

Completion of Heysham to M6 Link

Planning Application December 2005
Response to Objections and Comments



LANCASHIRE COUNTY COUNCIL

COMPLETION OF HEYSHAM TO M6 LINK PLANNING APPLICATION 2005

RESPONSE TO OBJECTIONS AND COMMENTS

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1 INTRODUCTION

1.1 Background

- 1.1.1 The Planning Application for the Completion of Heysham to M6 Link was submitted for Planning Consent on 14 December 2005. The Planning Application included an Environmental Assessment in three volumes:
- a. Volume 1 Environmental Statement
 - b. Volume 2 Non-Technical Summary
 - c. Volume 3 Technical Assessment Reports
- 1.1.2 The Environmental Statement was prepared in accordance with EC Directive 85/337 as applied to the requirements of the Town and Country Planning (Environmental Impact Assessment) (England and Wales) Regulations 1999.
- 1.1.3 During the extended consultation period, following the Planning Application submission, objections to the proposals and requests for additional information have been received. This document addresses the issues raised during the extended consultation period.
- 1.1.4 Section 2 is a summary of the objections and comments received from third parties.
- 1.1.5 Section 3 is a summary of the comments received from Lancashire County Council's Development Control (DC) section to which the Planning Application was submitted.
- 1.1.6 Section 4 contains the response to objections and comments from third parties contained in Section 2. Section 4 is numbered in such a way that each sub-section of 2 relates to the sub-section of 4. For example the comment or objection from British Waterways summarised in sub-section 2.7 is responded to in sub-section 4.7.
- 1.1.7 Section 5 contains the response to comments from Development Control contained in Section 3. Again Section 5 is numbered so that the sub-section of 3 will relate to the sub-section of 5. For example the comment from Development Control about the M6 Junction 34 summarised in sub-section 3.11 is responded to in sub-section 5.11.

2 OBJECTIONS AND COMMENTS FROM THIRD PARTIES

2.1 Ramblers Association

2.1.1 The Ramblers Association is of the view that the proposed road would have a detrimental impact on the character of the landscape. They would prefer to see the proposed route aligned further to the south nearer to the existing urban area. A number of comments are made with regard to the impact on specific rights of way.

2.2 Sport England

2.2.1 Sport England (SE) is concerned that the proposed development conflicts with their policy of protecting playing fields and that no proposals have been submitted to provide for replacement facilities of equal or better quality. It is assumed that Sport England is relating this to the playing fields at Lancaster and Morecambe College.

2.3 United Utilities

2.3.1 United Utilities makes several comments regarding the proximity of the proposed route to water, wastewater and electricity infrastructure.

2.4 Traffic and Safety

2.4.1 Two issues are raised regarding the intermediate access points at the A6 and Shefferlands. At the proposed A6 junction, it is considered that gateway signage /marking should be provided to match that at the northern end of Slyne. A number of recommendations are also made with regard to Halton Road and the speed restrictions on that section of road.

2.5 Environment Agency

2.5.1 The Environment Agency (EA) has objected to the proposed development and has raised a number of issues.

2.5.2 The Environment Agency states that a flood risk assessment needs to be provided. This needs to relate to the impact of the proposed new landforms (such as road embankments) in the flood plain as well as the potential impacts of the proposed River Lune Bridge on flows in the River Lune.

2.5.3 The Environment Agency questions the impact of the proposed scheme on river ecology. They are particularly concerned that insufficient information has been provided on the exact lengths of streams and water features that would be affected and the details of the proposed mitigation that would be provided to reduce loss of aquatic habitats

2.5.4 Comments are made with regard to the design of the proposed River Lune Bridge in terms of scouring, shading and destruction of bank side habitat and lighting.

2.5.5 The Environmental Statement stated that ground contamination information is included within Volume 3 Part G. However, the Environment Agency states that this document does not appear to be present within the application and Environmental Statement.

2.6 English Heritage

2.6.1 English Heritage states that the section on cultural heritage makes some reference to historic landscape character including the parkland landscapes that are present in some parts of the application site. However, it is difficult to interpret the mitigation measures that are proposed in these areas.

2.6.2 English Heritage makes reference to the grading system that is used to quantify the impact of the proposed development on cultural heritage

2.6.3 English Heritage is concerned that it is difficult to identify the precise proposed mitigation measures that are to be undertaken where impacts are predicted.

2.6.4 English Heritage also raises comments with regard to the proposed facing treatments for structures to ensure that they are appropriate in terms of landscape character. It is requested that some better visualisations would assist in assessing the impact of the proposed development at various locations.

2.7 British Waterways

2.7.1 British Waterways raises no objection to the proposed development but request that the impact of the proposed development in terms of canal side habitat and visual impact be minimised. It also considers that the proposed period of disruption to the canal should be minimised and request a timescale for this section of the construction works.

2.8 Halton with Aughton Parish Council

2.8.1 The Parish Council welcome the conclusions of the Environmental Statement that the proposed development would lead to a decrease in traffic through Halton. However, some concern is expressed about the accuracy of such predictions.

2.8.2 The Parish Council also raised concerns about the following matters:

- a. The need for an upgrade of M6 Junction 34
- b. The impact of excavation for the proposed Shefferlands Junction
- c. The pressure for future development created by the proposed scheme.
- d. Light pollution
- e. Construction and road traffic noise.
- f. Visual impact of the proposals.

- g. Increasing flood risk in Halton.
- h. Short period of consultation and opportunities to view the proposals.
- i. Removal of Luneside Link from the proposals and the impact on the city centre of traffic accessing Luneside Industrial Estate.
- j. Alternative routes.

2.9 Lancaster City Council

- 2.9.1 The City Council have not raised an objection to the proposed scheme but have asked that the proposed development be delivered in partnership with other transport initiatives including park and ride.

2.10 McDonalds

- 2.12.1 A letter from the agents for McDonalds raised concerns about the implications of the proposed development for access to their premises. They are concerned about the following :-

- a. That the proposed realignment of Morecambe Road to the southwest will result in a loss of car parking to a level significantly below that required to sustain the business.
- b. The proposed signalised junction will prevent eastbound traffic from being able to enter McDonalds.
- c. The disruption from the proposed road construction works would result in a loss of trade.

2.11 Lancaster and Morecambe College

- 2.11.1 An objection has been received from Eversheds on behalf of Lancaster and Morecambe College (L&MC). The objection from Sport England also relates primarily to this part of the application site. The college feel that the proposed road would have a detrimental impact on the ability of the College to deliver education during the construction phase and in the future. They are also of the view that there are significant omissions in the Environmental Statement that make it difficult to assess the full impacts of the proposed development.

- 2.11.2 The main issues at this location are as follows: -

- a. L&MC believe that the proposed development would result in the loss of 22,852 square metres of land in their ownership including land used for car parking, sporting and recreational facilities.
- b. In terms of the playing fields, the exact impact of the proposed development on the pitches needs to be determined. Proposals for the replacement of any lost sports provision needs to be submitted in order to resolve the objections of L&MC and Sport England.

- c. The proposed highway would result in the pitches being physically separated from the main L&MC site. Although the proposals create a new access to the playing field this may not be convenient for users of the pitches.
- d. L&MC state that the proposed highway would result in the loss of 180 car parking spaces leaving the college with only 294 spaces. It would not be desirable for the proposed road to create overspill-parking problems on surrounding residential roads and therefore the possibility of creating new parking provision to replace that lost to the new road should be investigated.
- e. L&MC are also concerned at the implications of the proposed development (during construction and post construction phases) for noise, vibration and visual intrusion for the College activities that are undertaken in closest proximity to the proposed road alignment. They consider that these impacts have not been assessed in the Environmental Statement.
- f. Eversheds also consider that the Environmental Statement is deficient, as it does not identify the key impacts and mitigation measures required at L&MC. Nor does it include the data required to underpin the arguments that are made with regard to the benefits of the proposed development and does not properly describe the proposed alternatives that have been studied.

2.12 Torrisholme Road and Russell Drive

- 2.12.1 A large number of objections have been received from the residents in this area regarding the impact of the proposed bridge and associated embankment structures.

2.13 Kellet Lane

- 2.13.1 The owner of Carus Cottage has objected to the application and has raised the following issues. Firstly the owner considers that the proposed highway is too close to Carus Cottage and that the position of the proposed lay-bys would result in additional disturbance. The owner requests that the proposed road and lay-bys are moved further from the property. Objection is also made to the location of the proposed bridleway through part of the garden area. Finally, the owner considers that the proposed Kellet Lane Bridge should be moved further from his property.

2.14 M6 Junction 34

- 2.14.1 Fisher Wrathall (Land Agents) has written on behalf of the owners of Cottams/Croskells Farm. The farm owners object to the application on the basis of the significant impact on their land holding.

3 COMMENTS FROM DEVELOPMENT CONTROL

3.1 Hadrian Road

- 3.1.1 Development Control (DC) requested that, if possible, the alignment and priority of the proposed access road at this location be amended in order to reduce the impact on the amenity of local residents, most particularly, from customers leaving McDonalds.

3.2 Morecambe Road School

- 3.2.1 The proposed widening of Morecambe Road on the north western approach to the proposed Scale Hall Junction would appear to have implications for traffic entering/leaving the school, particularly due to the proposed widening of the road at this point and if traffic is queued past the school entrance. The proposed central reservation dividing the carriageways would also appear to have some implications for traffic turning right from the school entrance. It is considered that the construction of the proposed road presents an opportunity to address this issue, which is clearly unsatisfactory, even at present.

3.3 Torrisholme Road and Russell Drive

- 3.3.1 In terms of noise at Torrisholme Road and Russell Drive there does not appear to be any figures within the Environmental Statement (ES) concerning the changes in noise levels at this location. It is noted that the noise mitigation measures are discussed in the ES (12.4.12 – 15) but these are very general and there are no detailed proposals specific to this location. Given the proximity of property in this location more detail needs to be supplied in order to assess the effectiveness of the proposed mitigation measures in terms of noise attenuation and visual impact.

3.4 Endsleigh Grove

- 3.4.1 It is noted that it is proposed to create mounding in the field to the north of these properties in order to provide screening. However, from the sections in the Environmental Statement (4.2.6), it would appear that the proposed mounding might be higher than is actually required in order to provide screening. A careful balance needs to be reached if the proposed mounding is not to have a worse impact than the proposed road itself. Some better cross sections may assist in explaining this aspect of the proposals.

3.5 Railway/Canal Area

- 3.5.1 The proposals in this area are of concern particularly with the heights of the proposed embankments that are required to cross the railway and canal. The proposed embankments would be very high and would contrast severely with the natural form of the landscape. Apart from the illustration of the proposed railway bridge (Folly Railway Bridge) there appears to be no sections through this part of the site.

3.5.2 There is considerable proposed mounding in this area between the proposed highway and Hammerton Hall Lane. A plan showing the proposed contours of this area would assist in understanding these proposals. Whilst the purpose of this proposed mounding is understood, it is possible that a better landform may be able to be achieved that would be easier to farm and which would look more natural in the landscape.

3.5.3 The properties known as Folly Bank and Brookside are located very near to these proposed embankments. Some cross sections at these locations would assist in understanding the impacts on these houses and the effect of any proposed mitigation measures.

3.6 Link Road/A6 Junction

3.6.1 The main concern at this point, relates to the necessity of having such a large proposed roundabout and slip road. This area is presently very rural in nature and the proposals will have a very urbanising impact. A simple priority junction at this location would have a much-reduced impact on this area of land.

3.6.2 Some sections/visualisations would be useful in this area to show the impact of the proposed scheme from the existing houses on the A6 as well as the general view along the valley.

3.6.3 Mounding is proposed between the link road and properties on the A6 Lancaster Road to the north of the link road. The impact on the properties in terms of visual intrusion and drainage needs to be assessed.

3.6.4 Once again it is difficult from the Environmental Statement to establish what the impact would be in terms of noise on the properties in this location.

3.6.5 The creation of the proposed roundabout and slip road creates an area of land spilt into three fields that will be completely encircled by roads. Development Control wondered if this land could still be able to be farmed or would it be better utilised to provide landscaping or ecological mitigation.

3.7 Green Lane Bridge

3.7.1 The proposals involve the diversion of Green Lane via a bridge over the proposed highway. Again, this seems to require a significant level of development in order to achieve a simple crossing of the proposed road. Development Control asked if it is possible to construct a bridge over the proposed highway on the existing alignment of Green Lane, thereby preserving more of the existing character and ecological value of the lane.

3.8 Kellet Lane

3.8.1 At present this road is a pleasant rural lane, which is characteristic of this area. The proposed road would significantly alter this character through removal of the existing hedges and replacement with a proposed bridge incorporating crash barriers and the wide cutting. Development Control asked if there are any alternative designs possible which would have less impact on the existing character. Kellet Lane would have to be kept open during the construction phase, which Development Control felt would presumably involve the construction of a temporary bypass. However, Development Control felt that this was not discussed in the Environmental Statement and that it would be useful to know what the impacts of this would be.

3.8.2 More details regarding the proposed treatment of the cutting slopes in this location is required. Would they be bare rock or would they be graded and planted.

3.9 Shefferlands Roundabout

3.9.1 A section through this area to show the relationship with the existing ground contours would be useful.

3.10 Shefferlands Retaining Wall

3.10.1 This appears to be a substantial proposed structure, although the exact dimensions of this proposed structure in terms of length and heights are not clear from the plans. A long section and a more detailed plan would help to explain this. Development Control understands that it is proposed to face this with crib walling. Whilst this treatment might be appropriate in an urban area, Development Control do not consider that it is appropriate in a rural area such as this. Development Control would prefer to see a stone faced retaining wall or more preferably a graded embankment or rock cutting as exists on other parts of the M6 in this vicinity.

3.11 M6 Junction 34

3.11.1 The proposed improvements to this junction are clearly a major benefit of the scheme. However, these proposed improvements could be undertaken in their independence and do not necessarily require the implementation of the proposed completion of Heysham to M6 Link to achieve them.

3.12 Landscape

3.12.1 The eastern part of the proposed route is within the Green Belt and affects land that is at present very rural in nature. The proposed highway would change the character of this area and introduce features of an urban nature into this landscape. Development Control therefore feels that it is important to design the proposed road as sensitively as possible in order to reduce its impact. Some issues such as the Shefferlands Retaining Wall, Kellett Lane and Green Lane Bridges and Beaumont Junction (junction with A6) have already been referred to. However, Development Control felt that there are some general scale and design issues that should also be considered: -

- a. Does the main part of the proposed route need to be of dual carriageway standard when the existing phase 1 section is only single carriageway?
- b. Does the whole of the proposed route require street lighting, which would introduce additional light pollution?
- c. Why is the cycleway/footpath proposed along the full length of the proposed road? In the view of Development Control this proposed route would not be particularly attractive to use as a cyclist/pedestrian and the funds for this aspect of the development could be used elsewhere to create facilities which would be more likely to be used and therefore contribute to traffic reductions.

3.12.2 Development Control also noted that the landscape assessment includes a plan showing the Zone of Visual Influence. However, the line of the proposed route is clearly visible from the Ashton Monument but this is not acknowledged in the Environmental Statement.

3.13 Noise

3.13.1 Development Control considers that it is difficult from the Environmental Statement to establish what the noise reductions/increases would be at particular properties and to assess the effectiveness of the proposed mitigation measures at these locations. In particular Development Control refers to Shefferlands, Carus Cottage, Beaumont Grange, properties by the A6, Folly Bank, Brookside, the Crematorium and the properties in the Russell Drive/Torrisholme Road area. Development Control feels that an annotated map would be of assistance in showing these impacts, similar to that which has been proposed showing the reductions in traffic levels.

3.13.2 The ES also mentions the effect of the proposed use of low noise tarmac but no indication is given of the noise reductions that this would generate.

3.14 Ecology

- 3.14.1 Development Control acknowledged that any development of this nature would have some impacts on ecology. However, Development Control drew attention to the guidance in PPS9 (Planning Policy Statement 9) that requires Species of Principal Importance to be protected from the adverse effects of development. In addition, the North West Regional Spatial Strategy and Policy 20 of the Joint Lancashire Structure Plan requires that planning authorities should ensure that there is no net loss of ecological resource. The ecological impacts of the proposed highway will need be considered against this policy guidance.
- 3.14.2 Development Control also had a general concern that most of the ecological mitigation is being provided in the cutting/embankment slopes and other areas directly adjacent to the proposed highway. In these locations (because of the road disturbance), the mitigation measures are unlikely to achieve the same ecological value as the features that they replace. Some forms of additional off site mitigation would therefore be of more benefit.

3.15 Fungi

- 3.15.1 The Environmental Statement identifies the Valley Meadows/Howgill Brook Valley site as supporting a number of rare fungi including the pink wax cap that is a species of principal importance listed in the Countryside and Rights of Way Act and also in PPS9. The preservation of this species insitu is therefore the preferred option and the Environmental Statement recommends that the proposed road be realigned to avoid this area. However, there is no discussion as to whether this has been considered. Similarly, the proposed balancing ponds in this area of the site would impact upon these habitats. Could the balancing ponds be moved to a less sensitive location and therefore reduce the impacts on this particular habitat?
- 3.15.2 If it is not possible to avoid these habitats, then detailed proposed mitigation measures need to be identified. However, given the lack of knowledge of the biology and ecology of these fungi, it may be difficult to design proposed mitigation measures which have any certainty of success and which would ensure no net loss of the species concerned.
- 3.15.3 The Powder House Lane fungi fields and the unimproved grassland near M6 Junction 34 would also be affected or destroyed by the proposed route. It should be identified whether these impacts are avoidable and if not, specific mitigation measures should be developed for the habitats that would be lost.

3.16 Ponds and Watercourses

- 3.16.1 The Environmental Statement states that no ponds would be affected yet it would appear that Lancaster Road Link between the proposed route and the A6 would involve the loss of a pond. However, this pond is not listed in appendix 17 (list of wildlife sites where there is permanent loss of habitat). Confirmation is required that this pond has been surveyed and does not contain any species such as Great Crested Newts.

3.16.2 If this pond is to be destroyed, mitigation measures will need to be proposed to replace the habitat. The Structure Plan guidance requires two ponds to be created for every pond that is lost. Whilst, it is recognised that new pond features would be created in the form of the balancing lagoons, the ecologists consider that new landscaped ponds, which are independent of the road drainage, would provide better mitigation. In summary the impact on this pond needs to be clarified.

3.16.3 The potential impacts on ponds and watercourses are covered in the letters from the Environment Agency and the Lancashire County Council Ecologist. The main issue concerns the need to ensure that no net loss of habitat occurs in pond/water course environments. In particular, the stream diversion/culverting at the proposed Scale Hall Junction does not appear to be included and assessed. Whilst it is recognised that the proposals provide for new water bodies to be created, given their nature it cannot be assumed that they will provide adequate replacement for natural features.

3.17 Mature/Veteran Trees

3.17.1 Whilst the Environmental Statement proposes the planting of four new trees to replace any that are lost, this does not necessarily replace the habitat and landscape value of those that are lost. Some form of long term management should be proposed to ensure that the existing younger trees and new tree planting actually mature to eventually form veteran trees. For example some control should be exercised of hedgerow management in the vicinity of the proposed road or the wider area to ensure that standard trees that are planted as mitigation are not simply flailed with the remainder of the hedgerow.

3.17.2 There may also be scope for further tree and hedgerow management and planting works outside of the immediate proposed road corridor to provide mitigation for loss of trees/hedgerows by the proposed development itself. This may be particularly relevant in the historic parkland landscapes, which exist to the north of Carus Lodge and around Beaumont Grange.

3.18 Hedgerows

3.18.1 The Environmental Statement concludes that many of the hedgerows affected would qualify as 'important' hedgerows. The Planning Application (PA) therefore needs to detail how any loss of habitat value will be mitigated. There is discussion about the transplantation of hedgerows but there are no details of how this would be undertaken or to where the hedgerows would be transplanted. The hedgerow report gives various recommendations regarding the location of new hedgerows that should be taken into account in the design of any mitigation measures.

3.19 Bats

- 3.19.1 The bat report states that no known roosts are directly affected but that noise, vibration and the lighting of the proposed road may affect bats. The Habitats Regulations require the submission of a method statement prior to the consideration of the Planning Application detailing how bat populations will be maintained in a favourable conservation status during and after the development.
- 3.19.2 The bat survey states that some roosts may not have been surveyed due to the ephemeral nature of bat roosts. Development Control want confirmation that all mature trees and other structures that will be removed have been surveyed to provide information on the number of roosts that would be affected by the proposed development.

3.20 Badgers

- 3.20.1 It is not clear why badger gates are being incorporated into the proposed scheme when there was no evidence of badgers in the proposed scheme corridor.

3.21 Great Crested Newts

- 3.21.1 Development Control's ecologist has some questions about the exact methods that were used to identify Great Crested Newt's and whether they accord with English Nature's guidance. Development Control also draws attention to the comments in sub-section 3.16 Ponds and Watercourses with regard to the pond near to the proposed A6/link road junction.

3.22 Bryophytes

- 3.22.1 The conclusions of this report are not clear. It states that if mitigation were to be undertaken there would be a neutral impact but that if two trees were to be removed (which would appear to be the case) then there would be a major impact. However, no mitigation is proposed.

3.23 Environmental Management Plan

- 3.23.1 The Lancashire County Council Ecologist makes a number of observations regarding the Environmental Management Plan. These matters could be controlled by way of condition, should planning permission be granted. However, Development Control considers that some long-term management should be provided for to ensure that the various mitigation measures have long-term benefit.
- 3.23.2 The Environmental Management Plan states that measures will be taken to enhance potential Great Crested Newt habitat and monitoring will be undertaken for this species. However, it seems strange to monitor for this species when there is no evidence of them being present in the road corridor.

3.24 Traffic Issues

- 3.24.1 It is anticipated that the proposed highway would provide some relief to traffic on the gyratory system in Lancaster and on Caton Road. However, there is a danger that the released capacity would then be filled up by new traffic. Development Control feels that the road proposals need to be accompanied by other initiatives to enhance non-private car modes of travel. For example there has been discussion of a park and ride at the M6 Junction 34. Would the reduced traffic levels allow for construction of new bus lanes along Caton Road or on the gyratory system? Would there be scope for additional cycle pedestrian facilities and would any further measures possible to reduce car commuting between Morecambe and Lancaster?
- 3.24.2 Most of the representations that Development Control has received state that the proposed scheme will do nothing to resolve traffic problems in Lancaster. Whilst Development Control understand that this is not the main purpose of the proposed scheme, some inclusion of further measures to encourage modal shift may help to respond to these objections.
- 3.24.3 A number of local residents have also made reference to minor alterations to pedestrian crossings or road layouts on Morecambe Road and the gyratory that could ease the existing traffic flows.
- 3.24.4 Development Control has received a letter and document from Transport Solutions for Lancaster & Morecambe (TSLM) that includes the views of that organisation in terms of the traffic case for the proposed development. Development Control stated that TSLM are raising a number of issues regarding the case for the road and its environmental impacts. Development Control assume that TSLM will be making these points if they opt to make a presentation to the Members of the Development Control Committee and therefore a response to any questions that Members may raise will be useful.

3.25 Content of the Environmental Statement

- 3.25.1 Development Control does have some concerns about the content of the Environmental Statement. In particular, where impacts are identified in the specialist reports it is not always clear how they are being mitigated. This particularly applies in relation to noise, visual impact and ecology. The main mitigation measures need to be explained so that their effectiveness can be assessed.
- 3.25.2 Similarly, where the individual sections of the Environmental Statement recommend the adoption of specific mitigation measures, it is not always clear if, or how these measures have been incorporated into the proposed development. The requirement of the Environmental Impact Assessment Regulations is that the main mitigation measures are identified and incorporated within the proposed development.
- 3.25.3 The individual reports in the Environmental Statement also frequently refer to the Western Route and to the construction of the Luneside Link that clearly do not form part of the current planning application.

3.25.4 The Regulations also require consideration of alternatives and an explanation of why the proposed design is preferred against other potential options. The Environmental Statement only considers these in relation to the green and blue routes and in terms of the orange route in relation to Torrisholme Road. No other alternatives are considered. In a number of other locations there will be alternative design options that could be possible and which would have less environmental impact. Some of these have been referred to above. However, Development Control would suggest that the following options should also be considered: -

- a. Single lane carriageway option.
- b. Under Railway/Canal.
- c. At grade junction/roundabout with A6.
- d. Avoiding the area of nature conservation interest in the area around Howgill Brook.
- e. Design of the River Lune Bridge.

3.25.5 In relation to Torrisholme Road, the argument in relation to a ground level crossing is understood. However, could this situation not be avoided by having a cul-de-sac on either side of the proposed link road?