

Eastleigh Borough Council

GE Aviation – Hamble Lane

Rebuttal to Appellant’s Proof of Evidence on Transport

of

Ed Whitney BSc (Hons) MSc MCIHT TPP

on behalf of Eastleigh Borough Council

Land at GE Aviation, Kings Avenue, Hamble-Le-Rice, Southampton, SO31 4NF

Appeal by GE Aviation

Planning Inspectorate Reference: APP/W1715/W/20/3255559

Eastleigh Borough Council Reference O/18/84191

Issue | 27 October 2020

ARUP

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Ed Whitney BSc (Hons) MSc MCIHT TPP
Ove Arup & Partners Ltd

This report takes into account the particular
instructions and requirements of our client.

It is not intended for and should not be relied
upon by any third party and no responsibility
is undertaken to any third party.

Job number 237035-31

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1 Author

- 1.1.1** I am Ed Whitney, a Senior Transport Planner within the Transport Consulting team at Ove Arup and Partners Ltd (hereafter referred to as Arup). I hold a BSc (Hons) in Politics with Economics from the University of Bath, and an MSc in Transport Planning and Engineering from the University of Southampton.
- 1.1.2** I am a member of the Chartered Institution of Highways and Transportation. I achieved chartership as a Transport Planning Professional (TPP) in 2018.
- 1.1.3** I have worked in the field of Transport Planning and Traffic Engineering since 2008. I specialise in highway design, traffic modelling and development planning. I provide transport planning advice to National Governments, Local Authorities, developers, landowners, and third sector organisations.
- 1.1.4** My experience in development planning covers a wide range of development types, including highways schemes, residential, mixed-use developments, and infrastructure projects. Much of this experience is directly comparable to the Transport scope associated with GE Aviation at Hamble Lane.
- 1.1.5** My evidence covers the highways and transportation matters in connection with the planning inquiry related to planning application O/18/84191.
- 1.1.6** I confirm that the opinions expressed within this evidence are my true and professional opinions.
- 1.1.7** I have carried out my assessment in accordance with the Code of Professional Conduct of the Chartered Institution of Highways & Transportation.
- 1.1.8** I confirm that I have no conflicts of interest.

2 Scope of Evidence

2.1.1 This rebuttal has been prepared in response to the Proof of Evidence on Transport Matters, prepared by Damian Tungatt, (the document is henceforth referred to as 'Appellant's Proof on Transport') in relation to Land at GE Aviation, Kings Avenue, Hamble-Le-Rice, Southampton, SO31 4NF.

2.1.2 This rebuttal focuses on the following topics described within the Appellant's Proof on Transport. It does so in the order that they arise within the Appellant's Proof on Transport:

- Status of Hamble Lane Corridor Study
- Status of Highways England M27 J8 Scheme
- Access Junction - Pedestrian Impacts
- Access Junction - Cycle Impacts
- Access Junction - Assertion regarding Safety and Amenity
- Access Junction - Road Safety Audit
- Access Junction - Adherence to Policy
- Baseline Traffic Flows
- Trip Rate Estimation
- Extant Uses
- Changes to Operations
- Background Traffic Growth
- Transport Modelling and Impact
- Mitigation

2.1.3 The following chapter of this rebuttal proof sets out my response to the above subjects.

3 Rebuttal of Appellant's Proof on Transport

3.1 Status of the Hamble Lane Corridor Study

3.2 Section 3.5 of the Appellant's Proof on Transport discusses the status of the Hamble Lane Corridor Study. This rebuttal comments on the Hamble Lane Corridor study in relation to the proposed development, at Section 3.14 below.

3.3 Status of the Highways England scheme at M27 J8

3.3.1 The first paragraph 3.5.2 of the Appellant's Proof on Transport states (at the top of page 7) that:

“the improvements are fully funded and are currently scheduled to commence in Summer 2021”

3.3.2 This should read “are currently scheduled to commence construction in Summer 2021” and it is noted that there is no surety as to the end date of the construction works. The Highways England website referred to within the Statement of Common Ground currently indicates that the completion date of the scheme is “TBC”.

3.3.3 However, there is no certainty that the scheme will be in place to mitigate the impact of the development.

3.4 Access Junction Arrangement – Pedestrian Impacts

3.4.1 Paragraph 4.3.4 of the Appellant's Proof on Transport States that:

“it is evident that some 74% of all pedestrian movements (routes 3,4 & 5) would benefit from the relocation of the pedestrian crossing point to tie in with a the most heavily used desire line”

3.4.2 This assertion is incorrect because it suggests that the scheme introduces a more formal crossing point to respond to desire lines, which would be unchanged by the proposed scheme. In fact, the desire lines are completely altered by the proposed scheme. This is agreed within the Statement of Common Ground at Paragraph 3.15:

“Given the reorientation of the junction, the desire line and route for all pedestrians and cycles is changed.”

3.4.3 The change in the desire lines derives from the proposed arrangement's requirement for all pedestrians and cycles to take a

longer route which, to the north of Kings Avenue, is separated from the eastern side of Hamble Lane.

- 3.4.4** Therefore, I do not consider it sensible to attempt to calculate what percentage of desire lines are better served by a crossing point, since the entire arrangement is changed and thus so are the desire lines.
- 3.4.5** Nevertheless, in the event that such an approach were to be adopted, it should be noted that the argument advanced by the Appellant can be developed differently and thus generate completely different results. The below paragraphs show how.
- 3.4.6** The crossing point included within the proposed arrangement connects with Kings Avenue at the equivalent point of pedestrian route number 5 (yellow). All other crossing points of Kings Avenue (2 (blue), 3 (dashed red) and 4 (red)) are no longer able to use a footway along the northern side of Kings Avenue in the way that they currently do, or along the western side of Hamble Lane to the north of Kings Avenue, as well they might (no evidence is provided within the Appellant's document TN11 in relation to this point)¹.

Figure 1: Desire Lines included within Appellant's Technical Note TN11 dated 2nd December 2019, and referred to in the Appellant's Proof on Transport.



- 3.4.7** As such it can be shown that, contrary to the Appellant's Proof on Transport, only one desire line crossing Kings Avenue does not experience a detrimental impact in terms of directness (Route 5 (yellow)), and that fully 95% of pedestrians observed on site would disbenefit in these terms.
- 3.4.8** What is clear is that 100% of users (on the blue, red, dashed red and yellow routes) experience an increase in journey distance and journey time, when compared to the existing arrangement. This is agreed

¹ The green crossing point is not pertinent to this specific point.

within the statement of common ground at paragraph 3.18 of that document.

3.4.9 My Proof of Evidence, at Section 3.3, builds upon this point to explain why the change in crossing provision is not compliant with local and national policy.

3.4.10 Section 3 of my Proof of Evidence goes on to set out a number of other reasons why the proposed access arrangement is not acceptable.

3.5 Access Junction Arrangement – Impacts on Cycles

3.5.1 Paragraph 4.4.2 of the Appellant's Proof on Transport discusses the impact of the proposed arrangement on existing cycle desire lines.

3.5.2 For the reasons described in paragraphs 3.4.2 and 3.4.3 of this rebuttal, this approach is not considered to be sensible.

3.5.3 Nevertheless, in the event that such an approach were to be adopted, it should be noted that the argument advanced by the Appellant can be developed differently and thus generate completely different results. The below paragraphs show how.

3.5.4 The crossing point included within the proposed arrangement connects with Kings Avenue at the equivalent point of cycle route number 5 (yellow). All other crossing routes surveyed are no longer able to use a footway along the northern side of Kings Avenue in the way that they currently do, or along the western side of Hamble Lane to the north of Kings Avenue, as is the current arrangement for cycles travelling in a north – south direction.

3.5.5 As such it can be shown that, contrary to the Appellant's Proof on Transport, only one desire line does not experience a detrimental impact in terms of directness, and that fully 99% of cycles disbenefit on these terms.

3.5.6 What is clear is that 100% of users (on the yellow, blue, red and dashed red desire lines) experience an increase in journey distance and journey time, when compared to the existing arrangement. This is agreed within the statement of common ground at paragraph 3.18 of that document.

3.5.7 My Proof of Evidence builds upon this point to explain why the change in crossing provision is not compliant with local and national policy (see Section 3.3). This is not discussed in the Appellant's Proof on Transport.

3.5.8 My Proof of Evidence goes on to describe (in Sections 3.4 – 3.6) how the arrangement for cycles does not meet national design guidance and introduces new safety risks. This is not discussed in the Appellant's Proof on Transport.

3.5.9 My Proof of Evidence also discusses the impact at Coach Road, a matter not discussed in the Appellant's Proof on Transport.

3.6 Access Junction Arrangement – Assertion relating to Safety and Amenity

3.6.1 Paragraph 4.4.4 of the Appellant's Proof on Transport asserts that:
"the proposals improve safety for all users"

3.6.2 This assertion is based only on the change in crossing point of Kings Avenue. The Appellant's Proof on Transport does not consider the safety impacts of relocating the cycle route to the western footway of Coronation Parade, or the crossing point of Coach Road. The reasons why I consider these matters to introduce new safety risks are discussed in Section 3 of my Proof of Evidence.

3.6.3 Paragraph 4.4.5 of the Appellant's Proof on Transport seeks to minimise the importance of the proposed arrangement on journey times, stating:

"this slight disbenefit is more than offset by the provision of a safer, more formalised, crossing point"

3.6.4 As discussed above, it is not clear that the proposed arrangement in its entirety is safe. Nor is it clear why the Appellant has proposed an arrangement which is detrimental in terms of journey times, when the starting point for a design should be to improve conditions for all users, and cycles and pedestrians in particular.

3.6.5 As discussed in Section 3 of my Proof of Evidence, such a reduction in amenity for sustainable modes does not comply with Paragraph 102 or 108 of NPPF, or Policy DM13 of the emerging Eastleigh Borough Local Plan (2016 – 2036).

3.7 Access Junction Arrangement – Road Safety Audit

3.7.1 Section 4.5 of the Appellant's Proof on Transport discusses the Road Safety Audit undertaken in December 2019.

3.7.2 My Proof of Evidence describes (at Section 3.6) how the Road Safety Audit was not properly briefed and thus the auditor could not fully appreciate how the proposed arrangement would affect cyclists. As a result, the findings of the Road Safety Audit should not be given weight when considering the safety of the proposed arrangement, as it pertains to pedestrians and cycles.

3.7.3 It would appear from Paragraph 4.5.4 of the Appellant's Proof on Transport, that Hampshire County Council officers used the findings of the Road Safety Audit as the basis of their determination of the acceptability of the proposed arrangement. They did so seemingly

without having noticed the limitations described in the paragraph above. It follows that HCC officers' verdict on the safety of the arrangement was based on incomplete information and that therefore their assertions with respect to its acceptability should be considered in light of that fact.

- 3.7.4** Paragraph 4.5.6 of the Appellant's Proof on Transport refers to correspondence from the Road Safety Auditor who undertook the Road Safety Audit in December 2019. The Auditor confirms in correspondence that matters raised by HCC in response to the initial audit have been adequately addressed. However, as discussed in the above paragraph, the initial audit's findings should not be given weight when considering the safety of the arrangement as it pertains to cycles and pedestrians.
- 3.7.5** In addition, it should be noted that the safety issues discussed within EBC's Proof of Evidence on Transport are not discussed within the September 2020 correspondence. As such this correspondence is not pertinent evidence when considering the issues described within my Proof of Evidence.

3.8 Access Junction Arrangement – Adherence to Policy

- 3.8.1** Section 4.7 of the Appellant's Proof on Transport discusses the proposed arrangement in relation to adopted policy.
- 3.8.2** For the reasons described at length within Section 3.3 of my Proof of Evidence, the proposed arrangement does not adhere to policy or design standards.

3.9 Baseline Traffic Flows

- 3.9.1** Section 5.3 of the Appellant's Proof on Transport discusses the baseline traffic flows that were used in the Transport Statement.
- 3.9.2** Paragraph 5.3.2 states that the date of the traffic survey (Thursday 27th April 2017) is compliant with Planning Practice Guidance on Transport Assessments and Statements.
- 3.9.3** However, Planning Practice Guidance on Transport Assessments does not define which dates should be considered 'normal'. This definition can be found in a different document; WebTAG Unit M1.2.
- 3.9.4** EBC's Proof of Evidence on Transport describes (at Section 4.2) how the baseline data that has been collected is not fit for the purpose of preparing a Transport Statement.
- 3.9.5** The Appellant's Proof on Transport refers to a number of sources to demonstrate that the general level of traffic is similar to other dates which would comply with the criteria set out in WebTAG Unit M1.2.

On this matter there is no divergence from the position advanced by EBC's Proof of Evidence on Transport.

3.9.6 Rather, the critical point that is made by EBC's Proof of Evidence on Transport is that the queue lengths, and the turning movements recorded as part of the surveys are not robust.

3.9.7 This matter is not discussed within the Appellant's Proof on Transport since no evidence is available to the appellant in relation to these matters – the only data that has been recorded in pursuance of the planning application is that which is defined by national guidance as being unrepresentative.

3.10 Trip Rate Estimation – Extant Uses

3.10.1 Section 5.4 of the Appellant's Proof on Transport discusses the trip rate estimation employed by the Transport Statement.

3.10.2 Paragraph 5.4.3 of the Appellant's Proof on Transport states that it is:

“appropriate that reasonable consideration is given to this reduction in floor area when assessing the potential impact on the highway network”

3.10.3 Having thus considered the reduction in floor areas, the Appellant's Proof goes on to state at Paragraph 5.4.6 that:

“when considering the existing floor area, the residential proposals could result in 16 fewer vehicles on the highway network in the morning peak hour and 11 more vehicles on the network in the evening peak hour were full reoccupation to occur”

3.10.4 My Proof of Evidence (at Section 4.4) explains in detail why this approach is incorrect. In overall summary:

- A number of the existing (vacant) land uses that the Transport Statement assumed to be vacant at the time of the application, were not vacant either at the time of the assessment, or at the time of the traffic surveys.
- The Transport Statement, and now the Appellant's Proof on Transport, do not compare the proposed development scenario with the extant land use scenario. Instead the Transport Statement subtracts trips associated with the existing (vacant) land uses from the proposed land use trips, which is not correct and produces an artificially low level of traffic to be used in the assessment.

3.11 Trip Rate Estimation – Changes to Business Operations

- 3.11.1** Section 5.5 of the Appellant's Proof on Transport discusses how changes in business use at the appeal site may have reduced traffic flows in the vicinity of the proposed development.
- 3.11.2** The changes in operations are presented in terms of change in delivery, staff, and contractor movements, on an annual basis.
- 3.11.3** This should not be a material consideration when considering the impact of the proposed development, for two reasons:
- 3.11.4** **Reason 1:** The Appellant's evidence is presented on an annual basis, for total person trips. The trip estimation exercise, and junction modelling exercise included within the Transport Statement, is based on vehicle trips on a neutral weekday AM and PM peak hour. As such it is not possible (since no evidence has been provided) to understand what the impact of the changes in operations would be on the results presented by the Transport Statement.
- 3.11.5** In order for these changes to be a material consideration then the baseline traffic surveys should have been re-undertaken to properly evidence the claim that traffic flows are lower than that presented within the Transport Statement – for the period of assessment in question i.e. neutral weekday AM and PM peak hours.
- 3.11.6** **Reason 2:** Section 5.4 of the Appellant's Proof on Transport ably makes the case that the trip generational characteristics of a site's extant land use should be considered when considering traffic impacts. While I do not agree with the way the Appellant has approached this within the Transport Statement, there is no disagreement that the principle of considering extant permissions is appropriate in planning terms.
- 3.11.7** Since the operational changes described in Section 5.5 of the Appellant's Proof on Transport have not been accompanied with a change in formal extant permission, it follows that these changes could be reversed. Thus it is not appropriate to take these reductions into account when considering traffic impact on Hamble Lane.

3.12 Trip Rate Estimation – Background Traffic Growth

- 3.12.1** Section 5.6 of the Appellant's Proof on Transport discusses the Transport Statement's method of estimating background traffic growth.
- 3.12.2** I agree with the Appellant's statement at 5.6.2 and 5.6.3 that it is useful to understand committed developments when estimating background traffic growth. The fact that the Transport Statement has done so is supported by EBC, and it is noted that this complies with paragraph 2.2.14 of DfT's TAG Unit M4 Forecasting and Uncertainty.
- 3.12.3** However, I disagree with paragraph 5.6.1 of the Appellant's Proof on Transport, which states:
- “Given the corridor is a peninsula, with Hamble Lane forming the primary route into and out of the immediate area, it was considered more appropriate that specific developments were taken into account in the modelling exercise as opposed to applying a more generic Tempro / NTEM Growth Factors.”*
- 3.12.4** The above passage suggests that there is a choice to be made between **either** considering specific developments **or** reflecting background growth. This is a false dichotomy. The alternative approach outlined within my Proof of Evidence seeks to reflect the trips made as a result of committed development, but also includes a degree of background growth. Using TEMPRO but adjusting the 'alternative assumptions' so as to avoid double counting developments has the benefit of reflecting the specific impacts of nearby developments, but also other exogenous factors related to traffic growth.
- 3.12.5** The implied logic of the Appellant's approach is that the only factor which produces aggregate changes in traffic is the development of land through planning applications.
- 3.12.6** It should be clear on an intuitive basis that this is not correct.
- 3.12.7** This is because there are other factors which affect travel behaviour beyond planning permissions for proposed developments. These include:
- Economic activity / employment;
 - Household Structure / Demography;
 - Population;
 - Car ownership; and
 - Modal split.
- 3.12.8** The National Trip Ends Model (NTEM), which is the foundation of TEMPRO, generates background growth estimates based on all of the

above factors². My Proof of Evidence (at Section 4.3) describes how TEMPRO can be used in combination with more specific development assumptions to generate a robust future year 'do nothing' scenario.

3.12.9 In summary, I consider it appropriate that the Transport Statement has given consideration to specific developments. However, in forgoing the application of background traffic growth through TEMPRO, the Transport Statement's estimate of a future year baseline is not robust.

3.13 Transport Modelling and Impact

3.13.1 Section 5.1 (on page 21) of the Appellant's Proof on Transport discusses the methodology of the transport modelling exercise reported within the Transport Statement.

3.13.2 Paragraph 5.1.2 of the Appellant's Proof on Transport states that:

"4 of the junctions will continue to operate within capacity, either with no changes being proposed or as a result of proposed schemes being implemented by with Highways England, HCC or as part of the GE Hamble proposals"

3.13.3 I disagree with the above assertion for two reasons:

3.13.4 Reason 1: My Proof of Evidence (in Sections 4 and 5) shows that the assessment undertaken within the Transport Statement is not robust and underestimates the impact of the proposed development.

3.13.5 Reason 2: The above claim that junctions may operate within capacity as a result of *"proposed schemes are implemented by with [sic] Highways England, [and] HCC [...]"* is not evidenced by the Appellant. No quantifiable evidence is provided by the Appellant either as part of the application materials, or the Appellant's Proof, to credit this assertion.

3.13.6 My Proof of Evidence (in Section 7) describes how the required evidence in relation to the efficacy of mitigation measures has not been provided. Had the Appellant undertaken modelling which tests the impacts of the proposed development in the with-mitigation scenario then the Appellant's assertions with regard to the efficacy of mitigation could be credited. As it stands, no evidence has been provided and the Appellant's assertions cannot be credited.

3.13.7 Paragraph 5.1.3 of the Appellant's Proof on Transport states that:

"Of those junctions deemed to be operating at or above capacity, when considering the loss of commercial floor space as a result of the

²https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/540739/tag-supplementary-ntem-sub-models-july-2016.pdf

development proposals the increase in degree of saturation and queue length are significantly offset”

3.13.8 I challenge this assertion, for the reasons set out in Section 3.10 above, and the more detailed evidence provided in EBC’s Proof of Evidence on Transport (Sections 4, 5 and 7).

3.14 Mitigation – Contributions and Scope

3.14.1 Paragraph 3.5.9 of the Appellant’s Proof on Transport states that;

“Whilst the Hamble Lane improvements are referred to as one scheme, the EMET report recognises that they do in fact comprise of a series of interventions that can be implemented in priority order once sufficient funding is received for each element”.

On that basis it goes on to conclude at Paragraph 3.6.2 that;

“Whilst the pinch point funding would be beneficial, the improvements identified can be implemented on a priority basis as funding becomes available”.

This point is repeated at Paragraph 5.2.2:

“...whilst the Hamble Lane Corridor enhancements are discussed in the context of being one project, it is recognised in the EMET report that the various measures can be implemented independently to each other and in order of priority, making adjustments to reflect the availability of sufficient funding.”

3.14.2 It is accepted that the EMET Report dated March 2019 does indicate that the Hamble Lane scheme can be delivered in priority order (see paragraph 1.3 of the report).

3.14.3 However, it also states that in terms of that very priority; there should be no further development permitted along Hamble Lane

*“until at least the **preferred Scheme for the northern section** has been implemented.”*

3.14.4 The EMET Report from July 2018 defines the “northern section” (at Paragraph 7.2) as:

“the northern section of Hamble Lane, between the Windhover roundabout to the north and Portsmouth Road/Lowford Hill to the south”

3.14.5 The northern section as defined by the EMET report of July 2018 would therefore include:

- Windhover Roundabout
- Tesco Roundabout
- Hamble Lane / Jurd Way Roundabout

- Hamble Lane / Portsmouth Road T junction

3.14.6 Therefore, the Appellant's assertion that the improvements can be implemented on a priority basis, when understood with reference to the EMET report, means that measures within the Hamble Lane Corridor Study proposed for each of the above junctions should be delivered as a necessary condition of development.

3.14.7 The Appellant has engaged in discussions with HCC which are summarised within the Agreed Statement on Transport Matters dated 13th October 2020 (core document 77). Paragraph 6.2 of that document states that:

“It is agreed that a S106 contribution of £750,000 will be made by the appellant towards the Hamble Lane improvement scheme. This includes the following junctions; Hamble Lane / Hound Road / Satchell Lane, Hamble Lane / Portsmouth Road, Hamble Lane / Jurd Way and Hamble Lane / Tesco Extra and measures to improve provision for pedestrians and cyclists.”

3.14.8 I accept that, in light of the measures proposed by Highways England at Windhover Roundabout, and in light of the need for mitigation at the Hound Road / Hamble Lane junction³, that it is reasonable that HCC and the Appellant have agreed that mitigation measures are a necessary condition of development, at the following junctions⁴:

- Windhover Roundabout (delivered by Highways England, therefore not included in contributions)
- Tesco Roundabout
- Hamble Lane / Jurd Way Roundabout
- Hamble Lane / Portsmouth Road T junction
- Hound Road / Hamble Lane

3.14.9 The Appellant has committed to make significant contributions to mitigation measures in relation to four junctions. It follows therefore that the Appellant accepts that, without mitigation, the impacts of the proposed development would be unacceptable. The alternative to this assertion is that the Appellant is providing Section 106 measures that are not necessary to make the development acceptable in planning terms, which would be in breach of the Community Infrastructure Levy Regulations 2010.

³ As identified in the Transport Statement and Committee Report.

⁴ This list of junctions is also agreed between EBC and the Appellant in the Statement of Common Ground on Transport, at paragraph 4.21 of that document.

- 3.14.10** Section 5.2.3 (on Page 22) of the Appellant's Proof on Transport states that HCC has confirmed that in the event that funding is not available for the whole package of measures:
- “funding would be allocated to the delivery of the identified improvements at the Hound Land / Hamble Road junction and / or the Hamble Lane Portsmouth Road Junction, were full funding not received from the DfT pinch point fund.”*
- 3.14.11** HCC and the Appellant have thus agreed that at four junctions, mitigation measures are required to offset the impact of the proposed development. However, the S106 contribution made by the Appellant is not sufficient to deliver all of the mitigation measures.
- 3.14.12** It is assumed from the quotation above (3.14.10) that it is possible that only one of the four junctions requiring mitigation can be mitigated by the Appellant's contribution.
- 3.14.13** The status of the remaining moneys required (the DfT Pinch Point funding) is discussed within the Statement of Common Ground on Transport.
- 3.14.14** It states that HCC are pursuing additional funding opportunities for this project and an initial 'Expression of Interest' (EoI) was submitted in January 2020 for funding from the DfT Local Pinch Point fund. It is agreed that at the time of writing no decision has been made by DfT and that the decision-making process related to the fund is currently on hold.
- 3.14.15** In the event that the appeal is successful, it is agreed that there will still be an additional assessment stage required of HCC to demonstrate the business case for the interventions.
- 3.14.16** Correspondence from HCC (Jason Tippler) dated 17th August 2020 confirms that, from the point of any funding being secured, it would be around 2 years before construction would commence.
- 3.14.17** In these circumstances, there is no guarantee that the impacts of the proposed development would be adequately mitigated.

3.15 Mitigation – Sufficiency of Measures

- 3.15.1** Section 6.1 of the Agreed Statement of Transport between HCC and the Appellant states that:

“It is agreed that HCC have reviewed the impact of the development against the Hamble Lane improvement scheme, as identified in the Hamble Lane corridor study, and do not consider the additional traffic generated by the proposed development to have a significant detrimental impact on the operation of the improvement scheme as robust assumptions in respect of background traffic growth are included within the modelling work that HCC have undertaken.”

3.15.2 For the reasons set out in Section 7 of my Proof of Evidence, I consider the above assertion to be provided without evidence and thus should not be credited unless additional justification is provided.

3.16 Mitigation – Summary of Rebuttal

3.16.1 In summary, I consider that the proposed arrangement for mitigation is unacceptable for three reasons:

- 1) The EMET report indicates that the proposed development should not be permitted until all of the junction improvements along the northern section of Hamble Lane are delivered. This is a necessary (but not sufficient) condition of development. The Appellant's Proof on Transport indicates that the S106 contributions may be sufficient to deliver only part of the mitigation required. Other funds required to deliver the scheme in full are not yet secured.
- 2) HCC and the Appellant have agreed that the S106 contributions would be used in pursuance of mitigation measures at four junctions. It follows that mitigation is required at all four junctions in order for the development to be acceptable. However, the Appellant's Proof on Transport indicates that the S106 contributions may be sufficient to deliver only part of the mitigation required. Other funds required to deliver the scheme in full are not yet secured.
- 3) The sufficiency of the proposed mitigation measures has not been evidenced as part of the application or subsequent Proof provided by the Appellant.

4 Summary and Conclusions

- 4.1.1** In this rebuttal, I have examined the Appellant's Proof of Evidence in connection with its appeal of the refusal of planning application O/18/84191.
- 4.1.2** I have found a number of weaknesses within the Appellant's Proof of Evidence, which are identified in the paragraphs above, and in some cases detailed in my main Proof of Evidence.
- 4.1.3** The arguments presented by the appellant with respect to loss of amenity for pedestrians and cycles associated with the proposed access junction are found to be flawed. I maintain that the access arrangements are unacceptable on these grounds, and the assertion within my proof that the arrangement does not meet relevant local and national policy is correct. The appellant's evidence relating to the safety of the proposed access junction appears to be limited in scope, and it does not take account of weaknesses in the brief of the Road Safety Audit.
- 4.1.4** The appellant has provided evidence relating to observed traffic data, background traffic growth, and modelling methodology, which I find to be flawed. These issues are all technical in nature, but they have the effect that the transport statement underestimates the traffic impact of the proposed development. The impacts identified within the Transport Statement are significant enough to have required mitigation, as demonstrated by the commitment of the appellant to contribute S106 moneys. The fact that the impacts are even more significant than the Transport Statement reports is important when considering the severity of the proposed development.
- 4.1.5** The appellant has provided additional clarity on what the proposed Section 106 contributions would be allocated towards in the event that planning permission is granted. This additional information has been acquired through the appellant's engagement with HCC in October 2020. This additional information is welcomed. However, I find that the contribution is insufficient to deliver the full suite of measures required to offset the proposed development.
- 4.1.6** In any case, it has also not been demonstrated by the appellant that the mitigation measures discussed within the planning application materials (in the event that they were all delivered in full) would be sufficient to offset the traffic impacts of the proposed development.
- 4.1.7** Therefore in overall summary, and with respect, I consider that a number of the arguments presented within the Appellant's Proof of Evidence are erroneous, or not sufficiently evidenced.
- 4.1.8** On the basis of the above findings, and my main Proof of Evidence, I consider that the proposed development should not be granted planning consent, as it is not in accordance with the policies set out in my main Proof of Evidence (*passim*).

4.1.9 I confirm that the opinions expressed within this evidence are my true and professional opinions.

Name: Ed Whitney, Arup.

Signed: 

Date: 27th October 2020