

**Report to the Cabinet Member for Highways and Transport**  
**Report submitted by: Head of Service - Policy, Information and Commissioning**  
**(Live Well)**  
**Date: 16 May 2016**

**Part I**

Electoral Divisions affected:  
Fylde East; Preston North  
West; Preston Rural; and  
Preston West

**Preston Western Distributor and East West Link Road and Realignment of Footpath Network - Approval for use of powers and preparation of Various Orders and Schemes including Compulsory Purchase Order**  
(Appendix 'A' refers)

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**Executive Summary**

Design work and the progression of the planning application is ongoing for the Preston Western Distributor and East West Link Road and Cottam Link Road. To maintain programme milestones and to ensure the scheme can be delivered, it is essential that the County Council has possession of all the necessary land. Negotiations are ongoing with the landowners however, agreement may not be achievable in time or at all. Consequently, it may be necessary to use Compulsory Purchase powers available to the County Council, in particular under the Highways Act 1980, to acquire the land.

Additionally a Side Roads Order under the Highways Act 1980 will also be required to enable alterations to be made to the existing highways and private means of access. Other Schemes and Orders under the Highways Act will also be required to enable the scheme to properly form a junction with the motorway and for the construction of the bridges over the canal navigable waters.

This is deemed to be a Key Decision and the provisions of Standing Order No. 25 have been complied with.

## **Recommendation**

The Cabinet Member for Highways and Transport is asked to:

- (i) Approve the use of the County Council's powers of Compulsory Purchase contained in the Highways Act 1980, and all other enabling legislation, to acquire all the necessary land and rights of access for the construction and future maintenance of the proposed Preston Western Distributor and East West Link Road, Cottam Link Road and the realigned footpath network;
- (ii) Authorise both the preparation of Compulsory Purchase and Side Road Orders for the scheme and other appropriate Orders and Schemes under the Highways Act 1980 and the taking of all other procedural steps in connection with the making of the Orders, prior to approval and sealing and making of the formal Orders and Schemes; and
- (iii) Approve the acquisition by agreement in advance of Compulsory Purchase powers of all rights, interests, enabling arrangements to facilitate the scheme.

## **Background and Advice**

The Central Lancashire Highways and Transport Masterplan (CLTM) was published in March 2013 and provides the basis for determining future transport investment priorities across Preston, South Ribble and Chorley. Many of the transport priorities identify large-scale improvements and additions to the existing highway network. The Preston Western Distributor road (PWD) is the most substantial road scheme proposed in Central Lancashire; a new 4 kilometre long dual carriageway linking the A583 at Lea to the M55 at Bartle and forming a new junction, Junction 2, on the M55 motorway. It will provide direct access to the strategic housing areas in North West Preston shown in the adopted Preston Local Plan 2012 -2026 and detailed in the City Council's published Masterplan for that area, served from the PWD by a new East-West link road and a link road to the existing developed area of Cottam.

The PWD will also enable provision of, and provide a direct connection to, the proposed Cottam Parkway Railway Station presented in the CLTM, and much improved access to the motorway network from the Enterprise Zone at Warton. Importantly, this new road capacity will provide relief to peak hour congestion for east-west journeys using city centre routes and allow bus priority measures, public realm enhancements and improvements to prioritise and promote walking and cycling along existing road corridors.

The scheme will enable the rights of way footpath network at that location to be improved and give better amenity and access for local residents and other members of the public.

## **Route for Preston Western Distributor**

Since this initial identification, a route for the PWD has been developed within the search corridor with the alignment informed by the physical constraints. The route is presented at Appendix 'A'.

At the southern end of the route positions the connection with the A583 in the area of the Blackpool Road, Riversway Junction providing for a junction configuration to allow all movements at the junction of the existing and proposed roads.

Moving north, the route travels between the overhead high voltage power lines and their supporting pylons to the East of Lea Town and West of the Ashton and Lea Golf Club. Immediately north, the road alignment bridges Darkinson Lane under overhead powerlines and the Lancaster Canal and Preston-Blackpool rail line with a single structure. To the north, the arrangement provides for connection to a new Cottam Parkway station using the same roundabout junction which will serve traffic into Cottam.

A further 1.4km north, where Lea Lane, Sidgreaves Lane, Bartle Lane, Rosemary Lane and Blackleach Lane converge within a small area. A roundabout is proposed, connecting to a new East-West Link Road which serves the North West Preston development sites.

The most northerly section connecting to the M55 is defined to avoid Bartle Hall. A new motorway junction will be positioned as far west as possible to minimise the disturbance to the Bartle Wetland Biological Heritage Site without affecting the existing motorway bridge at Rosemary Lane and the adjacent residential and medical properties.

Importantly, the line designed does not necessitate demolition of any residential or other buildings.

The road will be built as a dual carriageway with separate shared use cycletrack along its length on the Eastern side between A583 and the connection to the East-West Link Road. No cycling or footway provision would be made along the section serving M55 traffic.

Junctions along its length will be limited to a large roundabout serving the East-West Link Road and other local roads and a second roundabout junction to serve a road to link to Cottam.

The link to Cottam forms a short section of road to link to Cottam Way. The route is limited by built residential and other properties, including Lea Endowed CE Primary School. The line seeks to minimise the impact on these properties and would remove passing traffic from the junction, and its immediate vicinity, of Sidgreaves Lane and Lea Lane.

## **Route of East-West Link Road**

Turning to these associated link roads, the North West Preston Masterplan (NWPM) published for consultation provides a comprehensive special planning framework for

the area of North West Preston including parts of Cottam, Bartle and Ingol and provision of upwards of 5,000 new homes. The NWPM has explored the idea of an East West Link Road which was identified through the public consultation exercise for the CLTM to ensure ready and convenient access to and from the PWD for both local and long-distance journeys, in order to deter through traffic and locally generated traffic from using already congested routes to the east towards A6, Preston city centre and M55 Junction 1.

The CLTM and, in turn, NWPM identify an indicative east-west line for a spine road through the development area from Lightfoot Lane in the east to a connection to the Preston Western Distributor Road at its western end. The line of the link road has been adjusted subsequent to discussions with the house builders who hold options on land within the NWPM area and with other interested parties along its proposed route to provide a deliverable solution.

Under these proposals presented at Appendix 'A', the East West Link Road commences at its eastern limit with a roundabout on Lightfoot Lane approximately 400 metres west of the existing junction with Wychnor.

After initially taking a northern direction, the route turns west to commence and maintain its east west alignment. It passes through existing agricultural land which the NWPM allocates for future housing. Following this first 1.3km the route approaches Tabley Lane which has properties along its length in this area. The proposed crossing point would avoid all residential properties with the intention that the Melbourne Industrial Estate can be reconfigured whilst maintaining the viability of the businesses. A junction would be created with Tabley Lane.

Proceeding west the route will run immediately adjacent and parallel to Maxy Lane which it would replace. A new junction would be created with Sandy Lane. Continuing to its connection with PWD at Lea Lane the route crosses agricultural land which the NWPM allocates for future housing. Whilst there are no specific engineering constraints along this route, it is aligned with field and ownership boundaries to maximise the land available for development and minimise environmental losses.

Importantly, the line designed does not necessitate demolition of any residential properties.

### **Support for the development in local policy**

The Preston Local Plan 2012-2026 was adopted on 2 July 2015. Policy IN1 of the Local Plan safeguards the preferred route for the PWD section of the scheme and states that "planning permission would not be granted for any development that would prejudice the construction of the road". Paragraph 3.23 describes the East West Link Road component of the scheme as "crucial to deter through and local generated traffic from using the congested routes to the east".

The NWPM was published in January 2014 and was approved as guidance by Preston City Council in February 2014. One of the aims of the Masterplan is to provide a clear understanding of the necessary infrastructure and phasing required

to serve such a large scale development as that proposed for North West Preston. The East West Link Road is a crucial part of this Masterplan.

The CLTM was published in March 2013 and provides the basis for determining future transport investment priorities across Preston, South Ribble and Chorley. PWD and the East West Link Road are major schemes in this Masterplan.

The Preston, South Ribble and Lancashire City Deal was signed in September 2013 and provides a financial structure to deliver these roads, subject to planning, land assembly and other statutory procedures, and in advance of the bulk of development so to minimise as far as possible the impacts on the existing transport network and on local communities and road users.

In September 2015, an updated programme for delivery was presented in the City Deal Infrastructure Delivery Plan (IDP) for 2015/18. This was endorsed by the Cabinets of the 3 associated Local Authorities and approved by the City Deal Executive. The updated IDP timetable programmes the detailed design and land negotiations for the routes of the PWD and the East West Link Road.

## **Consultations**

An initial six week public consultation was undertaken on the preferred route option for the scheme from 30<sup>th</sup> May to 13<sup>th</sup> July 2014. The scheme was then safeguarded in November 2014 by the County Council to protect it from development. Surveys and site visits were undertaken to inform the design of the scheme and to highlight its implications on the area.

So that local communities, the wider public and other stakeholders had an opportunity to make comments on the pre-application, and to comply with good practice in these matters, public consultation was held over a 6 week period from 4<sup>th</sup> January to 12<sup>th</sup> February 2016 in which time a series of events were held in the local area. Events were held at Preston Grasshoppers Rugby Club on 13<sup>th</sup> and 20<sup>th</sup> January and Ashton and Lea Golf Club on the 18<sup>th</sup> January. The affected communities, landowners and parish councils were invited to attend the sessions, alongside web-based and media information that was presented as the technical justification for the planning application.

The consultation gave the public and stakeholders the chance to scrutinise and comment on the scheme prior to the planning application being submitted which have been factored into the revised strategy.

Whilst the County Council's Head of Estates has been proactive in approaching land owners regarding the required land and other enabling arrangements, there is no guarantee that they would be prepared to conclude negotiations by agreement. To ensure progression of the scheme, it is therefore recommended that the county council progresses a Compulsory Purchase Order to acquire the land and prepares and progresses the other associated Orders and Schemes.

## **Side Roads Order and other Orders and Schemes**

A Side Roads Order, under the Highways Act 1980, would also be required. It is proposed to progress this and prepare the Order at the same time as the preparation of the Compulsory Purchase Order. A Side Roads Order gives the County Council, as Highways Authority, the power to stop-up, divert, improve or otherwise alter a side road, public right of way or private means of access. Without this power, the County Council could not carry out the necessary alterations to the existing highway network and accesses. Scheme(s) made by the County Council will be required to make provision for the construction of bridges over the navigable canal watercourses and an Order and/or Scheme in relation to the special road known as the M55 will also be required to transfer certain lengths as constructed to the Secretary of State as highway authority for the M55 and otherwise enable the junction with the motorway.

### **Implications:**

This item has the following implications, as indicated:

#### **Financial**

The PWD and East West Link Road and associated changes to the rights of way network will be funded by the Preston South Ribble and Lancashire City Deal, including contributions from Local Growth Fund. This funding package will fund all costs associated with the preparation of the Orders and Schemes.

#### **Human Rights**

Every person has the right to peaceful enjoyment of his or her possessions under Article 1 of the First Protocol on Human Rights and no one shall be deprived of his possessions except in the public interest. If there is to be an interference with this right, this must be done as provided for by the law and the interference must strike a fair balance between the interests of the community and the protection of the rights of the individual. The schemes have been designed to minimise the interference necessary and, although a balance is required to be achieved, the County Council believes that the greater good is in promoting the scheme for the benefit of the people of Preston and the wider public, and that this outweighs the harm caused by the use of compulsory purchase powers to acquire third party land for the scheme.

#### **List of Background Papers**

Paper	Date	Contact/Tel
Adoption of Routes for the Preston Western Distributor Road and Associated East-West Link Road and Cottam Link Road and realigned network of public footpaths	05/11/2014 11/11/2014	Phill Wilson 01772 534559

Reason for inclusion in Part II, if appropriate

N/A.