

Warren Hilton
Assistant Asset Manager
Highways England
8th Floor
Piccadilly Gate
Store Street
Manchester M1 2WD

info@sktransport.co.uk
www.sktransport.co.uk

17 APRIL 2020

Dear Warren

RE: HIGHWAYS ENGLAND CONSULTATION ON THE PRE-SUBMISSION VERSION OF THE ROSSENDALE LOCAL PLAN - LAND AT MARKET STREET, EDENFIELD

We are writing to you on behalf of the Edenfield Community Neighbourhood Forum (ECNF). You will recall that the group presented representations to the Planning Inspector at the Rossendale Local Plan Examination in Public (EiP), which included a review of the Highways England (HE) representations to the Council on their Local Plan.

For ease of reference the HE letters that the ECNF have reviewed, prepared by yourself on behalf of the organisation are:

- two letters produced on the 4th October 2018 (provided in **appendix a and b**)
- a letter produced on the 16th January 2019 (provided in **appendix c**)
- a letter produced on the 25th January 2019 (provided in **appendix d**)

We note that Rossendale Borough Council (RBC) has also published an agreed "Position Statement" with Highways England, dated 8th October 2019. This Position Statement is provided in **appendix e**.

As part of our representations to the EiP we provided a summary of HE's position, specifically with reference to the proposed residential allocation to the west of Market Street in Edenfield (site H72). We noted that the letters provided very clear and concise comments on both the suitability of the proposed residential allocation west of Market Street in Edenfield (site H72) in their 4th October 2018 letters, as well as the expected access arrangements for the site.

At this time whilst HE acknowledged that masterplans would be prepared to support proposed residential allocations of more than 50 dwellings your letter raised concerns that the potential allocation has:

*"the potential to significantly impact upon the safety and operation of the SRN. It is unclear what access arrangements have been considered for this housing allocation, or that appropriate mitigation measures have been identified to address any significant impact on the SRN. **As such at this stage Highways England do not consider there is robust evidence to support the inclusion of this allocation and its removal from the Green Belt.**" (HE emphasis)*

We drew the Inspector's attention to HE's position also being confirmed in the MM technical assessment work, with the modelling confirming that the development will have an impact at the only assessed junction in the 2034 Local Plan modelled period, and to the material and potentially severe impact of the Local Plan allocation on the performance of the Rochdale Road/Market Street mini roundabout junction.

Turning to HE's comments on geotechnical issues with the development of site H72, one of your letters of the 4th October 2018 stated:

“...the presence of an existing land-slip beneath the site now dictates that the Council must now carry out a geotechnical assessment in order to provide a robust indication of the extent to which the allocation may be developed / contribute towards the housing target.”

In your subsequent letter of the 25th January 2019 you provided an update to 4th October 2018 letter, confirming that the original response:

“...commented on several areas covering RBC’s Highway Capacity Study, as well as viability matters linked to geotechnics and ground conditions concerning three proposed allocations. It is on this latter aspect on which we now write, specifically in respect of comments made about the housing site allocation reference ‘H72’ known as ‘Land West of Market Street, Edenfield’.”

Your January 2019 letter provided clear and concise advice regarding the HE’s concerns regarding the ground stability risks on part of the land that forms part of H72. On behalf of HE you stated in the third paragraph of your letter:

“Those comments were made from our standpoint as an infrastructure provider with knowledge and experience of the uniquely difficult ground conditions found in the Rossendale Valley. This is emphasised by the land slip problem that we are managing at the Woodfield cutting. Our borehole records for the remainder of the A56 path adjacent to the allocation indicate the presence of similar ground material.”

In the fourth paragraph on page 2 of your letter you went on to state:

“The level of moisture content within the ground is also important; higher moisture content generally indicating lower strength material giving lower bearing capacities, increased settlement under load and a higher risk of instability (e.g. landslip). Laminated clay is also typically an unsuitable fill material and is therefore inappropriate for structural re-use elsewhere without appropriate stabilisation treatment.”

Based on the content of your 25th January 2019 letter the HE’s position was absolutely clear. This was crystallised in your requirement for further technical information to be provided. You stated:

“...comprehensive (and intrusive) site survey and geotechnical assessment is carried out before planning decisions affecting the development layout (and therefore quantum of development) are taken.”

It is quite clear from this written statement that HE’s position regarding the allocation of H72 is wholly reliant on comprehensive site surveys being undertaken before planning decisions can be made.

In terms making appropriate provision for future widening of this strategic corridor in the HE January 2019 letter it was confirmed that the MM study identified the need to widen the A56 to three lanes in each direction, and HE are aware this could be needed towards the early 2030’s. The letter confirms HE has no proposals to take this scheme forward at this time, but would want to reserve the right to do so in the future. We note that HE stated in response:

“RBC and any future developer(s) of the H72 site may wish to consider this when planning the permanent internal layout and landscaping of a ‘new’ development.”

Your 25th January 2019 letter also stated:

*“Whilst development of the areas away from the A56 fringe may not in itself affect the trunk road, the presence of these deposits (and the evidence of some instability in the HE slopes adjacent to the site) **demonstrates ground stability risks are present in the general area.**” (our emphasis).*

We are aware that you also produced a letter dated 16th January 2019 to our client, but this was not received until early March 2019. In that letter you stated:

“...it’s worth noting that (whilst the ground material is generally the same) the relationship between the adjoining land and the A56 at Woodcliffe (which originally formed part of this H72 allocation) is different to the site that the Council is now seeking to include in the Plan. As you’ll know, the surrounding land lies above a significant earth cutting above the A56, whereas the majority of the current proposed allocation is either level with the A56 or at the head of much shallower cuttings.”

You also stated:

*“Consequently, we remain content with the statement in our previous letter **that there is a ‘realistic possibility the disturbance caused by earthworks and loading of the surrounding land by building upon (if not considered and managed correctly) would trigger further land slippage problems along the A56 boundary. This is of course a safety concern, both in relation to the users of the trunk road and the residents of any housing – the results of a sudden land failure would be catastrophic. That is besides any gradual movement in the dwellings themselves’.**” (our emphasis)*

The above-mentioned references clearly demonstrate the HE’s technical concerns regarding site H72, its allocation for residential development and the material, significant and potentially “catastrophic” impact in terms potential land slippage.

As presented in our formal submissions to the Local Plan EiP, the combination of technical evidence produced by MM in their Highway Capacity Study, coupled with HE’s material concerns regarding land stabilisation within H72 brought into question whether this site is appropriate for residential development, and the scale of development proposed.

To date we are not aware of any geotechnical information submitted to the Council or HE that demonstrates the site could come forward without adverse impact or the potential to prejudice the enhancement of the A56 corridor in the future.

Moving forward to the 8th October 2019 Position Update, this document clearly states:

- 1) the document responds to the Inspector’s request regarding the need to safeguard land within the proposed allocation sites at H72 and H73
- 2) no future highway schemes have been developed or funding identified for enhancements to the A56 corridor at the time of writing
- 3) the A56 is the most important strategic link for north-south travel through the Borough
- 4) the A56 is the only directly appropriate main route connecting external authorities to the north and south of Rossendale
- 5) the A56 is used for both longer distance strategic journeys and short hop-on, hop-off journeys

The Position Update is entirely clear that the evidence base shows that there will be operational issues with the junctions on the A56 as well as on the A56 mainline itself, irrespective of the Rossendale Local Plan proposals, and that “there is a good case for why the A56 be considered for further investment”.

The document then goes on to confirm that these matters were discussed with the landowners at a meeting with the Council and Highways England in December 2018, before the EiP. The meeting confirmed that the works to the A56 could come forward given that a “wide buffer had been expected” between this strategic corridor and the proposed new housing.

Of significant concern, and a matter that has not gone unnoticed by the ECNF or the Planning Inspectorate is that at the EiP the developers raised concerns about planning for an A56 road widening scheme, and suggested that land on the western side of the A56 could be used for lane widening.

We note in the Position Statement that HE consider this less appropriate as this would require the realignment of the entire section of the A56 and present more difficulty in tying in with existing sections of road.

The Position Statement reaffirms that there is no agreed position between HE, the developers or the Council on technical matters relating to future works on the A56. This is confirmed by:

- 1) the developers’ solution being that any future works should be provided on the western side of the A56, away from their proposed development site
- 2) HE stating that any development proposals are to be based on a comprehensive site ground investigation survey and geotechnical assessment, which to date has not been provided to all interested parties
- 3) All earthworks and drainage in the vicinity of the A56 boundary having to be prepared in line with DMRB geotechnical standards
- 4) the need to avoid loading land adjoining the A56 with excavated material
- 5) the requirement to demonstrate that all natural slopes within the site on the A56 boundary either remain undisturbed or stability improved
- 6) the need to consider the culverts and drainage associated with the development proposals
- 7) the need to avoid the use of SUDS within the site, due to the risk of affecting the stability of A56 slopes

We note the Council’s position on developing a site-specific policy for site H72 to ensure any future works on the A56 are not prejudiced by the development, and the drainage scheme needs to avoid a SUDS approach. It is quite clear that without the above-mentioned technical engineering details, ground investigation surveys and detailed technical work no parties can have any certainty on the delivery of residential development at the H72 site.

We note that HE decided not to attend the EiP when these matters were raised and discussed. This would at best be described as unfortunate, based on the significant technical matters that HE raised in advance of the EiP, as confirmed in your written responses cited above.

From our project experience elsewhere in England the issue we have with the HE’s position is that if the organisation has a fundamental issue with the allocation of a site for residential development at a Local Plan stage this should be clearly stated now, and not once the site is allocated and a planning application submitted. Allowing a site to be allocated which cannot be brought forward because of an impact on the trunk road network, an engineering, geotechnical or land stabilisation issue is not a positive or proactive approach to plan-making for the Council.

To this end we would be grateful for a formal response to this letter on all previously raised technical matters raised in the HE letters and the October 2019 Position Update document. We would be grateful of clear and concise responses on the HE’s position, based on previous statements where:

- 1) HE did not consider there was robust evidence to support the inclusion of this allocation and its removal from the Green Belt in the emerging Local Plan

- 2) you confirmed that the presence of an existing landslip beneath the site dictated that the Council must carry out a geotechnical assessment in order to provide a robust indication of the extent to which the allocation may be developed / contribute towards the housing target
- 3) you stated the HE had knowledge and experience of the uniquely difficult ground conditions found in the Rossendale Valley, emphasised by the land slip problem that HE were managing at the Woodfield cutting and the presence of similar ground material
- 4) HE previously confirmed that they could not support the original plans for development north of Blackburn Road due to the cutting there being above the A56 – in the same manner we would be grateful for a response as to whether consideration been given to the levels and cuttings when/if the A56 is extended on the eastern side of this corridor
- 5) you stated that HE was content with the statement in previous correspondence that there is a realistic possibility the disturbance caused by earthworks and loading of the surrounding land by building upon (if not considered and managed correctly) would trigger further land slippage problems along the A56 boundary
- 6) you confirmed that the potential land slippage issue was a safety concern, both in relation to the users of the trunk road and the residents of any housing, with the results of a sudden land failure being “catastrophic”
- 7) the developers’ solution to any future widening of the A56 was that any future works should be provided on the western side of the existing carriageway, away from the H72 development site
- 8) the HE’s position was that any development proposals were to be based on a comprehensive site ground investigation survey and geotechnical assessment, which to date has not been provided to all interested parties
- 9) earthwork and drainage schemes in the vicinity of the A56 boundary have to be prepared in line with DMRB geotechnical standards
- 10) you stated there was a need to avoid loading land adjoining the A56 with excavated material, and that all natural slopes within the site on the A56 boundary either remain undisturbed or stability improved. Can you also confirm that HE are aware of the man-made mound in the centre of H72 development site, which would border the A56 when/if it is widened. For information this mound was formed from the spoil during the construction of the A56 and is regularly saturated. Comments from HE on this stability risk matter would be appreciated
- 11) HE confirmed that culvert and drainage design associated with the development proposals would need to be considered, along with the need to avoid the used of SUDS within the site, due to the risk of affecting the stability of A56 slopes

We would be grateful for a response to these ten previously raised technical matters no later than Thursday 30th April, to allow us to prepare a submission to the Council.

If you would like to discuss any element of this letter with us or the ENCF do not hesitate to come back to me to discuss further.

Yours sincerely,



MICHAEL KITCHING

Director

CC Anne Stora – Rossendale Borough Council
Tony Blackburn – Rossendale Borough Council

Enc.

APPENDIX A

Anne Storah
Rossendale Borough Council
Room 119
Business Centre
Futures Park
Bacup
Lancashire
OL13 0BB

Warren Hilton
Assistant Asset Manager
8th Floor
Piccadilly Gate
Store Street
Manchester M1 2WD

Direct Line: [REDACTED]

4 October 2018

Dear Anne,

CONSULTATION ON THE PRE-SUBMISSION PUBLICATION VERSION OF THE LOCAL PLAN

Thank you for inviting Highways England to comment on the Pre-Submission version of the emerging Rossendale Local Plan.

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). The SRN in Rossendale comprises the northernmost stretch of the M66 motorway and the A56 corridor; from a point south of M66 Junction '0', to a point north of the A56 roundabout junction with the A680 at Rising Bridge. This north-south corridor is a route of regional significance that links Greater Manchester with Lancashire.

It is an ambition to ensure that major roads are more dependable, durable, and most importantly – safe.

Highways England's desire to be a proactive planning partner goes beyond this statutory role but follows the spirit of the Licence which states that Highways England should: "support local and national economic growth and regeneration".

Highways England Comments – Local Plan evidence

The following documents have been prepared as part of the transport evidence base supporting the emerging Local Plan:

- Interim Rossendale Employment Sites Study, August 2018; and
- Technical Note on Phase One of the Highway Capacity Study, January 2018.

Interim Rossendale Employment Sites Study, August 2018

Highways England has been actively engaging with the Council on the preparation of the **Interim Rossendale Employment Sites Study** being prepared by Mott MacDonald. The interim study reviews the access requirements for key employment allocation sites on behalf of Rossendale Borough Council.

An updated report, addressing the comments raised by Highways England and Lancashire County Council (LCC), was expected during the consultation period. However, at the time of

preparing this response, the updated report was received from Rossendale Council three days prior to the consultation deadline, and so will now need to be responded to separately by Highways England. Therefore, our response to the Local Plan Publication consultation is based on the transport evidence already available at the time of writing. A summary of the findings of the Interim Rossendale Employment Sites Study, and our comments in relation to the impact of the proposed accesses on the SRN, is provided below:

- **Land North of Hud Hey (EMP 13)** – It is proposed that the existing site access to the industrial estate would be utilised with the priority junction improved, and an extensive internal link road provided to open up the site for development. Development traffic would join the local road network and access the SRN via existing junctions. However, we note that the proposed access is immediately adjacent to the A56 overbridge abutments and highway verge, which may impact upon the ability of HGV vehicles to safely and efficiently access the site.
- **Carrs Industrial Estate Extension (ADD 6)** – An access from the A56 was considered, but discounted due to being contrary to the Department for Transport's Policy Circular 02/2013 and the terms of Highways England's operating Licence with the secretary of State. Due to this lack of support from Highways England, access was proposed to be provided via Hud Hey Road. Development traffic would join the local road network and access the SRN via existing junctions. However, we note that the proposed access is immediately adjacent to the A56 overbridge abutments and highway verge, which may impact upon the ability of HGV vehicles to safely and efficiently access the site.

An alternative access to this site from Commerce Street is likely to be very difficult and expensive to achieve due to the level of earthworks involved and existing geotechnical constraints that pose a safety risk to the A56. This could well make any development unviable. Consequently, Highways England had previously advised the Council that the Employment Sites Study needs to consider this matter in great detail (i.e. undertake feasibility work to establish and agree with Highways England an outline design to be appended as a precondition to the allocation itself). The Study has so far not considered this matter. **The Council is aware of Highways England's concerns which are discussed in more detail further on in this letter.**

- **Land Adjacent to Hollin Gate Farm (ADD 3)** – Access is proposed by utilising the existing access to Hollin Gate Farm and providing a signalised junction on the A680 shared with adjacent local services or a roundabout junction, which would be located immediately adjacent to the A56 corridor at the Rising Bridge roundabout. We note that a junction or roundabout at this location could potentially impact upon the operation of the A56 roundabout junction at Rising Bridge. Potentially, northbound queues could extend onto the A56 roundabout junction, especially given the gradient and turning angle of the vehicles entering the proposed site. **Further work is required to understand the cumulative impact that the proposed access arrangements would have upon the safety and efficient operation of the A56.**
- **Extension of New Hall Hey (EMP 11)** – Access is proposed by utilising the existing roundabout access from the A682 and extending the existing access road at New Hall Hey Road. The proposed access junction may induce queues on the A682, but it is unlikely that this will impact the operation of the A56. However, **Highways England note that the cumulative impact of the new junctions proposed on the A682 has not been assessed.**

- *New Hall Hey East (EMP 72)* – This site is located adjacent to site EMP 11 and it is proposed to provide access via the existing roundabout access from the A682, with a link from the proposed extended access road to site EMP 11. A bridge would be required to provide access across the River Irwell to open up the site for development. **The proposed access junction may induce queues on the A682, but it is unlikely that this will impact the operation of the A56. Nevertheless, the cumulative impact of the new junctions proposed on the A682 has not been assessed.**
- *Land South of New Hall Hey Extension* – It is proposed to provide access to the site via a new roundabout junction from A682, which would also provide access to the Land at Sykeside site. **The proposed location of the roundabout junction could potentially result in traffic queues blocking back onto the A56. The proposed access junction may induce queues on the A682, and the cumulative impact of the new junctions proposed on the A682 has not been assessed.**
- *Land at Sykeside* – It is proposed to provide access to the site via a new roundabout junction from the A682, which would also provide access to the Land South of New Hall Hey West site. The proposed location of the roundabout junction could potentially result in traffic queues blocking back onto the A56. **The proposed access junction may induce queues on the A682, and the cumulative impact of the new junctions proposed on the A682 has not been assessed.**
- *Ewood Bridge (EMP 10)* – It is proposed to provide access via an existing access on Blackburn Road, which would be upgraded to a signal-controlled junction with bus priority measures. The site is located close to the A56 corridor, with traffic joining the SRN at the roundabout junction between A56/A680/B6527.
- *Futures Park (EMP 18)* – Access to the Futures Park site would be provided by utilising the existing priority junction with the A681 Newchurch Road and upgrading it to a signal-controlled junction. Given the location of the site, no material impact is expected on the SRN.
- *Barlow Bottoms (EMP 65)* – The site is located in the village of Whitworth and it is proposed to provide access via a new priority junction access from Millfold. Given the location of the site, no material impact is expected on the SRN.

Highways England has concerns that the Interim Rossendale Employment Sites Study (and indeed the wider emerging Local Plan evidence) does not sufficiently address the constraints at a number of the proposed sites that fundamentally threaten the viability of the sites. Consequently, there is a likelihood that these allocations are fundamentally unviable, which is why there is a need for the Council to assess whether including them within the plan is realistic. Primarily, this relates to public safety and geotechnical matters. These are discussed in more detail, below for each location:

ADD 6 – Extension to Carrs Wood Industrial Estate – access from Commerce Street

It has been suggested by the Council that this employment site could be accessed from Commerce Street at the point where an existing private means of access / accommodation road has a junction with Commerce Street. The developable land within the proposed allocation is

located some 300 metres away from the junction, but is located some 30 metres lower than the junction with Commerce Street, with higher ground in-between.

The suggested access route runs along a contour ledge, midway up a significant cutting that was created when the A56 Haslingden Bypass was built (the A56 following the route of a disused railway and the cutting being formed after the removal of the North Hag railway tunnel). The cutting across which the existing access track/road runs was cut to a slope angle of about 1 in 3 to 1 in 4, which are quite shallow angles for highway cutting design and in themselves suggest that the design engineers for the A56 could not achieve appropriate stability for a steeper slope.

Our records of boreholes sunk for the slope design / construction indicate a significant thickness of glacial deposits which extend well below the toe level of the slope. The deposits contain a mix of layers of sands, gravels, silt and soft clays. In this combination, these materials are inherently difficult to work with and unstable. They are prone to the absorption of water, which adds to the weight of the material, making slope-failure likely. This is why our records indicate slope face drainage across both lifts of the slope (above and below the existing access track) which indicates that groundwater was encountered during construction and drainage was installed to control seepage and improve stability of these slopes.

The existing accommodation road is narrow and curved, which would be unsuitable for use by any development traffic. These bends are deliberate so the road follows the contours that have been created to aid the stability of the slopes above and below it. Creation of an access road to the proposed site allocation would need to be wider and have a straight forward alignment; sloping gradually over a significant distance to access the proposed development site. This would necessitate major earthworks (via cut and fill), along with the widening of the new access. Widening would cut into the slope above and cause it to fail, which means that a significant retaining wall structure would be likely (the existing slope cannot be removed due to being part of the surrounding hillside).

The lower level land to the north, where development is being suggested, has boreholes data which recorded weak Alluvial soils and Peat, which also require careful consideration for development upon. There is a likelihood that placing surplus material from a cut and fill operation above this later will in itself be unstable, and may also result in the weight of depressing the existing ground beneath and pushing the surrounding ground (including the A56 carriageway) upwards, resulting in catastrophic damage to the road structure and carriageways. This area is also drained by a culvert passing below the A56 and this too needs consideration in any proposed scheme.

In summary, creation of an access at Commerce Street poses a significant risk to the safety and integrity of the A56 that would require significant earthworks and engineering solutions; the cost of which may be uneconomic when weighed against the cost of developing the site itself. Due to the materials involved, there will need to be careful slope stability analysis of *any* changes that may be desired for the development. Changes at this location pose a risk to the stability of the abutments of the Commerce Street bridge over the A56, the slopes above the A56, as well as the stability of the carriageways.

Highways England therefore advises Rossendale Council that before taking any decision to allocate this site, it must arrange for a feasibility study to be carried out to find out whether an optimum solution can be achieved. This should be carried out using specialist and appropriately-qualified geotechnical expertise. Where there is a geotechnical risk to the SRN, this work must be undertaken in accordance with the

Design Manual for Roads and Bridges standard HD22/08 'Managing Geotechnical Risk' (available on the internet). This process should begin as soon as practicable to allow a detailed geotechnical study to be carried out which will assist in understanding the viability of the proposal. Any solutions arising must first be agreed with Highways England. This work must be completed before the Local Plan is advanced any further.

The complications associated with this site (in particular the Commerce Street access proposal) are so great that, in our view, it is not appropriate for a developer to be faced with attempting to resolve them at planning application stage. They need to be resolved *before* the site is formally allocated within the Plan, as they are highly likely to affect site viability.

ADD 6 – Extension to Carrs Wood Industrial Estate (access from Hud Hey Road) & EMP 13 Land North of Hud Hey

As for the comments above in relation to an access from Commerce Street, the creation of accesses to both the proposed employment sites at Carrs Wood and the Land North of Hud Hey pose geotechnical risks to the A56 trunk road embankments and abutments of the Hud Hey Road bridge over the A56. **Therefore, a detailed feasibility study should be carried out to find out whether an optimum solution can be achieved that poses no safety risk to the A56. This should be carried out using specialist and appropriately-qualified geotechnical expertise. Where there is a geotechnical risk to the SRN, this work must be undertaken in accordance with the Design Manual for Roads and Bridges standard HD22/08 'Managing Geotechnical Risk' (available on the internet). This process should begin as soon as practicable to allow a detailed study to be carried out which will assist in understanding the viability of the proposal.**

H72 Land west of Market Street, Edenfield

The land being identified for this **housing** allocation by the Council lies alongside the A56 southbound carriageway at the top of a cutting and is currently undeveloped. We have already made the Council aware that this site is located above cutting of the A56 at Woodcliffe. This cutting, which forms the verge of the trunk road, is subject to existing slope failure issue that Highways England is managing, and a solution is currently at an advanced stage of development. Due to the loading requirement, developing this land could affect the effectiveness of the permanent solution that Highways England is working on.

Highways England is extremely concerned that the additional loading as a result of developing this land would trigger a land-slip that would both affect the safety of A56 and the development itself. Before allocating this land within the merging Plan, Rossendale Council should now carry out a detailed geotechnical assessment (using appropriately qualified geotechnical specialists) to identify and understand the implications for this slope of developing the land above it. This work must be carried out within the parameters of the Design Manual for Roads and Bridges standard HD22/08 'Managing Geotechnical Risk'. This assessment is also needed so that Highways England is able to understand whether its intended solution to the land-slip issue would be likely to withstand the loading caused by developing the land above it. We advise that the Council should not advance the Plan further until the outcome of this assessment is known and has been agreed with Highways England due to the safety issues at stake. There is also a likelihood that the quantum of housing assigned to this allocation will need to reduce as a result.

The complications associated with this site (in particular the Commerce Street access proposal) are so great that, in our view, it is not appropriate for a developer to be faced with attempting to resolve them at planning application stage. They need to be resolved *before* the site is formally allocated within the Plan, as they are highly likely to affect site viability.

ADD3 Hollin Gate Farm – detailed microsimulation modelling is needed to assess the impact of the proposed junction upon northbound traffic exiting the A56 carriageway at the Rising Bridge junction; and

EMP 11 Extension of New Hall Hey, EMP 72 New Hall Hey East, Land South of New Hall Hey Extension and Land at Sykeside – detailed microsimulation modelling needed to assess the cumulative impact of the proposed junctions upon the A682 and A56 carriageways.

We would welcome the opportunity to continue to work with the Council as it completes these assessments and to develop and review the updated employment site study/feasibility/modelling work. Until all of this work is complete, Highways England does not consider the transport evidence is sufficient to determine the accessibility of allocated sites or that appropriate mitigation measures have been identified to address the potential highway impact of the 'The Plan' on the SRN.

As such, at this stage, Highways England does not consider that there is robust transport evidence to support the inclusion of these sites within the Local Plan. Due to the safety issues associated with the sites referred to above, we advise that the Plan should not be advanced further at this stage until this work has been completed and its findings acted upon.

We therefore welcome continued engagement with the Council to try and resolve the matters relating to access for these sites **ahead of the subsequent submission and examination of the Publication document by an Independent Inspector.**

Highways England Comments - Technical Note on Phase One of the Highway Capacity Study, January 2018

The **Rossendale Local Plan Highway Capacity Study** is being prepared by Mott MacDonald on behalf of Rossendale Borough Council, to identify the highway impacts of the Local Plan across Rossendale, including the impacts on the SRN. At the time of writing, only the Technical Note on phase one of the Highway Capacity Study was available, which provides commentary on the assessment inputs, model development and results from the junction modelling.

Whilst much of the general modelling methodology appears to be appropriate, some clarifications are required in relation to traffic growth, trip rates and trip generation and trip assignment in the models. In addition, we have raised a number of significant modelling concerns across all of the models presented. **At this stage, the models and associated results are not considered suitable to provide evidence on the highway impact of the Rossendale Local Plan, and we are unable to fully understand the likely level of impact upon the safety and efficient operation of the SRN. We also consider that the assessment is incomplete, with TD22/06 Merge/Diverge Assessments missing for the A56/A56/A682.** Where Local Plan impacts are predicted to require changes to the layouts of the slip roads, a suitable solution is required to be identified by the Local Planning Authority.

Regarding mitigation measures, the proposed measures will need to be reviewed once the capacity modelling is completed. **Furthermore, the Rising Bridge junction has been highlighted to require mitigation, but none has been proposed. Appropriate mitigation measures to support delivery of the Local Plan should be identified, and appropriate phasing considered for the relevant Local Plan site(s) to ensure mitigation measures are delivered in line with development. It is not appropriate to simply be reliant on the availability of capacity on the SRN for future access and travel needs, particularly for local trips. Nor should it be assumed that Highways England can deliver improvements without inclusion in our investment plans to accommodate growth.** The Local Plan transport assessment is key to assessing the quality and capacity of transport infrastructure and its ability to meet forecast demands leading to the identification of short, medium and long-term proposals across all modes. **These outcomes can highlight the need to consider alternative allocations or mitigation measures to ensure the proposed land allocations are sustainable, viable and deliverable.**

According to **National Planning Practice Guidance (NPPG)** an assessment of the transport implications should be undertaken at several stages in preparing the Local Plan. The last of these stages should highlight the scale of and priorities for investment requirements and support infrastructure spending plans. **It should be an iterative process that becomes more refined through the process itself; informing what is included in the plan and shaping its development.** As part of the **Draft Local Plan (Regulation 18)** public consultation, Highway England requested an impact assessment should be undertaken of the aggregate impact of all proposed allocated sites, alongside assessments of those individual allocations which are expected to result in the most significant traffic impact. Whilst it is noted that some work has been undertaken, a response to our comments on the phase one study and an assessment of proposed mitigation measures has been outstanding until only three days before the end of this consultation period, and so is too late to have been considered. **We look forward to reviewing the refined transport assessment evidence to provide confidence that the plan is deliverable and that supporting infrastructure, including access arrangements and improvements to the local transport network and sustainable forms of transport, will be provided in the right place at the right time.** We will comment on this aspect in a separate response after the end of the current consultation period.

Highways England Comments - Publication Pre-Submission version of the Local Plan, Policies Map and Errata

In terms of transport and connectivity, 'The Plan' states the intention is to address issues affecting key road junctions, such as the Gyratory in Rawtenstall and enhancing the A56 corridor. It also identifies the option to develop the heritage East Lancashire Railway as a commuter rail link, which would provide an alternative mode for SRN journeys between Rawtenstall and the north of the Greater Manchester conurbation. **Highways England welcomes the inclusion of sustainable modes of travel to reduce private vehicle usage and look forward to more fully understanding the impact this may have in reducing the number of trips on the SRN in Rossendale.**

'Strategic Policy SD2: Urban Boundary and Green Belt' identifies that some sites will be removed from the Greenbelt due to 'Exceptional Circumstances' and this includes a number of sites which will abut the A56. These include:

- H72 Land west of Market Street, Edenfield; and

- NE2 Land north of Hud Hey, Haslingden.

If accessibility by active travel and public transport modes is not thoroughly considered from the outset, development sites in the Greenbelt may induce car-dependant travel patterns, in the absence of an alternative mode. **Reliable and alternative sustainable modes of travel need to be in place to ensure that the private car is not the dominant form of transport as it will be difficult to change travel behaviour once established.**

Highways England raised a number of concerns during the Regulation 18 consultation, including the release of sites for development currently situated in the Green Belt, the level of existing congestion and the likely impact of future developments, and vehicular access to specific sites. As a result of these concerns, we note some sites have been removed from the Publication version of the Local Plan. **However, despite these concerns and the designated Neighbourhood Forum not supporting the continued inclusion of H27 Land west of Market Street, Edenfield, it remains a housing allocation in the Local Plan.** In addition, **NE2 Land north of Hud Hey, Haslingden remains an employment allocation, contrary to the findings of the Green Belt Review Study.**

We note the Council has prepared a topic paper setting out the 'Exceptional Circumstances' justifying this Green Belt release. **Highways England would welcome consultation on the findings of the highway capacity assessment and the employment sites study, as there remains a lack of robust transport evidence demonstrating the impact of these allocations on the SRN, that suitable accesses can be delivered, or that proposed mitigation measures will support sustainable growth at these sites.**

'Strategic Policy HS1: Meeting Rossendale's Housing Requirement' sets out the borough's housing need up to 2034. It is noted that the methodology to calculate housing need has been changed to align with the revised National Planning Policy Framework (NPPF) which was published in July 2018. The revised local housing need is 3,180 homes to 2034 with 30% expected to be delivered on previously developed land; this is a reduction on the 4,000 homes stated in the previously consulted upon 'Draft Local Plan (Regulation 18)'. 'Policy HS2: Housing Site Allocations' details the sites in terms of the number of potential dwellings and delivery timescales. **The corrections identified in the errata for Table 1 are noted.** The majority of new housing need (approx. 50%) will be located in and around the main centres of Rawtenstall and Bacup.

Masterplans are to be prepared for development sites with more than 50 dwellings. Of interest to Highways England, is the Edenfield site (Housing Allocation H72), a 15.25-hectare site which abuts the A56(T) carriageway and has the potential to significantly impact upon the safety and operation of the SRN. It is unclear what access arrangements have been considered for this housing allocation, or that appropriate mitigation measures have been identified to address any significant impact on the SRN. **As such at this stage Highways England do not consider there is robust evidence to support the inclusion of this allocation and its removal from the Green Belt.** Notwithstanding this, the presence of an existing land-slip beneath the site now dictates that the Council must now carry out a geotechnical assessment in order to provide a robust indication of the extent to which the allocation may be developed / contribute towards the housing target.

'Strategic Policy EMP1: Provision for Employment' sets out the Borough's need for 27 hectares of land for business, general industrial or storage and distribution (Use Classes B1, B2 and B8) employment sites for the period up to 2034. 'Policy EMP2: Employment Site Allocations' provides detail of the employment site allocations and potential Land Use Class. The changes

included within the errata document for Table 2 have been noted. Several employment sites are located adjacent to the SRN. Highways England has previously indicated that 'Policy Circular 02/2013' sets out a presumption against new accesses and junctions being created on high-speed routes such as the A56(T). **Whilst access via new junctions on the A56(T) have been considered within the Interim Rossendale Employment Sites Study, all accesses directly onto the SRN were subsequently ruled out due to not being in accordance with the Department for Transport Policy Circular 02/2013, and we are still awaiting the updated employment site study (and geotechnical assessments) to fully understand where new access junctions have been proposed and if they are deliverable.**

'Policy EMP7: New Hall Hey' sets out the proposals for 6 hectares of employment development at the New Hall Hey site. The policy identifies the need for a Scoping Study, Transport Assessment and Travel Plan which are to be agreed with Lancashire County Council and Highways England. **Whilst we would welcome the opportunity to assist with this assessment work, Highways England has concerns about the proposed access to this site.** The '*Interim Rossendale Employment Sites Study*' proposes new accesses on the A682 but the cumulative impact of the new junctions proposed (especially in terms of safety and the blocking-back of slower moving traffic onto the A56 northbound) has not been considered. **Therefore, at this stage, it is not possible to fully understand any potential impacts upon the A56(T) or the need for any proposed mitigation measures to be identified and assessed.**

It is noted that the Local Plan intends to focus retail development within defined centres, with some amendments proposed to the boundaries of town, district and local centres within the borough. Highways England has no specific comments relating to this chapter. The details of the Leisure and Tourism chapter have also been noted, and **we have no specific comments. Pertinent to the safe and efficient operation of the SRN.**

'Strategic Policy TR1: Strategic Transport' sets out the Council's focus upon internal and external connectivity, including enhancements to the A56 corridor to improve links to the M60/M62. The development of the "Expressway" concept to the A56 corridor is supported as part of a broader approach to creating an enhanced "Central Pennine route". It is also acknowledged that the Council wishes to continue engagement with Lancashire County Council and Highways England to identify funding and implement solutions for key junctions identified in the *Highways Capacity Study*. **However, as previously stated only the phase one Technical Note is available, which provides commentary on the assessment inputs, model development and results from the junction modelling, and we have raised some significant concerns relating to this work.**

The policy also sets out the need for sustainable transport solutions to address congestion and air pollution, to integrate transport more effectively into new developments and to ensure development that generates significant movement is located where the need to travel by private car is minimised. **We welcome these proposals, especially the need to maximise use of sustainable travel modes.** In addition, **Highways England support the Council's requirements for new developments to demonstrate connectivity to public transport, walking and cycling networks within 'Strategic Policy ENV1: High Quality Development in the Borough'.**

The proposed targets in the Monitoring chapter of 'The Plan' are not aligned to any specific plan policy, and no targets are proposed to monitor the Local Plan's impact upon transport and travel. Without data relating to travel and transport impacts, it will not be possible to set out a baseline or to measure the impacts of proposed development upon the

SRN in Rossendale. **Highways England recommends that transport and travel data is collected to measure the impact of 'The Plan' upon the performance of transport policies within the document.** Without this data, it may be difficult to determine whether 'The Plan' is effective. However, it is recognised that it is a matter for each council to decide what to include in their monitoring reports, while ensuring they are prepared in accordance with relevant UK and EU legislation.

Within 'The Plan' the importance of working with partners to address key transport issues is recognised and Highways England has been actively engaging with the Council on the emerging transport evidence base. Despite this, many of Highways England's concerns remain outstanding. It is acknowledged that following our response to the '*Draft Local Plan (Regulation 18)*' consultation, a transport evidence base is now being prepared, which includes an assessment of access arrangements and highway capacity. **However, the transport evidence base has not been developed to a level of detail to allow Highways England to fully understand the cumulative impact of the proposed site allocations upon the SRN, or to have confidence that proposed mitigation measures will support the sustainable delivery of 'The Plan'.**

Highways England Concluding Comments

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 Highways England.

Highways England note that the Rossendale Local Plan is at an advanced stage and is the version of the plan the Council intends to submit for examination and then adopt.

According to NPPG an assessment of the transport implications should be undertaken at several stages in preparing the Local Plan. It should be an iterative process that becomes more refined through the process itself and ultimately shaping its development rather than retrospectively trying to retrofit it to the development strategy. We note and welcome the commitment of the Council to ensure that a comprehensive, detailed transport evidence is made available prior to the EiP, and as such (at this stage) we do not wish to be heard at the Examination. However, we expect to be consulted on the updated **Interim Rossendale Employment Sites Study** (including the required **site geotechnical assessments** set out above) and the phase two **Rossendale Local Plan Highway Capacity Study**, to have confidence that the Local Plan can be sustainably delivered. Due to the constraints posed by the unique topography and geology of the Rossendale Valley through which the A56 runs, the Council does need to place more emphasis on these aspects as part of its evidence base for the purposes of ensuring future public safety.

We would request that we be notified of any of the following:

- The Rossendale Local Plan has been submitted to the Secretary of State for independent examination;
- Publication of the recommendations of any person appointed to carry out the independent examination of the Rossendale Local Plan; and
- Adoption of the Rossendale Local Plan.

It is recommended that growth is planned in sustainable locations that can be accessed by all modes of transport. Highways England supports this view as **planned growth cannot simply be reliant on the availability of capacity on the SRN for future access and travel needs, particularly for local trips**. We would welcome continued engagement with the Council to ensure that the transport impacts of planned growth are appropriately assessed and considered in respect of the SRN. Also, to ensure that alternative sustainable transport options are made available in the right place at the right time to cater for local trips and forecast demand associated with planned development.

We welcome the inclusion of well-founded, sustainable transport schemes in the Local Plan, and would welcome the opportunity to work collaboratively with the Council to understand the impact of both the proposed highway/junction access and public transport schemes on the future safe operation of the SRN, and their ability to support planned growth in the area to 2034 and beyond.

We hope that these comments are useful. If you would like to discuss any aspect of this letter, please contact me.

Yours sincerely,

[Redacted signature]

Warren Hilton
North West Asset Development Team
Email [Redacted email address]

APPENDIX B

Anne Storah
Rossendale Borough Council
Room 119
Business Centre
Futures Park
Bacup
Lancashire
OL13 0BB

Warren Hilton
Assistant Asset Manager
8th Floor
Piccadilly Gate
Store Street
Manchester M1 2WD

Direct Line: [REDACTED]

4 October 2018

Dear Anne,

CONSULTATION ON THE PRE-SUBMISSION PUBLICATION VERSION OF THE LOCAL PLAN

Thank you for inviting Highways England to comment on the Pre-Submission version of the emerging Rossendale Local Plan.

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). The SRN in Rossendale comprises the northernmost stretch of the M66 motorway and the A56 corridor; from a point south of M66 Junction '0', to a point north of the A56 roundabout junction with the A680 at Rising Bridge. This north-south corridor is a route of regional significance that links Greater Manchester with Lancashire.

It is an ambition to ensure that major roads are more dependable, durable, and most importantly – safe.

Highways England's desire to be a proactive planning partner goes beyond this statutory role but follows the spirit of the Licence which states that Highways England should: "support local and national economic growth and regeneration".

Highways England Comments – Local Plan evidence

The following documents have been prepared as part of the transport evidence base supporting the emerging Local Plan:

- Interim Rossendale Employment Sites Study, August 2018; and
- Technical Note on Phase One of the Highway Capacity Study, January 2018.

Interim Rossendale Employment Sites Study, August 2018

Highways England has been actively engaging with the Council on the preparation of the **Interim Rossendale Employment Sites Study** being prepared by Mott MacDonald. The interim study reviews the access requirements for key employment allocation sites on behalf of Rossendale Borough Council.

An updated report, addressing the comments raised by Highways England and Lancashire County Council (LCC), was expected during the consultation period. However, at the time of

preparing this response, the updated report was received from Rossendale Council three days prior to the consultation deadline, and so will now need to be responded to separately by Highways England. Therefore, our response to the Local Plan Publication consultation is based on the transport evidence already available at the time of writing. A summary of the findings of the Interim Rossendale Employment Sites Study, and our comments in relation to the impact of the proposed accesses on the SRN, is provided below:

- **Land North of Hud Hey (EMP 13)** – It is proposed that the existing site access to the industrial estate would be utilised with the priority junction improved, and an extensive internal link road provided to open up the site for development. Development traffic would join the local road network and access the SRN via existing junctions. However, we note that the proposed access is immediately adjacent to the A56 overbridge abutments and highway verge, which may impact upon the ability of HGV vehicles to safely and efficiently access the site.
- **Carrs Industrial Estate Extension (ADD 6)** – An access from the A56 was considered, but discounted due to being contrary to the Department for Transport's Policy Circular 02/2013 and the terms of Highways England's operating Licence with the secretary of State. Due to this lack of support from Highways England, access was proposed to be provided via Hud Hey Road. Development traffic would join the local road network and access the SRN via existing junctions. However, we note that the proposed access is immediately adjacent to the A56 overbridge abutments and highway verge, which may impact upon the ability of HGV vehicles to safely and efficiently access the site.

An alternative access to this site from Commerce Street is likely to be very difficult and expensive to achieve due to the level of earthworks involved and existing geotechnical constraints that pose a safety risk to the A56. This could well make any development unviable. Consequently, Highways England had previously advised the Council that the Employment Sites Study needs to consider this matter in great detail (i.e. undertake feasibility work to establish and agree with Highways England an outline design to be appended as a precondition to the allocation itself). The Study has so far not considered this matter. **The Council is aware of Highways England's concerns which are discussed in more detail further on in this letter.**

- **Land Adjacent to Hollin Gate Farm (ADD 3)** – Access is proposed by utilising the existing access to Hollin Gate Farm and providing a signalised junction on the A680 shared with adjacent local services or a roundabout junction, which would be located immediately adjacent to the A56 corridor at the Rising Bridge roundabout. We note that a junction or roundabout at this location could potentially impact upon the operation of the A56 roundabout junction at Rising Bridge. Potentially, northbound queues could extend onto the A56 roundabout junction, especially given the gradient and turning angle of the vehicles entering the proposed site. **Further work is required to understand the cumulative impact that the proposed access arrangements would have upon the safety and efficient operation of the A56.**
- **Extension of New Hall Hey (EMP 11)** – Access is proposed by utilising the existing roundabout access from the A682 and extending the existing access road at New Hall Hey Road. The proposed access junction may induce queues on the A682, but it is unlikely that this will impact the operation of the A56. However, **Highways England note that the cumulative impact of the new junctions proposed on the A682 has not been assessed.**

- *New Hall Hey East (EMP 72)* – This site is located adjacent to site EMP 11 and it is proposed to provide access via the existing roundabout access from the A682, with a link from the proposed extended access road to site EMP 11. A bridge would be required to provide access across the River Irwell to open up the site for development. **The proposed access junction may induce queues on the A682, but it is unlikely that this will impact the operation of the A56. Nevertheless, the cumulative impact of the new junctions proposed on the A682 has not been assessed.**
- *Land South of New Hall Hey Extension* – It is proposed to provide access to the site via a new roundabout junction from A682, which would also provide access to the Land at Sykeside site. **The proposed location of the roundabout junction could potentially result in traffic queues blocking back onto the A56. The proposed access junction may induce queues on the A682, and the cumulative impact of the new junctions proposed on the A682 has not been assessed.**
- *Land at Sykeside* – It is proposed to provide access to the site via a new roundabout junction from the A682, which would also provide access to the Land South of New Hall Hey West site. The proposed location of the roundabout junction could potentially result in traffic queues blocking back onto the A56. **The proposed access junction may induce queues on the A682, and the cumulative impact of the new junctions proposed on the A682 has not been assessed.**
- *Ewood Bridge (EMP 10)* – It is proposed to provide access via an existing access on Blackburn Road, which would be upgraded to a signal-controlled junction with bus priority measures. The site is located close to the A56 corridor, with traffic joining the SRN at the roundabout junction between A56/A680/B6527.
- *Futures Park (EMP 18)* – Access to the Futures Park site would be provided by utilising the existing priority junction with the A681 Newchurch Road and upgrading it to a signal-controlled junction. Given the location of the site, no material impact is expected on the SRN.
- *Barlow Bottoms (EMP 65)* – The site is located in the village of Whitworth and it is proposed to provide access via a new priority junction access from Millfold. Given the location of the site, no material impact is expected on the SRN.

Highways England has concerns that the Interim Rossendale Employment Sites Study (and indeed the wider emerging Local Plan evidence) does not sufficiently address the constraints at a number of the proposed sites that fundamentally threaten the viability of the sites. Consequently, there is a likelihood that these allocations are fundamentally unviable, which is why there is a need for the Council to assess whether including them within the plan is realistic. Primarily, this relates to public safety and geotechnical matters. These are discussed in more detail, below for each location:

ADD 6 – Extension to Carrs Wood Industrial Estate – access from Commerce Street

This proposed allocation is currently undeveloped land. It has been suggested by the Council that this employment site could be accessed from Commerce Street at the point where an existing private means of access / accommodation road has a junction with Commerce Street. The developable land within the proposed allocation is located some 300 metres away from the

junction, but is located some 30 metres lower than the junction with Commerce Street, with higher ground in-between.

The suggested access route runs along a contour ledge, midway up a significant cutting that was created when the A56 Haslingden Bypass was built (the A56 following the route of a disused railway and the cutting being formed after the removal of the North Hag railway tunnel). The cutting across which the existing access track/road runs was cut to a slope angle of about 1 in 3 to 1 in 4, which are quite shallow angles for highway cutting design and in themselves suggest that the design engineers for the A56 could not achieve appropriate stability for a steeper slope.

Our records of boreholes sunk for the slope design / construction indicate a significant thickness of glacial deposits which extend well below the toe level of the slope. The deposits contain a mix of layers of sands, gravels, silt and soft clays. In this combination, these materials are inherently difficult to work with and unstable. They are prone to the absorption of water, which adds to the weight of the material, making slope-failure likely. This is why our records indicate slope face drainage across both lifts of the slope (above and below the existing access track) which indicates that groundwater was encountered during construction and drainage was installed to control seepage and improve stability of these slopes.

The existing accommodation road is narrow and curved, which would be unsuitable for use by any development traffic. These bends are deliberate so the road follows the contours that have been created to aid the stability of the slopes above and below it. Creation of an access road to the proposed site allocation would need to be wider and have a straight forward alignment; sloping gradually over a significant distance to access the proposed development site. This would necessitate major earthworks (via cut and fill), along with the widening of the new access. Widening would cut into the slope above and cause it to fail, which means that a significant retaining wall structure would be likely (the existing slope cannot be removed due to being part of the surrounding hillside).

The lower level land to the north, where development is being suggested, has boreholes data which recorded weak Alluvial soils and Peat, which also require careful consideration for development upon. There is a likelihood that placing surplus material from a cut and fill operation above this later will in itself be unstable, and may also result in the weight of depressing the existing ground beneath and pushing the surrounding ground (including the A56 carriageway) upwards, resulting in catastrophic damage to the road structure and carriageways. This area is also drained by a culvert passing below the A56 and this too needs consideration in any proposed scheme.

In summary, creation of an access at Commerce Street poses a significant risk to the safety and integrity of the A56 that would require significant earthworks and engineering solutions; the cost of which may be uneconomic when weighed against the cost of developing the site itself. Due to the materials involved, there will need to be careful slope stability analysis of *any* changes that may be desired for the development. Changes at this location pose a risk to the stability of the abutments of the Commerce Street bridge over the A56, the slopes above the A56, as well as the stability of the carriageways.

Highways England therefore advises Rossendale Council that before taking any decision to allocate this site, it must arrange for a feasibility study to be carried out to find out whether an optimum solution can be achieved. This should be carried out using specialist and appropriately-qualified geotechnical expertise. Where there is a geotechnical risk to the SRN, this work must be undertaken in accordance with the

Design Manual for Roads and Bridges standard HD22/08 'Managing Geotechnical Risk' (available on the internet). This process should begin as soon as practicable to allow a detailed geotechnical study to be carried out which will assist in understanding the viability of the proposal. Any solutions arising must first be agreed with Highways England. This work must be completed before the Local Plan is advanced any further, and Highways England is happy to guide the Council in this regard.

This is necessary because we have evidence that there are geotechnical constraints at this location (in particular resulting from a potential Commerce Street highway access point) of a nature where they will be fundamental to whether the site allocation, as proposed, is viable.

Therefore, it is critical and entirely appropriate that these matters be properly considered as part of the Local Plan development process and not left to for major problems to be identified as part of development management process. This is because, in order for a Local Plan to be adopted, a local planning authority must first be able to demonstrate that its allocations are actually sound and deliverable.

ADD 6 – Extension to Carrs Wood Industrial Estate (access from Hud Hey Road) & EMP 13 Land North of Hud Hey

As for the comments above in relation to an access from Commerce Street, the creation of accesses to both the proposed employment sites at Carrs Wood and the Land North of Hud Hey pose geotechnical risks to the A56 trunk road embankments and abutments of the Hud Hey Road bridge over the A56.

For the same reasons as indicated given above, a detailed feasibility study should be carried out to find out whether an optimum solution can be achieved that poses no safety risk to the A56. This should be carried out using specialist and appropriately-qualified geotechnical expertise. Where there is a geotechnical risk to the SRN, this work must be undertaken in accordance with the Design Manual for Roads and Bridges standard HD22/08 'Managing Geotechnical Risk' (available on the internet). This process should begin as soon as practicable to allow a detailed study to be carried out which will assist in understanding the viability of the proposal.

H72 Land west of Market Street, Edenfield

The land being identified for this **housing** allocation by the Council is currently undeveloped, and is located alongside the A56 southbound carriageway roughly between where the A56 crosses Blackburn Road to the north and the A56 / M66 Junction '0' to the south. The land forming the proposed allocation is at a much higher level in relation to the A56, which passes through several cuttings.

We have previously made the Council aware that this site is located above a cutting of the A56 at Woodcliffe where, due to the nature of the ground conditions typical throughout the Rossendale valley, the cutting is showing signs of land slippage involving the land beyond the top of the cutting slope, which we are monitoring and have taken steps manage. Highways England is taking action to deal with this problem because it accepts that the alteration of the natural topography when the A56 Edenfield Bypass was built (i.e. to create the cutting), whilst designed properly and to the standards and knowledge of the time, is likely to have been a

significant contributory factor, and this serves to illustrate the difficulties of undertaking construction and earthworks in this area.

Whilst the land movement problem at Woodcliffe is correct, we are now clear that adjoining land does not in fact form part of the Council's proposed 'H72' housing allocation site, and so we would not therefore anticipate development within the proposed allocation site to aggravate the existing problems at Woodcliffe or render the management of and intended long term solution to the problem, obsolete. However, the land stability difficulties at Woodcliffe are located immediately to the north of where Blackburn Road crosses under the A56, and are therefore in close proximity to the proposed H72 allocation.

Highways England has good reason to believe that the inherently difficult ground conditions at Woodcliffe extends throughout the land adjoining this part of the A56 in general, including the full length of the proposed allocation.

There are presently no signs of the failure of the A56 slope cuttings along the boundary with the proposed allocation site. However, given these underlying concerns, we are very concerned that there is a realistic possibility the disturbance caused by earthworks and loading of the surrounding land by building upon (if not considered and managed correctly) would trigger further land slippage problems along the A56 boundary. This is of course a safety concern, both in relation to the users of the trunk road and the residents of any housing – the results of a sudden land failure would be catastrophic. That is beside any gradual movement to the dwellings themselves.

If these problems were to happen, given the change in the dynamic brought about by the development, it would be the original developer(s) and property owner(s) who would be responsible, not Highways England. This is why the Council's evidence base now needs to contain a proper assessment that evidences the physical extent to which this site allocation could be developed without jeopardising the stability of the site itself and the A56 cuttings, and which sets out the approaches that should be taken towards ensuring this during the construction phases (Highways England would expect any subsequent planning applications for this land to be developed and executed in accordance with the findings of this work).

A geotechnical assessment is therefore required, which must be carried out within the parameters of the Design Manual for Roads and Bridges standard HD22/08 'Managing Geotechnical Risk', the findings of which should be agreed with Highways England. We are happy to offer any guidance and information that the Council may require to complete this evidence.

As with our comments in relation to the Carrs Wood, it is essential that this assessment is carried out *before* the Local Plan is advanced any further. Without this work, Rossendale Council will be unable to demonstrate to an Inspector what viable level of housing the site could deliver towards its Local Plan target. Therefore, it is essential that this work is completed and agreed with Highways England prior to examination of the Plan if the Council is to be able to demonstrate viability.

This is necessary because we have evidence that there are geotechnical constraints at this location of a nature where they will be fundamental to whether the site allocation, as proposed, is deliverable to the extent the Council currently anticipates.

Therefore, it is critical and entirely appropriate that these matters be properly considered as part of the Local Plan development process and not left to for major problems to be

identified as part of development management process. This is because, in order for a Local Plan to be adopted, a local planning authority must first be able to demonstrate that its allocations are actually sound and deliverable.

ADD3 Hollin Gate Farm – detailed microsimulation modelling is needed to assess the impact of the proposed junction upon northbound traffic exiting the A56 carriageway at the Rising Bridge junction; and

EMP 11 Extension of New Hall Hey, EMP 72 New Hall Hey East, Land South of New Hall Hey Extension and Land at Sykeside – detailed microsimulation modelling needed to assess the cumulative impact of the proposed junctions upon the A682 and A56 carriageways.

We would welcome the opportunity to continue to work with the Council as it completes these assessments and to develop and review the updated site access, geotechnical assessments, feasibility and traffic impacts evidence. Until all of this work is complete, Highways England does not consider the Council's evidence base is sufficient to determine the accessibility of allocated sites or that appropriate mitigation measures have been identified to address the potential highway impact of the emerging Plan upon the SRN.

At this stage, Highways England therefore does not consider that there is robust evidence to support the inclusion of these sites within the Local Plan. Due to the safety issues associated with the sites referred to above, we advise that the Plan should not be advanced further at this stage until this work has been completed and its findings acted upon.

We therefore welcome continued engagement with the Council to try and resolve the matters relating to access for these sites **ahead of the subsequent submission and examination of the Publication document by an Independent Inspector.**

Highways England Comments - Technical Note on Phase One of the Highway Capacity Study, January 2018

The **Rossendale Local Plan Highway Capacity Study** is being prepared by Mott MacDonald on behalf of Rossendale Borough Council, to identify the highway impacts of the Local Plan across Rossendale, including the impacts on the SRN. At the time of writing, only the Technical Note on phase one of the Highway Capacity Study was available, which provides commentary on the assessment inputs, model development and results from the junction modelling.

Whilst much of the general modelling methodology appears to be appropriate, some clarifications are required in relation to traffic growth, trip rates and trip generation and trip assignment in the models. In addition, we have raised a number of significant modelling concerns across all of the models presented. **At this stage, the models and associated results are not considered suitable to provide evidence on the highway impact of the Rossendale Local Plan, and we are unable to fully understand the likely level of impact upon the safety and efficient operation of the SRN. We also consider that the assessment is incomplete, with TD22/06 Merge/Diverge Assessments missing for the A56/A56/A682.** Where Local Plan impacts are predicted to require changes to the layouts of the slip roads, a suitable solution is required to be identified by the Local Planning Authority.

Regarding mitigation measures, the proposed measures will need to be reviewed once the capacity modelling is completed. **Furthermore, the Rising Bridge junction has been highlighted to require mitigation, but none has been proposed. Appropriate mitigation measures to support delivery of the Local Plan should be identified, and appropriate phasing considered for the relevant Local Plan site(s) to ensure mitigation measures are delivered in line with development. It is not appropriate to simply be reliant on the availability of capacity on the SRN for future access and travel needs, particularly for local trips. Nor should it be assumed that Highways England can deliver improvements without inclusion in our investment plans to accommodate growth.** The Local Plan transport assessment is key to assessing the quality and capacity of transport infrastructure and its ability to meet forecast demands leading to the identification of short, medium and long-term proposals across all modes. **These outcomes can highlight the need to consider alternative allocations or mitigation measures to ensure the proposed land allocations are sustainable, viable and deliverable.**

According to **National Planning Practice Guidance (NPPG)** an assessment of the transport implications should be undertaken at several stages in preparing the Local Plan. The last of these stages should highlight the scale of and priorities for investment requirements and support infrastructure spending plans. **It should be an iterative process that becomes more refined through the process itself; informing what is included in the plan and shaping its development.** As part of the **Draft Local Plan (Regulation 18)** public consultation, Highway England requested an impact assessment should be undertaken of the aggregate impact of all proposed allocated sites, alongside assessments of those individual allocations which are expected to result in the most significant traffic impact. Whilst it is noted that some work has been undertaken, a response to our comments on the phase one study and an assessment of proposed mitigation measures has been outstanding until only three days before the end of this consultation period, and so is too late to have been considered. **We look forward to reviewing the refined transport assessment evidence to provide confidence that the plan is deliverable and that supporting infrastructure, including access arrangements and improvements to the local transport network and sustainable forms of transport, will be provided in the right place at the right time.** We will comment on this aspect in a separate response after the end of the current consultation period.

Highways England Comments - Publication Pre-Submission version of the Local Plan, Policies Map and Errata

In terms of transport and connectivity, 'The Plan' states the intention is to address issues affecting key road junctions, such as the Gyratory in Rawtenstall and enhancing the A56 corridor. It also identifies the option to develop the heritage East Lancashire Railway as a commuter rail link, which would provide an alternative mode for SRN journeys between Rawtenstall and the north of the Greater Manchester conurbation. **Highways England welcomes the inclusion of sustainable modes of travel to reduce private vehicle usage and look forward to more fully understanding the impact this may have in reducing the number of trips on the SRN in Rossendale.**

'Strategic Policy SD2: Urban Boundary and Green Belt' identifies that some sites will be removed from the Greenbelt due to 'Exceptional Circumstances' and this includes a number of sites which will abut the A56. These include:

- H72 Land west of Market Street, Edenfield; and
- NE2 Land north of Hud Hey, Haslingden.

If accessibility by active travel and public transport modes is not thoroughly considered from the outset, development sites in the Greenbelt may induce car-dependant travel patterns, in the absence of an alternative mode. **Reliable and alternative sustainable modes of travel need to be in place to ensure that the private car is not the dominant form of transport as it will be difficult to change travel behaviour once established.**

Highways England raised a number of concerns during the Regulation 18 consultation, including the release of sites for development currently situated in the Green Belt, the level of existing congestion and the likely impact of future developments, and vehicular access to specific sites. As a result of these concerns, we note some sites have been removed from the Publication version of the Local Plan. **However, despite these concerns and the designated Neighbourhood Forum not supporting the continued inclusion of H27 Land west of Market Street, Edenfield, it remains a housing allocation in the Local Plan.** In addition, **NE2 Land north of Hud Hey, Haslingden remains an employment allocation, contrary to the findings of the Green Belt Review Study.**

We note the Council has prepared a topic paper setting out the 'Exceptional Circumstances' justifying this Green Belt release. **Highways England would welcome consultation on the findings of the highway capacity assessment and the employment sites study, as there remains a lack of robust transport evidence demonstrating the impact of these allocations on the SRN, that suitable accesses can be delivered, or that proposed mitigation measures will support sustainable growth at these sites.**

'Strategic Policy HS1: Meeting Rossendale's Housing Requirement' sets out the borough's housing need up to 2034. It is noted that the methodology to calculate housing need has been changed to align with the revised National Planning Policy Framework (NPPF) which was published in July 2018. The revised local housing need is 3,180 homes to 2034 with 30% expected to be delivered on previously developed land; this is a reduction on the 4,000 homes stated in the previously consulted upon 'Draft Local Plan (Regulation 18)'. 'Policy HS2: Housing Site Allocations' details the sites in terms of the number of potential dwellings and delivery timescales. **The corrections identified in the errata for Table 1 are noted.** The majority of new housing need (approx. 50%) will be located in and around the main centres of Rawtenstall and Bacup.

Masterplans are to be prepared for development sites with more than 50 dwellings. Of interest to Highways England, is the Edenfield site (Housing Allocation H72), a 15.25-hectare site which abuts the A56(T) carriageway and has the potential to significantly impact upon the safety and operation of the SRN. It is unclear what access arrangements have been considered for this housing allocation, or that appropriate mitigation measures have been identified to address any significant impact on the SRN. **As such at this stage Highways England do not consider there is robust evidence to support the inclusion of this allocation and its removal from the Green Belt.** Notwithstanding this, the presence of an existing land-slip beneath the site now dictates that the Council must now carry out a geotechnical assessment in order to provide a robust indication of the extent to which the allocation may be developed / contribute towards the housing target.

'Strategic Policy EMP1: Provision for Employment' sets out the Borough's need for 27 hectares of land for business, general industrial or storage and distribution (Use Classes B1, B2 and B8) employment sites for the period up to 2034. 'Policy EMP2: Employment Site Allocations' provides detail of the employment site allocations and potential Land Use Class. The changes included within the errata document for Table 2 have been noted. Several employment sites are

located adjacent to the SRN. Highways England has previously indicated that 'Policy Circular 02/2013' sets out a presumption against new accesses and junctions being created on high-speed routes such as the A56(T). **Whilst access via new junctions on the A56(T) have been considered within the Interim Rossendale Employment Sites Study, all accesses directly onto the SRN were subsequently ruled out due to not being in accordance with the Department for Transport Policy Circular 02/2013, and we are still awaiting the updated employment site study (and geotechnical assessments) to fully understand where new access junctions have been proposed and if they are deliverable.**

'Policy EMP7: New Hall Hey' sets out the proposals for 6 hectares of employment development at the New Hall Hey site. The policy identifies the need for a Scoping Study, Transport Assessment and Travel Plan which are to be agreed with Lancashire County Council and Highways England. **Whilst we would welcome the opportunity to assist with this assessment work, Highways England has concerns about the proposed access to this site.** The *'Interim Rossendale Employment Sites Study'* proposes new accesses on the A682 but the cumulative impact of the new junctions proposed (especially in terms of safety and the blocking-back of slower moving traffic onto the A56 northbound) has not been considered. **Therefore, at this stage, it is not possible to fully understand any potential impacts upon the A56(T) or the need for any proposed mitigation measures to be identified and assessed.**

It is noted that the Local Plan intends to focus retail development within defined centres, with some amendments proposed to the boundaries of town, district and local centres within the borough. Highways England has no specific comments relating to this chapter. The details of the Leisure and Tourism chapter have also been noted, and **we have no specific comments. Pertinent to the safe and efficient operation of the SRN.**

'Strategic Policy TR1: Strategic Transport' sets out the Council's focus upon internal and external connectivity, including enhancements to the A56 corridor to improve links to the M60/M62. The development of the "Expressway" concept to the A56 corridor is supported as part of a broader approach to creating an enhanced "Central Pennine route". It is also acknowledged that the Council wishes to continue engagement with Lancashire County Council and Highways England to identify funding and implement solutions for key junctions identified in the *Highways Capacity Study*. **However, as previously stated only the phase one Technical Note is available, which provides commentary on the assessment inputs, model development and results from the junction modelling, and we have raised some significant concerns relating to this work.**

The policy also sets out the need for sustainable transport solutions to address congestion and air pollution, to integrate transport more effectively into new developments and to ensure development that generates significant movement is located where the need to travel by private car is minimised. **We welcome these proposals, especially the need to maximise use of sustainable travel modes.** In addition, **Highways England support the Council's requirements for new developments to demonstrate connectivity to public transport, walking and cycling networks within 'Strategic Policy ENV1: High Quality Development in the Borough'.**

The proposed targets in the Monitoring chapter of 'The Plan' are not aligned to any specific plan policy, and no targets are proposed to monitor the Local Plan's impact upon transport and travel. Without data relating to travel and transport impacts, it will not be possible to set out a baseline or to measure the impacts of proposed development upon the SRN in Rossendale. **Highways England recommends that transport and travel data is**

collected to measure the impact of 'The Plan' upon the performance of transport policies within the document. Without this data, it may be difficult to determine whether 'The Plan' is effective. However, it is recognised that it is a matter for each council to decide what to include in their monitoring reports, while ensuring they are prepared in accordance with relevant UK and EU legislation.

Within 'The Plan' the importance of working with partners to address key transport issues is recognised and Highways England has been actively engaging with the Council on the emerging transport evidence base. Despite this, many of Highways England's concerns remain outstanding. It is acknowledged that following our response to the '*Draft Local Plan (Regulation 18)*' consultation, a transport evidence base is now being prepared, which includes an assessment of access arrangements and highway capacity. **However, the transport evidence base has not been developed to a level of detail to allow Highways England to fully understand the cumulative impact of the proposed site allocations upon the SRN, or to have confidence that proposed mitigation measures will support the sustainable delivery of 'The Plan'.**

Highways England Concluding Comments

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 Highways England.

Highways England note that the Rossendale Local Plan is at an advanced stage and is the version of the plan the Council intends to submit for examination and then adopt.

According to NPPG an assessment of the transport implications should be undertaken at several stages in preparing the Local Plan. It should be an iterative process that becomes more refined through the process itself and ultimately shaping its development rather than retrospectively trying to retrofit it to the development strategy. We note and welcome the commitment of the Council to ensure that a comprehensive, detailed transport evidence is made available prior to the EiP, and as such (at this stage) we do not wish to be heard at the Examination. However, we expect to be consulted on the updated **Interim Rossendale Employment Sites Study** (including the required **site geotechnical assessments** set out above) and the phase two **Rossendale Local Plan Highway Capacity Study**, to have confidence that the Local Plan can be sustainably delivered. Due to the constraints posed by the unique topography and geology of the Rossendale Valley through which the A56 runs, the Council does need to place more emphasis on these aspects as part of its evidence base for the purposes of ensuring future public safety.

We would request that we be notified of any of the following:

- The Rossendale Local Plan has been submitted to the Secretary of State for independent examination;
- Publication of the recommendations of any person appointed to carry out the independent examination of the Rossendale Local Plan; and
- Adoption of the Rossendale Local Plan.

It is recommended that growth is planned in sustainable locations that can be accessed by all modes of transport. Highways England supports this view as **planned growth cannot simply**

be reliant on the availability of capacity on the SRN for future access and travel needs, particularly for local trips. We would welcome continued engagement with the Council to ensure that the transport impacts of planned growth are appropriately assessed and considered in respect of the SRN. Also, to ensure that alternative sustainable transport options are made available in the right place at the right time to cater for local trips and forecast demand associated with planned development.

We welcome the inclusion of well-founded, sustainable transport schemes in the Local Plan, and would welcome the opportunity to work collaboratively with the Council to understand the impact of both the proposed highway/junction access and public transport schemes on the future safe operation of the SRN, and their ability to support planned growth in the area to 2034 and beyond.

We hope that these comments are useful. If you would like to discuss any aspect of this letter, please contact me.

Yours sincerely,

[REDACTED]

Warren Hilton
North West Asset Development Team
Email [REDACTED]

APPENDIX C

Iton, Warren [REDACTED]
To: Alan Ashworth
Tue, 5 Mar 2019 at 18:03

Dear Mr Ashworth,

Thank you for your email.

I can confirm that I replied to your email letter of 15th January 2019 which I replied to on 16th January 2019. I have attached a copy of the reply that I sent.

Please find my comments in reply to the remaining points in your email below:

- 1. It appears that at the bottom of page two you are “counselling RBC that it would be prudent to ensure that a comprehensive (and intrusive) site survey**

and geotechnical assessment is carried out before planning decisions affecting the development layout (and therefore quantum of development) are taken” but not insisting on it.

This is a Local Plan consultation, so matters are at a more general level and relate to the principle of the site being developed. Our only concern is the physical impact that any development would have on the A56 from a geotechnical perspective. Therefore, our consultation comments relate to whether in principle the site could be developed without affecting the A56. Our view is that, in principle, the site could be developed without any adverse impacts on the A56 provided that it is planned, approached and executed properly by an eventual developer at planning application stage.

The particular comments that you refer to are purely advisory and are based on our experience of geotechnical matters in this area and relate to the site as a whole (i.e. if that approach is ignored, then there could be future problems in terms of the stability of the development – whilst that is of no real consequence to ourselves, we make that comment as general advice). To be clear, this is a matter for Rossendale Council and developers to consider when preparing any future planning application.

- 2. On page three you have a list of requirements for any development, one of which is that it is based on a comprehensive site ground investigation survey and geotechnical assessment incorporating new ground investigation and borehole studies however you make no reference to this in your final conclusion.**

Those requirements would be what we would be looking for any subsequent planning application to take account of. This is a consultation for a proposed Local Plan allocation, not a detailed planning application.

- 3. I look forward to your response and hope you will be able to confirm that the geotechnical assessment study you refer to above will be compulsory and it will have to be carried out in the correct manner by an experienced company with no vested interests before any planning approval is awarded.**

As mentioned above, this is not a matter for Highways England or within our control and so we can't comment any further. That is an issue for the landowner / developer(s) concerned and Rossendale Council to consider.

I hope that this clarifies our position.

Kind regards,

Warren Hilton, Assistant Asset Manager

Highways England | Piccadilly Gate | Store Street | Manchester | M1 2WD

Tel: [REDACTED]
Web: www.highwaysengland.co.uk.

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Consider the environment. Please don't print this e-mail unless you really need to.

Dear Mr Ashworth,

Thank you for your email about the ground conditions at the 'H72' site that Rossendale Council are intending to allocate for housing development within their new Local Plan.

Our comments in response to the Council's Preferred Option Local Plan were made from the perspective of whether the A56 could be physically impacted by any earth movements triggered by the development of the adjoining land.

I must stress though that our interest is in relation to the A56 itself and not the development of the site as a whole – geotechnical matters affecting the developability and potential housing yield of the site are matters for Rossendale Council and the promoters of this allocation, alone. The information and photographs in your email as to the presence of tipped material is interesting in that respect, and so we would advise you to make the Council aware of this if you haven't done so already.

It's worth noting that (whilst the ground material is generally the same) the relationship between the adjoining land and the A56 at Woodcliffe (which originally formed part of this H72 allocation) is different to the site that the Council is now seeking to include in the Plan. As you'll know, the surrounding land lies above a significant earth cutting above the A56, whereas the majority of the current proposed allocation is either level with the A56 or at the head of much shallower cuttings. Inherently, this presents a lower risk to the A56. Indeed, whilst it's reasonable to have concerns regarding how a development is progressed, providing the development is designed and constructed in a manner appropriate to the ground conditions, all risks presented by the ground can be managed.

Below, I've addressed each of the points within your email under each one in turn:

1. **Lancashire Landslides. An article which was printed in Earthwise issue 20, British Geological Survey @ NERC in 2004 identified this specific area as one with potential geological hazards. (Refer to copy appended.)**

Highways England is aware of the points raised in the 'Lancashire Landslides' article in respect of this area.

2. **You will note from my address that I live close to the proposed development H72 and I can confirm there have been stability issues even on the relatively flat area close to Market Street. This problem necessitated five metre piles to be constructed on a west facing Extension of my house and for a Sun Room on the Southwest corner of the house. I can provide confirmation of this if it is required.**

The reasons for using piled foundations are many and varied; often due to local considerations for extensions to avoid excavations close to the existing property or services.

3. **Several of my neighbours who have solid floors experienced settlement problems within the first ten years of their occupation resulting in remedial piling and claims via the NHBRC.**

Settlement of solid floors may be due to poor backfilling of the supporting material.

4. **A housing development off Manchester Road in Ewood Bridge had to be curtailed in the 1970's because of the slippage and stability of some properties.**

Highways England is aware of this, and this is known and detailed in the 'Lancashire Landslides' article.

5. **When the A56 was constructed the landowner, a [REDACTED] of [REDACTED], requested that a mound be formed to minimise both his view of the roadway and any noise pollution. This mound was created from the spoil; the photographs attached illustrate the shape and relatively large extent of the mound. The photographs are marked with red lines to assist in identifying the mound and indicate the direction of the photograph. Would you be kind enough to advise if the mound of 'tipped land' will be even more unstable than the base ground?**

On a personal note, I have lived in the village virtually all my life. My brother who was a Management Trainee with McAlpine actually worked on the preparation of this roadway and indeed the mound itself. Hence, whilst the comments made are historical they are nevertheless very real.

Highways England has no records to hand to either confirm or deny whether material was tipped. At the time of the works it would have been entirely the contractors responsibility to dispose of excess material. There does not appear to have been any visible impact on the Highways England asset from the topography identified in the photographs.

- 6. Bridge over the A56 in Church Lane Edenfield. One of the village residents has advised that some remedial work has been carried out on this bridge in the last two years and I wonder if you are in a position to advise us of the nature of the problem that necessitated the work.**

The work was minor concrete repairs to the above-ground part of the structure. Resurfacing work has also been carried out to Church Lane itself.

- 7. I understand from the Chairman of the Edenfield Village Residents Association that RBC has confirmed recently that they have not instigated the geotechnical assessment as per your recommendations.**

That is Rossendale Borough Council's decision.

- 8. I cannot understand why RBC are continuing with the H72 development when you have pointed out the folly of building on this land when they published the Regulation 18 Plan in 2017.**

Any land can be safely constructed upon, providing the construction approach taken (and to that during design planning and construction itself) is appropriate for the ground conditions

I hope that this is useful.

Kind regards,

Warren Hilton, Assistant Asset Manager

Highways England | Piccadilly Gate | Store Street | Manchester | M1 2WD

Tel: [REDACTED]

Web: www.highwaysengland.co.uk.

From: Alan Ashworth [REDACTED]

APPENDIX D

Rossendale Borough Council
Room 119
Business Centre
Futures Park
Bacup
Lancashire
OL13 0BB

Warren Hilton
Assistant Asset Manager
8th Floor
Piccadilly Gate
Store Street
Manchester M1 2WD

Direct Line:

25 January 2019

Dear Anne,

CONSULTATION ON THE PRE-SUBMISSION PUBLICATION VERSION OF THE LOCAL PLAN

HIGHWAYS ENGLAND COMMENTS ON PROPOSED HOUSING SITE ALLOCATION H72 (LAND WEST OF MARKET STREET, EDENFIELD)

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). The SRN in Rossendale comprises the northernmost stretch of the M66 motorway and the A56 corridor; from a point south of M66 Junction '0' to a point north of the A56 roundabout junction with the A680 at Rising Bridge. This north-south corridor is a route of regional significance that links Greater Manchester with Lancashire.

In our letter dated 4th October 2018, we provided consultation comments on the Rossendale Borough Council (RBC) Pre-Submission stage Local Plan. This consultation response commented on several areas covering RBC's Highway Capacity Study, as well as viability matters linked to geotechnics and ground conditions concerning three proposed allocations. It is on this latter aspect on which we now write; specifically in respect of comments made about the housing site allocation reference 'H72' known as 'Land West of Market Street, Edenfield'.

Our previous letter expressed serious concern regarding the physical impact that developing allocation H72 may have on the stability of the earth cuttings of the adjacent A56 trunk road, particularly given the absence of a detailed ground investigation survey and assessment within the Council's supporting evidence base. Those comments were made from our standpoint as an infrastructure provider with knowledge and experience of the uniquely difficult ground conditions found in the Rossendale valley. This is emphasised by the land slip problem that we are managing at the Woodcliffe cutting. Our borehole records for the remainder of the A56 path adjacent to the allocation indicates the presence of similar ground material.

Since our letter of 4th October 2018, RBC has engaged with Highways England on these matters. The purpose of this letter is therefore to update the Council on Highways England's position on the H72 site allocation proposal following those discussions.

Firstly, Highways England now notes that the portion of the proposed allocation to the north of Blackburn Road, situated above the A56 cutting at Woodcliffe referred to above, has been removed from the Preferred Options Local Plan. Highways England strongly welcomes this change, and would not have supported the Plan otherwise.

Highways England has therefore now considered the revised site allocation based on the masterplan drawing entitled 'North West Edenfield Local Plan Representations Combined Illustrative Masterplan' Drawing No. 610C-02C prepared by Randall Thorp on behalf of the three landowning interests in the amended site. We have also considered desktop ground investigation reports and preliminary site surveys that have been submitted to us, and prepared on behalf of, those interests in the central and southern parcels of the allocation. These are:

- Preliminary Sources Study Report prepared by Betts Geo on behalf of Taylor Wimpey (Report No.18TAY043/PSSR – dated November 2018 for central and partial northern site portion owed by Peel Holdings)
- Edenfield Geotechnical Summary Sheet (covering full allocation), prepared by Betts Geo on behalf of Taylor Wimpey (Reference 18TAY043 for central and partial northern site portion)
- Desktop Geotechnical Appraisal prepared by Hydrock on behalf of Nexus Planning (Document Reference ESE-HYD-XX-XX-RP-GE-0001 dated 19th December 2018 for southern site portion)

We are aware of stability issues within our cutting slope immediately to the west of Chatterton Heys (within the Hydrock survey area), although this is some distance from the proposed housing development itself judging by the masterplan. The report by Betts also describes some relic landslips in a slope towards the northern end of the proposed site allocation (see photo 23 within the section 11 photo location plan PDF drawing on page 60). Although not significant for the A56, it demonstrates our overall point about ground stability risks within the site.

From our own route geotechnical records of the adjoining A56, we have made RBC aware of the presence of laminated clays below the general area of the site. An abundance of laminated clay may change the building foundation conditions locally and engender differential ground settlement. For housing development, special attention therefore also needs to be taken to building foundations; perhaps deeper and pile-driven for example. The level of moisture content within the ground is also important; higher moisture content generally indicating lower strength material giving lower bearing capacities, increased settlement under load and a higher risk of instability (e.g. landslip). Laminated clay is also typically an unsuitable fill material and is therefore inappropriate for structural re-use elsewhere without appropriate stabilisation treatment.

Whilst development of the areas away from the A56 fringe may not in itself affect the trunk road, the presence of these deposits (and the evidence of some instability in the HE slopes adjacent to the site) demonstrates ground stability risks are present in the general area. It therefore underlines the need for a high level of caution and technical awareness in any approach to preparing a development application for this site to avoid causing instability or damage to Highways England's asset (as well as ground problems within the wider development away from the trunk road for that matter).

We therefore counsel RBC that it would be prudent to ensure that a comprehensive (and intrusive) site survey and geotechnical assessment is carried out before planning decisions affecting the development layout (and therefore quantum of development) are taken.

Consequently, we remain content with the statement in our previous letter that there is a “realistic possibility the disturbance caused by earthworks and loading of the surrounding land by building upon (if not considered and managed correctly) would trigger further land slippage problems along the A56 boundary. This is of course a safety concern, both in relation to the users of the trunk road and the residents of any housing – the results of a sudden land failure would be catastrophic. That is beside any gradual movement to the dwellings themselves’.

We now comment on proposed allocation of site H72 purely from the perspective of impacts on the safety and integrity of the A56 trunk road, and not in relation to any consequences of developing the land elsewhere within the site.

Overall, we are content that, in principle, the indicative layout outlined within the masterplan drawing referred to above would be unlikely to cause instability to our asset provided that the development layout, earthworks (e.g. land regrading), site drainage and construction operations are suitably designed, planned for and executed. That way, it is possible that the risk of geotechnical problems within the site can be engineered-out. We would therefore require any development to:

- Be based upon a comprehensive site ground investigation survey and geotechnical assessment incorporating new ground investigation and borehole surveys.
- Submit plans for all earthworks and drainage in the vicinity of the A56 boundary upon a full assessment under the Design Manual for Roads and Bridges standard HD22/08 ‘Managing Geotechnical Risk’.
- Avoid loading land adjoining the A56, for example with excavated material.
- Demonstrate that the natural form of the slopes within the site along the A56 boundary around the head of Great Hey Clough and along the boundary with the adjoining A56 embankments either remain undisturbed or their stability is improved.
- Demonstrate how both the culverts of the Great Hey Clough watercourse and unnamed brook to the south west of the site (which pass under the under the A56), together with our A56 embankment toe-drainage apparatus, will be protected from damage and blocking-up during construction (Highways England would be happy to provide RBC and any subsequent planning applicant involving this land with copies of our drainage and ‘as-built’ records for this section of the A56).
- Avoid the use of sustainable urban drainage systems (SUDS) within the site along the boundary with the A56, as indicated in the masterplan. Given the properties of the existing ground material (referred to above as likely to be found in this area) are such that ground stability is significantly reduced by increasing pore pressure. Highways England does not support the use of SUDS within a zone where it could adversely influence the stability of the A56 cutting slopes. Indeed, we would advise that any intention employ SUDS within the wider site should be approached carefully.

Finally, it is worth pointing out that RBC’s Local Plan Highway Capacity Study refers to there being a future need (towards the end of the Local Plan period) to widen the adjoining section of the A56 to three lanes in each direction. This future network requirement is also something which Highways England is aware could be needed towards the early 2030s. Highways England has no proposals to take forward such a scheme at this time, but of course has the right to do so in the future. In theory, as a scheme could be completed within only 10 years of any future

dwellings being occupied, RBC and any future developer(s) of the H72 site may wish to consider this when planning the permanent internal layout and landscaping of a 'new' development.

In conclusion then, Highways England is now satisfied in principle that the emerging Rossendale Local Plan site allocation H72 could be developed for housing without adverse impact upon the A56 trunk road, provided that a careful approach is taken to its planning and construction.

We hope that this letter clarifies our position and enables the Council to make progress with this element of its emerging Local Plan. If you would like to discuss anything about this letter, please feel free to contact me.

Yours sincerely,

Warren Hilton
North West Asset Development Team
Email:

APPENDIX E

Rossendale Local Plan Examination
POSITION UPDATE –
AGREED WITH HIGHWAYS ENGLAND

8 October 2019



1 This paper is being produced in response to the Inspector's request for an up to date Position Statement, as agreed between the Council and Highways England, to clarify whether it will be necessary to safeguard land within the proposed allocation sites at H72 and H73 to facilitate future Highways England's schemes.

2 The following sections discuss in turn the requirements from Highways England in relation to these sites that it has commented on.

3 It should be clarified that no future highways schemes have been developed, nor any funding identified. Any decision to progress a future project involving road widening or junction improvements (which could be inter-linked) would first need to be subject to further study work and cost benefit analysis to determine whether it represented a viable solution. Such a project would most likely fall into the category of a named project within a future Road Investment Strategy (RIS) period from RIS 4 (2030 to 2035) onwards, unless alternative arrangements through for example future Growth Deal arrangements can be secured, possibly with Greater Manchester, and with the agreement of Highways England and the Department for Transport. Schemes would require additional third party land.

H72 – Land at Edenfield

4. Highways England have expressed a desire to widen the A56 in the future, probably towards the early 2030s in their letter to the Council, dated 25 January 2019, which provided an update response to the Regulation 19 Draft of the Local Plan. Highways England notes:

"RBC's Local Plan Highway Capacity Study refers to there being a future need (towards the end of the Local Plan period) to widen the adjoining section of the A56 to three lanes in each direction. This future network requirement is also something which Highways England is aware could be needed towards the early 2030s. Highways England has no proposals to take forward such a scheme at this time, but of course has the right to do so in the future. In theory, as a scheme could be completed within only 10 years of any future dwellings being occupied, RBC and any future developer(s) of the H72 site may wish to consider this when planning the permanent internal layout and landscaping of a 'new' development. In conclusion then, Highways

England is now satisfied in principle that the emerging Rossendale Local Plan site allocation H72 could be developed for housing without adverse impact upon the A56 trunk road, provided that a careful approach is taken to its planning and construction”.

5. The Highway Capacity Study indeed refers to this aspiration and makes reference to Rossendale Borough Council’s response to the Highways England consultation document ‘*Shaping the Future of England’s Strategic Roads: Moving Britain Ahead*’ (December 2017). This alludes to the desire of Highways England to ensure the efficient operation of the Trunk Road network in the future and the potential upgrade of roads (such as the A56) to Expressway standard.

6. In its response to this consultation document, Rossendale Borough Council referred to the emerging Highway Capacity Study, which was at that time unpublished, albeit initial findings had been shared with Highways England and Lancashire County Council.

7. The Council’s response referred to the analysis undertaken for the Highway Capacity had identified three overarching themes relevant to the future resilience and growth of Rossendale:

- The A56 provides the most important strategic link for travel between the north-south of the borough as well as providing direct access to key existing and future employment areas.
- It represents the only directly appropriate main route connecting external authorities to the north and south of Rossendale, such as Greater Manchester (2.8million) and East Lancashire (circa 450,000)
- Is used for both longer distance strategic journeys and short hop-on-hop-off journeys.

8. The analysis identifies forecast operational issues to be expected on the junctions associated with the A56 as well as the A56 mainline itself. The analysis demonstrates that operational concerns relating to journey time reliability/unreliability and capacity are likely to be experienced irrespective of the Rossendale Local Plan proposals. On the basis of the operational analysis results and the qualitative review of the importance of the A56 to the Rossendale economy and livelihood of its residents, it is considered that there is a good case for why the A56 be considered for further investment. The Council concluded that studies should be undertaken relating to either an upgrading of its classification to Expressway or, as a minimum, further bespoke interventions to assist with and improve the transport user experience for residents and businesses, and to assist the future growth and prosperity of Rossendale.

9. This position was made known to all three land owners at a meeting with the Council and Highways England in December 2018. It was acknowledged that this could be accommodated within the proposed scheme, given a wide buffer had been expected between the existing road and the proposed new housing. However, it is now noted that the developers have concerns about planning for such a road widening scheme, for which no known funding has been earmarked. As a result comments have been expressed, for example by Pegasus Planning, on behalf of Taylor Wimpey, that land could be used on the western side of the existing A56 to accommodate the lane widening. However Highways

England consider this would be technically less appropriate, as it would involve realignment of the entire section of the A56 westward and therefore present more difficulty in tying into the alignment of the existing sections of road at either end.

10. Highways England has commented that the indicative layout within the master plan drawing would be unlikely to cause instability to the A56 provided that the development layout, earthworks (e.g. land regrading), site drainage and construction operations are suitably designed, planned for and executed. That way, it is possible that the risk of geotechnical problems within the site can be engineered-out.

11. Highways England would therefore require any development to:

- a) Be based upon a comprehensive site ground investigation survey and geotechnical assessment incorporating new ground investigation and borehole surveys.
- b) Submit plans for all earthworks and drainage in the vicinity of the A56 boundary upon a full assessment under the Design Manual for Roads and Bridges standard HD22/08 'Managing Geotechnical Risk'.
- c) Avoid loading land adjoining the A56, for example with excavated material.
- d) Demonstrate that the natural form of the slopes within the site along the A56 boundary around the head of Great Hey Clough and along the boundary with the adjoining A56 embankments either remain undisturbed or their stability is improved.
- e) Demonstrate how both the culverts of the Great Hey Clough watercourse and unnamed brook to the south west of the site (which pass under the A56), together with our A56 embankment toe-drainage apparatus, will be protected from damage and blocking-up during construction (Highways England would be happy to provide RBC and any subsequent planning applicant involving this land with copies of our drainage and 'as-built' records for this section of the A56).
- f) Avoid the use of sustainable urban drainage systems (SUDS) within the site along the boundary with the A56, as indicated in the masterplan. Given the properties of the existing ground material (referred to above as likely to be found in this area) are such that ground stability is significantly reduced by increasing pore pressure, Highways England does not support the use of SUDS within a zone where it could adversely influence the stability of the A56 cutting slopes. Indeed, we would advise that any intention employ SUDS within the wider site should be approached carefully.

12. By way of summary, it is noted that Highways England has no proposals to take forward such a scheme to widen the adjoining section of the A56 to three lanes in each direction at this time, but emphasises that of course it has the right to do so in the future. In theory, as a scheme could be completed within only 10 years of any future dwellings being occupied, RBC and any future developer(s) of the H72 site may wish to consider this when planning the permanent internal layout and landscaping of a 'new' development.

13. A site specific policy (HS3) has been drafted for H72. It is proposed to amend this Policy on two matters. It should make specific reference to the need to be mindful of the potential widening of the A56 in the overall layout. In addition there will also be a need to make reference to SUDS, and the possibility of employing a different approach, and avoiding the western boundary of the proposed allocation, where load bearing could be an issue.

H73 – Edenwood Mill, Edenfield

14. Lancashire County Council's initial comments proposed that land may need to be safeguarded on the southern side of M66 junction '0' to potentially accommodate future south facing slip roads for the junction. This falls within the boundary of land allocated for new housing, allocation H73. This has been raised in Lancashire County Council's response rather than a requirement set out by Highways England.

15. The Highway Capacity Study (para 4.2.8) clarifies that this junction can accommodate the full build out of the Local Plan and as a result Mott's work does not consider this any further.

16. Recent discussions with Highways England have advised that should the Council be minded to safeguard land at the M66 Edenfield junction for potential future improvement schemes "*this is considered a prudent measure to ensure that the SRN (Strategic Road Network) can continue to support the economic growth aspirations of the local plan. Although we have no programmed schemes at this junction, we are aware of current congestion issues along the M66 during peak periods which will be exacerbated by future growth*".

17. However, the benefits associated with any junction improvements to facilitate a south-facing slip road may not justify the costs associated with such a scheme. Traffic going south towards Manchester currently accesses the M66 at Junction 1 (Ramsbottom) and this is considered adequate at the current time, and likely in the lifetime of this Plan.

18. Should it be necessary or desirable in the future to widen the A56 it may then be necessary or appropriate to consider improvements to Junction 0 at this time. However whether any cost benefit analysis would suggest this as being appropriate is still open to question. Any junction modifications will require land (not just within this allocation) that cannot necessarily be delivered. The proximity to Stubbins school, for example, could be an obstacle.

19. The following diagram identifies the site, showing the location of the roundabout and Junction 0 of the M66 and its relationship to the proposed allocation, known as H73.



20. Edenwood Mill had been identified as a potential allocation given its planning history and keen developer interest. This application did include land to the south of the former Mill, which had been used as car parking, and this land is to be included within the site allocation; this will require a change to the Policies Map. Land to the west has been identified later. This land has also been to assist access to the larger parcel of land, however it is noted that LCC Highways could have concerns about access via Wood Lane. The land to the west could also be used to facilitate an additional south-facing junction, or for widening the M66. No details of any known road scheme / junction improvements are available at the current time.

21 Highways England and Rossendale Borough Council agree that:

- 1 The delivery of the Local Plan to 2024 is noted to be accommodated successfully by the A56, however some capacity upgrade may be required prior to 2034. This is to accommodate future traffic growth and proposed Local Plan development before the end of the plan period.
- 2 Rossendale Borough Council's Highway Capacity Study has indicated that towards the end of the plan period it may be necessary to consider increasing capacity on the A56, and a potential solution could be to widen the existing A56 from the A682 (Rawtenstall Spur) / A56 South Bound Merge to Junction 0 of the M66.
- 3 As a result Highways England have advised that the Council may wish to be mindful of this possibility and the potential impacts in the future, particularly for developments identified in the Local Plan. Wording has been provided (see paragraph 11).
- 4 Funding approaches would need to be considered at a later date, and the identified capacity upgrades in the Rossendale Highway Capacity Study would need to be considered alongside any other options/approaches identified by Highways England, Lancashire County Council etc. in future studies.
- 5 The design, scheme preparation and procurement of the works would be carried out entirely by Highways England in the same manner as their own schemes. The works will lie within the existing SRN or highway land acquired under legal processes within allocation H72 and potentially H73 as well.