APP/APB/4



PEEL ENVIRONMENTAL MANAGEMENT UK LTD AND BILSTHORPE WASTE LTD

# **BILSTHORPE ENERGY CENTRE**

PUBLIC INQUIRY UNDER SECTION 77 OF THE TOWN AND COUNTRY PLANNING ACT 1990 (AS AMENDED) INTO THE PROPOSED DEVELOPMENT OF AN ENERGY FROM WASTE FACILITY ON LAND AT BILSTHORPE BUSINESS PARK, BILSTHORPE, NOTTINGHAMSHIRE

> PINS REFERENCE: APP/L3055/V/14/3007886 LPA REFERENCE: ES/2950

# REBUTTAL RESPONSE BY ANDREW BELL (BA MSc MCIT MIHT) ON HIGHWAYS & TRANSPORT MATTERS WITH REFERENCE TO SUBMISSIONS BY:

RUFFORD PARISH COUNCIL EAKRING PARISH COUNCIL BRITISH HORSE SOCIETY

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#### 1.0 INTRODUCTION AND SCOPE OF RESPONSE

- 1.1 This rebuttal response has been prepared by Axis to provide a response to highways and transport related matters raised by third parties as part of formal submissions to the Bilsthorpe BEC Call-In Inquiry (PINS Ref: APP/L3055/V/14/3007886). For reference the submissions considered and responded to within this rebuttal statement are as follows;
  - Rufford Parish Council: Submission dated 29<sup>th</sup> September 2015.
  - Eakring Parish Council: Submission received 6<sup>th</sup> October 2015
  - British Horse Society: Letter dated 30<sup>th</sup> September 2015 from BHS Regional Access Officer (S Hull) and letter dated 5<sup>th</sup> October 2015 from A. Burt.
- 1.2 It should be noted that the evidence submitted by these third parties covers a range of issues, however, it is only the specific highways and transport matters that have been considered in this note.

### 2.0 RESPONSE TO HIGHWAYS AND TRANSPORT RELATED MATTERS RAISED BY RUFFORD PARISH COUNCIL

- 2.1 The evidence prepared by Rufford Parish Council (RPC) raises three main highways and transport related points:
  - Details of traffic surveys undertaken at the A614 / Deerdale Lane junction by RPC members in August / September 2015.
  - Concerns regarding highway safety and capacity at the A614 / Deerdale Lane junction associated with the addition of predicted BEC application scheme related traffic.
  - Reference to the historical and extant 'triggers' for improvements at the A614 / Deerdale Lane junction.
- 2.2 The following paragraphs consider these matters in more detail.

### RPC Traffic Surveys

- 2.3 The RPC evidence includes reference to recent traffic count surveys carried out by RPC members at the junction of the A614 / Deerdale Lane. It is understood that these surveys were carried out in late August / early September 2015 and recorded through traffic movements on the A614 and turning manoeuvres to / from the Deerdale Lane (E) side road. It should be noted that the submitted RPC count data presented only total recorded traffic volumes, with no indication provided as to HGV movements. No commentary was provided on the performance of the junction during these surveys.
- 2.4 Axis has reviewed the information presented by RPC and would note that it highlights the two-way traffic levels on the key main approach links to the junction as summarised in **Table APB-Rebutt1/A** to this evidence.

	Off Peak	AM Peak		PM Peak	
Approach Arm	12:30-13:30	07:30-08:30 Fri 18 <sup>th</sup> Sep	07:30-08:30 Mon 21 <sup>st</sup> Sep	16:00-17:00	17:00-18:00
A614 Old Rufford Rd (N)	1099	1740 (58%)	1836 (67%)	1800 (64%)	1765 (61%)
Deerdale Lane	166	282 (70%)	300 (81%)	219 (32%)	223 (34%)
A614 Old Rufford Rd (S)	1081	1736 (61%)	1814 (68%)	1775 (64%)	1738 (61%)

Table APB-Rebtutt1/A – Summary of Peak / Off-Peak Traffic Flows from RPC Survey

Two way flow (% increase above off peak flow)

- 2.5 The data recorded by RPC demonstrates that both the A614 and Deerdale Lane corridors show clear peaks in weekday demand - taking place during traditional AM & PM 'rush hour' periods. Indeed, the RPC surveys suggest that traffic demand at such peak times is typically over 50% higher than during the day-time off-peak surveyed period. Such observations of peaked operation of the local highway network and much lower levels of off-peak traffic demand accord with the network traffic patterns noted and commented upon within section 2.5 of the 2013 Transport Assessment (TA) (Core Document Ref: 5) prepared in support of the original planning application.
- 2.6 In order to provide some context as to the peak hour traffic survey information presented by RPC, Axis have compared the RPC data to the AM & PM background traffic count data that informed the 2013 TA. To provide the most meaningful comparison, the 2013 data has been 'growthed' to 2015 levels based on the traffic growth methodology for forecasting future assessment periods as set out in the 2013 TA report (i.e. using locally adjusted National Traffic Model forecast factors). This methodology identifies the following 2013-2015 peak hour growth factors for AM & PM peak periods:
  - 2013 2015 AM Peak: 1.0285
  - 2013 2015 PM Peak: 1.0289

- 2.7 The results of this exercise are set out in **Appendix APP/APB/4-A** to this report, which illustrates the difference between the 'growthed' 2015 flow data and the recently collected RPC traffic count information. Review of this comparison identifies the following main trends:
  - The AM rush hour survey period data collected by RPC (for the time period 07:30-08:30) is slightly lower than the forecast 2015 traffic levels for the same time period as derived from the 2013 count that informed the TA. The Friday (18/09/15) RPC count was of the order of 6% lower on the A614 approaches (110+ two-way movements) and 3% lower on the Deerdale Lane approach. The Monday (21/09/15) RPC count was 1% 2% lower on the A614 approaches, but 3% higher (9 two-way movements) on Deerdale Lane.
  - The RPC PM survey period data (17:00-18:00) is slightly higher than the forecast 2015 traffic flows, being of the order of 4% higher on the A614 (circa 65 two-way vehicle movements) and 12% higher on Deerdale Lane (23 vehicle movements).
- 2.8 It is therefore clear that the peak hour 2015 RPC survey data and the background traffic forecasts that underpinned the 2013 TA are broadly similar and typically lie within traditional expected daily variation parameters of each other (i.e. + or 10% Ref: Paragraph 3.16 to the IEMA "Guidelines for the Environmental Assessment of Road Traffic"). On this basis I consider that the RPC traffic surveys do not identify any material changes to traffic demand on the A614 / Deerdale Lane corridors that was not forecast / anticipated within the 2013 planning application TA.

#### General Safety & Capacity Matters

2.9 The RPC evidence raises a number of concerns relating to the operation of the A614 / Deerdale Lane junction, in particular suggesting that the junction has reached saturation point '7 days a week' and raising general highway safety concerns in relation to exit movements from Deerdale Lane.

- 2.10 I would note that no evidence has been submitted by RPC to substantiate the suggestion that the junction is at saturation point 7 days a week. Indeed, only limited traffic count data has been submitted by RPC, which represents weekday information only. Furthermore this weekday data clearly demonstrates a 'peaked' demand profile, with traffic demand during off peak periods (the majority of the day) being much lower than rush hour 'peak' demand.
- 2.11 As identified in the 2013 planning application TA, the BEC scheme is anticipated to generate strictly limited traffic volumes at this junction during 'peak' network demand periods (13 movements (two-way) during AM rush hour periods (8 HGVs) and 7 movements during the PM periods (2 HGVs)). Such traffic demand would represent less than 0.5% of total traffic movements at the junction at such peak times and therefore could not be expected to result in severe operational effects at the junction (see section 6.2 to the 2013 TA).
- 2.12 Main traffic movements associated with the BEC application scheme could be expected to occur during day-time off-peak periods, when general network traffic demand is at much lower levels. Even during maximum development traffic generation periods (mid-afternoon main shift change– over), application scheme traffic levels at the junction are only expected to be less than 1 vehicle every two minutes (25 vehicles (14 HGVs)).
- 2.13 With respect to the highways safety matters raised by RPC, as I have set out within section 2.4 to my main evidence, the A614 / Deerdale Lane junction has, in fact, operated with a good recent road safety record. No accidents have been recorded within 30m of the junction since 2009, with no HGV related accidents recorded at this point over the full 24 year study period 1990 2015. It is also worth noting that the increased driver eye height associated with HGV cabs provides improved visibility from these vehicles for movements from the Deerdale Lane side road.

#### Historical Improvement Triggers

- 2.14 The RPC evidence makes reference to the fact that a requirement for capacity improvements has historically been identified at the A614 / Deerdale Lane junction. Such improvements have been identified as being associated with future development quantum at the Bilsthorpe Business Park, with trigger points for the need for future works being based on detailed network capacity calculations / forecasts.
- 2.15 The original 2004 'trigger' referenced in the RPC evidence was based on detailed traffic modelling work undertaken at that time and it is important to note that ultimately the 16,000sqm threshold identified and referenced by RPC did not represent a point at which improvement works were required, but rather a threshold point in the delivery of the Bilsthorpe Business Park development at which a further assessment of junction operational performance was required to be undertaken, in order to establish whether works were needed. This threshold / review position was set out within the S106 legal agreement to support the original 2004 Bilsthorpe Business Park consent.
- 2.16 The trigger set out in the 2004 S106 agreement was reviewed and replaced in 2010, following updated network operational analysis, including for the capacity effects of the junction improvement works at A614 / Deerdale Road delivered to support the NCC Highways Depot scheme. The nature of the 2010 trigger is set out in an updated S106 legal agreement (see section 4.2 to my main evidence) and effectively identifies a development traffic threshold at Bilsthorpe Business Park (over and above that development already consented / delivered) of an additional 10,000sqm B2 / B8 land use (in any combination, save that no more than 6,000sqm shall be B2 land use).
- 2.17 The BEC application scheme represents a waste management land use (sui generis use class order). It is therefore inappropriate to consider the acceptability of the development in traffic and highways terms via a simple

comparison of development gross floor area. Such an appraisal can only be carried out through a direct comparison of the predicted traffic levels associated with the different land uses.

- 2.18 Section 4.5 to the 2013 TA prepared to support the BEC planning application and section 4.2 to my main evidence set out the results of such a comparative approach and clearly demonstrate that the operation of the BEC application scheme could be expected to result in significantly less traffic than the 2010 threshold development level. Across the course of the core 12hr (07:00-19:00) application scheme HGV delivery period, the BEC proposals could be expected to generate of the order of 135 fewer total vehicle movements than the threshold development of 10,000sqm B8 land use (based on average trip rate operation of the B8 land use). Furthermore, the BEC application scheme could be expected to generate a lower level of HGV demand during 'rush hour' peak periods. This analysis has been reviewed and accepted by NCC in the role of local highway authority.
- 2.19 Given the above review of predicted traffic demand levels, it is clear that the BEC application scheme would not generate a higher level of traffic (both total vehicles and HGV movements) than the established threshold level of development at Bilsthorpe Business Park. RPC are therefore incorrect to state that the BEC application scheme would trigger the need for improvement works.

### 3.0 RESPONSE TO HIGHWAYS AND TRANSPORT RELATED MATTERS RAISED BY EAKRING PARISH COUNCIL

- 3.1 The evidence prepared by Eakring Parish Council (EPC) raises concerns related to the impact of predicted additional application scheme HGV traffic on the operation of the local highway network and specifically the A614 / Deerdale Lane junction.
- 3.2 I would note that the proposed HGV routeing agreement would ensure that no application scheme related HGV traffic would utilise routes through Eakring village (which is already protected by 7.5t mgw weight restrictions), with such traffic limited to the existing signed HGV route of Deerdale Lane / Eakring Road. This route corridor has been demonstrated to be entirely suitable to accommodate HGV traffic movements and has operated with an excellent highway safety record. In addition to the proposed routeing agreement, the applicant has also identified that support could be provided to the setting up of a local lorry watch scheme to further manage and enforce site related HGV operation (see section 7.3 to my main proof).
- 3.3 Ultimately, as noted in section 2 to this rebuttal statement, the BEC scheme could be expected to generate only strictly negligible levels of traffic during the traditional 'rush-hour' peak periods, with main development traffic demand taking place during off-peak periods, when background traffic flows are much lower.

### 4.0 RESPONSE TO HIGHWAYS AND TRANSPORT RELATED MATTERS RAISED BY THE BRITISH HORSE SOCIETY

- 4.1 Representations affiliated to the British Horse Society (BHS) have been submitted by both the Regional Access Officer S.Hull (letter dated 30/09/15) and A.Burt (letter dated 05/10/15). These submissions are broadly similar in nature and content and raise the following points:
  - Concerns that traffic associated with the BEC application scheme would operate 6 days per week, 7am to 7pm, which would have a detrimental effect on horse riders in the area, as roads would be impassable due to heavy traffic.
  - The main bridleway that follows the line of Swish Lane would effectively be 'cut off' to riders as a result of the increased traffic volumes. Horse rider and leisure use of local road routes would be made more dangerous by traffic associated with the application scheme.
  - Concerns regarding access to the Bilsthorpe Leisure Trail route and onward traffic-free connections.
- 4.2 The following paragraphs set out my response to these matters.

Development Traffic Levels on Immediate Routes to the Application Scheme

4.3 The BHS submissions incorrectly identify the proposed Saturday HGV delivery period. HGV movements to / from the application scheme would, in fact, be restricted by planning condition to the six hour window 07:00 – 13:00 (proposed NCC condition 17). No application scheme HGV movements would therefore be permitted on Saturday afternoons, Sundays or Bank Holidays.

- 4.4 The identified shale extraction works represent a temporary operation that could be expected to be completed prior to the commencement of construction of the BEC application scheme. Such operations therefore do not represent a material consideration when assessing future 'with development' local highway network operating conditions, other than to reinforce the position that the local highway authority are comfortable with the principle of additional large vehicle movements utilising the signed HGV route between the Bilsthorpe Business Park site and the A614.
- 4.5 Visibility at the main Bilsthorpe Business Park site access connection to Eakring Road is of an appropriate standard for prevailing speed limits (see section 2.4 to the 2013 TA report) and no road traffic accidents have been recorded at this access point over the 24 year study period 1990-2015. There is therefore no evidence to suggest that this access is 'dangerous' as suggested by BHS.
- 4.6 The BHS submissions suggest that Eakring Rd and Deerdale Road would become 'impassable' as a consequence of BEC application scheme traffic. I do not consider that there is any evidence to support this position. Section 6.2 to the 2013 TA identifies that, in practice, the BEC application scheme would only give rise to the following additional traffic demand on these links during key assessment time periods:

2016 Opening Year Traffic (Two-Way):

- 08:00-09:00: 13 (8) movements;
- 14:00-15:00: 25 (14) movements;
- 17:00-18:00: 7 (2) movements.

(Total BEC Traffic / HGV traffic)

4.7 Such predicted traffic levels represent less than 1 additional vehicle movement every two minutes, with maximum HGV demand being less than 1 additional HGV movement every 4-5 minutes. In practice, such traffic increases are limited in scale and when considered in conjunction with predicted future background traffic demand on these routes, cannot

reasonably be expected to result in these links becoming impassable or difficult to access / cross. Furthermore, it must be recognised that these routes form part of an existing formal signed HGV access route serving local employment / development areas and therefore are already regularly accessed by large commercial vehicle movements, as well as other large agricultural vehicles associated with local farms and businesses. There is no evidence to suggest that the application scheme would result in a severe change in operating / environmental conditions on these local roads – a position supported by NCC as local highway authority.

4.8 I would also note that the proposed BEC development would result in lower levels of traffic demand than the current threshold development level identified for Bilsthorpe Business Park and therefore would likely result in a reduced level of traffic impact when compared against alternative previously consented development options at the site.

> Concerns Regarding Access to the Swish Lane Bridleway and General Highway Safety Concerns

- 4.9 The BHS submissions highlight the potential for increased traffic movements on Eakring Road and Deerdale Lane to impact on accessibility to the existing bridleway to the west of Eakring Road (section of Swish Lane). BHS also raise general highway safety concerns regarding the intensification of the use of local road routes by development traffic. The location of the Swish Lane bridleway and other formal public rights of way and NCC supported leisure routes are illustrated in Appendix APB/APP/4-B to this rebuttal evidence.
- 4.10 I would note that no horse rider related accidents have been recorded on any of the immediate links to the BEC application site over the 24 year study period 1990-2015. Ultimately, as noted above, I do not consider that the proposed level of application scheme traffic would give rise to a material change in local traffic conditions. Even during development peak periods, application scheme traffic would not generate increases in traffic of more

than 1 additional vehicle every two minutes on Eakring Road past the access point to Swish Lane. It is not considered that such additional traffic levels would represent a significant barrier to the safe crossing of Eakring Road or the accessing of the Swish Lane bridleway. Application site HGV movements through this location would unlikely exceed on average 1 additional HGV movements every 4-5 minutes.

4.11 It is also important to note that application scheme HGV traffic would be prohibited from using any other local routes, including both those links to the south through Bilsthorpe Village and the existing weight restricted sections of Swish Lane and Deerdale Lane linking to the village of Eakring to the north east. Network conditions over the vast majority of the local highway network to the application site would therefore not be subject to any material change in traffic volumes as a result of the application scheme.

#### Impact on Connections to Off-Road Leisure Routes

- 4.12 Both BHS representations make reference to a NCC press release associated with the Bilsthorpe Leisure Trail. This leisure route follows the alignment of the former railway link to Bilsthorpe Colliery and provides an off-road leisure route for pedestrians / cyclists and horse riders to Sherwood Pines and National Cycle Route 6 via a bridge crossing of the A614 (see **Appendix APB/APP/4-B**). BHS suggest that operation of the application scheme and the associated more intensive use of the existing signed HGV route serving the Bilsthorpe Business Park development area would represent an unacceptable impact on the safety of local pedestrians, cycle users and horse riders and restrict wider access to safe off-road leisure routes.
- 4.13 I do not believe that the BEC application scheme would result in a substantive impact on connections to the Bilsthorpe Leisure Trail or indeed other local formal leisure route connections. Appendix APB/APP/4-B illustrates all local rights of way and NCC supported leisure routes in the vicinity of Bilsthorpe and demonstrates that main connections to the

Bilsthorpe Leisure Route from Bilsthorpe Village and the nearby Southwell Trail would be unaffected by traffic movements accessing the application site via the signed HGV connection to the A614. Application site traffic impact on these key off-road leisure routes would therefore be negligible.

4.14 Furthermore, as noted in paragraph 4.7 above, I do not consider that the predicted levels of application scheme related traffic demand utilising the designated HGV corridor to the A614 would materially impact on the ability to cross Eakring Road to access the Swish Lane bridleway and onward connections to the Bilsthorpe Leisure Trail.



# **APPENDICES**



# **APPENDIX APB/APP/4-A**





# **APPENDIX APB/APP/4-B**

