



Department  
for Transport

# The Strategic Road Network and the Delivery of Sustainable Development

## Consultation Outcome

September 2013

The Department for Transport has actively considered the needs of blind and partially sighted people in accessing this document. The text will be made available in full on the Department's website. The text may be freely downloaded and translated by individuals or organisations for conversion into other accessible formats. If you have other needs in this regard please contact the Department.

Department for Transport  
Great Minster House  
33 Horseferry Road  
London SW1P 4DR  
Telephone 0300 330 3000  
Website [www.gov.uk/dft](http://www.gov.uk/dft)  
General email enquiries [FAX9643@dft.gsi.gov.uk](mailto:FAX9643@dft.gsi.gov.uk)

© Crown copyright 2013

Copyright in the typographical arrangement rests with the Crown.

You may re-use this information (not including logos or third-party material) free of charge in any format or medium, under the terms of the Open Government Licence. To view this licence, visit <http://www.nationalarchives.gov.uk/doc/open-government-licence/version/2> **OGI** or write to the Information Policy Team, The National Archives, Kew, London TW9 4DU, or e-mail: [psi@nationalarchives.gsi.gov.uk](mailto:psi@nationalarchives.gsi.gov.uk).

Where we have identified any third-party copyright information you will need to obtain permission from the copyright holders concerned.

# Contents

Introduction.....	4
Overview of responses.....	5
Summary of responses and the Government response .....	6
Question 1 - Does the proposed Circular explain clearly the Highways Agency's commitment to engage at all stages with the planning system, and how this will happen?.....	6
Question 2 - Does the proposed Circular achieve the correct balance between supporting economic development and ensuring that the strategic road network fulfils its function of providing safe and efficient movement for current and future users?.....	9
Question 3 - Does the proposed Circular signpost clearly the criteria that the Agency will use in evaluating planning proposals that affect the Strategic Road Network? .....	12
Question 4 – Do you agree with the approach to use of existing road capacity, and the provision of new capacity? .....	14
Question 5 – Do you agree with relaxation of policy on new accesses to motorways and other strategic routes? Please explain the reasoning for your view and provide any evidence you may have to support it. ....	15
Question 6 – Do you agree that it is appropriate to remove from the Circular minimum spacing criteria for roadside facilities, subject to junction separation standards, leaving consideration of such matters to planning authorities and commercial enterprise/opportunity? .....	17
Question 7 – Do you agree with the removal of a restriction on retail space at motorway service areas, as a matter to be assessed and decided according to demand through the planning system? Please explain the reasoning for your view and provide any evidence you may have to support it. ....	19
Question 8 – Do you agree with the minimum requirements for signing of the various roadside facilities? What should be included or excluded? Please explain the reasoning for your view and provide any evidence you may have to support it. ....	21

# Introduction

There have been significant changes made to national planning policy and legislation under the current Government, in particular through the introduction of The Localism Act 2011 and the National Planning Policy Framework in 2012.

The Department for Transport Circular setting out planning policy in relation to the strategic road network, and a separate Circular covering roadside facilities policy, must be replaced in order to reflect the evolution of the planning system. They will be replaced by new policy setting out how the Highways Agency (the Agency) will balance delivery of its objectives of managing and maintaining a safe and efficient strategic road network with that of being a delivery partner to, and enabler of economic growth.

A consultation on proposed new policy opened on the 11 February and ran for 6 weeks, closing on the 25 March 2013. We have now considered all of the responses received. This document sets out the Government's response and the next steps towards adoption of new policy.

Separate to this consultation, the Home Office has recently consulted on whether the ban on alcohol sales at motorway service areas could be removed in total or for overnight lodges only. The Government is analysing the responses to this consultation and will respond in due course.

# Overview of responses

A total of 117 responses were received throughout the consultation. Respondents included local planning authorities and other councils, Local Enterprise Partnerships, planning and transport consultants, developers, transport interest groups, organisations from the environment sectors, the hospitality sector, and members of the public. We are grateful to the organisations and individuals who took the time to respond.

The overall balance of opinion was supportive of the proposals. In approximately half of the responses, the consultation questions were not answered directly with respondents choosing to make general points on the policy framework being proposed. Of those, many did so without expressing support or otherwise for the proposals, but commenting broadly or focussing in on technical aspects of transport, planning, or delivery. Some of these related to specific cases, topics of interest, or local concerns rather than considering the policy approach at a strategic level. In order to allow for analysis of responses and provide structure to the response document, these comments have been included alongside comments made in support or in objection to specific proposals, and addressed collectively in the Government's response to each question.

# Summary of responses and the Government response

## **Question 1 - Does the proposed Circular explain clearly the Highways Agency's commitment to engage at all stages with the planning system, and how this will happen?**

Most (46) respondents expressing a view welcomed the commitment to engage in the planning process and felt that the document was, overall, clear on how this would happen. Many went on to offer comments where they felt there could be further clarity or where greater emphasis could be put on certain elements of the engagement process. The majority of those were seeking further clarity on process, particularly on how the Highways Agency would engage with LPAs and others on cross boundary and sub-regional planning; and identifying, prioritising and delivering essential infrastructure.

60 respondents did not express a specific opinion on the question, but offered comments where they felt that further clarity was needed.

11 respondents stated that there is not sufficient clarity, or that elements of the document did not go far enough on certain issues to gain support. A small number of these respondents felt there should be more reference to Local Enterprise Partnerships (LEPs). There were also suggestions for recognition of and statements on working with Integrated Transport Authorities, neighbourhood planning groups, and parish councils.

4 respondents stated that the policy could not rely on Local Plans being soundly based or deliverable. Similar points about relying on the deliverability of local plans were made in response to other questions in the consultation. These responses went on to argue that full assessment of all proposals should take place at each stage of the planning process; that the policy should provide greater clarity as to how assessment of proposals would be carried out both where these are in line with local plans and, alternatively, where they do not conform or where no up to date plan is in place. It was argued that the HA should be challenging individual proposals and strategic plans where the HA believed that they are unsustainable.

Several respondents stated that the policy should contain references to other planning documents and statutory instruments. There were calls for more references to the NPPF, particularly paragraph 32 which contains the 'tests' for assessment of proposals in sustainable transport terms, and paragraph 6 so as to emphasise the need for development to be sustainable as defined by the NPPF.

3 respondents stated that overall the policy was not strong enough on environmental considerations. One respondent called for reference to the UK sustainable development strategy, and another for clarification of the need to assess wider environmental impacts of infrastructure delivery such as air quality, habitats, and noise.

Finally, one respondent stated that there should be an explanation of how the Agency would use the Secretary of State's powers of direction under the Development Management Procedure Order (2010). This point was also made by a small number of respondents in answering other consultation questions or in making general comments on the proposed policy.

### ***Q1 Government response***

The consultation sought evidence on draft policy that sets the transport policy framework under which development proposals affecting the strategic road network may be considered. Comments on areas where there was a perceived lack of clarity are welcomed, and have been taken into consideration in producing a final document.

However, process and procedure are not matters for inclusion within policy. Rather these are addressed in the series of protocols published by the Highways Agency and available on its website. These documents set out how the Agency will engage with stakeholders in a range of scenarios, what can be expected from the Agency and what the Agency expects of others in order to ensure transparent, open and effective engagement.

The role of LEPs and other bodies in the planning system continues to evolve. The Government recognises the importance of LEPs, and other interested bodies, in delivering growth. The principles set out in the policy will apply at all stages and levels of planning and, whilst the policy can not list all bodies that the Highways Agency will engage with, those bodies must be provided with clarity as to the nature of the policy under which any engagement will take place.

Not all of the aspirations of a Local Plan will be met during a given plan period. However, the Highways Agency will enter in to the planning process positively and work with planning authorities to deliver their proposals. It is normal that over a 10-15 year plan period there will be changes that influence delivery of the local plan. This is recognised in the review process described in the NPPF.

The Government believes that there is sufficient flexibility in the system to facilitate consideration of external influences as the plan is delivered. However, the Government does not believe that where proposals have been agreed at the local plan stage, it is appropriate to reassess the principle of those proposals at planning application or other later stage of the planning process as long as they remain consistent with the local plan.

The Highways Agency remains committed to full engagement in the development and delivery of local plans, and will continue to make representations that reflect the Agency's remit. Where a plan proposal is considered unsound, or a planning application is considered to be flawed, the Agency will make representations to that effect, although the intention is that early engagement and the adoption of a partnering approach by all stakeholders will ensure that the need for such input will be rare.

The proposed document is intended to be read in the context of other Government regulations, policy and guidance as appropriate to the proposals being considered. The Government considers that the overarching national policy laid out by the NPPF does not need repetition or expansion in other publications and it is not appropriate to include additional cross references within this transport policy.

The Secretary of State's ability to give directions is prescribed in the Town & Country Planning (Development Management Procedure) (England) Order 2010. It is not in itself a matter of Transport policy. However, the Highways Agency's planning protocols set out the options available and how and when the powers of direction will be used. No further repetition is necessary.



## Question 2 - Does the proposed Circular achieve the correct balance between supporting economic development and ensuring that the strategic road network fulfils its function of providing safe and efficient movement for current and future users?

31 respondents agreed that the correct balance had been achieved, with many welcoming the emphasis on the role of the strategic road network in delivering economic growth.

17 respondents did not agree that the correct balance had been achieved. The majority of these expressed concern regarding the proposal to remove the requirement to mitigate to a 'nil detriment' position in circumstances where existing capacity would be exceeded as the result of development. Respondents felt that this would lead to capacity problems in the medium to long term and an increase in congestion, and that this effect would be exacerbated in areas where the road network is already near, at, or over capacity. It was pointed out that these parts of the network were also likely to be in the most sustainable, urban areas where development should first be encouraged.

69 respondents expressed neither support nor opposition in principle but provided comments on the proposals. Some of these welcomed the intent to reduce the burden on development but cautioned against the possible lack of long term capacity provision.

7 respondents felt that the balance went too far in terms of focussing on the economic benefits of sustainable development with the policy failing to go far enough in discussing and providing an approach to environmental concerns. In a couple of cases, the view was expressed that the policy needed more on the social role of sustainable development.

2 respondents felt that, in seeking to devolve more of the decision making process to local level, the annex dealing with roadside facilities would mean that gaining planning permission for such a facility would be made much more difficult. By contrast, one respondent suggested that the same policy approach, in cases where a local plan was not up to date or was silent on the matter, would lead to a proliferation of roadside facilities.

10 respondents felt that paragraphs 2.2 and 2.3 of the policy are not compliant with the NPPF particularly paragraph 32 where it states 'Development should only be prevented or refused on transport grounds where the residual cumulative impacts of development are severe'. Some felt that these elements of the proposed policy are more onerous than previous policy, and would lead to less development being permitted as a result due to a perception that it now defined 'severe', and did so in a way that was very restrictive.

5 respondents stated that the document was not clear enough on what is meant by 'safe' and how this might feed in to the assessment process, and therefore what should be considered when formulating development proposals.

## ***Q2 Government response***

The clause in existing policy regarding 'nil detriment' applies to a situation where assessment of the transport impacts indicates that a junction or road link will be taken over capacity by traffic generated as a result of the development.

Currently in this situation, the developer is required to provide mitigation so that the strategic road network is no worse off 10 years after the development has fully opened. The Government believes that this requires the developer not only to mitigate the impact of their own development, but to cater for national traffic growth as well, and that this is a burden that is unfairly transferred to developers.

The proposed changes may still require some mitigation to the extent that the SRN should be operating efficiently at the opening of the development but, by removing the requirement to mitigate for growth after a development has opened, there is both a reduction in the burden imposed on the developer and an incentive to deliver on development proposals as soon as possible after consent has planning been granted in order to minimise the amount of growth that will need to be catered for.

The Government recognises that it will fall to the Highways Agency to address the further capacity needs working with local authorities and developers to deliver mitigation schemes that are future proof and consulting with LEPs, local authorities and others to prioritise its investment programme to best meet national growth objectives.

It should be noted that mitigation by way of capacity improvements is a solution of last resort. Managing down impacts through the adoption of travel plans which encourage the use of sustainable modes of transport, planning for sustainable locations, and the management of residual demand all will need to be fully implemented before capacity increases are to be considered.

Modal shift in particular can be more effective in urban areas due to existing public transport infrastructure. The cost effectiveness and the environmental benefits of providing further options and incentives to switch modes before providing capacity, provide encouragement to consider effective travel planning and demand management.

The social and environmental impacts of development are considered within the NPPF. The Government believes that the current focus on economic growth is appropriate. In seeking to balance the economic function of the strategic road network with that of providing a means for safe and efficient medium and long distance travel, regards must be had to the social and environmental effects. There is legislation and policy in place that ensures all environmental effects are considered and appropriately mitigated, and the Government believe that there is not a need to repeat that within the proposed transport policy being consulted on.

Roadside Facilities and related planning issues are more completely addressed later in this document in questions related to the sector.

The Government believes that the proposed policy contained in the consultation document is consistent with the NPPF. Paragraph 2.2 goes as far as to repeat the 'test' set out in paragraph 32 of the NPP regarding refusal of development on transport grounds only where residual impacts are severe. The Government also recognises that what constitutes severe will not be the same in every circumstance and that the basis for such a refusal will depend on local conditions.

Paragraph 2.3 of the consultation draft policy goes on to explain circumstances where local authorities and developers can have reasonable certainty that their proposals will be acceptable. There is no basis for making an assumption that other proposals will be deemed unacceptable. Such decisions will be dependent upon the outcome of the assessment process.

The Government believes that when both statements are considered, in the context of the policy as a whole and the provisions of the NPPF, it is clear that that paragraph 2.3 neither sets a limit on development nor seeks to define 'severe' in any sense.

The draft policy document states throughout that in considering any development proposal, a prime consideration for the Highways Agency will be the safe operation of the network. In part this relates to design and capacity issues that are set out in the design manual for roads and bridges, and any acceptable departures agreed from the standards therein. This includes the process of road safety audit, where independent safety specialists assess proposed road layouts during the design and implementation stages of any highway engineering measures. Whilst it is possible to signpost the broad framework for safety assessment, the nature of the process means that there always will be location specific issues which can impact on highway safety. In such cases the Government is satisfied that the independent nature of the assessment can ensure a reasonable, informed, balanced, and unbiased opinion.

### Question 3 - Does the proposed Circular signpost clearly the criteria that the Agency will use in evaluating planning proposals that affect the Strategic Road Network?

47 respondents agreed that the document is clear in signposting the evaluation criteria. Of these some felt that this applied generally but that there were some areas that could be made clearer or expanded upon. The main point raised by this group of respondents as well as those commenting on or objecting to proposals was the need for further clarity in the removal of requirement to mitigate for 10 years background growth and the circumstances in which this would apply.

58 respondents did not express a clear view or directly answer the question but offered comments on elements of the proposed policy.

12 respondents felt that the document was not clear in signposting criteria. Of these, 2 respondents went on to argue for different criteria, which suggests that the document is clear but that they did not agree with it. 7 respondents in also stated that they felt the policy was not clear on what the approach would be to development that was not in the local plan, or where the local plan was not up to date. 5 respondents stated that they felt the consideration of environmental and social effects was lacking. 5 respondents commented on the approach to development proposals coming forward that are consistent with the local plan as per paragraph 4.1 of the proposed policy. They argued that the assessment of local plan proposals was too high level and therefore too vague to permit compliant development to come forward without a full assessment of the impacts at the application stage.

### ***Q3 Government response***

The Government accepts that there is not sufficient clarity in the draft policy document to make its intentions clear regarding the point on mitigation.

Consultees have identified that reading both the draft and the accompanying consultation document provided that clarity. The clarity on the relationship between assessment and mitigation is provided in the final policy document in line with the government response to Question 2 above, as will clarity on assessment overall be it of plan led proposals or development proposed outside of agreed Local Plan aspirations.

The NPPF makes clear that where local plans are absent or silent, it is the policies set out in the NPPF as a whole that are to be used to assess the sustainability of development proposals. In assessing the impact on the SRN, the safe and efficient operation of the network and the principles outlined in the document for assessing planned development remain a valid basis on which to make an assessment as the NPPF makes clear.

The points made by respondents here about the validity of local plan assessment, and of environmental impact assessment, have been addressed in response to question 2.

## Question 4 – Do you agree with the approach to use of existing road capacity, and the provision of new capacity?

41 respondents agree with the approach outlined in the proposed policy.

61 respondents expressed no clear view on the question asked, but offered comments on the general approach or specific elements of the drafting. One point made was the need to ensure early and positive engagement and collaboration with planning and highway authorities in terms of identifying the need for and then funding and delivery of infrastructure, and also in considering effects of demand management on local roads and economies.

15 respondents stated that they did not support the proposed approach. The main concerns raised were similar to those in previous questions and, in all, 24 respondents expressed objection or concern regarding the proposal to remove the requirement to mitigate for 10 years background growth and the circumstances in which this would apply. Similarly, 11 respondents to this question expressed the view (as raised and addressed in Q2) that the proposals could lead to medium to long term capacity problems, increased congestion, and exaggerated effects in already congested sustainable urban areas.

10 respondents raised objection or urged caution regarding the effectiveness of travel plans as a way of managing down the impact of development, primarily based on the delivery and monitoring of travel plans rather than the concept itself. A further 3 respondents stated the document needed to define 'severe' in the context of refusal of development as per question 2 (and addressed there).

### **Q4 Government response**

We welcome the broad support for the policy approach set out throughout the proposed policy.

The Government recognises the need for early engagement of the Highways Agency in the planning process, and has legislated and developed policy to ensure that this happens.

Points raised by responses to this question concerning the proposed changes to the mitigation requirements, the provision of future capacity, the use of travel plans and defining 'severe' have been addressed elsewhere in this report.

## Question 5 – Do you agree with relaxation of policy on new accesses to motorways and other strategic routes? Please explain the reasoning for your view and provide any evidence you may have to support it.

43 respondents supported the relaxation on new accesses proposed. The majority of those agreeing with the proposal were planning authorities welcoming the removal of a constraint on growth, many illustrating how this could be useful in their area in assisting realising growth aspirations.

However a small number of these, and respondents not considered to be supporting the proposal, stated that the sections addressing access need to be clearer and more in line with the statement in the consultation document. 3 respondents stated that the policy did not go far enough, in that economic growth should be the ultimate consideration and that access should be considered for development even where it is not in a strategic plan.

57 respondents did not offer a direct answer to the question but offered comments on the proposal. A view expressed by 8 respondents was that it is essential that any new access is identified and delivered through a sequential, plan led strategic approach and junctions must not be allowed to come forward outside of planned identified need, particularly in windfall or as an 'easy alternative' to accommodating development traffic through the local road network and existing junctions. 3 respondents called for a clear definition of 'routes of near motorway standard'.

17 respondents, including those representing motoring interest groups, did not support the relaxation proposed. Some of these were planning authorities' concerned that this could lead to out of town development that would compete with and have negative effect upon town centres and their ongoing viability.

Concerns were also raised about the possibility of an increase in junction hopping and the risk that motorways and near motorway standard routes would become local bypasses, resulting in the motorway network in particular having its medium and long distance strategic function compromised due to increases in congestion, weaving and turning movements affecting safety and flow.

3 respondents expressed concerns that this proposal would have significant negative environmental impacts, including effects on air quality, water courses and habitats, reduction in green field land, increasing noise and light pollution etc. One response referred to the NPPF particularly, while expressing concerns for impacts on AONBs, SSSIs, SPAs and others quoting that 'Major developments should not take place in designated areas, except in exceptional circumstances'.

### ***Q5 Government response***

The Government welcomes the broad support for the proposal as outlined. The strategic road network is an asset that must be planned for strategically, and we are clear that any future new motorway access must be to facilitate the delivery of strategic growth, identified through a sequential process and included in local plans. This will be clarified in the published version of the policy.

The delivery of economic growth lies at the heart of the policy. To this end the local economic benefit deriving from development proposals will be weighed against the costs to the national economy arising from any consequent congestion.

We accept that the term 'routes of near motorway standard' may not be clearly understood by all and so have provided a further definition in order to reduce uncertainty.

We do not agree with concerns that this proposal will lead to development that competes with existing centres and may undermine their viability. The Government is clear that new access can only come about through identification through the local plan process. Therefore, they will need to be part of a strategic vision, be evidence based and subject to scrutiny. That will include an assessment of any highway safety risks and will ensure compliance with national standards.



Further, the wider planning regime requires that development proposals are subjected to thorough environmental assessment. Proposals must identify impacts and mitigate them satisfactorily. Finally, the NPPF does set out rules on interactions with areas of special designation, and nothing in this transport policy can override those provisions.

## Question 6 – Do you agree that it is appropriate to remove from the Circular minimum spacing criteria for roadside facilities, subject to junction separation standards, leaving consideration of such matters to planning authorities and commercial enterprise/opportunity?

30 respondents expressed support for this proposal. The views expressed focused on the principle of creating conditions for choice and competition leading to an increase in standards and competition on price and quality. The potential for growth, economic development and the creation of jobs was welcomed. Several local authorities welcomed this further due to pressure on existing levels of provision of, and demand for, roadside facilities in their area and the removal of a restriction that doesn't take account of local requirements.

69 respondents either did not answer the question or offered no comment.

18 respondents stated that they did not support this proposal. All of those expressed concern that removal of minimum spacing criteria could result in the creation of out of town shopping centres, and/or ribbon development along motorways. The impacts of such patterns of development would be to create urban sprawl, 6 respondents focussed on negative impacts on the environment from use of green field sites to impacts on air quality, habitats, increased noise pollution and visual amenity. 4 respondents expressed concern that an increase in both online and/or off line sites would risk increasing accidents due to an increase in weaving as well as more merge and diverge manoeuvres, which will also have a negative effect on traffic flow.

8 respondents expressed concern that the proposal would lead to a large scale increase in planning applications with associated costs being incurred, by all interested parties. Of these, three of the seven current motorway service area operators suggested that the proposal would remove certainty from the market and that existing operators would cease to invest, while potential new entrants to the market would be unlikely to do so due to risk created by removing the certainty that the current minimum spacing policy line provides.

### **Q6 Government response**

It is the Government's view that the roadside facility proposals are entirely in keeping with the principles laid out in the NPPF.

One council response contained the following which underlines the intent of the policy as outlined in the consultation document - 'The minimum spacing criteria for road side facilities could be removed but they would be covered subject to approval of the Borough's Local Plan by a sequential approach to development that prioritises development in town centres. The Council would not support any commercial enterprise proposals that could be better located in urban areas and would only support driver related comfort and safety in SRN roadside facilities.'

This comment encapsulates the role that this policy will play in the wider planning system and demonstrates that it is not free standing. Local Authorities can plan positively for roadside facilities using the principle of sustainable development set out in the NPPF, both generally through retail, green belt, environment, sustainability policies and so on, and in its specific reference to the primary purpose of roadside facilities.

When applied appropriately it should be seen that MSAs becoming out of town shopping centres or the potential for ribbon retail development alongside motorways is contrary to the principles of the NPPF and the planning system.

The Highways Agency will continue to encourage and work with Local Authorities to plan positively for facilities where there is under provision against the aspiration of a network of facilities at 30 minute driving time intervals, in order to meet minimum requirements for the safety and comfort of road users. Where there is interest in development beyond those needs in seeking to offer choice and competition, the HA will work with local authorities in providing advice on safety and network efficiency implications of proposals.

The Government believes that the removal of minimum spacing requirements is within the intent and the spirit of the current planning regime and also reflects the wider changes made to roadside facilities policy. It is appropriate to create conditions that allow for businesses to identify opportunities to provide greater choice to motorists and create competition that encourages outcomes in the interest of the motorist. It should not be for Government transport policy to place planning restrictions on business activity in order to restrict competition where there is no safety or operational reason to do so.

**Question 7 – Do you agree with the removal of a restriction on retail space at motorway service areas, as a matter to be assessed and decided according to demand through the planning system? Please explain the reasoning for your view and provide any evidence you may have to support it.**

19 respondents supported this proposal. Where this support was expanded on, respondents expressed the view that it would allow flexibility for MSAs to meet the needs of roads users, which can vary dependant on route, location and other factors, and allow operators of sites to respond to the opportunities that this demand may create. Several respondents identified that this is regulated through both the NPPF and subsequently through Development Plans and Local Plans, meaning Planning Authorities could set their own policies which meet the need of their area.

69 respondents either did not answer the questions or offered no comment.

29 respondents did not support the proposal. All of these raised concerns about the removal of retail restrictions leading to motorway service areas becoming destinations/attractors as a result of them becoming out of town shopping centres. There were a range of impacts suggested as a result, many repeating concerns about proposals covered in question 6 above.

Nearly all respondents to question 7 stated they felt that removing retail restrictions would create congestion by encouraging out of town trips, particularly likely for MSAs sited at junctions, and junction hopping to pass through MSAs where otherwise local roads would be used. 8 respondents linked this effect directly to environmental impacts of extra trips, and also the impact on landscape, biodiversity and Greenfield land if existing sites were to expand to provide additional retail space. Three respondents suggested that a way to minimise negative effects would be to restrict development permitted at MSAs to specific use classes relevant to the needs of road users.

Three respondents suggested that further development of Hotels and Conference facilities at MSAs should be restricted, one of those also stated that park and ride schemes, while recognising that they can offer benefits, should be carefully considered to avoid adverse impacts such as reverse commuting.

This last point is set against a small number of respondents who, in making general points about transport and sustainability, suggested that many MSAs are well located to provide park and ride facilities and create large benefits in reducing congestion on commuting trips, and in acting as transport interchanges for national trips could reduce the need for inter urban coach trips to go in and out of cities and towns. Similar points were made by some in support of the benefits in reducing trips and mitigating development that can be had by locating hotels and conference facilities and MSAs.

### ***Q7 Government response***

In summarising responses to this question, the Government approach has been appreciated by those recognising that the removal of retail limits should properly be considered in the context on the NPPF and the remainder of the proposed policy document. The Government believes that this proposal allows for decisions to be made appropriate to the business demand and need according to local circumstance, while also ensuring through the overall policy framework that service areas prime function is to meet the needs of the road user, and not to substitute for town centres or properly planned retail centres. When considering development proposals at new or existing roadside facilities, there are provisions within extant planning policy and regulation to ensure that retail is appropriately located and that impacts on town centres and retail centres form part of the assessment process. In the same way, the range of possible environmental impacts must be considered, and mitigated where appropriate, if development is to receive consent.

The same principles apply to the location of hotels, conference centres, park and ride schemes, or indeed any other type of development proposed at a roadside facility. It must complement, not undermine, the primary function of the service area, and must be able to show that it is in an appropriate, sustainable location and in line with local plan policies that seek to focus growth and the provision of goods and services in appropriate sustainable locations.

## Question 8 – Do you agree with the minimum requirements for signing of the various roadside facilities? What should be included or excluded? Please explain the reasoning for your view and provide any evidence you may have to support it.

28 respondents stated they supported the minimum requirements, expressing views that they were adequate to ensure road safety, and that other services were ancillary to the journey and should be left to operators to choose to provide in a competitive market.

85 respondents either did not answer the questions or offered no comment.

A small number of respondents (4) stated that they did not agree with the proposals. Of these, one was on the basis that provision of electric refuelling charging should be mandatory. Several other respondents also suggested this should be a requirement.

The three other objections came from operators of motorway service areas who felt that the parking requirements and associated calculations were too onerous where applied retrospectively to existing motorway service areas, and could not be met due to land availability, cost of additional provision. Further, they stated that some sites rarely if ever had a demand for parking of the level that this calculation would require. These same respondents also objected to the related calculation for motorway rest areas stating that they would gain a competitive advantage due to the less onerous requirements and therefore lower cost of establishing new or operating existing sites.

Several respondents took the opportunity to discuss sign and advert proliferation generally, including those on private land outside of the highway. There were also comments about the style, use and location of permitted traffic signs, particularly those that allow service area operators to include brand logos on certain advance signs.

### ***Q8 Government response***

Motorway service area operators have been led by the demand for recharging facilities and the opportunities to attract customers that this presents, and have been early adopters in getting these new technologies onto their sites. At present approximately 20 of the 107 MSA sites in England already have electric charging points, and there are plans to roll out to a further 47 sites in the near future. Therefore we do not feel a need to require provision as a matter of policy.

Regarding parking figures, all motorway service and rest areas are subject to agreements under seal with the Secretary of State in the form of a Traffic Signs Agreement and a Rent Charge Deed or a Lease which sets out specific requirements for the number of parking spaces to be provided. Legally, the figures in these agreements will continue to take precedence over the general requirements set out in the policy until such a time as the scale or scope of activities on the site changes. Such an event would involve the revision of the agreements and the new calculation then would be applied.

In any case, the Government will exercise discretion in circumstances where it is demonstrated that the nature of a site means demand for parking is and is likely to remain below that required by the calculation and that, consequently, a relaxation in requirements would not present a road safety risk.

Similar discretion will be exercised in respect of sites where no land is available to expand parking provision to meet the requirements of the revised calculation. However, in such circumstances, the potential for new activities to increase demand for parking will be subject to particular scrutiny to ensure that no risk to road safety is created.

These caveats will be captured in the published version of the policy.

Regulations covering the design, placement and use of traffic signs is set out in the Traffic Signs Regulations and General Directions. Control of Advertisements is set out in sector specific existing policy and regulation. Further the NPPF states that adverts should be subject to control only on grounds of safety and amenity. On that basis, we believe that the position set out in annex A specifically on advertising, and annex B on roadside facilities, is entirely consistent with the Government's position on advertising consent and sets out what the Highways Agency will consider when undertaking its safety remit when consulted on applications for advertising consent.