Developments Affecting Trunk Roads and Special Roads
Highways England Planning Response (HEPR 16-01)
Formal Recommendation to an Application for Planning Permission

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Council's Reference: 14/12118/OUT

Referring to the notification of a planning application reference above, in connection with the M4 motorway junction 17 for a mixed use urban extension comprising residential, employment and education uses at Rowden Park, Chippenham Wiltshire notice is hereby given that Highways England’s formal recommendation is that we:

a) offer no objection;

b) recommend that conditions should be attached to any planning permission that may be granted (see Annex A – Highways England recommended Planning Conditions);

c) recommend that planning permission not be granted for a specified period (see Annex A – further assessment required);

d) recommend that the application be refused (see Annex A – Reasons for recommending refusal).
Highways Act Section 175B is not relevant to this application.¹

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

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

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<th>Date: 28th July 2016</th>
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¹ Where relevant, further information will be provided within Annex A.

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

This response represents our formal recommendations with regard to planning application (App Ref - 14/12118/OUT) and has been prepared by Rachel Sandy of the Network Delivery and Development Growth and Improvement Team and Asset Manager for the SRN in Wiltshire.

We have undertaken a review of the relevant documents supporting the planning application to ensure compliance with the current of the Secretary of State as set out in DfT Circular 02/2013 "The Strategic Road Network and the Delivery of Sustainable Development" and the DCLG National Planning Policy Framework (NPPF), being advised on this matter by our consultants, CH2M.

Statement of Reasons

Highways England has previously provided a formal consultation response in respect of this outline planning application in January 2015, and most recently in February 2016. This formal response now supersedes and updates our position.

As you are aware, Highways England have been working in partnership with Wiltshire Council to identify and understand the impact at M4 Junction 17 associated with planned Core Strategy growth in Chippenham (4510 houses by 2026) and the measures necessary to accommodate this growth on the Strategic Road Network, to ensure that a severe detrimental impact to road safety does not arise.

The work undertaken by Highways England demonstrates that with the growth set out in the Wiltshire Core Strategy in place, with the absence of necessary improvement to J17, vehicle queuing would occur at M4 Junction 17 to the extent that there would be stationary traffic on the M4 mainline waiting to exit the motorway. This represents a severe safety risk. The work undertaken also demonstrates that these circumstances would arise from early in the Plan period and would get steadily worse over time. Evidence from the Police, traffic officers and Highways England's Area 2 Managing Agent (Skanska) suggest that this situation already occurs at times.

With respect to the planning process and the development proposals, paragraphs 9 and 10 of the Department for Transports Circular 02/2013 – "The Strategic Road Network and the Delivery of Sustainable Development, state:
“Development proposals are likely to be acceptable if they can be accommodated within the existing capacity of a section (link or junction) of the strategic road network, or they do not increase demand for use of a section that is already operating at over-capacity levels, taking account of any travel plan, traffic management and/or capacity enhancement measures that may be agreed. However, development should only be prevented or refused on transport grounds where the residual cumulative impacts of development are severe.” (Para 9).

“However, even where proposals would not result in capacity issues, the Highways Agency’s prime consideration will be the continued safe operation of its network.” (Para 10).

Applying these principles, the development proposals are likely to be unacceptable, by virtue of a severe impact, if they increase demand for use of a section that is already operating at over-capacity levels, or cannot be safely accommodated, i.e. a development which adds traffic to a junction which already experiences road safety issues, or would increase the frequency of occurrence of road safety issues or would in itself cause those road safety issues to arise would be considered to have a severe impact.

Based on current housing delivery trajectories set out in the Plan and the modelling undertaken by Highways England, further development at Chippenham would exacerbate mainline queuing resulting in a severe road safety impact by 2017, contrary to Circular 02/2013 paragraph 9. There is, therefore, a demonstrable need for the M4 J17 improvement works to accommodate the above development proposal, in that a Planning Condition preventing the development from being occupied until the M4 J17 works are completed is necessary, in order to render the development acceptable.

To that end Highways England has already agreed a scheme with Wiltshire Council and the applicant which consists of the signalisation of the junction off-slips. This scheme has been designed to provide the mitigation necessary to accommodate planned growth to 2026, including Rowden Park. Wiltshire Council have committed to design, fund and deliver the scheme and have an indicative programme assuming delivery in the Autumn of 2017. On this basis, it is likely that the M4 J17 improvement works will be complete early in the delivery programme of the above development and the Plan period. The risks remain however, and Highways England would not be content with indefinite growth in the absence of the delivery of the agreed scheme.

It is therefore Highways England’s updated view that permission can be granted such that no more than 140 dwellings can be built and occupied prior to the M4 J17 scheme being in place. Beyond this dwelling quantum, timescales and growth are likely to result in unacceptable and severe road safety impacts.

Highways England consider that this approach would not compromise the deliverability or viability of the development while managing the potential road safety risk.
Conclusion

Highways England recommends that a condition be attached to any planning permission granted.

Condition(s) to be attached to any grant of planning permission:

No more than 140 dwellings shall be occupied unless, and until the M4 J17 improvement scheme as shown on Atkins drawing numbers WHCC_OS - ATK - HGN -TO7178 - DR - D – 0001 Revision P01.5 dated 14/01/16 and WHCC_OS - ATK - HGN -TO7178 - DR - D – 0002 Revision P01.4 dated 14/01/16 are completed and open to traffic.

Reason(s) for the direction given at b), c) or d) overleaf and the period of time for a direction at e) when directing that the application is not granted for a specified period:

To ensure the safe and effective operation of the strategic road network.