

# Secretary of State for Transport

## Guidance Notes for Local Planning Authorities to accompany Safeguarding Directions issued for the A14 Cambridge to Huntingdon Improvement Scheme

### 1. BACKGROUND

- 1.1 These Safeguarding Directions were issued and came into force on 31 December 2014 under articles 16(4), 25(1), 26(1)(b), 26(3) and 29(6) of the Town and Country Planning (Development Management Procedure) (England) Order 2010<sup>1</sup> ("the Order").
- 1.2 The proposed A14 Cambridge to Huntingdon Improvement Scheme ("the Scheme") comprises:
- 1.2.1 widening of the A1 between Brampton and Alconbury over a length of approximately 5.6 km (3½ miles) from the existing two lane dual carriageway to a three lane dual carriageway. This would be achieved between Alconbury and Brampton Hut by widening mostly on the east side of the existing road. Between Brampton and Brampton Hut, a new road would be constructed to the west of the existing A1, with the existing A1 road becoming part of the new A14 Huntingdon Southern Bypass;
  - 1.2.2 a new Huntingdon Southern Bypass of approximately 20 km (12½ miles) in length, which would provide a two lane dual carriageway between Ellington and the A1 at Brampton and a three lane dual carriageway between Brampton and Swavesey. This would remove a large proportion of traffic from the section of the existing A14 between Huntingdon and Swavesey as well as Brampton Hut and Spittals interchange. The new bypass would include a raised viaduct section of road running across the river Great Ouse and a bridge over the East Coast Mainline railway. It would include junctions with the A1 at Brampton and with the A1198 at Godmanchester;
  - 1.2.3 downgrading the existing A14 trunk road (de-trunking to county road status) over approximately 21 km (13 miles) between Brampton Hut and Swavesey, as well as between Alconbury and Spittals interchange;
  - 1.2.4 Huntingdon Town Centre improvements, to include the demolition of the A14 viaduct over the East Coast Mainline railway and Brampton Road in Huntingdon. A new link would improve accessibility into Huntingdon: from the south and east by connecting the old A14 directly with Huntingdon Ring Road near the bus station, with Brampton road adjacent to the railway station and from the north and west by constructing a new link road from Brampton Road to connect with the A14 to the west. A through route for light vehicles would be maintained;
  - 1.2.5 widening of the existing A14 over approximately 7.9 km (5 miles) to provide three lanes in each direction between Swavesey and Bar Hill and to four lanes in each direction between Bar Hill and Girton;
  - 1.2.6 widening of a 2.5 km (1.5 mile) section of the Cambridge Northern Bypass between Histon and Milton;

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<sup>1</sup> SI 2010/2184

- 1.2.7 improvement of existing A14 junctions at Swavesey, Bar Hill and Girton; to improve the capacity of the road, ensure compatibility with adjacent proposed developments such as Northstowe, and connections for non-motorised users; and
- 1.2.8 a new local access road, approximately 8 km (5 miles) in length, to be constructed as a dual carriageway between Fen Drayton and Swavesey and as a single carriageway between Swavesey and Girton. The road would provide a route for local traffic between Cambridge and Huntingdon as well as providing access to properties and businesses along the corridor.
- 1.3 In order to protect the preferred route of the Scheme from conflicting development before construction starts, the Secretary of State for Transport has safeguarded the route of the Scheme using Safeguarding Directions, which are an established tool of the planning system designed for this purpose. Safeguarding aims to ensure that new developments along the route do not impact on the ability to build or operate the Scheme or lead to excessive additional costs. The Safeguarding Directions have been issued to Local Planning Authorities ("LPAs"), by the Secretary of State for Transport. As a result, LPAs need to consult the Highways Agency with regard to any planning applications falling within paragraph 2 of the Safeguarding Directions before determining an application for planning permission.
- 1.4 The safeguarded land shown on the plans accompanying the Safeguarding Directions includes the land currently identified as being required for the construction and operation of the Scheme.

## 2. PROCESSING OF APPLICATIONS

- 2.1 Applications for planning permission on which the Highways Agency must be consulted, in accordance with paragraph 2 of the Safeguarding Directions, should be sent either by email to:
- A14CambridgeHuntingdon@highways.gsi.gov.uk
- or by first class post to:
- A14 Cambridge to Huntingdon Improvement Scheme  
Highways Agency  
Woodlands  
Manton Industrial Estate  
Manton Lane  
Bedford MK41 7LW
- 2.2 Such applications must not be determined before the expiry of the period for consultation set out in Article 16(5)(b) of the Order.<sup>2</sup> That period for consultation is specified, in paragraph 4(c) of the Safeguarding Directions, as being a period of 28 days (or such longer period as may be agreed in writing between the local planning authority and the Secretary of State for Transport).
- 2.3 Any applications sent to the Highways Agency under paragraph 2 of these Safeguarding Directions will be considered by the Highways Agency on a case by case basis on the grounds of whether the proposed development will have an impact on the ability to construct or operate the Scheme or lead to excessive additional costs.
- 2.4 Where the application does not include all the information required to allow the Highways Agency to determine whether the development will have an impact on the ability to construct or operate the Scheme, or lead to excessive additional costs, the Highways Agency will notify the LPA without delay, setting out what additional information is needed and why.

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<sup>2</sup> The period in Article 16(5)(b) is "at least 21 days after the date on which notice" [of the application is given]

- 2.5 The LPA may not proceed to determine an application unless it has received a direction given by the Secretary of State for Transport under Article 25(1) of the Order. When such a direction has been received by the LPA, the application must be determined by the LPA in accordance with the terms of that direction.
- 2.6 If the LPA receives notification from the Highways Agency that the Secretary of State for Transport does not propose to give any direction in respect of the development to which the application relates, or where the Secretary of State for Transport has not responded to notification from a LPA of an application within the period of 28 days set out in paragraph 4(c) of the Safeguarding Directions (as mentioned in paragraph 2.2 above), the LPA may proceed to determine that application.
- 2.7 Where permission is refused due to a conflict with the Scheme, the decision notice should include that conflict in the reasons for refusal. Copies of all decisions on planning applications on which the Highways Agency has been consulted should be sent to the Highways Agency at the above-mentioned postal or email address. The Highways Agency may recommend that conditions are imposed in certain circumstances where appropriate in order to protect the Scheme.

### **3. BLIGHT AND PURCHASE NOTICES**

- 3.1 The provisions of the Town and Country Planning Act 1990 on blight and purchase notices will apply to property affected by safeguarding. The appropriate authority to receive purchase notices is the LPA. Blight notices should be served on the Secretary of State for Transport and sent to the Highways Agency at this address:

- A14 Cambridge to Huntingdon Improvement Scheme  
Highways Agency  
Woodlands  
Manton Industrial Estate  
Manton Lane  
Bedford MK41 7LW

Further details of the provisions and how to complete the prescribed form can be obtained from the Highways Agency at the above address.

### **4. PLANNING AND LOCAL LAND CHARGES**

- 4.1 In accordance with Article 36(4)(b) of the Order, particulars of the Safeguarding Directions must be entered in Part 2 of the Register of Planning Applications, in respect of any application for planning permission to which they apply. The Department for Transport is also of the view that the safeguarding provisions should be revealed in response to Optional Enquiries sent with requisitions for searches of the Local Land Charges Register in relation to properties within the zone described in paragraph 3 of the Safeguarding Directions.

### **5. EXTANT PLANNING PERMISSIONS**

- 5.1 Where LPAs are aware of, or become aware of, any extant planning permissions affecting land within the zone described in paragraph 3 of the Safeguarding Directions, which have yet to be implemented, it would be helpful if they could inform the Highways Agency.

### **6. PENDING PLANNING APPLICATIONS**

- 6.1 LPAs are reminded that the Safeguarding Directions issued on 31 December 2014 apply to any planning application that has not been finally determined by that date (and which includes a case where a resolution to grant a permission has been made by the LPA but the permission has not been formally issued).

6.2 Accordingly, LPAs must review all pending applications to determine whether the development proposed is development to which these Safeguarding Directions apply.

## 7. LOCAL PLANS

7.1 In preparing any Development Plan document (an area's Local Plan) the area safeguarded by the Safeguarding Directions should be taken into account. Where Safeguarding Directions are taken into account in a Local Plan, they should be represented on the policies map (in accordance with Regulation 9 of the Town and Country Planning (Local Planning) (England) Regulations 2012<sup>3</sup> as amended).

7.2 Adding information about the extent of the safeguarded area on the Proposals Map is helpful for those considering development in the area; however, it is important to note that the requirements of the Safeguarding Directions apply, in the circumstances described above, regardless of whether the safeguarded area is identified on the Proposals Map or not.

7.3 Local Plans should state that the Safeguarding Directions have been made by the Secretary of State for Transport. They are not proposals of the LPA and the route of the Scheme in question will not be determined through the development plan process. The Scheme will be considered by the Planning Inspectorate, acting on behalf of the Secretary of State, who will decide whether or not to grant a development consent order, under the Planning Act 2008 regime for nationally significant infrastructure projects, to enable the Scheme to proceed.

7.4 Further information on the planning process for nationally significant infrastructure projects can be obtained from the Planning Inspectorate's website:

- <http://infrastructure.planningportal.gov.uk/>

or by contacting the Planning Inspectorate by telephone or email:

- Tel: 0303 444 5000
- E-mail: [enquiries@infrastructure.gsi.gov.uk](mailto:enquiries@infrastructure.gsi.gov.uk)

7.5 Where the Local Plan has been submitted for independent examination, the LPA should record any representations received which relate to the Safeguarding Directions and bring these to the attention of the inspector appointed to hold the examination of a Local Plan document. The inspector's role is to consider the policies of the LPA set out in the draft Local Plan document. If the inspector is satisfied that an objection relates solely to matters covered by the Safeguarding Directions, rather than to proposals of the LPA, the inspector is unlikely to consider the objection to be relevant to consideration of the Local Plan document.

7.6 When adopting supplementary planning documents, LPAs should note in the statement of consultation any representations received which relate to the Safeguarding Directions.

## 8. TIMING

8.1 The Safeguarding Directions for the A14 Cambridge to Huntingdon Improvement Scheme come into force on 31 December 2014 and apply in respect of the categories defined in paragraph 2 of the Safeguarding Directions.

**31 December 2014**

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<sup>3</sup> SI 2012/767