

## Director Low Carbon Economy

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Your ref:

Our ref: M9 Winchburgh Junction  
Scheme

Date: 7<sup>th</sup> October 2021

Dear Roy

### **THE ROADS (SCOTLAND) ACT 1984 AND THE ACQUISITION OF LAND (AUTHORISATION PROCEDURE) (SCOTLAND) ACT 1947 M9 WINCHBURGH JUNCTION SCHEME**

#### **THE SCOTTISH MINISTERS' DECISION**

##### **1. Introduction**

1.1. This letter contains the Scottish Ministers' decision on the draft Orders listed below at paragraph 2.4 in connection with the proposed M9 Winchburgh Junction Scheme.

1.2. Having considered the reasons put forward for this Scheme, the objections made against the draft Orders, and the answers given to the outstanding objections, the Scottish Ministers are satisfied that the holding of a Public Local Inquiry (PLI) is not necessary and that the Orders should be made with the modification and condition described below.

##### Modification

As agreed between Network Rail Infrastructure Limited and Winchburgh Developments Ltd the alignment of the Extinguishment of Public Right of Way Order shall be modified to reflect a minor change to the alignment from that previously published.

1.3. The following condition shall also be required by Scottish Ministers to ensure that the environmental commitments are implemented and delivered as part of the M9 Winchburgh Scheme.

##### Condition

Scottish Ministers shall require that the commitments and mitigation measures contained in the Environmental Impact Assessment Report (EIAR) will form a requirement of the Construction Contract and Minute of Agreement between Scottish Ministers and Winchburgh Developments Limited.

## 2. Background

2.1. The proposed junction has been a longstanding and integral component of a wider Winchburgh Masterplan development and is directly linked to the progression of this development, which involves the urban expansion around the village of Winchburgh that has received outline planning consent from West Lothian Council (WLC).

2.2. The proposed junction is regarded as a strategic element of this Masterplan and will aim to provide an efficient connection between the local and trunk road networks, to serve the expanding Winchburgh development which will bring the following benefits to the area:

- At least 3,800 homes including 750 affordable homes, of which 450 will be for social rent to address the critical shortage of housing in the area.
- Together with the schools, support around 550 FTE construction jobs at a time of economic need.
- Long-term employment opportunities both through the creation of a 40-acre industrial park and through new retail and leisure facilities estimated to deliver more than 5,000 FTE jobs.
- Delivery of green, open spaces with recreational, amenity and ecological functions such as the 78-acre Auldcaithie Park, Daisy Park and a new marina on the Union Canal.
- Further rail, road, park and ride, canal, pedestrian and cycle access routes.

2.3. The Scheme is being promoted for the Developer, Winchburgh Development Limited by Transport Scotland (the Promoter), who are an agency of the Scottish Government. It consists of a new grade separated junction on the M9 motorway, formed around the existing B8020 underbridge at Duntarvie, Winchburgh; and includes four new slip roads, two new roundabouts, and a section of local road realignment.

2.4. The undernoted draft Orders and Environmental Impact Assessment Report (EIAR) which included a Non-Technical Summary for the proposed M9 Winchburgh Scheme were published on 20<sup>th</sup> August 2020:

- The M9/A9 Trunk Road (Winchburgh Junction 1B at the B8020) Special Road Scheme 202[ ]
- The M9/A9 Trunk Road (Winchburgh Junction 1B at the B8020) (Special Road) (Side Roads) Order 202[ ]
- The M9/A9 Trunk Road (Winchburgh Junction 1B at the B8020) (Extinguishment of Public Rights of Way) Order 202[ ]

2.5. The associated notices were published in the Scotsman and West Lothian Courier on 27<sup>th</sup> August and the Edinburgh Gazette on 28<sup>th</sup> August 2020 respectively.

2.6. Due to restrictions associated with the prevention of spread of the Coronavirus and in accordance with the Coronavirus (Scotland) Act 2020, Schedule 6 Part 3, para 9, the documents were not made physically available for public inspection.

2.7. All documents were available for viewing on the Transport Scotland's website.

2.8. Notification of the Scheme and the publication of the draft Orders was posted on the Transport Scotland Facebook page and Twitter account. The Developer of the Winchburgh Development Scheme and the Local Authority also posted links to the notification of the draft documents via their social media platforms. A further Facebook post and retweet was posted towards the end of the objection period.

2.9. The statutory 6 week objection period ran from 27<sup>th</sup> August until 8<sup>th</sup> October 2020. An extension was allowed to capture any postal objections that may have been received but were delayed due to Coronavirus protocols associated with mail opening.

### **3. Objections and Representations**

3.1. Following the end of the statutory objection period, which ran for six weeks from 27<sup>th</sup> August to 8<sup>th</sup> October 2020, three statutory and thirty-four non-statutory objections were received, along with seven letters of support and twenty-four general comments on the Scheme.

### **4. Consultations**

4.1. Following consultations by Transport Scotland with all of the objectors, the three statutory and two non-statutory objectors withdrew their objections, leaving thirty-two non-statutory objections remaining outstanding.

4.2. It is understood that all efforts have been made by Transport Scotland to resolve the thirty-two non-statutory objections. However, they remained outstanding and unresolved, and for these reasons it has been necessary for Scottish Ministers to undertake a full and detailed review of all the correspondence in relation to these objections and make a decision in relation to the requirement for a PLI and whether the draft Orders should be made.

4.3. Scottish Ministers have assessed the outstanding non-statutory objections to the proposed Scheme, and correspondence to date, and considered the following options:

- i) to hold a PLI to consider the thirty-two non-statutory objections made but not withdrawn and making recommendations to the Scottish Ministers on these; or
- ii) dispensing with the need for a PLI and proceeding with making the Orders for the proposed Scheme, with or without modification.

4.4. Scottish Ministers have duly considered the written objections, the responses given and the additional information provided by all parties, and concluded this is sufficient to allow Ministers to reach a balanced and informed decision as to whether or not a PLI would be beneficial in reaching a decision on the proposed Scheme.

### **5. Non-statutory objections (outstanding)**

5.1. All thirty-two non-statutory objections have been reviewed and been summarised in the attached Appendix A under the subject areas below with the following headings General Areas of Objection(s) along with a Summary of the Promoter's Response and the considerations by Ministers.

- National Transport Strategy
- Traffic Impacts on Surrounding Area
- Climate Change
- Environmental Impact Assessment Report
- New Railway Station at Winchburgh
- Scheme and Roundabout Designs
- Active Travel Provisions
- Public Consultations

5.2. Under the Roads (Scotland) Act 1984, Ministers are required to consider any objections to draft Orders and, excepting where objections are received from certain categories of objector, may deal with the objections without holding a PLI if satisfied in the circumstances of the case it is not necessary.

5.3. None of the outstanding objections are from a class of objector or body that would make the holding of a PLI Mandatory.

## **6. Consideration of the need for a PLI by Scottish Ministers**

6.1. Having undertaken a full review of the representations received from the thirty-two outstanding non-statutory objections and the correspondence from Transport Scotland, we believe that the content of those written objections and the responses given by Transport Scotland is sufficient to allow Ministers to reach a balanced and informed decision that a PLI is not necessary in the circumstances of the case.

6.2. Any decision not to hold a PLI could be challenged by a judicial review. Such a challenge could be successful if it could be shown that the decision was unreasonable, irrational or unlawful. We consider our decision is reasonable and lawful on the basis that a PLI would not be likely to elicit any further information that would assist Ministers in coming to a decision on this matter.

6.3. It is further considered that the proposals for the proposed Scheme are robust and the topics of objection have been fully addressed by Transport Scotland in their respective responses to the objectors.

## **7. The Scottish Ministers' Decision on whether the Orders should be made**

7.1. Having determined that a PLI is not necessary, the Scottish Ministers have gone on to decide whether the Orders should be made, with or without modification. In making their decision Scottish Ministers have carefully considered:

- the need and justification for and the likely environmental impact of the Scheme;
- the objections to the draft Orders which were made and not withdrawn; and
- the responses given to the outstanding objections by the Promoter.

7.2. Having fully considered the issues which have been raised by the thirty-two non-statutory objectors and Transport Scotland's responses to these, Scottish Ministers are satisfied that the Orders should be made with the minor modification and condition above in 1.2 and 1.3.

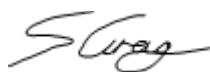
## **8. Information regarding the right to challenge the validity of the decision**

8.1. The foregoing decision by the Scottish Ministers is final but any person wishing to question the validity of the decision, under the provisions of Schedule 2 to the Roads (Scotland) Act 1984, may do so by application to the Court of Session. Such an application must be made within 6 weeks of the date on which the notice of the making of the Orders is first published.

8.2. Letters containing this decision will be sent to all the outstanding non-statutory objectors and those who expressed an interest in the Scheme during the consultation and draft Orders publication periods.

8.3. Finally, you are asked that this decision letter be made available on the Transport Scotland website and that paper copies may be obtained by e-mailing [SpecialProjects@gov.scot](mailto:SpecialProjects@gov.scot).

Yours sincerely

A handwritten signature in black ink, appearing to read 'Stuart Greig', written in a cursive style.

**Stuart Greig**  
Director

## **APPENDIX A**

### **GENERAL AREAS OF OBJECTION(S); SUMMARY OF PROMOTER'S RESPONSE; AND CONSIDERATIONS**

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## 1. NATIONAL TRANSPORT STRATEGY

### 1.1. General Areas of Objection(s)

- It is a direct contradiction to this national strategy especially chapter 4 which states; "Importantly, overarching all the Policies, to address the challenges and achieve the Priorities we will embed the Sustainable Travel Hierarchy in decision making by promoting walking, wheeling, cycling, public transport and shared transport options in preference to single occupancy private car use for the movement of people.
- The conscious ignorance of the Scottish Government National Transport Strategy and the Winchburgh Development Masterplan.
- This proposal is in direct contradiction to the sustainable transport hierarchy that is supposedly championed by the Scottish Government.

### 1.2. Summary of Promoter's Response

The Promoter in their response has confirmed that Transport Scotland is committed to the National Transport Strategy (NTS) in delivering a sustainable, inclusive, safe and accessible transport system, helping deliver a healthier, fairer and more prosperous Scotland for communities, businesses and visitors.

The Promoter has also highlighted that the Scottish Government is committed to delivering a step-change in its transport system and how we consider the need to travel. The Promoter asserts that by 2032, there will be no need to buy a new petrol or diesel car, and almost all of our passenger railways will be decarbonised. Our innovative and well-connected public transport network will mean more individuals opting for sustainable transport as their first choice. In addition, the Promoter goes on to say, the Scottish Government are committed to reducing the kilometres driven by car by 20%, complemented by their commitment to develop a Work Local Programme, supporting flexible, remote and local working to drive the establishment of walkable and liveable 20-minute neighbourhoods. The Promoter has also indicated that the Scottish Government is investing £500 million in active travel, which seeks to transform the way we move around, ensuring accessibility to bikes and e-bikes, and delivering high quality walking, wheeling and cycling infrastructure.

The Promoter in their response has provided a web-link to the Winchburgh Masterplan proposals in which the following statement in relation to active travel provisions is made. *“ Our plans also include core path networks for pedestrians, cyclists and equestrians, which will connect the Winchburgh community through its new green spaces including Auldcaithie District Park and Daisy Park. This network will connect into the national cycle route 754 along the Union Canal which will provide a direct 15-mile cycle route into the centre of Edinburgh. We'd stress that development of the wider cycle path network outside of the Winchburgh masterplan is heavily dependent on the planned sequence of path works that the masterplan is now delivering.”*

The following statement is also given *“ While the completion of the M9 junction will be critical in enabling us to deliver the full scope of the Masterplan, including the delivery*

*of new greenspaces, and the marina, it's important to remember that it is also key to unlocking improvements to further transport connections as well."*

In addition to the above, the Promoter has also highlighted that the Winchburgh Masterplan proposals include enhanced bus services and a new rail station. These plans are currently being developed by the Developer, Winchburgh Developments Ltd, in liaison with Transport Scotland, West Lothian Council, Network Rail, SESTRANS and bus operators. The enhanced bus services will involve the provision of more frequent services such as on the First Bus X38 route, which is the existing direct public transport service into Edinburgh. The Promoter has confirmed that, overall Winchburgh Developments Ltd are contributing £500,000 (indexed from 2010) towards enhanced public transport provisions.

### **1.3. Considerations**

Transport policy has changed substantially since the inception of this development, and the master planning stage. It is for the planning system, not the Orders process, to balance competing planning policy areas and determine whether on balance the development should progress and how this should be supported in transport terms.

The National Transport Strategy 2 (NTS2) acknowledges, that whilst alternative modes of transport to car use must be encouraged, we also need to accept that car ownership is not a luxury but a necessity for many living and working in rural areas. For this reason, the Strategy takes a realistic and staged approach to the use of vehicles in rural areas that recognises the practical realities of travel in many rural areas.

Winchburgh is a rural village in West Lothian, and the development at Winchburgh can be considered rural in its location. The Promoter has explained that the Scottish Government is committed to delivering a step-change in its transport system and how we consider the need to travel. By 2030, there will be no need to buy a new petrol or diesel car, and almost all of our passenger railways will be decarbonised. The new M9 Junction will be critical for the delivery of the new railway station and park & ride facilities that will help to deliver a well-connected public transport network in line with the NTS2 for individuals choosing sustainable transport as their first choice.

In relation to the Sustainable Travel Hierarchy within the NTS2, the NTS2 promotes a transport system that will be designed with sufficient walking and cycling options to help us become a healthier, more active and fitter nation and tackle medical problems caused by poor levels of activity. It will also reduce the adverse impact on our air quality and the risks from diseases this causes.

The NTS2 also recognises that travel by bus is a key element of the Sustainable Travel Hierarchy. It is the dominant public transport mode, accounting for three quarters of all public transport trips. It is particularly important to areas which are not served by the rail network, including much of rural Scotland. It can be an important element in multi-modal journeys, for example, as part of the first or final mile of a longer train journey. It also tends to be more active than a car journey as travelling by bus typically involves a walk to or from the bus stop.



Under the Masterplan proposals, there are plans for enhanced bus services and a new rail station, which are currently being developed. The proposed new M9 Junction will be critical in enabling the Developer to provide an enhanced bus service that will involve the provision of more frequent services such as on the First Bus X38 route, which is the existing direct public transport service into Edinburgh. The Promoter has clarified the intention of the £500,000 (indexed from 2010) Section 75 developer contribution, which is to fund public transport improvements out with the development site. Amongst other things, it will also be used to enhance transport connections between Edinburgh and West Lothian along the A8/A89 corridor, providing bus priority facilities through the Newbridge junction. These enhancements to the bus services support the NTS2 which recognises that travel by bus is a key element of the Sustainable Travel Hierarchy.

Our assessment acknowledges the importance of the new M9 Junction will be in enabling the full scope of the Winchburgh Masterplan proposals to be delivered. This includes walking and cycling routes, new greenspaces, a marina and more importantly it is key to unlocking improvements to further transport connections providing transport choice that supports and is in line with the NTS2.

We are therefore satisfied that that new M9 junction will support the delivery of the active travel and public transport plans under the Winchburgh Masterplan proposals.

#### **1.4. General Areas of Objection(s)**

- The Scheme fails to reduce inequalities.

#### **1.5. Summary of Promoter's Response**

The Promoter has acknowledged that it is clear that the expansion of Winchburgh will result in additional demands on all transport networks with a significant number of new trips generated by residential and commercial property. However, under the Masterplan proposals to accommodate these trips the Developer, Winchburgh Developments Ltd, is funding improvements to bus services, the provision of a rail station and the construction of the motorway junction. Plans are currently being developed by the Developer in liaison with Transport Scotland and a number of major transport operators and stakeholders for enhanced bus services, and park and ride facilities at the new rail station. These outcomes will allow for access for all and reduce inequalities for those who rely on public transport.

The Promoter in their response also mentions that it should be noted that individual developers at Winchburgh are required to produce travel plans that encourage new occupants to consider all available transport networks in making their journeys and in doing so favour sustainable modes where possible.

#### **1.6. Considerations**

We are satisfied that such provisions by both Winchburgh Developments Ltd and other individual developers at Winchburgh are providing improvements to public transport and active travel to reduce inequalities, and that the new M9 Junction is

critical in order for the active travel plans to be fully delivered under the Winchburgh Masterplan proposals.

The package of a motorway junction together with enhanced local bus services and new Winchburgh “all ways” rail station including park and ride facilities complement each other and will allow for access for all and reduce inequalities for those who rely on public transport. It also contributes to the National Transport Strategy which recognises that, in certain circumstances, using the car can be essential. However, for the majority of trips, people have a choice. The enhanced bus services, and park and ride facilities at the new rail station is in line with the National Transport Strategy, which aims to continue to improve the attractiveness of active and public transport to extend these choices by investing in opportunities to make bus, and public transport more generally, a more attractive option for existing and new users that allow people to make active travel choices to improve their health and wellbeing and seek to reduce health inequalities.

## **2. TRAFFIC IMPACT ON SURROUNDING AREA**

### **2.1. General Areas of Objection(s)**

- It exposes minor roads to the north to extra traffic volumes.
- Impact from traffic through Newton village will increase since it will be a substantially shorter distance between the M9 and the Queensferry Crossing.

### **2.2. Summary of Promoter’s Response**

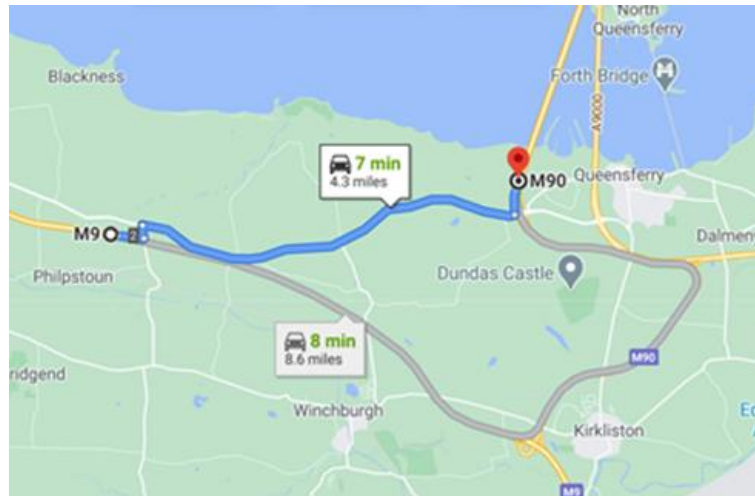
The objection is that the new junction will cause a significant increase in traffic to-and-from the Queensferry Crossing, through Newton. The Promoter has explained that with the new M9 motorway junction opened, traffic accessing new housing, business and leisure opportunities will be able to do so from the trunk road rather than the local road network. Furthermore, the Promoter highlights additional benefits from the junction, in that trips generated by the existing settlement at Winchburgh will also gain from better accessibility. Which in turn will reduce traffic volumes on the A904 at Newton and on the B8020 Winchburgh – Woodend road (north of the new M9 junction) when the new junction is opened. The Promoter in support of their response has stated that the analysis of the new junction performance was undertaken using the SESTRANS regional traffic model, which confirms these positive re-routing effects.

In relation to traffic currently using the A904 between the M9 Junction 2 (Philpstoun) and the new M90 Queensferry Junction, the Promoter explained that there would be no advantage in distance travelled by re-routing via the new Winchburgh junction. The Promoter concludes that no additional traffic movement of this type is therefore anticipated as a consequence of the new junction provision. In addition to this, the Promoter has provided the distance and journey time information outlined in the following paragraph and associated diagrams.

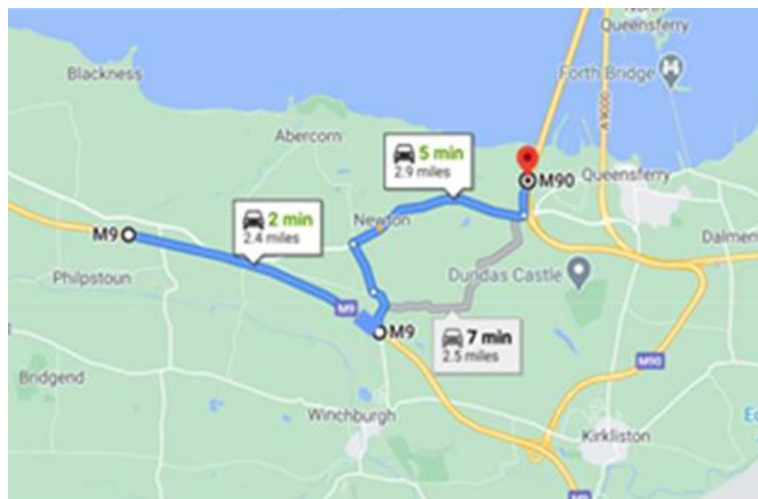
With respect to traffic flowing through Newton to connect to the new junction at the Queensferry Crossing, the Promoter clarified Transport Scotland’s position using the

following diagrams created using Google Maps. These show comparative journey distances and times between two common points for traffic in the eastbound direction, these being:

- the start of diverge slip road at M9 J2 Philpstoun
- the end of the merge slip road at M90 J1A Queensferry



**Diagram 1**



**Diagram 2**

The information for the blue routes demonstrates that the journey times are the same, that being 7 minutes, from the M9 at Junction 2 (Philpstoun Junction) (Diagram 1) and the proposed new M9 interchange at Duntarvie (Diagram 2) for bridgehead-bound traffic despite this route being slightly longer by one mile.

### **2.3. Considerations**

We accept the response provided by the Promoter, which demonstrates that there is no real time saving advantage with respect to traffic wishing to use the blue route in the second diagram via the new proposed M9 Junction, and the B8020 and A904 as a shortcut through Newton. Furthermore, the Promoter has also shown that this route will be one mile longer, and therefore, no additional traffic movements of this type are

anticipated as a consequence of the provision of the new M9 Junction that would have an increased impact on traffic through Newton.

#### **2.4. General Areas of Objection(s)**

- It is to be assumed that with the proposed building of more than 1000 homes in South Queensferry drivers would opt to use the proposed junction rather than go along the longer M90/M9 through Junction 1A resulting in increased traffic on the single track Builyeon Road.
- Newton and surrounding areas have had significant issues with traffic since the building the Forth Crossing and the opening of the Philipstoun Junction. There is no mention in the proposal of addressing this issue and use of the wider motorway network.
- It would be naive to assume that traffic would not divert off the Crossing to take this shortcut, particularly commercial vehicles who would gain approximately 5 miles per journey.

#### **2.5. Summary of Promoter's Response**

The Promoter has acknowledged that it is clear that the expansion of Winchburgh will result in additional demands on all transport networks with a significant number of new trips generated by residential and commercial property. However, in order to accommodate these trips the Developer is funding improvements to bus services, the provision of a rail station and the construction of the motorway junction; and is also required to contribute to any capacity improvements being implemented at the M8/M9 Newbridge junction. The Promoter has stated that traffic effects beyond the M8/M9 Newbridge junction is not considered to be significant and there is no planning requirement for the Developer to mitigate any adverse effects beyond this junction.

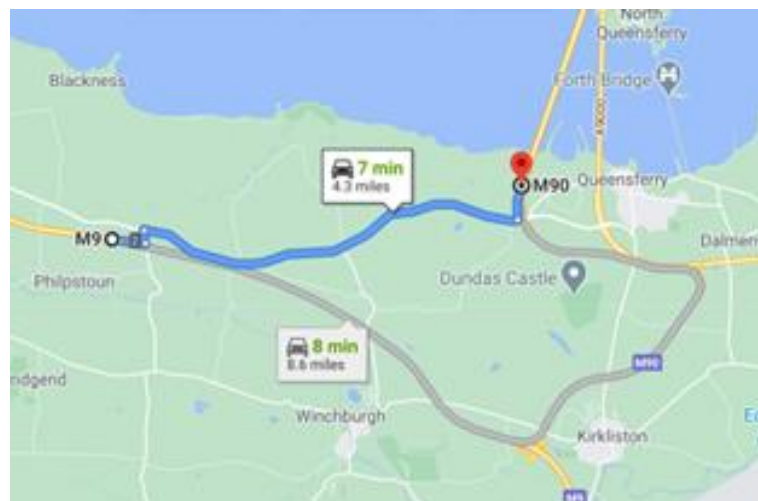
In relation to traffic using the A904 between the M9 Junction 2 (Philipstoun) and the new M90 Queensferry Junction. The Promoter has reported that there would be no advantage in distance travelled by re-routing via the new Winchburgh junction (via Philipstoun Junction is 4 miles; via Winchburgh Junction is 4.5 miles). No additional traffic movements of this type are therefore anticipated as a consequence of the new Junction provision.

For Journey times between the M9 and the village of Newton, the Promoter provides the following information below.

With respect to traffic flowing through Newton to connect to the new junction at the Queensferry crossing, the Promoter has appreciated that the proposed new M9 Junction may provide a more attractive route to traffic travelling between the M9 and the village of Newton, presumably to access the Queensferry Crossing. However, the Promoter has demonstrated using the following diagrams below that in practice, this should not be the case. The Google maps below show comparative journey distances and times between two common points for traffic in the eastbound direction, these being:

- the start of diverge slip road at M9 J2 Philipstoun
- the end of the merge slip road at M90 J1A Queensferry

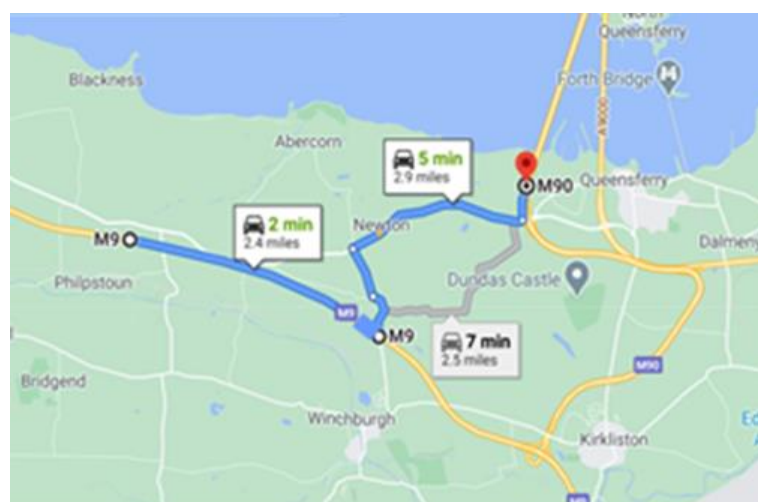
Diagram 1 shows the A904 blue route through Newton is 4.3 miles shorter and one minute faster for car traffic than the grey signposted route via M9 Junction 1A Kirkliston. The equivalent times for lorry traffic (extracted from freight logistics sat nav software) is 11 minutes and 14 minutes respectively.



**Diagram 1**

The Promoter has acknowledged the A904 route is an attractive alternative to the signposted grey route, and this may lead to an element of bridge-related traffic not using the signposted route thereby passing through Newton village.

The Promoter in Diagram 2 has demonstrated that there would be no advantage gained for drivers in altering their route to use the proposed new M9 Junction, as there will be no time saving advantage for drivers who currently use the M9 at Junction 2 (Philpstoun Junction) since the total journey times are the same at 7 minutes. However, the distance travelled being longer by one mile via the new M9 Junction. Likewise, in Diagram 1 there would be no advantage for strategic motorway traffic, which currently use the grey route via Junction 1A Kirkliston as opposed to using the Philpstoun Junction to divert onto the new Junction, as again there is no time saving and the distance is 1 mile longer.



**Diagram 2**

## **2.6. Considerations**

We accept the Promoter's key conclusions, which demonstrate that strategic motorway drivers who currently use the M9 Junction 1A at Kirkliston, would continue to do so. As there would be no benefits gained from altering their route choice even although the journey times will be the same i.e. 7 minute using either Junction 2 or the proposed new M9 Junction. Furthermore, as the distance via the proposed new M9 Junction will be one mile longer than the current distance via Junction 2 this may deter strategic motorway traffic from changing their route choice from Junction 1A to the proposed new M9 Junction.

In relation to the single track Builyeon Road, the Promoter has highlighted this in Diagram 2 as the grey route. Although this route is slightly shorter, it is shown to be 2 minutes longer than either of the blue routes and 1 minute longer than the grey route shown in Diagram 1. This increase in journey time is likely to discourage drivers from using the single track Builyeon Road. Furthermore, having reviewed the current road markings and signs along the A904 heading westbound from the new Queensferry Crossing Junction using Google street view, there are no road markings or destination signs that would direct traffic onto the single track unclassified Builyeon Road (U221), with the exception of a triangular side road warning sign.

For non-strategic traffic from the new Queensferry Crossing and other nearby developments such as South Queensferry, any impact from traffic upon the local road network and surrounding area will very much depend upon trip destinations. For those wishing to access the M9 heading west, the Promoter has demonstrated that there is no real time saving advantage with respects to traffic wishing to use the blue route in the second diagram via the new proposed M9 Junction, and the B8020 and A904 as a shortcut through Newton. As this route it is one mile longer and drivers may encounter delays to their journey times at the new roundabouts as the expanding settlement at Winchburgh develops.

## **2.7. General Areas of Objection(s)**

- Traffic calming measure are required at Newton village.

## **2.8. Summary of Promoter's Response**

In relation to the requirement for traffic calming measures at Newton. The Promoter has provide a response which they received from West Lothian Council as local 'roads authority' for the Village of Newton which provided information about the traffic calming provision in this area. This information provides the traffic calming details that have been implemented, such as suitable signage and road markings to warn motorists of the change in speed limits when approaching the village and through the village. In addition to this, traffic signals located within the village act as an effective traffic calming tool and have Microprocessor Optimised Vehicle Actuation (MOVA) detection loops which trigger a red phase (or stop) when motorists drive in excess of the speed limit. West Lothian Council considers that any further or additional traffic calming measures are unlikely to be practical or may indeed have unintended consequences such as further congestion and pollution.

## **2.9. Considerations**

We agree with the Promoter's response that traffic calming measures at Newton is the responsibility of the West Lothian Council as the roads authority.

## **2.10. General Areas of Objection(s)**

- The proposals are being undertaken in advance of the unpublished Forth Crossing report and the traffic data in the report should be taken into account when considering the wider impact of the proposed junction and traffic diverting on and off the proposed junction along the A904 and onto the Crossing and surrounding areas.

## **2.11. Summary of Promoter's Response**

The Promoter in their response to traffic using the A904 and passing through Newton as a result of the impact from the construction of the Forth Replacement Crossing Project provided a web-link to the One Year After Opening Evaluation Report, which has been published on the Transport Scotland website. This report indicates that traffic volumes on the A904 through Newton are lower than originally forecast.

## **2.12. Considerations**

We are satisfied with the data published in the One Year After Opening Evaluation Report for the Forth Replacement Crossing Project, which indicates that the actual traffic volumes on the A904 through Newton as a result of the opening of the Forth Replacement Crossing are lower than originally predicted.

## **2.13. General Areas of Objection(s)**

- The new junction will increase traffic on B8020 and minor roads, which are important cycling routes to avoid the A904. The B8020 should therefore be closed to vehicles north of the road scheme to protect these routes.

## **2.14. Summary of Promoter's Response**

The Promoter in their response has stated that, with the new motorway junction opened, traffic accessing new housing, business and leisure opportunities will be able to do so from the trunk road rather than the local road network. Trips generated by the existing settlement at Winchburgh will also gain from better accessibility. Specifically, traffic volumes on the A904 at Newton and on the B8020 Winchburgh - Woodend road (north of the new M9 junction) will reduce when the new junction is opened. The analysis of the new junction performance which was undertaken using the SESTRANS regional traffic model confirms these positive re-routing effects.

The Promoter also confirmed that a reduced speed limit will be introduced on the B8020 through the motorway junction to discourage inappropriate speeds, and that the Scheme has been subject to a road safety audit which did not flag any specific concerns relating to the non-motorised user (NMU) provisions.

## **2.15. Considerations**

We are satisfied that the Promoter has used current best practice guidance in the design of the new M9 Junction. Furthermore, the results from the SESTRANS regional traffic model demonstrates that there will be a positive rerouting effect from trips generated by traffic accessing the new housing, businesses and leisure opportunities from the trunk road rather than the local road network.

We accept the Promoter's response that the new M9 Junction will provide better direct accessibility to and from the M9 motorway and the trunk road network for the existing settlement at Winchburgh, rather than having to use the local road network. This will result in the added benefit of reducing traffic volumes currently generated by the existing settlement at Winchburgh that presently access the M9 motorway and trunk road network at Junction 2 (Philpstoun Junction) via the A904 and B8020 Winchburgh road north of the new M9 Junction.

We have reviewed the information within the Public Engagement Story Map, and are satisfied that the NMU provision associated with the proposed motorway junction has been subject to a Walking, Cycling and Horse-riding Assessment and Review; and has also undergone a road safety audit which did not flag any specific concerns relating to the non-motorised user (NMU) provisions.

## **3. CLIMATE CHANGE**

### **3.1. General Areas of Objection(s)**

- The proposals are in conflict with the Scottish Government's vision of the National Transport Strategy (NTS2) and priority to achieve net zero emissions by 2045.
- The Scheme will impact on climate change emergency / is failing to take climate action.
- New houses increase car ownership this will increase carbon emissions (globally).

### **3.2. Summary of Promoter's Response**

The Promoter has responded by outlining Transport Scotland's position in relation to this project and how it aligns with current policies, and provided the following information.

Under The Roads (Scotland) Act 1984 (Environmental Impact Assessment) Regulations 2017 (the 'EIA Regulations'), it is required that climate is a factor to consider to be assessed in EIAs. The proposed development went through two EIA Scoping processes with Transport Scotland (TS), in 2014 and 2018. The 2018 EIA Scoping Report (which superseded the 2014 Scoping Report) included the basis for 'scoping out' climate change and greenhouse gases (GHG) from further consideration within the EIA process – refer to Section 5.1 in the 2018 Scoping Report (Ramboll, 2018).



The Promoter has also advised that Transport Scotland is committed to delivering a sustainable, inclusive, safe and accessible transport system, helping deliver a healthier, fairer and more prosperous Scotland for communities, businesses and visitors.

The Scottish Government is also committed to delivering a step-change in our transport system and how we consider the need to travel. By 2032, there will be no need to buy a new petrol or diesel car, and almost all of our passenger railways will be decarbonised. Our innovative and well-connected public transport network will mean more individuals choosing sustainable transport as their first choice. In addition we are committed to reducing the kilometres driven by car by 20%, complemented by our commitment to develop a Work Local Programme, supporting flexible, remote and local working to drive the establishment of walkable and liveable 20 minute neighbourhoods. Our £500 million investment in active travel seeks to transform the way we move around, ensuring accessibility to bikes and e-bikes, and delivering high quality walking, wheeling and cycling infrastructure.

In relation to the M9 Junction project, the Promoter acknowledged that it is clear that the expansion of Winchburgh will result in additional demands on all transport networks with a significant number of new trips generated by residential and commercial property. In order to accommodate these trips the Developer, Winchburgh Developments Ltd, is funding improvements to bus services, the provision of a rail station and the construction of the motorway junction. They are also required to contribute to any capacity improvements being implemented at the M8/M9 Newbridge junction.

The Promoter has gone on to explain that with the new motorway junction opened, traffic accessing new housing, business and leisure opportunities will be able to do so from the trunk road rather than the local road network. The local road network on its own would not be able to cope with the traffic demand associated with the Masterplan build out. Therefore, the new M9 Junction is needed to cope with the new trip making rather than to specifically reduce demand. The opening of the new M9 Junction will lead to trips (including those from the Winchburgh expansion) diverting to join the trunk road network earlier in their journey, i.e. there are no induced traffic effects (new trip making) anticipated by the introduction of the junction itself.

The Promoter has also noted that Individual developers at Winchburgh are required to produce travel plans that encourage new occupants to consider all available transport networks in making their journeys and in doing so favour sustainable modes where possible.

### **3.3. Considerations**

The Promoter has indicated to Scottish Ministers, that environmental effects would have been considered as part of the original Development Appraisal and STAG assessments. The general Transport Planning Objectives (TPO's) embedded in the original appraisal exercise set mode share targets, a reduction in congestion and reduced journey times, as key measures for determining the transport strategy. They have indicated that these TPO's can be extrapolated as a proxy for also achieving a reduction in GHG emissions.

The 2018 EIA Scoping Report scoped out climate change and greenhouse gases (GHG) from further consideration within the EIA process. The Scoping Report indicated that emissions associated with the proposed development will be limited to temporary and short-term emissions of exhaust gases from vehicles and construction plant, and the potential for the release of carbon dioxide as a result of dewatering and exposing peat and peat soils during construction. Neither source was reported as being likely to be significant in terms of global warming potential, although the Promoter has not provided, nor is under a requirement to provide, information on modelled or anticipated emissions.

Furthermore, details on the Winchburgh Masterplan proposals provided by the Promoter recognises that while the completion of the M9 junction will not only be critical in enabling the delivery of the full scope of the Masterplan, it is also important to unlocking improvements to further transport connections as well. These include enhanced bus services, a new rail station and a network of meaningful and efficient walking and cycling routes throughout the expanded community that will connect to existing pedestrian and cyclist networks designed in such a way as to create a '20-minute neighbourhood' for the people living in Winchburgh.

While that the expansion of Winchburgh will result in additional demands on all transport networks with a significant number of new trips generated by residential and commercial property, the proposed M9 Junction provides drivers direct access to the motorway and trunk road networks, as opposed to having to use local routes that currently experience congestion. In addition to this, under the Masterplan proposals the proposed M9 Junction is also critical to unlocking improvements to further transport connections that will have the resultant effect of helping reduce greenhouse gas emissions from the Winchburgh Masterplan development, which has received outline planning consent from West Lothian Council.

The Promoter has outlined this policy in their response, which is, that by 2032 our roads will contain no new petrol and diesel cars and vans; we will have almost completely decarbonised our passenger railways; and we will have begun to work to decarbonise challenging transport modes, such as HGVs, ferries and aviation. Car kilometres will have reduced by 20%, and sustainable transport will be the instinctive first choice for people. We will have also moved away from the dominance of private car use to reduce emissions, particularly single occupancy, to a society which has embraced more walking, wheeling, cycling, public transport and shared transport options, particularly in urban settings. However, where people do use private cars, these will predominantly be electric and be in rural settings where public transport is less accessible, and research into biofuels and hydrogen will have stimulated private investment and innovation.

The new M9 Junction under the Winchburgh Masterplan proposals is key for the Developer to unlocking improvements to transport connections in an urban setting, such as the enhanced bus services, park and ride facilities at the proposed rail station, and core path networks for pedestrians, cyclists and equestrians. Those investments are in line with current policies, aimed to move away from the dominance of private car use to reduce emissions, particularly single occupancy, to a society which has embraced more walking, wheeling, cycling, public transport and shared transport options, particularly in urban settings.

## **4. ENVIRONMENTAL IMPACT ASSESSMENT REPORT**

### **4.1. General Areas of Objection(s)**

- New houses increase car ownership this will increase particulate pollution (locally and regionally).
- The Environmental Impact Assessment Report (EIAR) has failed to consider the impacts from traffic on the wider surrounding area.
- The Environmental Impact Assessment requires to be re-visited, and proposals put in place to effectively mitigate/prevent traffic and HGVs from using the B8020, and Buillyeon Road / A904 as a shortcut.
- By approving this junction you risk harming the health of local residents

### **4.2. Summary of Promoter's Response**

In response to concerns the proposal does not consider any impact that the junction would have on the wider surrounding areas and villages such as Woodend, Buillyeon Road and Newton, the Promoter has explained that the proposed M9 Junction will allow direct access to and from the trunk road network as opposed to having to use the local road network north of the proposed new M9 Junction. Specifically, traffic volumes on the A904 at Newton and on the B8020 Winchburgh - Woodend road (north of the new M9 junction) will reduce when the new junction is opened.

The Promoter has highlighted that the Environmental Impact Assessment reports reductions in pollution levels on the A904 route at Newton as a consequence of the changed traffic patterns (see Appendix 8.4).

### **4.3. Considerations**

The proposed M9 Junction will provide direct access for motorists to the motorway and trunk road networks, as opposed to having to use local routes that currently experience congestion. The new M9 Junction will provide better access to the motorway and trunk road network for those who rely on the use of this essential network from the existing Winchburgh settlement and future Development. We accept the response provided by the Promoter, which demonstrates that there is no real time saving advantage with respects to traffic and HGVs from using the B8020, and Buillyeon Road / A904 as a shortcut.

We acknowledge that traffic volumes on the A904 at Newton and on the B8020 Winchburgh - Woodend road (north of the new M9 junction) is expected to reduce when the new junction is opened. This is because traffic volumes currently generated by the existing settlement at Winchburgh that presently access the M9 motorway and trunk road network at Junction 2 (Philpstoun Junction) via the A904 and B8020 north of the new M9 Junction will be able to gain direct access to and from the motorway and trunk road network at the new M9 Junction. There will also be the added benefit that the new M9 Junction will allow for both westbound and eastbound access to the M9 motorway. The new M9 Junction will also allow for trips generated by the expanding settlement at Winchburgh, which has received outline

planning consent to gain direct access to the M9 and trunk road network as opposed to using the local road network to the north of the junction to gain access to Junction 2 at Philpstoun.

Having undertaken a review of the findings in the Environmental Impact Assessment Report (EIAR), the report identifies the road network likely to be affected by the proposed Scheme.

The EIAR provides assessments for local air and noise. For local air quality, Figures 8.1 to 8.5 in the EIAR show modelled affected roads and receptors for the surrounding areas outwith the Scheme site boundary, including properties at Woodend, Newton, South Queensferry and Kirkliston.

Both air quality and noise assessments concluded that there are no significant adverse effects in relation to air pollutants or noise levels associated with the proposed development for the operational phase of the works. Therefore, no mitigation measures are required.

Health is considered through the air quality and noise assessments undertaken as part of the EIAR.

## **5. NEW RAILWAY STATION AT WINCHBURGH**

### **5.1. General Areas of Objection(s)**

- The new Winchburgh railway station and associated park-and-ride should be opened first, in line with the Scottish Government's National Travel Strategy.
- Improvements to the bus and rail provisions should be made, with the railway station and associated Park-and-Ride facilities built first.
- Rail station with fast, frequent, affordable services to Edinburgh.
- The new junction will make car journeys easier or quicker. Induced demand suggests that the number and length of journeys will increase as a result of the new junction. Will lead to increased motor traffic pouring into the already-congested West of Edinburgh.

### **5.2. Summary of Promoter's Response**

The Promoter has provided a web-link to the Masterplan proposals. These proposals include enhanced bus services and a new rail station, plans for which are currently being developed by the Developer, Winchburgh Developments Ltd, in liaison with Transport Scotland, West Lothian Council, Network Rail, SESTRANS and bus operators. The enhanced bus services will involve the provision of more frequent services such as on the First Bus X38 route, which is the existing direct public transport service into Edinburgh.

For the timing of when the Winchburgh Rail Station is to be built, the Promoter has highlighted that regional transport plans take precedence and dictates the detailed programming for building the station. Notwithstanding this, the Promoter has stated that it remains a committed key priority for the Developer to deliver. Both the

Developer and rail industry are continuing to work closely with each other to develop a suitable timetable, station location and station design taking cognisance of the Edinburgh Waverley Western Approaches railway programme work.

Overall Winchburgh Developments Ltd are contributing £500,000 (indexed from 2010) towards enhanced public transport provision.

### **5.3. Considerations**

The commitments within the Winchburgh Masterplan proposals, which include plans for enhanced bus services and a new rail station are welcomed. Furthermore, in order for the Developer to fulfil these commitments, the Masterplan proposals states that the completion of the M9 Junction will be critical in enabling them to deliver the full scope of the Masterplan, and that it is important to remember that it is also key to unlocking improvements to further transport connections as well.

For the development to proceed the planning conditions for the motorway junction differs fundamentally from that of the planning for the delivery of the railway station. Whereas the M9 Junction has a limit on the number of houses that can be occupied before the junction is constructed to the satisfaction of the planning authority, the delivery of the Winchburgh railway station will be dependent on an appraisal and business case being submitted by the Developer and agreed with the planning authority, in consultation with Transport Scotland, and shall not be constructed until such time that all the necessary consents have been granted by Transport Scotland.

The completion of the new M9 Junction would play an important role in enabling the Developer to deliver on their commitments to the building of the railway station. We also recognise that the regional transport plans take precedence and dictates the detailed programming for building the station, and that there have been continuous discussions between the Developer and transport authorities on the station design and location, on the basis that the final consent will fit within the wider regional transport plans that are being undertaken on the Edinburgh – Glasgow Improvement Programme (EGIP) with longer trains and the Edinburgh Waverley Western Approach (EWWA).

## **6. SCHEME AND ROUNDABOUT DESIGNS**

### **6.1. General Areas of Objection(s)**

- The design of the twin roundabouts, slip roads and shared cycle/footpath are dangerous for cyclists and pedestrians.
- What happens when a cyclist or pedestrian wants to cross an entrance slip to the M9 (active travel and maintain connectivity for non-motorist travel). Toucan crossings should be included.
- New houses increase car ownership this will increase road danger (locally and regionally).

## **6.2. Summary of Promoter's Response**

The Promoter has provided information on the active travel provisions planned for the new M9 Junction. These will offer cyclists an alternative route from the roundabouts by providing a shared use path segregated from the road, connecting into a proposed cycling and walking route leading into the town centre. The Promoter has explained that the shared use paths and crossing provisions have been designed to cater for the anticipated pedestrian and cycle usage, using current best practice guidance and have been subject to a road safety audit which did not flag any specific concerns relating to the non-motorised user (NMU) provisions. In addition to these provisions, the Promoter confirmed that a reduced speed limit will be introduced on the B8020 through the motorway junction to discourage inappropriate speeds.

With regards to the provision of signal-controlled crossings for cyclists on the western ramps. The Promoter has confirmed that the design does not include the provision of traffic signal controlled facilities at the slip roads for pedestrian and cyclists.

In relation to the increase in car ownership causing an increase in road danger (locally and regional). The Promoter has responded by highlighting that with the new motorway junction opened, traffic accessing new housing, business and leisure opportunities will be able to do so from the trunk road rather than the local road network. The local road network on its own would not be able to cope with the traffic demand associated with the masterplan build out.

## **6.3. Considerations**

In relation to the overall safety of the Scheme for both motorists and non-motorised users (NMU's). We contacted the Promoter regarding the safety aspects of the roundabout designs and the Promoter has confirmed that the Scheme has undergone a Stage 2 Road Safety Audit. The Promoter further confirmed that the Audit has adequately considered the needs of NMU's and has been undertaken by an appropriately qualified and experienced auditor in accordance with the Road Safety Audit process GG119, as approved by Transport Scotland (the Promoter). In addition to the cycle/footpath, there is an approved lighting design for the new junction, which includes new lanterns placed on the new slip roads and the local road connecting the two new roundabouts which will improve the visibility and safety for pedestrians and cyclists at the junction and roundabouts.

We are therefore satisfied with the NMU provisions which the Promoter is providing under the Scheme proposals, that has undergone a Road Safety Audit in accordance with the Road Safety Process which did not flag any specific concerns relating to the NMU provisions. Furthermore, we are satisfied with the Promoter's confirmation that the Scheme will undergo additional Road Safety Audits. This will include a Stage 3 on Completion of Construction Audit, which should be undertaken when the works are substantially complete and preferably before the works are opened to road users. The Stage 3 Audit usually includes daytime and night-time inspections. A final Stage 4 Post Opening Monitoring Audit, where the Scheme will be monitored during the 12-month period after it has been open to the public. This is to ensure that the works are continuing to operate safely.

We understand that the Winchburgh Masterplan proposals have received outline planning consent from West Lothian Council under which the new houses will be built. We acknowledge the Promoter's response that as a result of this, the local road network on its own would not be able to cope with the traffic demand associated with the Masterplan build out. However, with the new motorway junction opened, traffic accessing new housing, business and leisure opportunities will be able to do so from the trunk road rather than the local road network. We appreciate that the new M9 Junction, which has undergone a Road Safety Audit, will play an important part in allowing drivers direct access onto the motorway and trunk road network, which will help to reduce congestion and driver frustration on the local road network which could potentially result in a reduction in accidents locally.

#### **6.4. General Areas of Objection(s)**

- A "T" junction design for the slip roads (as is currently the case at M9 Junction 2 with the B8046) is much to be preferred.
- A simple T-junction design for the slip roads would help reduce the speed of vehicles travelling into Winchburgh and protect the lives of pedestrians and cyclists.

#### **6.5. Summary of Promoter's Response**

The Promoter has explained that the shared use paths and crossing provisions have been designed to cater for the anticipated pedestrian and cycle usage, using current best practice guidance and have been subject to a road safety audit which did not flag any specific concerns relating to the non-motorised user (NMU) provisions.

#### **6.6. Considerations**

We are satisfied that the Promoter has designed the new M9 Junction to cater for the anticipated pedestrian and cycle usage, using current best practice guidance, and been subject to a Walking, Cycling and Horse-riding Assessment and Review.

The Scheme design has also been subject to a road safety audit in accordance with the Road Safety Audit process GG119, which did not flag any specific concerns relating to the non-motorised user (NMU) provisions. Furthermore, we are satisfied with the Promoter's confirmation that the Scheme will undergo the further following Road Safety Audits. A Stage 3 on Completion of Construction Audit, which should be undertaken when the works are substantially complete and preferably before the works are opened to road users. The Stage 3 Audit usually includes daytime and night-time inspections. A final Stage 4 Post Opening Monitoring Audit, where the Scheme will be monitored during the 12-month period after it has been open to the public. This is to ensure that the works are continuing to operate safely.

#### **6.7. General Areas of Objection(s)**

- Consideration should be given by yourselves and West Lothian Council to the upgrading of the B8020 beyond the proposal area to Woodend as outlined in Section 5 of your report and traffic control be put at the Woodend Junction.

## **6.8. Summary of Promoter's Response**

The Promoter has confirmed with ourselves that Section 5 of the Story Map deals with the construction phase of the Scheme and not when the new M9 Junction is open and operational, where during the construction phase it states that the B8020 will be subject to traffic management, which may include signal controls.

The Promoter has stated specifically, that traffic volumes on the A904 at Newton and on the B8020 Winchburgh - Woodend road (north of the new M9 junction) will reduce when the new junction is opened. That is because, with the new motorway junction opened, traffic accessing new housing, business and leisure opportunities will be able to do so from the trunk road rather than the local road network. Trips generated by the expanding settlement at Winchburgh will also gain from better accessibility. This would imply that there would not be a requirement for any additional traffic control measures at the Woodend Junction once the new M9 Junction was open and operational.

## **6.9. Considerations**

We are satisfied that the Promoter has designed the Scheme using current best practice guidance which has been subject to a road safety audit.

We accept the Promoter's response that the new M9 Junction will provide better direct accessibility to and from the M9 motorway and the trunk road network for the existing settlement at Winchburgh, rather than having to use the local road network. This will result in the added benefit of reducing traffic volumes currently generated by the existing settlement at Winchburgh that presently access the M9 motorway and trunk road network at Junction 2 (Philpstoun Junction) via the A904 and B8020 Winchburgh road north of the new M9 Junction. This will also allow for trips generated by the expanding settlement at Winchburgh, which has received outline planning consent to gain direct access to the M9 and trunk road network as opposed to using the local road network to the north of the junction to gain access to Junction 2 at Philpstoun.

## **6.10. General Areas of Objection(s)**

- Your proposal considers provision for NMU's as outlined on the Story Map and again considerations should be given to extending this to the A904 and along Builyeon Road.

## **6.11. Summary of Promoter's Response**

The Promoter has referred to the Story Map published for the Scheme, and provisions for non-motorised users (NMU's) and active travel. The Story Map indicates that the NMU provision at the motorway junction will tie-in with the shared-use path network proposed in the Masterplan area to the south. To the north of the junction, the Promoter has confirmed that any consideration of specific NMU measures to connect to communities such as Woodend and Newton would be the responsibility of West Lothian Council.



## **6.12. Considerations**

We are satisfied with the NMU provisions which are being provided for under the Scheme by the Promoter and accepts that any future consideration of specific NMU measures that connect to communities such as Woodend and Newton would be the responsibility of West Lothian Council.

## **6.13. General Areas of Objection(s)**

- It is disappointing that Transport Scotland have failed to mention in their public consultation that the M9 Winchburgh Junction will link up with a new road that leads directly to Broxburn, with increased commutes across the Forth using the Queensferry Crossing we should expect that this hidden road expansion will be used as a shortcut to the crossing. This will increase traffic in Winchburgh and Broxburn which could increase carbon emissions in both towns.
- Additionally, but not highlighted in this Consultation, is that this proposed junction will connect directly to a new road to be constructed on the west side of Winchburgh, leading southwards to Broxburn; potentially creating a new north-south axis from the Queensferry Crossing to the M8.

## **6.14. Summary of Promoter's Response**

The Promoter has responded by saying the planned "Southern Distributor Road" is indicated in the Winchburgh Masterplan as heading south from Auldscathie Park. This future route is planned so as to provide connectivity and accessibility between Winchburgh and the East Broxburn core development area rather than being a through route between motorways. The Promoter has confirmed the predicted traffic effects of the southern distributor have been taken into account in designing the motorway junction layout.

## **6.15. Considerations**

We accept that the Promoter in designing the motorway junction layout has taken account of the predicted traffic effects of the southern distributor road.

Upon reviewing the Winchburgh Masterplan proposals, the southern distributor road which is related to the planning proposals, a process which has now concluded, ties directly into the B8020 to the south of the proposed new M9 Junction. This will facilitate direct access to and from the trunk road and motorway networks. The construction of the new M9 Junction however, will not stop drivers wishing to continue their journey via the B8020 on a north-south axis from the Queensferry Crossing to the M8, as the B8020 will remain operational in its current form, but with the addition of two roundabouts and a reduced speed limit through the new M9 Junction to discourage inappropriate speeds.

We are therefore satisfied that the construction of the new M9 junction will have no bearing upon drivers wishing to continue their journey via the B8020 on a north-south axis from the Queensferry Crossing to the M8.

## **7. ACTIVE TRAVEL PROVISIONS**

### **7.1. General Areas of Objection(s)**

- The Scheme is failing to improve health and wellbeing.

### **7.2. Summary of Promoter's Response**

The Promoter has highlighted the Scottish Government's £500 million investment in active travel, which seeks to transform the way we move around, ensuring accessibility to bikes and e-bikes, and delivering high quality walking, wheeling and cycling infrastructure. The Promoter also mentions the Scottish Government's support of the 20-minute neighbourhoods initiative, which aims to encourage people to meet their needs within a 20 minute walk from their house by providing them with the appropriate infrastructure to do so.

In relation to the Scheme, and in addition to the active travel provisions outlined in the web-link to the Winchburgh Masterplan proposals, the Promoter has also confirmed the following will be provided.

- i) A network of meaningful and efficient walking and cycling routes throughout the expanded community that will connect to existing pedestrian and cyclist networks, and are designed in such a way as to create a '20-minute neighbourhood' for the people living in Winchburgh.
- ii) The active travel provisions planned for the new motorway junction will connect into these cycling and walking routes by providing a segregated share use path from Duntarvie Castle to the town centre.
- iii) The shared use paths have been designed to cater for the anticipated pedestrian and cycle usage, using current best practice guidance.
- iv) A reduced speed limit will be introduced on the B8020 through the motorway junction to discourage inappropriate speeds.

### **7.3. Considerations**

By providing the active travel commitments and infrastructure, we are satisfied with the proposals which the new M9 Junction will make towards improvements to health and wellbeing. It will also indirectly, enable the access to major open space areas to be developed under the Winchburgh Masterplan proposals such as Daisy Park and a marina on the Union Canal in the town centre. These will be major leisure and open space areas for the benefit of the expanded settlement and visitors alike, which will contribute towards improving the health and wellbeing of both the local residents and visitors to the area.

#### **7.4. General Areas of Objection(s)**

- Improvements to active travel such as wheeling, walking and cycling should be made.
- There should be a comprehensive network of safe, segregated cycle routes to all neighbouring settlements (active travel and maintain connectivity for non-motorist travel).
- A comprehensive network of walking routes centred on the new town for leisure and transport (active travel).

#### **7.5. Summary of Promoter's Response**

The Promoter in their reply has outlined the active travel strategy and provisions in the Winchburgh Masterplan, which is for a network of shared use paths that will be implemented as the development progresses. This new network of walking and cycling routes aims to encourage active travel between destinations both within the expanded community, as well as, a link with projects being promoted by others, such as the Shale Trail and Scottish Canals' ongoing development of the Union Canal towpath.

The Promoter has also provided a web-link to the Winchburgh Masterplan proposals in which the following statement is given *“ While the completion of the M9 junction will be critical in enabling us to deliver the full scope of the Masterplan, including the delivery of new greenspaces, and the marina, it's important to remember that it is also key to unlocking improvements to further transport connections as well.”*

In relation to the active travel provisions throughout the expanded community. The Promoter has verified that as part of the Masterplan proposals, there will be a network of meaningful and efficient walking and cycling routes that will connect to existing pedestrian and cyclist networks, and are designed in such a way as to create a '20-minute neighbourhood' for the people living in Winchburgh. Furthermore, the Promoter also references the Scottish Government's support of the 20-minute neighbourhoods initiative, which aims to encourage people to meet their needs within a 20 minute walk from their house by providing them with the appropriate infrastructure to do so.

For the active travel provisions at the new Junction. The Promoter has confirmed that active travel provisions at the new motorway junction is being provided for under the motorway, adjacent to the B8020. Cyclists on the B8020 travelling south towards the M9 have the option to avoid the proposed roundabouts by joining the shared path within the east verge and cross the B8020 via uncontrolled crossings to the shared path on the western verge. The shared use paths have been designed to cater for the anticipated pedestrian and cycle usage, using current best practice guidance.

The Promoter also refers to published proposals in the Public Engagement Story Map for specific non-motorised users (NMU's), the proposals indicate the new shared provisions at the motorway junction will tie-in with the shared-use path network proposed in the Masterplan area to the south. To the north of the junction, the Promoter states that any consideration of specific NMU measures to connect to

communities such as Woodend and Newton would be the responsibility of West Lothian Council.

Additional information within the Public Engagement Story Map confirms that the NMU provision associated with the proposed motorway junction has been subject to a Walking, Cycling and Horse-riding Assessment and Review.

#### **7.6. Considerations**

We acknowledge the importance the new M9 Junction will have in enabling the delivery of the full scope of active travel provisions and strategy contained in the Winchburgh Masterplan proposals that will provide transport choice in the form of active travel such as wheeling, walking and cycling routes throughout the expanded community as outlined in the Masterplan. Furthermore, we are satisfied that the Promoter has used best practice guidance in the design of the Scheme to cater for the anticipated pedestrian and cycle usage, which has been subject to a Walking, Cycling and Horse-riding Assessment and Review.

#### **7.7. General Areas of Objection(s)**

- A road should only be improved once there is sufficient bus provision.

#### **7.8. Summary of Promoter's Response**

The Promoter has provided a web-link to the Masterplan proposals. Overall Winchburgh Developments Ltd are contributing £500,000 (indexed from 2010) towards enhanced public transport provision. These proposals include for enhanced bus services and a new rail station, plans for which are currently being developed by the Developer, Winchburgh Developments Ltd, in liaison with Transport Scotland, West Lothian Council, Network Rail, SESTRANS and bus operators. The enhanced bus services will involve the provision of more frequent services such as on the First Bus X38 route, which is the existing direct public transport service into Edinburgh.

#### **7.9. Considerations**

The Promoter has clarified to ourselves the intention of the £500,000 (indexed from 2010) Section 75 developer contribution, which is to fund public transport improvements out with the development site. Amongst other things, it will also be used to enhance transport connections between Edinburgh and West Lothian along the A8/A89 corridor, providing bus priority facilities through the Newbridge junction.

We acknowledge the investment which the Developer is providing towards enhancing public transport provisions, especially the provision of more frequent services such as on the First Bus X38 route, which is the existing direct public transport service into Edinburgh. We also appreciate the particular importance the new M9 Junction will play in allowing both the Developer and Promoter to deliver the full scope of the Masterplan strategy which will provide transport choice.

## **7.10. General Areas of Objection(s)**

- The junction does not provide “transport choice”, it provides a solution for those with a car. Why you are not building an adequate pavement and cycle path to accompany the new road, so that people can get out of the village safely to Kirkliston. As it stands, there is no safe way to walk or cycle out of Winchburgh to Kirkliston, and this junction will make it worse.

## **7.11. Summary of Promoter’s Response**

The Promoter has responded by explaining that the strategy shown in the Winchburgh Masterplan for a network of shared use paths is being implemented as the development progresses. This is further outlined in the web-link to the Winchburgh Masterplan proposals in which the following statement in relation to active travel provisions is made. *“ Our plans also include core path networks for pedestrians, cyclists and equestrians, which will connect the Winchburgh community through its new green spaces including Auldcathie District Park and Daisy Park. This network will connect into the national cycle route 754 along the Union Canal which will provide a direct 15-mile cycle route into the centre of Edinburgh. We’d stress that development of the wider cycle path network outside of the Winchburgh masterplan is heavily dependent on the planned sequence of path works that the masterplan is now delivering.”*

The following statement is also given *“ While the completion of the M9 junction will be critical in enabling us to deliver the full scope of the Masterplan, including the delivery of new greenspaces, and the marina, it’s important to remember that it is also key to unlocking improvements to further transport connections as well.”*

With regards the local B9080 road between Winchburgh and Kirkliston. The Promoter has explained that with the new motorway junction opened, traffic accessing new housing, business and leisure opportunities will be able to do so from the trunk road rather than the local road network. The result of this, is that traffic flows on the existing B9080 route will reduce, which will be to the benefit of cyclists who use the B9080. The Promoter also clarifies that the consideration of any new active travel measures on that route beyond the Winchburgh masterplan boundary is the responsibility of West Lothian Council and City of Edinburgh Council respectively.

## **7.12. Considerations**

We acknowledge the Promoter’s response and that in order to achieve the network of meaningful and efficient walking and cycling routes throughout the expanded community as outlined in the Masterplan, there is a need for the new M9 Winchburgh junction to be built before the Developer can deliver the full scope of the Masterplan strategy which will provide transport choice.

We also accept the Promoter response in relation to any extension of the provision for specific NMU active travel measures on the route beyond the Masterplan boundary to Kirkliston is the responsibility of West Lothian Council.

## **8. PUBLIC CONSULTATIONS**

### **8.1. General Areas of Objection(s)**

- Lack of public consultations with the larger surrounding areas.
- There has been a total lack of publicity in relation to raising awareness of the plans and proposed junction

### **8.2. Summary of Promoter's Response**

In relation to the level of consultation which the Promoter undertook regarding the Scheme proposals. The Promoter has explained that due to the COVID19 pandemic they had to adhere to the relevant guidance and temporary legislation, and that the posting of leaflets was not considered to be compliant with the temporary legislation.

### **8.3. Considerations**

Due to the COVID19 pandemic restrictions we are satisfied that the Promoter has consulted fully in accordance with the emergency legislation at the time the draft Orders and EIAR were published, and that under the restrictions associated with the prevention of spread of the Coronavirus and in accordance with the Coronavirus (Scotland) Act 2020, Schedule 6 Part 3, para 9, the documents were not made available for public inspection. However, the Promoter has confirmed that arrangements were in place to make the documents available for public inspection electronically, this being, that all documents were available for viewing on the Transport Scotland website.

In addition to the above, the Promoter has informed ourselves that notification of the Scheme and the publication of the Orders was posted on the Transport Scotland Facebook page and Twitter account. The Developer of the Scheme and the local authority also posted links to the notification of the draft documents via their social media platforms; and that a further Facebook post and retweet was posted towards the end of the objection period.