

Our ref: As yours
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**For the attention of the
Planning Inspectors**
C/O Joanna Vincent
Public Inquiry Manager

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Via email: Joanna.Vincent@gateleyhamer.com

Dear Joanna,

**Planning Appeal APP/D0121/W/20/3259234, Bristol Airport Ltd - National Highways
Response to Inspector's Questions**

Highways England was renamed National Highways in August 2021. Prior to April 2015 the organisation was known as the Highways Agency. National Highways is a government owned company responsible for operating, maintaining and improving the Strategic Road Network (SRN).

The Secretary of State for Transport issued statutory directions to the company in a [Licence](#) in 2015.

[DfT Circular 02/2013 The Strategic Road Network & The Delivery of Sustainable Development](#) was published in 2013. This is current policy and no revisions have been made to the Circular since 2013. The Circular sets out the way in which the Highways Agency (now National Highways) engages with communities and the development industry to deliver sustainable development and, thus, economic growth, whilst safeguarding the primary function and purpose of the Strategic Road Network.

[The Strategic Road Network - Planning for The Future](#) was published in 2015. This represents current guidance. It provides advice and guidance to support government policy on motorways and trunk roads (including that set out in DfT Circular 02/2013 and the National Planning Policy Framework) and regulations (such as in the Town and Country Planning Development Management (Procedure) Order (England) 2015) (as amended)). It explains in para. 29 that the primary function of the Strategic Road Network is to facilitate the safe and efficient movement of goods and people.

These documents predate the change of name to National Highways.

1) Junction modelling impact of queueing and delay and understand the percentage impact

Planning applicant's traffic impact analysis for M5 J22

The Statement of Common Ground signed between Highways England (now National Highways) & Bristol Airport Limited dated 25 August 2021 refers in paras. 4 and 5 to two technical notes which had been prepared by the applicant's consultants:

- TN18 covering the assignment of traffic forecast to be generated by the proposed application; and
- TN23 providing a phased assessment of M5 J22.

TN23 notes in para 2.4 that *“A threshold level of an additional 30 two-way vehicles from the airport within either the AM or PM peak has been identified by Highways England before mitigation is required to be in place.”*

In its letter to North Somerset dated 8 February 2021, Highways England outlined that *“whilst there are existing operational and performance constraints in this location [M5 J22], the development proposals would not result in a material, perceptible adverse impact (on which we could sustain an objection) until the increase in demand exceeded 30 two-way movements.”*

The 30 two-way movements threshold was considered to be a pragmatic approach which would enable some development to come forward in advance of a solution for M5 J22. If a stricter interpretation of safety considerations were applied, then no development would come forward in advance of implementing an improvement at this location. National Highways is consistently applying this pragmatic approach across all developments which are identified as having traffic impacts at M5 J22.

TN23 Section 3 describes the traffic growth implications at M5 J22 of applying linear incremental increases in airport capacity (rising by intervals of 250,000 passengers). This concluded that the 30-vehicle threshold would be reached by 11mppa.

The mitigation approach was agreed between National Highways and the planning applicant on the basis of the above analysis. This is covered in para. 19 of the Statement of Common Ground.

Policy in respect of development impacts

Paragraphs 9 and 10 of the DfT Circular 02/2013 set out the approach that National Highways follows in relation to development proposals, as follows:

*“9) Development proposals are likely to be acceptable if they can be accommodated within the existing capacity of a section (link or junction) of the strategic road network, or they do not increase demand for use of a section that is already operating at over-capacity levels, taking account of any travel plan, traffic management and/or capacity enhancement measures that may be agreed. However, development should only be prevented or refused on transport grounds where the residual cumulative impacts of development are severe.
10) However, even where proposals would not result in capacity issues, the Highways England’s prime consideration will be the continued safe operation of its network.”*

Commentary on transport impacts

Based on the policy in DfT Circular 02/2013, safety is the prime consideration when National Highways considers development proposals. This includes taking account of the safety impacts of congestion. This emphasis on safety has guided National Highways’ responses to the Bristol Airport planning application and the mitigation scheme secured for M5 J22.

2) Relevance to growth in Sedgemoor and their Local Plan

Traffic movements generated from new developments in parts of the Sedgemoor Local Planning Authority area will route via M5 J22 for certain journeys. The [Sedgemoor Local Plan 2011-2032 \(adopted 2019\)](#) states in para. 5.94 that:

‘Congestion is increasing across the strategic network generally with particular issues arising at Junction 22 of the M5 and the Edithmead Roundabout on the A39 [sic] corridor. Highways England have identified the need for improvements to the Strategic route network at Edithmead Roundabout / J.22 in order to ensure the impact of planned growth can be safely accommodated and does not result in a severe impact, this is therefore identified in Policy BH7 below. Improvements to the M5 including junction 22 required to meet existing congestion and safety issues would be the responsibility of Highways England. However, Highways England is not responsible for the identification and delivery of any mitigation necessary to support planned growth, this would need to be addressed through appropriate S.106 agreements or use of CIL receipts.

The relevant section of Policy BH7 reads:

To address the impacts of planned growth the following highway transport improvements for Burnham & Highbridge will be brought forward over the plan period: Improvements at Edithmead roundabout /J.22 of the M5 as agreed with Local Highway Authority [Somerset County Council], Highways England and the Council [Sedgemoor District Council].

Identifying necessary Strategic Road Network capacity enhancements at the Local Plan stage to deliver strategic growth is policy set out in para 18 of DfT Circular 02/2013.

The Statement of Common Ground between Highways England & Bristol Airport Limited refers to this context of wider growth in Sedgemoor and to Policy BH7. Para. 6 reads:

Policy BH7 sets out the need for improvement works at M5 junction 22/A38 Edithmead roundabout to ensure the impact of the future planned growth on the SRN is not severe and that the economic sustainability of development across the Plan area can be supported. The proposed Airport development is ‘over and above’ the development set out within the [Sedgemoor Local] Plan, but HE was satisfied that the identified M5 junction 22/A38 Edithmead roundabout signalisation scheme [proposed by Bristol Airport Limited] (see para 20 for reference to current scheme proposals) would be sufficient to safely accommodate the [planned levels of growth identified in the Local] Plan plus the Airport development impact.

In line with Sedgemoor Local Plan Policy BH7 National Highways and the local authorities look to secure improvements to M5 J22 from relevant developments which are forecast to generate traffic impacts at the junction. An example is the Land East of Isleport Lane application for up to 248 dwellings ([11/19/0003](#); currently under consideration). National Highways recommended that a Grampian-style condition be attached to any permission granted for the proposed development. The recommendation outlined that no more than 50 dwellings be occupied unless works to fully signalise the Edithmead roundabout are implemented and open to traffic (or an alternative scheme which achieves the same mitigation).

National Highways can consider alternative improvement proposals if put forward by developers, including Bristol Airport.

3) SCC MRN investment programme and alternative sources of funding this improvement

The A38 North Somerset & Somerset Major Road Network scheme is being jointly developed by North Somerset Council and Somerset County Council. National Highways is a stakeholder on the project. The Councils are responsible for demonstrating how the scheme will be funded. The Councils are currently developing an Outline Business Case and the scheme does not at this stage have full funding approval from the Department for Transport. National Highways considers that an improvement scheme is required for the M5 J22 / Edithmead Roundabout to mitigate the impacts of growth, regardless of the cause of impacts and how the mitigation scheme is funded.

4) Development trips via the junction. Any additional trips is severe due to junction capacity is against NPPF. Impacts on junction need to be understood – severe impact arrived at (less than 30 movements vs 25/32 movements unacceptable)

Policy in respect of development impacts

As referenced above, Paragraphs 9 and 10 of the DfT Circular 02/2013 set out the approach that National Highways follows in relation to development proposals. Planning for the Future advises in para. 36 that National Highways “*will look at planning applications assessed as being ‘severe’ on a case by case basis. This will take in account the performance and character of the relevant section of the SRN, and the predicted effects on the development on its safe operation.*”

Severity of traffic impacts at M5 J22

The Highways England Planning Response to North Somerset Council dated 4 April 2019 states “*that M5 junction 22 currently experiences mainline queuing on the northbound off-slip during peak times as a result of existing demand and the interaction with the A38 Edithmead junction.*” Analysis undertaken by the applicant’s transport consultants and reported in the Transport Assessment Supplementary Document (May 2019) indicated that the proposed development is forecast to generate additional trips *inter alia* on the M5 J22 northbound off-slip in the PM peak period.

The Bristol Airport application development would increase demand to use a road link which is over capacity and where queuing extends onto the mainline carriageway. The Highways England Planning Response dated 4 April 2019 states that “*In light of the existing performance and operation of the junction, as outlined above, Highways England considers this [increase in trips routing through M5 J22] to be a severe impact.*” Para. 19 of the Statement of Common Ground explains that “*it is agreed that improvement works at M5 junction 22/A38 Edithmead roundabout are necessary beyond a passenger throughput of 11mppa to make the proposed development acceptable in highways and transport terms.*”

Approach to mitigation

In line with the guidance in *Planning for The Future* and in the spirit of the Licence, National Highways has worked proactively to adopt a pragmatic approach in relation to M5 J22. This approach accommodates an increment of traffic generated from developments before mitigation schemes would be required at M5 J22. This is a risk-based approach balancing harm in safety terms versus growth benefits.

The Statement of Common Ground notes in para. 6 that HE was satisfied that the identified M5 junction 22/A38 Edithmead roundabout signalisation scheme would be sufficient to safely

accommodate the Local Plan growth plus the Airport development impact. Para. 7 goes on to say that *“It was agreed that the airport maximum passenger cap (an additional 2mppa from the current consented maximum cap) would be reached incrementally over a period of time (i.e. it would not occur immediately at opening year). As a result of this, a trigger point of 11mppa was agreed beyond which improvements to J22/A38 Edithmead would be required to be implemented, and this formed the basis of the proposed planning condition.”*

In its letter to North Somerset dated 8 February 2021, Highways England outlined that *“whilst there are existing operational and performance constraints in this location [M5 J22], the development proposals would not result in a material, perceptible adverse impact (on which we could sustain an objection) until the increase in demand exceeded 30 two-way movements.”* The mitigation approach was sought and agreed between National Highways and the planning applicant on the basis of this threshold.

5) Impact significant/meeting tests

We are not clear what is meant by this comment – we are happy to answer if it is still needed and can be clarified.

6) Impacts across rest of TA at junctions closer to airport

Paras. 6 and 18-19 of the Statement of Common Ground identify that, in terms of the Strategic Road Network, an improvement would be required for M5 J22 only and not at the other motorway junctions assessed (M5 J18, J19 and J21). Other junctions referenced in the Transport Assessment closer to the airport are considered to be a sufficient distance from the Strategic Road Network to not cause an adverse impact onto it. These other locations form part of the local highway authorities' road networks and are the responsibility of either North Somerset Council and Somerset County Council.

7) Plan of scheme/alternative – if only one arm issue then why is whole junction being signalised

Policy on capacity enhancements

Para. 34 of DfT Circular 02/2013 sets out National Highways' policy in terms of capacity enhancement schemes for the Strategic Road Network. It explains that *“Where insufficient capacity exists to provide for overall forecast demand at the time of opening, the impact of the development will be mitigated to ensure that at that time, the strategic road network is able to accommodate existing and development generated traffic.”*

M5 J22 scheme proposed by planning applicant

The planning applicant's consultants prepared and submitted proposals to mitigate the impact of their proposed development at M5 J22. National Highways reviewed these proposals. Para. 19 of the Statement of Common Ground explains that *“it is agreed that improvement works at M5 junction 22/A38 Edithmead roundabout are necessary beyond a passenger throughput of 11mppa to make the proposed development acceptable in highways and transport terms.”* Para. 21 states that *“the following draft condition wording has been agreed”* and the draft condition wording refers to the full signalisation of the A38 Edithmead Roundabout, or an alternative scheme which would mitigate the traffic effects to at least the same extent.

The junction signalisation scheme was prepared by the planning applicant's transport consultants. They may be able to comment on the relative merits of full signalisation over partial signalisation, or any other scheme that was considered prior to agreeing to the full junction signalisation.

M5 J22 scheme being developed by Somerset County Council

As part of the A38 MRN scheme Somerset County Council is proposing a different design to address the congestion and queuing issues at the M5 J22 Edithmead Roundabout. National Highways is liaising with Somerset County Council to ensure that the alternative design achieves a suitable level of mitigation. The design shown at public engagement in summer 2021 is available online here <https://a38mrn-engagement.com/index.php?contentid=78>. The business case is in development and funding for the A38 MRN scheme is not yet secured.

National Highways commentary

National Highways considers that an improvement scheme is required for the M5 J22 / Edithmead Roundabout to mitigate the impacts of growth. The wording of the recommended conditions relating to the M5 J22 improvement – both for the proposed airport development and for Land East of Isleport Farm – include a clause to enable the applicant to propose (and implement) an alternative scheme. This is subject to the applicants demonstrating to the satisfaction of the planning authority (in consultation by Highways England and the local highway authority) that the predicted traffic effects at M5 J22 caused by the development would be mitigated to at least the same extent as the full signalisation scheme.

Yours sincerely,

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