

Planning and Housing Policy Team
Regeneration and Planning
Lancaster City Council
PO Box 4
Town Hall
Dalton Square
Lancaster
LA1 1PJ

Warren Hilton
Assistant Spatial Planner
8th Floor
Piccadilly Gate
Store Street
Manchester M1 2WD

Direct Line: 0300 470 5226

27 September 2019

Dear Sir / Madam,

Lancaster & District Local Plan 2011 – 2031 Proposed Main Modifications

Thank you for inviting Highways England to comment on Lancaster City Council's Proposed Main Modifications to the emerging Lancaster & District Local Plan 2011 – 2031.

As a statutory consultee in the planning system, Highways England has a regulatory duty to co-operate. 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.

The SRN in Lancaster comprises specifically of Junctions 33, 34 and 35 of the M6 motorway; a route of national significance that links the Midlands, North West England and Scotland.

The remainder of this letter provides our comments on the Proposed Main Modifications to the relevant Local Plan documents.

Strategic Policies and Land Allocations DPD

Strategic Objective 4 (SO4) relates to the provision of necessary infrastructure required to support development and creation of sustainable communities. Within this objective there has been an additional deliverable included relating to air quality. In specific, working to reduce levels of air pollution within the district, particularly in the designated Air Quality Management Areas (AQMAs) of Lancaster City Centre, Carnforth Town Centre and Galgate and other major transport corridors within the district. Highways England welcomes this additional deliverable aimed at improving air quality levels within the district, although we would like to point out that this should not merely aim to displace transport pollution sources (i.e. vehicles making local trips) by shifting them onto the SRN.

In relation to priorities for sustainable economic growth, we note Policy SP4 has been amended to reference support for sustainable growth within the Lancaster University Estate (including land at the Lancaster University Health Innovation Campus and where deemed appropriate the wider University estate). The wider University estate was included in the Lancaster South AAP DPD Issues and Options consultation and our response to this requested further information relating to the scale and type of development being promoted including its proximity to the SRN, particularly on land east of the M6 including Forest Hills and within Bailrigg Garden Village. This is required to enable us to fully understand any impact on the safety and operation of the SRN, and for the futureproofing of the SRN. Proposals within these locations need to take into consideration the potential need to widen the existing motorway corridor within Lancaster in the future.

It is noted that wording in the last paragraph of Policy SP5: The Delivery of New Jobs has been changed to state that to facilitate and support opportunities for economic growth, the plan seeks to allocate 59.5 hectares of employment land to provide for the creation of new jobs. This represents an increase of 10.6 hectares from the submitted plan and an overall increase in employment land of 22%. In our view, this is a significant increase in employment land and does not represent a minor change to the DPD as submitted.

Furthermore, we note that there is a new footnote reference in relation to Policy SG9 (North Lancaster Strategic Site), which states that an area of 2 hectares of employment land will be provided within the allocation (on land to the east, accessed via Kellet Lane), but the Council will support residential development in this employment area should it be demonstrated that, following a robust marketing exercise (which has taken place for no less than 2 years following adoption of the Local Plan), that there is no market demand for the identified employment use. The plan states that the allocation of employment land is based on evidenced need, therefore its consideration for residential does not appear to be in line with the supporting evidence, especially as it could come forward early in the plan period. The impact of such a change of use has also not been considered as part of the transport evidence supporting the plan as submitted.

We note the removal of the reference in paragraph 9.17 to South Carnforth as a strategic allocation for housing, in line with the post-examination letter from the Planning Inspector (EX11).

The housing requirement for the district set out in paragraph 9.19 has been amended to state that the Council will deliver 10,440 new dwellings over the period 2011/12 to 2030/31, equivalent to 522 dwellings per annum. We also note that the 522 dwellings per annum figure has been rolled forward for an additional three years, 2031/32 to 2033/34, to cover the full 15-year delivery period required by the National Planning Policy Framework (NPPF).

A new paragraph has been inserted after paragraph 9.19 to explain that the delivery of 522 dwellings per annum represents a substantial uplift in development from that currently set in the adopted Core Strategy. It also acknowledges that the ability to deliver this uplift is challenging with the plan reliant on the delivery of a number of strategic sites that are not anticipated to contribute significantly until the later stages of the plan period. On this basis, the Local Plan has established a stepped programme of delivery in Policy SP6, identifying a series of uplifts programmed to coincide with the delivery of strategic sites within the district, as set out in Table 9.1.

Policy SP6: The Delivery of New Homes sets out the new targets based on the stepped programme of delivery of 400 dwellings per annum pre-adoption, 485 dwellings per annum in the first five years, 685 dwellings per annum in years 6-10 and 695 dwellings per annum in years 10-15 post adoption. Additional wording has been added to the policy to state that the 10,440 dwellings represents a net minimum figure for new homes in the district and opportunities for further growth will be supported where it represents sustainable development and is in line with national and local planning policy.

This equates to a reduction in the housing delivery numbers during the plan period for several of the strategic sites including Bailrigg Garden Village South Lancaster Broad Location for Growth from 1,655 to 1,205 and East Lancaster from 900 to 525, North Lancaster remains the same at 700, Land at Lundsfield Quarry from 250 to 225 and Land South of Windermere Road, Carnforth from 500 to 0. In total, this represents a downturn in housing delivery at strategic sites from 3,955 new dwellings to 2,655 new dwellings during the plan period.

The housing trajectory provided in Appendix F shows the proposed housing numbers for the strategic sites divided into five-year components matching the delivery phases described in national planning policy. Of most interest to Highways England is the housing delivery phases for Bailrigg Garden Village, which show 205 new dwellings delivered in the first five years, 700 new dwellings delivered in years 6-10 and 300 new dwellings delivered in years 10-15 post adoption, with another 450 new dwellings rolled forward to be delivered between 2031/32 and 2033/34.

In Chapter 11, we note the additional wording to the last paragraph of Policy SP10 relating to improving transport connectivity, which states that where strategic developments are likely to result in traffic impacts that will require mitigation in the form of projects identified in the Lancaster Highways & Transport Masterplan that funding will be sought via developer contributions, and that the principles and requirements within Policy DM64 will apply. In addition, we support the amendments to the wording in of paragraph 11.9, specifically bullet

point 4 which emphasise that support will be given to new infrastructure such as the Cycle Superhighway, and the removal of the wording “*The investigation of*” relating to car free development.

It is also noted that Chapter 12 contains some transport specific changes. Paragraph 12.19 relating to the Lancaster South Broad Location for Growth (including Bailrigg Garden Village) previously stated

“The most significant element of infrastructure will be the delivery of a range of transport improvements, for example the re-configuration of Junction 33 of the M6, the creation of a Bus Rapid Transit System and the creation of a Cycling and Walking Superhighway. The Garden Village is expected to act as a catalyst to begin a modal shift from the over-use of private cars towards more sustainable forms of transport which should deliver a reduction in the number of vehicle movements and start to address issues such as air quality in areas such as Lancaster City Centre and Galgate, both of which are designated as Air Quality Management Areas (AQMA’s)”.

This has now been deleted yet the emphasis on sustainable growth in this location and deliverability of the submitted plan relates to the need to deliver some of these key transport infrastructure requirements. These requirements remain in Policy SG1: Lancaster South Broad Location for Growth (including. Bailrigg Garden Village), as key growth principles for development in this broad location for growth. We would like to understand the transport evidence behind this shift in emphasis, particularly given the deletion of wording relating to piecemeal and unplanned development not being supported and the addition of wording supporting development in this broad location for growth in advance of the Lancaster South AAP DPD. Although, we note the wording in the new paragraph between 12.25 and 12.26, which states in exceptional circumstances, the Council may permit development proposals that are in advance of the finalisation of the Lancaster South AAP DPD.

It is suggested in Policy SG3: Infrastructure Delivery for Growth in South Lancaster that the Council is deferring matters relating to infrastructure, funding, deliverability and phasing to the Lancaster South AAP DPD. Our understanding is that the basis for this strategic site and the certainty of its deliverability should be framed within this overarching Strategic Policies DPD. This is of particular concern to Highways England, as in May 2019 we were consulted on scoping for Environmental Statements in support of two planning applications seeking outline planning permission for up to 850 dwellings on land within Bailrigg Garden Village, on the basis of development in this location being supported in advance of the Lancaster South AAP DPD. This also contravenes the modified Local Plan housing trajectory that the City Council is proposing.

This would all seem to be against the very premise of the Garden Village concept, which is to deliver a high-quality sustainable community. The form of development and the route of the spine road is only indicative at this stage. Therefore, allowing development to come forward ahead of the AAP and Local Plan may prejudice the very nature of the area, with the type of development for certain sites being led by the market instead of being founded upon a cohesive

and coordinated approach to sustainable development in Bailrigg Garden Village. Highways England is concerned about a piecemeal approach to development in South Lancaster, which would result in the delivery of development ahead of the necessary strategic infrastructure. This could result in independent piecemeal mitigation being delivered that will only address the impacts of individual developments, rather than contributing towards longer-term mitigation to offset the impact of cumulative development.

Throughout the Local Plan process Highways England has 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. 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.

Lancaster South AAP DPD 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 Bailrigg 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 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 LPTA. 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).

Regarding the new policy wording relating to the Canal Quarter, Central Lancaster, we note the requirement for proposals to incorporate good linkages for pedestrians, in particular an appropriate crossing of the Lancaster City Centre Gyratory, and to improving the pedestrian

environment in the city centre. In addition, that the city centre will evolve into a hub for public transport, with delivery of a new bus rapid transit system connecting Bailrigg Garden Village, Central Morecambe and Heysham and the growth areas in East Lancaster and North Lancaster to the city centre. Also, that the regeneration of the Canal Quarter must ensure connectivity to and from these public transport nodes, to promote its use and increase pedestrian footfall in and around the city centre. We welcome these changes but would like to understand if the quantum of development being proposed within the plan period will still support the financial viability and deliverability of these transport improvements.

We note the deletion of paragraphs 16.2 and 16.3 in relation to the relaxation of the Green Belt to the south of Carnforth (land south of Windermere Road).

After paragraph 16.9, we note the additional text relating to the importance of the delivery of a strong link between Lundsfield Quarry and Carnforth town centre, including a pedestrian / cycle crossing of the Lancaster Canal at an appropriate location. We welcome to the reference to promoting improved linkages and exploring opportunities to enhance the local cycle and walking networks. In addition, with the reference under the transport requirements in Policy SG11 to contributions towards improvements to public transport. Whilst we consider that this provides for more sustainable connectivity of communities and economic centres, we would like to see the transport evidence base upon which this is based.

We note the deletion of EC1.13 from Policy EC1: Established Employment Areas of Middleton Road Employment Area and the supporting paragraph at paragraph 18.21 for B class development, and its inclusion in Policy EC2: Future Employment Growth for 13.3 hectares of employment development.

Highways England welcome the inclusion of the paragraph in Policy EC3: Junction 33 Agri-Business Centre, South Galgate, which states *“Proposals for uses which will attract visitors and generate traffic which is unrelated to the Auction Mart and land-based businesses located on the site will not be supported, either as part of the initial development of the site or as part of any future changes of use or incremental expansion.”*.

We also note the minor changes within Chapter 24 Transport, Accessibility and Connectivity and welcome the references to encouraging modal shift. However, in terms of Figure 24.1 we would like to understand how the proposed cycle superhighway, bus rapid transit and general traffic flows will be accommodated on the A6 between Lancaster City Centre and Bailrigg Garden Village.

Development Management DPD

In Policy DM29: Key Design Principles, we note the change of title from “Accessibility” to “Accessibility and Highway Safety” and welcome the inclusion of this wording.

Policy DM31: Air Quality Management and Pollution has a stronger emphasis on ensuring all development proposals demonstrate that they have sought to minimise the levels of air polluting

emissions generated and adequately protect their users, and existing users from the effects of poor air quality. We welcome this change of emphasis and the need for developers to mitigate these impacts.

In Chapter 17. Transport, Accessibility and Connectivity, we note the minor changes to wording in these policies, including the changes to Policy DM64: Lancaster District Highways and Transport Masterplan and have no comment.

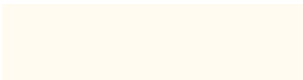
Conclusions

The Localism Act 2011 placed the responsibility of 'Duty to Cooperate' on local authorities, to ensure that any local or cross-boundary impacts have been fully considered and addressed appropriately in preparing the Local Plan. The local authority must demonstrate that they have discussed such matters with the relevant bodies, including Highways England.

For the reasons, outlined in our response, 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. According to NPPG an assessment of the transport implications should be undertaken at several stages in preparing the Local Plan, becoming more refined through the process and ultimately shaping development rather than being collected retrospectively and trying to retrofit it to the development strategy.

We would welcome continued dialogue with Lancaster City Council to ensure that the transport impacts of strategic areas for growth are appropriately assessed and considered in respect of the continued safe operation of the SRN. Also, to ensure that alternative sustainable transport options are made available in the right place at the right time to cater for local trips and forecast demand associated with planned development.

Yours faithfully,



Warren Hilton
North West Asset Development Team
Email: warren.hilton@highwaysengland.co.uk