

Kirklees Council and Highways England Joint Position Statement

This statement establishes that there are no implications for the Local Plan arising from the loss of funding for a scheme at the M62/M606 Junction 26 (Chain Bar) to provide a direct link from the M62 westbound to the M606 northbound (specifically in relation to Sites E1831 and H69). This statement also includes the details of a potential interim scheme to address the loss of funding for this direct link.

Site H69:

Highways England considers H69 to be sound, notwithstanding the postponement of the RIS Scheme at Junction 26 of the M62/M606 (Chain Bar), in view of the fact that:

1. Modification AD-MM32 to the H69 Site Allocation text box enables the Council to require the following if a transport assessment demonstrates that committed schemes will not provide sufficient capacity to deal with the additional demand generated by H69:
 - a. Measures that reduce and mitigate significant impacts on M62 Junction 26 (Chain Bar).
 - b. Phased development of H69.
 - c. Contributions to additional schemes identified by Highways England.

It is an agreed position between Kirklees Council and Highways England that:

2. Any infrastructure contributions secured through a Section 106 agreement for Site H69 would need to be:
 - a. necessary to make the development acceptable in planning terms
 - b. directly related to the development; and
 - c. fairly and reasonably related in scale and kind to the development.
3. To ensure viability, the costs of any infrastructure contributions should, when taking account of the normal cost of development and mitigation, provide competitive returns to a land owner/developer to enable the development of H69 to be deliverable (in accordance with NPPF 173).

Furthermore it is an agreed position between Kirklees Council and Highways England that:

4. H69 is modelled by Highways England as generating a less than significant impact on the Strategic Road Network (including at Junction 26 of the M62/M606 - Chain Bar) until 2027 at the earliest.

(N.B. the Council's latest phasing information within Document EX30.2 'Housing Supply Topic Paper Dec 2017' re-phases H69 as commencing in 2020/21 rather than 2018/19 - as originally outlined in SD1).

5. H69 is modelled by Highways England as generating a less than significant impact on the Strategic Road Network (including at Junction 26 of the M62/M606 - Chain Bar) until two years after the next RIS funding period of 2020/21-2024/25.

Site E1831:

Highways England considers E1831 to be sound, notwithstanding the postponement of the RIS Scheme at Junction 26 of the M62/M606 (Chain Bar), in view of the fact that:

1. E1831 is modelled by Highways England as generating a less than significant impact on the Strategic Road Network (including at Junction 26 of the M62/M606 - Chain Bar) at a predominant B2 or B8 mix of Use Classes.
2. Development of E1831 is therefore not considered to have the potential to generate a significant impact upon the Strategic Road Network (including at Junction 26 of the M62/M606 - Chain Bar) at a predominant B2 or B8 mix of Use Classes.
3. Modification AD-MM4 is not necessary to make E1831 sound and should be withdrawn.
4. PLP 4 will enable the Council to seek contributions towards additional mitigation measures from applications upon allocations that do not in themselves generate a significant impact upon the Strategic Road Network (but that may contribute towards cumulative impact).
5. Any infrastructure contributions secured through PLP 4 would need to be:
 - a. necessary to make the development acceptable in planning terms
 - b. directly related to the development; and
 - c. fairly and reasonably related in scale and kind to the development.
6. To ensure viability, the costs of any infrastructure contributions secured through PLP 4 should, when taking account of the normal cost of development and mitigation, provide competitive returns to a land owner/developer to enable development to be deliverable (in accordance with NPPF 173).

This is an agreed position between Kirklees Council and Highways England and the existing Statement of Common Ground is to be modified in accordance with these (see Appendix).

Potential M62 Chain Bar Interim Solution:

Highways England's Road Investment Strategy (RIS) (2015) outlined a delivery plan for the strategic road network for the 2015/16 to 2019/20 Road Period. Included within the RIS was a committed scheme at the M62/M606 junction 26 (Chain Bar) to provide a direct link from the M62 westbound to the M606 northbound.

Following a review of the RIS programme in October 2017, the Chain Bar scheme has been paused for further review and consideration as part of the future RIS planning process.

Given the likely delay in delivering the Chain Bar major scheme, Highways England are working on developing a potential interim scheme for this location. We have already developed an option for

addressing queueing on the Westbound exit slip at M62 J26 Chain Bar. The proposed option would involve widening the westbound exit slip to 4 lanes.

- Lane 1 would become a 60m flare; this would be signed for traffic travelling to the A58 towards Leeds and the A638 towards Dewsbury.
- Lane 2 would be a 120m flare and would be for traffic travelling to Halifax via the A58.
- Lanes 3 and 4 would be full lanes. These would be dedicated for traffic travelling onto the M606 northbound and Low Moor.

The feasibility is at early stages; however we have identified that the slope to the offside of the slip road may need to be re-profiled. This may then necessitate the implementation of a retaining wall. A geotechnical investigation is carried out to ascertain what is required.

An initial scheme appraisal suggests the improvement will reduce delay and produces a positive BCR based on an estimated cost of £5.5m.

The option for improvement to the Westbound exit slip needs further feasibility and will be considered as part of a wider study of the junction which will aim to identify a potential package of interim options for the junction. We are working with Kirklees Council and local public transport providers to understand all the issues before a scope of works can be determined.

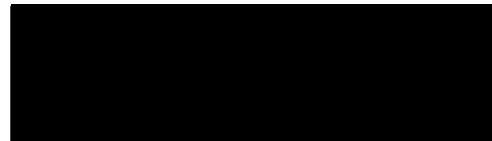
As it stands any interim package is unfunded and does not have an identified funding route. Whilst Highways England does have funding streams such as the Congestion Relief Programme and the Growth and Housing Fund, an interim scheme for Chain Bar does not currently form part of any of these programmes. As such once an interim package has been agreed and identified we would look for this to be added to the Kirklees IDP.

Signed:



Toni Rios
Highways England
Date: 18/01/2018

Signed:



Richard Hollinson
Kirklees Council
Date: 18/01/2018

APPENDIX:

STATEMENT OF COMMON GROUND BETWEEN KIRKLEES COUNCIL AND HIGHWAYS ENGLAND

This statement formalises the common ground established between Kirklees Council and Highways England on matters relating to the soundness of the policies and allocations proposed within the Kirklees Publication Draft Local Plan Strategy and Policies (SD1) and Allocations and Designations (SD2) documents.

This statement concludes the extensive engagement and co-operation that has taken place between Kirklees and Highways England throughout the Local Plan preparation process.

BACKGROUND

Highways England's representation to the Publication Draft Local Plan (dated 17th December 2016) identified the aspects of the plan that Highways England considered were unsound. The representation also identified the allocations that Highways England considered would impact the Strategic Road Network (SRN), and in turn those allocations for which contributions may need to be sought towards additional mitigation measures. Further to this representation Kirklees Council sought to clarify the soundness issues raised and the rationale for citing impacts upon the SRN as a site specific consideration for certain allocations.

In exploring this issue further and re-visiting the Network Analysis Tool (NAT) inputs that informed Highways England's representation, it became apparent that Highways England's comments were based on earlier site capacity assumptions rather than the 'actual' allocation indicative capacities within the Publication Draft Allocations and Designations document.

On account of this Highways England's position with respect to Chapters 2, 4, 5 and 13 of the Publication Draft Allocations and Designations document changed, as did the modifications that Highways England considered necessary to make the Publication Draft Allocations and Designations document sound.

Further to receiving assurances from Kirklees Council that Publication Draft Policy PLP 4 will enable the Council to seek contributions towards additional mitigation measures from applications upon allocations that do not in themselves generate a significant impact upon the SRN (but that may contribute towards cumulative impact), and that SRN infrastructure falls under the definition of 'essential infrastructure', Highways England and Kirklees Council have established common ground with respect to said matters.

COMMON GROUND

Kirklees Council and Highways England agree that the Kirklees Publication Draft Local Plan - Strategy and Policies document (SD1) is sound taking account of the modifications proposed to SD1 (specifically SP -MM18 to MM21 within SD4 (List of Additional Modifications to the Publication Local Plan). SD 4 proposes the following minor modifications (in brackets) in response to Highways England's comments on Paragraphs 10.38 (MM18), 10.41 (MM19), 10.42 (MM20) and 10.43 (MM21) of the Strategy and Policies document (SD1).

In response to Highways England's letter (dated 12th April 2017 – within BP28) SD4 also proposes the deletion of the 'other site specific considerations' within the Kirklees Publication Draft Local Plan

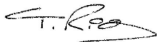
- Allocations and Designations (SD2) that relate to the strategic road network within Chapters 2, 4, 5 and 13 of the Publication Draft Allocations and Designations document, except in relation to allocations **H69, H559, H1747, H2089, E1832c and MX1905** for which the following revised wording applies:

‘Additional mitigation on the wider highway network will be required. Development of this site has the potential for a significant impact on the Strategic Road Network. Measures will be required to reduce and mitigate that impact. The transport assessment will need to demonstrate that any committed schemes are sufficient to deal with the additional demand generated by the site. Where committed schemes will not provide sufficient capacity or where Highways England does not have committed investment, development may need to contribute to additional schemes identified by Highways England and included in the Infrastructure Delivery Plan (IDP) or other appropriate schemes. If development is dependent upon construction of a committed scheme, then development will need to be phased to take place following scheme opening’

Accordingly, Kirklees Council and Highways England agree that the Kirklees Publication Draft Local Plan - Allocations and Designations document (SD2) is sound taking account of the modifications proposed to SD2 (specifically AD - MM 1, 5, 7, 11, 12, 13, 14, 15, 16, 17, 18, 19, 20, 24, 26, 27, 29, 32, 33, 37, 38, 39, 40, 48, 53, 58 and 61 within SD4 (List of Additional Modifications to the Publication Local Plan).

In accordance with the Kirklees Council and Highways England Joint Position Statement (18th January 2018), Modifications AD-MM4 and AD-MM50 with regard to E1831 and MX1930 should be amended to delete but not replace “Development may need to contribute to improvements to the strategic road network if committed schemes will not provide sufficient capacity”.

Signed:



Toni Rios
Highways England
Date: 18/01/2018

Signed:



Richard Hollinson
Kirklees Council
Date: 18/01/2018