

Land North East of M42 Junction 10

784-B033920

Highways Statement of Common Ground Between Staffordshire County Council and Hodgetts Estates

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

Application Number PAP/2021/0663

Hodgetts Estates

May 2024

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1.0 Introduction

- 1.1 This Highway Statement of Common Ground ('HSoCG') has been prepared by Tetra Tech on behalf of Hodgetts Estates ('the Appellant') and has been agreed with Staffordshire County Council (SCC) who are the highway authority for local roads which form junctions with the A5 west of M42 Jn10. The relevant roads are (from north to south) the B5080 Pennine Way, Pennymoore Road and the B5404 Quarry Hill in Tamworth. The HSoCG is prepared in relation to an appeal against non-determination of planning application on land north east of M42 Jn10, Dordon, Warwickshire (PAP/2021/0663 – the "appeal site") by North Warwickshire Borough Council (NWBC) the local planning authority.
- 1.2 At the NWBC Development Board meeting of 4 March, the council resolved to refuse the permission and three reasons were cited. Reason 3 relates to highway matters and states that:
- The applicant has failed to demonstrate that the development would not result in an unacceptable impact on both the strategic and local highway networks or that the development can be accommodated in a manner that would not cause increased danger and inconvenience to highway users, including those travelling by sustainable modes. On this basis the proposed development would result in a severe impact on the road network contrary to policies LP23, LP27 and LP29(6) of the North Warwickshire Local Plan 2021 and paragraph 115 of the National Planning Policy Framework 2023.*
- 1.3 This HSoCG has been prepared in association with SCC in order to identify agreed areas as well as to facilitate the narrowing of issues in dispute, and to streamline the preparation of evidence.

1.4 This HSoCG has been prepared jointly and agreed by:

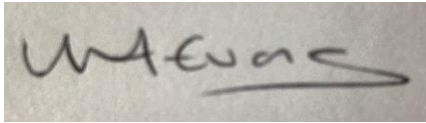


Signed:

Date: 23 May 2024

Dr Nick Bunn

Tetra Tech Ltd (on behalf of Hodgetts Estates)



Signed:

Date: 23 May 2024

Mark Evans

Staffordshire County Council

2.0 The Appeal Site and its Context

Appeal Site

- 2.1 The appeal site is located to the north east of M42 Jn10. It has a western frontage to the M42 and a southern frontage to the A5. To the northern boundary is the village of Birchmoor, and the eastern boundary is to farmland.
- 2.2 Tamworth lies to the west of the M42 and is a large town. To the east are the villages of Polesworth and Dordon. To the south of the A5 is Tamworth Logistics Park, Birch Coppice and Core 42. All three sites are large employment and logistics sites. Birch Coppice is also an intermodal rail freight facility. Tamworth Logistics Park is accessed from Trinity Way, whilst both Birch Coppice and Core 42 are directly accessed from the A5 via traffic signal controlled junctions.

Appeal Proposals

- 2.3 Outline planning permission is sought for the development of land for up to 100,000sqm within Use Class B2 (general industry), Use Class B8 (storage and distribution) and Use Class E(g)(iii) (light industrial), a 150 space overnight lorry park (including an associated 400sqm amenity block). All matters are reserved except for access.
- 2.4 The site is to be accessed from a new traffic signal controlled junction on the A5 located between the signal controlled M42 Jn10 and A5/ Birch Coppice junctions.

Highway Context

- 2.5 The M42 motorway together with A42 provided a high standard high speed connection between the M1 at Junction 23A, and the M6Toll at Junction T1, M6 at Junctions 4/4A, M40 at Junction 3A and M5 at Junction 4A. In the vicinity of the site, the M42 is a dual 2-lane motorway. National Highways is the highway authority for this road.
- 2.6 The A5 is a trunk road which provides a connection between the M1 at Junction 11a at Luton, and the M6 at Junction 12 west of Cannock. The A5 is of variable standard some sections being rural dual carriageway, and some being urban single carriageways. In the vicinity of the site the A5 is dual carriageway road between the M42 Jn10 and Dordon Roundabout. From M42 Jn10 heading east the speed limit is

70m for a distance of some 540m, where it reduces to 50mph for a distance of some 900m where it reduces to 40mph. East of Dordon Roundabout the A5 is a single carriageway road subject to a 40mph speed limit. Between the M42 Jn10 and Dordon there are a number of private accesses and junctions with minor roads, particularly in Dordon. This section of the A5 has few congestion issues.

- 2.7 The A5 crosses the M42 at a large grade separated roundabout junction. The roundabout is signal controlled and there are congestion issues particularly on the A5 eastbound approach in the AM and PM peak periods.
- 2.8 West of the M42 Jn10, the A5 is a dual carriageway road subject a 70mph speed limit and with grade separated junctions. Some 270m west of M42 Jn10 is a grade separated junction with the B5404 Quarry Hill to the south and the B5080 Pennine Way to the north. There are existing congestion issues which result in traffic queues from the A5 merge extending back to the A5/ Pennie Way Roundabout.
- 2.9 In the vicinity of the site there are footways on both sides of the A5 which are of varying standard and some sections are also shared unsegregated cycle routes. There are signal controlled pedestrian and cycle crossings of the A5 at the Birch Coppice and Core 42 junctions as well as a number of uncontrolled crossings.
- 2.10 The A5 is bus route and adjacent to the site there is a bus stop and layby for eastbound buses. The nearest stop for westbound buses in on Danny Morson Way at Birch Coppice.
- 2.11 National Highways is the highway authority for the A5 including the slip roads to the roundabouts with Quarry Hill and Pennine Way and for M42 Jn10.
- 2.12 On the northwestern quadrant of M42 Jn10 Green Lane provides access to Relay Park, a large employment and logistics site, as well as to Tamworth Services. Green Lane on its approach to M42 Jn10 is a dual carriageway road with a 30mph speed limit.
- 2.13 On the southeastern quadrant of M42 Jn10 Trinity Road provides access to Tamworth Logistics Park, Wood End and Kingsbury. It is a single carriageway road with a 50mph speed limit.
- 2.14 WCC is responsible highway authority for the minor road junctions on the non-strategic highway network comprising Green Lane and Trinity Road , at M42 Jn10,

and Long Street and Gypsy Lane at Dordon, as well as the public rights of way which pass through the appeal site and other land under the control of Hodgetts Estates.

- 2.15 The B5404 Quarry Hill and the B5080 Pennine Way provide access to the residential areas of Tamworth. Both roads are single carriageway with 30mph speed limits. Staffordshire County Council is responsible highway authority for the B5404 Quarry Hill and the B5080 Pennine Way.

A5 Improvements

- 2.16 National Highways are developing a highway improvement scheme for the A5 between Dordon and Atherstone. This scheme is identified in the North Warwickshire Local Plan as being of critical importance. National Highways undertook a public consultation on scheme options in Autumn 2022 and the Department for Transport is yet to decide on whether the scheme progress to Preferred Route Stage. If approved construction is anticipated to be in Road Investment Strategy period 4 2030 to 2035.
- 2.17 National Highways are currently investigating low cost highway improvement scheme options for the M42 J10 which are required for the North Warwickshire Local Plan.
- 2.18 Neither scheme has reached the level of certainty where it could be considered to be committed.

3.0 Sustainable Transport

- 3.1 A range of sustainable transport measures to encourage the use of sustainable transport options and to reduce the vehicular trip generation of the Appeal proposals are set out in the Vision Based Travel Plan, as submitted to NH, SCC and WCC in September 2023. It is attached at Appendix P to the Transport Assessment Addendum report dated December 2023.
- 3.2 The proposed measures comprise:
- Improvements to foot/cycleway connections along from the B5080 Pennine Way/ Pennymoor Road, along Pennine Way to its junction with the A5, along to Green Lane, the site and A5/ Core 42 and Brown's Lane.
 - Signal controlled pedestrian and cycle crossings on M42 Jn10 at Green Lane and at the M42 north facing slip roads, and at the site access junction.

- Signal controlled pedestrian crossing of the A5 at the site access junction.
 - Improvements to the width and surface of existing Public Bridleways and Public Footpaths (AE45, AE46 and AE48), together with a new foot/cycle link to Barn Close, Dordon, to improve connectivity with Birchmoor, Tamworth, Polesworth and Dordon.
 - Provision of cycle parking and as well as showers and changing facilities in all buildings, as well as publicly accessible facilities at the ancillary Hub Office.
 - Extending the existing services between Tamworth and Nuneaton from the A5 into the proposed development. This has been agreed in principle with Staffordshire County Council and Warwickshire County Council, and suitable turning areas and waiting facilities will be provided within the site, to be controlled by planning conditions. S106 transport contributions will be paid to North Warwickshire Borough Council and will be distributed accordingly to the relevant public transport authority to procure relevant services based on the site requirements.
 - E.V. charging will be provided at 20% of all car, motorcycle and LGV spaces across the site and all parking spaces will be ducted for E.V. for future conversion. E.V. charging will be provided at 10% of all HGVs spaces and/or loading docks with ducting provided to the remaining 90% to future proof the development.
 - A travel plan coordinator will be appointed and will promote sustainable transport choices.
- 3.3 The proposed measures relevant to SCC are the proposed improvements to the cycle facilities on the B5080 Pennine Way between its junctions with the A5 and Pennymoore Road junction shown on TT drawing 784-B033920-TTE-00-ZZ-SK -H-0001-P05, attached at Appendix A.
- 3.4 The proposed works can be secured via a planning condition.

Matters Agreed

- The site is in a sustainable location for the use proposed.
- The proposed foot/cycleway enhancements upgrades to the B5080 Pennine Way are acceptable and can be secured by a suitably worded condition set out in Section 5 of this Statement.

Matters to be Agreed

3.5 None.

4.0 Assessment of Highway Impact

- 4.1 The methodology to be used to assess the effect of generated traffic on the highway network is set out in the Consolidated Modelling Strategy v2. This was agreed by WCC in July 2023, by National Highways in November 2023 and by Staffordshire CC in November 2023. A copy of the agreed strategy is attached at Appendix G of the Transport Addendum Report dated December 2023.
- 4.2 A Transport Assessment Addendum Report was submitted in December 2023 which set out the assessment of the 2026 and 2023 Reference Cases, and the 2033 Local Plan Case.
- 4.3 In January 2024 SCC confirmed their agreement to the assessment of the highway impact, the proposed mitigation measures, and road safety assessment set out in the TAA.
- 4.4 In March 2024 SCC agreed that no additional assessment of impact at A5/ Longshoots and A5/ Dodwells was required

Matters Agreed

- 4.5 The following matters are therefore agreed in as far as they affect the roads for which SCC are the Highway Authority.
- The impact from the appeal proposals on the transport network (in terms of capacity and congestion) can be cost effectively mitigated to an acceptable degree through the identified mitigation measures in TT drawing 784-B033920-TTE-00-ZZ-SK -H-0001-P05, attached at Appendix A.
 - The appeal proposals do not result in an unacceptable impact on road safety.
 - The proposed improvements at M42Jn10 can be secured via a suitably worded planning condition to be agreed with National Highways as the Highways Authority for the A5 and M42.

- 4.6 The highway works on the roads for which SCC are the highway authority are limited to the foot/cycleway improvements on the B5080 between the A5 and Pennymoor Road. And are shown on TT drawing 784-B033920-TTE-00-ZZ-SK -H-0001-P05, attached at Appendix A.
- 4.7 It is agreed that these works can be secured via a planning condition as set out in Section 5 of this Statement.

Matters to be Agreed

- 4.8 None

5.0 Planning Conditions

- 5.1 It is agreed that the highway works at Pennine Way and Pennymoor Road can be secured via the following planning condition.

Prior to the first occupation of the development the foot/cycleway improvements on Pennine Way between the A5/ Pennine Way roundabout Pennymoor Road and shown on TT drawing 784-B033920-TTE-00-ZZ-SK -H-0001-P05 shall be implemented to the satisfaction of the Local Planning Authority in consultation with Staffordshire County Council.

Appendix A: Drawing 784-B033920-TTE-00-ZZ-SK-H-0001-P05

