

## IMMINGHAM EASTERN RO-RO TERMINAL DCO APPLICATION

### PINS REFERENCE TR030007

#### COMMENTS ON DEADLINE 5 SUBMISSIONS BY DFDS

##### Introduction

1. This document consists of comments on various documents submitted at Deadline 5 (23 October 2023) for the above application. The documents commented upon are:

- a. The revised draft DCO [[REP5-002](#)]
- b. Statement of Common Ground between ABP and National Highways [[REP-009](#)]
- c. Statement of Common Ground between ABP and North Lincolnshire Council [[REP-010](#)]
- d. The Applicant's Issue Specific Hearing 3 Action Points for Deadline 5 – Appendix 2 – DTA Report 23325-27 Including Annex A-C [[REP5-027](#)]
- e. The Applicant's Issue Specific Hearing 3 Action Points for Deadline 5 – Appendix 2 – DTA Report 23325-27 Annex D [[REP5-028](#)]
- f. The Applicant's Issue Specific Hearing 3 Action Points for Deadline 5 – Appendix 2 – DTA Report 23325-27 Annex E [[REP5-029](#)]
- g. The Applicant's Response to ExQ2 Submissions by Interested Parties [[REP5-031](#)]
- h. The Applicant's Response to CLDN's Deadline 4 Submission [[REP5 – 032](#)]
- i. The Applicant's Response to DFDS D4 submission [[REP5-034](#)]
- j. The Applicant's Response to IOT D4 submission [[REP5-033](#)]
- k. Harbour Master, Humber's Response to IOT comments on independence [[REP5-038](#)]
- l. Harbour Master, Humber's Response to DFDS and CLdN comments [[REP5-037](#)]
- m. IOT Response to D4 submissions [[REP5-035](#)]

### **The revised draft DCO [REP5-002]**

2. A revised draft Development Consent Order was submitted by the Applicant at Deadline 5 [REP5-004]. While it has incorporated some changes suggested by DFDS in its Deadline 2 submission [REP2-039], most of the changes proposed by DFDS at ISH1 (summary of case [REP1-027]) and ISH4 (summary of case [REP4-026]) have not been made and DFDS continues its case that they should be made. This is characteristic of much of the Applicant's failure to respond in a reasonable and timely manner to submissions made by DFDS. The Applicant has failed to provide a response on protective provisions for DFDS which it agreed to do shortly after Deadline 2. The Applicant has responded to DFDS's DCO-related submissions in its comments at [REP5-034] which are covered below and requests that the ExA recommend incorporating its version of the protective provisions submitted at Deadline 2 as [REP2-042].

### **Statement of Common Ground between ABP and National Highways [REP-009]**

3. Within the Summary of Engagement table (Table 2.1), DFDS note that the last communication with National Highways was undertaken on the 7th of October 2022 (over a year ago). It is therefore not clear if National Highways are aware of the various issues with the Transport Assessment that are now acknowledged by the Applicant, in particular the use of an incorrect PCU figure – the SoCG states 'The approach taken in establishing baseline traffic data and the data adopted in assessment is appropriate' which is no longer correct.

4. The Applicant needs to consult all interested parties including National Highways regarding any amendments to the Transport Assessment, including any changes such as those currently identified in REP5-027. It is understood, based on comments made by the Applicant's transport consultant during the Transport Working Group discussion held 8 November 2023 that these consultations are ongoing and revised SoCGs are expected as part of Deadline 6.

### **Statement of Common Ground between ABP and North Lincolnshire Council [REP-010]**

5. Similar to the SoCG agreed with National Highways [REP5-009], all communications with the interested party are identified as being conducted prior to the recent PCU revision. It is not clear if the Applicant has advised North Lincolnshire Council regarding the revision to the PCU factor and subsequent impacts on the original Transport Assessment. The SoCG [REP5-010] states that for Road Traffic 'It is not anticipated that there will be any noticeable impact on North Lincolnshire's road network' which is no longer correct in consideration of the revision to the PCU factor.

6. The Applicant needs to appropriately consult all interested parties regarding any amendments to the Transport Assessment, including any changes such as those currently identified in REP5-027. It is understood, based on comments made by the Applicant's transport consultant during the Transport Working Group discussion held 8 November 2023 that these consultations are ongoing and revised SoCGs are expected as part of Deadline 6.

### **Applicant's Issue Specific Hearing 3 Action Points for Deadline 5 – Appendix 2 – DTA Report 23325-27 Including Annex A-C [REP5-027]**

7. A review of the Modelling Update and Sensitivity test note including Annex's A-C of DTA's Report 23325-27 has been undertaken. Relevant comments within each section are provided below:

### *Validation of Baseline Survey*

8. The validation of baseline surveys as noted in [RE4-009](#) – Appendix 6, is accepted.

### *Capacity of Port Security Gates*

9. Our comments on the capacity of security gates are provided in our response to Annex A – Note on Security Gate Capacity.

### *East West Distribution Assumptions*

10. Our comments regarding the East/West Distribution assumptions are provided in our responses to Annex B – Note on East / West Gate Usage.

### *Traffic Generation Issues*

11. The scenarios presented in paragraph 5.1 [\[REP5-027\]](#) do not represent those discussed and agreed within the Transport Working Group which are being documented in the Transport SoCG.
12. It is DFDS's understanding that the Applicant will undertake assessments for:
  - a. A daily throughput of 1,800 units per day. DFDS consider this to be the average demand for the site based on the 660,000 units per annum limit identified within the DCO.
  - b. A daily throughput of 1,440 units per day.
  - c. East and West Gate assignment of 100% to the East Gate, 0% to the West Gate. This would represent the greatest influence on the East Gate and A1173 corridor.
  - d. East and West Gate assignment of 60% to the West Gate, and 40% to the East Gate as the baseline level for the Transport Assessment. This would represent the greatest influence on the West Gate and A160 and represent a reasonably expected worse case conditions as required by EIA guidance (refer to discussion within *Annex A – Note on Security Gate Capacity* section of this document)
  - e. An additionality factor of 19% for tractor only units. This would reflect current operations at the Port of Immingham [\[REP1-030\]](#)
  - f. An additionality factor of 36% for tractor only units. This would represent the current operations at Killingholme [\[REP5-042\]](#)
13. DFDS consider that the assessment should also consider a peak day level of 2,250 units per day in line with discussions presented within Draft Development Consent Order (Clean) – Ver.04 [\[REP5-004\]](#) section of this document.
14. Approaching the assessment with consideration of these parameters will respond to the needs of the Department for Transport Transport Appraisal Guidelines ([DfT TAG](#)) which identifies that the assessment should consider the potential range of influences on the road network by utilisation of scenario testing.

15. As stated in DFDS Comments on Deadline 4 Submissions [REP5-042], it is DFDS's view that the approach to the Transport Assessment should be that the Applicant identifies the capacity of the network in its current configuration, as well as within a configuration considerate of any mitigations proposed, and compare capacity against the above parameters.

16. DFDS notes that there is still a considerable amount of work to be done and we are now two thirds of the way through the examination. The amount of time for interested parties to comment on the results of any further work is becoming increasingly limited.

#### *Robustness of TA and Implications for Sensitivity Test*

17. The Applicant has provided an overview of how they see that the TA [AS-008] remains robust. DFDS's position is that this is not the case due to the identified errors with the TA (i.e. the PCU conversion) and the following responses against the items raised in Section 6.2 of REP5-027:

18. Paragraph 6.2 iii [REP5-027]. Given that there is no method of formal control of shift patterns within the dDCO, employee trips could be generated during network peak hours in the future. The approach set out in AS-008 is therefore a reasonable worst case and should be retained.

19. Paragraph 6.2 vii [REP5-027]. It is acknowledged that the Stena facilities would be relocated from Killingholme and it would be expected that the vacated port capacity would be taken up by other operators in due course, meaning that no further discounts to network demand would be warranted as any immediate reduction is likely to be very temporary in nature.

20. Paragraph 6.2 viii [REP5-027]. The peak throughput assessed within the TA [AS-008] and corrected assessments within REP5-028 do not represent a reasonable worst case assessment relative to the annual throughput of 660,000 units being applied for in the dDCO. The Applicant has identified that in practice the terminal provides capacity for an average of 1,440 units per day equating to 525,000 units per annum, for which the maximum daily throughput would be 1,800 units. The assessments provided in the TA [AS-008] and REP5-027 should consider demand on the external highway network associated with the maximum daily throughput for 660,000 units per annum.

21. In paragraph 6.2 ix [REP5-027] the Applicant identifies that some tractor-only movements already exist on the network. This is likely to be true, however whether these are going to offsite locations, local facilities, or port facilities remains undetermined by the Applicant. To date, no justification has been provided for the 10% tractor only additionality figure which remains much lower than those identified by DFDS and CLdN and therefore the assessment is not robust. This statement also seems to disregard that operations at Killingholme may continue by other means.

22. Paragraph 6.2 x [REP5-027]. The baseline traffic surveys remain lower than pre-COVID-19 pandemic volumes and therefore cannot be considered particularly robust.

23. Due to this DFDS remain principally concerned with the robustness of the TA [AS-008] and the corrections presented in Technical Note 2 [REP5-028] which also include:

- a. The East and West Gate assignment of 85% to the West Gate, and 15% to the East gate remains unjustified and does not take into account local facilities (refer to discussions within Annex B – Note on East / West Gate Usage of this document), existing driver behaviours and existing road signage on approach to the port (refer item 52 of REP5-042).

- b. The tractor only additionality factor of 10% remains unjustified. This does not take into account current levels at Port of Immingham and Port of Killingholme of 19% [REP1-030] and 36% respectively [REP5-042].
- c. The congestion on the local road network caused by the yard exceeding capacity (refer to discussions within The Applicant's Response to CLDN's Deadline 4 Submission [REP5-032] of this document)

24. The TA and the revised technical note 2 are based on these baseline figures. Throughout all the responses provided by the Applicant, the impacts of varying the design parameters have only been considered in isolation (i.e. Tractor-only movements only, East vs West gate assignment only, not in combination). As stated throughout DFDS responses, and as captured in our Written Representation [REP2-040], the Transport Assessment should be revised considering the cumulative impacts of the daily peak volume, the assignment between the West and East Gate, the number of tractor only units, and congestion on the road network (either internal within the port or external) caused by the terminal exceeding capacity. This would provide a robust assessment that conforms to the requirements of the DfT TAG.

#### *Threshold for Considering Mitigation*

25. The Applicant makes references to the National Planning Policy Framework (NPPF) as a means of arguing that no mitigation is required to the local road network, port gatehouses, or port internal roads [REP5-027, REP5-028 and REP5-029], namely paragraph 111. DFDS would agree that a project should not be rejected or refused on highway grounds, however only if suitable mitigations are applied where relevant. The NPPF only provides advice on whether the application should be refused, or prevented, not if mitigation is required or not.

26. DFDS's concern is ensuring the appropriate mitigations are made to the network to resolve the influences of the additional demand and impacts upon their operations, as well as other operations within the local area and the community.

27. The Applicant should in fact be responding to Section 5.4.24 of the National Policy Statement for Ports (NPSP) Mitigation: Access, which notes: 'Where development would worsen accessibility, such impacts should be mitigated so far as reasonably possible'.

28. The Applicant should also refer to DfT TAG which weighs the influence of the impacts against the cost to mitigate. This in general provides guidance that the project should maintain a neutral impact on Economy (assessing journey time and cost, as well reliability). Irrespective of further sensitivity testing to account for uncertainties surrounding the assignment of HGVs on the network and the lack of an appropriate assessment of the peak throughput, the updated highway capacity modelling presented within Annex D [REP5-028] identifies the IERRT has a negative impact on journey time and reliability (i.e. an economic impact) along key access routes to the Port of Immingham, which reduce the resilience of the network to accommodate planned future demand and potentially result in severe impacts to DFDS operations and its customers. On this basis, the impact of the IERRT development is considered to warrant consideration mitigation measures at affected junctions in consultation with the respective highway authorities.

29. Additionally, we note that NELC's Advice-Note-1 – Transport Statements/ Assessments (point 9 on page 8) (appended to this document) indicates that the Council 'would expect to see mitigation

measures proposed to ensure 'nil detriment' to the highway network. Mitigation works should be designed to include deliverable junction upgrades/ amendments to accommodate anticipated flows'.

30. Evidence to show how NELC have previously applied this advice to consented development can be found within the Stallingborough Interchange Supplementary Planning Document which was adopted by NELC in September 2020. Paragraph 8.33 of this document provides useful context regarding the sensitivity of the A1173 / Kiln Lane roundabout in that it confirmed 'the proposed development would cause potential harm to how the junction flows and as such mitigation is proposed in the form of a) an improved southern arm onto the roundabout; b) widening of the A1173 northern arm into the roundabout; and c) widening the A1173 western arm into the roundabout.'

31. The assessment of the Stallingborough Interchange development made no allowance for additional demand associated with the proposed IERRT development. Consultation with NELC should be undertaken to establish the timing (and/ or certainty) of the delivery of any future mitigation scheme and the impact of the IERRT upon it.

32. Precedent for previously agreed approaches to assessment and mitigation of development impacts is also found within the Transport Assessment (NEA1114 Report No. 1, September 2011) produced for the Able Energy Park DCO and on the Planning Inspectorate website here [[Hearing summary of case appendices](#)] which confirms at paragraph 1.11 that the approach to assessment and mitigation agreed between the Able, NLC, NELC, and National Highways (formerly the Highways Agency) was to:

- a. 'run junction capacity models for those junctions with a significant impact i.e. over 30 two way trips; and
- b. identify any mitigation required. It has been agreed by all parties that any mitigation proposed should ensure junction capacity is 'no worse off' than the 'base + committed development' scenario.'

33. DFDS are concerned that similar discussions with highway authorities have not taken place with regard to the scope of the assessments and requirements for mitigation in the context of the corrected modelling within [REP5-028](#). Evidence of this and justification of outcomes should be provided as a matter of urgency given the issuance of this corrected information at such a late stage of the DCO process.

34. The Transport Assessment (NEA1114 Report No. 1, September 2011) for the Able Marine Energy Park identified highway improvements at both the A160/ A1173/ Humber Road roundabout (Drawing No. NEA1114/02 Rev A in Appendix Q ) and the A1173 /Kiln Lane roundabout (Drawing No. NEA1114/06 Rev A in Appendix Q). The agreed approach was that any mitigation measures will maintain a 'no worse off; scenario at the capacity of the junctions with the 'base + committed development' traffic flows, as referenced in Paragraph 7.44. In both instances this agreement was applied irrespective of whether the additional development flows took the junction over its practical capacity, as cited in paragraphs 7.53 and 7.57 of the Transport Assessment and within Section 15.8 Mitigation of the ES.

35. The mitigation schemes identified have not yet been implemented and we understand it is not certain if, or when, the Able Marine Energy Park development and associated mitigation schemes will

be brought forward. The Applicant should consider whether similar schemes would appropriately mitigate the impact of the IERRT development, in consultation with Highway Authorities.

36. DfT Circular 01/2022 *Strategic road network and the delivery of sustainable development* is of relevance to the impact of the IERRT on the A160 as it explains how National Highways will engage with the planning system which maintaining, managing and operating a safe and efficient strategic road network.

37. Paragraph 23 recognises the ‘capacity enhancements such as modifications to existing junctions or road widening to facilitate development should be determined on a case-by-case basis’ and that ‘alternative options to manage down the traffic impact of planned development or improve the local road network as a first preference’.

38. Paragraph 49 recognises that ‘the scenario(s) to be assessed, which depending on the development and local circumstances may include sensitivity testing, should be agreed with the company’ and goes on to state in Paragraph 51 that ‘Where a transport assessment indicates that a development would have an unacceptable safety impact or the residual cumulative impacts on the SRN would be severe, the developer must identify when, in relation to the occupation of the development, transport improvements become necessary.’

39. In the context of the above, DFDS have seen no evidence that the need for mitigation has been duly considered by the Applicant to date, or appropriately consulted upon with the relevant highway authorities in the short time since the Applicant’s deadline 5 submissions were published.

40. To ensure that DFDS’ operations are not severely impacted by the IERRT proposals, requirements should be placed on the Applicant to provide suitable mitigations at the identified locations, noting that other locations may also be identified following further works around sensitivity analysis and network capacity.

#### *Committed Development*

41. Paragraph 8.3 of [REP5-027](#) notes DFDS’s request for a breakdown of committed development flows at each assessed junction on the external highway network. Annex D [[REP5-028](#)] provides the update total committed development flows for each junction in the form of OD matrices only. A breakdown of the committed development flows has not therefore been provided within the Deadline 5 submission documentation. These were requested again and provided separately by DTA via email on 7th November 2023. We would recommend these traffic flow diagrams are provided to the examination for the purpose of transparency. We note the following:

- a. The committed development volumes have been amended since the submission of the Transport Assessment [[AS-008](#)]. Of note, traffic flows associated with the Able Marine Energy Park development [Able Energy Park DCO] have been removed from the assessment on the basis that the Transport Assessment for that development did not identify any trips on the network between the assessed peak hours of 0700-0800 and 1600-1700. This is accepted.
- b. At the time of writing we are awaiting clarification of how the traffic flows associated with Able Logistics Park development [App Ref: PA/2009/0600] have been adapted to reflect the network peak hours of 0700-0800 and 1600-1700 as the traffic flow diagram provided

by DTA on 7th November 2023 does not match the traffic flow diagram provided in Annex I of the Transport Assessment [[AS-008](#)].

- c. The Applicant's disaggregated traffic flow diagrams do not illustrate turning movements at the A1173 / SHIP site access roundabout. This should be provided to enable the OD matrices in Appendix TN2 A of Annex D [[REP5-028](#)] to be checked.

42. In addition the following discrepancies have been noted between the disaggregated traffic flow diagrams and the OD matrices and highway capacity modelling presented in Annex D [[REP5-028](#)]:

- a. At the A1173 / Kiln Lane roundabout, the PCU volumes for each turning movement on the A1173 N approach to the junction have been calculated incorrectly based on the disaggregated flow diagrams provided. This should be checked and corrected within the traffic flow diagrams, OD matrices, and highway capacity modelling.
- b. At the A1173 / A180 junction, the total committed development PCU's presented in Appendix TN2 A of Annex D [[REP5-028](#)] on the A1173 N approach to the junction are incorrect based on the disaggregated committed development flow diagrams provided by DTA. These are understated by circa 60 PCU in both peak hours. This should be checked and corrected within the traffic flow diagrams, OD matrices, and highway capacity modelling.

#### *Updated Modelling Results*

43. Our comments on the corrected highway capacity assessments are provided within our response to Annex D [[REP5-028](#)]. The corrected assessments demonstrate materially worse conditions relative to those presented within the original Transport Assessment [[AS-008](#)] with 5 junctions now exceeding their practical reserve capacity.

44. DFDS are concerned that all previous pre-application consultation with Highway Authorities, subsequent Statements of Common Ground, and discussions regarding mitigation have been based upon the incorrect assessments presented in [AS-008](#) – these agreements should be revisited in the context of the new information now presented.

45. The HGV assignment within the corrected assessments is also not sufficiently justified and no sensitivity test has been undertaken to address uncertainties regarding the assignment of vehicles on the A160 and A1173 corridors, or the impact of the peak daily traffic generated by the IERRT if it achieves a throughput of 660,000 units per year. The impact upon DFDS operations which rely on the use of these corridors has therefore not been appropriately assessed or mitigated to date.

#### *Internal Junction Modelling*

46. Our comments on the corrected internal junction modelling is provided within our response to Annex E [[REP-029](#)].

#### *Conclusion*

47. DFDS does not agree with the Applicant's conclusion that the impact of the IERRT development does not materially impact the operation of the surrounding public highway network to



the detriment of existing port users and the surrounding communities. DFDS request that the Applicant:

- a. Update and reissue a revised Transport Assessment [[AS-008](#)] inclusive of the revision to the PCU factor and outcomes of the sensitivity analysis; and
- b. Consult with all interested parties, including National Highways, North Lincolnshire Council, North East Lincolnshire Council, and any other relevant parties, advising them of the changes and implications of the updates to the Transport Assessment.

#### *Annex A – Note on Security Gate Capacity*

48. DFDS have been working with the Applicant by providing feedback regarding gate house capacity assessment through the Transport Working Group. DFDS have welcomed the more detailed analysis that has presented the impacts of the IERRT project on the gate house traffic considerate of time of arrival. This has improved the analysis as the majority of the IERRT vehicles have been identified by the Applicant to arrive outside of normal peak times for the port (however, there remains a query around the accuracy of the arrival pattern given recent presentation of operational parameters in [REP5-032](#)).

49. Several comments have been provided to the Applicant's Transport Consultant, with responses now provided.

50. The review has identified concerns with:

- a. Presenting results in vehicle counts. The vehicles entering the port are a variety of HGVs, LGVs and passenger cars with varying lengths. It is anticipated that the Applicant has conservatively assumed that all vehicles are of an HGV length.
- b. The discussion focuses on peak hours of the port, not peak hours of the IERRT project which result in higher volumes of HGV's (particularly on Queen's Road to the East Gate and Laporte Road to the East Gate) in the order of 100 additional HGVs.

51. The assessment of the East Gate considers that both lanes on the East Gate can be used to enter the port, however details shown on the General Arrangement Plans East Gate & Bridge Regulation 5(2)(o) & 5(2)(k) Sheet 3 of 5 [[AS-029](#)] show that the left hand land is dedicated to cars and vans, whilst the right hand lane is dedicated to HGV's (a screen shot of this is provided in Figure 1 - East Gate Configuration). This would mean that queue capacity for HGV is significantly over represented within the gate house assessment.

52. The Applicant's Transport Consultant indicates that this is not correct and the design will be modified in detail design, however this is contradictory to what is stated in the project drawings.

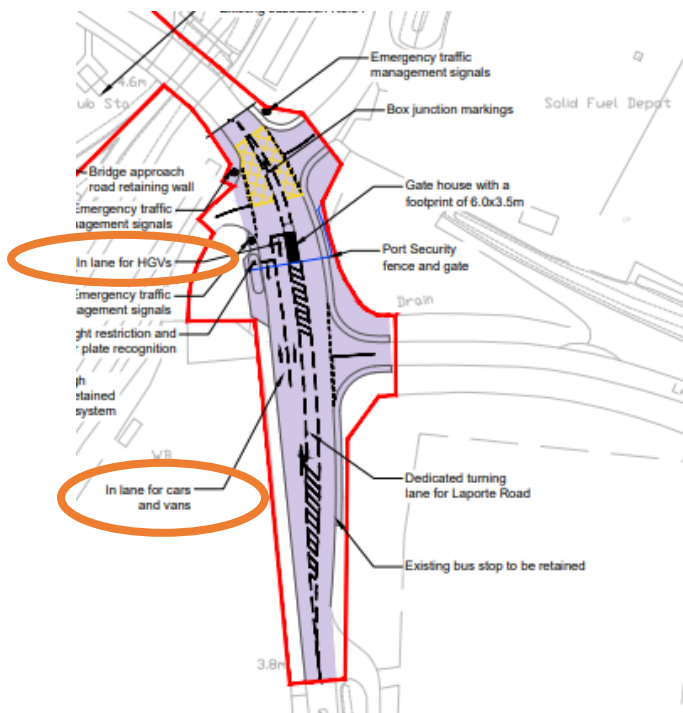


Figure 1 - East Gate Configuration

*Annex B – Note on East / West Gate Usage*

*Overview*

53. DFDS position on Annex B is that it is redundant based on the agreements captured within the SoCG and continued discussions within the Transport Working Group. The SoCG and discussions held have concluded that an assessment of:

- a. 60% of IERRT project vehicles using the West Gate
- b. 40% of IERRT project vehicles using the East Gate

54. This level of assignment has been agreed to capture movements to and from local facilities, provide allowance for driver behaviours, and consideration of routing due to road type and existing signage.

55. There are several points within Annex B that have been responded to below for completeness:

*Robustness of TA*

56. As per comments made within the *Robustness of TA and Implications for Sensitivity Test* section of this document, DFDS disagree that a 15% assignment to the West Gate, and a 85% assignment to the East Gate is robust.

*Routing*

57. The Applicant continues to claim that the East Gate is the quickest route, which was discussed during ISH3 (paragraph 4.8.2 of [REP4-025](#)) and agreed that the 1 to 2 minute difference is immaterial.

58. Further, the Applicant argues that the routing to the East Gate is less tortuous due to the reduction in junctions that are interacted with, however hasn't taken into account the road type with the A160 being a dual lane road that favours accessibility for HGVs. In addition the internal junctions of the port have been shown to have a lower level of utilisation [\[REP5-029\]](#) in comparison to those on the approach to the East Gate [\[REP5-028\]](#) reducing likelihood of delays.

59. The other aspect regarding routing, particularly on approach, is way finding with the majority of signs on the A180 directing drivers to use the A160 for access to the port. DFDS note that, apart from the sign at the exit of the terminal, the East and West Gate assignment assessment should not consider the benefits of way finding.

#### *Local Facilities*

60. In paragraph 1.2 ii, the Applicant have provided incorrect information.

- a. The Applicant claims that of the 720,000 freight units handled by DFDS, 110,000 RoRo units come from, or go to local facilities.
- b. Firstly, the 720,000 freight units is inclusive of cars imported. The actual figure for RoRo units alone is circa 500,000 per annum.
- c. Secondly, 110,000 RoRo units which are handled by DFDS logistics are directed to local facilities. In addition to this, there are third party operators who utilise DFDS sailings who also send a proportion of their trailers to local facilities. DFDS does not record this information.

61. This would indicate that at a minimum, 20% of units are directed to local facilities. Given DFDS logistics make up around a half of the volume used on DFDS sailings, this can easily be doubled to indicate 40% or more.

62. In Appendix A of Annex A [\[REP5-027\]](#), the Applicant has provided a map of local industrial areas. This map has areas shaded that are local facilities that support RoRo operations, as well as non RoRo operations such as chemical operations, construction, etc.

63. To improve this assessment DFDS have produced a Figure (provided below) which sets out the locations of, and access routes to, local haulier facilities which indicates that 60% of local traffic routes via the A160 and 40% of local traffic routes through the A1173, based upon the distribution of hardstanding accessed from each route (381,000 sqm via the A160 and 254,600 sqm via the A1173).

64. This has been discussed with DTA within the Transport Working Group forum and is considered to provide a reasonable evidence base upon which sensitivity testing should be undertaken.

65. Figure 2 supersedes the information presented within section 2 of Annex B of [REP5-027](#).

66. Note, during the Transport Working Group discussion, it was agreed that a distance deterrence would not be used within the analysis given the immateriality of driving time between gates.

*Existing Surveys within the Port*

67. Section 3 of Annex B of [REP5-027](#) reviews movements of HGVs at internal junctions within the port and considers the volume from the East Gate.

68. The Eastern side of the port is currently occupied by bulk liquid and bulk material operators who have a fundamentally different user base in comparison to RoRo operations. Of note, there are a number of supporting facilities for maintenance and supply's for these operators in the Kiln Lane area.

69. These are also junction counts with interpretation by the Applicant that any vehicle heading towards the East Gate is assigned in using that gate, which may not be true. A comparison of vehicles entering and leaving the port via the East Gate would be necessary to determine their true destination (i.e. within the port or outside) and discount the potential for any double counting.

70. None the less, comparing these operations against a RoRo operation is challenging due to variations in purpose of being at the port (i.e. maintenance or supply), and the difference in local facilities and location.

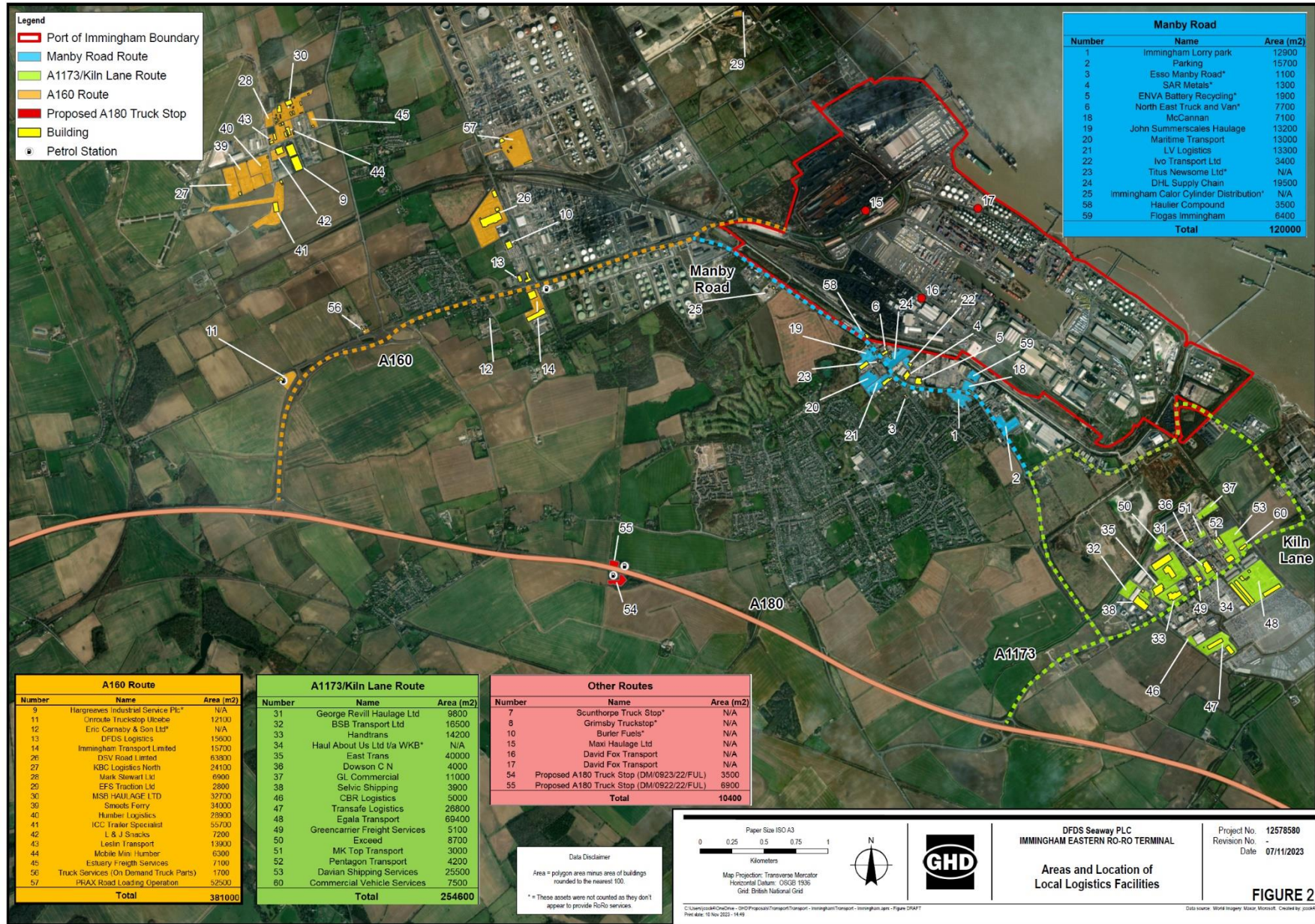


Figure 2 - Areas and Location of Local Facilities

### *Annex C – Response to GHD Comments*

71. Our outstanding comments with regard to DTA's responses outlined in Annex C of [REP5-027](#) are set out below:

- a. Disaggregated traffic flow diagrams for each committed development considered within the assessment as not been provided within the Deadline 5 submission documentation. These were requested again and provided separately by email on 7th November 2023. The outcomes of our review of this additional information are provided within our response to [REP5-027](#).
- b. In terms of the East Gate assignment, paragraph 2.3 of [REP5-028](#) confirmed that a sensitivity test of 100% of development traffic using East Gate was previously undertaken. The outputs of this test should be provided for transparency and further comment.
- c. Geometric parameters referenced in drawings 23325-03-9 (SHIIP Roundabout), 23325-03a-2 (Habrough Roundabout), 23325-03a-3 (Manby Roundabout) were requested and provided by email on 7th November 2023. Whilst some discrepancies are noted, these should be consulted on with relevant highway authorities in instances where these have been changed since the original assessments were undertaken in [AS-008](#).

### **Applicant's Issue Specific Hearing 3 Action Points for Deadline 5 – Appendix 2 – DTA Report 23325-27 Annex D [[REP5-028](#)]**

72. A review of the Update to Technical Note 2 detailing external junction assessments provided as Annex D of DTA's Report 23325-27 has been undertaken.

73. Annex D is an Update to Technical Note 2 – Junction Modelling Assessments and has been revised to correct fundamental errors regarding the conversion of PCU values within the original Transport Assessment, as well as the additional comments raised by GHD set out by DTA within Annex C of Report 23325-27 [[REP5-027](#)]. This is welcomed and it is strongly recommended that the Transport Assessment [[AS-008](#)] is updated with the corrected assessments and sensitivity test as part of the DCO process.

74. Paragraph 1.3 notes that DTA have previously engaged with National Highways, North Lincolnshire, and North East Lincolnshire Council to agree the scope of junction assessments. It is important that these local authorities are reconsulted on the implications of the corrected highway capacity modelling given that the previous assessments on which pre-application consultation, and statements of common ground were based, materially overstated the available capacity on the network.

75. Our comments on the robustness of the assessments are set out within our response to [REP5-027](#), with the primary concerns being that:

- a. The assessments are based on a peak throughput of 1,800 units per day, and an average throughput of 1,440 units per day, which equates to c.525,000 units per annum. The peak associated with a throughput of 660,000 per annum of 2,220 units per day has therefore not been tested; and

- b. No sensitivity tests have been provided to account for uncertainties relating to the future assignment of traffic on the network. This is important to ensure that the resilience of this sensitive network is protected and that the impact of the proposed IERRT development is appropriately mitigated.

76. A sensitivity test should be incorporated into the Transport Assessment [[AS-008](#)] to adequately address these concerns.

77. DTA's corrected modelling results for key junctions are reproduced in Table 1.

Table 1 - DTA corrected modelling results summary of junction approaches with the highest RFC

Junction	Sc.1: 2032		Sc.2: 2032 + Committed		Sc.3: 2032 + Committed + ABP 85/15%	
	AM	PM	AM	PM	AM	PM
A1173 / Kings Rd roundabout	0.53	0.42	0.59	0.62	0.70	0.53
A1173 / Kiln Ln roundabout	0.71	0.50	0.86	0.58	0.96	0.65
A1173 / SHIIP roundabout	0.57	0.59	0.78	0.72	0.86	0.79
A180 / A1173 roundabout	0.31	0.45	0.44	0.57	0.55	0.62
A180 / A160 roundabout	0.72	0.52	0.89	0.64	0.91	0.65
A160 / Habrough Rd roundabout	0.80	0.78	0.94	0.92	0.95	0.93
A160 / Manby Rd roundabout	0.54	0.76	0.59	0.86	0.61	0.88

78. The corrected assessment identifies that the following junctions will operate above a practical capacity threshold of 0.85 RFC:

- a. A1173 / Kiln Lane roundabout from the 2032 + Committed Development horizon
- b. A1173 / SHIIP roundabout from the 2032 + Committed Development + ABP Development horizon
- c. A180 / A160 interchange roundabout from the 2032 + Committed Development horizon
- d. A160 Humber Road / Habrough Road roundabout from the 2032 + Committed Development horizon
- e. A160 Humber Road / Manby Road roundabout from the 2032 + Committed Development horizon.

79. It is clear from the corrected highway capacity assessments that the existing public highway network is in fact sensitive to additional demand.

80. DTA have confirmed in paragraph 1.9 of [REP5-027](#) that junctions exceeding the recognised threshold of 0.85 RFC have been additionally assessed using the Stena profile in both peak hours and the flow associated with the average throughput of 1,440 units per day. Our comments on these are as follows:

- a. The Stena profile is only of relevance for the proposed end user. It is appropriate to assess the port of Immingham profile where this represents a worst case (i.e. the AM peak hour) given that other operators may occupy the IERRT in the future. The Stena only assessment should therefore be afforded no weight.
- b. The average flow assessment would only be appropriate for assessment of an annual throughput of 525,000 units per year, and should therefore be given no weight unless either a reduced throughput, or further controls, are incorporated into the DCO, such as a daily throughput limit of 1800 units and/ or a HGV management plan.

81. Our comments on the individual junction assessments are provided in turn below:

#### *Kings Road / A1173 Roundabout*

82. In Table 3 of [REP5-028](#) it appears that DTA have input incorrect volumes into their junction model under the 2032+ Committed Developments scenario in the PM peak, which has resulted in higher results (0.62 RFC) compared to the 2032+ Committed Developments+ ABP Development scenario (0.46 RFC). Whilst not material in terms of junction capacity, this error should be corrected as part of any further sensitivity assessment and updates to the Transport Assessment [[AS-008](#)].

#### *A1173 / Kiln Lane Roundabout*

83. Table 4 of [REP5-028](#) identifies that the A1173 West approach to the roundabout operates above its practical capacity during the AM peak hour (0.86 RFC), and the addition of the IERRT Development flows increase the RFC by 0.10 to 0.96 RFC.

84. The IERRT development does have a material impact at this sensitive junction and mitigation should be considered in consultation with North East Lincolnshire.

#### *A1173 / SHIP Roundabout*

85. We note the modelling outputs for the 2032+ Committed Developments+ ABP Development AM peak hour scenario, do not match the results in Table 7 or the traffic flow inputs on page 30 of [REP5-028](#). This should be reviewed and corrected as part of any further sensitivity assessment and updates to the Transport Assessment [[AS-008](#)].

86. Assuming the 2032 Base + Committed + Development results in Table 7 are correct, the IERRT development pushes the A1173 W approach to this junction over its practical capacity equating to a 0.10 increase in RFC. Mitigation should be considered in consultation with North East Lincolnshire Council.

#### *A160 / Manby Road Roundabout*

87. Table 10 of [REP5-028](#) indicates that the Humber Road approach is operating at capacity in the 2032 Base + Committed scenario and the addition of the IERRT development increases the RFC from 0.86 to 0.88. Mitigation should be considered in consultation with National Highways and North Lincolnshire Council, particularly given that the sensitivity test will assign additional traffic to this route.



#### *A160 / Habrough Road Roundabout*

88. We note that DTA have input incorrect PCU volumes into their junction model for the 2032 Future Baseline scenario for both peak hours, when comparing the junction model report with the OD matrices provided in [REP5-028](#). This error should be corrected as part of any further sensitivity assessment and updates to the Transport Assessment [[AS-008](#)].

89. Table 12 of [REP5-028](#) indicates that the A160 East and A160 West approaches to this junction are operating significantly above their practical capacity in the 2032 Base + Committed scenario and the addition of the IERRT development increases these RFC by 0.01.

90. Sensitivity testing should be undertaken at this junction to understand the impact of alternative IERRT traffic assignment on the network, which may require consideration of mitigation measures in consultation with National Highways.

#### *A160 / A180 Roundabout*

91. Table 16 of [REP5-028](#) indicates that the A180 East off-slip approach to this junction operates above its practical capacity in the 2032 Base + Committed scenario in the AM peak hour. The addition of the IERRT development increases these RFC by 0.02.

92. Sensitivity testing should be undertaken at this junction to understand the impact of alternative IERRT traffic assignment on the network, which may require consideration of mitigation measures in consultation with National Highways. We would also encourage National Highways to review the geometric parameters at this junction.

#### *Other Junctions*

93. The Applicant should also undertake all assessments for the A160 / Eastfield Rd signalised junction.

#### **Applicant's Issue Specific Hearing 3 Action Points for Deadline 5 – Appendix 2 – DTA Report 23325-27 Annex E [[REP5-029](#)]**

94. A review of the internal junction assessment provided as Annex E of DTA's Report 23325-27 has been undertaken.

95. The primary concerns relate to:

- a. the fact that the assessments provided within this document have been undertaken on the basis of the 85% East Gate, 15% West gate assignment as confirmed within Paragraph 1.5. The assessments will therefore require revision to reflect the forthcoming sensitivity test – which we would recommend is undertaken on the basis of 60% of traffic to the West Gate and 40% of traffic to the East Gate; and
- b. the ability of the internal IERRT capacity to accommodate movements as discussed within the The Applicant's Response to CLDN's Deadline 4 Submission [[REP5-032](#)] section of this document, and the knock-on effects that may have in terms of vehicles queueing on the internal road network due to the shortage of storage spaces.

96. We have no comments on the assumptions set out in Paragraph 1.6 relating to the diversion of traffic following the closure of the section of East Riverside to the east of its junction with East Dock Road.

97. The assessments show that all junctions modelled operate well within their practical capacity (RFC 0.85) in isolation.

98. An error within the assessment of the 2022 baseline assessment for the Robinson Road/ East Dock Road junction during the PM peak hour has been noted. The PCU values and HGV percentages being entered into the model show minor variances relative to the MCC survey data for this junction, and whilst this would also affect the future scenarios with development, it is recognised that it has no impact upon junction capacity. This error should however be reviewed and corrected within the forthcoming sensitivity test.

#### **The Applicant's Response to CLDN's Deadline 4 Submission [REP5-032]**

99. The following is specifically in response to Section 6 'The ability of the IERRT to handle the maximum level of activity indicated' and Appendix 4 'IERRT Storage Capacity Analysis' of [REP5-032](#). For clarity, this section considers the handling of freight units with the following terminology:

- a. UK Imports, those goods entering the UK which will be disembarked from the vessel, stored within the yard, then transported to its UK destination. The Applicant refers to these movements as 'West Bound movements' or WB
- b. UK Exports, those goods that are leaving the UK which will be transported to the port, stored at the port and then loaded onto the vessels for export. The Applicant refers to these movements as 'East Bound movements' or EB

#### *Overview*

100. DFDS have reviewed the terminal capacity statements provided by the Applicant in Response to CLdN's Deadline 4 Submission [[REP5-032](#)], and at a high level have the following comments and concerns:

- a. No allowance appears to be made for export containers.
- b. The yard exceeds 100% capacity under peak conditions and exceeds operational capacity (80%) under normal operating conditions.
- c. The proposed approach by the Applicant is highly dependent on efficient operation of the port. Any delays to sailings or hauliers will lead to congestion of the port, queuing on the road network, and high (and potential over) utilisation of local truck parking facilities.
- d. The Applicant's yard capacity calculation fails to consider the operating behaviours between vessel arrival and departure, and how this results in a specific period of overlap where the yard capacity is insufficient for the proposed volumes.

## *Containers*

101. The Applicant's assessment of the yard capacity has assumed that all container slots will be made available to imported containers only and assumes that under maximum operations, and normal operations, the available container slots will be fully utilised. This reduces the number of unaccompanied RoRo freight units that are required to be stored within the yard. There are two concerns with this approach:

- a. The Applicant has made no allowance for exported containers. The Applicant should confirm how export containers should be stored. It is worth noting that the location of containers onboard vessels is highly constrained, and these will need to be loaded at a specific time. Further commentary on timing of arrival and alignment with loading cycles is provided in in the following text.
- b. The number of containers will not always fill the available slots, particularly when considering 'normal' operations. This would increase the number of unaccompanied freight units that need to be stored for both import and export movements, increasing utilisation of the yard.

102. As a final point, the Applicant has used the same dwell rate for unaccompanied trailers and containers (average of 2.45 days). Typically, containers dwell at the port (both import and export) for longer durations than most other freight modes, and it may be that dwell rates for containers have been incorrectly attributed. A longer dwell period will further decrease the yard capacity and the appropriateness of the 2.45 days should be confirmed by the Applicant. All these points indicate that the Applicants current calculation of yard capacity is overestimating the actual capacity.

## *Dwell period*

103. The Applicant has indicated the following dwell periods for imports and exports:

- a. Accompanied Imports – it is implied that the dwell period for these units is almost zero and do not need to be considered within the yard capacity assessment. In practice however, this is not quite true. Accompanied units require time to disembark from the vessel and for drivers to clear immigration. For the RoPax vessel, this could take anywhere up to 2 hours and during this time access to the vessel will be constrained for removing unaccompanied units. Therefore storage capacity will need to be provided to hold the vehicles whilst the appropriate processes are completed. The Applicant has identified that these vehicles will be held on the vessel or the spine road prior to the passport facilities. Consideration needs to be made within the vessel unloading time for the impact that held accompanied vehicles on the vessel, or long queues on the spine road, will have on the commencement of unloading of unaccompanied units.
- b. Unaccompanied Imports – an average dwell rate of 2.45 days has been declared. It is presumed that this will fluctuate between 1.5 to 3.0 days as per the previously described range provided by the Applicant [[REP1-009](#)]. The Applicant has not assessed the dwell rate versus the sailing schedule of the vessels.
- c. Imported Containers – an average dwell rate of 2.45 days has been used within the calculations which is the same as unaccompanied imports. This is unusual as containers

tend to dwell longer than other modes. A dwell rate of 4 days has been identified for 'other units' in the Applicants calculations, which would align better with the typical behaviours of these unit types.

- d. Accompanied Exports – it is implied that limited dwelling will occur for accompanied units with those that arrive at the port early being directed to the holding lanes and to the vessel. This approach is reasonable, however the capacity of the holding lanes versus the number of units to be held (particularly for the RoPax sailing) should be confirmed by the Applicant and mitigations identified for events where vessels are delayed.
- e. Unaccompanied Exports – the Applicant has indicated an average dwell of 0.35 days, with an intent that unaccompanied units will be continuously loaded on to the vessel, effectively increasing the yard capacity by using space on the vessel. There are several challenges associated with this proposed idea that the Applicant has not addressed, which are further explored in the following text.
- f. Exported Containers – No allocation has been made for exported containers within the Applicants assessment. The Applicant needs to confirm the intent regarding handling and storage of these freight units.

#### *Sailing times and influence on loading and unloading times*

104. Owing to the Applicant's intention to use vessels as storage capacity to supplement the yard capacity, the intended sailing schedule and frequency of disruptions needs to be understood and factored into the calculations.

105. The Environmental Statement, Non-Technical Summary [APP-035] identifies that three vessels will be handled at the IERRT per day, one per berth, with the vessels likely to arrive in the morning and depart in the evening. Based on current Stena sailings in the region and the Transport Assessment traffic distribution of arriving and departing traffic, these three vessels are expected to arrive between 06:30 and 08:00, and depart between 19:30 and 21:00, creating a concentrated period of arrivals and departures, with a 12-to-13-hour window between arrival and departure to unload and load the vessel. Within this 12-to-13-hour window, the terminal operators and stevedores will need to:

- a. Moor and secure the vessel. This can take 30 minutes on average.
- b. Disembark any accompanied units. For a non RoPax vessel, this process could take between 30 to 60 minutes. For a RoPax vessel, this could take up to 2 hours.
- c. Unload accompanied units. At a rate of 1 (one) unit per minute, this would take up to 2 to 2.5 hours for all imports. This activity wouldn't be able to commence until a high proportion of the accompanied units have been discharged from the vessel.
- d. Load the unaccompanied units. This would use the remaining time available which is approximately 7.5 hours to 9.5 hours.
- e. Load the accompanied units.

106. The Applicant has indicated that a 0.35-day (approximately 8.5 hour) dwell rate for UK unaccompanied exports is anticipated for the IERRT operations. This implies that the Applicant intends to 'cycle' the slots within the yard around three times per day (i.e. each import slot is used on average 3 times during the course of the day). This is based on a 24-hour operating window, which as described above, doesn't exist in practice for this facility.

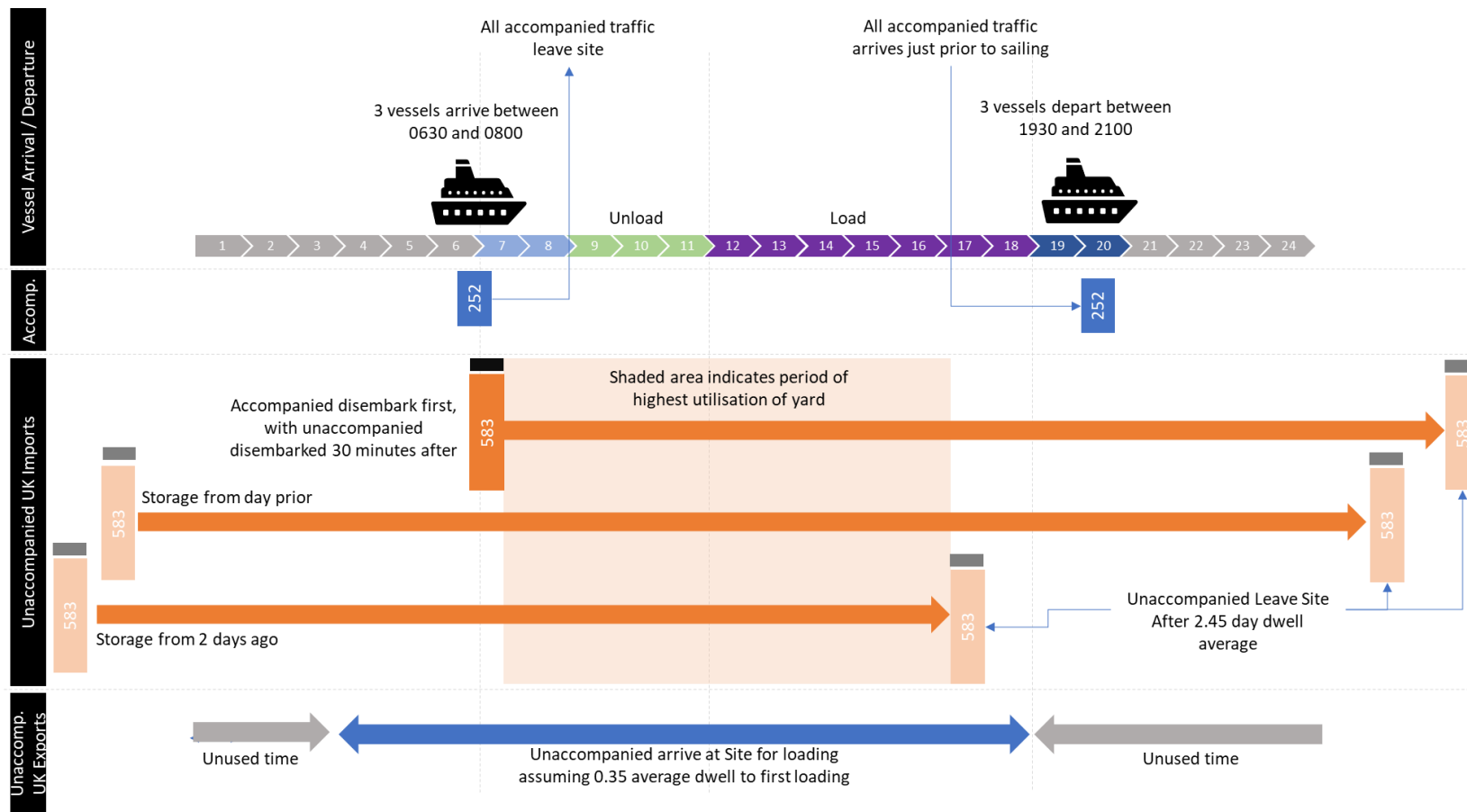
107. If the 0.35 day dwell rate is accurate, at least 50% of the units would need to be at the terminal awaiting loading 8.5 hours prior to departure. Given that loading of the vessel is not available until around this time, that mean around 250 to 280 units would be waiting in the yard. This exceeds the 228 slots provided in Appendix 4 [\[REP5-032\]](#).

108. In effect, the time to complete these three cycles is actually 11.5 to 14.5 hours based on the above loading window (150% of the 7.5 to 9.5 loading time). From DFDS operational experience, this is significantly constrained and would lead to operational complexities within the yard.

109. It is worth noting that this window of operation will be highly influenced by late sailings. If a vessel is delayed by weather for extended periods (i.e. greater than an hour), which can be a frequent occurrence during winter (up to 30% of sailings during months where storms are frequent), the storage capacity provided by the vessel won't be available and the trailers will need to be stored within the yard or within other staging areas.

#### *Yard capacity*

110. The above items all factor into the yard capacity calculation, which the Applicant's current assessment approach oversimplifies and doesn't appropriately consider the operating behaviours which lead to a specific period of overlap where the terminal capacity is insufficient for UK Imports (i.e. excluding the needs of UK exports). This process is visually described in the graphic on the following page.



111. The previous graphic identifies the period of time shaded in orange where the existing freight units dwelling within the yard combine with newly discharged freight units resulting in the maximum utilisation of the yard. The graphic shows an average dwell rate of 2.45 days for the units unloaded on each day, and assumes that the half of the 1,800 freight unit throughput (the Applicants claimed maximum throughput) is discharged as UK imports on each day. This is distributed to accompanied units (at 28% of the volume), and RoRo / containerised units. For conservatism, we have adopted the Applicants approach of maximising the number of containers delivered in each load, but reiterate the point that this makes no allowance for UK container exports. This is considered the maximum operating conditions. For normal operating conditions, the Applicant has stated that the IERRT facility will likely see:

- a. An average of 1,440 freight units per day that fluctuates (with a peaking factor of 125%) [\[REP5-032\]](#); and
- b. Dwell rates will vary between 1.5 to 3 days with the average of all dwells at 2.45 days [\[REP1-009\]](#).

112. This is noted as a the normal, or business as usual operating condition. To assess the yard capacity of UK Imports only (i.e. excluding UK Exports), DFDS have prepared a dynamic simulation model. The model randomly generates fluctuations of daily levels within a lower limit (1,440 units per day), and an upper limit (1,813 units per day), and randomly generates dwell rates between 1.5 to 3 days, centred around 2.45 days average, with calculations done at an hourly level. This model indicates that the yard would need the following number of slots available for UK imports only during the overlap period:

- a. Peak operations: 1,700 to 1,800 slots – which exceeds the capacity of the yard (presented in Figure 3)
- b. Normal operations: 1,500 slots. Given the applicants intent to run the facility at 80% utilisation during normal operations, this leaves the number of slots occupied by UK Imports exceeding their operating targets by circa 100 units and providing no capacity for UK Exports.

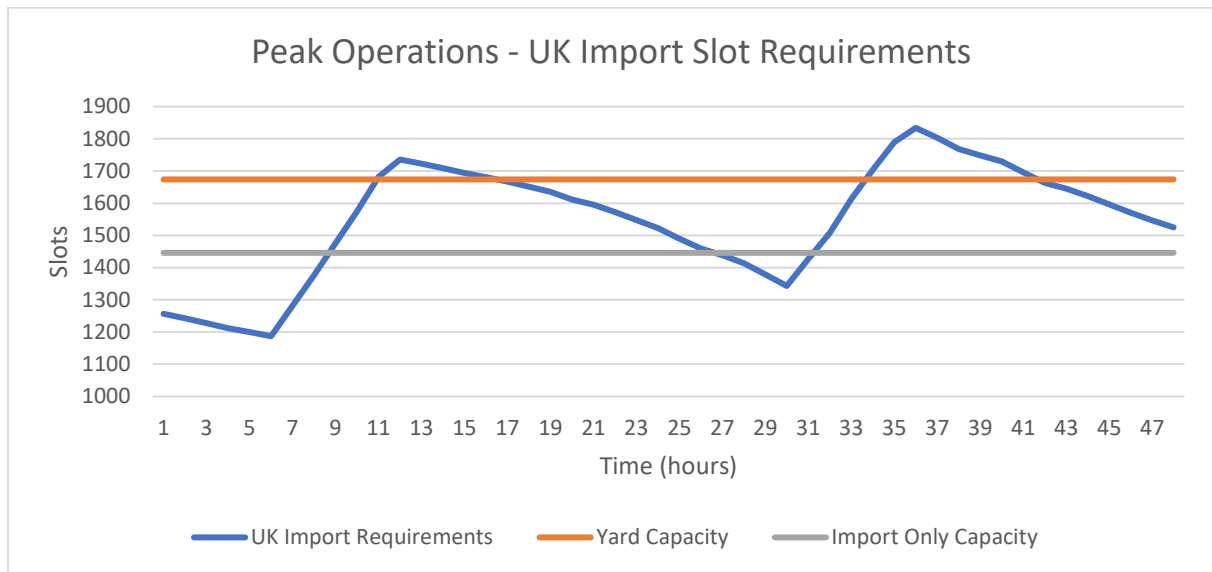


Figure 3 - Peak Operations - UK Import Slot Requirements

113. Therefore under peak operations, the yard will exceed capacity for UK Imports alone. And under normal operations, the import operations will still exceed operating targets, albeit within the capacity of the site, however without consideration for UK Exports. For normal conditions, the yard would need to be meticulously managed, with full control over vessel arrivals, haulier arrivals, tug units within the yard, unloading processes, and movement of accompanied units within the terminal. All of which is practically unachievable for the intended throughputs identified.

114. As DFDS has stated previously, the operational approach to the yard is the Applicants responsibility. However, the approach proposed in Response to CLdN's Deadline 4 Submission [REP5-032] has assumed a number of practices that can be easily subjected to challenges and complexities, leading to congestion of the yard and potential for queuing on the road network or over utilisation of external facilities including truck stops, layby and other third party facilities. For example, should anything occur to prevent loading of the vessels (i.e. delays due to poor weather, or any number of the delays identified within representations for navigational issues), there would be circa 350 unaccompanied units that would not be able to fit within the terminals footprint without other mitigations.

115. The Applicant has previously stated that 'in some cases the notification of a cancellation might come at point when the HGV has already left its point of origin. In such a case, there will be provision for those vehicles arriving Immingham Eastern Ro-Ro Terminal Associated British Ports to be booked into the Terminal to wait for the next service' in their response to TT.1.2 [REP2-009]. DFDS would argue, given the limited dwell time of the trailers at the port and the time taken to drive to the port by those hauliers not using local facilities, that rather than some cases, this would apply to most cases. As such a volume of waiting area is required for UK Imports which is not available under the operational practices proposed. The Applicant needs to:

- a. Explain how the yard will be managed during periods where capacity (either maximum or operational) is exceeded.



- b. Explain what mitigations are in place when the yard capacity is exceeded, or in events of disruptions which can occur regularly (i.e., how the Applicant intends to use the existing and future Truckstop capacity, layby areas and other facilities) and how this would affect other operations in the area.
- c. Confirm whether or not the revised operational practices at the port change the assumptions made within the Transport Assessment, specifically the arrival distribution currently assumed noting that this distribution was developed prior to identification of the yard's operations.

### **Applicant's Response to ExQ2 Submissions by Interested Parties [REP5-031]**

#### *TT.2.04*

116. The value for the accompanied and unaccompanied unit ratio has been agreed within the SoCG to be adopted as 72% unaccompanied (inclusive of RoRo units and containerised units) to 28% accompanied. As per comments made in [REP4-023](#), DFDS' typical recommendation would be that a range of distributions is carried through the Transport Assessment such that covers the range of possibilities. However, given the Applicant's reluctance to this approach and the limited impact of this variable to the overall results, it is assumed sufficient allowance for variability will be allocated within the sensitivity analysis by the other factors considered (i.e. gate assignment and tractor only figures) to accommodate these range of possibilities. For clarity, DFDS does not see this as a conservative or robust approach as claimed by the Applicant on several occasions, but will accept it if the sensitivity analysis is properly carried out.

#### *TT.2.05*

117. The Tractor-only additionality factor adopted by the Applicant in the original Transport Assessment was 10% [[AS-008](#)]. The Applicant is yet to justify this figure, yet continue to state that the 10% allocation is the baseline figure for consideration within the Transport Assessment.

118. Since ISH2, DFDS have identified that the respective number for current operations at Immingham is an average of circa 19% [[REP1-030](#)], and that the Applicant should source the actual value of current Stena operations at the Killingholme facilities. CLdN have recently shared [[REP5-042](#)] with the Applicant tractor-only data, captured at the entrance to the Port of Killingholme, which evidences up to a 36% share of total HGV movements. This exceeds the 10% figure adopted by the Applicant in the Transport Assessment [[AS-008](#)] to derive maximum daily HGV demand. As a response to this, the Applicant has assessed the internal port junctions with a tractor only additionality factor of 40% [[REP5-029](#)], however have not revised or increased the factor outside of the port.

### **The Applicant's Response to DFDS' D4 submission [REP5-034]**

#### *Policy, statutory and other legal considerations*

119. Paragraphs 3.4-3.7 (Marine Policy): the Applicant claims that DFDS has misunderstood policy PS2 by omitting the first sentence relating to important shipping routes. DFDS would point out that paragraph 363, states that there are other important routes not shown on the map, and Hull – Rotterdam is mentioned. It is clear that the Humber is an important shipping route.

## *Onshore Transport*

120. Paragraph 4.1: The Applicant has acknowledged the error in regards to the PCU conversion factor and provided a technical note 'Update to Technical Note 2 – Junction Modelling Assessments' [REP5-028], DFDS review is provided in the Applicant's Issue Specific Hearing 3 Action Points for Deadline 5 – Appendix 2 – DTA Report 23325-27 Annex D [REP5-028] section of this document.

121. Paragraph 4.2 – DFDS' response to the Applicant's assessment of terminal capacity is provided within the **Error! Reference source not found.** section of this report. DFDS disagrees with the statement provided in the response to CLdN's submission [REP5-032] which concludes that 'it is clear that the IERRT has the ability to handle the 1800 / 660,000 maximum level of activity that has been defined, and to do so in such a way that does not have any adverse implications for the operation of the surrounding port road network or the public highway network'. From DFDS assessment, under peak operations the yard will likely exceed capacity for UK Imports alone (i.e. without consideration of UK Exports). And under normal operations, the import operations will exceed operating capacity based on the 80% utilisation target set by the Applicant [REP5-032].

122. DFDS concern with the terminal exceeding capacity is that vehicles which cannot be held within the yard will need to be held within other locations, likely leading to congestion on the internal port road network, at the gatehouse, on the external road network, or via over utilisation of local laybys and truck stops.

123. Paragraph 4.3 - Validation of the A160 corridor survey data has been discussed and closed out as part of the Transport Working Group meetings.

124. Paragraphs 4.4 and 4.5 - The East versus West Gate Assignment as presented by the Applicant of 85% to the East Gate, and 15% to the West Gate remains unjustified. Since ISH2 both DFDS and CLdN have provided further evidence that identifies current Immingham Port gate has assignments of 18% to the East Gate, and 82% to the West Gate [REP1-032], and the existence of local logistics operations that facilitate the movement of freight to or from the port.

125. These factors, in addition to the proximity to dual carriageway, existing driver behaviours, existing signage and limited differentials in driving time indicate that a higher utilisation of the West Gate via the IERRT project is likely, influence demand on junction and on other assets located along the A160. The Applicant has agreed to conduct sensitivity analysis of changes to the East and West Gate Assignment ratio, however, has stated that their base case remains the 85/15 ratio [REP5-034].

126. As stated in DFDS Comments on Deadline 4 Submissions [REP5-042], it is DFDS' view that an easier approach would be for the Applicant to review the capacity of the network in its current configuration, as well as within a configuration considerate of any mitigations proposed, and identify the level of traffic assigned to the West Gate that would result in congestion of junctions and the gatehouse.

127. Outcomes of this assessment can then be compared against various views of the East and West gate assignment, combined with variations in other design parameters to determine if further discussions and analysis through the next meeting of the Transport Working Group (and identifications of mitigations if necessary) are required.

*DCO drafting*

128. Paragraphs 5.5 - 5.7 - The Applicant justifies the wide use of 'construct' by reference to other DCOs and cites the Tilbury 2 Environmental Statement as having covered the relevant activities. If that is the case then surely it would be acceptable to limit 'construct' by reference to what has been assessed in this project's Environmental Statement.

129. Paragraph 5.9 - The Applicant says that a building schedule is not required. In that case (a) why did it submit one with the Application and (b) why was it the only additional document submitted when the application was made for a second time after being withdrawn?

130. Paragraphs 5.10 – 5.12 - The Applicant continues to indicate that the maximum throughput for the project will be 660,000 RoRo Units (inclusive of containers) per year. Dividing this by the number of operational days (364) provides an average day rate of 1,813 units per day. Factoring this by the peaking factor would indicate that the day rate can range from circa 1,440 to 2,250 units per day, with the upper bound exceeding the daily number of units considered within the Transport Assessment.

131. The Applicant also states that the maximum number of units per day 1,800 units per day in REP5-034, which contradicts the above calculations, however the Applicant is maintaining the position that no modifications to the DCO is required. If 1,800 units is a 'reasonable worst case' as stated in paragraph 5.9, then surely the Applicant will have no difficulty in accepting that as a limit, because it implies that if the limit is exceeded, that level of activity has not been assessed.

132. DFDS is of the view that either the DCO needs to be modified, or the daily maximum assessed within the Transport Assessment needs to be modified to either:

- a. Modify the Transport Assessment to consider a peak day of 2,200 units; or
- b. Modify the draft DCO to a maximum annual throughput of 524,160 units (1,440 units per day on average multiplied by 364 operational days); or
- c. Add to the draft DCO (in addition to the annual control of 660,000 units) a daily control of 1,800 units.

133. The Applicant has stated that they do not see any need for modification to the DCO [REP5-034], as such DFDS is of the view that the only option remaining is option 1, and the maximum daily throughput that should be assessed within the Transport Assessment should be 2,200 units instead of the 1,800 units currently assessed.

134. Paragraph 5.16 - In rebutting DFDS' claim that simultaneous construction and operation has not been assessed, the Applicant claims that both simultaneous and sequential construction and operation were considered and the worse one was assessed. Tellingly, no reference is given, since the Environmental Statement does not say that, so there is no evidence that this is what happened; it is not good enough just to claim this at this late stage.

135. Paragraphs 5.23 – 5.24 - The Applicant has now changed the CEMP to an outline CEMP and provided more standard wording in the DCO about this. The text of what was the CEMP but is now the Outline CEMP has hardly changed, however, except for the addition of eight control documents listed at Table 1.1. The accompanying text says that these will be 'updated' and incorporated into the final CEMP, but no drafts of any of these have currently been provided. Outline versions of each of the documents referred to should be provided, otherwise the CEMP is not a true 'outline CEMP'.

136. Paragraph 5.26 - The Applicant has amended the noise insulation requirement but it does not address DFDS' concerns about it. It does not require any standard of mitigation although it does appear to suggest that any reasonable package of mitigation suggested by an owner and occupier must be implemented.

137. Paragraph 5.29 - Whatever impact protection ends up being proposed, DFDS would still wish it to be provided at the outset, which means before the start of construction of the main works, as there is a risk of construction as well as operational vessels colliding with the IOT.

#### *Navigation and shipping*

138. Paragraph 6.1 - ABP has completely opted out of responding on navigational issues - and has done the same in response to IOT - on the basis of the new consultation process it has kicked off. This just means postponing dealing with the numerous remaining navigational and shipping issues (in common with ABP's approach in general) which will inevitably leave very little time in the examination process to consider such issues.

139. The Applicant has not responded to DFDS' proposed protective provisions submitted at D2 despite undertaking to do so, its latest response to DFDS is that it will reply some time after D6, which is unacceptable and the ExA should incorporate the proposed provisions DFDS submitted at D2 [\[REP2-042\]](#) in its version of the dDCO.

#### **The Applicant's Response to IOTT's D4 submission [\[REP5-033\]](#)**

140. Again the Applicant has deferred engagement on this vital issue.

#### **Harbour Master, Humber's Response to IOT comments on independence [\[REP5-038\]](#)**

141. The Humber Harbour Master relies on legal separation to claim his independence from ABP Commercial. However, behaviour in answering written questions (e.g. see the Applicant's answer to NS.1.6, NS.1.7 and NS.1.14 in [\[REP2-009\]](#) and NS.2.09, NS.2.31 and NS.2.33 in [\[REP4-008\]](#)) the Harbour Master and the Applicant are clearly collaborating in answering questions, at the hearings, members of the Applicant's team answered some questions directed at the Harbour Master and particularly the Dock Master, and even at the recent simulations the Harbour Master and Applicant were working closely together, and the Harbour Master has not been able to rebut issues over common line management.

#### **Harbour Master, Humber's Response to DFDS and CLdN comments [\[REP5-037\]](#)**

142. The Harbour Master is still being equivocal about his view on the direction of the tide at Immingham. At paragraph 26 of his written representation [\[REP2-054\]](#) he said:

*"The Harbour Master, Humber, having reviewed the output of the early simulations, shared with the project team his concern that the tidal data used in the first simulations and the proposed orientation of the jetty at that time were not what HES would have expected based on collective experience of navigating in the vicinity (but not the actual location) of the proposed jetty. In his view, the tide would be flowing in a direction of approximately 10 degrees to the northwest/southeast. In response to his feedback, the project team carried out further measurements across the area."*

143. This does not reveal if the Harbour Master has changed his mind and if so, why, (since the last hearings one of the Harbour Master's team has indicated that the Harbour Master now believes the tidal flow direction to the north of IOT has changed from that which has been widely reported until now, however, we have had no confirmation of this from the Harbour Master himself nor has he made any formal communication to this effect so we are currently unclear whether he agrees with his colleague) whether the Applicant changed their modelling, which does not appear to have happened, or whether the Harbour Master has not changed his mind and still thinks the tide in the simulations is wrong.

**IOT Response to D4 submissions [\[REP5-035\]](#)**

144. It is clear that the Applicant did not discuss its change proposal for the impact protection with IOTT, which is concerning.

# Transport Statements/ Assessments

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A Transport Statement or Assessment should set out the transport issues relating to a proposed development site and details of the development proposals.

The following information breaks down what the Highway Authority would expect to see as a part of these documents. There is also a scoping opinion at the end to ensure developers and agents are aware of the key requirements.

## **Existing Conditions**

The developer should provide a full description of:

- existing site information – describing the current physical infrastructure and characteristics of the site and its surroundings.
- baseline transport data – background transport data and current transport infrastructure details.

This information should be accurately established to understand the context of the development proposal. The description should include as a minimum:

### Existing site information

- a site location plan that shows the proposed development site in relation to the surrounding area and transport system,
- the permitted and existing use of the site,
- the existing land uses in the vicinity of the site, including development plan allocations, or potential future use in the case of undeveloped sites,
- existing site access arrangements including access constraints, where appropriate,
- whether the location of the site is within or near a designated Air Quality Management Area (AQMA),
- any abnormal load uses of the current site.

### Baseline transport data

- a qualitative description of the travel characteristics of the existing site, including pedestrian and cyclist movements and facilities, where applicable,
- existing public transport provision, including provision/frequency of services, location of bus stops/train stations, park-and-ride facilities,

- a description and functional classification of the highway network in the vicinity of the Site,
- an analysis of the injury accident records on the public highway in the vicinity of the site access for the most recent three-year period, or five-year period if the proposed site has been identified as within a high accident area.

### **Proposed Development**

The developer should provide a full description within the TS including, as a minimum:

- plans and drawings showing the proposed site layout, particularly the proposed pedestrian and vehicular access points into the site,
- the proposed land use,
- the scale of development, such as numbers of residential units and/or gross floor area (GFA), subdivided by land use where appropriate,
- the main features (design layout and access points) of the development,
- the person-trip generation of the proposed development and distribution of trips across Mode,
- a qualitative and quantitative description (based on recent site observations) of the travel characteristics of the proposed development, including pedestrian and cyclist facilities/movements, in the vicinity of the site,
- proposed improvements to site accessibility via sustainable modes of travel, such as provision/enhancement of footpath and cycle path linkages, public transport improvements, and servicing arrangements where appropriate,
- a proposed parking strategy and internal vehicular circulation (including number of spaces, parking accumulation, parking layout in relation to other site elements, ratio of operational to non-operational spaces, method of car park operation, overspill parking considerations, disabled parking, motorcycle parking, cycle parking, taxi drop-off points),
- residual vehicular trip impact,
- the transport impacts of site construction, including the requirements of abnormal loads in the construction, use and decommissioning the present development,
- the transport impacts of freight or service operations, and
- if the site of the proposed development has a current use or an extant planning permission with trip patterns/volumes, the net level of change that might arise out of the new proposals should be set out.

## **Transport Assessment**

A TA is required where a development is likely to have significant transport impacts. The precise scope and detail of a TA will vary depending on the site location, scale and nature of the development.

In preparing a TA, a full description of existing site information should be provided by the developer. These baseline conditions need to be established accurately to understand fully the context of the development proposal. This description should include as a minimum:

### **Existing site information**

- a site location plan that shows the proposed development site in relation to the surrounding area and transport system,
- the permitted and existing use of the site,
- a detailed description of the existing land uses in the vicinity of the site, including development plan allocations or potential future uses in the case of undeveloped sites,
- existing site access layout and access constraints, where appropriate,
- whether the location of the site is within or near a designated Air Quality Management Area (AQMA),
- any abnormal load uses of the current site.

### **Baseline transport data**

- the quantification of the person trips generated from the existing site and their modal distribution, or, where the site is vacant or partially vacant, the person trips which might realistically be generated by any extant planning permission or permitted uses,
- existing public transport facilities (including provision/frequency of services, location of bus stops/train stations, park-and-ride facilities) in the study area; if available, the current level of patronage or usage on the public transport network in the vicinity of the site,
- parking facilities available in the vicinity of the site,
- existing pedestrian and cycle facilities in the vicinity of the site,
- pedestrian and cyclist's movements in the vicinity of the site,
- a description and functional classification of the road network in the vicinity of the site,
- current traffic flows on links and at junctions within the study area.



### Guidance on Transport Assessment

- identification of the critical links and junctions on the highway network, with calibrated capacity tests to reflect existing conditions,
- for the study area, establish the current personal injury accident records for the most recent three-year period, or five years, if this is considered to be more appropriate,
- a summary of planned transport improvements within the study area (including type of improvement, implementation schedule and sponsoring agency or highway authority),
- identify current peak periods on the adjacent road network and as required, daily traffic flow data to and from the development site or in the vicinity of the site,
- levels for air quality and noise for the highway network at the site entrance and any other locations where statutory limits might be breached by additional development traffic,
- baseline carbon emissions data for the site, broken down by mode.

The requirements above are not exhaustive and further supplementary information may be required to take account of local conditions and other material considerations. Equally, some developments requiring a TA may not need to cover all of the above points.

Therefore, it is important that the scope of work at this stage is agreed during the preapplication consultation process. Please see the template for a scoping opinion further down in this document.

### **Public transport assessment**

A key issue in seeking the most sustainable solution for a particular development is the need to encourage the use of public transport. The capacity of a public transport route or service is the maximum number of people that can be accommodated on the route within the licensing laws of that mode.

For major developments, it is important to identify the spare capacity on buses, trains and trams in order to establish the ability of the public transport network to accommodate any increase in demand associated with a proposed development.

Such assessments will inform later stages in the TA process in respect of determining modal split, travel plan objectives and in appropriate cases, public transport infrastructure enhancement as part of an overall mitigation package.

A suggested methodology for assessing the capacity of the public transport network includes the following:

- Identify the analysis period, particularly the peak hours of the development and/or the entire transport system,
- Establish the total person trip generation from the proposed development for all travel Modes.

#### Preparing a transport assessment with public transport

- Estimate the likely modal split for the public transport network (buses, rail and tram),
- Identify the public transport services relevant to, and in the vicinity of, the proposed Development,
- Estimate the existing capacity of the bus/train/tram service by multiplying the number of services by the maximum passenger capacity for each mode (bus, train carriages),
- Estimate the current level of patronage or usage on the public transport network, using the most comprehensive data publicly available,
- Estimate the spare capacity on the public transport network,
- Identify measures to address any shortfall in capacity, where applicable.

The methodology suggested above is intended to provide a general framework for assessing the capacity of the public transport network. It is important that further guidance is sought from the Authority and public transport operators.

#### Walking/cycling assessment

Another key issue in assessing the sustainability of a development's location will be its accessibility for those walking and cycling. An assessment should be made of the available capacity of the existing cycleway and footpath network in the area of the development. This assessment will help to inform the later stages of the TA process in respect of determining modal split, and travel plan objectives. It will also indicate what enhancements, if any, are required to the local cycleway and footpath network. These assessments should be undertaken using the appropriate analytical tools and methodologies, as agreed with the relevant authorities.

### **Road network assessment**

In addition to assessing the public transport capacity and walking/cycling capacity, an assessment of the available vehicular capacity on the road network in the vicinity of the site should be undertaken in order to establish the potential impacts from the development, as well as the likely mitigation measures that may be required to sustain the development.

Consideration should be given to the available parking facilities in the vicinity of the site and the impact that development could have upon them. This assessment should be made in the context of the parking strategy set by the local planning authority.

These assessments should be undertaken using the appropriate analytical tools and methodologies, as agreed with the Highway Authority.

### **Traffic data and traffic forecast**

The assessment should include recent counts (surveyed within the last three years) for peak period turning movements at critical junctions. In certain instances, for example, where there is known to be a significant level of heavy goods vehicles (HGV) traffic, a classified count should be provided. Additional counts that may be required could include:

- Classified Count – identifying all vehicle types separately.
- manual turning counts (should be conducted at 15-minute intervals) to identify all relevant highway network peak periods,
- 12-hour/24-hour automatic traffic counts (ATC),
- queue length surveys at signal junctions to establish demand and actual traffic flows,
- journey time surveys,
- freight counts,
- abnormal load counts,
- pedestrian and cyclist's count.

The traffic data should reflect the normal traffic flow conditions on the transport network (e.g., non-school holiday periods, typical weather conditions etc.) in the vicinity of the site and should be valid for the intended purposes. It should also take account of holiday periods in tourist areas, where peaks could occur in periods that might normally be considered non-neutral. The recommended periods for data collection are spring and autumn, which include the neutral months of April, May, June, September, and October as described in DMRB Volume 13, Section 1, Part 4.

The criteria for the use of historical traffic data in a TA should be agreed by the LPA together with the highway authority at the pre-application stage.

Where there is a need to project existing or historical traffic data for future year assessments, the preferred option is the use of appropriate local traffic forecasts (such as TEMPRO), provided they offer a robust assessment. In some cases, National Road Traffic Forecast (NRTF) growth rates would be appropriate.

The use of any area-wide traffic models or background growth rates should be agreed with the LPA in conjunction with the highway authority at the pre-application stage.

### Safety considerations and accident analysis

The assessment should also identify any significant highway safety issues and provide an analysis of the recent accident history of the study area. The extent of the safety issue considerations and accident analysis will depend on the scale of the proposed development and its location. The need to minimise conflicts between vehicles and other road-user groups should be adequately addressed.

Critical locations on the road network with poor accident records should be identified. This is to determine if the proposed development will exacerbate existing problems or, if proposed, whether highway mitigation works, or traffic management measures will help to alleviate the problems. The accident records at a particular location should be compared with local average accident rates. Where the SRN is involved, it is recommended that appropriate national statistics are also used as a comparison.

Site inspections should be conducted to determine if the proposed location and design of access roads (including visibility/sight distance restrictions) would create an increased potential for accidents. The authority will take account of the likely effect on road safety of any modification and will require road safety audits where appropriate.

### Scoping Opinion Template

- 1) Does the site require a Transport Statement? Or a Transport Assessment?
- 2) Does it require a Travel Plan?
- 3) Do the applicants need to discuss the proposal with the Highways Agency?
- 4) Do routing agreements need putting in place?

- 5) Trip generations should be derived from TRICS.
- 6) Trip distribution should be described/ justified.
- 7) Junction Assessments to be taken into consideration – xyz
- 8) Committed developments to be taken into consideration – xyz
- 9) We would expect to see mitigation measures proposed to ensure 'nil-detriment' to the highway network. Mitigation works should be designed to include deliverable junction upgrades/ amendments to accommodate anticipated flows
- 10) Consider any accident/ collision data within the vicinity of the proposed application site.
- 11) Details of access including visibility splays.
- 12) Any Public Rights of Way affected?
- 13) Any improvements to access to sustainable transport modes to be considered (e.g., footways, dropped kerb crossing points, cycle facilities, bus stop improvements, etc).

- **Potable water** - *Stallingborough supply is connected to a high pressure mains which runs across the northern edge of the site adjacent to the CATCH development site.*
- **Telecommunications** - *British Telecommunications (BT) will enable required local connections to provide infrastructure at desired speed and capacity of site users. There is an expectation that the site will have high speed broadband.*

**8.31** Future development must consider the location of existing utility infrastructure when planning the layout and design of the development.

**8.32** National Grid have registered an interest in connection with their assets, as overhead lines, on the site could be affected by the proposed development. This is a matter that will be resolved through clarification of the nature of the future development which will need to be designed to reflect the necessary wayleaves and easements.

## Transport

**8.33** The proposed development is of a significant size and when fully built out has the potential to attract significant amounts of traffic. A comprehensive Transport Assessment which considers the immediate and wider impact of the development on the highway network has been undertaken. A number of issues have been considered as follows;

1. **The A1173/Kiln Lane roundabout** - The proposed development would cause potential harm to how the junction flows and as such mitigation is proposed in the form of:
  - a. An improved southern arm onto the roundabout;
  - b. Widening of the A1173 northern arm into the roundabout; and,
  - c. Widening the A1173 western arm into the roundabout.

These above measures are detailed in Table 6.1 of the Transport Assessment Addendum which is included in the planning application documents.<sup>(7)</sup>

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7 A copy of the planning application documents can be downloaded from the Council's website at: <https://www.nelincs.gov.uk/planning-and-development/planning-applications/>, and searching for application reference DM/0105/18/FUL.

2. **The A180/A1173 junction (Stallingborough Interchange)** - where there is potential detriment to the flows through the junction when modelled in the 2032 scenario i.e when the development is built out. This requires the following mitigation measures: - Widen the northern arm of the A1173 into the junction.
3. **Pyewipe and Westgate roundabouts** - Consideration has been given to the Pyewipe and Westgate roundabouts on the A180 entering Grimsby. It is noted that these junctions already run over capacity during the peak hours. The proposed development would, as indicated by the junction modelling, impact on these traffic flows. However, this would only be at most a 2.3% increase in traffic flows.

**8.34** Future developments may have their own requirements over and above what is stated in the outline planning permission. Any development which goes above the assumptions in the outline application's Transport Assessment will need to be justified through their own Transport Assessment. Particular reference should be made to the need to consider sustainable transport and Travel Plans.

[National Highways](#)

[Department  
for Transport](#)

Policy paper

# Strategic road network and the delivery of sustainable development

Updated 23 December 2022

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18. New connections (for example, new junctions or direct accesses) on the SRN lead to more weaving and turning manoeuvres, which in turn create additional risk to safety and reduce the reliability and efficiency of journeys, resulting in a negative impact on overall national economic activity and performance.

19. On this basis the principle of creating new connections on the SRN should be identified at the plan-making stage in circumstances where an assessment of the potential impacts on the SRN can be considered alongside whether such new infrastructure is essential for the delivery of strategic growth. Moreover, the company will need to be satisfied that all reasonable options to deliver modal shift, promote walking, wheeling and cycling, public transport and shared travel to assist in reducing car dependency, and locate development in areas of high accessibility by sustainable transport modes (or areas that can be made more accessible) have been exhausted before considering options for new connections to the SRN. There may also be limited opportunity for new connections to be considered as part of public funding programmes to support new development, although necessary infrastructure in up-to-date plans and strategies should be favoured in such instances.

20. Where this has not occurred, there will be no new connections on those sections of the network designed for high-speed traffic<sup>[footnote 10]</sup> other than for the provision of signed roadside facilities, emergency vehicle access, public transport interchanges and the company's construction and maintenance compounds, where these can be provided safely. The presumption against new connections includes temporary access points for construction vehicles.

21. The company will adopt a graduated and less restrictive approach to the formation of new connections on the remainder of the SRN, determining each case on its own merits. However, the preference will always be that new development should make use of existing junctions. In line with the standards contained in the Design Manual for Roads and Bridges (DMRB), new connections to slip or connector roads will not be permitted for safety and operational reasons.

22. Where a new direct access or priority junction serving a single development has been agreed, decision-making authorities should appropriately restrict any change in the permitted land use of the associated development unless otherwise agreed by the company. Additionally, further through access to other developments should be restricted by the decision-maker.

23. Capacity enhancements such as modifications to existing junctions or road widening to facilitate development should be determined on a case-by-case basis. The general principle should be accepted where proposals would include measures to improve community connectivity and public transport accessibility, and this will be weighed against any negative safety, traffic flow, environmental and deliverability considerations, impacts on the permeability and attractiveness of local walking, wheeling and cycling routes, and alternative options to manage

down the traffic impact of planned development or improve the local road network as a first preference.

24. Where new connections and capacity enhancements to the SRN would be accepted, the relevant authorities and development promoters should fully consider this outlay with respect to the viability of development<sup>[footnote 11]</sup>.

25. The DMRB sets out the details of the Secretary of State's requirements for access, design and audit in the highway scheme design process to which development proposals must conform<sup>[footnote 12]</sup>. In this regard, GG 104 (or its subsequent update) identifies the framework and approach for safety risk assessment to be applied when undertaking any activity that may have an impact on safety on the SRN. Moreover, a Walking, Cycling & Horse-Riding Assessment and Review in compliance with GG 142 must be completed during the options or concept stage of a development that proposes modifications to the SRN, which enables opportunities for new or improved facilities for pedestrians, cyclists and horse-riders to be identified. In turn, development promoters should prepare a preliminary design and Stage 1 Road Safety Audit (see GG 119) before planning permission is applied for, to demonstrate that road safety issues have been considered. Early engagement with the company is therefore encouraged to ensure that the above and further highway standards in the DMRB are appropriately addressed.

## Engagement with plan-making

### General principles

26. The NPPF prescribes that transport issues should be considered from the earliest stages of plan-making and in development proposals so that sustainable transport can be promoted. In relation to the preparation of local plans and spatial development strategies, the government expects that the relevant authorities will engage with the company from the outset of this process, to understand the interaction between land use designations and the impacts on road safety and future performance of the SRN. The involvement of the company will ensure that the strategic transport evidence base will provide a robust assessment of any positive and negative impacts on the SRN and inform a transport strategy and the Strategic Environmental Assessment (SEA) for the study area that aligns with the safe operation and long-term integrity of the SRN.

should demonstrate that the development would be located in an area of high accessibility by sustainable transport modes<sup>[footnote 20]</sup> and would not create a significant constraint to the delivery of any planned improvements to the transport network or allocated sites.

49. A transport assessment for consideration by the company must also consider existing and forecast levels of traffic on the SRN, alongside any additional trips from committed developments<sup>[footnote 21]</sup> that would impact on the same sections (link or junction) as the proposed development. Assumptions underpinning projected levels of traffic should be clearly stated to avoid the default factoring up of baseline traffic. The scenario(s) to be assessed, which depending on the development and local circumstances may include sensitivity testing, should be agreed with the company; where a scenario with particularly high or low growth is proposed, this should be supported by appropriate evidence. Planned improvements to the SRN or local road network should also be considered in any assessment where there is a high degree of certainty that this will be delivered<sup>[footnote 22]</sup>.

50. An opening year assessment to include trips generated by the proposed development, forecasted growth and committed development shall be carried out to establish the residual transport impacts of a proposed development. For multi-phase developments, additional assessments shall be provided based on the opening of each phase.

51. Where a transport assessment indicates that a development would have an unacceptable safety impact or the residual cumulative impacts on the SRN would be severe, the developer must identify when, in relation to the occupation of the development, transport improvements become necessary.

52. The scope and phasing of necessary transport improvements will normally be defined by the company in planning conditions that seek to manage development in line with the completion of these works. In such circumstances, modifications to the SRN must have regard to the need to future-proof the network, while its delivery may require a funding agreement between the development promoter and the company.

53. As a result of investigations undertaken by the company, development promoter and/or local highway authority, it may become apparent that a different form of intervention would better address cumulative development impacts than the option(s) already identified through the plan-making process. In this situation, the company will work with the local planning authority and development promoter(s) to explore a cost sharing mechanism or the phased delivery of a more comprehensive scheme.

54. Due consideration must be given to the geotechnical integrity of land within the SRN where development would increase the load of, or otherwise alter, an