

Mr B Clifton
Strategic Transport Manager
Winchester
SO23 8UJ
11th April 2022

Dear Mr Clifton.

Hamble Lane Improvements and Planning Matters

Thank you for your reply of the 24th February 2022 to our letter of the 4th February 2022 and the helpful level of detail that you provided about the Hamble Lane Improvement Scheme. Given the importance of these issues to our residents, you may not be surprised to learn that we have some follow up questions which we hope you will also be able to assist us with.

As I am sure you know the transport assessment (TA) submitted with Cemex planning application includes a copy of a meeting note recording advice given to their transport consultants by one of your colleagues on behalf of the highway authority.

This meeting took place on 25th April 2018 and appears to be the only strategic guidance given to the applicant before the application was submitted. No other pre-application discussions (except in relation to a design audit of the proposed new access itself) are referred to in the TA.

The notes record that the highway authority did not request any detailed assessment of the impacts of the quarrying proposals on individual junctions (except the Hound Round/Hamble Lane junction), or microsimulation modelling to be carried out in support of the TA. The explanation for this advice was that it could be assumed that at least the northern phase of the Hamble Lane improvement scheme which was “...likely to commence in March 2020” would have been completed by the time the application was submitted.

The meeting note goes on to record:

“As such undertaking junction capacity assessments of these junctions is unlikely to reflect future traffic conditions. PG confirmed that she was aware of these improvements and hence the need to only assess the Hound Way/Hamble Lane junction”.

Of course, no improvement works have taken place and future/current traffic conditions remain as bad as they have always been. In these circumstances it is clearly both reasonable and necessary for the highway authority to require junction and microsimulation modelling to form part of any competent TA. There is no longer any basis (if there ever was) for this to be ‘excused’ on the assumption that it could not provide a reliable prediction of the impact of the development on the network.

It is clearly a matter for Cemex what evidence they provide in support of their application. We have already argued in our first consultation response (a copy of which I have attached for your ease of reference) that the TA as submitted is fundamentally flawed because it fails to provide any evidence relating to junction capacity on key junctions which other assessments, including your own, have already determined to be operating over-capacity. The local planning authority has asked Cemex to respond to our points as part of a Regulation 25 request for additional information.

However, we are concerned that Cemex may attempt to justify their approach by reference to the pre-application advice received from the highway authority. We are also concerned that the highway authority may not challenge the content of the TA sufficiently robustly because it feels constrained by the pre-application advice that it has previously given.

In your initial consultation response to the Cemex application 23rd March 2022 you said:

“From a review of the information contained in the application I am unable to make a recommendation until further information has been provided as outlined above. A further response which covers

the Transport Assessment and mitigation requirements will be provided once the above issues relating to the proposed access have been resolved.”

The Parish Council assumes therefore that the highway authority has yet to form any view on either the scope of the TA or of the merits of the limited information that it does contain. It is essential that no detailed response is made until the impact on the network as it is today have been properly assessed (as described in our consultation response) and that the previous advice to Cemex does not colour any judgement of the TA as submitted.

We therefore urge you to ensure that the impact of the Cemex application on Hamble Lane is properly assessed and that you have all of the technical information required to provide a robust consultation response to the local planning authority. The applicant has nothing to fear from being required to provide detailed and comprehensive modelling. If they anticipate that it will support their case, then they should be happy to commission the work without delay and we believe it is essential that you ask for it to be undertaken.

Our concern about the response to the Cemex application has been heightened by a lack of clarity over the highway authority's policy position in relation to planning applications affecting Hamble Lane. This is demonstrated by the conflicting advice which appears to have been given to the appellant in the appeal against Eastleigh Borough Council's refusal of permission for 61 dwellings at Satchell Lane (APP/W1715/W/22/3292580).

The appellant's statement of case contains a report by Charles and Associates (engineering and highway consultants to Foreman Homes). In that report is a quotation from an email sent by Mr Jason Tipler of your department on the 9th September 2021 to Mr Prabin Limbu of Charles and Associates (the whole email is reproduced in an appendix). Mr Limbu had asked for advice on the County Council's policy position in relation to development on Hamble Lane and in particular to the three decision reports to the Executive Member that considered the Hamble Lane improvement scheme. Mr Limbu specifically queried the meaning

of Para 3.2 (of the March 2019 report) which is where the report sets out what might be called the ‘moratorium position’ in relation to developments adding traffic to Hamble Lane. Mr Tipler’s reply on this point says in its entirety:

“Those reports do not constitute formal County Council Policy, and in terms of the sentence that you cite below, this was used as contextual information behind the needs for the Hamble Lane improvement scheme and did not form part of any formal Decisions or Recommendations that were approved”

The report by Charles and Associates cites the response from Mr Tipler as evidence that there is no policy basis for the highways objection to the Satchell Lane application – in other words, to seek to undermine one of the two grounds for the County Council’s objection to that application.

The Charles and Associates statement does not mention specifically the subsequent email (also reproduced as an appendix) on 4th November 2021 in which Mr Matt Grantham writing to Mr Glenn Charles restates the County Council’s stance in relation to the application, which is to object:

“...due to the existing levels of congestion that development such as this will add to”.

Mr Grantham goes on to quote the comments of the Inspector in the GE Aviation appeal regarding the severe impact of that development on Hamble Lane and to repeat (although he does not provide a reference for this himself) the words he used in his own consultation response to Eastleigh Borough Council which have the effect on confirming that the County Council’s policy objection is precisely that set out in the March 2019 report:

“As the inspector intimates, and the HCC report suggests, no further development should take place on Hamble Lane, until such times as the Hamble Lane Corridor Study is complete; the package of measures are fully identified, tested and found to be feasible; and the funding sources for the implementation of such works have been identified. Until such time, any additional

development that directly feeds onto Hamble Lane (as is the case with this application (should not proceed or there is a high risk of a significant impact resulting due to cumulative affects (sic)).”

As you can see, we appear to have an unfortunate situation in which highway authority officers are offering contradictory interpretations of the highway authority position to the appellant. Whilst Mr Grantham uses the word ‘suggests’ to describe this specific content of the report, he is clearly of the view that it represents highway authority policy and reasserts that this provides the basis for the formal objection which was relied on by Eastleigh Borough Council as a reason to refuse the application.

Mr Tipler appears to say something different, and draws attention to the fact that there was no specific recommendation or decision in relation to this point (on which he is correct; an important omission that we have been aware of for some time).

This lack of clarity is of concern for both the Satchell Lane appeal and the Hamble Airfield application, and we are sure you would agree that it is essential for it to be resolved as a matter of urgency. The Satchell Lane appellant has already made capital from the conflicting advice they have received, and the Satchell Lane Inspector and the Hamble Airfield case officer will expect an unambiguous position statement.

Our view is that Mr Grantham is entirely correct to maintain the highway authority objection to the Satchell Lane application due to the cumulative impact on the transport network. We would also point out that the Cemex development proposals would generate a slightly larger volume of movements (most of which are HGV movements) than the Satchell Lane scheme even if, as you have previously told us, the level of traffic from Hamble Airfield assumed at the time of the Hampshire Waste and Minerals Plan allocation has been factored into the baseline assumptions. We therefore look to the highway authority for consistency in its approach and for it to draw the same conclusions about the Cemex application.

It is very easy amid the complexities of the planning process and your programme of works to lose sight of the simple fact that our residents

and businesses are badly affected by traffic congestion on Hamble Lane. The highway authority has accepted that the performance of the local road network for normal and necessary journeys is unacceptable and that the fundamental improvements are required. It has devised and consulted on a scheme of improvements which would do something to improve the current situation. Our residents have been led to believe that these works would be carried out. It now appears that any improvements are unlikely to be implemented in the foreseeable future due to shortfalls in funding. We understand why such a major scheme may be delayed or only partially completed. However, we do expect the County Council to be consistent about how it addresses the consequences of that delay and to give planning consultation responses accordingly.

In its March 2019 report the highway authority set out a position in relation to development proposals affecting Hamble Lane. The only fair reading of that report is that it was agreed that it will not 'sign off' development which makes an already severe situation even worse.

Two major developments are now proposed which would create additional traffic on Hamble Lane. So far, the highway authority has formally objected on grounds of congestion to the one which generates least traffic. The Cemex application generates a considerably larger amount of traffic in total and yet the detailed impact has not even been assessed in the TA submitted by Cemex. Your own pre-application advice is offered by Cemex in support of that omission, but I hope you would agree that this cannot now be sustained as a reasoned or justifiable position.

Ultimately it is for the Regulatory Committee of the County Council, as advised by the planning officers, to determine what weight to give to highways issues when considering the application. Without a proper and thorough assessment of the highways impact of the Cemex application there cannot be any confidence that it will not have a severe impact on the local transport network and it is the interest of all parties that you provide your formal advice on after this has been carried out.

We would ask you to consider all of these points, and assist us with our continued evaluation of the Cemex application and our response to the Satchell Lane appeal by answering the following questions:

- 1 Is it the policy position of the County Council that no further development should be permitted on Hamble Lane until at least some specified part of the Hamble Lane Improvement Scheme has been carried out, as set out in the March 2019 Executive Member report?
- 2 If the reply to our first question is 'No, it is not our policy position', then does the County Council have any policy position in relation to further development accessing Hamble Lane, or does it intend to offer advice to the local planning authority solely on a case-by-case basis using the principles set out in the NPPF?
- 3 If there is no policy position will the County Council maintain its second ground for objection in support of Eastleigh Borough Council's refusal of the Satchell Lane application on the information contained in the original TA and more recent Appeal Statement?
- 4 Does the County Council accept that the impact on the transport network of the proposed development at Hamble Airfield will be more severe than that from the proposed development at Satchell Lane?
- 5 Can you confirm that a full and detailed analysis of the Cemex TA is being carried out and that it not being compromised by trying to reconcile your response with the pre application advice given in April 2018?
- 6 The impact on the Hamble AQMA has not been addressed, can you confirm that Cemex will be asked to consider this as part of their further work especially at the northern junctions of Hamble Lane.

- 7 Will you request detailed junction analysis and microsimulation modelling to validate the assertions made in the Cemex TA?
- 8 If the highway authority, for whatever reason, is not minded to object to the Cemex application, on what basis will it request legally justified planning obligations sufficient to mitigate the impact on Hamble Lane? More specifically, how will the highway authority advise the local planning authority that the development could be made acceptable by planning obligations unless these are sufficient to carry out a timely programme of physical improvement works?

Yours sincerely

Amanda Jobling

Clerk

Hamble Parish Council

CC. Cllr R Humby HCC, Cllr K House HCC, Stuart Jarvis HCC, Peter Bond HCC