

**TOWN AND COUNTRY PLANNING ACT 1990
THE TOWN AND COUNTRY PLANNING APPEALS
(DETERMINATION BY INSPECTORS) (INQUIRIES PROCEDURE)
(ENGLAND)
RULES 2000 (AS AMENDED)**

**Appeal by Great Lakes UK Limited
Proposed Great Wolf Lodge, Chesterton**

Appeal Ref: APP/c3105/W/20/3259189

Summary Proof of Evidence

of

Alan DeVenny, Systra Limited

**On matters relating to transport planning and traffic
impacts**

**On behalf of Oxfordshire County Council acting as
Highways Authority**

12 January 2021

INTRODUCTION

- 1.1. My name is Alan DeVenny and I have a BEng (Hons) in Civil and Transportation Engineering and a PhD in Civil Engineering. I am a Chartered Engineer and a member of the ICE. I am a Projects Director with Systra Limited (Systra), Transport Planners and Engineers and have been with the firm since 1999. I specialise in development planning work and my main role is to provide transport planning advice from the pre-planning stage through to construction and post occupation for all modes of transport. I deliver work to both private developers and public sector clients.
- 1.2. My firm has been retained by Oxfordshire County Council (OCC) to advise on traffic and transport matters in relation to the planning application submitted by Great Lakes UK Limited for a proposed hotel and indoor family resort at Chesterton, Bicester. Our remit has been to review all traffic and transport information submitted in support of the development and provide an expert witness to this Inquiry process.

EVIDENCE SUMMARY

- 1.3. My evidence is confined to traffic and transport matters concerning the traffic impacts of the proposed development on the operation and safety of the highway network and in particular, the impact on the B430 / B4030 Middleton Stoney junction (Reason for Refusal 3).

Reason 3. The proposed development fails to demonstrate that traffic impacts of the development are, or can be made acceptable, particularly in relation to additional congestion at the Middleton Stoney signalised junction of the B4030 and B430. As such the proposal is contrary to Policy SLE4 and ESD15 of the Cherwell Local Plan 2011-2031 Part 1, Saved Policy TR7 of the Cherwell Local Plan 2011-2031 Part 1, Policy 17 of the Oxfordshire Local Transport Plan 4 and Government guidance contained within the National Planning Policy Framework.

- 1.4. I have examined the submitted Transport Assessment and subsequent Technical Notes in detail and consider that the submitted information demonstrates that the proposed development has a “severe” traffic impact at the B430 / B4030 Middleton Stoney junction which would require mitigation to make the development acceptable. I would note that the junction already experiences congestion problems and traffic associated with the allocated Heyford Park development will also be added to this existing situation over the years to come. The addition of traffic associated with the proposed Great Wolf development will further exacerbate matters.

- 1.5. I have fully reviewed the proposed mitigation scheme submitted for the junction by the Appellant which seeks to increase the available road space at the junction. I find that the proposed layout presents considerable risks to pedestrians and that from a vehicle swept path perspective, the junction cannot be shown to work.
- 1.6. The Appellant has submitted swept path plans for the junction which show over-sail onto pedestrian areas which are already sub-standard in terms of width. This introduces an unacceptable pedestrian / vehicle conflict at the junction. In order to investigate this matter further, Systra has produced additional swept path runs to test the proposed mitigation layout and I have found that there are clashes with oncoming traffic lanes as well as over-sail of pedestrian areas. It is also clear that HGVs will require to pass through the junction at very slow speed to avoid significant over-sail of pedestrian areas which would have a knock-on effect on capacity.
- 1.7. A Road Safety Audit has been undertaken in relation to the proposed mitigation scheme and it identified 5 problems that need to be resolved in relation to safety. The appellant has chosen not to address these at this time, preferring to rely on a detailed design process to try and address. I find that it is only possible to address many of the identified Problems through material alterations to the junction geometry. In so doing, I do not believe it is simultaneously possible to address the safety issues identified while maintaining the level of junction capacity suggested by the Appellant.
- 1.8. It is my view that the detail presented by the Appellant is not sufficiently well developed to demonstrate satisfactorily that the junction can deliver the required outcome to offset the severe traffic impacts of the development. The absence of such detail means that there is no evidence before this inquiry process to demonstrate the proposals can be delivered.
- 1.9. The submitted scheme of mitigation for the B430 / B4030 Middleton Stoney junction does not meet design standards, does not properly consider other road users and introduces unacceptable road safety issues which are unacceptable to OCC and contrary to NPPF Para 109.
- 1.10. My evidence has also considered whether the development makes best use of “existing and planned” infrastructure. Having reviewed all the submitted information, I am of the view that the proposed unallocated Appeal site does not make best use of road network capacity at the B430 / B4030 Middleton Stoney junction in a situation where committed development (and allocated) proposals at Heyford Park also rely on the existing network at this location.

- 1.11. I am therefore of the view that the proposed development would take up existing capacity at the B430 / B04030 Middleton Stoney Junction exacerbating existing problems and would reduce the effectiveness of the planned infrastructure improvements associated with Phase 1 of the Heyford Park development. With no acceptable mitigation proposals forwarded by the Appellant, I find that the proposed development is contrary to Policy 17 of the LTP4.

CONCLUSIONS

- 1.12. With specific reference to highways policy, NPPF paragraph 109 (page 32) states that development should only be refused on highways grounds if there would be an unacceptable impact on highway safety, or the residual cumulative impacts on the road network would be severe.
- 1.13. In my opinion, the work produced by the Appellant does not demonstrate that the residual cumulative impacts upon the road network are not severe.
- 1.14. The submitted Transport Assessment and subsequent technical notes all demonstrate that the proposed development, which is an unallocated site, will have a “severe” impact on the operation of the B430 / B4030 Middleton Stoney junction that requires mitigation.
- 1.15. The impacts of the development are further compounded by the cumulative impacts introduced by the Heyford Park Phase 1 development and the recently consented Heyford Park phase 2 development. These proposals are part of a strategic local plan allocation and when the proposed development flows are added to the Heyford Park flows, we are faced with significant problems at the B430 / B4030 Middleton Stoney junction which are very difficult to mitigate as a result of the existing tight geometry and adjacent constraints which prevent any easy fixes with regard to the provision of additional road space.
- 1.16. A scheme of mitigation has been forwarded by the Appellant for the B430 / B4030 Middleton Stoney junction in order to try and address the “severe” traffic impacts. I have examined this scheme and find it to fall short of design standards and I find that its implementation would introduce significant and unacceptable road safety matters particularly around pedestrian safety. The appellant has also failed to demonstrate that the mitigation scheme provides a no net detriment solution at the junction in terms of the submitted traffic modelling.

- 1.17. It is therefore considered that the evidence presented by the Appellant is not sufficient to demonstrate compliance with the requirements of transport policy, in particular NPPF paragraph 109. I find that residual cumulative impacts of the development upon the off-site highway network upon an already congested location at Middleton Stoney are considered severe; as a result of the daily trip generation impacts from the development and as a result of the proposed mitigation scheme being ineffective and unacceptable in addressing these impacts.