

**Substantive response of the Local Highway Authority to a planning consultation received under The Development Management Order.**

Response provided under the delegated authority of the Director of Environment & Transport.

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**APPLICATION DETAILS:**

Planning Application Number: 21/01600/OUT

Highway Reference Number: 2021/1600/03/H/R2

Application Address: Land Adj HM Prison Welland Avenue Gartree Lubenham Leicestershire

Application Type: Outline

Description of Application:

Re-consultation. Outline Planning Application with all matters reserved except for means of access and scale for the construction of a new Category B prison of up to 82,555sqm within a secure perimeter fence together with access, parking, landscaping and associated engineering works

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**GENERAL DETAILS**

Planning Case Officer: Mark Patterson

Applicant: Ministry Of Justice

County Councillor: Phil King

Parish: Lubenham

Road Classification: Unadopted / Private

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**Substantive Response provided in accordance with article 22(5) of The Town and Country Planning (Development Management Procedure) (England) Order 2015:**

The Local Highway Authority Advice is that, in its view, the impacts of the development on highway safety would not be unacceptable, and when considered cumulatively with other developments, the impacts on the road network would not be severe. Based on the information provided, the development therefore does not conflict with paragraph 111 of the National Planning Policy Framework (2021).

**Advice to Local Planning Authority**

**Background**

Following issue of a substantive response on this application on 1st November 2021, the LPA have reconsulted the LHA requesting comments on the following documents:

1. Systra Technical Note: Gartree 2 prison, Market Harborough - LCC Application Review dated 7th February 2022
2. Atkins Technical Note: NPP – Gartree 2 – Technical Response to LCC Application Review by Systra dated February 2022

## **Systra Technical Note**

Systra had been appointed by Harborough District Council to review the advice provided by the LHA in its Observations dated 1st November 2021. It appears that Systra had been instructed to focus on two key areas following local concerns:

1. The capacity of the Gallow Field Road/B6047 Harborough Road junction
2. The provision of a pedestrian crossing on the A4304 Harborough Road at Lubenham, near to its junction with Foxton Road

In its Observations dated 1st November 2021, the LHA concluded the following in respect of the above areas of concern:

1. "The LHA has fully reviewed junction models and result of the junction capacity assessments and is fully satisfied that there are no capacity issues with any of the junctions that would justify a scheme of mitigation in accordance with the tests as set out in the [National Planning Policy Framework] NPPF".
2. In respect of the provision of a pedestrian crossing, this was not specifically addressed in the Observations on the basis that the submitted Transport Assessment does not demonstrate any increase in pedestrians crossing the A4304 at Lubenham as a consequence of the development proposals. However, the LHA offers further advice on this below.

The Systra Technical Note is separated into several headings, and the LHA provides the following Observations:

### **Transport Assessment review**

This section of the Technical Note appears to focus on discrediting the Transport Assessment submitted by the Applicant in support of the planning application, rather than a review of the advice of the LHA. It relies on information that does not form part of the formal planning application submission.

Nonetheless, the Systra review concludes the following:

- Trip rates based on HMP sites elsewhere in the country – Systra agrees with the LHA the approach is acceptable
- Visitor trip generation based on 100% car use - Systra agrees with the LHA that the approach is acceptable
- TEMPRO growth – Systra was able to generate the same TEMPRO growth rates as applied in the Transport Assessment, and therefore agrees with the LHA
- Traffic surveys conducted in June 2021 with the application of Covid factors – Systra agrees with the LHA that this is a fair methodology

However, in respect of traffic surveys, whilst accepting the survey methodology used by the Applicant, the Systra report then goes on to review survey data from a number of other planning applications, with data ranging from 2000 to 2019. The purpose of this review appears to be to

generate baseline data that will better serve to demonstrate that the Gallow Field Road junction is operating over capacity. It should be noted that the raw data does not form part of the Systra report and cannot therefore be verified.

Atkins, on behalf of the Applicant, provide a clear evidence-based rebuttal of the assumptions made in the Systra report. The LHA would highlight that the Systra approach is unconventional and relies on survey data that is significantly older than three to five years which is the timeframe accepted by the industry to ensure that it reflects the latest travel patterns and trends. This timeframe is set out in the Department for Transport "Guidance on Transport Assessment (GTA)". Whilst it is acknowledged that this Guidance has been archived, it remains industry good practice and is cross-referenced in the Leicestershire Highway Design Guide (LHDG). The GTA sets out that survey data should be surveyed within the last three years using methodology agreed by the LHA. This is the approach that was undertaken by the Applicant to produce the Transport Assessment submitted in support of the application, as detailed in the Atkins Technical Note, and indeed as accepted by Systra (as above).

The data relied on by Systra not only uses factored data from 20+ years ago, no information is presented in respect of the peak hours assessed (noting the am peak for Gartree 2 is before the network peak of 08:00-09:00), conditions on the network, network changes, behavioural changes, potential for double counting (committed developments also accounted for in TEMPRO growth), whether flows have been taken directly from Pan Regional Transport Model (PRTM) outputs (noting that PRTM does not validate at turning count level) and includes for the subsequently withdrawn application for the expansion of Gartree.

In addition, the LHA have not been presented with any junction models produced by Systra for detailed checking and review. As stated above, the Applicant provided junction models to the LHA for reviewing and checking when submitting the Transport Assessment that supports this application.

The Systra report goes on to conclude that "Gallow Field Road can be expected to be over capacity in the PM peak". Table 5 of the submitted Technical Note demonstrates that one arm (Gallow Field Road) in the pm peak (only) exceeds the theoretical capacity of 0.85 RFC. This does not demonstrate that the junction as a whole operates over capacity. Moreover, the inputs used in the junction model cannot be relied upon for the reasons set out above.

In conclusion, the LHA maintains that its advice as provided in the Observations dated 1st November 2021 is correct, that it cannot be demonstrated that the development would have a severe impact on the Gallow Field Road junction in accordance with the NPPF, and that the findings of the Systra junction modelling exercise cannot be relied upon. This conclusion has also been reached by Atkins who have set out further capacity assessments in their Technical Note.

The LHA re-iterates that Systra state that the survey methodology applied by the Applicant is acceptable, and only appear to generate different baseline data to serve to demonstrate that the Gallow Field Road junction is operating over capacity. The LHA would be willing to robustly defend its position through any appeal process.

## **Lubenham junctions/A4304 accident and pedestrian amenity review**

Systra has undertaken a review of personal injury accident data and concluded that the data and analysis as presented in the Transport Assessment submitted in support of the application is correct. Systra conclude that “from a safety standpoint, a pedestrian crossing is not required for the safe movement of pedestrians to the south of the site”. They also go on to state that an “expanded review of Lubenham does not identify any accident issues in the area”. The LHA agree with the conclusions reached.

At Table 6, Systra appear to have misinterpreted the traffic flow data from the submitted Transport Assessment, and a full explanation of this error is provided in the Atkins Technical Note.

Systra state that “whilst each local highway authority has its own guidance the criteria that pedestrian crossings are installed, 6,000 vehicles per day is often used as the level to trigger signal-controlled crossings over principal routes” and suggests that a “pedestrian crossing facility over and above what is already there is required when the current flows are considered”.

The Systra report contains no detailed assessment nor accurate calculation of traffic flows and importantly no assessment of pedestrian flows has been undertaken. In addition, no evidence is presented to suggest that the application will increase pedestrian movement in Lubenham, nor does the report conclude that a signalised crossing is needed.

Outside of the planning application process the LHA has undertaken an assessment based on a nationally recognised formula to assess the justification for a signalised pedestrian crossing on the A4304 in the vicinity of Foxton Road using a calculation involving both pedestrian and vehicle flows. This is known as ‘PV2’ and effectively evaluates the potential for conflict between vehicles and pedestrians.

The assessment produces a figure which relates to different types of crossings. For a ‘dropped’ crossing a score of between 0.4-0.7 would need to be achieved, for a zebra crossing a score of 0.7-0.9, and for a signal-controlled puffin crossing a score of 0.9 and above.

A PV2 calculation for this location produced a score of 0.074 which does not meet the criteria for any type of formal crossing, noting that there is an existing pedestrian refuge in this location. This position will not change as a consequence of the proposed development at HMP Gartree.

In summary, the LHA maintains its advice as set out in its observations dated 1st November 2021. The application as submitted cannot be demonstrated to result in a severe impact at the Gallow Field Road/B6047 junction, nor can a signalised pedestrian crossing in Lubenham be justified consistent with the tests as set out in the NPPF.

**Date Received**  
**25 February 2022**

**Case Officer**  
**Rebecca Henson**

**Reviewer**  
**LS**

**Date issued**  
**11 March 2022**