

Patrick Thomas, Spatial Planner

PROOF OF EVIDENCE

TOWN & COUNTRY PLANNING ACT 1990

Appeal Reference	APP/R3705/W/24/3336295
Planning Reference	PAP2021/0663
Site Location	Land north east of Junction 10 of the M42 Motorway /north of the A5, Dordon, North Warwickshire
Proposal	Outline planning permission for development of land within Use Class B2 (general industry), Use Class B8 (storage and distribution) and Use Class E(g)(iii) (light industrial), and ancillary infrastructure and associated works, development of overnight lorry parking facility and ancillary infrastructure and associated works. Details of access submitted for approval in full, all other matters reserved
Appellant	Hodgetts Estates

May 2024

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Introduction

National Highways: Role & Responsibility

1.1 My name is Patrick Thomas, I am employed by National Highways as a Spatial Planner within the Midlands Operations Directorate.

1.2 National Highways is appointed by the Secretary of State for Transport as strategic highway company under the provisions of the Infrastructure Act 2015 and is the highway authority, traffic authority and street authority for the Strategic Road Network (SRN). The SRN, consisting of all motorways and trunk roads in England, is a critical national asset and as such National Highways works to ensure that it operates and is managed in the public interest, both in respect of current activities and needs, as well as in providing effective stewardship of its long-term operation and integrity.

1.3 National Highways is a statutory consultee under the Town and Country Planning Act 1990 and consider planning proposals with regards to their potential impacts on the SRN in accordance with relevant policies and design standards.

Reason for Proof

1.4 National Highways is submitting this proof of evidence as a Rule 6 party in the appeal against non-determination by the Local Planning Authority for application PAP/2021/0663.

1.5 As further set out in Para 2.11, at the time of appeal, National Highways has a holding recommendation in place to allow the appellant further time to provide supporting information in order for National Highways to fully assess the potential development impact on the SRN.

Case Officer

1.6 I have more than twenty two years of experience working within National Highways (and its predecessors) across a number of roles within operations, with more than 15 years working in development management and planning field, ensuring the continued safe and efficient operation of the SRN. I have a post graduate qualification in Transport Planning and Engineering from Edinburgh Napier University.

1.7 My role involves advising Local Planning Authorities (LPAs), developers and other key stakeholders on the impact that proposed developments may have on the safe and efficient operation of SRN. I also attend planning committees, if requested, to provide technical support on highways matters or provide clarification on matters which relate the SRN.

1.8 In addition, I provide advice and guidance to LPAs through the Local Plan process, assessing the impact of projected growth on the SRN along with the identification of potential infrastructure mitigation to support proposals. I attend Examinations in Public to provide technical information and advice to aid the LPA and Planning Inspector.

The Appeal Site

2.2 The appeal development (Fig. 1 above, yellow hatched) is a speculative site and therefore, consistent with the NPPF and the Circular, demonstration that the proposed development does not have unacceptable safety impact or a severe residual cumulative impact on the SRN needs to be provided.

2.3 National Highways was formally consulted on the planning application for the proposed development by North Warwickshire Borough Council on 10th December 2021.

2.4 In response to the initial consultation, National Highways recommended to the council that 'planning permission is not granted for a specified period', as an initial holding recommendation on 31st December 2021, with further such responses provided on 1st April 2022, 22nd June 2022, 27th September 2022, 22nd December 2022, 22nd March 2023, and 22nd September 2023, to allow time for the applicant to submit further supporting information.

3 Operational Context

A5 Corridor

3.1 The A5 operates east west across the Midlands and provides strategic access to Shropshire and Staffordshire to the west, and Warwickshire, Leicestershire, and Northamptonshire to the east. The corridor connects with the motorway network

at M6 Junction 2, M42 Junction 10, and M1 Junction 18, and has a significant role as a key diversion route for these corridors.

3.2 Junctions on the A5 provide access to Hinckley and to Nuneaton via the A47 which form the Major Road Network for both Leicestershire and Warwickshire. These junctions are linked in operation and have had extensive reviews to optimise the signal timings; however, significant peak time queuing remains.

Present Operation

3.3 The A5 currently in location of the appeal site experiences capacity constraints, in particular during the peak hours.

3.4 Queues frequently form between the two junctions during the peak hours, creating a 'blocking back' effect where traffic is unable to clear the junctions during their respective green phases. This is also noted within the submitted TA.

3.5 There is also a significant increase in journey times (from under one minute outside the peak hours to over three minutes during the peak hours) reflecting a reduction in traffic speeds as a result of queuing at the junctions.

3.6 Traffic surveys, including video surveys, were undertaken in July 2023. The survey methodology was reviewed and agreed by the Appellant with National Highways.

4 National Highways Assessment of the Appeal Proposal

4.1 National Highways policy position to developments impacting on the SRN is set out in the NPPF and the Circular. The pertinent paragraphs in relation to this appeal can be found at paragraphs 104,105,110, 111, and 113 of the NPPF as well as DfT Circular 01/22, in paragraphs, 8, 10, 11, 12, 23, 24, 25, 48, 49, 50, & 51.

Assessment of Highway Impact - modelling

4.2 The appellant has made efforts to demonstrate the impact of the proposal in modelling terms. Previously outstanding matters in relating to the TRANSYT modelling have sufficiently been progressed by the appellant and are now agreed. Please refer to Section 7 of the Highways Statement of Common Ground between National Highways and the Appellant.

A5/Site Access junction

4.3 The appellant has proposed changes to the SRN which involve the creation of a signalised site access on the A5 in effort to demonstrate the impact of the proposal in modelling terms. Previous outstanding matters relating to the TRANSYT modelling have been sufficiently progressed by the appellant and are now agreed. Please refer to Sections 8, 9 and 10 of the Highways Statement of Common Ground between National Highways and the Appellant.

4.4 A Stage 1 Road Safety Audit in compliance with Design Manual for Roads and Bridges (DMRB) Standard GG119 is required from the Appellant on the proposed

site access scheme. Please refer to 'matters to be agreed' at Section 8 of the Highways Statement of Common Ground between National Highways and the Appellant.

Road Safety

- 4.5 The Appellant has submitted a Transport Assessment Addendum (CD B39) aimed at providing additional information to the Transport Assessment to demonstrate impact of the proposals on the SRN.
- 4.6 The Appellant has undertaken a Safety Risk Assessment (CD H33) which was submitted to National Highways 23 April 2024. The objective of the assessment was to consider the change in road safety risk arising from the proposed access junction and the proposed mitigation measures. The Appellant submitted a revised Safety Risk Assessment on 20th May 2024.
- 4.7 The Safety Risk Assessment concluded that the safety risks associated with the proposed works are at an acceptable level. However, this conclusion has not yet been accepted by National Highways. National Highways review of the assessment report has highlighted the following safety matters to the Appellant that are agreed and matters that require further consideration (please see Table 1 below):

Table 1.

Section 2.17	1.01. 3 years and 9 months' worth of data has been analysed, with 2020 and 2021 omitted due to the impact of the Covid-19 pandemic. This is considered logical and would likely be more representative.
Section 2.21	1.02. This is slightly misleading as only the slight collision trend improved. Can this be reworded appropriately?
Section 3.4 Analysis of Safety Risk	2.01. Based on the comments below, it is likely that Section 3.4 will need updating.
Table 3.2 as applicable	3.01. Review the severity of a collision between vehicles and pedestrians or cyclists, before mitigation. It is currently considered as severity 3 'serious harm', we suggest considering 4 'major harm' given the speeds. 3.02. Review the severity of a collision between vehicles and pedestrians or cyclists, after mitigation. It is currently considered as severity 2 'moderate harm', we suggest considering at least 3 'serious harm' given the speeds.
Table 3.2 Ref 1	3.03. Clarify whether this risk refers to roundabout approaches, circulatory carriageway or both? 3.04. Consider whether increasing the number of lanes and traffic potentially increases the frequency of any other types of collision? I.e. side swipes from weaving / lack of guidance markings.
Table 3.2 Ref 2	3.05. Provide clarity whether this risk refers to the vicinity of the junction only or the whole of the scheme. 3.06. Consider whether the introduction of the new development junction on a high-speed road and associated extra lanes, signals and stop lines increases the risk of collisions, along with the extra traffic.
Table 3.2 Ref 4	3.07. Consider whether this risk should be considered as two separate risks. The severity and likelihood of the two different types of collisions mentioned could be very different.
Table 3.2 Ref 7	3.08. ALARP and Chapter 8 are the current working practice and are the baseline, mitigation measures to improve on the risk score would need to be achieved through other methods such as low maintenance materials and systems etc.
Table 3.2	3.09. Within the design feedback document, a number of issues were highlighted which could relate to safety or lead to a departure from standards. It is assumed departure applications would be submitted via DAS and have their own specific risk assessment. Any issues within the design feedback document that are not to be dealt with via the departure system, should be considered within this risk assessment.
Table 3.2	3.10. A departure report has been provided by Tetra Tech, dated March 2024. It appears to cover the use of substandard width lanes on the A5 east approach. It is assumed that a formal departure application and risk assessment will be submitted on DAS at some point in the process, therefore it has not been included in this risk assessment.
Appendix A B033920 – TTE – 00 – ZZ – DR – H – 1003 P01	4.01. Review road markings on roundabout approach from Green Lane. The colour of the arrows and text suggests these are existing markings, however they do not match the existing markings observed from online satellite imagery. 4.02. Clarify if the red markings are to replace the existing. A double headed arrow is shown on the circulatory carriageway adjacent Trinity Road. If destination text to be retained it would be a departure. 4.03. Further safety issues were highlighted in the design feedback document Paragraph 4.1 to 5.1. Include these in the risk assessment if they are not departures to be applied for separately.

M42 J10 Mitigation measures

4.8 The Appellant has proposed changes to the SRN which include a number of changes to the A5 eastbound approach towards M42 J10, the M42 J10 northbound and southbound entry and exit slips, the introduction of pedestrian and cycle facilities, as detailed in Sections 9 and 10 of the Highways Statement of Common Ground. This includes both a Reference Case (without the LPA Local Plan scheme) and Local Plan Case (with the Local Plan scheme in place) in effort to demonstrate the impact of the proposals in modelling terms. Previous outstanding matters relating to the TRANSYT modelling have been sufficiently progressed by the appellant and are now agreed. Please refer to Section 9 and 10 of the Highways Statement of Common Ground between National Highways and the Appellant for the most up to date position.

4.9 A Stage 1 Road Safety Audit in compliance with DMRB Standard GG119 is required from the Appellant on the proposed mitigation scheme. The Road Safety Audit Brief has not been approved and this Stage 1 remains outstanding from the Appellant. Please refer to 'matters to be agreed' in Sections 9 and 10 of the Highways Statement of Common Ground between National Highways and the Appellant.

Sustainable Travel

4.10 The Circular at paragraphs 6 and 13 makes very clear that consistent with the Transport Decarbonisation Plan, Gear Change, Bus Back Better and the second Cycling and Walking Investment Strategy, walking, wheeling, cycling and public transport must be the natural first choice for all who can take it.

4.11 The Appellant has submitted a Vision Based Travel Plan. This has been approved by National Highways in January 2024, please refer to Section 5.6 in the Statement of Common Ground between National Highways and the Appellant.

4.12 In terms of sustainable travel measures, the Strategic Transport Assessment identifies a number of opportunities, for example existing cycle networks and potential options for contributions, including those which are contingent on other development proposals being progressed. Nonetheless, it is considered that the evidence submitted to demonstrate how a 15% mode shift can be achieved is sufficient and line with the requirements of NPPF Para 114.

5 Summary and Conclusion

5.1 In terms of safety, the Appellant has submitted a Safety Risk Assessment (CD H33). At the time of writing, a Safety Risk Assessment in accordance with DMRB Standard GG104 has not been completed by the Appellant, and the conclusions within the report have yet to be verified by National Highways. A DMRB GG119 compliant Stage 1 Road Safety Audit on the Appellant's proposed mitigation scheme also remains outstanding from the Appellant. This means that extent of

any potential safety impact has not yet been properly demonstrated and (if appropriate) sufficiently addressed by the Appellant.

5.2 In terms of Highways Impact, the Appellant has undertaken TRANSYT modelling of the development which this shows the traffic impact of the appeal site with proposed mitigation, can be accommodated on the SRN. Please refer to Section 7 of the signed Statement of Common Ground between National Highways and the Appellant.

5.3 National Highways preference is that a DMRB GG104 compliant Safety Risk Assessment and Stage 1 Road Safety Audit in accordance with DMRB GG119 should be satisfactorily completed by the Appellant prior to the granting of any planning permission. This is in line with current standard planning practice employed by the company.

5.4 However, should the Inspector be minded to grant the appeal, National Highways is reasonably content to recommend to the inspector that planning conditions be attached to any planning permission granted, requiring the satisfactory completion of a DMRB compliant GG104 Safety Risk Assessment and a Stage 1 Road Safety Audit in compliance with the DMRB Standard GG119, in addition to the other appropriate planning conditions agreed by National Highways with the appellant.

6. REFERENCES

CD B- 39	Transport Assessment Addendum
CD D-18	Highways Statement of Common Ground May 2024
CD E-8	National Highways Planning Response 31/12/21
CD E-24	National Highways Planning Response 01/04/22
CD E-32	National Highways Planning Response 22/06/22
CD E-36	National Highways Planning Response 27/09/22
CD E-43	National Highways Planning Response 22/12/22
CD E-45	National Highways Planning Response 22/03/23
CD E-49	National Highways Planning Response 22/09/23
CD H26	Vision Based Travel Plan v2 – December 2023
CD H30	GG104 Safety Risk Assessment report