



## **Developments Affecting Trunk Roads and Special Roads**

### **Highways England Planning Response (HEPR 16-01)**

#### **Formal Recommendation to an Application for Planning Permission**

From: Alan Shepherd – Divisional Director  
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To: Lancaster City Council

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Council's Reference: 20/00305/OUT

Referring to the notification of an outline planning consultation dated 8<sup>th</sup> June 2020 for the erection of up to 55 residential dwellings with and creation of a new access on land at Grid Reference 347281 459157 to the west of the Lancaster Canal and east of Ashton Road, Lancaster, notice is hereby given that Highways England's formal recommendation is that we:

- ~~a) offer no objection;~~
- ~~b) recommend that conditions should be attached to any planning permission that may be granted (see Annex A – Highways England recommended Planning Conditions);~~
- c) recommend that planning permission not be granted for a specified period (see Annex A – further assessment required);
- ~~d) recommend that the application be refused (see Annex A – Reasons for recommending Refusal).~~

Highways Act Section 175B ~~is~~ / is not relevant to this application.<sup>1</sup>

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<sup>1</sup> Where relevant, further information will be provided within Annex A.

This represents Highways England formal recommendation and is copied to the Department for Transport as per the terms of our Licence.

Should you disagree with this recommendation you should consult the Secretary of State for Transport, as per the Town and Country Planning (Development Affecting Trunk Roads) Direction 2015, via [transportplanning@dft.gov.uk](mailto:transportplanning@dft.gov.uk).

**Signature:** *Warren Hilton*

**Date:** 26<sup>th</sup> June 2020

**Name:** Warren Hilton

**Position:** Assistant Spatial Planner

**Highways England:**

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**Annex A**     ~~Highways England recommended Planning Conditions /~~  
~~Highways England recommended further assessment required /~~  
~~Highways England recommended Refusal.~~

HIGHWAYS ENGLAND (“we”) has been appointed by the Secretary of State for Transport as strategic highway company under the provisions of the Infrastructure Act 2015 and is the highway authority, traffic authority and street authority for the Strategic Road Network (SRN). The SRN is a critical national asset and as such we work to ensure that it operates and is managed in the public interest, both in respect of current activities and needs as well as in providing effective stewardship of its long-term operation and integrity.

There have been no pre-application discussions with Highways England prior to the submission of these proposals.

Highways England is charged with operating, managing capacity, maintaining and improving England’s motorways and major A roads, which form the Strategic Road Network (SRN). It is an ambition to ensure that major roads are more dependable, durable, and most importantly – safe.

The SRN in Lancaster comprises specifically of junctions 33, 34 and 35 of the M6 motorway; a route of national significance that links the Midlands, North West England and Scotland.

Highways England has been consulted by Lancaster City Council (‘the Council’) on an outline planning application for 55 dwellings on land designated as part of the Bailrigg Garden Village (BGV) / South Lancaster Growth Area within the emerging Lancaster Local Plan, which has been recommended by the Planning Inspectorate for adoption subject to the Inspector’s Main Modifications; consulted on in summer 2019. It is anticipated that the emerging Plan may be adopted by the Council during summer 2020.

The proposal site forms a small ‘triangle’ of land immediately beyond the current Lancaster southern urban boundary to the west of the Lancaster Canal. It is located within, but on the fringe of, the proposed south Lancaster strategic growth area allocation forming the Bailrigg Garden Village allocation.

The site is not well served by public transport; the only option being bus service 89 which operates between Lancaster and Knott End six days per week at intervals of 1 ½ hours, which does not lend itself to discouraging car use, particularly for commuting trips.

## **HIGHWAYS ENGLAND COMMENTS ON PROPOSALS**

The emerging Local Plan states that growth (including infrastructure requirements) within the Garden Village (and the South Lancaster Broad Area of Growth in general) will be guided by the future Lancaster South Area Action Plan DPD.

It should be acknowledged that the emerging Area Action Plan (AAP) DPD is at an early stage in the plan making process. The AAP will set the spatial framework for growth and high-quality sustainable development, directing and guiding the opportunities identified in South Lancaster and the Garden Village through the submitted Strategic Policies and Land Allocations DPD (Policies SG1, SG2 and SG3), and how these can best be delivered and achieved. The AAP intends to provide clarity to developers to enable them to masterplan and design appropriate developments within the broad location for growth.

In the meantime, **policy SG1 of the emerging Plan would will allow development within the broad location for growth in advance of the Lancaster South Area Action Plan DPD being adopted, but only in what the Inspector has described as ‘exceptional circumstances’ without prejudice to the delivery of the wider Bailrigg Garden Village (including its infrastructure requirements) and which would not undermine the integrated and co-ordinated approach to the wider Bailrigg Garden Village development that this site forms part of.** Also, this is to ensure that the opportunities for sustainable transport modes have been fully considered and that the residual impacts upon the transport network will not be severe.

The principle of the BGV is established through the emerging Strategic Policies and Land Allocations DPD. Policy SG1 establishes the broad location for growth for BGV and sets out the principles at the heart of its planning and development. **Policy SG3 requires necessary strategic infrastructure to be delivered at the appropriate time and that all developments within the broad location for growth contribute to infrastructure requirements in a fair and equal manner.**

Policy SG3 is linked to policy SG1 and the related Area Action Plan and Infrastructure Delivery Plan which can take account of fair and equal contributions in terms of developer contributions for each part of the development area. Any development in advance of these documents would only be permitted in exceptional circumstances which would need to take account of the overall infrastructure requirements and how they are to be achieved.

It is self-evident therefore from the timing of this planning application for the Ashton Road proposals (i.e. in advance of the Lancaster South Area Action Plan DPD) that the determination of the proposal will fall within Policy SG1 and therefore (and, as the Inspector has put it) would only be approved in exceptional circumstances without prejudice to the delivery of the wider Bailrigg Garden Village (including its infrastructure requirements) and (that it) would not undermine the integrated and co-

ordinated approach to the wider Bailrigg Garden Village development. Named infrastructure requirements within Policy SG3 include named measures such as the relocation of M6 Junction 33, the introduction of the Bus Rapid Transit system and Cycling / Walking Superhighway. **Therefore, it is fundamental to understand the full transport impact of this planning application in order for Policy SG1 to be implemented and for a decision to be made on what fair and proportionate contribution the site will make to the infrastructure requirements set out in Policy SG3.** In effect, there is a need for a robust and comprehensive transport assessment of this application to understand its impacts to ensure that the opportunities for sustainable transport modes have been fully considered and that the residual impacts upon the transport network will not be severe. Clearly, there is a need to establish whether the effect of the proposed Ashton Road development would have a severe impact upon the transport network.

As stated above, those initial transport infrastructure requirements associated with the BGV land allocation and emerging Local Plan are set out within Policy SG3 and include the relocation of M6 Junction 33 / bypass of Galgate to relieve the congestion issues caused on the A6 route from M6 Junction 33 caused by the crossroads junction within Galgate. Consequently, **by virtue of the Ashton Road site being allocated as part of the BGV / Lancaster South Broad Area of Growth and the Inspector's comments, there is an unassailable link between the traffic impact of the development of this site and the need for mitigation of the problems at the Galgate junction. That also means there is a need to understand what 'fair and proportionate contribution' this development should make to mitigating the problem of the Galgate junction.** The associated Transport Statement produced by Curtins does not indicate (or indeed assess) the effect of traffic associated with this planning application at this junction.

Whilst ultimately that is a matter for Lancaster City Council (as local planning authority) and Lancashire County Council (as highway authority for the A6) to determine what that contribution and any solution should be, problems caused by the A6 Galgate junction are of concern to Highways England given that congestion at this junction has the potential to affect the safe operation of M6 Junction 33. This is caused through traffic not being able to exit the motorway due to northbound A6 traffic backing-up from Galgate to the Hampson Green roundabout to the south. Therefore, Highways England has an interest in understanding what impact the development would have on the operation of the A6 Galgate junction, in addition to the City Council and County Council, given the linkages between development in south Lancaster / BGV and this problem, which the proposed relocation of M6 Junction 33 and other infrastructure requirements set out in Policy SG3 are intended to mitigate. The Local Plan Transport Assessment (LTPA) assessed the A6 this junction. The assessment demonstrated the existing operation of the junction to be over capacity during peak periods, raising concerns that any additional traffic may increase the risk of blocking to M6 Junction 33. The LTPA set out two possible improvement schemes at the junction which

Highways England raised concerns over safety and deliverability. Furthermore, concerns were raised with regard to the validity of the traffic modelling of the junction, which we understand are shared by Lancashire County Council Highways.

This required approach is supported by the Inspector, who notes that whilst he is satisfied with how the transport impacts upon the SRN of the emerging Plan have been assessed at a Plan-level, more detailed assessment of the transport impacts of the strategic growth areas will be required as part of individual planning applications (Paragraph 179). As the Inspector notes, infrastructure requirements, including highways, will be matters that will be constantly reviewed as the strategic sites are developed. It may therefore be necessary, under the stepped approach adopted for these sites, to reappraise the Local Transport Assessment 2018 evidence base going forward. The Inspector further notes that *'this could be done at the time of the earliest review of the Plan and employ a method such as a Strategic Transport Model and include matters such as the Bus Rapid Transit system, the cycle superhighway and the reconfigured Junction 33'*.

Although 'in principle' funding for these infrastructure measures was announced by the Government in March 2020 through the Housing Infrastructure Fund (HIF), the announcement for these transport infrastructure measures named in Policy SG3 does not provide any certainty that these schemes will be constructed. The funding announcement is heavily caveated, and a substantial amount of work and detailed assurances (including robust transport modelling of the full Local Plan using the [Lancaster] Strategic Transport Model) will need to be completed to evidence the benefits and associated impacts before the funding is released and these projects (which in themselves will be subject to further public consultation) can proceed to construction. Consequently, there is uncertainty at this time over delivery of these infrastructure projects, and so they cannot be relied upon as the transport mitigation for development proposals within the south Lancaster area coming forward at this time, including this one at Ashton Road.

**Added to this, the delay timeframe whilst the work associated with the HIF caveats is carried out means there is there is an urgent need for a consistent approach to the assessment of traffic impacts on the local road network to be taken during the interim to ensure that any infrastructure requirements associated with this planning application can be identified and a fair and proportionate contribution made to them – this includes the Galgate junction. The assessment should be based on the existing road and public transport layout given that the HIF measures have not yet been fully developed and have no certainty that they will be delivered.**

An approach to the assessment of traffic impacts at the Galgate crossroads associated with development already exists in the form of the VISSIM microsimulation traffic model for the recent outline planning application for 95 dwellings on land to the south

of Lawsons Bridge (Lancaster reference 19/00332/OUT. That approach was accepted by Lancashire County Council and Highways England as a basis for assessing this junction. We therefore suggest that the same approach is used, although this is ultimately subject to the agreement of Lancashire County Council as highway authority for the A6. **It would however, provide a basis for the assessment of traffic impacts at the Galgate junction associated with development in accordance with Policy SG1 that is consistent - that is important during the current interim period until wider modelling associated with the HIF schemes and mitigations under Policies SG1 and SG3 is completed, agreed with Highways England, and there is certainty on their delivery.**

### ***HIGHWAYS ENGLAND CONCLUSION & FORMAL RECOMMENDATION***

No indication of the traffic impacts of the proposed development upon the A6 / Salford Road / Stoney Lane / Chapel Street junction at Galgate is presented within the supporting Transport Statement. The Inspector's report of the emerging Local Plan examination establishes that there is a need for the wider traffic impacts of proposals within the BGV site to be assessed, which would include the Galgate junction. This should now be completed, ideally in a manner consistent with recent applications that have been accepted by Lancashire County Council as the highway authority for this junction.

Until the applicant provides an assessment of the impacts of the development at the A6 Galgate junction to the satisfaction of Lancashire County Council, it is not possible for Highways England to provide further comments on the merits of this development proposal. Following this, Highways England will then consider that assessment and provide a further response to this application.

**In light of the above, Highways England's formal recommendation to Lancaster City Council is this application is not determined before 26<sup>th</sup> August 2020. Should Highways England be able to reach a final view on the proposals before this date, the hold may be lifted earlier.**

This response represents our formal recommendations with regard to this application and has been prepared by Warren Hilton.