



C.C. Projects

Land to the East of Leeds Road and Land at Heybeck Lane, Chidswell, Dewsbury

M62 Junction 28 Junction Cumulative Assessment

Scoping Report

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0 Summary of Requirements

- 0.1 The following document considers the scope of work and methodology required to inform the definition of traffic flow scenarios necessary to assess the cumulative impact of developments on the M62 Junction 28 gyratory.
- 0.2 In addition to the request of **all parties to agree to the list of items collated in Section 6** or summarised at the end of each section in an 'actions required' list, the following **data is required**:
- **Kirklees Council to provide a list of their required cumulative significant development sites in their planning authority area**
 - **Leeds City Council to provide a list of their required cumulative significant development sites in their planning authority area**

1 Introduction

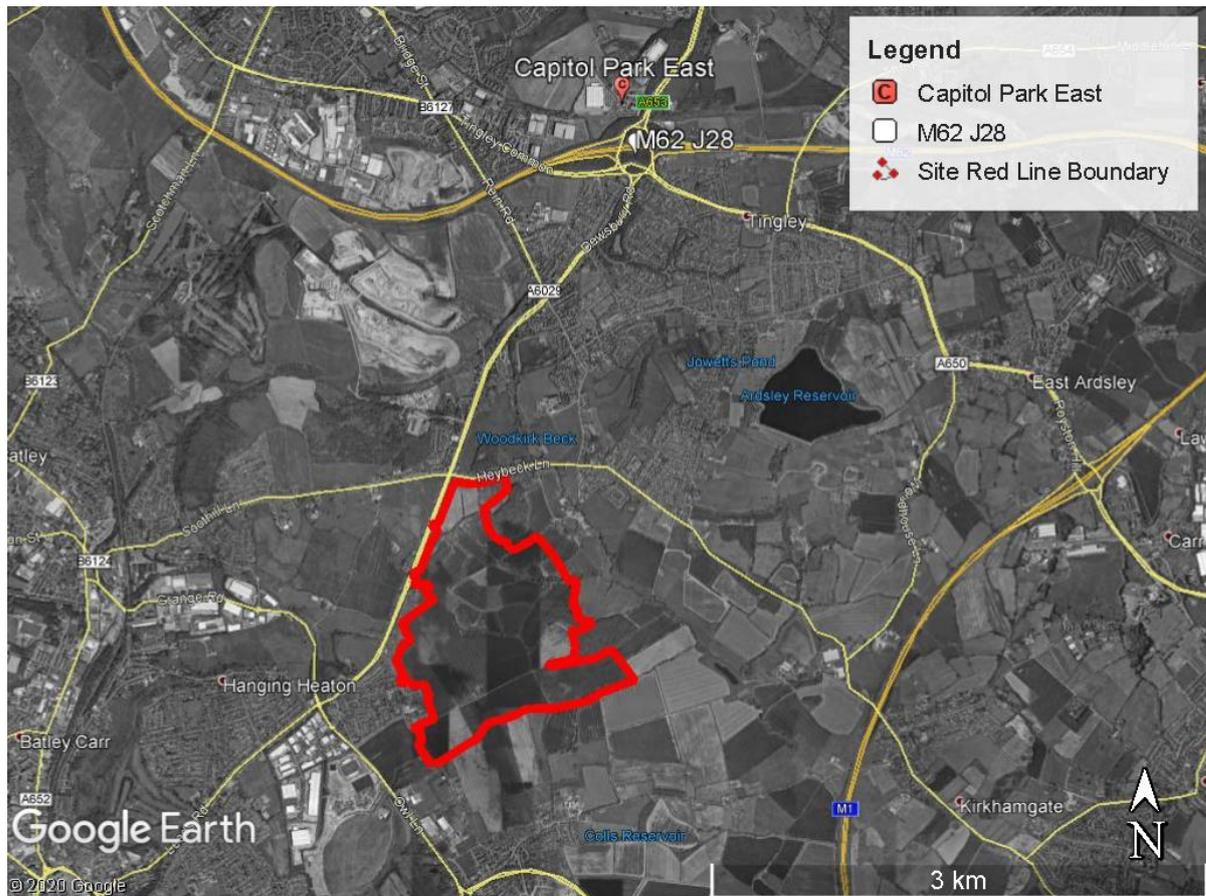
Background

- 1.1 Pell Frischmann is commissioned by C.C. Projects (referred to as the 'Applicant') to provide transport planning and highways consultancy services in connection with the Proposed Development of Land to the East of Leeds Road and Land at Heybeck Lane, Chidswell, Dewsbury (see Figure 1; Kirklees Local Plan site ID: MXS7).
- 1.2 The Proposed Development is split into two development parcels, referred to as 'Land at Heybeck Lane' (Site A) and 'Land to the East of Leeds Road' (Site B). Site A and Site B are the subject of separate outline planning applications that have been submitted in parallel to Kirklees Council (KC) in their position as the Local Planning Authority (LPA).
- 1.3 Site A, to be accessed from Heybeck Lane, is proposed to comprise up to 181 residential dwellings with associated access and landscaping. Site B, to be accessed from Leeds Road, Chidswell Lane and a new access from Owl Lane (via the adjacent site HS47 being promoted by Barratt David Wilson Homes), is proposed to comprise up to 35 hectares (ha) (equal to up to 122,500 square metres [m²]) of employment space (mixed B1(a) / B1(c) / B2 / B8 Use Classes); up to 1,354 residential dwellings (C3 use class); a new two-form entry (2FE) primary school; a new local centre (including community facilities); and associated accesses and landscaping.
- 1.4 As a part of the planning submissions, a Transport Assessment (TA) and associated documents were prepared to assess the individual and combined impacts of the Proposed Development. These documents, and the scoping documents that inform them, have been submitted to KC in their role as LPA and as Local Highway Authority (LHA). In addition to KC, Highways England (HE) are expected to review the planning applications as Highways Authority for the Strategic Road Network (SRN), which includes the nearby M1 and M62 motorways. Leeds City Council (LCC) and Wakefield Council (WC) are neighbouring local planning and local highway authorities.

Progress following Planning Submission

- 1.5 HE have raised issues with regards the future capability of M62 Junction 28 (Tingley Interchange; herein 'J28'; see Figure 1) to accommodate the cumulative effects of the Applicant's Proposed Development, the proposed development at the Capitol Park East site located to the immediate north of the junction, and other cumulative developments across the wider Kirklees/Leeds area (e.g. Land at Owl Lane, Barratt David Wilson Homes, Kirklees Planning Ref: 2019/92787, Kirklees Local Plan site ID: HS47).
- 1.6 A series of scoping discussions with key stakeholders including KC, HE, LCC and Sterling Capitol (the applicant for the Capitol Park East proposed development; see Figure 1) were undertaken towards the end of 2019 and during the first half of 2020. Agreement was reached that an assessment of the impact of all cumulative schemes (including those of the both applicants) would be undertaken to assess the need for mitigation at the junction and identify the scale and apportionment of any costs arising from such interventions. However, the Applicant's (C.C. Projects') preferred approach of jointly appointing an independent third-party to undertake the assessment was not agreed to by Sterling Capitol. Therefore, C.C. Projects will be undertaking its own assessment.

Figure 1: Location of applicants' proposed developments relative to M62 J28



- 1.7 The first stage of such an assessment involves a review of the relevant cumulative developments to produce a definitive and agreed list of sites to consider, to then collate traffic generation for those sites, and finally to use that data to produce traffic flow forecasts which can be combined with baseline data to produce future traffic flow forecasts. This document details the proposed scope of this assessment stage.
- 1.8 Subsequent stages of assessment will involve analysis of the junction operation using traffic modelling tools (specifically TRANSYT) in the context of the current junction operation and forecast future traffic flows, identification of appropriate mitigation scheme(s), identification of the cost implications of such schemes. Each stage will be scoped individually as they become relevant and are outside the scope of this document.

Report Structure

- 1.9 Each section of the report features “agreement required” items. These are key assumptions, methodological points, or proposed actions which we believe that definition and agreement at this stage will avoid abortive work in the future and will establish an agreed process through which the J28 assessment can be undertaken in a robust and acceptable manner.
- 1.10 The report is divided into logical parts as follows:
 - **Section 0:** introduces the report
 - **Section 2:** defines the scenarios to be used in the subsequent analysis and their rationale.

- **Section 3:** defines the process and assumptions relating to background growth forecasts but excluding relevant cumulative developments in the KC and LCC local planning authority areas, and excluding the applicants' proposed developments.
- **Section 4:** defines the processes and assumptions relating to cumulative developments in the KC and LCC local planning authority areas (excluding the applicants' proposed developments).
- **Section 5:** summarises the data sources for the applicants' proposed development.
- **Section 6:** collates all actions required to enable the assessment to proceed.

2 Scenarios

- 2.1 Appropriate traffic forecasts will depend on defined and agreed scenarios which are common to all those involved in the assessment. This section considers the years and relevant scenarios which should be collated, presenting reasoned items for agreement by the relevant parties.

Base Year Definition

- 2.2 Base year traffic flows are the scenario from which all subsequent scenarios are derived. The base year should be based on actual and representative surveyed data.
- 2.3 The Applicant's Proposed Development's TA is based on survey data collected in March 2019 which is considered representative for the survey area which it covers. However, J28 was nearing the end of a capacity enhancement and as such, HE do not consider that this survey is specifically representative of the post-upgrade situation at J28.
- 2.4 In discussion with HE, the Applicant commissioned a traffic survey which included J28 and was undertaken on 7th November 2019. Data collected has been circulated to the interested parties for information.
- 2.5 HE completed a traffic survey programme for J28 in late October 2019, as this survey data post-dates the recent capacity upgrade, is consistent with the Applicant's TA base year, and is considered acceptable to HE, **we propose that this late-2019 data is defined as the base year scenario.**

Future Year Definition

- 2.6 The Kirklees Local Plan is the statutory development plan for the KC administrative area (excluding the Peak District National Park¹) and sets out the strategies, policies and sites expected to contribute to growth in Kirklees. It was adopted in 2019 and covers the period 2013 to 2031.
- 2.7 The Leeds Local Plan set out the equivalent strategies, policies and sites expected to contribute to growth in the LCC administrative area. The Core Strategy (which forms a part of the Local Plan) was originally adopted in 2014 and was updated in 2019 following a Core Strategy Selective Review. The Local Plan covers policy through to 2028 and, following the review, revised housing allocations for the period 2017 through 2033².
- 2.8 The Applicant's Proposed Development is currently at the outline level of planning, but for the purposes of the assessment of the impact of the Proposed Development detailed in the TA, the complete and operational future year for the Proposed Development was defined as

¹ It is not expected that growth in the Peak District National park will be of any substantive volume or impact related to J28.

² Though the particulars of the level of housing allocation have been (in part) the subject of recent judicial review (decided June 2020), the relevant time period extent is unaffected by any potential subsequent changes. See also Section 4.

2030. This also coincides with the future year for the KC SATURN highway model which was used to establish growth forecasts and was a key input to the KC Local Plan³.

- 2.9 HE's Road Investment Strategy (RIS) is planned and delivered on a (currently) 5-year cycle. RIS 1 ran from 2015 to 2020; RIS 2 is now in progress and runs from 2020 through to 2025. RIS 3 is therefore anticipated to run for the period 2025 through 2030. Generally, schemes are developed through one RIS cycle and delivered in the next. Consequently, a scheme developed as a result of this impact assessment process could therefore be expected to be delivered in RIS 3, i.e. by 2030.
- 2.10 As the growth in traffic through J28 is primarily driven by Local Plan development in the KC and LCC areas, it is logical to use the horizon years of the Local Plans as the determinant of future year traffic forecasts, 2031 and 2033 respectively. On balance, where in the year beyond the KC Local Plan (2032) further development could have occurred, the last parts of the LCC Local Plan may be yet to have been delivered and these are likely, to an extent, to counterbalance one another. **We therefore propose a future traffic forecast year of 2032**, in which it is assumed that the full Local Plans of both KC and LCC have been delivered.

Proposed Scenarios

- 2.11 The following traffic flow scenarios are therefore proposed for agreement:
- **2019 base year:** AM and PM neutral weekday peak survey traffic flow (and signal operation) data collected by HE for J28 in October 2019. See above in Section 2.
 - **2032 future year 'Background':** AM and PM neutral weekday traffic flow based on 2019 base year data with growth factors applied to increase background traffic to expected future levels. See Section 3. This scenario will exclude defined committed developments and the applicants' proposed developments.
 - **2032 future year 'With Development':** AM and PM neutral weekday traffic flow based on 2032 future year 'Background' traffic flows with agreed cumulative development flows (see Section 4) and the applicants' proposed developments (see Section 5) added.
- 2.12 The traffic flow scenarios build upon on one another. This build-up is alternatively summarised in Table 1.

³ The KC SATURN model future year is defined as 2030 however represents 2030 inclusive of that year's background growth (i.e. end 2030) and all Local Plan growth (i.e. 2031).

Table 1: Build-up of traffic flow scenarios

Scenario	Base data year	Future background growth factors applied to base year data	Cumulative trip generation including: KC sites, LCC sites, and the applicants' sites
2019 base	✓		
2032 future: 'Background'	✓	✓	
2032 future: 'With Development'	✓	✓	✓

2.13 As each stage of traffic build-up is likely to result in an increase in flows at J28, it is anticipated that mitigation may become necessary to ensure the junction continues to operate acceptably. Once modelling for each of the flow scenarios is completed, a mitigation scheme (if necessary) will be designed and this can be tested with the relevant traffic flows. As noted, this methodology is outside the scope of this document.

Actions Required

- Agreement of all parties to base year of 2019 (based HE surveys of October 2019)
- Agreement of all parties to future year of 2032 (based full extent of KC and LCC Local Plan growth plans)
- Agreement of all parties to the total of 6 traffic flow scenarios (i.e. weekday AM and PM peaks for each of the 3 specified scenarios).

3 Background Traffic Growth

- 3.1 Given the timescales of the planning processes for the applicants' proposed developments, that there are no significant strategic structural changes to the Strategic Road Network proposed in the area, and that the assessment process is focussed upon a single junction (J28), it is not proposed that an area-wide strategic model be produced. **It is therefore to be assumed that there are no strategic changes in background traffic distribution at the junction in the future.**
- 3.2 Background traffic growth between a base and future year generally includes: the increase in traffic due to new/cumulative development both locally and more widely; and for changing propensity to travel due to changes in demographics and other factors. The central Department for Transport assumption for this future growth in demand is accounted for in the TEMPRO/NTEM (National Trip End Model) forecasts.
- 3.3 In addition to the use of TEMPRO being common industry practice, we consider that such a growth forecast will result in a robust 'worst case' estimation of future growth. In addition to TEMPRO commonly being considered to 'over-predict' future flow increases, the emerging COVID-19 pandemic may lead to long term changes in transport behaviour (such as increased home working, reduced 'High Street' retail patronage, reduced business travel, and long term growth reduction) which will not be captured in any current TEMPRO forecast (or underlying model).
- 3.4 **It is proposed that TEMPRO-derived growth factors (for the blended combination of the KC and LCC local authority areas) provide the basis for robust and 'worst case' future growth forecasts.**
- 3.5 As cumulative development in the KC and LCC areas is to be accounted for specifically through this assessment process (See Section 4), the future TEMPRO growth forecast will need to exclude them. This is achieved by applying 'alternative planning assumptions' to the future trip end growth forecasts produced by TEMPRO to remove the influence of the defined cumulative developments from the NTEM on the basis of forecast household and job numbers (see Department for Transport, Transport Appraisal Guidance Unit M4: para 7.3.7 and Box 2). Future trips due to those excluded developments are then assigned to the junction manually in line with the local planning distribution assumptions (i.e. the process identified in Section 4). **Cumulative developments in the KC and LCC authority areas, and the applicants' developments, will be removed from the TEMPRO growth forecasts using TEMPRO 'alternative planning assumptions'.**
- 3.6 Once the principle of the foregoing is agreed, the above will be undertaken as a discrete exercise (outputs to be agreed/approved at that time) following the definition of the cumulative developments to be considered, and the key details collated.

Actions Required

- Agreement of all parties to an assumption of no underlying change in strategic traffic distribution in the future.
- Agreement of all parties to the principle of the use of TEMPRO-derived growth factors for the blended KC and LCC local authority areas.
- Agreement of all parties to the principle of the use of TEMPRO 'alternative planning assumptions' to discount applicants' and cumulative development growth from TEMPRO-derived growth factors.

4 Cumulative Developments

Extent of Coverage

- 4.1 Cumulative developments are defined in this assessment as those developments occurring between the base and future years which will be reasonably expected to add new traffic flows to J28. The specific sites will need to be agreed (see below), but it would be expected that these sites will be broadly coincident with the largest of the Local Plan site allocations for each of KC and LCC Local Plan areas, though see below. As discussed in Section 3, growth from the smallest sites, and/or any major developments for areas outside the KC/LCC areas, are assumed to be captured by the TEMPRO-derived background growth forecasts. **Cumulative developments will therefore be limited to those in the KC and LCC authority areas.**
- 4.2 A High Court judgement⁴, decided in June 2020, found in favour of a legal challenge against LCC's Site Allocation Plan (SAP) due to a large number of Green Belt site allocations that were considered by LCC to be required to enable substantial housing growth. Legal remedy has yet to be determined but the result of this review, combined with a reduction in the level of housing growth expected in LCC over the SAP period, means that the number and location of cumulative sites expected to be within the LCC Local Plan area is now likely to be substantially changed and reduced.
- 4.3 The applicants' proposed developments are considered in Section 5.

Consideration Methodology: Sites in planning system

- 4.4 A proportion of identified cumulative development sites will have had some interaction with the planning system through one (or both) of KC or LCC. This will include sites with existing planning permission that had not been built out prior to the base year surveys, and sites with rejected planning permission that remain allocated sites (and are therefore likely to come forward again in a similar manner and/or were rejected for reasons not bearing on the transport outputs).
- 4.5 **For each cumulative development that has interacted with the planning system the following process is proposed:**
- **Identification of the planning application(s) applicable to the given site.**
 - **Review of the relevant planning documentation to identify, in turn:**
 - **The quantum of development:** this will be specified by the given site's promoter/applicant.
 - **Agreed trip generation:** this will (most likely) have been determined prior to planning submission and is likely to have been TRICS-derived in line with standard industry practice and comparable local sites.
 - **Agreed mode share (so as to isolate road vehicle trips):** this will likely have been determined from Census data, but may also be from survey data relevant to the site, or other agreed planning assumptions.

⁴ <http://www.landmarkchambers.co.uk/wp-content/uploads/2020/06/Airborough-Approved-Judgment.pdf>

- **Agreed road vehicle trip distribution:** this may have been determined from Census data, or from other relevant local data, or from other agreed planning assumptions.
- **Isolate those trips which interact with J28:** the foregoing will allow those trips which use J28 to be determined and added to the future year 'With Development' scenario.

4.6 **It is assumed that agreed site-specific details and agreed planning methodologies represent the best available information for a given site.** However where relevant planning documentation is unavailable, or where it is of insufficient detail, is an item in dispute or is likely to substantively change, the process for 'Sites not in planning system' below will be followed instead.

Consideration Methodology: Sites not in planning system

4.7 It is likely to be the case, given the duration between time of writing and the future forecast year, that the majority of cumulative developments to be considered will not be sites which have already had proposals in or through the planning system. A pre-emptive trip generation and distribution exercise is therefore required.

4.8 **For each site that is not in the planning system, the following methodology is proposed:**

- **Quantification of an appropriate quantum of development:**
 - Where sites are Local Plan allocations this will likely already be broadly defined, alternatively there may be an otherwise obvious determinant of scale of use; e.g. site area for outdoor leisure use.
 - Where such information is not available, a proposed use type and level of development will be proposed (based on site area, appropriate development density and type, etc.) and the relevant local planning authority will be required to agree (or if preferred, define) the use and quantum and density of development they wish to be assumed for planning purposes.
- **Agree trip generation:** Based on use type and location, a generalised trip rate will be applied based on the above quantum of development. In line with usual practice, a TRICS-based trip rate calculation will be undertaken. As TRICS-based calculations are undertaken using comparable site use types (e.g. residential private flats, residential affordable⁵ housing) and areas (e.g. town centre, edge-of-town etc.), it is expected that comparable sites will share comparable trip rates. Once a list of sites is identified, categorisation of sites into comparable trip rate categories will be the subject of a separate exercise.
- **Agree mode share:** Mode share estimates will be determined based on representative 2011 Census Journey to Work data for up to three broad areas (comprised one or more relevant MSOAs) within each authority area as required (i.e.

⁵ Unless otherwise specified by nature of the site, affordable proportion of provision will be assumed equivalent to the prevailing local policy requirement (Kirklees Local Plan Policy LP11 / Leeds Local Plan Policy H5)

to a total of no more than six areas⁶). This will only be undertaken where relevant for a given site and in reality it is expected that the agreed list of sites will be constrained to the area between Leeds and Dewsbury, and to each of Leeds and Dewsbury themselves, limiting the scale of this exercise. The estimations will be agreed following the definition of sites to be considered.

- **Agree road vehicle trip distribution:** Estimated road traffic generated by a site will be routed on the highway network using the relevant 2011 Census Journey to Work data (noted above) origin/destination proportions with distribution exercises undertaken for each of the same broad areas identified in the mode share stage. This will be undertaken to the same extent as for the mode share estimation (i.e. to a total of no more than six distributions but likely less).
- **Isolate those trips which interact with J28:** the foregoing will allow those trips which use J28 to be determined and added to the future year 'Cumulative' scenario.

4.9 Each step of the process will be tabulated and circulated to all parties for review, verification and agreement.

Actions Required

- Agreement of all parties that cumulative developments will only be considered for sites in the KC and LCC authority areas.
- Provision by KC of a list of required cumulative development sites in the KC local planning authority area.
- Provision by LCC of a list of required cumulative development sites in the LCC local planning authority area.
- Agreement of all other parties to each of the given local planning authority's list of significant cumulative development sites.
- Agreement of all parties to the principle that sites with planning system interactions (where these are not in dispute) generally provide the best available information for use in this assessment process, and that where available, these be preferentially used for a given site. The usage of such (or not) will be agreed on a site-by-site basis, with the relevant local planning authority having the ultimate authority for each site.
- Agreement of all parties to the principle that sites with no (or with unacceptable or insufficiently detailed) planning system interactions will be subject to a standard-practice trip generation / mode share / trip distribution exercise (as detailed above), with sites to be broadly categorised in up to no more than 6no separate areas (comprised no more than 3no areas per local planning authority) of comparable mode share / trip distribution patterns (based on 2011 Census Journey to Work data).
- Agreement of all parties that affordable residential proportion of provision will be assumed equivalent to the prevailing local policy (Kirklees Local Plan Policy LP11 / Leeds Local Plan Policy H5).

⁶ These are likely to be: the area between Leeds and Dewsbury (in each authority area), Leeds itself, Dewsbury itself, and each of the wider remaining parts of the given authority's area.

5 Proposed Developments

- 5.1 Ultimately, the junction assessment exercise for M62 J28 is being undertaken to ascertain the level of impact from each of the cumulative developments (including those of the applicants), both overall and relative to one another, to determine the appropriate intervention required to ensure the junction continues to operate acceptably in the future and to determine the allocation of costs arising from these interventions.
- 5.2 As each of the applicants' proposed developments are in a known state, in order to achieve the foregoing, the traffic flow contribution for each development will be collated as follows:
- 5.3 Applicant's Proposed Development: Land to the East of Leeds Road and Land at Heybeck Lane, Chidswell, Dewsbury: Quantum (and land use types) of development, trip generation, mode share estimation and trip distribution were determined as a part of the outline planning applications and submitted to KC in the form of a Transport Assessment. We propose that this process and outputs is retained with data extracted for this assessment process in line with the 'Sites in planning system' process established in Section 4.
- 5.4 Sterling Capitol's proposed development: Capitol Park East: Quantum (and land use types) of development, trip generation, mode share estimation and trip distribution have been determined in anticipation of planning submission and are collated in the form of a Transport Assessment (and supporting materials). We propose that this process and outputs is retained with data extracted for this assessment process in line with the 'Sites in planning system' process established in Section 4.

Actions Required

- Agreement of all parties that the Transport Assessment (and associated documentation) related to the Applicant's Proposed Development is acceptable with regard to trip generation estimates, mode share estimates, trip distributions and therefore development uplift flows for the future scenarios in which the complete and operational development is included.
- Agreement of all parties that the Transport Assessment (and associated documentation) related to Sterling Capitol's proposed development is acceptable with regard to trip generation estimates, mode share estimates, trip distributions and therefore development uplift flows for the future scenarios in which the complete and operational development is included.
- Agreement of all parties that no further adjustments are necessary or proposed for development trips relating to the applicants' proposed developments.

6 Next Steps

6.1 The next steps are to begin to undertake the above scope of work on a step-by-step basis. At each stage, a technical note / report will be produced summarising the work completed for agreement of all parties, with tabulations / diagrams of relevant data as they are determined. This will ensure that momentum is maintained, and that abortive work is avoided.

6.2 Each of the foregoing sections ends with an 'actions required' summary of the key points of that section. The below collates the **actions required**:

- **Scenarios:**
 - Agreement of all parties to base year of 2019 (based HE surveys of October 2019)
 - Agreement of all parties to future year of 2032 (based full extent of KC and LCC Local Plan growth plans)
 - Agreement of all parties to the total of 6 traffic flow scenarios (i.e. weekday AM and PM peaks for each of the 3 specified scenarios).
- **Background traffic growth:**
 - Agreement of all parties to an assumption of no underlying change in strategic traffic distribution in the future.
 - Agreement of all parties to the principle of the use of TEMPRO-derived growth factors for the blended KC and LCC local authority areas.
 - Agreement of all parties to the principle of the use of TEMPRO 'alternative planning assumptions' to discount applicants' and cumulative development growth from TEMPRO-derived growth factors.
- **Cumulative developments:**
 - Agreement of all parties that cumulative developments will only be considered for sites in the KC and LCC authority areas.
 - Provision by KC of a list of required cumulative development sites in the KC local planning authority area.
 - Provision by LCC of a list of required cumulative development sites in the LCC local planning authority area.
 - Agreement of all other parties to each of the given local planning authority's list of significant cumulative development sites.
 - Agreement of all parties to the principle that sites with planning system interactions (where these are not in dispute) generally provide the best available information for use in this assessment process, and that where available, these be preferentially used for a given site. The usage of such (or not) will be agreed on a site-by-site basis, with the relevant local planning authority having the ultimate authority for each site.
 - Agreement of all parties to the principle that sites with no (or with unacceptable or insufficiently detailed) planning system interactions will be subject to a standard-practice trip generation / mode share / trip distribution exercise (as detailed above), with sites to be broadly categorised in up to no more than 6no separate areas (comprised no more than 3no areas per local planning authority) of comparable mode share / trip distribution patterns (based on 2011 Census Journey to Work data).
 - Agreement of all parties that affordable residential proportion of provision will be assumed equivalent to the prevailing local policy (Kirklees Local Plan Policy LP11 / Leeds Local Plan Policy H5).

- **Proposed developments:**

- Agreement of all parties that the Transport Assessment (and associated documentation) related to the Applicant's Proposed Development is acceptable with regard to trip generation estimates, mode share estimates, trip distributions and therefore development uplift flows for the future scenarios in which the complete and operational development is included.
- Agreement of all parties that the Transport Assessment (and associated documentation) related to Sterling Capitol's proposed development is acceptable with regard to trip generation estimates, mode share estimates, trip distributions and therefore development uplift flows for the future scenarios in which the complete and operational development is included.
- Agreement of all parties that no further adjustments are necessary or proposed for development trips relating to the applicants' proposed developments.

6.3 We therefore submit the above to all interested parties for their agreement as appropriate. Where there are matters which are not considered acceptable, we request alternative appropriate proposals to ensure that work on the J28 assessment process can continue in a timely manner to the acceptance of all. We welcome further discussion as a part of our ongoing process of engagement with all parties.