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Sent Via Email

Dear Stephen,

Consultation on the Regulation 19 Publication Version Hyndburn Local Plan 2021 - 2037

National Highways welcomes the opportunity to provide comments on the Regulation 19 response to the Hyndburn Local Plan 2021- 2037. The Local Plan sets out the strategic policy framework to meet future development requirements in Hyndburn for the period 2021 to 2037 and allocates a wide range of specific sites to meet these requirements.

National Highways have been appointed by the Secretary of State for Transport as a 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.

Within the Hyndburn area our principal interest is safeguarding the operation of the M65 and A56, with Junctions 6 and 7 of the M65 lying within the Borough, and M65 Junction 8, (whilst being within the Borough of Burnley) is located very close to the Hyndburn boundary and therefore will be affected by the emerging Hyndburn Local Plan.

In responding to local plan consultations, we have regard to the newly published (December 2022) DfT Circular 01/2022 – The Strategic Road Network and the Delivery of Sustainable Development. This policy document which sets out how interactions with the SRN should be considered in the development of local plans. Although it is acknowledged that this Local Plan has been developed in part under the previous DfT circular, 02/2013.

This response has taken into account paragraph 26 of the new document which states:

“.....In relation to the preparation of local plans and spatial development strategies, the government expects that the relevant authorities will engage with the company from the outset of this process, to understand the interaction between land use designations and the impacts on road safety and future performance of the SRN. The involvement of the company will ensure that the strategic transport evidence base will provide a robust assessment of any positive and negative impacts on the SRN and inform a transport strategy and the Strategic Environmental Assessment (SEA) for the study area that aligns with the safe operation and long-term integrity of the SRN.....”.

Given our role and the context of our previous Local Plan consultation responses, this letter specifically considers the:

- Emerging Local Plan Transport Evidence Base – July 2022;
- Hyndburn 2037 Local Plan Strategic Policies and Site Allocations Regulation 19 Document – October 2022.

As part of the ongoing consultation, we provided previous comments in relation to the emerging Local Plan in July 2022 to Hyndburn Borough Council (HBC). At the time of writing we have not yet received a response from HBC in regard to these comments, but also understand that work and discussions are ongoing in this regard before this can be finalised and agreed with us. Consequently, we will review this at a later date when it becomes available and as such this is therefore still considered to be outstanding.

The Local Plan replaces the 2012 Core Strategy with realigned strategic policies and new site allocations. The Local Plan forms part of the overall planning policy framework for Hyndburn which also includes the Development Management DPD adopted in 2018 and the Accrington Area Action Plan adopted in 2012.

Along with existing development commitments, land has been identified across the Borough to meet the requirements, of the overall development strategy set out in Policy SP1, with a need for at least 3,104 dwellings and 59 hectares of employment land across the plan period.

This sees the allocation of 23 specific housing site allocations, including land for up to 1500 new homes at Huncoat (Huncoat Garden Village), and 6 employment site allocations. Together with Huncoat Garden Village, the two new strategic employment allocations at Altham and Whitebirk will be likely to have an impact upon the adjacent SRN. We note that the new employment land allocations are provided in conjunction with a policy approach which seeks to protect and develop existing employment locations.

SP1 also sets out the overarching policy framework for Hyndburn 2037 which sets out the development principles within which all future development would be expected to take place. Development proposals in the Borough would be assessed firstly against Policy SP1, then other relevant Local Plan policies and against national policy, including the National Planning Policy Framework. We would also advise that DfT Circular 01/2022 be considered within these policies, which reflects new government policies in relation to ‘Net Zero’ and sustainable transport, as well as a planned forthcoming revision to the NPPF.

As stated, there are specific strategic policies as part of the Spatial Development Strategy; these being ‘SP1 – Spatial Development Strategy’; ‘SP2 – Huncoat Garden Village’, ‘SP3 – Planning

Obligations' amongst others to achieve the goals and ambitions of HBC for the Local Plan. Where possible, National Highways will work alongside the council in support of co-ordination between all relevant stakeholders in meeting these policy objectives.

An Infrastructure Delivery Plan will support identification of the key infrastructure required to support planned growth, and how this is expected to be funded and co-ordinated. We welcome this statement and recommend that we are included as part of any discussions related to the strategic road network and planned delivery of any associated infrastructure.

Policy SP1 further seeks to provide a balanced policy approach to ensure that the vision and objectives set out in Section 2 are met (in so far as planning can influence), whilst minimising any adverse impacts on the environment, economy and society. We welcome this approach and will work with all partners to ensure these objectives are met within the context of the SRN.

SP2 sets out the policy specifically related to the Huncoat Garden Village, an allocated site to the east of the area adjacent to the M65 Junction 8, with up to 1500 dwellings being identified, and it is stated that some of this may occur beyond the current plan period.

We note as part of the Huncoat Garden Village Masterplan that it does not refer to any M65 Junction 8 improvement as being 'strategic infrastructure' required to facilitate Huncoat Garden Village, this is despite the findings of National Highways' 2020 National M65 Junction 8 study that HBC have included as part of their Local Plan evidence base to date. This National Highways Study establishes not only an existing need for capacity improvements at this junction, but also the need for capacity enhancements to accommodate development growth (particularly that arising from Huncoat Garden Village). Consequently, there is already link between the emerging Local Plan and the need for infrastructure improvements at M65 Junction 8 to be able to accommodate the Local Plan growth that needs to be referred to within the Huncoat Masterplan and associated Local Plan site allocation policies.

Work was commissioned by HBC in July 2022 that provided a review of the local transport study to accompany the Local Plan. Included within our response to this document were several queries related to the Huncoat Garden Village and associated modelling, as such we will await until a response has been received and agreed with us before providing final comments.

The infrastructure required to support development planned at Huncoat will be set out in an Infrastructure Delivery Plan, it is requested that we be consulted on any development pertinent to the SRN and welcome the opportunity to work alongside the developers and local council to meet targeted objectives.

Overall, as there is still outstanding information related to the transport evidence for the development, further comments to this will be provided once we receive further information from HBC. We would though welcome the approach as outlined in SP2, to achieve development that integrates sustainable travel across all modes of transport, as well as the need for Developers to contribute towards the cost of any strategic infrastructure identified through an Infrastructure Delivery Plan, and this should then include mitigating the impacts upon the SRN where necessary.

It should be noted that National Highways has no plans at this time to deliver capacity improvement schemes on the M65 during the current Roads Investment Strategy 2 (RIS) period (2020-25) and that we are unable to provide any certainty that such enhancements may feature within our programme during future RIS funding periods. Indeed, there is no certainty that any of

the improvements required to the SRN or cited by HBC will be included within any of the Government's future five-year RIS periods during the lifetime of the Local Plan.

HBC will therefore need to consider all funding opportunities, including developer contributions for any infrastructure on the SRN required to accommodate Local Plan development growth. National Highways welcomes the opportunity to support growth in Hyndburn by supporting funding bids and business case development for improvements as appropriate, as well as providing technical advice and input as required.

SP3 sets out the planning obligations to be attached to developments through the provision and inclusion of planning conditions and/or Section 106 obligations or agreements, in line with the tests set out in paragraph 57 of NPPF. We welcome this approach as it helps secure sustainable development proposals and ensures that development proposals meet the reasonable costs of new infrastructure, facilities or services needed as a direct result of the development. Moreover, we note that HBC will identify specific obligations where infrastructure requirements are known and evidenced through an Infrastructure Delivery Plan. It is noted however HBC may consider the introduction of a separate delivery mechanism for the Huncoat Garden Village. As with our comments on SP2, we would request that we are included within any discussions to negate any potential impact on the SRN and to open dialogue between developers and relevant stakeholders.

SP4 outlines the employment provision and strategic sites, with a total of 59 hectares being identified over the plan period. Four sites have been identified with EMP3 located at Altham to the north of junction 8 of the M65, and EMP4, 5 and 6 located adjacent to junction 6 of the M65 at Whitebirk.

SP4 also sets out an area of safeguarded land (S2) for a Rail Freight Terminal to be located to the east of Altham Lane, within the Huncoat Garden Village boundary, although it is acknowledged that an appropriate access arrangement will need to be identified. For the avoidance of doubt, provision of a direct access to the SRN for such a Rail Freight Terminal would not be considered by National Highways.

Given the location of the above sites along the M65 corridor, it is stated that it is "*...essential that the strategic road network continues to be able to manage the traffic that the is generated by the industry along this corridor.*"

We would then wish to continue working with all parties to identify any impact upon the SRN and secure mitigation as required. Although it must be noted that any requirements for mitigation are likely to be required to be developer-funded and, as set out above, National Highways is unable to commit to the delivery of capacity enhancement schemes on the M65 in the near to medium term.

Policy SP10 sets out the Housing provision over the plan period with a total of 3,104 dwellings being identified, with Huncoat Garden Village making a significant contribution towards this overall total. This is the site that has the greatest potential to impact upon the operation of the SRN.

We would also wish to support the measures as set out in SP13 Climate Change and Sustainable Development and SP17 Renewable Energy as a means to support National Highways with our plan towards working towards 'Net Zero' carbon emissions by 2050, which is a government policy aim.

Section 8 of the Local Plan outlines the policies associated with accessibility and transport. This includes working with neighbouring authorities, Lancashire County Council and National Highways to ensure that the M65 and A56 and their junctions have sufficient capacity to manage the growth planned across the sub-region and to allow businesses and people to connect effectively with neighbouring conurbations.

As well as ensuring new developments will not have an unacceptable impact on highway safety and will not have a severe cumulative impact on the road network, we welcome this emphasis on the road network and in particular on the M65 and will work alongside stakeholders to manage this.

We would also note that the plan identifies that whilst some works have been undertaken on the M65 to improve performance at junctions in recent years, M65 Junction 8 is a priority. In addition, HBC also state that, in the longer term the M65 will need to be widened to three lanes to accommodate potential growth in traffic and to allow it to effectively manage traffic generated from planned developments. Although, as stated above, we would again comment that there are no current plans to improve the M65 and there is no certainty that any of the improvements required to the SRN or cited by HBC will be included within any of the Government's future five-year RIS periods during the lifetime of the Local Plan. Major improvements, such as any changes to the mainline of the SRN or merge / diverge arrangements at junctions, is only potentially likely in the much longer term and would require additional studies to be undertaken. It would also be considered to be beyond the scope of highway works proposed in support of this Local Plan and would require a much more strategic intervention.

We do however, welcome the commitment to working with ourselves and Lancashire County Council in order to bring forward the extension to the Altham Business Park by ensuring that the capacity of the SRN does not act as a barrier to growth and development.

In respect to Policy SP23 Sustainable and Safe Transport we welcome the policy where developments that will generate a significant amount of movement should be accompanied by a Transport Assessment and Travel Plan. We also welcome the commitment by HMC that development with an unacceptable impact on highway safety, or that has a severe residual cumulative impact on the road network, will not be supported. In addition, we would also support the principle that where improvements are required that these are funded by the developer.

We will therefore continue work with both the local highway authority and developer to assist and advise on any applications likely to impact the SRN.

A number of allocations for both housing and employment are referenced within the Plan. Based on our review of the Plan, we consider that the following identified site allocations are likely to have a potentially significant impact on the SRN in terms of traffic related matters, therefore are considered key allocations;

- M65 Junction 6 – EMP4, EMP5, EMP6 and H20;
- M65 Junction 7 – EMP1, EMP2, H8, H9, H10 and H22; and
- M65 Junction 8 – EMP3, GT4, S1, S2, H11, H12, H13, H14 and H15.

The sites listed above are likely to result in an impact on the SRN in the area and any site anticipated to have an impact on the SRN in the area would be subject to consultation with

National Highways and appropriately assessed in line with the DfT Circular 01/2022 to determine the extent of their potential impacts. Depending on the scale of likely impact on the SRN the developer / applicant may need to identify suitable mitigation measures.

Whilst we have identified the immediate SRN junctions in proximity to the site allocations identified in the Plan, it should be noted that assessments may need to cover a wider extent based upon the size of the development.

Where Plan proposals are anticipated to have an impact on the operation of the SRN in this area, we welcome the wording of the Regulation 19 document that states

'Development which will generate a significant amount of movement should be accompanied by a Transport Assessment and Travel Plan' as outlined in SP23.

This will help to determine any adverse impacts to the reliability of the SRN. Transport Assessments will need to be agreed through site specific pre-application consultation with National Highways. At the planning application stage, the Transport Assessment will be reviewed in accordance with the current DfT Circular. Where appropriate, conditions may be agreed to mitigate any unacceptable impacts that may be identified through the assessment process as stated in SP3.

As noted earlier in the document National Highways are currently the response from Hyndburn to the National Highways comments on the Emerging Local Plan Transport Study.

In conclusion, the Localism Act 2011 placed the responsibility of 'Duty to Cooperate' on local authorities, to ensure that any local or cross-boundary impacts have been fully considered and addressed appropriately in preparing the Local Plan. The local authority must demonstrate that they have discussed such matters with the relevant bodies, including ourselves.

National Highways would like to work with HBC to develop a draft Statement of Common Ground to summarise the ongoing discussions and co-operation between HBC and National Highways in respect of the Local Plan. The document would include details of how the Council has responded to comments and representations made by National Highways as part of the Development Plan review process, the approach to collaborative joint working on the preparation of additional evidence and agreement on where future collaborative work will focus.

We hope that these comments are useful and would welcome continued dialogue with HBC to ensure that the transport impacts of this strategic area for growth is appropriately assessed and considered in respect of the continued safe operation of the SRN.

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