



National Highways Planning Response (NHPR 21-09) Formal Recommendation to an Application for Planning Permission

From: Amy Williams (Regional Director)
Operations Directorate
North West Region
National Highways
PlanningNW@nationalhighways.co.uk

To: Cumberland Council

CC: transportplanning@dft.gov.uk
spatialplanning@nationalhighways.co.uk

Council's Reference: 4/23/2044/0F1

National Highways Reference: NH/23/01956

Location: LAND ADJACENT TO ST THOMAS CROSS ROUNDABOUT,
EGREMONT

Proposal: Erection of three storey building to form shop, warehouse, offices and ancillary storage along with new vehicle access, car parking and yard areas; & erection of 2no. single storey buildings to create 6no. units (use class b2/b8) and associated parking areas.

Referring to the consultation on a planning application dated 16/02/2023 referenced above, adjacent to the A595 that forms part of the Strategic Road Network, notice is hereby given that National Highways' 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 – National Highways recommended Planning Conditions & reasons);
- ~~c) recommend that planning permission not be granted for a specified period (see reasons at Annex A);~~
- ~~d) recommend that the application be refused (see reasons at Annex A)~~

Highways Act 1980 Section 175B is not relevant to this application.¹

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

Should the Local Planning Authority not propose to determine the application in accordance with this recommendation they are required to consult the Secretary of State for Transport, as set out in the [Town and Country Planning \(Development Affecting Trunk Roads\) Direction 2018](#), via transportplanning@dft.gov.uk and may not determine the application until the consultation process is complete.

The Local Planning Authority must also copy any consultation under the 2018 Direction to PlanningNW@nationalhighways.co.uk

Signature:	Date: 27/07/2023
Name: Omar Opoku-Addo	Position: Assistant Spatial Planner
National Highways Piccadilly Gate Store Street Manchester M1 2WD	

¹ Where relevant, further information will be provided within Annex A.

Annex A **National Highways' assessment of the proposed development**

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

National Highways does not consider that the proposed development would have an adverse impact on the safety of, or queuing on, a trunk road.

National Highways Comments

National Highways formally recommends to Cumberland Council that the following conditions are added to any grant of planning consent that may be granted in the interests of ensuring that the A595 All Purpose Trunk Road continues to fulfil its purpose as part of the national system of routes for through traffic, in accordance with Section 10 (2) of the Highways Act 1980, maintaining the safety of traffic on the road, and preserving its integrity.

The Council should be aware that these are to be added as planning conditions and not advisories – they reflect requirements and safety standards for motorways that are mandatory.

Should the Council disagree with any of these conditions, under the terms of the Town and Country Planning (Development Affecting Trunk Roads) Direction 2018 it has 21 days in which to challenge them with the Secretary of State for Transport.

1. There shall be no direct vehicular or pedestrian access of any kind between the site and the A595. To this end a close boarded fence or similar barrier not less than 2 metres high shall be erected along the frontage of the site with the trunk road to the satisfaction of the Planning Authority in consultation with National Highways. The fence shall be erected behind the existing highway boundary fence, be on the developer's land and be independent of any existing highway boundary fence.

Reason - In order to prevent trespassing from the development site onto National Highways land.

2. No drainage from the proposed development shall run off into the trunk road drainage system, nor shall any such new development adversely affect any highway drainage.

Reason - In order to protect the integrity of the National Highways asset by ensuring that any new development adjacent to the SRN does not negatively impact upon the asset.

Standing advice to the local planning authority

The Climate Change Committee's [2022 Report to Parliament](#) notes that for the UK to achieve net zero carbon status by 2050, action is needed to support a modal shift away from car travel. The National Planning Policy Framework supports this position, with paragraphs 73 and 105 prescribing that significant development should offer a genuine choice of transport modes, while paragraphs 104 and 110 advise that appropriate opportunities to promote walking, cycling and public transport should be taken up.

Moreover, the build clever and build efficiently criteria as set out in clause 6.1.4 of [PAS2080](#) promote the use of low carbon materials and products, innovative design solutions and construction methods to minimise resource consumption.

These considerations should be weighed alongside any relevant Local Plan policies to ensure that planning decisions are in line with the necessary transition to net zero carbon.