Land at Frog Island, Ferry Lane, Rainham

784-B065006

Proof of Evidence of Pravin Godhania

BEng (Hons) MCIHT MSoRSA HE Cert Comp

Highway Matters

On behalf of the Appellant, S Walsh & Sons

Appeal against Enforcement Notice issued by the London Borough of Havering

PINS Ref: APP//B5480/C/22/3305409

LPA Ref: ENF/559/20 and appeal 4134

S Walsh & Sons

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1.0 INTRODUCTION

1.1 QUALIFICATIONS AND EXPERIENCE

1.1.1 My name is Pravin Godhania. I am employed as an Associate Director in the transport planning team at Tetra Tech based out of Leicester. I have a BEng (Hons) degree in Civil Engineering, and I am a Member of the Chartered Institution of Highways and Transportation (CIHT). I am also a Road Safety Auditor accredited with a National Highways Certificate of Competency and a Member of the Society of Road Safety Auditors.

1.1.2 I have over 25 years' transport planning experience which has mainly involved providing consulting advice in connection with development planning related transport and highway matters for a variety of land uses. More specifically, I provide highways and transport advice to several minerals and waste operators across the country. I have also provided development control advice through a long-term secondment as a Highways Development Control Officer. I have also worked on numerous appeals for developers and highway authorities.

1.1.3 During my career, I have worked on many waste and mineral planning applications with a significant proportion being of a similar scale to the S Walsh and Son (Walsh) operation at Ferry Lane, Rainham. I am very familiar with the transport and highway conditions associated with the Walsh operation and the transport related impacts that are most likely to arise.

1.1.4 I have been retained by S. Walsh and Sons Ltd to advise on highways and transport considerations by preparing a Transport Assessment (TA) associated with this Enforcement Appeal and to prepare independent evidence on transport matters to assist the Inquiry.

2.0 BACKGROUND AND SCOPE OF MY EVIDENCE

2.1 REASON FOR REFUSAL

2.1.1 London Borough of Havering (LBoH) served an enforcement notice on 18th July 2022 for the alleged breach of planning control at S.Walsh & Son Limited, Ferry Lane, Rainham, RM13 9YH ("the site"). The alleged breach of planning control refers to:

(1) Without the benefit of planning permission, the material change of use of the Land from use for storage to a waste management facility importing, processing and exporting waste materials; and

(2) Without the benefit of planning permission, operational development through the siting of stacked shipping containers on the Land.

2.1.2 In terms of highways and transport 'Reason 5' of the enforcement notice states:

'Without a detailed transport assessment, which would be required to accompany any planning application, and due to the lack of control over throughput and vehicle movements, the use for waste storage and processing of building materials would result in unacceptable impacts on the highway network. The lack of adequate wheel washing facilities results in dangerous highway conditions through mud being deposited on roads. In these respects, the unauthorised use of the Land is contrary to the London Plan Policies T4, SI15 and SI16, the Local Plan Policies 23 and 31 and JWDPD Policy W5'.

2.1.3 An appeal was made on six grounds as set out in S174(2) of the Town and Country Planning Act 1990 (TCPA), namely:

(a) that, in respect of the alleged breach of planning control, planning permission, should it be required, ought to be granted;

(b) that those matters (if they occurred) do not constitute a breach of planning control;

(c) that, at the date when the notice was issued, no enforcement action could be taken in respect of any breach of planning control which may be constituted by those matters;

(d) that copies of the enforcement notice were not served as required by Section 172;

(e) the steps required to comply with the requirements of the notice are excessive; and

(f) the period specified in the notice in accordance with Section 173(9) falls short of what should reasonably be allowed.

2.2 TRANSPORT ASSESSMENT

2.2.1 A Transport Assessment has been prepared to assess and mitigate the negative transport impacts of development and to promote sustainable development. The Transport Assessment investigates how the Site is accessed, and whether there would be an unacceptable impact on highway safety, or the residual cumulative impacts on the road network would be severe.

2.2.2 The Transport Assessment (report reference: RT784-B065006-01 Frog Island TA April 2024_Rev2) has been included in **Appendix A** of my proof. The Transport Assessment also includes a drawing showing how the site is accessed (site access drawing ref: 784 TTE 00 ZZ DR S 001 Rev P01).

2.3 STRUCTURE OF PROOF

2.3.1 The purpose of my evidence is to describe the process used by Tetra Tech to produce the Transport Assessment for the site on Ferry Lane. It will demonstrate that a transparent appraisal process has been followed with due consideration given to off-site highway impacts.

2.3.2 My evidence focuses on the key points raised in Reason 5. These being:

(1) Without a **detailed transport assessment**, which would be required to accompany any planning application.

(2) lack of **control over throughput and vehicle movements**……. would result in unacceptable impacts on the highway network.

(3) The lack of **adequate wheel washing** facilities results in dangerous highway conditions through mud being deposited on roads.

(4) contrary to the **London Plan Policies T4, SI15 and SI16, the Local Plan Policies 23 and 31 and JWDPD Policy W5**.

2.3.3 My evidence addresses solely the highway impacts and any road safety issues arising from the alleged breach of planning control.

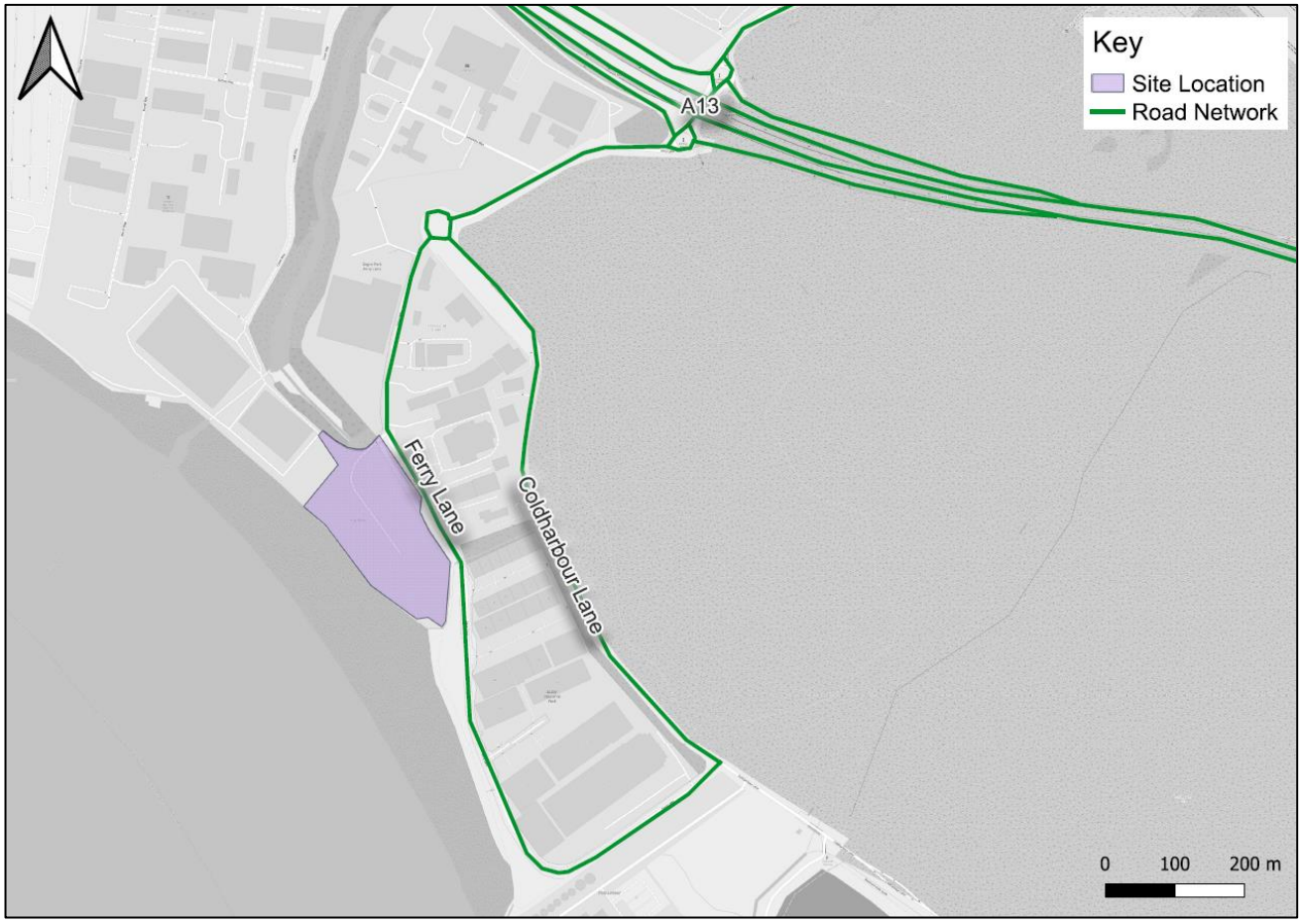
3.0 SITE LOCATION AND SITE CONTEXT

3.1 SITE LOCATION

3.1.1 Appendix A of the Transport Assessment shows the site boundary as well as the site layout and the location of the site access. The highway network near the site is the responsibility of London Borough of Havering (LBoH) in their capacity as the Local Highway Authority (LHA).

3.1.2 **Figure 1** shows the location of the site in context with the surrounding local highway network. The highway network is described in Chapter 4 of the Transport Assessment.

Figure 1 – Site Location Plan



3.2 SITE ACTIVITIES

3.2.1 The onsite activities comprise a mixed-use development. The western part of the Site comprising circa 2.78ha relates to the parking and storage of haulage vehicles operated by the appellant together with the storage of building materials, for example paving slabs, for onwards transport from the Site. The reminder of the Site is currently used in connection with the recycling and processing of imported inert construction, demolition and excavation waste originating principally from the East London Joint Waste Planning Area.

3.2.2 The materials processing operations are undertaken in the open and comprise the screening, crushing and washing of imported material to produce aggregate building products of various grades and reprocessed soils for use in local building and road construction projects. Storage areas and stocking bays for processed and imported materials together with metals are also located within the materials processing area.

3.2.3 Other ancillary uses on the Site associated with the storage use and the materials processing use comprise a lorry wheel washing facility, unmarked car parking area for staff cars, temporary site offices and meeting room (portacabins), employee welfare/toilet facilities, weighbridge with associated office and a covered workshop area for the maintenance of onsite plant, vehicles and equipment. A water bowser is also permanently stored on site to assist with dust suppression from stockpiles during periods of dry windy weather conditions.

3.2.4 The eastern and south-eastern boundary of the materials processing uses are screened by the presence of metal shipping containers stacked 2 or 3 units high. A total of 35 metal shipping containers are located on the site boundary. Whilst the lower containers are filled with soils to ensure stability the containers are also used for storage of materials that need to be kept dry, for example cement. Some containers are used to store water which is used for dust suppression around the site in connection with the processing activities.

3.2.5 In March 2016, the appellant applied for an environmental permit which was subsequently granted on 11 July 2016. The appellant began waste processing activities shortly afterwards in July 2016. The activities on the Site are regularly inspected by Environment Agency officers and monitored against the conditions of the environmental permit. No formal complaints have been raised by the Agency to the on-site activities.

3.2.6 The hours of operation for the site are currently:

- 5.00am to 8.00pm Monday to Friday.
- 6.00am to 5.00pm weekends.
- No working on Sundays, Bank and Public Holidays.
- Occasional night working.

3.3 DEBRIS ON THE HIGHWAY

3.3.1 The site has always benefited from a wheel washing facility; however, the machine was replaced with a new system in October 2023. The location of the wheel wash is shown in **Photograph 1**. The automated drive-through wheel wash system is designed for cleaning the wheels of vehicles as they drive through. It helps to remove dirt, mud, and other contaminants from the wheels, improving overall cleanliness. There is also an extra rumble strip to aid the wheel wash to shake off any excess water or muck.

Photograph 1 – Wheel Wash

3.3.2 All HGVs carrying loose material are sheeted before they leave the site. Most of the vehicles have an automated sheeting system.

3.3.3 The combination of the wheel washing, and the wagons being sheeted before they leave the site helps ensure that vehicles do not drag or spill loose deleterious material onto the highway.

3.3.4 Furthermore, the road is swept regularly depending on weather conditions. Ferry Lane is inspected by staff every few hours and if required the road is swept to ensure that it is always kept clean of debris. The frequency can vary from once a day to several times daily.

3.3.5 In my opinion, the measures taken by Walsh to keep the highway clean of debris addresses the third point of Reason 5 of the enforcement notice and that the measures do not results in dangerous highway conditions through mud being deposited on roads.

3.4 PARKING

3.4.1 A large section of unmarked parking space is provided for HGVs and staff/visitors to park their vehicles within the site. The location of these parking spaces within the site area can be seen in Appendix A of the Transport Assessment. **Photograph 2** shows part of the existing staff/visitor car parking spaces.

Photograph 2 – Staff/Visitor Car Parking

3.4.2 As outlined in the London Borough of Havering 2016 – 2031 Local Plan, parking provision and design is based on London Plan maximum standards across the borough. However, it also states *"Car parking for development should aim to strike an appropriate balance between meeting the essential parking needs of the site whilst neither acting as a discouragement to using public transport nor adding to demand for on-street parking."*

3.4.3 Furthermore, Paragraph 10.6.5 (Policy T6 of the London Plan) states that *'where no standard is provided, the level of parking should be determined on a case-by-case basis taking account of Policy T6 Car parking……'*.

3.4.4 Given the nature of the site, the car parking provision at the Site is appropriate for the use and there is sufficient vehicle parking provision such that there are no detrimental impacts on on-street parking. Most importantly the vehicle parking provision accords with the relevant parts of Policy T6 of the London Plan and Local Plan by providing appropriate and sufficient levels of parking.

3.4.5 Three car parking spaces closest to the site offices are also kept clear as wider spaces for blue badge users. This accords with the requirement in Policy T6 to provide 5% blue badge spaces (5% of 48 observed vehicles parked on site).

3.4.6 Secure and sheltered cycle parking is provided in the staff welfare area to accommodate up to five cycles. However, this can be easily extended should there be additional demand. It is understood that two employees currently cycle. A full Travel Survey will be undertaken as part of a Travel Plan should the appeal be granted, to determine existing modal splits.

4.0 POLICY CONTEXT AND GUIDANCE

4.1 INTRODUCTION

4.1.1 A detailed review of relevant national, regional and local policy is contained in Mr Walton's PoE. The supporting Transport Assessment considers how all the local, regional and national transport related polices accord with the development and how the appraisal of the site (the Transport Assessment) was conducted in accordance with these policies.

4.1.2 I summarise the relevant transport policy in this section of my PoE. These include:

- Paragraph 115 of the National Planning Policy Framework.
- Planning Practice Guidance.
- Design Manual for Roads and Bridges.
- Criteria xi) (part), xii) and xiii) of Policy W5 of the East London Joint Waste Plan.
- Policies 23 and 31 of the Havering Local Plan,
- Policies SI 1 (part), SI 8 Part E (5) (part), SI15 (part), SI16 (part) and T4 of the London Plan.

4.2 NATIONAL POLICY

4.2.1 The National Planning Policy Framework (NPPF) (ref) sets out a key test for the acceptability of planning applications in terms of transport and highways at paragraph 115.

Paragraph 115:

"Development should only be prevented or refused on highways grounds if there would be an unacceptable impact on highway safety, or the residual cumulative impacts on the road network would be severe."

4.2.2 For the avoidance of doubt, paragraph 115 contains two separate/distinct policy tests; one referring to safety and the other relating to residual impacts that are severe.

4.2.3 The Transport Assessment in support of the site and my proof considers the various elements of the transport appraisal and concludes whether the site has an unacceptable impact on highway safety, or whether the residual cumulative impacts on the road network are severe.

4.2.4 The Planning Practice Guidance (PPG) – 'Overarching principles on Travel Plans, Transport Assessments and Statements' provides information relating to the preparation of a TA, including when they are required, the scope of the report and what information to include. It is my opinion that the Transport Assessment prepared in support of the site has been prepared in accordance with the guidance as set out in the PPG. The Transport Assessment openly discusses the road safety, highway impacts and site accessibility for active modes of transport and public transport.

4.2.5 The Design Manual for Roads and Bridges (DMRB) is a suite of guidance documents prepared by National Highways. Where design elements are not covered in local design guides reference is

made to the design standards in the DMRB. Of relevance to the site access priority junction arrangement are:

- DMRB CD123 Ver 2.1.0 'Geometric design of at-grade priority and signal controlled junctions'.
- CD 109 Rev 1 'Highway link design'.

4.2.6 The supporting Transport Assessment assesses the site access junction onto Ferry Lane with the relevant junction visibility splay requirements appropriate for observed vehicle speeds on Ferry Lane and by demonstrating the geometry of the access allows for the safe access and egress of appropriate design vehicles.

4.3 LOCAL POLICY

4.3.1 The following summarises my understanding of the relevant transport related local policies that apply to the site.

4.3.2 **Joint Waste Development Plan for the East London Waste Authority Boroughs – Policy W5**

"The information supporting the planning application must include, where relevant to a development proposal, assessment of the following matters and where necessary, appropriate mitigation should be identified so as to minimise or avoid any material adverse impact and compensate for any loss including:

> *(xi) adverse effects on neighbouring amenity including transport, noise, fumes, vibration, glare, dust, litter, odour and vermin;*
> *(xii) transport impact of all movements, including opportunities for use of sustainable transport modes, traffic generation, access and the suitability of the highway network in the vicinity, access to and from the primary route network;*
> *(xiii) adverse impacts of all movements including: traffic generation, an unsuitable highway network, inadequate accessibility to the site or the primary road network in the vicinity; and limited or no opportunities for the use of sustainable transport modes;"*

4.3.3 The Transport Assessment sets out the transport impact of all trips associated with the site by considering the trips generated by the use. It also investigates the sustainable travel options available for employees in terms of public transport and active travel options. The report also assesses the impact of Site traffic on Ferry Lane and at the A13 primary road network southern dumbbell junction. The requirement for vehicles to be sheeted before leaving the site, wheel washing system, and road sweeping addresses the risk of debris or loose deleterious material being dragged onto the public highway.

4.3.4 It is my view that the current (and proposed) operation of the site on Ferry Lane is in accordance with the relevant parts of Policy W5 of the Joint Waste Development Plan for the East London Waste Authority Boroughs.

4.3.5 **Havering Local Plan 2016 – 2031, Local Plan**

Policy 23 – Transport Connections

"The Council will support and encourage developments in Havering in the locations that are most accessible by a range of transport options. The Council supports development which ensures safe and efficient use of the highway and demonstrates that adverse impacts on the transport network are avoided or, where necessary, mitigated….."

4.3.6 As set out in my proof and the Transport Assessment, it is my opinion that the site operation on Ferry Lane ensures safe and efficient use of the highway by assessing the highway impact of the site and that any adverse impacts on the transport network are avoided and there is no requirement for any mitigation.

Policy 31 – Rivers and river corridors (part – freight)

4.3.7 Local Plan Policy 31 sets out the aspiration to utilise rivers and river corridors to fulfil important biodiversity, recreation, placemaking, amenity, freight transport and flood management functions which the Council will seek to optimise.

4.3.8 Whilst there is no existing berth at Frog Island, other local projects include groundworks and land reclamation works at Barking. Material from the site in Barking is transported via the River Thames to the appellant's existing berth facilities at Tilbury docks and then transported to the appeal Site for processing.

4.3.9 A future aspiration of the Appellant is the provision of a berth facility associated with the Frog Island site which will allow material to be landed by barge for processing. Construction work on the Second Thames Crossing to the east of Tilbury is expected to commence in 2025/26 and, with a future berth facility, the appeal site will be well placed to process Construction, Demolition and Engineering material.

4.3.10 Part ii of Policy 31 states "Contributes towards the enhancement and extension of a riverside path to enable local communities to enjoy the riverside providing the appropriate life-saving equipment such as grab chains, access ladders and life buoys are provided along the river edge". This aspect is covered in Mr Walton's proof.

4.3.11 **The London Plan**

Policy SI 1 Improving air quality part D

"In order to reduce the impact on air quality during the construction and demolition phase development proposals must demonstrate how they plan to comply with the Non-Road Mobile Machinery Low Emission Zone and reduce emissions from the demolition and construction of buildings following best practice guidance."

4.3.12 There are no construction activities arising as part of the appeal.

Policy SI 8 Waste capacity and net waste self-sufficiency Part E 5

"the transport and environmental impacts of all vehicle movements related to the proposal – the use of renewable fuels from waste sources and the use of rail and waterway networks to transport waste should be supported."

4.3.13 The Institute of Environmental Assessment (IEMA) Guidance Note "Environmental Assessment of Traffic and Movement" sets out when traffic related environmental impacts can be scoped out from further assessment. The guidance states to 'include highway links where traffic flows will increase by more than 30% (or the number of heavy goods vehicles will increase by more than 30%). The percentage traffic impact on Ferry Lane is presented later in my proof and demonstrates that the increase is less than 30%.

Policy SI 15 Water transport

4.3.14 Policy SI15 discusses water transport and that development proposals should protect and enhance existing passenger transport piers and their capacity. It also states development proposals to facilitate an increase in the amount of freight transported on London's waterways should be supported.

4.3.15 As discussed earlier, there are no existing berths or freight connections to the waterways at the Site. The site does not adversely impact the capacity or preclude any future expansion to include connections.

Policy SI 16 Waterways – use and enjoyment Part F

4.3.16 Policy SI16 considers how development proposals should protect and enhance waterway infrastructure. It also discusses how development proposals along waterways should protect and enhance inclusive public access to and along the waterway front and explore opportunities for new, extended, improved and inclusive access infrastructure to/from the waterways.

4.3.17 Policy SI16 also sets out that development should improve and expand the Thames Path and the towpaths, improve alignment with the waterway where relevant, enhance them as walking routes, and provide better linkages to the transport network.

4.3.18 This aspiration will require collaboration with relevant partners including London boroughs, the PLA, the Canal and River Trust, the Environment Agency and Natural England, as well as landowner, developer and community representatives. These paths would be public and not private spaces.

4.3.19 There is no existing public access through the site to the river, nor any riverside path to the north of the site.

Policy T4 Assessing and mitigating transport impacts

"A. Development Plans and development proposals should reflect and be integrated with current and planned transport access, capacity and connectivity.

4.3.20 The site on Ferry Lane has been integrated with existing transport infrastructure and has been assessed with committed development as identified in the Transport Assessment.

B. When required in accordance with national or local guidance, transport assessments/statements should be submitted with development proposals to ensure that impacts on the capacity of the transport network (including impacts on pedestrians and the cycle network), at the local, network-wide and strategic level, are fully assessed. Transport assessments should focus on embedding the Healthy Streets Approach within, and in the vicinity of, new development. Travel Plans, Parking

Design and Management Plans, Construction Logistics Plans and Delivery and Servicing Plans will be required having regard to Transport for London guidance.

4.3.21 A Transport Assessment investigating the highway impact in terms of capacity, accessibility and road safety has been prepared in accordance with PPG and NPPF. The Transport Assessment has followed the Healthy Streets approach by investigating site accessibility on foot, cycle and by public transport with a view to reducing the dominance of vehicles.

C. Where appropriate, mitigation, either through direct provision of public transport, walking and cycling facilities and highways improvements or through financial contributions, will be required to address adverse transport impacts that are identified.

4.3.22 The Transport Assessment has considered all modes of transport and accessibility. No improvements to public transport, walking and cycling facilities and highways improvements or through financial contributions have been proposed that will reasonably be required to address any identified adverse transport impacts.

D. Where the ability to absorb increased travel demand through active travel modes has been exhausted, existing public transport capacity is insufficient to allow for the travel generated by proposed developments, and no firm plans and funding exist for an increase in capacity to cater for the increased demand, planning permission will be contingent on the provision of necessary public transport and active travel infrastructure.

4.3.23 As demonstrated through the Transport Assessment, the existing highway infrastructure provides capacity for active travel. Despite the low PTAL score, the pedestrian/cycle infrastructure provides opportunities to use public transport in the form of bus or rail.

E. The cumulative impacts of development on public transport and the road network capacity including walking and cycling, as well as associated effects on public health, should be taken into account and mitigated.

4.3.24 The cumulative impact of the site operation with committed developments, growth and any committed schemes have been fully investigated as part of the Transport Assessment. No off-site mitigation is considered necessary.

F. Development proposals should not increase road danger.

4.3.25 In terms of road safety, the operation of the site has been assessed in terms of:

- Existing operations taking place on site that could impact the highway.
- Existing highway capacity and junction modelling.
- Investigation of historic collision data to identify any clusters or trends.

4.4 POLICY SUMMARY

4.4.1 These transport related policies have been considered when preparing the Transport Assessment to investigate the traffic impact of the site.

4.4.2 The key point is the production of a Transport Assessment to assess the traffic impact of the site in terms of capacity and road safety. To address this a Transport Assessment has been produced

in accordance with national and local policy as described in this chapter. In my opinion the production of a robust Transport Assessment addresses the first part of Reason 5 for issuing the enforcement notice. Likewise, the Transport Assessment provides a policy context for the site operation addressing the final part of Reason 5 for issuing the enforcement notice.

5.0 NETWORK CONDITIONS

5.1 INTRODUCTION

5.1.1 A full description of existing transport and highway conditions is presented in the 'Transport Assessment (Chapter 4). In the text below, I confirm the site location, provide an overview of existing highway conditions and an analysis of the most recently available five-year period of collision data.

5.2 HIGHWAY CONDITIONS

5.2.1 The Site comprises circa 2.78ha of land at Frog Island, Ferry Lane in the south of the Borough in Rainham within the London Borough of Havering.

5.2.2 The Site is bounded by Ferry Lane to the east with existing industrial uses beyond. On the western side of Ferry Lane, a nine metre wide planted verge separates the edge of the highway from the boundary of the Site. The flood defences for the River Thames, comprising a reinforced concrete flood wall, forms the western boundary of the Site. The northern boundary is defined by existing palisade fencing which demarks the Site from the adjoining Renewi Waste Management Facility. Further industrial uses are located to the north and north-east of the Site.

5.2.3 Vehicular access to the site is provided by an existing simple priority junction onto Ferry Lane.

5.2.4 Ferry Lane bounds the site to the east and is aligned in an approximate north-south direction. Ferry Lane connects with Coldharbour Lane to the south and Ferry Lane/Coldharbour Lane roundabout to the north. Following the road from the northern arm at the roundabout, this route connects to the Ferry Lane dumbbell roundabouts and provides access to the A13 via slip roads. Ferry Lane is subject to a 30mph speed limit.

5.2.5 There are other industrial units on Ferry Lane which have their own vehicular cross overs and accesses.

5.2.6 Ferry Lane is typically 7.3m wide and single carriageway with footways on both sides of the road ranging from 1.5m to 2.0m width along its length. There are no formal segregated cycle facilities on Ferry Lane, however cycling is permitted as a joint use footway/cycleway on the footways on Ferry Lane and has been signed accordingly.

5.2.7 Double yellow line parking restrictions apply throughout the industrial estate, which prevent stopping at any time. To further mitigate the potential of on-street parking in the industrial estate, bollards are provided along footways on most roads.

5.3 ROAD SAFETY

5.3.1 Personal Injury Collision (PIC) has been obtained from cyclestreets.net 'Bikedata', which displays collision data provided by Department for Transport (DfT) publicly available Stats19 dataset for the most recently available five-year period between 2018 and 2022. The study area comprises of the entirety of Ferry Lane, up to the junction with Ferry Lane / Coldharbour Lane to the south of

the site and Rainham railway station. There were no recorded collisions within the immediate proximity of the site nor the proximity of the site access.

5.3.2 The collision data has been included in Chapter 4.16 of the Transport Assessment. Ten collisions were recorded in the study area. A summary of the collisions is shown in **Table 1:**.

Table 1: Collision Data (1st January 2018 – 31st December 2022)

Year	Severity			Total
	Slight	Serious	Fatal	
2018	1	0	0	1
2019	5	1	0	6
2020	1	0	0	1
2021	2	0	0	2
2022	0	0	0	0
Total	9	1	0	10

5.3.3 In total 10 collisions occurred within the study area and of these, nine were slight in severity, and one was recorded as serious in severity. There were no recorded fatal collisions. A summary of casualties by severity is shown within **Table 2** indicating that the 10 collisions resulted in 16 casualties, including two pedestrian, one motorcyclist, one cyclist and 11 car occupants.

Table 2: Casualties by Travel Mode

Mode of Travel	Severity			Total
	Slight	Serious	Fatal	
Pedestrian	2	0	0	2
Cyclist	1	0	0	1
Motorcyclist	1	0	0	1
Car Occupant	11	1	0	12
LGVs	0	0	0	0
Total	15	1	0	16

5.3.4 The nearest collision to the site occurred on the southern arm approach to the Ferry Lane/Coldharbour Lane roundabout, approximately 300m north of the site. A slight collision occurred on Saturday 18th May 2019 at 1430 hrs which involved a child pedal cyclist and an LGV. Both the cyclist and vehicle were moving northbound along the network, on the main carriageway. The weather conditions were fine with no high winds, during daylight hours and the road surface was dry. The collision occurred due to the driver failing to see the cyclist and as a result the child pedal cyclist sustained slight severity injuries.

5.3.5 A serious collision occurred on Sunday 22nd December 2019 at 0125 hrs which involved two cars. The collision occurred on entry to the southern dumbbell roundabout on Ferry Lane upon exiting the southern arm. At the time of the collision, the conditions recorded were raining with no high winds, dark with street lights illuminated, and the road surface was wet / damp. Both vehicles were exiting the junction and the driver of vehicle one failed to predict / failed to see the movement of the second vehicle. Vehicle one made a manoeuvre leading to them colliding with

the central island of the roundabout. The driver of vehicle one sustained serious severity injuries and the driver of vehicle two sustained slight injuries.

5.3.6 A cluster of five collisions occurred at the dumbbell roundabout on Ferry Lane. The collision severities are made up of one serious and four slight collisions, with the serious collision detailed above. The collisions are spread out in occurrence. As such, one collision occurred in 2018, three in 2019, and one in 2021. Within these respective years, the collision locations are dispersed across the dumbbell roundabouts and with further investigation the collisions occurred due to driver error and not due to any inherent deficiencies in the existing highway layout.

5.3.7 None of the recorded collisions involved HGVs and no collisions occurred at or near the site access junction. The site access therefore operates safely. It has also been established that there are no existing road safety problems on the local highway network that are likely to be exacerbated by use of the site, especially as the site is already in use and associated vehicle movements are already present on the highway network. From this I can conclude that there are no existing road safety problems that are likely to be exacerbated by continued use of the site.

6.0 SITE ACCESS

6.1 VEHICULAR

6.1.1 Vehicular access into the site is provided via the existing simple priority junction onto Ferry Lane. The priority junction provides access only to users of the site and the access does not connect to any other units other than GRS. The gated access, which is left open during working hours, is set back 15m from the rear edge of the footway. Once into the site area there is further barrier control in operation.

6.1.2 Drawing number B065006-TTE-00-ZZ-DR-S-001 P01 contained in Appendix C of the Transport Assessment shows the site access arrangement. The site access is 6.0m wide and has an approximately 5.0m junction radii for traffic turning left in and a 10.0m radius for traffic turning left out of the site.

6.1.3 The drawing contained in Appendix C of the Transport Assessment demonstrates that a 16.5m articulated vehicle can satisfactorily enter and egress the site without conflicting with other users on the surrounding highway network.

6.1.4 The existing simple priority access junction onto Ferry Lane achieves and exceeds the desired minimum visibility splays in accordance with DMRB CD109, Table 2.10 (2.4m x 70m for roads subject to a 50kph (30mph) design speed). However, the observed speed of vehicles travelling along Ferry Lane exceed the speed limit near to the site. The observed 85th percentile speed from the Automatic Traffic Count (ATC) is 36mph (58kph). In accordance with DMRB, the desired minimum visibility splay based on 60kph is 2.4m x 90m. Drawing number B065006-TTE-00-ZZ-DR-S-001 contained in Appendix C of the Transport Assessment demonstrates that the required side road visibility splays of 2.4 x 90m are available.

6.1.5 **Photograph 3** and **Photograph 4** shows Ferry Lane from GRS site access and provides an idea of the visibility slays.

Photograph 3: Ferry Lane (view to the south of the site)

Photograph 4: Ferry Lane (View to the north of the site)

6.1.6 The access is an established junction that is extensively used by HGVs without any known issues. My on-site observations indicate that HGVs can access and egress the site satisfactorily without

impacting other road users. The only item noted was that the existing road markings were starting to fade.

6.1.7 The simple priority access junction accords with the standards contained within the DMRB document 'Geometric Design of At-Grade Priority and Signal-Controlled Junctions'.

6.1.8 Pedestrians and cyclists gain access to the development via the same route as vehicular traffic.

6.2 PEDESTRIAN ACCESS

6.2.1 The submitted Transport Assessment provides details of the accessibility of the site by sustainable travel modes. In this section I provide an overview summary of the accessibility of the site for pedestrians.

6.2.2 Continuous footways are provided alongside the eastern side of Ferry Lane (see **Photograph 5**). The footway on the west side of Ferry Lane extends from the north and terminates at the site entrance. Dropped kerbs are paired with tactile paving throughout.

Photograph 5: Footways on Ferry Lane

6.2.3 Rainham Marshes Nature Reserve (RMNR) is located to the north of the site. The nature reserve provides a network of foot and cycle paths with numerous access points along Ferry Lane and Coldharbour Lane. Alternative routes thorough RMNR can be used to link between the bridge serving Rainham railway station and the town centre, which is located to the north of the site. The photograph on the following page demonstrates what a typical pathway looks like within the nature reserve.

Photograph 6: Rainham Marshes Nature Reserve - Shared Walking & Cycling Path

6.2.4 In accordance with PTAL, the site scores '0' which indicates poor public transport connectivity. This refers to TfL's parameters for connectivity of 640m (eight-minute walk time) to bus services and 960m (12-minute walk time) to rail services. Due to the site location and the surrounding industrial area, it is considered appropriate to provide reasonable adjustments to these walking catchments to key public transport services.

6.2.5 The Institution of Highways and Transportation (IHT) in their document 'Guideline for Providing for Journeys on Foot' state that "…walking accounts for over a quarter of all journeys and four fifths of journeys of less than one mile" (Paragraph 1.12, Page 11). In other words, around 80% of trips of less than 1 mile are made on foot.

6.2.6 The IHT document recognises that although acceptable walking distances will vary between individuals and circumstances, for commuting, school and sightseeing trips, a walking distance of 1km and 2km can be seen as the 'acceptable' and 'preferred maximum' walking distances respectively (IHT Paragraphs 3.31 – 3.33, page 49).

6.2.7 Figure 4-4 included in the Transport Assessment illustrates the 2km walking catchments from the centre of the site and provides an indication of the areas which are within reasonable walking distance of the site. Whilst this does not preclude pedestrians from undertaking longer journeys, it is considered that 2km is reasonable. Based on an average walking speed of 1.4 m/s it can be concluded that a 2km walk will take approximately 24 minutes.

6.2.8 The 2km catchment plan demonstrates that Rainham railway station and numerous bus stops in its proximity can be reached within the 2km walking catchment of the site. The walking catchment also covers a few residential properties.

6.2.9 Rainham town centre is the nearest location from the site to access amenities such as retail and other conveniences. The town centre is approximately 1.7km walking distance north of the site and provides access to food establishments, convenience stores and a Tesco supermarket.

6.3 CYCLISIT ACCESS

6.3.1 The submitted Transport Assessment provides details of accessibility of the site by sustainable travel modes. In this section I provide an overview summary of the accessibility of the site for cyclists.

6.3.2 There are no formalised on-road cycle facilities along Ferry Lane near the site however, cyclists are permitted to share the footpath with pedestrians. This route connects with National Cycle Network 13 (NCN 13).

6.3.3 In a similar way to pedestrian trip lengths, the length of cycling trips will be governed by the routes that are available and trip length, although several factors often mitigate for or against making these trips.

6.3.4 Local Transport Note 2/08 'Cycle Infrastructure Design' (DfT, 2008) states that "many utility cycle journeys are under three miles… although, for commuter journeys, a trip distance of over five miles is not uncommon". It can therefore be concluded that 3 miles, which is equivalent to approximately 5km, represents a reasonable typical cycling distance.

6.3.5 Figure 4-4 contained in the Transport Assessment shows a 5km catchment centred on the site. The 5km catchment includes Rainham, South Hornchurch, Wennington, Rainham station and Dagenham Dock station. The 5km catchment also includes some of Dagenham and Purfleet-on-Thames.

6.3.6 I can conclude that the site is well situated to encourage trips by cycle with a large number of amenities and services within cycling distance.

6.4 PUBLIC TRANSPORT ACCESSIBILITY – BUSES

Public Transport Accessibility Level

6.4.1 The Public Transport Accessibility Level (PTAL) score for the site is '0' indicating poor public transport accessibility.

Bus Services

6.4.2 The nearest bus stop to the site is located at Rainham railway station, Celtic Farm Road at bus stop Rainham Interchange (Stop N), approximately 1.6km northeast of the site access. The bus stop comprises of a bus flag, timetable information, and waste bin. Shade and shelter are also available near the bus stop, created by the building awnings. The bus stop provides access to bus services 103 and 372. Bus service, routes and frequencies captured within the 2km walking catchment are detailed within **Table 3**.

Table 3: Summary of bus services with 2km walking catchment

Service	Bus Stop	Mon - Fri Frequency			Sat Frequency	Sun Frequency
		0600 –0700 hrs	0700 -1900 hrs	1900 –2000 hrs	0900-1800 hrs	0900-1800 hrs
103 (Rainham Interchange - Chase Cross)	N	6	6	4	6	3
103 (Chase Cross - Rainham Station)	N	6	6	4	6	3
372 (Hornchurch Town Centre – Lakeside Bus Station)	N	3	3	3	3	2
372 (Lakeside Bus Station – Hornchurch Town Centre)	N	3	3	3	3	2
165 (Abbey Wood Lane – The Brewery)	C	5	5	5	5	3
165 (The Brewery - Abbey Wood Lane)	F	4	5	5	5	3
287 (Abbey Wood Lane - Barking Station)	C	4	4	4	4	3
287 (Barking Station - Abbey Wood Lane)	F	4	4	4	4	3

6.4.3 As shown in **Table 3** there are four bus services that stop within the 2km walking catchment. The most frequent bus route is route 103. This route connects with Rainham station and Chase Cross whilst visiting numerous key destinations such as, Dagenham East station and Romford station, which provide a link to underground, overground, Elizabeth line and National Rail services, providing connections further afield. Bus route 103 operates Monday to Saturday with an approximate frequency of one bus every 10-15 minutes, and one bus every 20-minutes on Sunday.

6.4.4 The other bus services operate throughout the week and provide a good frequency of services to multiple key connecting destinations during the peak and interpeak hours, when employees are likely to travel to / from the site.

6.4.5 Travel by bus is therefore a genuine alternative to the private car and should assist in encouraging a modal shift away from the private car.

6.5 PUBLIC TRANSPORT ACCESSIBILITY – RAIL SERVICE

6.5.1 The nearest train station is Rainham which is located approximately 1.6km northeast of the site. Trains operate throughout the day to destinations including Grays, London Fenchurch Street, Limehouse, West Ham, Barking, Pitsea and Leigh On Sea for peak commuter travel as well as shift work and other associated journeys (i.e. underground, and additional bus services). **Table 4** shows the first and last weekday trains, including approximate frequency per hour at Rainham station.

Table 4: Summary of Train Services Operating from Rainham railway station

Rainham Station	Rail Line Operator	AM Peak Hour Frequency	PM Peak Hour Frequency	First Train	Last Train
Weekday	City to Coast (c2c)	6	7	05:05	00:47
Weekend		4	4	05:31	23:33

6.5.2 There are approximately four to six trains during the AM peak period over the weekend and weekdays, respectively. As for the PM peak period, there are between 4 to 7 trains over the weekend and weekdays, respectively. A typical hour period outside of the AM and PM periods sees a frequency of approximately four trains per hour during the weekday and weekend, respectively.

6.5.3 Travel by train provides a genuine alternative to the private car and should assist in encouraging a modal shift away from the private car.

6.6 OVERALL SUMMARY OF ACCESSIBILITY BY SUSTAINABLE TRAVEL MODES

6.6.1 Based on the above, despite the sites location, it is evident that the site is accessible on foot, by cycle, bus and rail, in line with the NPPF, Local Plan Policy 23 and The London Plan policies T1, T2, T4 and T5 concerning sustainable travel accessibility.

7.0 HIGHWAY NETWORK CAPACITY ASSESSMENTS SUMMARY

7.1 BACKGROUND

7.1.1 In this section I set out my views on the interpretation of the NPPF 'severe' impact with reference to appeal decisions. I then summarise the agreed results of the capacity assessments to demonstrate that the impact of the development is not significant or severe in NPPF terms.

7.1.2 The Transport Assessment presented detailed capacity assessments of the local highway network. The results of the assessments are summarised as follows.

7.2 SURVEYS, COMMITTED DEVELOPMENT, GROWTH, DEVELOPMENT TRAFFIC AND DISTRIBUTION

Traffic Surveys

7.2.1 To understand the impact of the proposals on the local highway network, the scope of the Transport Assessment was discussed via a MS Teams call with a Highways Development Control Officer at LBH and an email summarising the points discussed was sent to the officer. The scoping email has been included in Appendix B of the Transport Assessment. It was agreed with the officer to assess (data collection and junction modelling) the GRS site access junction on Ferry Lane only.

7.2.2 A 12-hour classified turning count was undertaken by an independent transport data collection company (Streetwise Services Ltd) at the site access junction on Tuesday 19th March 2024. Additionally, an Automatic Traffic Counter (ATC) was also installed on Sunday 17th March 2024; however, the tube collecting the data was repeatedly damaged. Examination of the ATC data identified that there was approximately 2.5 days of useable data.

7.2.3 A peak period junction turning count was also undertaken at the A13 dumbbell junction on Tuesday 19th March 2024.

7.2.4 The surveyed traffic flows are presented in Appendix D of the Transport Assessment.

7.2.5 The weekday peak hours were calculated to be 0715-0815hrs and 1600-1700hrs in the morning and evening, respectively.

7.2.6 Traffic flows have been converted to Passenger Car Units (PCU) using the recommended TFL factors (TfL Traffic modelling Guidance Version 4.0, September 2021) detailed in paragraph 9.2.4 of the Transport Assessment.

7.3 ASSESSMENT SCENARIOS

7.3.1 The capacity assessment includes the following scenarios:

- Scenario 1: 2024 Base Year
- Scenario 2: 2029 Forecast Year

7.4 FORECAST GROWTH

7.4.1 To undertake a junction capacity assessment for a future year scenario, a forecast year of 2029 has been used (2024 Base Year plus five years). To calculate the 2029 forecast traffic flows for assessment, growth factors have been calculated and applied to the 2024 surveyed flows using the most recent DfT guidance 'Use of TEMPRO data: WebTAG Unit 3.15.2' published April 2009.

7.4.2 Traffic growth factor for 2024 to 2029 has been derived using the DfT TEMPro 8.1 computer software and the NTM AF15 dataset, for the 'Havering 028' (E02000491) Middle Super Output Area (MSOA). The future year of 2029 represents five years post submission of a planning application in line with Transport Assessment guidelines.

- Morning peak hour 2024–2029 = 1.037254
- Evening peak hour 2024–2029 = 1.037954

7.4.3 The growth factors have been applied to the base traffic flows to give 2029 background traffic flows.

7.5 COMMITTED DEVELOPMENT

7.5.1 Committed schemes are defined as developments or transport schemes which have current planning consent, but which are unimplemented or incomplete, and could in the future have a significant impact on transport conditions or the layout of the local highway network.

7.5.2 It was agreed during the Scoping discussion with LBH that the development at Plot 24 and 26 Ferry Lane should be included as a committed development. The planning portal on London Borough of Havering website has been reviewed and the following committed development has been considered in this TA:

P1492.21 – Application for full planning permission for two new industrial units providing 6,700 sqm GEA of flexible use (E(g)(iii) / B2 / B8) with parking, landscaping and associated works at Plot 24 and 26, Ferry Lane.

7.5.3 The details of the committed development have been included in Figure 8-1 of the Transport Assessment. The development details have been reviewed and the development traffic flows have been obtained. It was demonstrated in the transport reports that the committed development will not result in any southbound traffic from the site access, and therefore, there will be no traffic movements from the committed development passing the existing GRS site access on Ferry Lane. Consequently, there is no requirement to include traffic movements at the site access junction on Ferry Lane from the committed development.

7.6 TRIP GENERATION AND TRIP DISTRIBUTION

7.6.1 Vehicle trips associated with the site use are already on the highway network and have been surveyed as set out earlier in this report. The operator has confirmed that the site will continue to operate at 200ktpa and that there will be no increase in throughput. The existing trip generation has been recorded and calculated as part of the March 2024 traffic survey, of which the site in /

out vehicular movements have been identified, this includes vehicle classification. All movements recorded at the site access are associated with the use of the site and employees.

7.6.2 The observed trip generation from the traffic survey can be seen in Appendix F of the Transport Assessment. All HGVs were observed to turn right into the site and left out of the site i.e. all HGVs were travelling to/from the north.

7.6.3 Existing observed trip generation during the survey period 0700-1900hrs) is set out in **Table 5**. The results have been aggregated into HGVs (includes OGV1 and OGV2) and other vehicles (cars and LGVs).

Table 5: Site Trip Generation

Time Period	Inbound (HGVs)	Outbound (HGVs)	Inbound (Vehicles)	Outbound (Vehicles)
07:00-08:00	11	8	3	1
08:00-09:00	13	15	3	2
09:00-10:00	14	14	3	7
10:00-11:00	20	17	5	3
11:00-12:00	8	11	5	6
12:00-13:00	11	12	2	3
13:00-14:00	12	12	4	2
14:00-15:00	16	13	2	4
15:00-16:00	30	22	3	4
16:00-17:00	6	7	6	28
17:00-18:00	2	0	1	9
18:00-19:00	0	0	3	0
Total	143	131	40	69

HGVs

7.6.4 As shown in **Table 5**, the site currently generates 274 HGV two-way movements during the 12-hour period recorded. Most HGV movements occur between 0700 - 1600 hrs with the highest hourly flow recorded between 1500 - 1600 hrs.

Other Vehicle Movements

7.6.5 As shown in **Table 5**, there were 109 two-way car/LGV movements associated with the existing site. Most of these vehicle movements occur at the site between 1600 - 1700 hrs. It should be noted that employees generally arrive before 0700 hrs.

Total Trips

7.6.6 In total, the site generates 379 two-way vehicle movements per day over a 12-hour period.

Summary

7.6.7 The site is already fully operational and operating at capacity and there will be no uplift in vehicle movements. The above trip generation assessment is therefore deemed to reflect the existing and future situation accurately and robustly.

7.6.8 As a comparison, the enforcement notice dated 18th July 2022 was for the alleged material change of use of the land from use for storage (B8) to a waste management facility importing processing and exporting waste materials. Therefore, a comparison of trips has been undertaken to compare the existing site against a B8 land use (i.e. commercial warehousing).

7.7 WAREHOUSING (COMMERCIAL) (B8) TRIP GENERATION

7.7.1 The enforcement notice dated 18th July 2022 was for the alleged material change of use of the land from use for storage (B8) to a waste management facility importing processing and exporting waste materials. Therefore, a comparison of trips has been undertaken to compare the existing site against a B8 land use (i.e. commercial warehousing).

7.7.2 The details of the trip generation for a B8 use are contained in Paragraph 6.3 of the Transport Assessment. The resulting HGV and other vehicle inbound / outbound trip generation for a typical daily profile is detailed in Table 6 2.

Table 6: B8 Trip Generation

Time Period	Inbound (HGVs)	Outbound (HGVs)	Inbound (Vehicles)	Outbound (Vehicles)
07:00-08:00	1	1	8	3
08:00-09:00	1	1	12	3
09:00-10:00	1	1	7	4
10:00-11:00	1	1	5	5
11:00-12:00	1	1	7	7
12:00-13:00	1	1	7	8
13:00-14:00	1	1	7	6
14:00-15:00	1	1	4	5
15:00-16:00	1	1	5	6
16:00-17:00	1	1	5	7
17:00-18:00	1	1	5	13
18:00-19:00	1	0	5	8
Total	13	13	77	76

7.7.3 As shown in **Table 6** a B8 land-use would generate 26 HGV movements and 153 two-way vehicle movements over a comparable 12-hour period. Resulting in total trip generation of 179 two-way vehicle movements.

7.7.4 The Transport Assessment includes a detailed comparison of the potential B8 use compared with the extant use of the site. However, it can be agreed that the there is a net increase in traffic when comparing the existing site operation to a B8 land-use. Inbound and outbound total vehicle trips increase by 93 and 112 trips, respectively. The highest notable net change is between 1500-1600 hrs with an increase of 27 inbound and 19 outbound trips. However, the impact is negligible as demonstrated by the results of the junction capacity assessment.

7.7.5 Considering the junction capacity assessment results discussed later in my proof, the uplift in vehicle trips when compared to a B8 land-use is negligible and is not considered to result in any adverse impacts on the transport network.

7.8 JUNCTION CAPACITY ASSESSMENT RESULTS SUMMARY

7.8.1 The parameters for the junction capacity assessment are included in Paragraphs 9.4 and 9.5 of the Transport Assessment. The full outputs from the Junction 10 model are included in Appendix H of the Transport assessment. No allowance or discounts have been made for the alleged extant B8 land use and as such the junction assessments are a robust 'worst case' scenario.

7.8.2 The results show that the site access junction on Ferry Lane works with ample spare capacity in the 2029 future year scenario. **Table 7** summarises the results of the junction capacity assessment for the junction with the 2029 Future Year flows.

Table 7: 2029 Future Year - Junction Capacity Assessment

Arm	AM Peak (07:15 – 08:15)			PM Peak (16:00 – 17:00)		
	RFC	Queue (Vehicle)	Delay (s)	RFC	Queue (Vehicle)	Delay (s)
Ferry Lane (north)	0.07	0.1	8.32	0.03	0.0	8.62
Car Park Access	0.00	0.0	0.0	0.00	0.0	0.0
Ferry Lane (south)	0.00	0.0	12.22	0.00	0.0	0.0
GRS Site Access	0.04	0.0	11.83	0.07	0.1	6.86

7.8.3 **Table 7** demonstrates that the junction operates well within capacity in both the AM and PM peak period, in the 2029 Future Year. The junction has a maximum RFC of 0.07 on the Ferry Lane (north) and GRS site access arms. The results show that the development traffic has negligible impact on the operation of the junction.

7.8.4 Further to the above, the site is already in full operation and there will be no uplift in traffic or throughput of materials. Therefore, no additional traffic movements are expected.

7.9 HIGHWAY IMPACT AT OFF-SITE JUNCTIONS

7.9.1 It was agreed with LBH during the March 2024 scoping discussion to undertake a junction capacity assessment at the site access junction only, percentage impacts on the surrounding highway network have been calculated for information. This has been undertaken by comparing the 2024 Base year to the site traffic. **Table 8** shows the change in traffic flows at Ferry Lane / A13 dumbbell roundabouts and the percentage change when comparing 'with' and 'without' site traffic flows.

Table 8: A13 Dumbbell Junction Highway Impact (2024)

Junction	AM Peak Hour			PM Peak Hour		
	2024 Without Site Flows	Site Flows (Vehicles)	% Change	2024 Without Site Flows	Site Flows (Vehicles)	% Change
Ferry Lane Southern Dumbbell Roundabout	1681	45	2.7%	942	59	6.3%
Ferry Lane Northern Dumbbell Roundabout	1308	25	1.9%	1427	28	2.0%

7.9.2 As shown in **Table 8**, the increase in traffic at the Ferry Lane / A13 dumbbell roundabout junctions is minimal. The increase at these junctions is negligible and typical day-to-day traffic flow variations can result in larger changes. The PM peak hour trips on the southern dumbbell roundabout comprise a higher proportion of overall traffic flows compared to the AM peak and when compared to both peaks at the northern dumbbell roundabout. However, this is due to the low base flow vehicle movements recorded and does not increase vehicle flows detrimentally. It is therefore concluded that the site use does not have a 'severe' impact upon the operation of off-site junctions within the Transport Assessment study area.

7.9.3 I do not consider the impact of site traffic at the A13 double roundabout to be severe or material and as such I do not consider a traffic capacity assessment to be necessary at this location.

7.10 CONCLUSIONS ON JUNCTION CAPACITY ASSESSMENTS

7.10.1 It has been demonstrated that the Transport Assessment provides a robust assessment of the likely traffic impacts of the site operation on the surrounding highway network. It is my opinion that the existing site operation at Frog Island does not and will not in the future give rise to an unacceptable impact on highway safety, and the residual cumulative impact on the road network is not 'severe', in the context of the NPPF.

7.10.2 Also in my opinion, the junction capacity assessment demonstrates that the site can operate in a safe manner with sufficient control over throughput and vehicle movements without resulting in unacceptable impacts on the highway network. This addresses the second point raised in Reason 5 for issuing the enforcement notice.

8.0 THIRD-PARTY OBJECTIONS

8.1 BACKGROUND

8.1.1 There have been no third-party objections or complaints regarding the site operations with respect to transport, or movement of material to and from the site on Ferry Lane.

9.0 SUMMARY AND CONCLUSIONS

9.1 SUMMARY

9.1.1 The Transport Assessment prepared to assess the transport impact of the existing GRS waste recycling operation on Ferry Lane in Rainham, London Borough of Havering development has been prepared in accordance with the National Planning Policy Framework (NPPF), Planning Practice Guidance 'Travel Plans, Transport Assessments and Statements' and following the principles of The London Plan policies including TfL's Vision Zero and Healthy Streets Approach.

9.1.2 More specially, the Transport Assessment addresses item 5 of the Enforcement Notice 'Without a detailed transport assessment, which would be required to accompany any planning application, and due to the lack of control over throughput and vehicle movements, the use for waste storage and processing of building materials would result in unacceptable impacts on the highway network. The lack of adequate wheel washing facilities results in dangerous highway conditions through mud being deposited on roads. In these respects, the unauthorised use of the Land is contrary to the London Plan Policies T4, SI15 and SI16, the Local Plan Policies 23 and 31 and JWDPD Policy W5'.

9.1.3 In terms of highways and transport 'Reason 5' of the enforcement notice states:

> *'Without a detailed transport assessment, which would be required to accompany any planning application, and due to the lack of control over throughput and vehicle movements, the use for waste storage and processing of building materials would result in unacceptable impacts on the highway network. The lack of adequate wheel washing facilities results in dangerous highway conditions through mud being deposited on roads. In these respects, the unauthorised use of the Land is contrary to the London Plan Policies T4, SI15 and SI16, the Local Plan Policies 23 and 31 and JWDPD Policy W5'.*

9.1.4 The Transport Assessment provides a robust assessment of the likely traffic impacts of the site on Ferry Lane and the surrounding highway network and identifies that the site use does not give rise to an unacceptable impact on highway safety, and the residual cumulative impacts on the road network are not 'severe', in the context of the NPPF.

9.1.5 Despite the site having a low PTAL score, there are opportunities for journeys to and from the site to be made by foot, cycling and public transport.

9.1.6 The simple priority site access junction fully complies with relevant highway design standards relating to junction geometry. In addition, based on existing traffic speeds, suitable visibility splays are achievable in accordance with relevant highway design standards in both directions on Ferry Lane.

9.1.7 Analysis of the most recently available five-year period of collision data does not indicate any discernable patterns or trends. The nearest recorded collision occurred at the Ferry Lane/Coldharbour Lane roundabout resulting in a slight injury. The collision involved a child pedal cycle and an LGV.

9.1.8 The site access junction is shown to operate with significant spare capacity in 2029, inclusive of background traffic growth, committed development traffic and the GRS development traffic. The results indicate that there will be no delay or congestion at the junction. On this basis, vehicles turning right into the site will not cause blocking back onto Ferry Lane and will not cause delays.

9.1.9 I consider the site access junction to be suitable for its location, safe and capable of accommodating the traffic that will need to use it. The access fully accords with the provisions of the following policies:

- Paragraph 115 of the National Planning Policy Framework.
- Planning Practice Guidance.
- Design Manual for Roads and Bridges.
- Criteria xi) (part), xii) and xiii) of Policy W5 of the East London Joint Waste Plan.
- Policies 23 and 31 of the Havering Local Plan,
- Policies SI 1 (part), SI 8 Part E (5) (part), SI15 (part), SI16 (part) and T4 of the London Plan.

9.1.10 The impact from a small increase in vehicle trips at the A13 roundabout arising from the site is in my opinion, negligible (and thereby clearly satisfies the policy requirement of “not severe”).

9.1.11 Through the production of the Transport Assessment and this proof, it is my opinion that the matters raised in ‘Reason 5’ of the enforcement notice have been suitably investigated, considered and demonstrated that the GRS operation can be safely accommodated and without severe impact on the surrounding road network.

9.1.12 Given the above positive findings in respect of highway and transport matters, the Inspector is respectively requested that the appeal be allowed.

APPENDIX A: TRANSPORT ASSESSMENT