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10 May 2019

Dear Sir / Madam,

**Scoping opinion for the demolition of Low Hill cottage and the erection of up to 750 dwellings (C3), retail unit (A1-A5), creation of open spaces, recreational routes, landscaping and sustainable urban drainage systems**

**Land Off Bailrigg Lane, Lancaster**

Thank you for inviting Highways England to provide a formal scoping opinion in support of application 19/00491/EIO, to establish the scope of an Environmental Statement (ES) associated with the proposed demolition of Low Hill cottage, formation of two new access routes on Bailrigg Lane and Hala Hill and the erection of up to 750 dwellings, a retail unit, public open space, drainage and landscaping.

As a statutory consultee in the planning system, Highways England has a regulatory duty to cooperate. Consequently, Highways England is obliged to give consideration to all proposals received and to provide appropriate, timely and substantive responses. Highways England's desire to be a proactive planning partner goes beyond this statutory role and follows the spirit of our Licence from the Secretary of State for Transport, which states that Highways England should: "*support local and national economic growth and regeneration*".

Highways England is charged with operating, managing capacity, maintaining and improving England's motorways and major A roads, which form the Strategic Road Network (SRN). **It is an ambition to ensure that major roads are more dependable, durable, and most importantly – safe.** Therefore, this letter contains our consideration of proposals within the Lancaster Local Plan Publication Development Plan Documents (DPDs) and associated transport evidence, particularly focussing on the potential for impact upon the safety and operation of the SRN within Lancaster, and the legal compliance and soundness of the documents.

Therefore, our consultation comments on the proposal, particularly focussing on the potential for impact upon the safety and operation of the SRN within the Lancaster district, namely Junction 33 of the M6 motorway.

We note that Gladman Developments Limited (Gladman) has submitted a report to formally request the scoping opinion of Lancaster City Council under Regulation 15 of the Town and

Country Planning (Environmental Impact Assessment) Regulations 2017 (the 'EIA Regulations'), to confirm in writing their opinion as to the scope, and level of detail, of the information to be provided in the ES.

The site is located to the South of Lancaster between Bailrigg village and the southern settlement edge of Lancaster, approximately 3km from the City Centre. It is currently used in connection with agriculture and is classified as agricultural land quality Grade 3b (Post-1988 ALC, England).

The site is bound to the west by open land with the A6 beyond; to the north by residential properties; to the east by the M6 motorway; and to the South by Bailrigg village with Lancaster University and its Sports Centre beyond. The wider surrounding area to the west of the A6 comprises agricultural farmland, interspersed with residential properties and farmsteads and the West Coast Main Line (WCML) railway; the north of the site is the predominately residential edge of Lancaster; to the east of the M6 motorway land comprises agricultural land interspersed by Blea Tarn Reservoir and Langthwaite Reservoir; to the south of Lancaster University is the linear hamlet of Ellel with farmland surrounding and the village of Galgate beyond.

The site is identified by Lancaster City Council for housing development within its emerging Local Plan as part of a much wider housing-based development known as the Bailrigg Garden Village.

**The proposals do not accord with the Council's aim (set out within the emerging Plan) of producing a specific Bailrigg Garden Village Area Action Plan (AAP) after adoption of the Local Plan, to guide the development of the Garden Village itself. We have questioned the approach that has been taken to the progression of the Local Plan and the Garden Village by Lancaster City Council. This also applies to the promotion of the associated HIF funding bid for local transport infrastructure by Lancashire County Council, which together with the Local Plan, is not based on any transport evidence.** Further details on our responses to the Local Plan consultations are provided below, which provide an important context.

### **Local Plan**

In accordance with regulation 22 of the Town and Country Planning (Local Planning) (England) Regulations 2012 (as amended), Lancaster City Council submitted its Strategic Policies and Land Allocations Development Plan Document (DPD) and Development Management DPD to the Secretary of State (SoS) on the 15 May 2018 for independent examination. The appointed Planning Inspector is considering the main matters and issues fundamental to the soundness of the DPDs at local hearing sessions scheduled between 09 April and 21 May 2019. The Planning Inspectors' report including recommendations for any modifications to the Local Plan that are necessary to make it sound and/or legally compliant will be published following the closure of the hearings.

The principle for a Garden Village in South Lancaster has been established through the emerging Local Plan. It anticipates that 1,655 new dwellings will be delivered in the plan period in South Lancaster. **It should be noted that we have previously raised concerns with the Council relating specifically to this area, as part of our responses to previous consultations on the Local Plan. We consider that there is a lack of robust transport evidence to support the level of growth proposed in Lancaster as a whole, and in particular South Lancaster.**

Throughout the Local Plan process Highways England consistently requested that the Council undertake an appropriate transport assessment of planned growth. This is key to assessing the

quality and capacity of transport infrastructure and its ability to meet forecast demand, leading to the identification of short, medium and long-term proposals across all modes. According to National Planning Practice Guidance (NPPG) an assessment of the transport implications should be undertaken at several stages in preparing the Local Plan.

**We do not consider that the Local Plan Transport Assessment (LPTA) provides a robust transport evidence base, and have concerns over the validity of the conclusions, along with the scope and suitability of the identified mitigation affecting the SRN.** We therefore requested that the findings of the LPTA were reviewed, using a Strategic Transport Model (STM), and that any mitigation requirements for the SRN be agreed with Highways England to ensure the continued safety and operation of the SRN in Lancaster.

Bailrigg Garden Village AAP Issues and Options Paper refers to a Bus Rapid Transit (BRT) system, cycle superhighway, walking routes, greenspaces, park and ride and a reconfigured M6 Junction 33 as reducing car trips, and underpinning the ready access by sustainable transport principles for the Garden Village. **However, there is no robust transport evidence to demonstrate that these forms of sustainable transport infrastructure and services will provide the necessary modal shift to achieve the sustainable movement of people and goods, particularly in relation to the level of proposed growth in South Lancaster.**

In addition, Lancaster County Council has recently submitted a bid to the Ministry of Communities, Housing, and Local Government (MCHLG) for funding from the Housing Infrastructure Fund (HIF) towards the following major transport infrastructure to be delivered by 2023:

- The reconfiguration of M6 J33 and Galgate Bypass;
- A Bus Rapid Transit (BRT) system;
- A cycle superhighway; and
- New bus infrastructure and changes to traffic management in Lancaster City Centre.

**The BRT, cycle superhighway and reconfiguration of Junction 33 were not included within the scope of the LTPA. Therefore, it is not possible to make any assertions relating to the impact these proposed mitigation measures would have on the highway network, as whilst the schemes are likely to have a positive impact on the City of Lancaster they are also likely to change how vehicles use the current network and may result in more traffic using specific junctions or sections of road (including the SRN).**

**We consider the Local Plan has been advanced before the transport arrangements have been properly assessed both in their own right and as supporting infrastructure for the overall development strategy.** The Council published its transport evidence post-submission of the Local Plan to the SoS. **Furthermore, the development strategy being promoted as part of the HIF bid does not appear to be consistent with that submitted to the SoS for independent examination.**

### ***EIA Scoping***

We have considered Savills' approach to assessment of transport in the ES Scoping. In general, we are of the view that it is broadly compliant with applicable guidance and best practice. However, we do have several comments which should be considered.

The assessment relies on the 'Guidelines for the Environmental Assessment of Road Traffic' (IEMA 1993) and Volume 11 of the Design Manual for Roads and Bridges (DMRB) –

'Environmental Assessment' (DoE 2008). Whilst somewhat dated now, it is accepted that these guidelines remain useful reference material for the assessment of transport impacts.

The ES Scope identifies a number of junctions which will be considered and that appear to be reasonable. We note that the ES requirements differ from those of the TA process and will be applied accordingly. It is also stated that the assessment will include consideration of a 2033 Reference Case, which aligns to the same year as the Lancaster City Council's LPTA. The assessment will also incorporate two scenarios to reflect committed and non-committed development proposals. **This is again considered acceptable in principle, subject to confirmation that the Reference Case will be developed independent of the Local Plan Transport Assessment as Highways England has raised concerns with validity of its findings.**

The assessment will include consideration of construction traffic and assumes that a Construction Environmental Impact Plan (CEMP) will be implemented. It is essential that the ES identifies all construction routes likely to be employed during the construction phase and provides forecasts of the volume of traffic likely to be generated. It is important that a CEMP is prepared in accordance with the findings of this assessment.

The ES scope notes the following traffic related environmental effects that IEMA guidelines suggest are considered:

- Severance;
- Driver Delay;
- Pedestrian Delay;
- Pedestrian Amenity;
- Fear and Intimidation;
- Accidents and Safety; and
- Hazardous Loads.

**Savills have proposed to screen out the assessment of severance and hazardous loads. Whilst we accept that hazardous loads can be set aside, we consider it a little premature to screen out severance at this stage.** Whilst Savills correctly refer to a 'major traffic artery' as defined in the IEMA Guidelines, we also note the definition presented in DMRB Volume 11 Section 3: "Community severance is defined as the separation of residents from facilities and services they use within their community caused by new or improved roads or by changes in traffic flows". **We are therefore of the view that it would be prudent to carry severance forward to the assessment stage.**

A Table of Magnitude of Change Criteria is presented in the ES Scoping and it is noted that these are considered broad criteria and that personal judgement is required. **This approach aligns with the IEMA Guidelines and we would add that the assessment should consider and reflect the data produced in the TA to ensure a satisfactory conclusion.**

### ***Transport Assessment***

**Noting our above concerns relating to the Local Plan transport evidence, the early stage of the Bailrigg Garden Village AAP and that the LPTA refers to transport assessments being carried out for individual sites, we would request that the scope for any transport assessment accompanying the proposed development be agreed with Highways England. This will include:**

- The spatial coverage of the TA. Agreeing details of the road network and junctions where the impact of the development will be assessed;
- The temporal coverage of the TA. Agreeing the days of the week and time periods to be assessed. The opening year for the site will also be agreed along with any future year assessment that might be required;
- Baseline data to be used to inform the TA, including traffic flow and collision data;
- Trip generation and distribution assumptions to be adopted in the TA; and
- Modelling tools necessary to assess the impact of the development.

**In support of any planning application for this site, a TD22 analysis for the slip roads at J33 and further modelling should be undertaken to determine that the development does not have an adverse impact upon the safety and operation of the SRN.** Depending on the findings and any recommendations set out in the Planning Inspectors' report following the independent examination of the Local Plan, this further work should either be based on the current network arrangements to access Junction 33 via the A6, or the reconfigured arrangement for Junction 33, as appropriate to the time an application is submitted. This is required to demonstrate that the forecast demand associated with the development can be accommodated on the highway network and that any appropriate mitigation measures are identified and implemented as required.

Highways England would expect the TA document to cover the following chapters:

- Background and Context – setting the scene within which the TA has been developed;
- Existing Conditions – describing the site within the context of the local and wider highway network (e.g. SRN), including details on local road safety conditions;
- Planning Policy Context – set out the local, regional and national planning policy context as it relates to transport and access for the site;
- Sustainable Access Appraisal – describing the accessibility of the site to sustainable public transport networks, pedestrian connectivity and cycle connectivity;
- Development Proposal – describe the development proposal, its layout and access by all modes;
- Trip Generation, Distribution and Assignment – detailing the trip generation estimates produced, and how they have been distributed and assigned to the agreed impact area;
- Baseline and Forecast Year Traffic Flows, With and Without Development – based on the agreed assessment years and the estimated trip generation from the site opening year, how future flows in the impact area have been identified for the baseline situation and the with development situation. These traffic flows will form the basis of the highway impact assessment;
- Highway Impact Assessment – an analysis of the impact of the proposed development traffic on the agreed impact area and if appropriate include suitable mitigation measures developed to counter any adverse impacts. The impact assessment should also examine the performance of the site access; and
- Summary and Conclusions – summarising the key findings and the conclusions.

### **Conclusion**

Whilst the principle of a Garden Village in South Lancaster has been established through the emerging Local Plan, the Planning Inspectors' report has not yet been published. In addition, the South Lancaster AAP is at a very early stage in the process, and is not supported by any robust transport evidence. Therefore, this proposed development for a major housing scheme within the Bailrigg Garden Village area will need to be assessed on its own merit, but within the context of the wider Local Plan, Bailrigg Garden Village AAP and HIF bid.

After considering the Savills EIA Scoping Report, which has focussed on the Traffic and Transport Section, we are of the view that it is broadly compliant with applicable guidance and best practice. In principle, we agree that a 2033 Reference Case for the assessment is appropriate, although it should be noted that we do not consider the LPTA to be a robust evidence base. We would also request that the ES identifies all construction routes likely to be employed during the construction phase and provides forecasts of the volume of traffic likely to be generated. As a general comment, Savills propose to screen out the assessment of severance and although this may be more applicable to SRN, it may be a little premature at this stage to screen this out of the ES given the guidelines within DMRB Volume 11 Section 3 and the potential effects on the local highway network.

An appropriate transport assessment of planned growth is key to assessing the quality and capacity of transport infrastructure and its ability to meet forecast demand, leading to the identification of short, medium and long-term proposals and/or mitigation measures for all modes. We specifically request that a site-specific assessment is carried out for this site given its close proximity to the SRN and that it is likely to generate over 30 two-way trips, to assist Highways England in forming a full understanding of the implications of growth, particularly in South Lancaster on the SRN.

Finally, we note that Gladman intend to submit an outline application for this site, with all matters reserved apart from the two access points. **As such, Highways England has outlined details regarding what we would expect to be agreed in advance of any transport assessment carried out and submitted in support of any planning application for this site.**

We hope that you find this letter useful. If you would like to discuss anything about our consultation response, please contact me.

Yours faithfully,



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