-junction on Whaddon Road.

5.1.2 These are discussed in turn below.

5.2 A421 left-in only junction

5.2.1 The latest junction capacity assessments are contained within TRN3[46], however the appellant has provided no capacity assessment of the A421 access. For a development of this scale, it would be common practice to provide evidence that the proposed new junction would accord with relevant geometric design criteria, and that it would not cause operational or practical problems along Standing Way - e.g. in relation to weaving movements and in terms of interaction with the nearby layby.

5.2.2 I note that this junction was originally designed as a left-in-left-out arrangement[47], but that the exit was removed from the proposals due to Road Safety Auditors' concerns regarding increased vehicle weaving between lanes on this section of the A421. Whilst the exit is no longer proposed, the TA[45] provides no assessment of the suitability of the residual weaving length between Tattenhoe roundabout and the proposed access.

5.2.3 The junction arrangement (Appendix O of CD10/H/A) appears to have been designed on Ordnance Survey (OS) base mapping, rather than on topographical survey, and provides no indication of carriageway widths - these would generally be provided at planning stage.

[45] CD10/H/A
[46] CD16/C
[47] Previous Proof of Evidence of Martin J Paddle, paragraph 4.38.

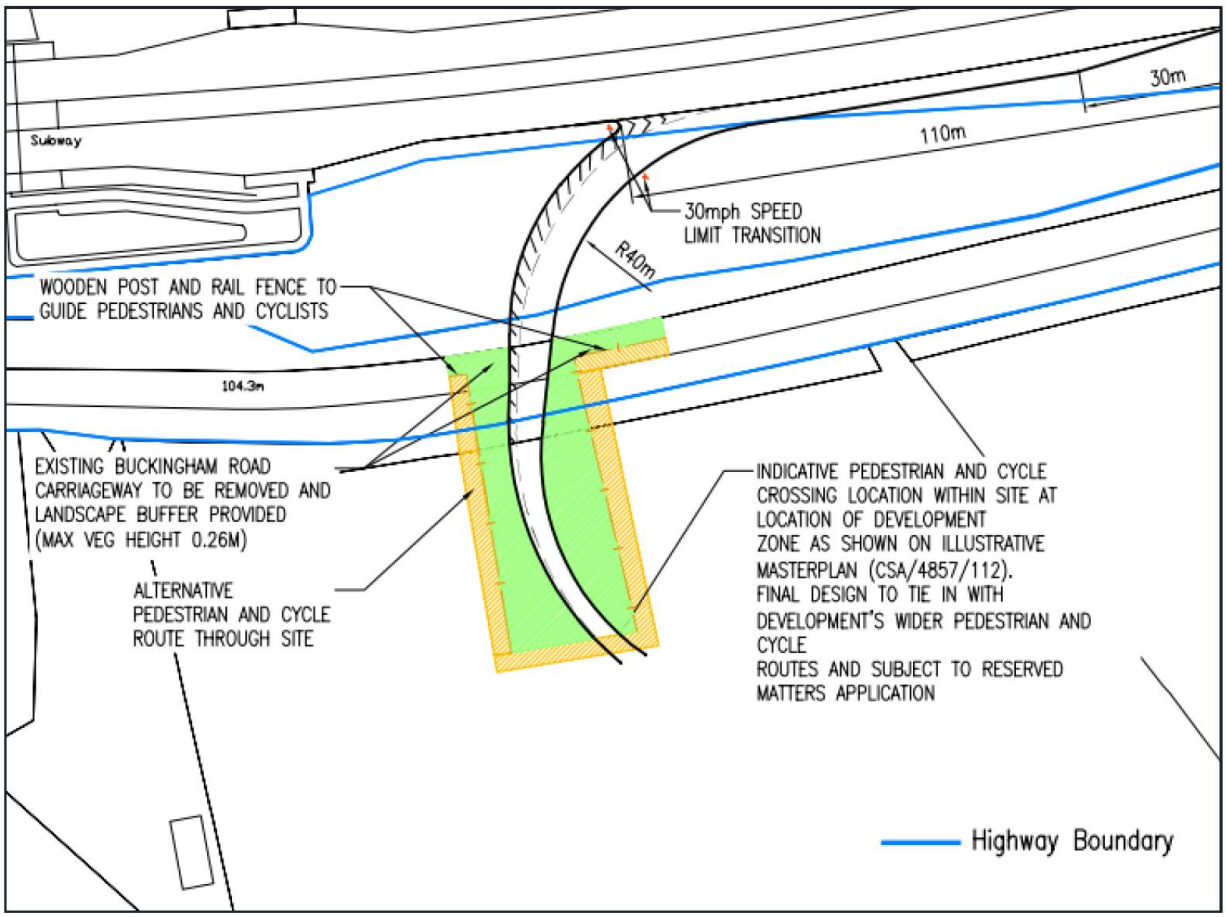

Figure 5.1: Proposed A421 left-in access (Taken from MJP Proof[48])

5.2.4 I have raised these concerns with WSP, including my further concern that the proposed pedestrian/cycle route shown in Figure 5.1 takes users off of their desire line and, in practice, pedestrians in particular would be likely to cross the proposed post and rail fence and walk across the new access on the alignment of the existing route (without proper crossing provision or visibility splays)[49].

5.2.5 Given that access is not a reserved matter, I cannot accept the access design as presented; neither do I accept that details of the proposed pedestrian/cycle crossing point (currently shown on a diagonal across the carriageway) are for reserved matters stage.

5.2.6 Consequently, I am of the view that this access arrangement lacks detail in its design; is out of step with the relevant design guidance; would increase the weaving of vehicles between Tattenhoe Roundabout and the access; would likely lead to deceleration on the A421 mainline by vehicles entering the site, as a consequence of its geometry; and does not make suitable provision for pedestrians and cyclists.

5.2.7 In our discussions, WSP has agreed to review the cycle provision at and around this access in light of the current design guidance set out in LTN 1/20[50]. At present, the access design in WSP's evidence to the Inquiry does not comply with current design guidance and, on that basis, is under review by the appellant in relation to the live planning application for the wider development.

[48] Figure 4.3 taken from 'SOUTH WEST MILTON KEYNES: Proof of evidence of Martin J Paddle' 15/09/2020
[49] Minutes of meeting between WSP and Hydrock, 23rd March 2021 (Appendix F)
[50] CD13/E

5.3 Buckingham Road Access

5.3.1 The Buckingham Road (B4034) access would comprise of a 44m ICD (Inscribed Circular Diameter) roundabout with single-lane approaches and exits. Whilst it is appreciated that the roundabout itself sits within the body of the site and is within the BC area, I have assessed it on the basis that it ties-in to Buckingham Road which is part of the MKC network, and is just 20m from the current alignment of Buckingham Road - it has a direct effect on the performance of the highway within the MKC area.

5.3.2 The proposed roundabout would be located 250m from Tattenhoe Roundabout and 270m from the junction of Buckingham Road / Weasel Lane, the latter being a Public Bridleway and part of the National Cycle Network.

5.3.3 A new Toucan crossing is proposed to the west of the roundabout, connecting with existing pedestrian/cycle facilities to the north. However, the arrangement appears somewhat unresolved in relation to its impact on the existing access to the lane south of Buckingham Road, part of which is proposed to be converted to foot/cycleway. In order to protect the operation of that existing access, it would seem more appropriate for the crossing to be moved slightly to the east.

5.3.4 In our discussions, WSP has agreed to review the cycle provision at and around this access in light of the current design guidance set out in LTN 1/20[51].

5.3.5 The roundabout design has an impact on visibility from and onto vehicles emerging from New Leys, which is an existing property to the east of the proposed roundabout. No assessment appears to have been made in respect of this matter and the design indicates no protection of areas required for visibility in general.

5.3.6 As with the A421 access, the design appears to have been prepared on OS base mapping and without any indication of intended carriageway widths, which would usually be required at planning stage. Consequently, the geometry of the scheme has not been confirmed in terms of the intended carriageway widths and their relationship to existing features.

5.3.7 In summary, the appellant is reviewing the proposed layout which is before the Inquiry on the basis of the recent design guidance set out in LTN1/20[51], the current design does not provide sufficient information regarding visibility at and around the proposed junction, nor does the design include the required level of information in relation to geometry. Because of this, it would appear that there may be changes to the scheme as part of the live planning application for the main part of the development (in the BC area), which cannot now be addressed through the Inquiry process[52].

[51] CD13/E

[52] Given the extensive new evidence already provided by the appellant, and the resultant stipulation by PINS that no further evidence can now be submitted.

6. TRANSPORT RESPONSE NOTE 3 (TRN3)

6.1 Overview

6.1.1 Given the discussions between the appellant and MKC on technical matters pertaining to previous WSP submissions, it is surprising that the introduction to TRN3[53] makes no reference at all to these communications, referring only to discussions between WSP and BC.

6.1.2 This sadly reflects what would appear to be a focus by the appellant on addressing BC concerns in relation to the live BC planning application, as opposed to providing timely and comprehensive responses in respect of matters relating to the MKC appeal.

6.2 MKC Plan:MK Modelling

6.2.1 MKC commissioned AECOM to model the impacts of Plan:MK growth[54] using SATURN and EMME software. That work did not extend to the identification of mitigation schemes where these would be required.

6.2.2 Furthermore, the Inspector's Final Report on the Plan:MK Examination[55] notes that it was reasonable that cross-boundary growth had not been included within existing traffic models, and could be added at subsequent plan reviews[56]. The Inspector makes it clear that site-specific mitigation would need to be developed in line with the MK Mobility Strategy[57].

6.2.3 AECOM's modelling forecasts widespread congestion and delay across the highway network, with hotspots including Emerson Roundabout and Tattenhoe Roundabout. However, AECOM states that 'the model was not designed for use in a scheme specific assessment. For such an assessment it is recommended a revised forecast model would be produced from a recalibrated base year model using additional and more recent data and targeted to reflect a more specific geographical focus of resources and modelling effort'[58]

6.2.4 WSP has noted the lack of identified mitigation schemes within the Plan:MK modelling[59]; however, the text above makes it clear that the identification of such mitigation would be required at plan review and development specific stages (e.g., as part of the SWMK Transport Assessment).

6.2.5 AECOM's conclusion that the model is not suitable for scheme-specific assessments without significant additional work fundamentally undermines suggestions by WSP that MKC ought to refer to the MKMMM in order to take a view on the likely redistribution of traffic as a consequence of the appeal site.

6.2.6 It is not for MKC to have to undertake that additional modelling work on behalf of the developer, whereas the appellant could have instructed AECOM to progress a scheme-specific assessment (it did not do so because it did not accept the validity of the model, for the reasons set out previously). Alternatively, WSP could have produced its own modelling which would be capable of assessing

[53] CD16/C
[54] Milton Keynes Multi Modal Model - Impacts of Plan:MK, November 2017
[55] CD12/T
[56] CD12/T Para 15
[57] CD12/T Para 181
[58] CD12/B: Para 1.9.1
[59] E.g., TRN3 4.2.15

redistribution across the wider network - e.g., using microsimulation modelling[60]. As set out in paragraph 1.4.1 of this proof, MKC has repeatedly requested WSP to undertake the work required to provide a comprehensive assessment of the extent and effect of traffic redistribution across the network.

6.3 Junction Model Updates

6.3.1 Hydrock has undertaken a comprehensive review of models submitted by WSP for junctions within the MKC area, as follows:

- Junction 1: Buckingham Road/Water Eaton Road (Base and Mitigation)
- Junction 2: Buckingham Road/Shenley Road/Newton Road (Base and Mitigation)
- Junction 5: Tattenhoe Roundabout (Base and Mitigation)
- Junction 6: Bottledump Roundabout (Base and Mitigation)
- Junction 12: Kingsmead Roundabout (Base and Mitigation)
- Junction 13: Westcroft Roundabout (Base only)
- Junction 14: Furzton Roundabout (Base and Mitigation)
- Junction 15: Bleak Hall Roundabout (Base and Mitigation)
- Junction 16: Elfield Park Roundabout (Base and Mitigation)
- Junction 17: Emerson Roundabout (Base and Mitigation)

6.3.2 All of the above junctions, except the mitigation proposed at Junction 5: Tattenhoe Roundabout, have been modelled by WSP in the Junctions 9 ARCADY software package, with the results presented in TRN3[61]. The following modelling elements have been reviewed as part of the audit of the Junctions 9 models:

- Model Geometry
- Vehicle Inputs
- Calibration and Validation
- Adjustments
- Lane simulation
- Lane Usage

6.3.3 I am content with the way in which the above junctions have been modelled, with the exception of Junction 5: Tattenhoe Roundabout and Junction 6: Bottledump Roundabout. Consequently, I have relied upon WSP's modelling of all junctions other than #5 and #6 in the subsequent sections of this proof of evidence.

[60] WSP's website confirms that ' We use the latest transport modelling software and GIS interfaces to construct comprehensive integrated transportation models at local, regional and national levels, displaying them in a single user-friendly environment. We also have the expertise to carry out individual and area-wide intersection assessments using micro-simulation techniques, and to develop complex network models to support regional clients. We model all modes of transportation – pedestrians, vehicles, transit, freight – in order to optimise operational and design solutions.' (https://www.wsp.com/en-GB/services/transport-planning)

[61] CD16/C

6.3.4 Regarding Junction 6: Bottledump Roundabout, it appears that lane simulation has been used to model the entry to the junction with no flare ('widening on approach') which, given that the approach to the roundabout has a clear flare, is inconsistent with the mitigation drawings that have been provided.

6.3.5 TRN3[62] does not explain why lane simulation has been used in this way. The lane simulation feature within the model is primarily used to assess junctions where there is unequal lane usage (i.e., a higher proportion of vehicles in one lane than another), whereas in this case the percentage of vehicles using each lane has not been altered from the 50/50 default.

6.3.6 This removal of the flare effectively undermines the entry capacity formula by approximately 300 vehicles per hour (vph). There is consequently no robust model with which one can take a view as to the likely operation of the junction.

6.3.7 The mitigation at Junction 5: Tattenhoe Roundabout includes the signalisation of the junction, which has been modelled in LinSig V3. The following modelling elements have been reviewed as part of Hydrock's audit:

- Scenario
- Network Layout
- Lane Data (excluding exit bottlenecks)
- Lane Data (exit bottlenecks only)
- Storage in Front of Stopline
- Multi-Lanes
- RR67 Sat Flow Input Data
- Connector Data
- Controller Data
- Phase Data
- Phase Intergreens
- Give-Way Behaviour
- Stage Data
- Prohibited Stage Changes
- Phase Delays
- Stage Sequence Data
- Cycle Times
- Stage & Interstage Timings
- Phase Timings
- Lane Timing Adjustments
- Flow Group Data
- Lane-Based Flow Layer Definitions (if applicable)
- Lane-Based Flows

[62] CD16/C

- Lane-Based Flow Inconsistencies (if applicable)
- OD Flows
- Route Flows
- Turning Counts
- Zone Totals
- Lane Optimiser Weightings
- Model Results (excluding exit bottlenecks)
- Advanced Lane Parameters

6.3.8 There is a fundamental flaw with the model construction, concerning the length of the carriageway 'links' between the stop-lines on the roundabout and their resulting capacity. This has previously been discussed with the appellant, and WSP has therefore provided an explanation at TRN3[63] paragraphs 5.2.11 and 5.2.12.

6.3.9 WSP implies that, as the longest Uniform Queue (UQ) at this location is 3.1 PCU (Passenger Car Units) before the lights turn green, this does not present an issue (Table 5.5 within TRN3[63]).

6.3.10 3 PCU equates to approximately 17m of queuing from the stop line, and a corresponding stacking ('queuing') capacity of 16-20m has been provided. However, a fluctuation of one additional vehicle in the queue could cause blocking of the junction exits.

6.3.11 LinSig models queue lengths in three components, of which UQ is one. The Mean Max Queue (MMQ) is an average of those three components, and provides a more realistic indication incorporating measures of additional queuing ('random and oversaturated queues'). Lanes 1 and 2 on the west gyratory have a MMQ of 6.3 and 6.7 respectively, which would require in excess of 34m of queuing space (compared with the 16-20m available).

6.3.12 Similarly, an articulated HGV stopped at the lights would completely or partially block the exits of the roundabout as shown below:

[63] CD16/C

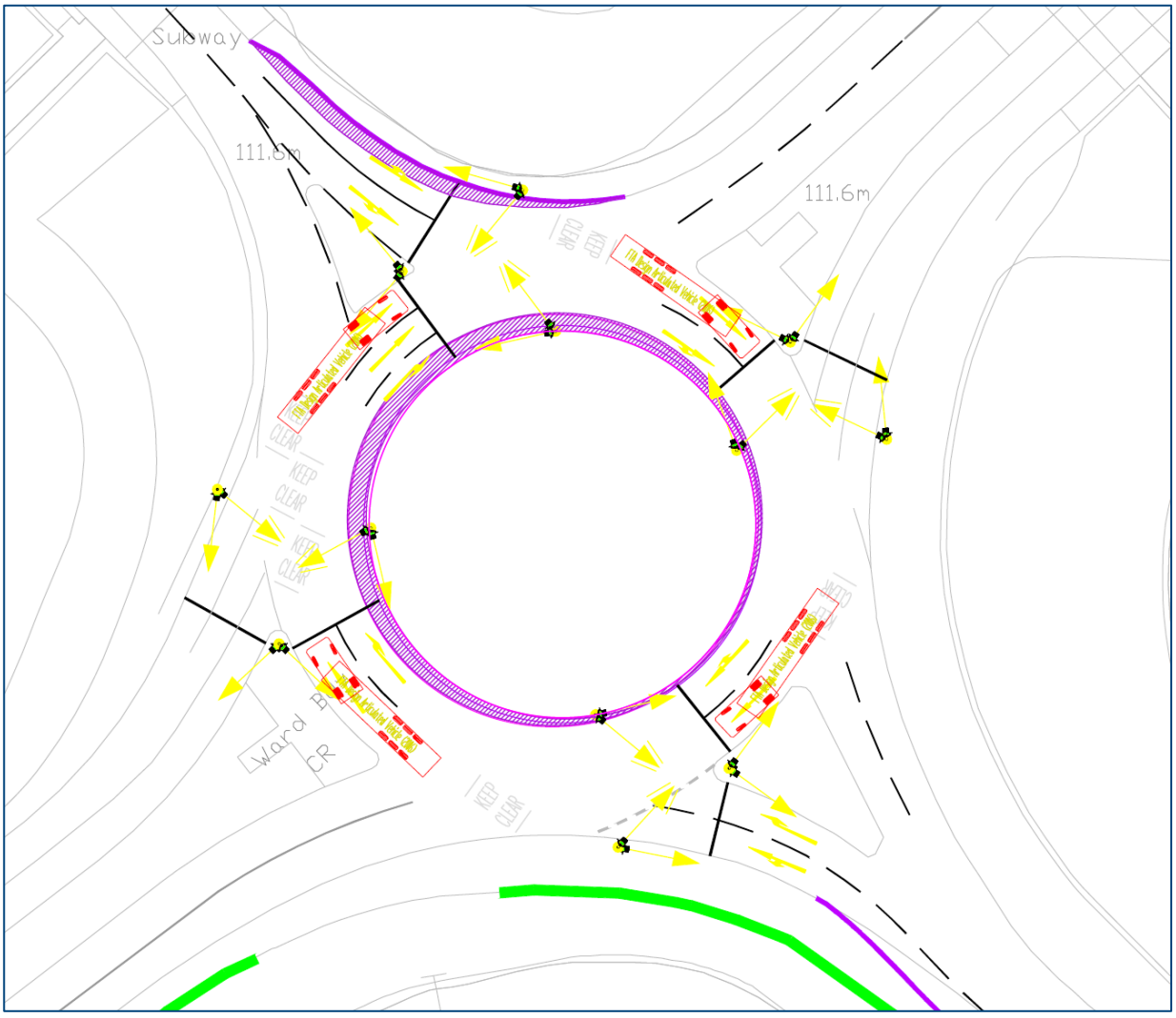

Figure 6.1: Roundabout exits blocked by HGVs

6.3.13 Furthermore, Keep Clear markings have been proposed to mitigate against this potential blocking back. Given that the junction is signalised and would be congested at busy periods, it is unlikely that these markings would be observed by drivers and they are not enforceable.

6.3.14 Keep Clear markings are not commonly used at roundabouts and the Traffic Signs Manual (6.9.2) (extract at Appendix H) states:

'Although the Directions do not prohibit the use of the "KEEP CLEAR" marking (diagram 1026, S11-4-16) on roundabouts, there are still the potential problems of obscuration of sight lines and re-establishing priorities. These risks should be assessed carefully when considering whether the marking might help resolve problems caused by exit blocking.'

6.3.15 By contrast, yellow box markings are enforceable, increasing compliance. However, there must be full time signal control on the roundabout entry where they are to be used. The Traffic Signs Manual (extract at Appendix H) explains that (6.9.1):

'This is because a circulating vehicle has priority over those entering. If it stops to avoid obstructing the box when its exit is blocked, thereby releasing the flow of entering vehicles, there is likely to be uncertainty over re-establishing right of way when the exit is clear again. Moreover, a vehicle stopped in

an outer lane might obscure vehicles lawfully continuing to circulate on the inner lanes (whose exit might not be blocked) from the view of drivers entering the roundabout. Yellow box markings must not be used where part time signals are in operation.'

6.3.16 In this case, the appellant proposes part-time (peak-hour) signalisation of the junction, which is incompatible with yellow box markings.

6.3.17 Even if yellow box markings were to be introduced, the gyratory lane lengths in the model would still need to be updated so that vehicles could not extend back onto these markings - this would reduce the stacking capacity of 16-20m to c.10m, sufficient for 1-2 PCUs, below both the UQ and MMQ measurements.

6.3.18 If these modelling issues are resolved, the results of the model would likely demonstrate that the mitigation proposed is insufficient to fully mitigate the development proposals in highway capacity and safety terms.

6.4 Mitigation Proposals

6.4.1 There is a general problem with many of the junction drawings provided by the appellant, which appear to be plans to inform modelling assessments, more than the type of General Arrangement plans required at planning stage. The plans lack details in relation to geometry, visibility, signage and other important matters which need to be confirmed before the granting of any planning consent[64].

6.4.2 At present, the pack of proposed mitigation drawings lacks the level of detail that would be required for the works to be conditioned. They are also based on Ordnance Survey (OS) mapping[65] which needs to be qualified with on-site measurements or, preferably, topographical survey given the nature of some of the issues which have been identified.

6.4.3 Junction 1: Buckingham Road/Sherwood Drive/Water Eaton Roundabout

6.4.4 By contrast with the scheme shown in the 2020 TA[66] (signalised crossroads[67]), at 5.2.1 in TRN3[68] it is now proposed that the existing roundabout is retained and that a scheme[69] is implemented which involves footway narrowing around the roundabout in order to provide additional carriageway area.

6.4.5 On Sherwood Drive, it is proposed to remove much of the verge between the carriageway and footway. Street lighting columns are currently present within this area and it is unlikely that they can be retained/re-provided within the limited area of verge that would remain. The footway would therefore need to be moved to the west in order for street lighting to be retained.

[64] MKC's Local Validation list (https://www.milton-keynes.gov.uk/assets/attach/66288/MKC-Local-List-Version-version-1.5.pdf) sets out the information which is required to support planning applications in the Authority area. At p.17, it states that 'If alterations or new access to the adopted highway is proposed then appropriate visibility splays for the speed of the road should be provided'.
[65] Typically, accurate to +/- a few metres.
[66] CD/10/H/A
[67] WSP Drawing reference: 70069442-001 P01. Titled: Junction 1 Mitigation Buckingham Road/Sherwood Drive Traffic Signals Layout
[68] CD16/C
[69] CD16/C: Drawing 70069442-001B P04

6.4.6 On Buckingham Road, east and west of the roundabout, the footway and foot/cycleway would be narrowed in order to create additional exit lanes on the carriageway. It is again unclear whether street lighting could be retained in the south-west quadrant of the junction.

6.4.7 The bus stop on the north side of Buckingham Road (eastern arm) is to be moved from a layby to on-carriageway, 86 metres upstream of the roundabout exit. This could cause a conflict if enough cars back up behind a stopped bus to cause a queue onto the roundabout. The bus stop is also to be moved further from the pedestrian refuge that currently allows pedestrians to cross the road. This move could encourage pedestrians alighting the bus to cross the carriageway away from the crossing point.

6.4.8 The proposals significantly affect the entry path curvature of the eastern (Buckingham Road) arm, effectively removing any entry path curvature at all. The applicant should have reviewed accident data and considered whether the slackening of the entry path could exacerbate any safety problems.

6.4.9 Visibility to the right from Water Eaton Road (southern arm) looking right along Buckingham Road (eastern arm) is limited when approaching the roundabout, which is slightly exacerbated by the proposals. If accident records show that visibility is an issue, it could be considered that the proposals are detrimental to highway safety – this should have been reviewed by the applicant.

6.4.10 Issues relating to the position of street furniture post-widening are raised in the Road Safety Audit[70] (RSA) undertaken by WSP for the appellant (Problem 3, page 8). Whilst it is accepted that the junctions would be subject to detailed design / Stage 2 RSA at s278 stage, the potential impact of accommodating street lighting in particular needs to be confirmed as part of the appeal, given that it relates to the overall nature and deliverability of the proposed scheme.

6.4.11 It would reduce provision for pedestrians and cyclists. There is no certainty that the scheme is deliverable.

6.4.12 Junction 2: Buckingham Road / Shenley Road Mini-Roundabout

6.4.13 At 7.3.45 of the 2020 TA[71] it was concluded that no mitigation was required. At 5.2.6 of TRN3[72] it is recognised that the proposed development could have an impact in this location and a scheme[73] is proposed largely comprised of carriageway widening into existing grass verges.

6.4.14 As shown on the mitigation drawing included at Appendix D of TRN3[72] WSP propose to remove around half the width of the footway on the northern side of Buckingham Road, to the west of the roundabouts. This would be unacceptable in terms of its effect on pedestrians and suitable footway provision should be maintained.

6.4.15 It is also proposed to remove the layby on Shenley Road, to the north of the roundabouts, which currently provides a degree of protection for a vehicular property access 12m north of the junction. As noted in the RSA[70], this has potential safety implications for pedestrians and motor vehicles (Problem 5, page 9).

6.4.16 The RSA and Designer's Response[70] (DR) note this issue, and also raise a further issue under Problem 6 in that it is unclear from the current drawings whether the pedestrian crossing islands around the junction are to be retained. Whilst it is reassuring that at 2.6.1 of the DR[70] it states that drop-kerbs

[70] CD16/D
[71] CD10/H/A
[72] CD16/C
[73] CD16/C: Drawing 70069442-015 P03

would be provided in relation to the Shenley Road property access, and that the pedestrian crossing islands are to be retained, this should be shown on the planning-stage drawings, rather than at s278 stage.

6.4.17 Under the proposals, the approach from Newton Road (southern arm) aims drivers in the right-hand lane directly at the central island. This could make manoeuvring around the island difficult.

6.4.18 The forward visibility to pedestrians waiting to cross on the eastern side of Newton Road is worsened by the proposals. Taking an MfS SSD (given the speeds and environment), there is currently space to accommodate an approximately 41.9m SSD to the centre of the footway at the crossing. Under the proposals this is reduced to approximately 31.9m (both distances measured along the driver's path), as shown Figure 6.2:

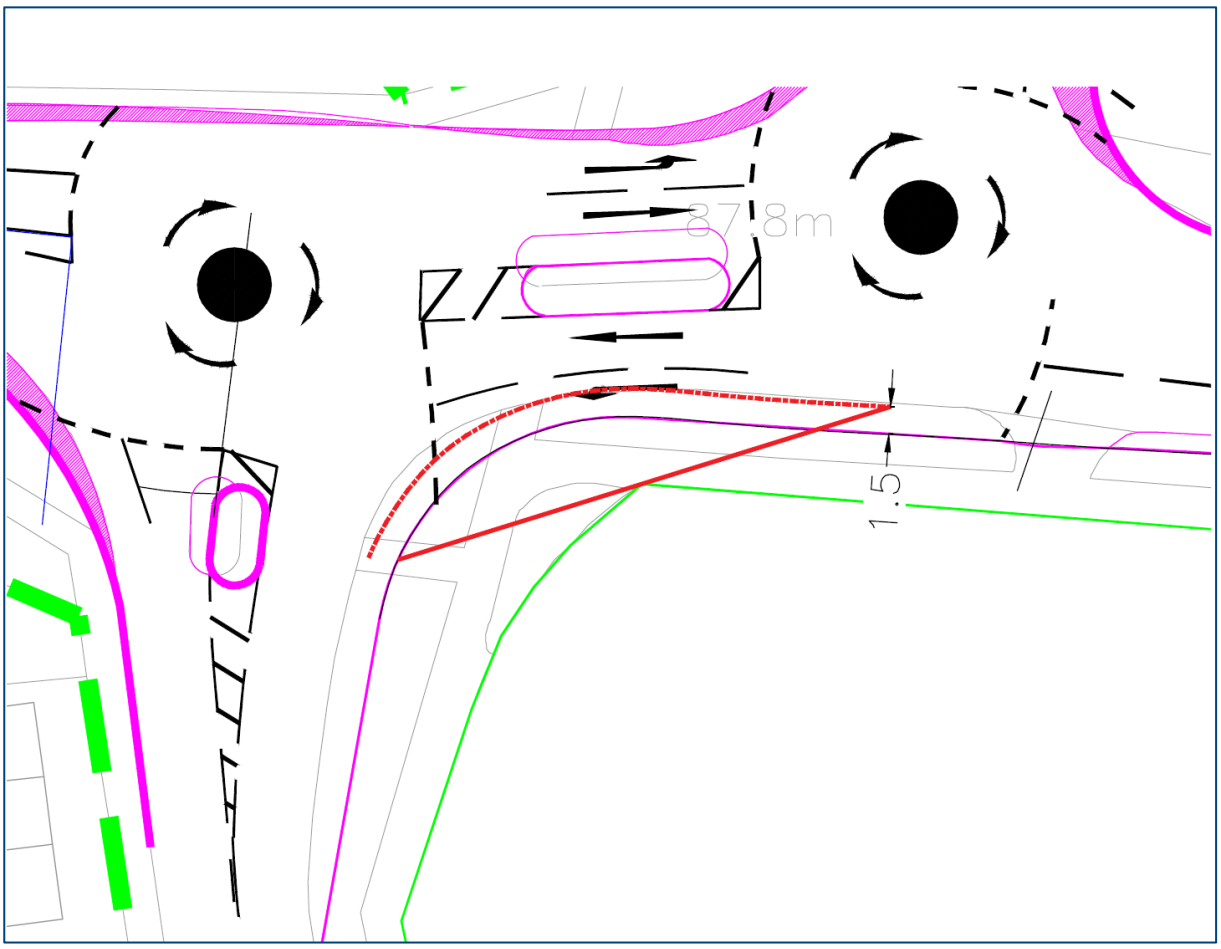

Figure 6.2: Forward visibility onto pedestrian crossing

6.4.19 Modelling results provided at Table 5-3 of TRN3[74] indicates that development traffic would lead to a significant increase in queuing and delay on the westbound approach to the eastern roundabout from Buckingham Road. PM peak hour queuing is predicted to increase from 47 to 133.5 vehicles, an increase of around 497m, with delay increasing from 129.22 seconds to 448.74 seconds per vehicle on that arm (an increase of 5.3 minutes).

6.4.20 The conclusion reached at 5.2.7-5.2.8 of TRN3[74] seems to erroneously compare the Do Something 1 Pre-Mitigation and Do Something 1 Post-Mitigation scenarios. That is incorrect, given that the correct

[74] CD16/C

comparison is between the operation of the highway with and without development traffic - i.e., a comparison of 2033 Do Nothing (Pre-Mitigation) and the mitigated Do Something scenarios.

6.4.21 As shown in Figure 6.3 the increase in PM queuing on Buckingham Road would block back as far as Cottingham Grove to the east. By comparison with the without-development scenario, this queue would block and additional six side roads, two bus stops, multiple property accesses, a signalised crossing outside of a school, and would create congestion adjacent to that school (Holne Chase Primary) where none presently exists.

Figure 6.3: Junction 2 - Predicted extent of PM peak hour queuing

6.4.22 In summary, the scheme drawings are incomplete and unacceptable for planning determination purposes, and the proposed mitigation would not address the severe / unacceptable impact of development traffic.

6.4.23 Junction 5: Tattenhoe Roundabout

6.4.24 The proposed mitigation shown at Appendix D of TRN3[75] for Tattenhoe Roundabout comprises of the part-time signalisation of all arms of the junction. As noted previously in this proof of evidence, Hydrock's review of WSP's junction modelling indicates that insufficient consideration has been given to internal stacking capacity on the roundabout circulatory - i.e., the space available for vehicles to queue at the stoplines on the roundabout itself. Consequently, WSP's model under-estimates queuing and delay and cannot be relied upon for the purposes of the appeal.

6.4.25 The design drawings do not indicate an intention to reduce the speeds on approach to the roundabout as part of the signalisation. DMRB CD 116[76] states:

[75] CD16/C: Drawing 9442-TP-SK-004 P05
[76] CD13/N

'4.1 Where the 85th percentile speed on the approach roads are greater than or equal to 104kph (65mph), a signal-controlled roundabout shall not be provided.'

6.4.26 Given that the proposed signalisation is on the A421, a national speed limit dual carriageway, the 85%ile speeds should be confirmed, if the 85%ile speeds are above 65mph then the viability of the signalisation is questionable.

6.4.27 In relation to visibility, CD116[77] states:

'On an external approach to a signal-controlled roundabout, each traffic lane shall have clear visibility of at least one primary traffic signal associated with its particular movement, from a distance equivalent to the desirable minimum SSD of the approach road.'

6.4.28 It would appear that a desirable minimum stopping sight distance of 295m to any signal head on Standing Way (SW approach arm) cannot be achieved within the highway boundary indicated on the drawings. It would also appear that a desirable minimum stopping sight distance of 215m to any signal head on Buckingham Road (SE approach arm) cannot be achieved within the highway boundary indicated on the drawings.

6.4.29 The mitigation scheme drawing is lacking details such as road markings for the A421 approaches and guide markings on the circulatory carriageway. Vehicle tracking has been provided by WSP which indicates that Heavy Goods Vehicles (HGVs) would slightly over-run adjacent lanes and, in one location, would collide with a car in the adjacent lane. This point is raised in the RSA and should be resolved in advance of any positive determination of the application.

6.4.30 The NW approach arm currently has an entry path radius in the region of approximately 140m and the proposed geometry will worsen the situation.

6.4.31 The V1 Snelshall Street approach indicates a relatively sharp taper to two lanes immediately south of the overbridge north of the junction. This needs to be confirmed in terms of its accordance with design standards, as any requirement for a more gradual taper would require works to the bridge structure.

6.4.32 The RSA[78] notes the potential requirement to relocate street furniture around the junction in order to accommodate carriageway widening (Problem 3, page 8). This should be confirmed at planning stage, particularly given the level differences and potential requirement for earthworks to accommodate any significant re-siting.

6.4.33 Additional detail is also required on the Buckingham Road approach, as the proposed widening does not illustrate how the carriageway centreline would be accommodated and over what length the approach lanes would develop. An Advance Direction Sign for the roundabout is presently sited within the area indicated for carriageway widening and, given the importance of its location relative to the nearby junctions, the location for its re-provision needs to be confirmed.

6.4.34 The proposed mitigation works lie, in part, beyond the planning application red line boundary, as indicated below:

[77] CD13/N
[78] CD16/D

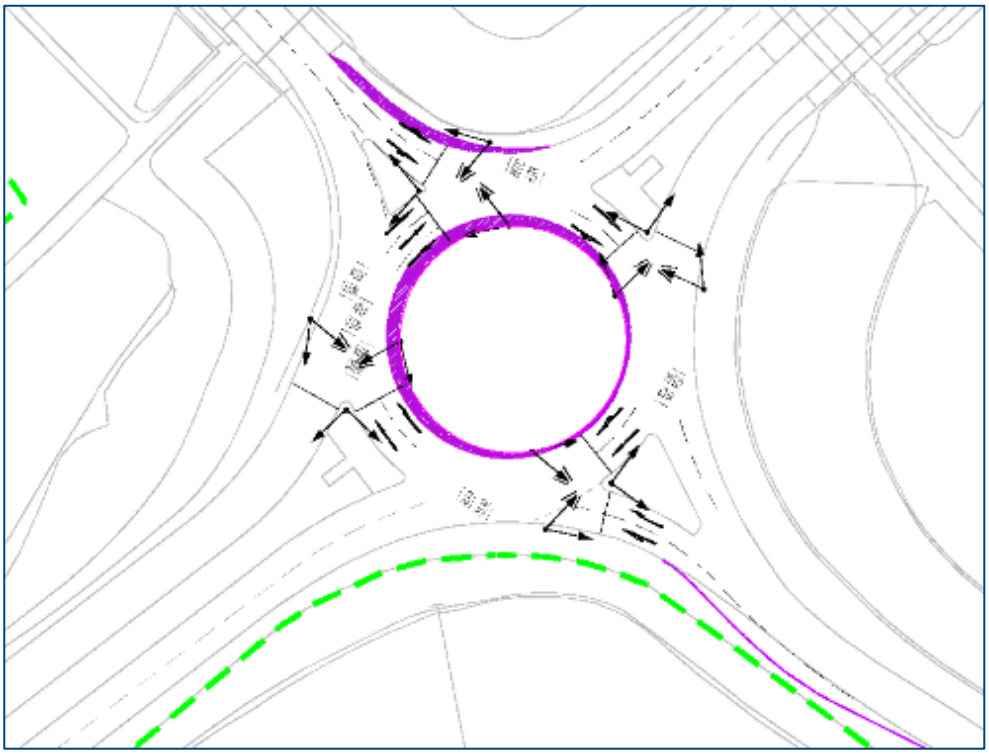

Figure 6.4: Proposed Tattenhoe Roundabout improvement scheme (9442-TP-SK-004 P05)

Figure 6.5: Planning red line boundary - NB that the proposed area of carriageway widening in the north of the junction lies beyond the red line

6.4.35 In summary, the modelled operation of the junction is not accepted, as queuing around the roundabout would likely lead to exit blocking. Furthermore, the design needs to be worked-up in additional detail as

there are matters which need to be confirmed in advance of determination, as they affect the deliverability of the design concept (and are therefore not detailed design matters as proposed by WSP).

6.4.36 Junction 6: Bottledump Roundabout

6.4.37 As previously stated in this proof of evidence, the modelling of Bottledump Roundabout is not accepted. The junction would be expected to operate significantly worse than is predicted in TRN3[79], and the addition of development traffic would lead to a severe operational impact.

6.4.38 In relation to the proposed mitigation measures[80], the nearside kerb on the A421 westbound approach is already over-run by large vehicles turning left into Whaddon Road, but remains unaltered in the WSP design.

6.4.39 Whilst some limited widening is proposed on the A421 eastbound and Whaddon Road approaches, these already have two-lane entries to the junction, meaning that the actual benefit of such widening may not be as great as the model suggests.

6.4.40 Swept path analysis plan 70069442-004-ATR-002 in Appendix D of TRN3[79] show that an HGV would collide with a car running in parallel around the junction for the westbound A421 movement, due to the significant encroachment of that HGV into the adjacent lane. No such tracking plans have been provided by WSP for movements including the left-turn into Whaddon Road, and the right-turn from the A421 into Whaddon Road. These should be provided in advance of determination.

6.4.41 Owing to the widening of the circulatory carriageway through reducing the size of the central island, the entry path curvature on all arms is reduced, which could lead to higher entry speeds.

6.4.42 A standalone Pegasus crossing is proposed on Whaddon Road, within the BC area, with links to/from the MKC area. It is recommended that BC requires the applicant to provide evidence that vehicle speeds in this area are, or could be, reduced to a level commensurate with the introduction of this crossing.

6.4.43 The RSA[81] notes (problem 9) that the tie-in for WCHR to Buckingham Road is at the recycling centre access, which could cause conflicts. The auditors recommended that:

It is recommended that good visibility splays, removal of vegetation, signing and enhanced visual features are proposed at this tie-in, warning vehicle users to expect WCHR activity.

6.4.44 The Designer's Response[81] is:

2.9.1. Noted. Vegetation will be trimmed to ensure good visibility for WCHRs in this location and advance signage and markings will be used to ensure drivers using the recycling centre access are warned of the equestrian route. The specification and location of the features will be provided at the detailed design stage, which will be subject to a Stage 2 RSA.

6.4.45 Although visibility within the highway boundary can likely be improved, there is also a fence around the recycling centre (within the BC boundary). This fence could obstruct horse riders emerging into the carriageway from the view of drivers leaving the recycling centre.

[79] CD16/C
[80] CD16/C: Drawing 70069442-004 P05
[81] CD16/D

6.4.46 RSA[82] (problem 11) highlights the lack of visibility of the new Pegasus crossing for vehicles traveling from the roundabout down Whaddon Road. The Designers state that the vegetation will be cut back and maintenance of this visibility will be the responsibility of Buckinghamshire Council. However, it seems from the design drawing that the visibility splay (as well as some of the widening) is outside of the highway boundary. There is no mention in the Designer's Response of any plans for this area to become Adopted. This should be clarified as it relates to the deliverability of the scheme.

6.4.47 Whilst the matter relates to the BC network, I note that some of the works proposed to the west of the roundabout do not lie within the planning red line.

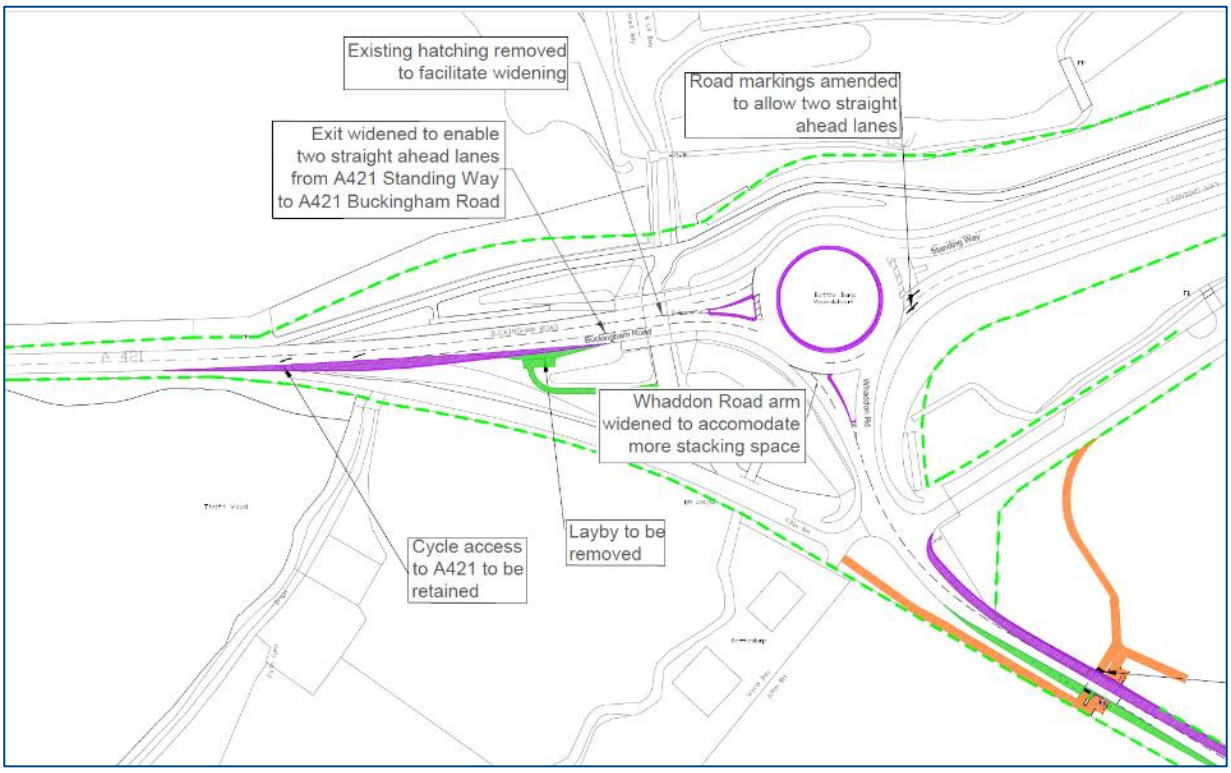

Figure 6.6: Proposed junction mitigation scheme, including works to layby to west of roundabout (70069442-004 P05)

[82] CD16/D

Figure 6.7: Planning red line boundary

6.4.48 In summary, the junction modelling is not accepted, as there would actually be significantly less capacity - and, hence, more queuing and delay, than predicted in TRN3[83]. The proposed mitigation drawings should take account of the existing operation of the junction, including verge overrunning, and should be updated to avoid the conflicts between vehicles that are currently shown on the tracking plans.

6.4.49 Junction 12: Kingsmead Roundabout[84]

6.4.50 No mitigation was proposed at this location in the 2020 TA[85].

6.4.51 The position of the Vehicle Restraint System (VRS) barrier to the west of the overbridge appears to be further from the carriageway edge than is the case in reality.

6.4.52 The RSA notes the potential for side-swipe collisions on the junction, and WSP should provide tracking plots to demonstrate that it would operate safely.

6.4.53 Junction 14: Furzton Roundabout[86]

6.4.54 No mitigation was proposed at this location in the 2020 TA[85].

6.4.55 The junction design does not identify to where street lighting and ADS signage could be relocated. Likewise, the nearside lane might better extend from the bus stop itself (with appropriate markings to control inappropriate use of the bus stop).

6.4.56 The area of widened carriageway on Chaffron Way is obscured from view on approach if a bus is using the bus stop immediately upstream. This could be an issue if vehicles are queuing in this lane.

[83] CD16/C
[84] CD16/C: Drawing 70069442-010 P02
[85] CD10/H/A
[86] CD16/C: Drawing 70069442-011 P02

6.4.57 Junction 15: Bleak Hall Roundabout

6.4.58 The proposed mitigation scheme increases all approaches to three lanes[87]. However, the drawing provides no indication of lane allocations, and no guide markings are indicated on the roundabout circulatory. These points are raised in the RSA. No vehicle tracking plots have been provided and these are required in order to assess the junction's operation (particularly for HGVs).

6.4.59 DMRB states that Circulatory Carriageway Width shall be between 1.0 and 1.2 times the maximum entry width, excluding any overrun area. The circulatory carriageway width (9.4m) is 0.86 times the maximum entry width (10.8m), below the standard set by DMRB. It is not clear whether, under the proposals, the three lane entries will allow three vehicles to circulate at once or if all three lane entries include a left turn only lane.

6.4.60 It appears that the widening on Standing Way leads to the right-hand lane on approach having an entry angle of greater than the DMRB-recommended 60 degrees.

6.4.61 On all four approaches, the entry path curvature is worsened by the proposals and vehicles may enter the roundabout at a higher speed. The associated risks should be qualified by reference to the accident record.

6.4.62 The widening on the north side of Grafton Street (NW approach arm) appears to be partially on the subway structure. The distance from the carriageway edge to the railings on the bridge would need to be reduced, as well as the distance to the lighting column in this location. The drawings are not detailed enough to determine what the existing or proposed remaining distance from kerb to railing would be; however, it could be below the minimum 1200mm prescribed by CD127[88] (Cross Sections and Headrooms).

6.4.63 The addition of development traffic to the proposed mitigation scheme results in a further 58.5 vehicles queued on the A421 eastbound approach in the AM peak hour[89]. This approach has queues which block back toward the upstream junction, Elfield Park Roundabout, in the base (without development) scenario. Consequently, this additional queuing would create further congestion at that location.

6.4.64 In the PM peak, there would be significant increases in queuing on Grafton Street (N) and A421 (E)[89]. With development traffic, the queue on Leadenhall Street would extend towards the exit of the upstream junction (Leadenhall Roundabout). Similarly, the queue on the A421 (E) approach would block back through the upstream Coffee Hall Roundabout whereas, in the without-development scenario, the queue would be close to that junction but would not reach the roundabout itself - no modelling of Coffee Hall roundabout has been provided within the TA[90]/TRNs[91]/ES[92].

[87] CD16/C: Drawing 70069442-012 P03
[88] CD13/T
[89] TRN3 Table 5-9
[90] CD10/H/A
[91] CD16/A, CD16/B, CD16/C
[92] CD2/C

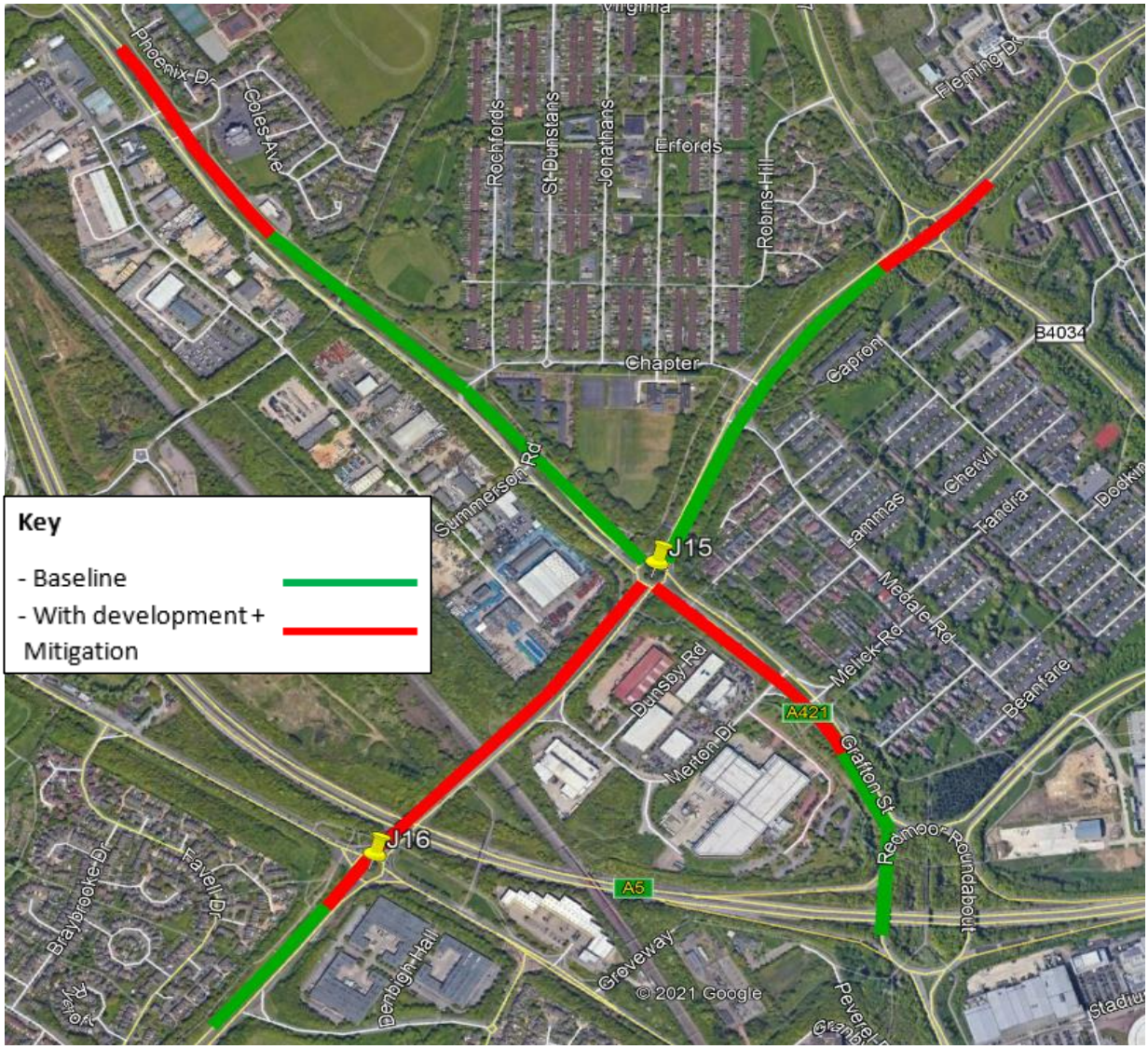

Figure 6.8: Junction 15 - Predicted extent of PM peak queuing

6.4.65 The junction model takes no account of predicted exit-blocking from the downstream Elfield Park Roundabout (Junction 16 - please see 6.4.67) and consequently over-predicts capacity.

6.4.66 In summary, the proposed mitigation drawing is inadequate for planning determination purposes and does not address points raised in the RSA[93]. Even with mitigation, development traffic would lead to either increased queuing towards upstream junctions, or queues which would now block the exits from those junctions. the stand-alone model does not address exit blocking from the downstream Elfield Park Roundabout.

6.4.67 Junction 16: Elfield Park Roundabout

6.4.68 The proposed mitigation scheme[94] comprises of localised entry, exit and circulatory carriageway widening.

[93] CD16/D
[94] CD16/C: Drawing 70069442-016 P03

6.4.69 The with-mitigation development scenario indicates significant increases in queuing on the A421 (S) entry arm in the AM peak, and on the A421 (N) arm in the PM peak.

6.4.70 In the AM peak, development traffic would add to pre-existing queuing on the A421(N) approach which blocks back through the upstream Bleak Hall Roundabout, meaning that this queue would reach the (un-modelled) Coffee Hall roundabout.

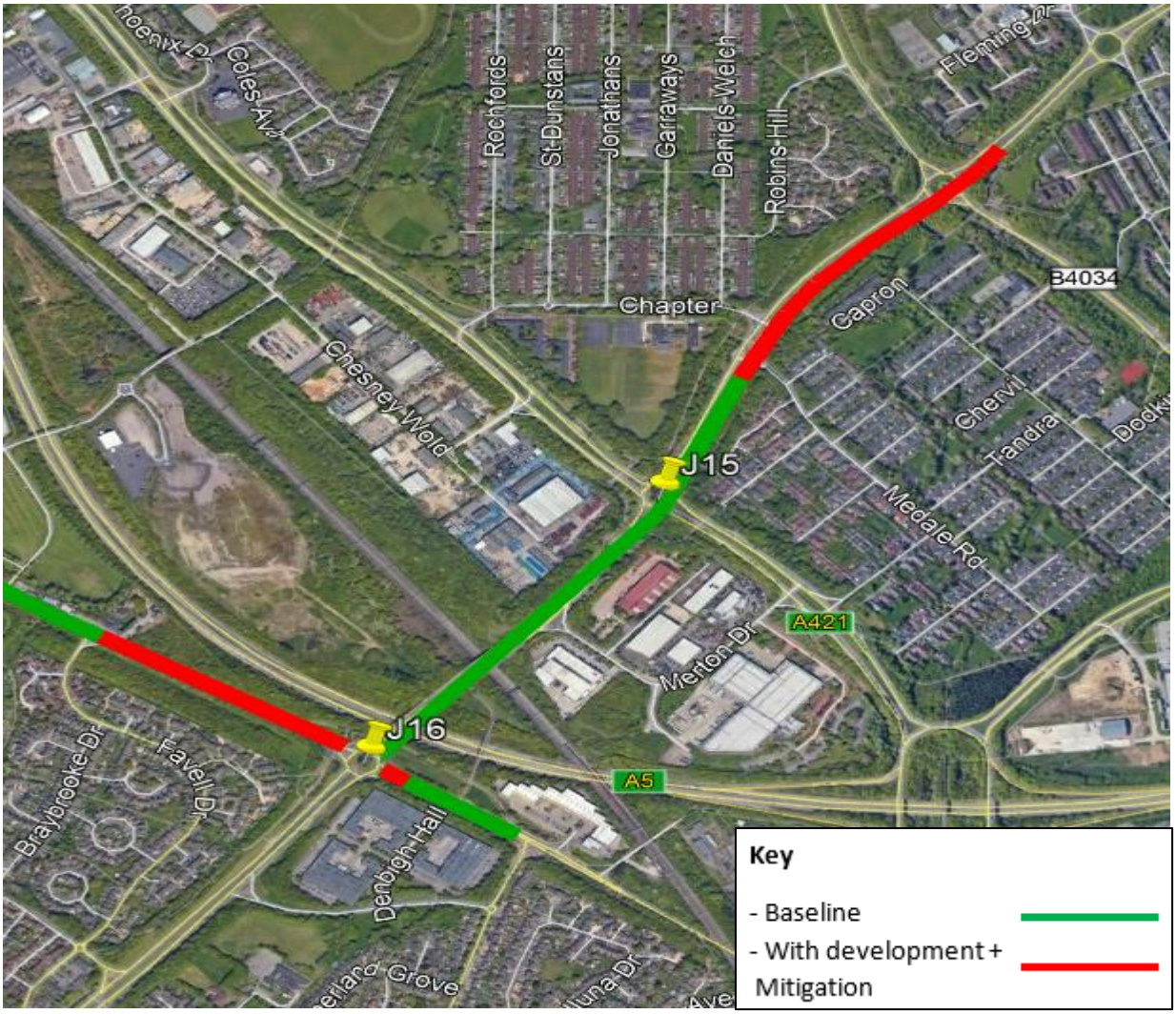

Figure 6.9: Junction 16 - Predicted extent of AM peak queueing

6.4.71 As indicated in the subsequent section, the A421(S) exit would be blocked by queued traffic from Emerson Roundabout, which is not reflected in the WSP modelling. Likewise, increased queuing from Elfield Park roundabout would cause blocking-back through Emerson Roundabout.

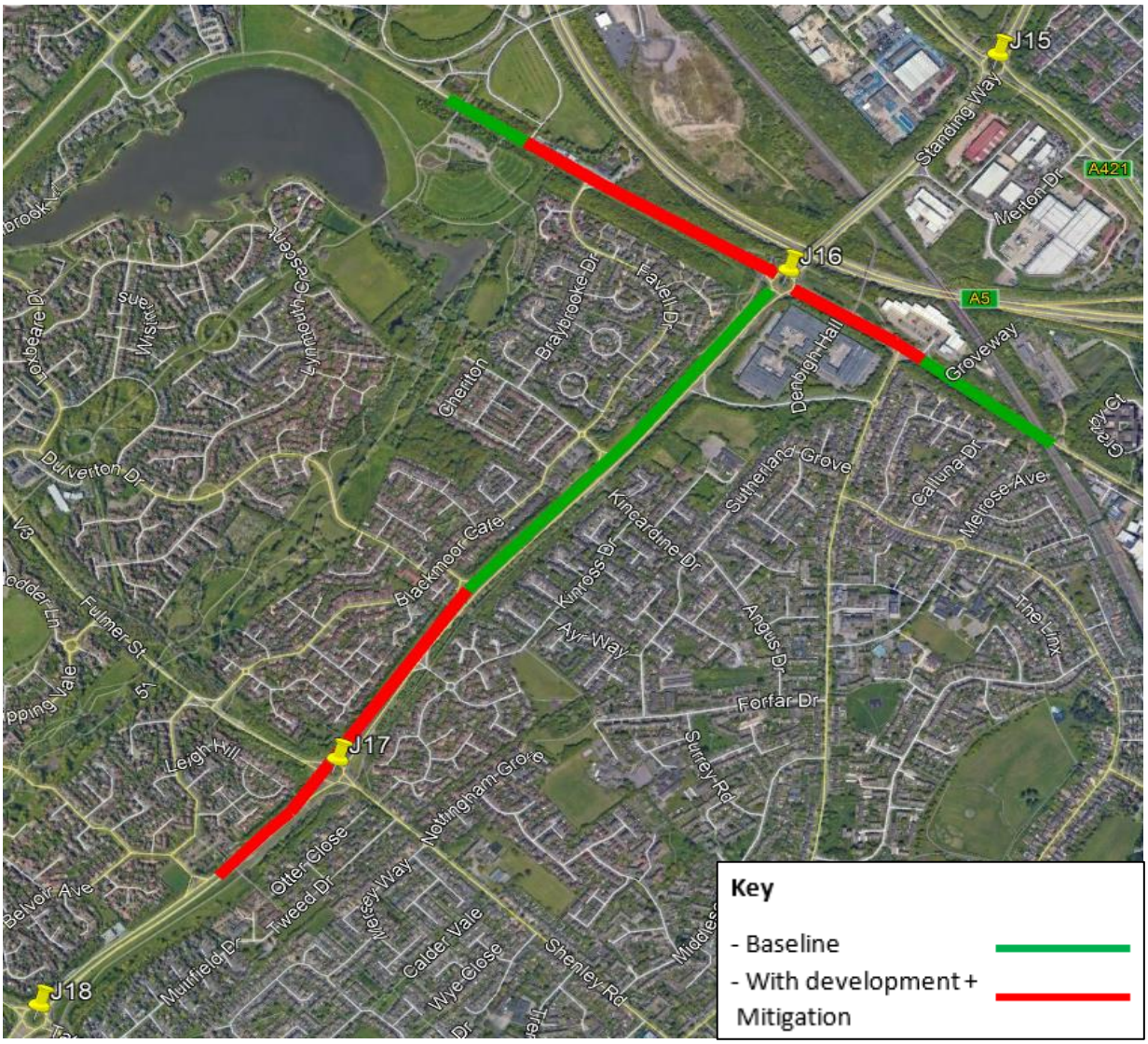

Figure 6.10: Junction 16 Predicted extent of PM peak queuing

6.4.72 As with other junction mitigation proposals, no lane or guide markings are shown within the drawing. Neither is vehicle tracking included within TRN3[95].

6.4.73 The proposed circulatory carriageway is narrower than the maximum entry widths (not the 1.0-1.2 times recommended by DMRB).

6.4.74 The Watling Street (SE arm) exit has some road markings which are not tangential to the traffic island and should be corrected.

6.4.75 On all arms the entry path is made flatter and therefore vehicle speeds made faster by the proposals.

6.4.76 In summary, the scheme results in a worsening of conditions for pedestrians and queuing which interacts with other junctions in the vicinity. The scheme drawings lack the required level of detail and assessment for planning stage.

[95] CD16/C

6.4.77 Junction 17: Emerson Roundabout[96]

6.4.78 The proposed widening of the Shenley Road approach into the existing splitter island would result in an approach geometry which reduces deflection, increasing vehicle entry speeds into the junction.

6.4.79 On the Standing Way (S) approach, the proposed widening includes a sharp flare which also needs to be checked in relation to design standards. This widening would require the removal of hedgerow and re-siting of street furniture / statutory undertakers' equipment, the acceptability of which must be established at determination stage.

6.4.80 On the Fulmer Street arm, the proposed approach widening would impact on street furniture and signage which could only be re-provided in that location with the significant loss of highway trees. Due to the level of the verge, above the carriageway, it is likely that the proposed widening would impact on the root systems of all trees along that carriageway frontage. An arboricultural impact assessment should be provided to determine the likely scope of impact and its acceptability.

6.4.81 On Standing Way (N), the proposals indicate widening through the provision of a flare to the immediate south of the overbridge, which again may not accord with highway design standards. This widening also impacts on services and street furniture including lighting columns and the VRS for the nearby subway.

6.4.82 The traffic islands on Shenley Road (SE Arm) and Fulmer Street (NW Arm) are directly in front of traffic emerging from the left-hand lane of Standing Way on both arms. If these are to remain as a left turn only lanes, then this should be acceptable, but if drivers can now go straight on from this lane, it should be redesigned to point them at the circulatory carriageway.

6.4.83 The proposals include 10.5m wide, three-lane entries going into an 8.9-9.4m wide circulatory carriageway, i.e., 0.85 times the max entry width. This is below standard, and an 8.9m width is narrow for three lanes of traffic to negotiate, particularly if one of those lanes of traffic includes an HGV.

6.4.84 All entry path curvatures will be made flatter by the proposals to reduce the size of the central island, and could therefore lead to increased vehicle speeds.

6.4.85 As noted above, WSP predicts that the A421(N) exit would be blocked by traffic from Junction 16 Elfield Park Roundabout. Given that TRN3[97] utilises stand-alone junction models, this has not been accounted for by WSP, meaning that the junction model over-predicts capacity.

6.4.86 Likewise, TRN3[97] modelling indicates that the A421(S) exit would be constrained by traffic queuing from Junction 18 Windmill Hill roundabout in the PM peak.

6.4.87 Taking the modelling at face-value, WSP predicts increased queuing on both Standing Way approaches in the AM peak hour. In the PM peak, TRN3[97] predicts worsening queues on Shenley Way and both Standing Way approaches - queuing on the Standing Way (N) arm would increase significantly to the extent that it would block the exit from the upstream Elfield Park roundabout.

[96] CD16/C: Drawing 70069442-013 P02
[97] CD16/C

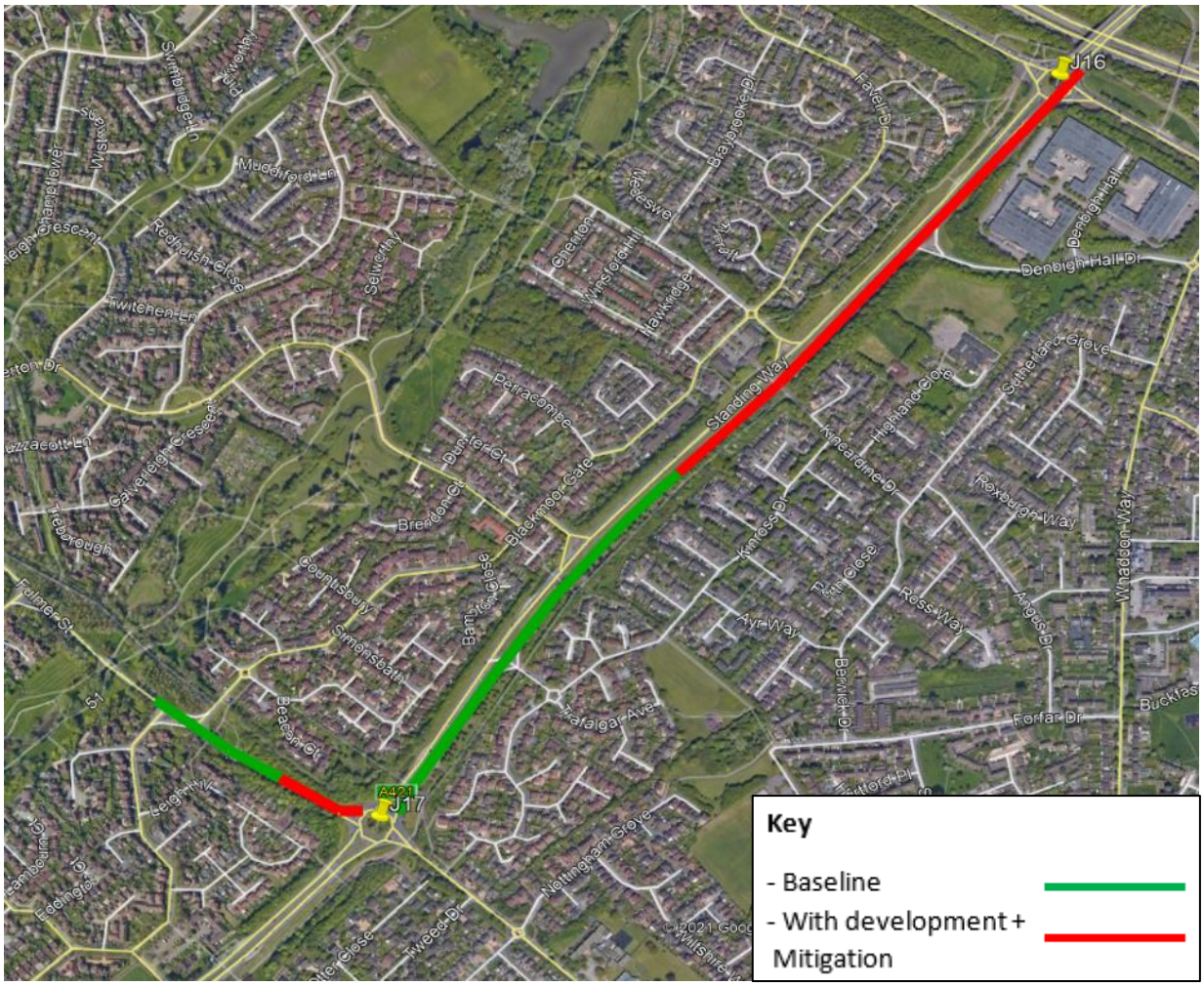

Figure 6.11: Junction 17 - Predicted extent of PM peak queuing

6.4.88 The proposed mitigation would appear to be outside of design standards, requires re-siting of street furniture / VRS, and has a potentially significant adverse impact on trees. The operation of the junction is predicted to create, and be impacted by, queuing at other junctions on the surrounding network.

6.4.89 Junction 18: Windmill Hill Roundabout[98]

6.4.90 The proposed widening on the Tattenhoe Street approach would require re-siting of street furniture, an ADS, and electronic traffic count equipment. The proposed works to the Standing Way (N) arm would similarly impact on existing street furniture and statutory undertakers' equipment.

6.4.91 The scheme drawing omits to show a Give Way marking on the Tattenhoe Street arm, and has no directional / guidance markings, despite the proposed increase in entry lanes. No vehicle tracking plots have been provided to confirm the operation of the roundabout for large vehicles.

6.4.92 The entry widths have been enlarged to 10.5m. The carriageway width is 9.1m. This means that the carriageway width is 0.86 times the max entry width.

[98] CD16/C: Drawing 70069442-014 P02

6.4.93 On all arms the entry path curvature is made worse by the proposed widening. The proposals may cause the Tattenhoe Lane arms to become sub-standard; however, more precise locations of existing road markings would need to be provided to confirm this.

6.4.94 With the addition of development traffic, the proposed mitigation works result in increased AM peak hour queuing on both Standing Way approaches. In the PM peak hour, the predicted queue on Standing Way (N) would increase almost sevenfold, towards the exit of the upstream Emerson Roundabout.

Figure 6.12: Junction 18 - Predicted extent of PM peak queuing

6.4.95 The physical effects of the proposed mitigation should be confirmed at planning stage, and a complete scheme drawing / tracking plots should be provided. However, the proposed scheme still results in interaction with other nearby junctions, the impact of which has not been assessed in the current modelling.

7. POLICY

7.1 Development Plan Policy

7.1.1 Plan:MK

7.1.2 The proposed development is contrary to policies CT1 and CT2 (A1) of Plan:MK, adopted in March 2019 (CD/5). The Council has confirmed that Plan:MK is up to date and the policies contained within it carry full weight.

7.1.3 Policy CT1 'Sustainable Transport Network' requires the promotion of sustainable patterns of development. In relation to the RfR, policy CT1 requires:

1. The promotion of a safe, efficient and convenient transport system.
2. Promotion of transport choice, including coherent and direct cycling and walking networks to provide a genuine alternative to the car.
3. Improved access to key locations and services by all modes of transport.
4. The management of congestion and provision for consistent journey times.
5. Promotion and improvement of safety, security and healthy lifestyles.
6. Stakeholder engagement in relation to sustainable transport and economic growth.
7. Engagement with the National Infrastructure Commission in relation to strategic connections, including rail improvements.
8. Promotion of shared transport schemes.

7.1.4 The appeal site is not supported by robust evidence in relation to items 1 - 5 above. In that regard the granting permission for the proposal would not accord with CT1. Indeed, the new TA indicates that the proposed development would result in severe operational impacts (queuing and delay) and unacceptable safety implications.

7.1.5 Policy CT2 (A1) 'Movement and Access' states:

7.1.6 'A. Development proposals will be required to minimise the need to travel, promote opportunities for sustainable transport modes, improve accessibility to services and support the transition to a low carbon future. Development proposals will be permitted that:

7.1.7 Integrate into our existing sustainable transport networks and do not have an inappropriate impact on the operation, safety or accessibility to the local or strategic highway networks.'

7.1.8 The RfR specifically cites CT2 (A1) and the Council's case is that there is presently insufficient evidence to demonstrate that the proposals would minimise the need to travel, promote sustainable modes, improve accessibility or assist in reducing carbon.

7.1.9 In particular, my subsequent evidence explains how aspects of the TA regarding integration of the site with existing transport networks are not robust, and there would likely be inappropriate operational, safety and accessibility impacts as a consequence.

7.1.10 Many of the RfR matters related to policy CT1 are reinforced by the wider text of policy CT2, which goes on to require the mitigation of development impacts on the highway network; the avoidance of prejudice in terms of the ability of other developments to come forward; provision of safe, suitable and convenient access; suitable onsite layouts; the avoidance of inappropriate traffic generation or

compromised highway safety; maximum flexibility in the choice of travel modes; protection/enhancement of Public Rights of Way (PRoW); provision of strong public transport links; and, where possible, the promotion of shared and low-carbon transport modes.

7.1.11 The lack of suitably-robust evidence within the previous or current TA means that there is no certainty that mitigation is appropriate as-proposed; nor that the development would avoid prejudice to other schemes; that resultant highway conditions would be safe; that access would be suitable and convenient; that the traffic generation would be appropriate; or that the use of sustainable travel modes would be suitably-attractive as a consequence. The appellant's evidence indicates that the traffic conditions and safety implications arising from the development would both be unacceptable.

7.1.12 Policy SD15, 'Place Making Principles for Sustainable Urban Extensions in Adjacent Local Authorities', of Plan:MK acknowledges that proposals on the edge of Milton Keynes are likely to have an impact upon the infrastructure and services of Milton Keynes. Amongst other things, it sets out that the need for joint working between neighbouring authorities to achieve a coordinated and well-designed development, and secure developer contributions towards improvement and provision of infrastructure to support the development. As a development where the larger element is being considered by BC, this policy is relevant to the appeal scheme and I have liaised with Mr Bedingfeld, acting on behalf of BC, to understand that authority's view on the appeal scheme. I note that, due to the extent of new information submitted by the appellant, BC is currently unable to confirm its position.

7.1.13 Policy CT3 'Walking and Cycling' states that the 'Council will support developments which enable people to access employment, essential services and community facilities by walking and cycling.' The appeal scheme is for highways access works and improvements to facilitate the wider development in the BC area. My evidence identifies issues in relation to walking, cycling and safety more generally, which have the potential to increase levels of car use related to the site.

7.1.14 Policy CT5 'Public Transport' states that development proposals must be designed to meet the needs of public transport operators and users. In terms of its relevance to this appeal, it largely extends the emphasis of Policy CT1 and CT2 of Plan:MK, in terms of ensuring road layouts must include direct, convenient and safe public transport routes. Given that the appellant's evidence indicates severe operational issues, the associated problems would also affect the movement of public transport vehicles through the surrounding highway network.

7.1.15 Policy CT8 'Grid Road Network' has less relevance to this appeal scheme as it predominantly deals with road pattern of new developments which are a 'unique' characteristic of Milton Keynes, whereas the proposed development in this appeal deals predominantly with changes to established routes.

7.1.16 Plan:MK identifies the A421 as one of the borough's 'key strategic transport arteries'[99] and one which requires upgrades to support growth[100]. This has to be considered alongside Policy CT1 which states that the Council will act to 'Manage congestion and provide for consistent journey times'.

7.2 National Planning Policy Framework (NPPF)

7.2.1 NPPF Paragraph 7 states that the purpose of the planning system is to 'contribute to the achievement of sustainable development', which is defined as 'meeting the needs of the present without compromising the ability of future generations to meet their own needs'.

[99] Plan:MK 12.34.
[100] Plan:MK Strategic Objective #12 (p.9).

7.2.2 Paragraph 8 identifies three linked strands to sustainable development – economic, social and environmental objectives. The appeal development is unsustainable for reasons including the level of queuing and delay on the A421 and Buckingham Road which, as predicted by WSP in TRN3[101], would have significant impacts across these strands, including:

- The economic impact on Milton Keynes and Buckinghamshire arising from severe congestion on the A421.
- Social impacts arising from mobility constraints on local residents, delays to public transport services and constraints to emergency vehicle access.
- Environmental impacts including new queues outside of local schools, stationary traffic on the A421, and unknown effects due to re-routing of vehicles across the wider network (not assessed in the TA[102]/TRNs1-3[103] or in the ES[104]/the ES addendum[105]).

7.2.3 In the same vein, Paragraph 102 of the NPPF states that:

'Transport issues should be considered from the earliest stages of plan-making and development proposals, so that:

a) the potential impacts of development on transport networks can be addressed;

b) opportunities from existing or proposed transport infrastructure, and changing transport technology and usage, are realised – for example in relation to the scale, location or density of development that can be accommodated;

c) opportunities to promote walking, cycling and public transport use are identified and pursued;

d) the environmental impacts of traffic and transport infrastructure can be identified, assessed and taken into account – including appropriate opportunities for avoiding and mitigating any adverse effects, and for net environmental gains; and,

e) patterns of movement, streets, parking and other transport considerations are integral to the design of schemes, and contribute to making high quality places.

7.2.4 In this case, the appellant has changed the evidence base in advance of the appeal, via the submission of a new TA[102] which it says supersedes the previous iterations (but is now superseded, in a large part, by TRN1-3[103]). The TA[106], upon which the application was determined, used MKC's strategic transport models to distribute traffic across the wider road network, whereas the new TA[102] and TRN1-3[103] have a fixed traffic distribution which does not account for any re-routing that would result from congestion on junctions and certain road links.

7.2.5 The Inspector will appreciate that the submission of a new TA[102] is highly unusual in the context of an appeal - that would be more likely in relation to a new planning application submission, for example, whereas an appeal would usually be supported by a Proof of Evidence; and the new TA is certainly out of step with the requirement for such evidence to be provided at the 'earliest stages'. This issue has been further exacerbated by the need for the appellant to submit subsequent TRNs[103] which, inter alia,

[101] CD16/C
[102] CD10/H/A
[103] CD16/A, B & C
[104] CD1/N
[105] CD17/C
[106] CD2/E*

have led to one of the parties to the appeal (BC) being unable to confirm its position at the time of writing.

7.2.6 In respect of paragraph 102, the approach taken by the appellant fails to address the requirement that:

'the environmental impacts of traffic and transport infrastructure can be identified, addressed and taken into account – including appropriate opportunities for avoiding and mitigating any adverse effects, and for net environmental gains'.

7.2.7 The appellant argues that, due to congestion in key locations including along the A421, traffic would redistribute onto other roads in the area; however, that redistribution is not quantified anywhere in the appellant's evidence.

7.2.8 Paragraph 104 states that policies should 'identify and protect…routes which could be critical in developing infrastructure to widen transport choice and realise opportunities for large scale development'.

7.2.9 The NPPF goes on to state (paragraph 108):

7.2.10 'In assessing sites that may be allocated for development in plans, or specific applications for development, it should be ensured that:

a) appropriate opportunities to promote sustainable transport modes can be – or have been – taken up, given the type of development and its location;

b) safe and suitable access to the site can be achieved for all users; and

c) any significant impacts from the development on the transport network (in terms of capacity and congestion), or on highway safety, can be cost effectively mitigated to an acceptable degree.'

7.2.11 The mitigation, as currently proposed, fails to achieve this and, as indicated subsequently, may not be deliverable.

7.2.12 The tests of acceptability in transport terms are set out at NPPF paragraph 109:

7.2.13 'Development should only be prevented or refused on highways grounds if there would be an unacceptable impact on highway safety, or the residual cumulative impacts on the road network would be severe.'

7.2.14 The new TA demonstrates that sustainable transport modes (buses in particular) would be impacted by the scheme, which would not provide safe and suitable access for all users. The proposed mitigation would leave a severe residual cumulative impact on the road network, and an unacceptable impact on highway safety.

7.2.15 NPPF paragraph 110 requires that, inter alia, development proposals prioritise pedestrian and cycle movements; facilitate access to high quality public transport; create safe, secure and attractive places; and allow for efficient access by service and emergency vehicles. As noted above, the appellant has provided evidence to the contrary, meaning that the scheme is non-compliant with the NPPF.

7.2.16 Paragraph 111 of the NPPF requires that developments which will generate significant amounts of movement should provide a Travel Plan and Transport Statement / Transport Assessment as appropriate 'so that the likely impacts of the proposal can be assessed'. It is evident from the

appellant's statements[107] that it believes that the impacts predicted in TRN3 (CD16/C) are not in fact 'likely' to occur[108], on which basis the TA/TRNs fail to meet the requirements of the NPPF.

7.2.17 In a similar vein, the NPPF Glossary defines a Transport Assessment as:

7.2.18 'A comprehensive and systematic process that sets out transport issues relating to a proposed development. It identifies measures required to improve accessibility and safety for all modes of travel, particularly for alternatives to the car such as walking, cycling and public transport, and measures that will be needed deal [sic] with the anticipated transport impacts of the development.'

7.2.19 It follows that the appellant's evidence is not 'comprehensive' and that it does not identify 'measures that will be needed [to] deal with the anticipated transport impacts of the development'.

7.3 National Planning Practice Guidance (NPPG)

7.3.1 The NPPG provides guidance on Travel Plans, Transport Assessments and Statements.

7.3.2 The developer has provided a Transport Assessment[109] (TA) and a Travel Plan[110] (TP), both of which would be the appropriate forms of assessment for a development of this scale and nature. However, the NPPG goes on to describe the requirements for TAs and TPs, which include:

a. The identification of mitigation measures to avoid unacceptable or "severe" development impacts[111].
b. Their establishment at the earliest practicable possible stage of a development proposal[112].
c. Provision of data about current traffic flows on links and at junctions (including by different modes of transport and the volume and type of vehicles) within the study area and identification of critical links and junctions on the highways network[113].
d. Measures to improve the accessibility of the location (such as provision/enhancement of nearby footpath and cycle path linkages) where these are necessary to make the development acceptable in planning terms[114].
e. Measures to mitigate the residual impacts of development (such as improvements to the public transport network, introducing walking and cycling facilities, physical improvements to existing roads[115].
f. Assessments based on normal traffic flow and usage conditions (e.g., non-school holiday periods, typical weather conditions)[116].

7.3.3 Following from my comments in relation to the requirements of the NPPF, it will be appreciated that the new TA[109] fails to address the requirements of the NPPG as set out above.

[107] Summarised in section 1.4 of this proof of evidence.
[108] CD10/H/A paragraphs 8.3.34, 8.3.46, 8.3.54, 8.3.62.
[109] CD10/H/A
[110] CD10/H/B
[111] Paragraph: 005 Reference ID: 42-005-20140306.
[112] Paragraph: 007 Reference ID: 42-007-20140306.
[113] Paragraph: 015 Reference ID: 42-015-20140306.
[114] Paragraph: 015 Reference ID: 42-015-20140306.
[115] Paragraph: 015 Reference ID: 42-015-20140306.
[116] Paragraph: 015 Reference ID: 42-015-20140306.

7.4 EIA Regulations

7.4.1 The appellant's argument that the predicted congestion in the new TA[117]/TRN1-3[118] will not actually materialise, and that traffic would reroute across the network[119], creates a tension with the submitted Environmental Statement[120] (ES), within which the Traffic & Transport, Air Quality, and Noise & Vibration chapters[121] rely on traffic data from TRN3[118].

7.4.2 Part 5, Regulation 18 of the Town and Country Planning (Environmental Impact Assessment) Regulations 2017 states that the ES must include:

3 (b) a description of the likely significant effects of the development on the environment;

4 (b) the information reasonably required for reaching a reasoned conclusion on the significant effects of the development on the environment, taking into account current knowledge and methods of assessment.

7.4.3 Whereas, in this case, the appellant argues that the effects predicted in its TRN3[118] are unlikely to occur, and that traffic will divert elsewhere (albeit, the effects are unquantified). The appellant's argument that MKC's MKMMM strategic model enables the review of wider impacts of the scheme[122] is therefore contrary to the EIA regulations, as such information needs to be contained within the ES.

7.4.4 Consequently, the appellant has either to accept that the predictions within TRN3[118] are robust and that the effect of the development would be 'severe', or it must provide a new ES based on an evidenced re-assessment of the traffic diversion which it accepts is likely to occur.

7.5 Major Road Network

7.5.1 The A421 is part of the Major Road Network (MRN) identified by Government as the middle-tier of the country's busiest and most economically-important local authority A-roads. The MRN in the vicinity of the appeal site is shown in Figure 7.1:

[117] CD10/H/A
[118] CD16/C
[119] CD10/H/A paragraphs 8.3.34, 8.3.46, 8.3.54, 8.3.62.
[120] CD2/C
[121] CD17/C
[122] Draft Highways SoCG between the Appellant and MKC, end table, line 11.

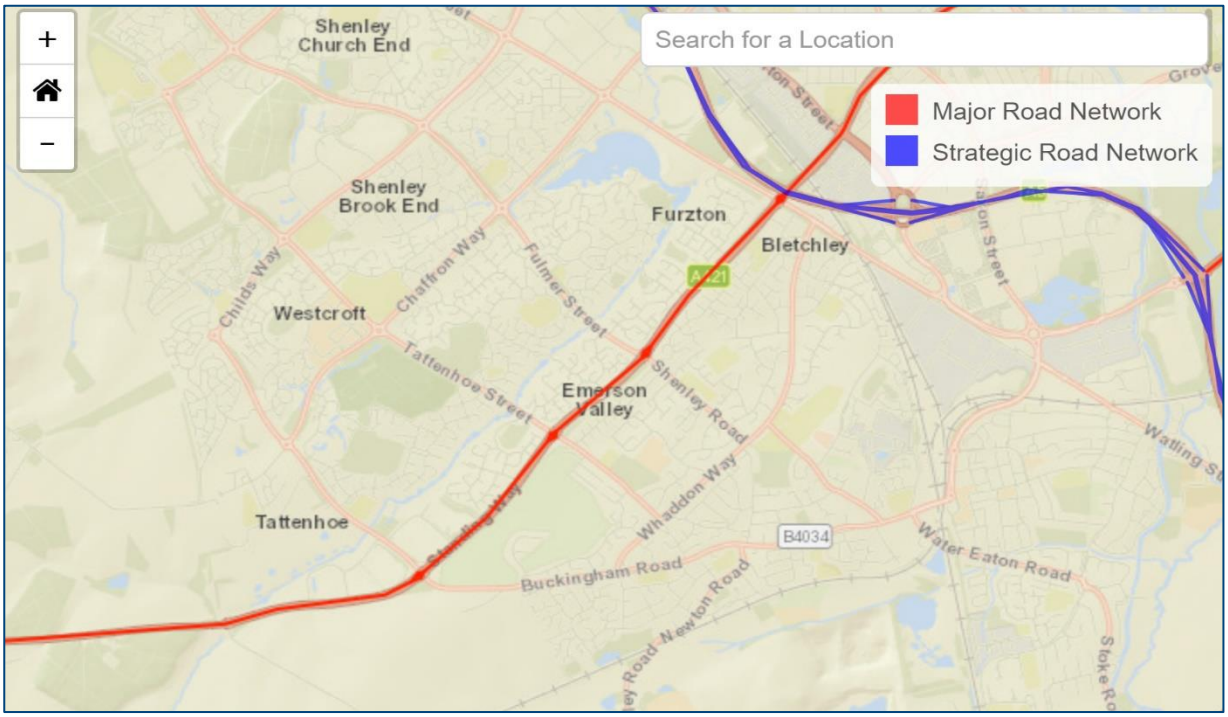

Figure 7.1: Showing the A421 as part of the MRN

8. SUMMARY AND CONCLUSIONS

8.1 Overview

8.1.1 MKC's Decision Notice dated 15th November 2019 sets out a single Reason for Refusal (RfR):

'That in the opinion of the Local Planning Authority there is insufficient evidence to mitigate the harm of this development in terms of increased traffic flow and impact on the highway and Grid Road network, with specific reference to Standing Way and Buckingham Road, thus this will be in contravention of Policies CT1 and CT2 (A1) of Plan:MK.'

8.1.2 In the notes of the Case Management Conference on 3/9/20, the Inspector identified the main issues for the Inquiry as *'relating to the effect of the proposed development on the flow of traffic and congestion on the highway and Grid Road network, and in particular Standing Way and Buckingham Road. Also, the relevant planning policies and planning balance will be examined, and the appellant will need to address any additional matters raised by interested parties.'*

8.1.3 My instruction by MKC is to provide the Council with an independent review of the appellant's technical submissions, to submit evidence to the Inquiry and, where possible, to seek to narrow the matters between the parties through meetings, correspondence and SoCG.

8.1.4 The principal evidence informing this appeal comprises the appellant's 2020 TA[123] (insofar as it remains current), TRNs 1-3[124], the ES[125] RSAs and related Designer's Responses[126].

8.1.5 Given the considerable technical discussions and inputs which I have provided to the appellant, it is disappointing that the current technical evidence set out in TRNs 1-3[124] responds to comments by the adjacent LHA (BC) rather than to MKC which is the LPA and LHA for this appeal.

8.2 Policy

8.2.1 I have explained how the appeal proposals fail to accord with Plan:MK. In particular, the proposed mitigation works would leave a residual severe operational impact on the A421, part of the national MRN - a route described in Plan:MK as one of the borough's 'key strategic transport arteries'[127] and which the Plan identifies as requiring upgrades to support growth[128].

8.2.2 Given the extensive queuing which WSP predicts on the A421 corridor as a consequence of development traffic, it is wrong for the appellant to seek to portray the reduction of queues on some arms of A421 junctions as an indication of a neutral or acceptable impact at those locations. TRN3[129] shows that development-related increases in queuing would be significant and would cause interaction between junctions on this key strategic route. The operational breakdown of this key access corridor is incompatible with the Plan's Objectives and also with Policy CT1 which states that the Council will act to 'Manage congestion and provide for consistent journey times'.

[123] CD10/H/A
[124] CD16/A, CD16/B, CD16/C
[125] CD17/C
[126] CD16/D
[127] Plan:MK 12.34.
[128] Plan:MK Strategic Objective #12 (p.9).
[129] CD16/C

8.2.3 The issues presented within the appellant's evidence indicate that the scheme would have unacceptable economic, social and environmental impacts, meaning that it fails to achieve the NPPF definition of sustainable development.

8.2.4 In predicting severe queuing and delay on the A421 and arguing that much of this traffic would actually divert onto alternative routes, mitigating the A421 impact (albeit, no assessment of this re-routing is provided), the appellant's evidence does not meet the requirements of the NPPF/NPPG in relation to the provision of a comprehensive TA and the assessment of environmental impacts. Indeed, the appellant goes as far as to state at 8.3.46 of the 2020 TA[130] that:

*'The modelling highlights significant queueing and delay…**In reality, motorists would** not accept this level of queueing and delay and would instead **re-route or re-time their journey** to avoid congestion. As acknowledged by MKC, **the grid road network in Milton Keynes increases the potential for re-routing**.'*

8.2.5 As noted previously, the TA makes the same assertion in relation to other locations where WSP predicts significant queuing and delay as a consequence of development traffic. WSP's view on this remains current and carries through into the subsequent TRNs, as evidenced in the agreed minutes of the meeting between WSP and Hydrock on 23/3/21[131].

8.2.6 The appellant's argument also creates a tension in terms of the acceptability of ES chapters 10-12[132] which are based on the traffic data utilised in the current transportation evidence. As the appellant argues that traffic would take alternative routes from those shown in TRN3[133], then that must be reflected in the ES.

8.2.7 The suggestion by the appellant that MKC could take a view on the likely impact of the development by using its own strategic traffic modelling does not stand up to scrutiny, given that:

- It is not for LHAs to incur the cost of modelling specific development impacts;
- WSP has moved away from the use of the Council's strategic models within its current work;
- AECOM, developers of the Council's strategic model, state that it is not suitable for development-specific assessments; and,
- In any case, the EIA regulations require that the ES includes 'the information reasonably required for reaching a reasoned conclusion on the significant effects of the development on the environment' - i.e., the appellant would need to update its ES with details of the re-routing that it says will occur.

8.2.8 The alternative would be for the appellant to take TRN3[133] at face value and to provide deliverable mitigation which ensures that the development would have no severe residual impact - something which is not achieved by its current submissions.

8.3 Modelling Scenarios

8.3.1 The appellant has produced a variety of modelling scenarios with and without development / mitigation.

[130] CD10/H/A
[131] Appendix F
[132] CD17/C
[133] CD16/C

8.3.2 The proper assessment is between how the network would operate in future years without the development, and how it would operate with development traffic and its associated mitigation. In some cases, the appellant has erroneously compared the operation of the network with development but no mitigation, with its operation with development and mitigation[134]. This is wrong, given that a development with impacts of this scale would not be permitted to come forward in the absence of mitigation.

8.3.3 One of the modelled scenarios takes account of the proposed Travel Plan[135] (TP) for the appeal development. Given the lack of ongoing commitment to the management / funding of the TP[135], the nature of the typical measures therein, and the fact that the trip generation exercise already accounts for TPs which operate at a number of the comparator sites used, I have not relied upon the Travel Plan modelling scenario.

8.4 Points of Access

8.4.1 The proposed A421 site access drawing provides insufficient geometric details and does not illustrate a safe and convenient route for pedestrians and cyclists. There is no assessment of the potential impact of the access on A421 traffic. I understand that WSP is presently reviewing the proposed arrangement in light of recent design guidance set out in LTN1/20[136].

8.4.2 The Buckingham Road access is also understood to be under review by WSP in relation to LTN1/20[136]. The proposal drawing should also be updated in relation to geometric measurements and visibility splays.

8.5 Junction Modelling

8.5.1 WSP has presented a series of stand-alone junction models. Whilst I agree with the modelling parameters used for all models within the MKC area other than those relating to Bottledump and Tattenhoe roundabouts, I note that these stand-alone models cannot address potential re-routing across the network due to predicted congestion, nor do they take account of exit-blocking from downstream junctions.

8.5.2 The appellant argues that it agreed a general scope for the TA with both BC and MKC, which is correct. However, Transport Assessment is a process rather than simply a document - i.e. it is normal and logical for matters of concern (e.g., junction capacity) to be the subject of additional analyses, over and above that originally envisaged. This is confirmed in the statement of Mr Weeks (Appendix G) who acted for MKC at scoping stage, and further evidenced in the appellant's ongoing discussions with BC (which is presently reviewing the additional information provided by the appellant, and is currently unable to confirm its position on the matter).

8.5.3 WSP could have engaged with MKC and its modelling consultants to develop existing models in order to assess traffic redistribution or, if scope/time/cost or other issues were an influence on its decisions, it could have developed its own alternative modelling to deal with network-wide effects.

8.5.4 Likewise, TRN3[134] predicts queuing through the A421 Coffee Hall roundabout as a consequence of the proposed development, but there is no assessment at all of this junction within the submitted evidence.

[134] CD16/C
[135] CD10/H/B
[136] CD13/E

8.6 Proposed Mitigation Schemes

8.6.1 TRN3[137] demonstrates severe post-mitigation impacts on the A421 and Buckingham Road.

8.6.2 At planning stage, access and mitigation designs need to be developed to a point whereby the decision-maker can be confident regarding the nature and scale of the works, and that they are deliverable. In this case, there are multiple points which need to be addressed by the appellant in order to confirm whether the proposed schemes are capable of being conditioned and, if that was to occur, whether they can be delivered in the general form envisaged (subject to detailed design matters at s278 stage).

8.7 Conclusions

8.7.1 MKC was right to refuse planning permission for the appeal scheme. As set out in my earlier proof of evidence, there was insufficient information before Members at determination.

8.7.2 The 2020 TA[138] and subsequent TRNs[139]/ES chapters[140] identify additional mitigation requirements whilst also predicting unacceptable safety effects and a severe residual operational impact, contrary to paragraphs 108 & 109 of the NPPF.

8.7.3 The appellant's evidence is non-compliant with local and national policy, and with the NPPG. It is not sufficient for assessment purposes and also runs contrary to the EIA Regulations.

8.7.4 Issues remain in relation to the proposed site access junctions, including unacceptable safety impacts, which must be resolved in advance of any positive determination, as is usual.

8.7.5 The appellant should either undertake additional work to quantify its proposed redistribution of traffic across the road network (with associated mitigation where required), or it must refine its proposed mitigation schemes in order to avoid the severe operational impacts that TRN3[137] currently identifies.

8.7.6 The Inspector is respectfully requested to dismiss the appeal.

[137] CD16/C
[138] CD10/H/A
[139] CD16/A, CD16/B, CD16/C
[140] CD17/C

Appendix A 23/7/20 - email from WSP

Appendix A: Email of 23rd July 2020 Confirming WSP seeking instructions on redistribution analysis

From: Paddle, Martin <Martin.Paddle@wsp.com>
Sent: 23 July 2020 09:42
To: James McKechnie <JamesMcKechnie@hydrock.com>
Cc: Howard, Stephanie <Stephanie.Howard@wsp.com>; Sherlock, Justin <Justin.Sherlock@wsp.com>
Subject: RE: SOUTH WEST MILTON KEYNES

James,

Many thanks for your request as noted below.

I am seeking further instructions and will revert asap.

Regards

Martin J Paddle

BSc CEng CWEM MICE FCIHT MCIWEM

Director

Transport and Development Planning

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From: James McKechnie <JamesMcKechnie@hydrock.com>
Sent: 22 July 2020 15:49
To: Paddle, Martin <Martin.Paddle@wsp.com>
Subject: RE: SOUTH WEST MILTON KEYNES

Martin

Further to the below, some initial things which it would be really useful to have sight of if possible please?:

i) Raw traffic data;
ii) Traffic distribution and assignment spreadsheets;
iii) Traffic model files (with supporting queue data if available); and,
iv) Any assessment of traffic diversion away from congested junctions / the impact of those diversions.

You'll appreciate that we are in the early stages of our review, so anything you can provide will be useful and I look forward to an open discussion between us as things progress.

Kind regards

James

James McKechnie BA (Hons) PGDip FCIHT CMILT
Director | Transportation

Following government advice, I am currently working from home. If we need to speak, drop me a line and I'll get straight back to you. For wider information on working with Hydrock during COVID-19 visit hydrock.com/coronavirus.

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Appendix B 29/7/20 - WSP/Hydrock Meeting Minutes

South West Milton Keynes

Virtual MS TEAMS meeting held at 3pm on Wednesday 29 July 2020, with consultant Hydrock acting on behalf of Milton Keynes Council

Purpose: to introduce parties and discuss matters relating to the forthcoming planning appeal scheduled to commence on 13 October 2020.

Present:

Steph Howard (SH), Martin Paddle (MP), Justin Sherlock (JS) of WSP: acting for the Appellant
James Mckechnie (JM) of Hydrock: acting for Milton Keynes Council
Tom Thornewill (TT) of Hallam Land: representing the Development Consortium/Appellant

Distribution: Appellant team, MKC/Hydrock

Items Discussed

1. **Introductions and Background**

1.1 All attendees introduced themselves. MP/SH/JS are advising the Appellant; TT at Hallam Land was representing the Development Consortium (Appellant);

1.2 JM is the Transport Director at Hydrock. In line with current best practice relating to Public Inquiries, he~~H~~e is keen to ~~agree~~ explore and, where possible, agree various transport matters leading towards the Public Inquiry scheduled to commence on 13 October 2020. The Inquiry would then consider residual points of difference between the parties.

~~1.2~~ JM's ~~would like to test~~ approach will be to examine and evidence the robustness of the reasons for refusal of planning permission and then provide appropriate advice to his client Milton Keynes Council (MKC). ~~Discussions highlighted the inevitable need for JM's evidence to refer to the earlier TA (informing Members' determination), but~~ Notwithstanding the previous 2016 TA considered and accepted by MKC Officers, it was agreed~~understood~~ that the updated ~~new~~ WSP TA of May 2020 would be the main evidential focus of the Inquiry as required by the Inspector.~~;~~

1.3 MP explained the background to the proposed scheme to assist with JM's understanding and to provide context for the appeal and the planning re-submission. JM confirmed that he had only just started to review matters, but thanked WSP for the release of the traffic and speed data issued last week. JM asked if additional information could be issued – namely, i) traffic distribution and assignment spreadsheets; ii) traffic model files (with supporting queue data if available); and iii) any assessment of traffic diversion away from congested junctions / impact of those

Commented [PM1]: AGREED

Commented [PM2]: AGREED

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Commented [PM3]: OUR PREVIOUS 2016 TA WAS NEVER DISCUSSED IN THIS CONTEXT. THE TA 2020 UPDATES ALL MATTERS.

diversions. WSP to consider a~~agreed to prepare a~~ draft methodology in relation to iii.
Action: WSP ~~**to seek further instructions and circulate draft methodology re iii;**~~

Commented [PM4]: AGREED – BUT INAPPROPRIATE IN THE ABSENCE OF A STRATEGIC MODEL

~~MP stated that:~~ MP explained:

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1.4 The original planning application was submitted to Aylesbury Vale District Council (AVDC now Buckinghamshire Council – BC) in January 2015. A duplicate application was submitted to MKC for determination of two access points within MKC's jurisdiction off A421 Standing Way and Buckingham Road;

1.5 The application bundle comprised: Transport Assessment (TA), Framework Travel Plan, Environmental Statement (ES), Design and Access Statement (DAS), Planning Statement and other relevant documents;

1.6 Following the application submission in 2015 and at subsequent discussions with both Buckinghamshire County Council (BCC - now BC) and MKC, a methodology was agreed for data collection, trip generation distribution and the use of 'static' modelling of specific junctions. A comprehensive data collection exercise was then agreed with BCC/MKC and completed in 2015.

1.7 A 'Regulation 22' submission was made to AVDC in August 2016 to update relevant sections of the ES and the TA; the latter incorporated all the prior agreements with MKC, BCC and their respective consultants;

1.8 AVDC determined the application in July 2017 and resolved to grant planning permission subject to conditions and finalising the s106;

1.9 Following earlier deferrals by the Planning Committee at MKC, the duplicate planning application was then taken back for determination in November 2019, in advance of the completion of the s106 agreement. MKC subsequently refused the application on traffic/highway grounds.

2. Appeal + Planning Re-submission

~~MP went on to state that:~~MP explained:

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2.1 In December 2019, WSP met with Officers at BCC and MKC to discuss the way forward to update the TA which could then inform the planning submission and any subsequent appeal;

2.2 A staged approach was adopted to agree various technical matters with both authorities and their respective consultants. In this regard, the scope of the updated TA was agreed with BC and their consultant Jacobs and Stirling Maynard Transportation (SMT) acting on behalf of MKC. The TA scope comprises: the study area, extent of data collection, trip generation, distribution, modelling methodology etc; **Action: WSP to forward any previous correspondence to JM agreeing technical matters with MKC/BC;**

2.3 The following documentation was submitted to the Planning Inspectorate (PINs) on 14 May 2020 in support of the appeal. With exception of the Statement of Case (SoC) and the Statements of Common Ground (SoCG), the following documents comprised the re-submission bundle to BC:

- Statement of Case (SoC)
- Draft Transport Statement of Common Ground (SoCG)
- Draft Planning SoCG
- Transport Assessment + Appendices
- Framework Travel Plan
- Environmental Statement + Appendices
- Planning Statement
- DAS
- Parameter Plans + Masterplan

2.4 JM confirmed that he had received copies of the documents.

3. Transport Statement of Common Ground

3.1 MP confirmed that he was seeking to submit a second draft of the Transport SoCG with the exchange of evidence on 15 September 2020. A final copy should be available for the Inspector and Rule 6 parties on opening of the Inquiry, subject to any other directions issued by the inspector at the Case Management Conference (CMC) programmed for 3 September 2020.

4. Initial Comments from Hydrock

4.1 JS/MP explained that as part of the scoping exercise in consultation with BC, MKC and their respective consultants, it was accepted and agreed that traffic surveys should be completed in February 2020 to update the previous data collected in June, October and November 2015. JM stated that February was not 'neutral~~,~~' and requested evidence to demonstrate that the data were representative. **Action WSP to consider further.**

4.2 JM confirmed that he is working his way through the TA and the SoCG and would revert with comments asap; **Action Hydrock to respond.**

4.3 JM asked if WSP~~we~~ had assessed the potential for traffic reassignment. SH/JS confirmed that WSP had not quantified this given the agreed modelling methodology to develop individual 'static' junction models.

4.4 MP said that the unique nature of the road network in Milton Keynes would accommodate reassignment of traffic away from more congested areas; JM agreed that there would be reassignment across the network, and that the extent and impact should be quantified. MP indicated that WSP would consider this matter

Commented [PM5]: DON'T BELIEVE THIS WAS DISCUSSED IN THIS CONTEXT. THIS CANNOT BE QUANTIFIED IN THE ABSENCE OF A STRAGTEIC MODEL.

further. ~~and provide a draft methodology for discussion.~~ **Action initially WSP; Hydrock to respond.**

5. Programme/further meetings

5.1 The following key dates are to be observed:

- SoCs of MKC/Rule 6 parties to be issued to PINs: 7 August 2020
- CMC: 2pm, 3 September 2020
- Submission of Evidence to PINs: 15 September 2020
- Opening of Inquiry: 13 October 2020

5.2 MP proposed regular meetings with Hydrock as we progress towards exchange of evidence; JM agreed. **Action: WSP**

WSP
7 September 2020
~~24187 August 2020~~

Appendix C 18/8/20 – WSP/Hydrock Meeting Minutes

South West Milton Keynes

Virtual MS TEAMS meeting held at 12:00 on Tuesday 18th August 2020, with consultant Hydrock acting on behalf of Milton Keynes Council

Purpose: to discuss matters relating to the forthcoming planning appeal scheduled to commence on 13 October 2020.

Present:

Steph Howard (SH), Martin Paddle (MP), Justin Sherlock (JS) of WSP: acting for the Appellant
James Mckechnie (JM) of Hydrock: acting for Milton Keynes Council

Distribution: Appellant team, MKC/Hydrock

Items Discussed

1. Data Sharing

1.1 MP explained that further instructions are being sought across the development consortium regarding the release of further information. *Post meeting Note: Traffic distribution information and model files were released to Hydrock on 28th August 2020.*

2. Model Geometries

2.1 JM asked how the geometries in the models had been derived.
2.2 JS explained that it was a combination of OS mapping and on-site observations.
2.3 JM had held a discussion with Newton Longville Parish Council (Rule 6 party) and discussed potential missing geometric information from the TA.
2.4 JS explained that the appendices contained information showing how the geometries in the models had been measured.

3. Reassignment/diversion

3.1 JM agreed that there is potential for reassignment/diversion of trips to take place and the MK road network facilitated this.
3.2 MP explained that the WSP team had considered this matter further and concluded that without a strategic model it would be impossible to accurately assess the potential effects of how traffic would reassign during periods of peak demand.
3.3 The Shenley park sensitivity Test (Do Something 3) as requested by Buckinghamshire Council (BC) and included within the updated TA, considered an approximation in the absence of using a strategic model of the potential for traffic to reassign from V1 to the proposed Grid Road that would connect A421 with Kingsmead/Oxley Park, using a methodology agreed with BC.
3.4 JM agreed to consider this matter further. **Action: Hydrock**

4. Scoping Discussion Correspondence

4.1 MP explained that a bundle of relevant pre-application correspondence was being collated for issue to JM **Action: WSP**

5. Neutrality of February Traffic Surveys

5.1 JS explained that WSP had obtained data from a permanent traffic count site on the A421 to the west of the Bottle Dump Roundabout maintained by BC. WSP were reviewing the data and would produce a note assessing the validity of the February 2020 traffic surveys. **Action WSP**

5.2 JM explained that he had no in principle objection to collection of data in February providing it was demonstrated that it was representative.

6. Data Queries

6.1 JM queried if queue length data were available. JS explained that the queue length information was contained in the traffic surveys already provided.

6.2 JM explained that he was still reviewing the TA and would be in touch with any further clarifications.

7. Model Calibration

7.1 MP asked for clarification regarding the comment made in the Statement of Case regarding calibration of the junction models against the queue lengths.

7.2 JS explained that the methodology for calibrating the models was outlined within Section 6 of the TA.

8. Statement of Common Ground (SoCG)

8.1 JM had not seen the draft SoCG

8.2 MP confirmed that a first draft had been issued to PINs and MKC. **Action Hydrock to comment asap.** *Post meeting Note: WSP has received Hydrock's comments for review.*

8.3 JM asked that WSP request of their client to approve release of further information to speed up the process. **Action WSP** *Post meeting Note: Data has been issued as requested.*

9. General

9.1 MP explained that the aim was to resolve as many technical matters as possible to minimise the impact on Inquiry time.

9.2 JM agreed and felt there was potential to resolve a lot of the technical matters in advance if information requested was provided.

10. Programme/further meetings

10.1 Next meeting to be held on Tuesday 8th September at 10am *Post meeting Note: due to be rescheduled as JM unavailable.*

WSP
8 September 2020

Appendix D 6/10/20 Draft SoCG 06a

Table A1: Areas of agreement/disagreement

Level of agreement reached:

1 - Full agreement

2 - Not agreed and matter/topic subject to further review/discussion

Key Transport Headings/Topic Areas covered in the Updated TA, May 2020	Milton Keynes Council (Transport) Comments		Appellant Comments
	Comments	**Agreement**	
Scope of the Transport Assessment	**Not agreed – the scope of any TA has to include additional geographical areas / assessment work following from its preliminary conclusions, e.g. via the submission of an Addendum report to address the impacts of vehicle redistribution.**	**2**	The scope of the TA was previously agreed with MKC and BC.
Study Area	**The extent of impacts due to the redistribution of traffic is unknown.**	**2**	The study area is extensive and covers the corridor of A421 adjoining roads at key junctions to the west and east of the Proposed Development and the local villages. In the absence of a strategic model, the potential for the reassignment of trips is unknown.
Data Collection	**~~No evidence that data were collected in a neutral month.~~The appellant's proof of evidence provides new information which now demonstrates that the February 2020 data are suitable for use in the TA.**	**21**	Traffic surveys were completed in February 2020 to accord with the scope and specification previously agreed with MKC and BC.
Existing Conditions	**Data do not necessarily reflect neutral conditions**	**2**	Consideration of the existing conditions reflect the condition and performance of the highway/transport network prior to the COVID 19 pandemic.
Relevant National and Local policies	**Agreed**	**1**	This comprises the NPPF, Adopted and emerging Plan policies and the Local Transport Plan 4 for both MKC and BC.
Trip Generation Methodology	**Agreed with the exception of assessments based on Travel Plan effects.**	**1**	The adopted methodology has been discussed and agreed previously with MKC and BC.

Commented [PM29]: I ASSUME IF THE DATA ARE SUITABLE THEN THE INFERENCE IS THAT THEY MUST REFLECT NEUTRAL CONDITIONS?

Commented [PM30]: PLEASE CONFIRM WHAT YOU DISAGREE WITH IN REGARD TO TRAVEL PLANNING?

Appendix E 3/11/20 WSP Comments on Hydrock email

Appendix E: WSP email 3/11/20 re-confirming points regarding potential redistribution of traffic across the wider road network

From: Paddle, Martin <Martin.Paddle@wsp.com>
Sent: 03 November 2020 12:52
To: James McKechnie <JamesMcKechnie@hydrock.com>
Cc: Luke Hutcheson <LukeHutcheson@hydrock.com>
Subject: RE: 16414-TBCA SWMK Public Inquiry

James,

Please see my comments below, many of which we can pick up on at the meeting scheduled for tomorrow.

Regards

Martin J Paddle

BSc CEng CWEM MICE FCIHT MCIWEM

Director

Transport and Development Planning

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From: James McKechnie <JamesMcKechnie@hydrock.com>
Sent: 02 November 2020 13:46
To: Paddle, Martin <Martin.Paddle@wsp.com>
Cc: Luke Hutcheson <LukeHutcheson@hydrock.com>
Subject: 16414-TBCA SWMK Public Inquiry

Martin

In advance of our meeting scheduled for this week, I thought it would be useful to summarise some of the things which I think we are still expecting from yourselves. I hope this is helpful, and please note that the following is provided without prejudice to the Council's stated position set out in recent correspondence to PINS:

1. **A421 access** – Carter Jonas' letter of 8th October 2020 to BC suggests that there have been drawing changes in relation to the A421 access. Can you confirm and circulate the current proposed arrangement please? PLEASE SEE APPENDIX MJP8 TO MY MAIN PROOF. I ALSO UNDERSTAND THAT A COPY OF THE UPDATED MASTERPLAN WAS ISSUED TO YOU YESTERDAY BY MARK HYDE UNDER SEPARATE COVER.

2. **Bottledump Roundabout** – new plan & model awaited (per your email of 19/10/20) due to modelling issues (missing traffic on A421) etc. THIS IS CURRENTLY BEING UPDATED AND WILL BE ISSUED AS PART OF A SUPPLEMENTARY RESPONSE TO POINTS RAISED BY BC.

3. **Tattenhoe Roundabout** – revised layout and modelling needed (layout does not track for HGVs and model contains errors re internal links), as per your email of 19/10/20 and my emails of 15/10/20 and 21/10/20. WE HAVE NOTED YOUR COMMENTS WHICH ARE CURRENTLY BEING REVIEWED.

4. **Buckingham Road / Sherwood Drive / Water Eaton junction** – new drawing / model required, and clarifications as per my emails of 19/10/20 and 21/10/20. WE HAVE NOTED YOUR COMMENTS WHICH ARE CURRENTLY BEING REVIEWED.

5. **Road Safety Audit Briefs** – Justin Sherlock's email of 19/10/20 refers. When do you anticipate circulating these for approval please? THE DRAFT RSA AUDIT BRIEFS ARE CURRENTLY BEING PREPARED AND WILL BE ISSUED SHORTLY FOR REVIEW AND AGREEMENT. I AM SURE YOU WILL APPRECIATE GIVEN THE COUNCIL'S DESIRE TO IMPLEMENT IMPROVEMENTS VIA S278, THAT WE NEED TO ENSURE THAT BEFORE THE AUDIT BRIEFS ARE ISSUED TO THE AUDIT TEAM THEY REFER TO THE APPROPRIATE AGREED MITIGATION SCHEMES.

6. **Road Safety Audits** – what are your timescales for these please? NB that we will need to see Audits of the final mitigation proposals of course (noting the changes referenced above). THE TIMESCALE IS ENTIRELY DEPENDENT ON POINT 5 ABOVE.

7. **Costings for proposed mitigation works** – ditto above, when do you anticipate having costings ready, and NB that these need to reflect the final mitigation proposals. Costings should take account of matters including traffic management (any night works?) and any impact on statutory undertakers' equipment. COST PLANS ARE CURRENTLY BEING PREPARED BY THE APPELLANT'S QUANTITY SURVEYORS AND WILL BE ISSUED SHORTLY BUT MAY NEED TO BE REVISITED PENDING THE OUTCOME OF THE RSAs.

8. **Evidence to support proposed phasing of mitigation / contributions** – phasing triggers are set out in the draft s106, there is no supporting assessment work in the TA or in evidence. The TA would usually include assessment to support such triggers, in the absence of which, the works would be required early in the life of the development (e.g. potentially at first occupation). THE MECHANISM FOR DETERMINING TRIGGER POINTS WILL BE DISCUSSED WITH YOU AT THE MEETING TOMORROW.

9. **Evidence regarding the redistribution of traffic across the road network** – we take it that you are not now proposing to submit any evidence relating to redistribution of traffic due to congestion, given that nothing has been provided to-date. The TA and your evidence references such redistribution as a mitigating factor, which you say reduces the severe impacts which the TA and evidence indicate at locations on the road network, but there is no technical work to identify what the level, location or effect of this might be. WE HAVE DISCUSSED THIS POINT ON A NUMBER OF OCCASIONS IN PRIOR MEETINGS AND YOU HAVE ACKNOWLEDGED THAT THE UNIQUE NATURE OF THE MK ROAD NETWORK WOULD POTENTIALLY GIVE RISE TO REASIGNMENT DURING PERIODS OF CONGESTION IN FUTURE YEARS. THE EVIDENCE OF HOW THE WIDER NETWORK WOULD PERFORM IN 2031 (WHICH INCLUDES THE PROPOSED DEVELOPMENT) IS CURRENTLY AVAILABLE FROM THE MILTON KEYNES MULTI MODAL MODEL (MKMMM) WHICH IS THE EVIDENCE BASE USED TO SUPPORT PLAN:MK.

10. **Proposals for the alternative use of s106 monies, demonstrating a non-severe residual impact** – discussions are still to be had regarding the mechanism to deliver works that achieve a non-severe impact. There seems to be two stages that are required: CLEARLY THE COUNCIL'S APPROACH TO DETERMINE APPROPRIATE MITIGATION IS QUITE DIFFERENT TO THE PRINCIPLE ESTABLISHED BY MKC (AND ALSO AGREED WITH BC) IN 2015/16. NO DOUBT THIS WILL BE DISCUSSED IN THE MEETING TOMORROW.

    a. The identification of schemes which in themselves would mitigate in line with NPPF – whereas, the TA and proofs currently show a severe impact, meaning that these works are not currently a proxy for a linked financial contribution. THIS IS CLEARLY YOUR POSITION WHICH I UNDERSTAND IS A POINT YOU ARE TAKING IN EVIDENCE. THE INFERENCE IS THAT THE COUNCIL CONSIDERS HITHERTO THAT THE CURRENT PROPOSED MITIGATION IS INADEQUATE. IT WOULD BE EXTREMELY HELPFUL AND CONSTRUCTIVE TO UNDERSTAND IF THE COUNCIL CONSIDER THAT (IN THEIR VIEW) AN APPROPRIATE AND PROPORTIONATE LEVEL OF MITIGATION COULD BE AGREED?

    b. Then, if you were to pursue the s106 approach, technical evidence as to what alternative measures could be implemented in lieu of some of those works, achieving a non-severe impact. NO DOUBT THERE WILL BE FURTHER DISCUSSION ON THIS POINT AT THE MEETING TOMORROW.

I hope that the above is helpful in setting out where we are on various points. These are the 'headlines' in relation to current discussions and are not necessarily an exhaustive list (there may be other issues arising once we have received the further information which you propose to submit); NB also that there are additional technical queries in my earlier emails. I APPRECIATE WHAT YOU ARE DOING, BUT IT WOULD BE EXTREMELY HELPFUL IS TO SEE YOUR COMPREHENSIVE RESPONSE.

Kind regards

James McKechnie BA (Hons) PGDip FCIHT CMILT
Director | Transportation

Hydrock

Tel: 07921 264955

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Appendix F Note of Meeting on 23 March 2021

South West Milton Keynes

Virtual MS TEAMS meeting held at 3.30pm on Tuesday 23 March 2021, with consultant Hydrock acting on behalf of Milton Keynes Council

Purpose: to discuss matters relating to the forthcoming planning appeal scheduled to commence on 11 May 2021 and narrow the issues between the parties

Present:

Martin Paddle (MP) – WSP; and Mark Hyde (MH) – Carter Jonas, acting on behalf of the Appellant;

James Mckechnie (JM) of Hydrock: acting on behalf of Milton Keynes Council (MKC)

Distribution: Appellant, MKC/Hydrock

Items Discussed and Action Points:

1. **Public Transport:** JM confirmed that discussions are ongoing between Hydrock and MKC in regard to the proposed public transport specification for a new/extended bus service; **HYDROCK TO REVIEW WITH MKC AND MKC TO FEED BACK TO WSP;**

2. **Cycle provision** ref: Local Transport Note (LTN) 1/20 – issued in July 2020; JM questioned the detail at the pedestrian/cyclist crossing points close to the proposed Buckingham Road access (i.e: near to the Old Buckingham, Road junction and also where the internal road crosses Weasel Lane) and suggested they should be reviewed to accord with LTN 1/20. **WSP TO REVIEW AND FEED BACK TO MKC;**

3. A similar issue applies to the 'left in' only access off A421 which should be reviewed in the context of LTN 1/20. JM keen to see if there is a solution that is less convoluted and enables cyclists and pedestrians to follow a straighter route. JM's concern is that the suggested 'dog leg' in the revised pedestrian/cyclist route could encourage pedestrians to jump the proposed post and rail fence and conflict with vehicles leaving A421. JM prepared to be reasonable in the application of LTN 1/20, which was published in July 2020, but noted also that this is a safety issue; **WSP TO REVIEW AND FEED BACK TO MKC.**

4. JM confirmed that SMT are acting for MKC in relation to the live planning application in Buckinghamshire and may have other comments.

5. **Scope of Updated TA** – Hydrock would like to see evidence of agreement on scope; JM asked if WSP has a formal response from MKC? **WSP TO REVIEW AND FEED BACK TO HYDROCK [Post-meeting note: WSP forwarded available correspondence via email 30/3/21];**

6. **Transport Response Notes (TRN) 1 and 2**; largely reflect matters across the Buckinghamshire Council network; JM confirmed that there was nothing in particular to report on from an MKC perspective, albeit review work is ongoing;

7. **TRN3** – JM reported that the technical issues include those related to the junctions at Bottledump and Tattenhoe and the interaction of other junctions across the wider network. JM highlighted the following 'Headline' issues:

    a) Bottledump – Hydrock understand that there is no entry flare modelled on the w/b approach along A421, although an entry flare has been introduced in the modelling for proposed mitigation design; hence, this could be overestimating capacity; **WSP/HYDROCK TO REVIEW FURTHER;**

    b) Tattenhoe – JM reported that there is insufficient queueing capacity on internal links leading to excess queuing on the preceding arm(s) as traffic cannot exit the junction; **WSP/HYDROCK TO REVIEW FURTHER**

    c) J18 Windmill Hill roundabout – JM asked MP to check whether the model files had been released to Hydrock – **WSP TO CHECK ISSUE** *(post meeting note: details of J18 are included within TRN3);*

    d) All other junctions – JM confirmed that the issues relate to the impact at the junctions and the interaction between junctions; impact on street furniture; arboriculture, etc. No specific details were discussed relating to the other junctions during the meeting. JM confirmed that Hydrock would provide a response to WSP (potentially via SMT in relation to the BC application) on these points – **HYDROCK TO LIAISE WITH SMT**;

8. **TRN3** – JM reported on three other relevant points:

    a) General issues with mitigation; no consideration given to re-routing in congested situations; all assessments are single junction models showing queues and delays some of which interact between junctions; **WSP/HYDROCK TO REVIEW**. MP – the only way re-routing could have been assessed would have been through the use of the Milton Keynes Multi Modal Model (MKMMM) which at that time, Buckinghamshire Council (BC) were not prepared to endorse; in a similar way, BC also felt that the BC County model would be unsuitable. MP – notwithstanding, the evidence base to demonstrate the wider impacts in 2031 is available as it supports PlanMK;

    b) Deliverability of the highway improvements – JM mentioned that the proposed improvements would impact on street furniture, arboriculture, and other matters – all to be confirmed outside of the meeting (the approach was agreed, rather than taking up meeting time with technical points of detail). **HYDROCK/WSP TO REVIEW;**

    c) Line markings on plans; JM commented on the missing give way lines and other road markings on the concept plans; non specific at this stage; **HYDROCK / WSP TO CONFIRM;**

9. **S278 or s106** – MP confirmed that the improvements would be delivered via Grampian condition to secure a 'Highways Delivery Programme' and then via s278. The s278 could also include an equivalent contribution if MKC considered this to be more appropriate. JM would like to see an example of a 'Highways Delivery programme' **WSP TO PROVIDE EXAMPLE [Post-meeting note: MKC provided a note setting out the typical content of such a document on 29/3/21];**

10. **S106 with BC** – Hydrock queried cycle parking of £25k; how was this figure and the trigger of 600 units determined? **WSP TO REVIEW.** MP - This and other s106 triggers were defined in relation to previous draft and WSP would need to seek instructions to clarify. MH – s106 matters should be taken up directly by MKC through the consultation on the planning application with BC. **MKC/WSP TO REVIEW.** Also Travel Plan Co-Ordinator – should be in post six months prior to first occupation; **MKC TO INFORM BC OF THEIR COMMENTS ON THE s106**; **WSP TO REVIEW;**

11. **Costings** are being undertaken by Brookbanks on behalf of the Appellant. Hydrock first requested costings in September 2020 and these are currently being updated to reflect the updated mitigation. MP – they could be used to inform the s278 bond. **WSP TO CONFIRM AND PROVIDE TO MKC.**

12. **MKC's Case:** JM confirmed MKC's position – junctions (as discussed during the meeting, details to be confirmed in correspondence) show a severe impact. The previous approach (i.e in 2015/16) used the Milton Keynes Traffic Model (MKTM) and survey data collected at agreed junctions. JM content to make engineering judgements where relevant but requires suitable evidence to do so. MP - WSP had initially investigated the means of predicting level/location of traffic diversion but concluded that a strategic model would be required to quantify this. WSP discarded microsimulation given potential calibration of such a large model. In this regard, MP confirmed that the strategic model evidence base is available as it supports Plan:MK

13. MP explained the way forward re s278. The s278 could also include a provision for a contribution (in part or whole) as opposed to physical works if MKC felt that was more appropriate. JM expressed concern over CIL compliance to commute an equivalent sum as there are no "oven ready" transport schemes identified by MKC; MP directed Hydrock to MKC's Mobility Strategy 2036; **WSP/HYDROCK TO REVIEW SCHEMES AND INITIATIVES;**

14. JM reassured MP and MH that, as discussed from the outset of communication with WSP, his instruction is to provide impartial advice on the evidence, not simply 'to object'. JM - Nobody is disputing that the highway network (in part) is congested during the peak travel periods; however, what does it mean in a joined-up network and how would traffic reassign? MP – the only way to assess this is via a strategic model – the Milton Keynes Multi Modal Model (MKMMM) has been used to support Plan:MK and the evidence is available to make that judgement;

15. Hydrock raised the question of a microsimulation model; MP – this was considered by WSP but discarded as a viable option given the difficulties of calibration on a large network model; JM also raised the prospect of linked junction models; **WSP TO REVIEW;**

16. Draft Transport SoCG – **JM TO RESPOND WITHIN THE NEXT COUPLE OF DAYS IN READINESS FOR SUBMISSION TO PINs NO LATER THAN 31 MARCH 2021;** [Post meeting note: MKC draft of SoCG sent to WSP 26th March 2021]

17. MH - Planning submission is to be considered by BC at the Committee on **10 June 2021. JM -** MKC has provided an initial response, with detailed comments to follow based on its review of the latest evidence (on which it has recently been consulted).

WSP
9 April 2021

Appendix G Statement on Highway Matters by Mr Weeks

PROPOSED DEVELOPMENT AT SOUTH WEST MILTON KEYNES

STATEMENT ON HIGHWAY MATTERS

BY NIGEL WEEKS

STIRLING MAYNARD TRANSPORTATION

1.0 INTRODUCTION

1.1 This Statement has been produced by Nigel Weeks, Head of Stirling Maynard Transportation.

1.2 The Statement has been prepared and is given in accordance with the guidance of my professional association and I confirm that the opinions expressed are my true and professional opinions. I was the Transport Planner responsible for consideration of the original application 15/00169/FUL which is now the subject of this appeal. At the same time I reviewed the application for the full development submitted to the (then) Aylesbury Vale District Council on which Milton Keynes Council were consulted. I am currently reviewing the new application on which Milton Keynes Council have been consulted (20/01656/CONS).

1.3 The original application was accompanied by a Transport Assessment (TA) produced in 2016. This was subsequently superseded by a new TA produced in 2020 which accompanied the revised application to the new Buckinghamshire Council and is also being used to support the appeal. I was involved in the scoping of the 2020 TA and discuss this further overleaf.

2.0 2020 TA SCOPING

2.1 The original meeting to discuss a scope for a revised TA took place on 15th January 2020. I was not invited to that meeting as a Milton Keynes Council Officer attended but I was sent a copy of the Meeting Notes and subsequently asked to comment on the revised Scoping Note that was produced after the meeting. My response is attached as Appendix 1 to this Statement.

2.2 There are several key points to note about the process. The first is that the approach is now based on "count and multiply" rather than using the Milton Keynes Strategic Model (which was the basis of the 2016 TA). This was because some parties thought the Milton Keynes Model was now too old and out of date. Given that "count and multiply" gives a robust analysis I did not feel the need to challenge this.

2.3 Thus, as is clear from my response, although I raised some points of detail I did not have an issue with the proposed response.

2.4 However it is also the case that agreeing to the scope of the analysis does not automatically mean that there will be subsequent agreement to the way the analysis is actually applied or with the conclusions reached. As a simple example it may be agreed that a particular roundabout needs to be analysed for capacity but it doesn't mean the coding of the resultant models produced are accepted as correct.

2.5 Further of course the position of the Local Authority is influenced by what the TA actually shows. In this case there were a number of concerns regarding the analysis and the proposed mitigation which raised doubts about the weight that could be given to the TA. In that respect I would agree with the sentiments expressed in paragraph 3.1 of the Statement of Common Ground between Hydrock (for Milton Keynes Council) and the Rule 6 Party. This is reinforced by the fact that significant elements of the TA have been superseded by the subsequent Technical Notes.

2.6 This all follows common industry practice whereby an approach is agreed, some questions over the implementation of that approach are raised and further work is required. The agreement of the scope (or approach) is thus just the first stage in the process. The main difference here is the extent of the additional work that has been required.

3.0 ADDITIONAL POINTS

3.1 It is relevant to make a few additional points on the current situation. The first is to confirm that, as is clear in the response to the latest application, I agree that extensive additional work on the junction models was required.

3.2 Secondly there is no reference to redistribution of traffic due to congestion in the scoping report. It follows therefore that if this is to be relied upon as part mitigation additional data is required to justify the extent and the ability of the network to accommodate. Without this it is impossible to judge whether there is any spare capacity on adjacent routes or whether this would merely shift the congestion.

3.3 The 2016 TA was a valuable document at the time but it is now five years old. The base data on which it is based is considerably older. In addition the forecast design years have had to be moved further into the future. It is therefore a document of its time. The need for a new TA is not therefore challenged just its application.

3.4 It is also relevant to note that the discussions took place over the scope in anticipation of a new application. It was not until late in the day it was appreciated it was to support an appeal.

4.0 CONCLUSIONS

4.1 In conclusion therefore:

i) The 2016 TA is now out of date due to age, particularly for the base data and the forecast timelines.

ii) Milton Keynes Council positively engaged over the scoping for a revised TA.

iii) Acceptance of the scope is only the start of the process. It is reasonable to question elements as to how that scope was applied and how the results were interpreted.

iv) The validity of this is confirmed in the subsequent extensive Technical Note that had to be produced.

v) Outside of the appeal Officers are recommending objection to the revised application (reference 20/01656/CONS) based on all the latest information available.

Nigel Weeks
12 April 2021

Appendix 1

Response to Scoping Report

Sherlock, Justin

From:	Stirling Maynard Transportation <smt@smtrans.co.uk>
Sent:	25 February 2020 13:27
To:	Sherlock, Justin
Cc:	Howard, Stephanie; Paddle, Martin; Phil.Caves@Milton-Keynes.gov.uk
Subject:	SOUTH WEST MILTON KEYNES - SCOPING

Justin,

I refer to your email of 3 February with the undated scoping note and minutes of the meeting of January 15th on highways with the various interested parties. Phil Caves (MKC) has asked me to respond directly. In general I have no issues with the proposed scope which is comprehensive but I have just a few observations which I set out below:

i) I note Buckinghamshire County Council have decided that the MK model is not suitable for analysis of junctions within Milton Keynes. I do accept the model base data is old and the proposed approach is robust so I do not propose to revisit this argument but please note the comment on distribution below.

ii) I welcome the "lane movement" approach for some roundabouts especially Bottledump. This roundabout caused particular grief with Newton Longville Parish Council who insisted the ARCADY Lane simulation approach should be used to reflect what is on the ground. My experience is that this option is not robust. My view has always been the lane markings at the roundabout are unbalanced and when it is improved the lane markings could be changed to better reflect demand with a bit of merging on the far side. Traditional ARCADY reflects this and shows the true potential of the roundabout. The proposed data collection will allow for a more thorough analysis.

iii) The sensitivity test includes for Shenley Park which changes the grid road network and the need for redistribution is noted. The use of the Bucks County Council model is suggested. I would reserve our position on this for further discussion. Distribution and redistribution was the main reason for using the MK Model as, apart from any changes to the network, the model also reflects congestion on the network and the reassignment it causes which is one of the strengths of the grid road network. The proposed traditional approach with turning movements and TEMPRO doesn't account for this. It actually is less of a concern in some ways for the main analysis because if traffic is not reassigned from the H8 corridor, which is the most congested, then a worst case will be tested. However Shenley Park with the extra grid road link will however have to be modelled and I am not sure at this stage whether the Bucks model is the best way to do it. I think this is one area where further discussions will be required.

iv) I note queue surveys are being done to calibrate models. ARCADY/PICADY output mean maximum queues over a time period so the correct comparison will need to be made. Also, despite the comments on slow running traffic, the accuracy of queue length surveys needs to be noted. However it should improve confidence in the model.

v) Bucks County Council might have confirmed the severity of residual cumulative impact, as required by NPPF, is accepted as opposed to nil detriment. I would await to see how this is interpreted before we comment as "severe" is hard to define. We shall take our own view on this when we see the proposed mitigation.

vi) TRICS comment refers to excluding Central London. I assume this should say Greater London.

vii) I note the comments on Travel Planning and a target of 12%. This is welcome but I would warn that our focus of traffic impact is a worst case no modal shift.

viii) The brief for the surveys is very comprehensive.

Happy to discuss further if required.

Kind regards,
Nigel Weeks
Tel:- 01908 690463

Appendix H Traffic Signs Manual Extract

Traffic Signs Manual

CHAPTER 5

Road Markings

2018

Traffic Signs Manual

Chapter 5

Road Markings

Department for Transport

Department for Infrastructure (Northern Ireland)

Scottish Government

Welsh Government

London: TSO

6.8.7. When segregation is achieved using road markings alone, no special allowance needs to be made for broken-down vehicles, as other traffic will not be prevented from passing (vehicles will be allowed to enter the hatched area of diagram 1042 in this case). However, whether segregation is provided by road markings or a physical island, the design should not prevent vehicles from making a left turn at the roundabout in the normal way by using the non-segregated part of the approach. This would allow the segregated lane to be closed where this is considered to be the safer option in the event of a breakdown.

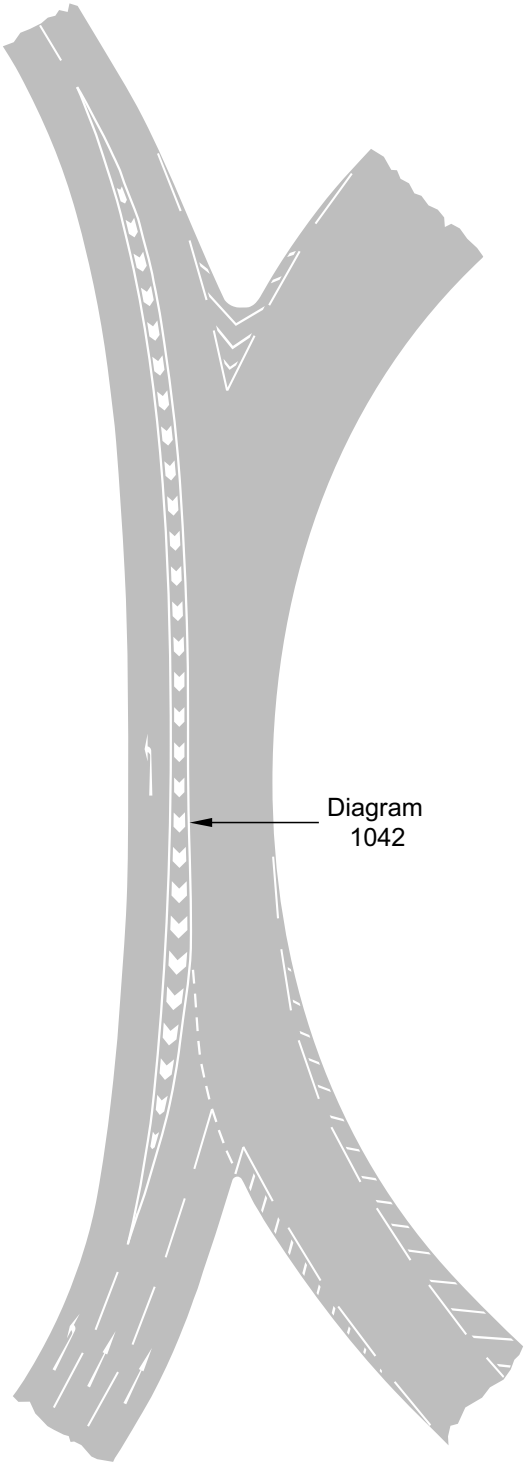

Figure 6-7 Example of a segregated left-turn lane

6.9 Yellow box markings

6.9.1. Schedule 9 General Direction 9 prohibits the use of yellow box markings (S9-6-25, see section **8**) on roundabouts unless the entry of traffic is under full-time signal control on that part of the roundabout where the marking is to be provided. This is because a circulating

vehicle has priority over those entering. If it stops to avoid obstructing the box when its exit is blocked, thereby releasing the flow of entering vehicles, there is likely to be uncertainty over re-establishing right of way when the exit is clear again. Moreover, a vehicle stopped in an outer lane might obscure vehicles lawfully continuing to circulate on the inner lanes (whose exit might not be blocked) from the view of drivers entering the roundabout. Yellow box markings must not be used where part time signals are in operation.

6.9.2. Although the Directions do not prohibit the use of the “KEEP CLEAR” marking (diagram 1026, S11-4-16) on roundabouts, there are still the potential problems of obscuration of sight lines and re-establishing priorities. These risks should be assessed carefully when considering whether the marking might help resolve problems caused by exit blocking.

6.10 Transverse yellow bar markings

6.10.1. Transverse yellow bar markings are used in certain conditions on high speed approaches to roundabouts, either on the main carriageway or on an exit slip road. They have been shown to be effective in reducing accidents associated with speed adaptation, i.e. where drivers have been travelling at sustained high speed for long periods. There is little evidence that they reduce collisions in other circumstances. The types of accidents most likely to be influenced are single vehicle and overrun accidents. The markings should not be used in an attempt to reduce speeds at sharp bends or other hazards. Unless there is a very strong case due to the accident record, the markings are not appropriate on slip roads, or if there is a segregated left-turn lane for the roundabout, or at roundabouts controlled by traffic signals. On approaching a green signal, some drivers will slow down in response to the markings, whilst others will maintain speed in an attempt to beat a change to red.

6.10.2. Before use of the markings is contemplated, it is essential to ensure that all standard signing has been correctly installed and is of the appropriate size (see Chapter 4). All signs should be checked to ensure they are in good condition and not obscured e.g. by vegetation, and sited at the correct distances from the junction. Only then should treatment with yellow bar markings be considered.

6.10.3. The markings are prescribed as diagram 1067 (S11-4-35) and should normally be considered only where the following criteria are met:

a) the carriageway on which they are to be laid is on the approach to a roundabout on a motorway or dual carriageway road subject to the national speed limit, either on the main carriageway or on an exit slip road),
b) there is at least 3 km of dual carriageway in advance of the site, with no major intersections or bends with a horizontal radius less than the desirable minimum for a 120 kph design speed shown in table 3 of TD 9 ‘Highway Link Design’,
c) the road is subject to the national speed limit, and
d) the accident record for the roundabout includes at least three accidents involving personal injury during the preceding three years, in which speed on the relevant approach was a contributory factor.

6.10.4. Each approach to a given roundabout is treated as a separate site and the use of the markings on each approach must be justified independently. The application of the criteria in **6.10.3** will ensure that the markings are used only at sites where they are likely to make a positive contribution to safety.

6.10.5. The marking consists of 90 yellow transverse bars on main carriageways, and 45 on slip roads. The bars are 600 mm wide, and are laid at right angles to the centre line of the