

Planning Application by Biffa Waste Services Ltd

Application Number: 2011/1088/02

County Council Identity Number: 2011/C472/02

Details: Application for an Energy Recovery Facility and ancillary facilities

Submission to Public Consultation

HIGHWAYS AND TRANSPORTATION

Shepshed Against Incinerator Group (SAIG) June 2011

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2. Highways and Transportation

2.1 Report of the Chief Executive to the DCRB

The advice on Highways & Transportation given to the Development Control and Regulatory Board in the Report of 15th October 2010 is neither robust or, in many cases, correct. The advice was given on the basis of submissions from the Highways Agency, Leicestershire County Council Highways Authority and particularly the Environmental Statement prepared by SLR on behalf of, and paid for by, Biffa.

80. *The **Environmental Statement** assesses the highway impacts against recognised standards and guidelines issued by the Department for Transport and against the fallback situation which is the extant landfill permission. It concludes that the development proposals would not discernibly or materially worsen the existing operation of the highway network and therefore that the proposal is acceptable in highways terms.*

161. *The **Highways Agency** raises no objection, subject to conditions relating to external lighting and no external advertisements on the building and the placement of 'queue detector loops' on the A512 Ashby Road East between the site access and the M1 motorway junction 23 to allow traffic to be 'flushed' through should there be an exceptionally large build up of traffic in the vicinity of the site access.*

202. *Leicestershire County Council Highways Authority has no objection subject to the imposition of conditions relating to improvements to the site access, HGV routeing, and green travel plans.*

206. *The **Highways Agency** considers that the applicant has addressed their concerns and raises no objection subject to a condition relating to the road improvements being completed prior to the development coming into use.*

313. *The **Waste Local Plan Inspector** commented that "Ashby Road East might experience some queuing traffic at the motorway roundabout and at the Charnwood Road traffic lights at peak times. However, some queuing is a widespread feature of most urban areas during peak periods and there appears to be few problems during off peak periods when the majority of waste traffic would be using it". Whilst the Inspector's comments may be slightly dated it is considered that they remain relevant to the current proposal.*

314. *The **extant landfill permission**, when taking the worst case scenario, would have resulted in a maximum of 286 HGV movements per day, which equates to a predicted percentage increase in overall traffic along the A512 generated by the proposal of less than 2% with just under an 18% increase in the number of total HGVs. The extant quarrying permission on the site does not restrict HGV vehicle numbers.*

315. *The current application predicts a maximum of 242 HGV movements per day, which is 44 less movements than that currently permitted. Of these, it is estimated that up to 92% (of HGVs) would travel east towards the M1. In examining the trip profile of the proposal it is predicted that during the AM Peak (8am to 9am) 40 two-way movements would be generated, which is one movement less than the extant*

permission, whilst during the PM Peak (5pm to 6pm) 24 two-way movements would occur **Highway Authority**; three more than that currently permitted.

316. Having considered the impacts of the proposal on the local highway network, including the issue of queuing traffic on the A512 and new and proposed development in the locality, the advises that there is unlikely to be a material increase in traffic using the access on to Ashby Road.

317. The Highways Agency has also raised no objection to the proposal subject to a 'queue detector loop' being placed on the A512 to 'flush' queuing traffic through the proposed new traffic lights at exceptionally busy periods. The Agency has also confirmed that the previous plans to widen the M1 motorway around the J23 section have been shelved indefinitely.

320. Several representations refer to problems on the local highway network when the M1 becomes blocked, stating that local roads become gridlocked. In these instances it is considered that the HGVs visiting and leaving the site, around one every 4-5 minutes, would add a very tiny percentage to the already busy roads, and that refusing permission on these grounds would be unreasonable and such a stance could not be sustained at an appeal.

321. Matters relating to vehicle routeing and limiting inputs to the site during AM and PM peak times could be achieved through a combination of an appropriate legal agreement and planning conditions. Subject to these measures and the controls outlined above it is considered that the traffic and highways matters have been satisfactorily resolved in conjunction with the Highways Agency and Highway Authority's recommendations.

We consider that the advice to the DCRB was incomplete and often erroneous, both for the current application for an Energy Recovery Facility as well as the extant landfill permission. Had Councillors been given full and correct details of the impact on Highways and Transport they may well have decided to refuse the application on Highway grounds as well as Visual Impact and Landscape.

2.2 Planning Inspectors Comments

Under 313 above the Planning Inspector states that 'Ashby Road East might experience some queuing traffic at the motorway roundabout and at the Charnwood Road traffic lights at peak times'. The Inspector is correct in this but considerably underestimates the congestion problems on Ashby Road East. Even more queuing takes place at Leicester Road traffic lights (which lie between Charnwood Road and the J23 lights) since this is a more complicated junction. The proposal is to put more traffic lights on the A512 at the entrance to the incinerator site so there will be three sets of traffic lights between Charnwood Road and J23. The situation is further complicated by the existence of a Truck Stop between Leicester Road and the incinerator site entrance which has many HGVs and other vehicles entering and exiting. The Truck Stop has planning permission to almost double in size. Although 'some queuing is a widespread feature of most urban areas during peak periods' there has to be a limit. We suggest this limit will be reached on the A512 if the incinerator project and expansion of the Truck Stop go ahead.

2.3 Number of Vehicle Movements

Table 8-5 in the Biffa Environmental Statement Chapter 8 – Highways & Transportation, shows the daily HGV loads entering the site as 121 ie 242 entering and leaving. The figures in Table 8-5 are largely theoretical and do not necessarily show how delivery of waste and export of residual materials would work in practice. Waste will be received from many different sources and residual materials exported to a range of customers. Biffa will have little control over the ‘Average Load’ and it is unrealistic to suppose that deliveries and exports will consistently be 22, 8 or 6 tonnes. The Biffa figures are purely guesstimates.

Eastcroft incinerator (EfW) in Nottingham is to expand to 250,000 tonnes per annum. The consultant’s report for this new development includes the following statement:

4.2.10 It has been estimated that expansion of the Eastcroft EfW to 250,000tpa capacity via the introduction of the third line would result in total site traffic demand of the order of 334 HGV movements per day (in + out).’

Since the Eastcroft Facility is for 250,000tpa then an equivalent figure for a 300,000tpa Facility would be $334 \times 120\% = 400$ HGV movements per day. Even if the mix of HGV loads varied from those at the Newhurst facility, it is difficult to see how the Biffa incinerator could operate on only 240 HGV movements per day. The Biffa figures already assume that almost 80% of the waste deliveries will be on the smaller vehicles so they can’t claim that the lower number of HGV movements is because larger vehicles will be used. The data for Eastcroft has been collected from direct observation, and is therefore more reliable and realistic. The Newhurst data is only estimated.

One of the grounds on which the Appeal against Derby City Council’s refusal of an application for an incinerator in Sinfin Lane in Derby was dismissed involved the impact of the proposed development on highway conditions in the surrounding road network. This proposed incinerator was for 190,000tpa. The report stated that the number of daily vehicle movements generated would be between 368 and 542 (an average of 455 movements per day), a significant proportion of which would be HGV movements. For a 300,000tpa incinerator this would equate to approximately 700 HGV movements per day.

With equivalent HGV movements per day at Eastcroft being estimated at 400 and at Sinfin Lane 700 compared with 242 at Newhurst there are clearly grounds for a more detailed examination of the Biffa figures. We would urge LCC Officers to obtain figures from Eastcroft and Derby and put them into the same format as Table 8-5 so that comparisons can be made.

The above figures do not include staff vehicle trips. Biffa estimate that 80 vehicle movements per day (in + out) would be generated by staff, contractors and other visitors to the facility. Although these would only be light vehicles they still represent a significant additional number of vehicle movements.

We contend that the number of HGV and other vehicle movements per day generated by the development are considerably underestimated and would have significant negative impact on the road network.

2.4 Scheduling deliveries

There would be substantial logistical problems in scheduling deliveries to the facility. Independent contractors would make the deliveries, often from depots a considerable distance away from the Newhurst site. It will not be possible to maintain the perfectly smooth HGV delivery schedule shown in Figure 8/1. Inevitably there will be 'bunching' depending on highway conditions and drivers hours.

Drivers would likely arrive early so as to avoid congestion on the M1 and other roads after 7.00am. This would mean HGVs parking on local roads or the Truck Stop whilst awaiting entry to the incinerator site. This would increase congestion on local roads.

Since deliveries are not allowed after 12 noon on Saturday, and not at all on Sunday, this would require increased deliveries on Friday pm to ensure that supply of waste to the incinerator is maintained over the weekend.

As noted above, with all these scheduling constraints it will not be possible to maintain the smooth flows indicated in Figure 8/1. There will be more than the 30 two-way HGV movements within the AM peak hour that is estimated in paragraph 8.103 and Friday afternoon would be particularly problematic in the PM peak hour.

The claim in paragraph 8.107 that 92% of HGVs will arrive from the M1 Motorway has always been questionable. In practice, more than 8% will come from the west (Shepshed, Ashby, Coalville, Burton on Trent and the A/M42) using the A512. Many HGVs coming from the A/M 42 use the A512 as the shortest route to the east. Biffa have failed in their bid for the Leicestershire domestic waste contract so they will have to source their waste from a much wider area. The volume of waste from Leicestershire, which is the area from which HGVs are most likely to use the M1, will be significantly reduced. Much more would come from the west and north west and not on the M1.

2.5 Traffic Growth

The SLR Environmental Statement re Highways & Transportation includes the following paragraphs:

8.66 Existing traffic flows have been adopted from the transport assessment work undertaken by RPS in respect of the planning application for the approved development of the site. Those flows were recorded by means of a 12-hour classified manual traffic count at the existing site access on Wednesday 26th April 2006, being understood to be a typical day void of any adverse circumstance.

8.68 In addition to the above, traffic survey data was provided by the HA to RPS which related to traffic movements at J23 of the M1 in November 2003. The data was taken from a classified manual traffic count which observed traffic movements between 07:00 to 10:00 hours, 13:00 to 15:00 hours, and 16:00 to 19:00 hours.

8.69 The HA also provided RPS with automatic traffic count data from September 2003, which was recorded at two of the HA's permanent survey points on the M1; one north and one south of J23.

8.70 Application of traffic growth factors to the above survey data was undertaken by RPS to bring the figures up to the desired baseline. The traffic growth factors were derived by applying the National Road Traffic Forecast – Central Growth (NRTF 1997) figures.

Information on traffic flows on the A512 is out of date, being from 2006 and 2003. There has been considerable housing development in Shepshed, Coalville, Whitwick and Ashby over the last few years, many of the new residents heading towards J23 and Loughborough at peak times. Although the National Road Traffic Forecast figures have been used to estimate traffic growth, even these figures are out of date (1997). The NRTF figures are also only an average for the UK and we believe that traffic growth on the A512 is above this average.

The Highways Agency is currently undertaking further work to understand traffic flow impacts at J23 of the M1 Motorway including the development of a traffic model for J23. This is required because the extent of the Loughborough Integrated Traffic Model does not include the motorway junction and the Highways Agency wishes to understand how traffic flows along the A512 interact with the motorway. This shows that the Highways Agency **does not** have sufficient information to back up their contention that there were 'no known congestion or safety matters at this location'.

In their submission to the LCC Consultation on Potential Waste Sites, November 2010 the Highways Agency responded regarding Newhurst Quarry, Shepshed as follows: 'High impact on Strategic Road Network. Close proximity to M1 J23. This junction is expected to come under increasing pressure in the future and owing to the large number of anticipated HGV trips (666 trips per week) from the site, this could have a significant impact'. It is difficult to see how this ties in with the Agency's comments on the Biffa Application.

The Charnwood Borough Council Local Plan adopted 12th January 2004 includes the following comments in Chapter 7 Transport & Traffic Management.

7.14 The main local traffic problems have been identified through previous local plan exercises, consultations with Parish Councils and local people, discussions with the County Council as Highways Authority and on-site surveys. These problems, which are readily apparent at peak hours, may be summarised as follows:

- i) Loughborough: Congestion occurs along major roads into and through the Borough's main urban area. This is particularly evident on the A6 Leicester Road and Derby Road, the A60 (Nottingham Road), the A512 (Ashby Road) and links between including the A6004 (Epinal Way/Shelthorpe Road/Warwick Way).*
- ii) Shepshed: Much of the highway network in and around Shepshed is of a poor standard. The settlement has experienced substantial growth in recent*

years bringing further traffic with no significant improvement to the road network serving the central area. It would not be desirable to introduce more traffic onto this road network which does not appear capable of realistic improvement.

Given the above it is very difficult to understand how the Highways Agency and the Highways Authority can say there are no problems and that they have no objections. It is important that further traffic surveys be undertaken before any final decisions on the Appeal and the New Application are made.

2.6 Other Developments

The **Junction 23 Lorry Park and Service Centre (Truck Stop)** currently has 105 lorry spaces and permission to create a further 77 giving a total of 182 parking spaces (ie a 73% increase). The Service Centre is not restricted to HGVs and the current number of vehicle movements at peak times are as follows:

Time	HGV movements	Other vehicles	Total movements
0745 to 0845	63	70	133
1700 to 1800	76	65	141

(Figures from BWB consulting submission for Truck Stop Expansion Project)

The 274 vehicle movements shown are for just two hours so for a full day there could be as many as 600 to 700 vehicle movements.

Clearly with the number of parking spaces rising to 182 then vehicle movements will increase substantially for the following reasons:

1. Part of the argument for approval of the Truck Stop application closure is the proposed closure of Leicester Forest East Services. The highway layout along the current traffic congestion around J23 and A512 east and west cannot be expected to cope with the volumes of HGV traffic that could arrive at “Truckstop 23” and not Leicester Forest East.
2. The owners plan to advertise the Lorry Park when the expansion has been completed and already have a number of HGV companies seeking to use the Park.
3. Since it is close to the incinerator site entrance, no doubt HGV drivers delivering waste will also use the facilities thus significantly increasing the number of HGV movements since they would enter and exit not only the incinerator site but also the Lorry Park.
4. The Truck Stop is also open to the general public and has other services available as well as parking and fuel.

The SLR Report considerably underestimates the current level of vehicle movements as well as the likely increases as a result of the expansion of the Truck Stop. It will have a substantial impact on traffic congestion on the A512.

The SLR Report also includes the following paragraphs:

8.76 Other development proposals exist in the wider region that might be of consequence to the development proposals. These comprise the second Loughborough Science Park, which will be developed within the vicinity of Loughborough University on land to the west of Holywell Park, to the east of the M1 and south of the A512. In addition, Charnwood Borough Council informed RPS that outline proposals were in place for the development of circa 1,800 residential dwellings within the 'growth area' to the west of Loughborough and east of the M1.

8.77 These developments are not expected to progress until 2011 and no formal allocation has been made to date. Therefore, it is not possible to complete a detailed cumulative impact assessment based on these developments by virtue of the limited amount of information.

The Loughborough University Science and Enterprise Park is much more imminent than suggested by SLR. Outline Planning Permission has already been granted and there is a considerable amount of information available as to what the Science Park will incorporate. The Park will provide for approximately 43,000 sq.m of development, with buildings of 2-3 storeys standing in extensive landscaped grounds. Part of the land will be developed to accommodate the national offices of various UK sporting organisations. The Science Park will stretch west across Snell's Nook Lane to within a short distance of J23. Entry and exit from the Science Park will be to and from the A512.

SLR has declined to complete a detailed cumulative impact assessment because of the 'limited amount of information' available. But much information is available. It is clear that significant employment opportunities will be generated with staff using the A512 to travel to and from work – often from Shepshed and the west as well as J23. This will significantly increase traffic congestion on the A512 and at J23.

Charnwood Borough Council is near to finalising their Core Strategy which will be submitted to the Government Inspector in the autumn of 2011. The Strategy identifies where future housing is to be built in Charnwood with the 'Preferred Option' being a Sustainable Urban Extension to the west of Loughborough. This will involve building 3,500 houses (not the 1,800 mentioned by SLR) and associated infrastructure on the Garendon Estate to the north of Garendon Park. A road will traverse the Park leading onto the A512 not far from J23 of the M1. This will result in hundreds of vehicles every day joining the A512 with many of them heading for J23 as well as Shepshed, Coalville, Ashby and the A/M 42. This will have a major impact on congestion on the road network near to the incinerator site.

2.7 Conclusions

The impact of the incinerator project on highways and transportation is vastly underestimated by SLR in the Environmental Statement. This is not only in terms of the number of HGV and other vehicle movements resulting from the development but also the cumulative impacts of imminent projects in the area, particularly the extended Truck Stop, the Science Park and construction of a new town, the size of Mountsorrel, on the Garendon Estate.

Had the full picture been presented by LCC Officers to the Development Control and Regulatory Board in the Report of the Chief Executive in October 2010 we feel confident the Board would have refused planning permission for the incinerator on the grounds of impact on the road network, not only on visual impact and landscape. We hope the Inspector will take this into account in his response to the Appeal. We also expect the Highways Agency and the Highways Authority to undertake further traffic surveys and re-assess the cumulative impacts of other developments in the area so that the DCRB can be provided with the full facts.