

CD-D32

Land North East of M42 Junction 10

784-B033920

Summary Proof of Evidence of Dr N.R. Bunn BSc(Hons), MSc, Ph.D, MCIHT, CMILT

Appeal Reference: APP/R3705/W/24/3336295

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Hodgetts Estates

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1.0 Personal Qualifications

- 1.1 My name is Dr Nicholas Reynolds Bunn. I am a Director with Tetra Tech Ltd, with responsibility for Traffic and Transportation at the Newcastle and Leeds offices. I have over thirty five years' experience in traffic and transportation matters. I was appointed to advise on transport matters in January 2022.
- 1.2 My evidence addresses Reason for Refusal 3 and Matter 4, and will address the transport elements of Matters 6 and 7.
- 1.3 My evidence shows that the appeal proposals do not result in a severe impact in terms of congestion and delays and is in an accessible location, and passes both national and local policies in these respects.
- 1.4 Highway SoCGs have been agreed with WCC and SCC, these set out that all highway matters are agreed. A highway SoCG has been signed with NH in which all matters are agreed, however the outcome of a GG104 Safety Risk Assessment and Stage 1 RSA remain to be agreed. Discussions will continue with NH to resolve these outstanding matters. A further update to the inquiry will be made.

2.0 Background

- 2.1 There has been a long and detailed assessment of the highway impact of the appeal proposals commencing with Scoping by Bancroft Consulting in 2020 and the submission of the Bancroft TA with the application in 2021.
- 2.2 Following our appointment in 2022 we agreed a Transyt16 based modelling strategy in March 2022 and undertook traffic surveys in the same month. A base Transyt16 model was prepared and its validation was agreed by WCC and NH in August 2022. The model was used to assess the impact of the Appeal proposals and a mitigation scheme for M42 Jn10 was identified. SCC also required assessment of the B5404 Quarry Hill and B5080 Pennine Way roundabouts which was originally done with Junctions10, and showed satisfactory performance.
- 2.3 A Revised TA was prepared which set out the Transyt assessment, accessibility improvements, proposed access junction and proposed highway improvements at M42 Jn10. The TA concluded that with the proposed mitigation the impact on the road network was acceptable in the Reference and Local Plan Cases.
- 2.4 Following advice from NH and WCC in February 2023 that the previously agreed 2022 surveyed traffic flows were not yet stable post Covid-19, that the previously agreed WCC A5 Atherstone Paramics model was not acceptable, and that the previously agreed network extent was not acceptable, a revised Transyt16 modelling strategy was prepared and agreed with NH, WCC and SCC. The Transyt model was extended to include the B5404 Quarry Hill and B5080 Pennine Way roundabouts in the west and A5/ Dordon Roundabout in the east. A new traffic survey was undertaken in early July 2023, and the committed developments were rebased to 2023.
- 2.5 A revised base Transyt16 model was prepared and its validation was agreed by NH, WCC and SCC. The model was used to assess the impact in 2026 and 2033 Reference Case and in a 2033 Local Plan Case. The results and an updated accident assessment were reported in the December 2023 TAA report.
- 2.6 In January 2024 SCC agreed that the impact of the Appeal proposals were acceptable, having previously agreed (November 2023) the proposed foot/cycle improvements on Pennine Way.

- 2.7 Following some discussions and adjustments to the Transyt models, NH agreed on 2 May 2024 that the models were acceptable, that the impact of the Appeal proposals was acceptable and that the site access, and proposed mitigation measures were acceptable in principle. NH also agreed that the design comments could be addressed at later design stages.
- 2.8 An independent GG104 Safety Risk Assessment was submitted to NH, WCC and SCC on 23 April 2024. The assessment finds that the safety risks associated with the proposed works are at an acceptable level. The GG104 is not yet agreed with National Highways, but discussions are ongoing.
- 2.9 At the time of writing a S1RSA has not yet been completed. This is because NH had initially requested that the Audit is delayed until they have provided design comments. Design comments were provided on 2 May, and the Audit brief is now with NH for approval, but has been approved by WCC and SCC. The Audit will be conducted as soon as possible and a further update to the Inquiry will be made.
- 2.10 On 29 April WCC confirmed that their consultants SLR had reviewed the Transyt models and that the impact on WCC network was minor/ negligible. The Transyt model and the results have been agreed by NH, WCC and SCC in their SoCGs.

3.0 Site Access Junction

- 3.1 The site is to be accessed from a new traffic signal controlled junction. The A5 will be widened to three lanes in each direction, and the eastbound carriageway will be raised to remove the level difference between the eastbound and westbound carriageways. The junction includes a signal controlled crossing of the A5 and of the site access junction, as well as improved pedestrian/ cycle facilities on the north side of the A5 between the site and M42 Jn10.
- 3.2 The Transyt assessment has shown that the access junction will operate with acceptable levels of queues and delays in both AM and PM peak hours in both Reference and Local Plan cases. The Transyt model and the results have been agreed by NH. The Transyt assessment is robust because the traffic flows did not take into account the likely traffic reductions resulting from a travel plan.

- 3.3 The formation of the access junction will require the removal of two existing laybys on the A5. The appeal proposals include a 150 space lorry park, in an area where there is a strategic need for more on-site lorry parking to address existing shortfalls. In addition to the proposed lorry park there are existing services at Tamworth Services on Green Lane as well as existing laybys on the A5 east of Grendon, east of Atherstone and at the A5/ A453 interchange.
- 3.4 The layout of the junction, the Transyt assessment and the removal of the laybys has been agreed by NH.
- 3.5 As noted in para 2.8 and 2.9 above, the GG104 and S1RSA remain to be agreed with NH.
- 3.6 In conclusion, the layout of the proposed access junction is agreed in principle, subject to the S1RSA, and agreement of the GG104 assessment. The access junction includes improved provisions for pedestrians and cyclists and it operates with acceptable levels of queues and delays in all assessed scenarios.

4.0 Impact of Generated Traffic – Reference Case

- 4.1 The impact of the appeal proposals have been assessed in the 2026 and 2033 Reference Case using the agreed Transyt model.
- 4.2 The Reference Case includes committed developments, background traffic growth, and the existing highway network.
- 4.3 The development traffic flows, as required by NH, did not make any reduction for the anticipated effects of a travel plan nor the use of the nearby rail freight terminal at Birch Coppice. This means that the assessment of impact is robust.
- 4.4 In the 2033 No Development AM situation, long queues and delays are predicted on the A5 eastbound approach to M42 Jn10. The queues are predicted to extend back along the A5/ Pennine Way merge, to the Pennine Way roundabout, and along the Pennine Way north arm. A combined queue of 86pcu is predicted and drivers on Pennine Way north are expected to queue for 7 minutes 20 second to reach the M42 Jn10 stopline. Traffic on the A5 eastbound Lane 3 is expected to queue for 3¾ minutes to reach the M42 Jn10 stopline. Elsewhere on the network queues and delays are within acceptable parameters.

- 4.5 In the No Development PM scenario, Green Lane has a queue of 18pcu and a delay of 2mins 14 sec (Lane 2), The southern overbridge has a queue of 20pcu and a delay of 19 seconds (Lane 1) and a queue of 26pcu with a delay of 36 seconds in Lane 2. Trinity Road has a queue of 18pcu and a delay of 1min 52sec in Lane 1. Elsewhere on the network the queues and delays are relatively modest.
- 4.6 With the addition of traffic generated by the Appeal proposals and the proposed mitigation measures there is a substantial reduction in AM queues and delays on the A5 eastbound Lane 1 approach. The queues no longer block back to the Pennine Way merge and drivers from Pennine Way are expected to queue for just 20 seconds to reach M42 Jn10, a reduction of 7 minutes. Traffic on the A5 eastbound Lane 3 approach are expected to queue for just 19 seconds, a reduction of 3¼ minutes. Elsewhere on the network the queues and delays are relatively modest.
- 4.7 In the PM peak there is a small reduction in queues and delays at Green Lane and a reduction in queue, but a small increase in delay at Trinity Way. Elsewhere on the network the impact of the Appeal proposals are again relatively modest.
- 4.8 The Transyt model and the results have been agreed by NH, WCC and SCC in their SoCGs.
- 4.9 The M42 Jn10 mitigation scheme comprises widening the A5 eastbound approach to M42 Jn10, introducing a lane-gain merge for traffic from Pennine Way, enhancing pedestrian and cycle facilities, improving the diverge to Kinsall Green, widening the circulating carriageway between the A5 westbound exit and the M42 northbound on slip, and extending the Lane 4 flare length on the A5 westbound approach. The scheme has been agreed in principle by NH.
- 4.10 As noted in para 2.8 and 2.9 above, the GG104 and S1RSA remain to be agreed with NH.
- 4.11 In conclusion the significant impacts from the development on the transport network (in terms of capacity and congestion) can be cost effectively mitigated to an acceptable degree and meets the requirement of the NPPF and local policy in this regard. The S1RSA, and GG104 assessment remain to be agreed with NH and discussions are ongoing.

5.0 Impact of Generated Traffic – Local Plan Case

- 5.1 Circular 01/2022 advises that sites not allocated in a local plan should be in an area of high accessibility and that they should not pose a significant constraint to the delivery of the local plan.
- 5.2 As set out in section 8 below the Appeal site is in a highly accessible location.
- 5.3 The impact of the Appeal proposals on the Local Plan was assessed in 2033 assuming that there was full delivery of committed developments, local plan allocations and highway schemes (i.e., A5 Dordon - Atherstone and M42 Jn10).
- 5.4 The Transyt analysis has shown that in the Local Plan scenario the highway network (with the M40 Jn10 scheme amended for the Reference Case mitigation measures) can accommodate the Appeal site in both the AM and PM peaks. It was also found that by providing 3 lanes at the A5 eastbound exit, queues and delays on the M42 Jn10 A5 eastbound approach could be reduced.
- 5.5 The Transyt analysis showed that the Appeal proposals do not result in a significant constraint to the Local Plan and that the requirements in Circular 01/2022 were satisfied.
- 5.6 The Local Plan assessments have been agreed by NH and SCC, and the amended Local Plan scheme at M42 Jn10, and the additional mitigation measures have also been agreed in principle by NH subject to the S1RSA.
- 5.7 The agreed Reference Case Transyt models have been used to assess the implications of different levels of local plan traffic on the existing road network in 2033 assuming full delivery of the committed developments and excluding the Appeal proposals. The assessment found that with 15% (or greater) of the Local Plan traffic, queues and delays were an issue at M42 Jn10 in both AM and PM peak periods. At Dordon roundabout the analysis showed that queues and delays became an issue only with 30% of Local Plan and only in the AM peak on the A5 westbound approach.
- 5.8 Including the Appeal proposals and improvements, M42 Jn10 could accommodate up to 80% of the Local Plan traffic when queue and delays became an issue only on the M42 northbound off slip in the PM peak.

- 5.9 With the Appeal site and 30% Local Plan, the AM peak queues and delays at Dordon Roundabout were somewhat longer. As a result the Appeal site does not require the Dordon roundabout improvement scheme to be brought forward.
- 5.10 The analysis takes no account of the likely Travel Plan effects on the Appeal site trip generation nor the slightly lower traffic flows which would occur at earlier time horizons and therefore the assessment is robust.
- 5.11 in conclusion the appeal site can be delivered alongside the Local Plan and its proposed highway schemes (as amended). If these do not come forward then the Local Plan faces significant restraint at M42 Jn10. The Appeal proposals can provide an infrastructure boost, as up to 80% of the Local Plan could be delivered at this junction as a result of the proposed mitigation measures. At Dordon Roundabout, 30% of the Local Plan can be delivered and it is not significantly affected by the Appeal site.

6.0 Road Safety

- 6.1 The Appeal proposals and mitigation measures include a number of features which are likely to enhance road safety. The layout of the highway proposals are agreed in principle with NH for the SRN and with SCC for Pennine Way/ Pennymoor Road.
- 6.2 An independent GG104 Safety Risk Assessment has been prepared and which finds no unacceptable road safety impacts with the proposed works. The assessment is not yet agreed with NH, but discussions are on going.
- 6.3 A Stage 1 Road Safety Audit has not yet been completed. The Audit brief is with NH for approval, and has been approved by WCC and SCC. The Audit will be conducted as soon as possible and a further update to the Inquiry will be made.

7.0 Lorry Parking

- 7.1 The Appeal site is located in the logistics Golden Triangle, and is adjacent to the M42 and the A5, both are key freight routes. As a result there is locally a high level of logistics use and demand for lorry parking. National lorry parking surveys in 2017 and 2022 have identified a shortage of on-site spaces in the West Midlands which results in off-site parking with concomitant problems of litter, noise and waste.

- 7.2 Consequently, the Appeal site is ideally located, from a transport perspective, to provide on-site lorry parking facilities in an area of strategic need.

8.0 Sustainable Transport

- 8.1 The Appeal site is in a sustainable location for freight and logistics being located adjacent to the SRN and sufficiently close to Birmingham Intermodal Freight Terminal to be rail served. The transfer of freight from road to rail will reduce HGV miles and road emissions.
- 8.2 WCC and SCC have respectively agreed that the newly proposed 41 and 66 bus services could be extended/ diverted to serve the Appeal site together with a suitable level of financial support. It has also been agreed ,that if required, the developer could fully fund reinstatement of the 766/767 services.
- 8.3 Owing to recent funding changes this service in being withdrawn and Birch Coppice will be served from Tamworth by the No 66 and from Nuneaton by the 41 service. WCC and SCC have agreed that these services can be extended/ diverted to serve the Appeal site, and that the Sc106 contribution of £216,000 per annum could be used to reinstate the 766/767 or provide support to the 66 and 41 services.
- 8.4 A Vision Based Travel Plan has been agreed with SCC and NH which sets out a range of sustainable transport measures which will be implemented. These include significant improvements to pedestrian/ cycle connections between the Appeal site, Tamworth and Dordon, as well as public transport improvements and promotional measures.
- 8.5 The Travel Plan also estimates that the likely reduction in traffic generation which can be reasonably expected is 18% and has been agreed by NH.
- 8.6 The Appeal site meets national and local policy requirements for sustainable transport.

9.0 Third Party Comments

- 9.1 Third parties have raised several issues in relation to the Appeal proposals which have been reviewed. There are no additional issues raised which would warrant the refusal of planning permission.

10.0 Policy Considerations

10.1 The Appeal proposals, subject to the Stage 1 Road Safety Audit, meet the key transport policies of the NPPF, and the policies identified in NWBC's third reason for refusal.

11.0 Conclusions

11.1 In my evidence I have shown that:

- (i) The site can be accessed from a new traffic signal controlled junction on the A5, that the access operates within acceptable queue and delay parameters and that it provides improvements for pedestrians and cyclists.
- (ii) In the Reference Case the impact of the Appeal proposals on M42 Jn10 and A5/B5080 Pennine Way can be accommodated provided mitigation measures at M42 Jn10 are provided.
- (iii) The mitigation measures provide a significant reduction in queues and delays on the A5 eastbound approach and on Pennine Way.
- (iv) In the Local Plan Case, the Appeal site can be accommodated on the highway network with the planned improvements at M42 Jn10 (as amended by the Reference Case mitigation) and the planned improvements at Dordon Roundabout.
- (v) That without the Local Plan improvements, M42 Jn10 is predicted to have queue and delay issues with around 15% of the Local Plan traffic, however with the addition of the Appeal site and its mitigation measures, M42 Jn10 can accommodate around 80% Local Plan traffic.
- (vi) That without the Local Plan improvements, Dordon Roundabout is predicted to have queue and delay issues with around 30% of the Local Plan traffic, however with the additional of the Appeal site the queues and delay are not significantly worse.
- (vii) An independent GG104 Safety Risk Assessment has shown that safety risks associated with the proposed scheme are acceptable but is to be agreed with

NH. A Stage1 RSA is in progress and a further update to the Inquiry will be made.

- (viii) The site ideally located for the use proposed, storage and distribution, being directly at the confluence of the M42 motorway and the A5 trunk road.
- (ix) The site is ideally located to provide the on-site lorry parking facility in an area of identified strategic need.
- (x) The site is in a sustainable location, it is rail served, that an acceptable package of sustainable transport measures are proposed which are likely to reduce the level of traffic generation.
- (xi) The issues raised by third parties have been reviewed and no significant additional issues were raised.

11.2 In relation to the matters raised by the Inspector: Matter 4 – the Appeal proposal can be accommodated on the SRN and local roads without causing significant issues for delays and congestion, and in relation to road safety a S1RSA is in progress; Matter 6 – the site is an excellent location in transport terms for a lorry park; Matter 7 – the Appeal proposals contribute to sustainable transport through its location and proposed measures to improve accessibility by a choice of means of travel.

11.3 In relation to NWBC's third Reason for Refusal, I have shown that the appeal proposals do not result in a severe impact in terms of congestion and delays, and is in an accessible location and passes both national and local policies in these respects.

11.4 The only issue outstanding is whether the site access and proposed mitigation measures are acceptable in road safety terms. Discussions are in progress with NH on the GG104 Safety Risk Assessment, and a Stage 1 Road Safety Audit is in progress.

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