



## **CLOUD RESPONSE TO OUTLINE PLANNING APPLICATION - LAND NE OF BAILRIGG LANE**

This is CLOUD's objection to 19/01135/OUT Land North of Bailrigg Lane Outline planning application for the demolition of Low Hill House and the erection of up to 680 dwellings (C3), a single retail unit (A1 - A5) of no more than 280sq m internal floorspace, public open spaces including equipped children's play areas, land re-grading, recreational routes, landscaping and sustainable urban drainage systems and creation of vehicular access from Bailrigg Lane and Hala Hill to the North.

1. **Premature.** We consider this planning application to be premature. The land to be built on is located entirely within the boundary of the Bailrigg Garden Village Broad Area of Growth, delineated on the Policies Map SD\_002.2 as submitted for the public hearings into the Lancaster Local Plan (Document Library Part A : Section 1 Submission Documents (15 May 2018)). At the date of this letter of objection, the outcome of the public hearings into the Local Plan is not known - the Planning Inspector's report is awaited. CLOUD argues that it is premature for consideration to be given to this development before the Planning Inspector has reported and that piecemeal development shouldn't be allowed in the meantime. We also contend that, should the Inspector's report be received before this planning application has been considered by the Council's Planning Committee, the application should be withdrawn and resubmitted in order to take account of whatever decisions the Inspector has made and to allow objectors to comment in the light of the Inspector's report.
2. **Garden Village Principles.** The Council's aspirations for Bailrigg Garden Village are set out in chapter 12 of Part One : Strategic Policies and Land Allocations DPD. These aims are laudable (although CLOUD remains firmly of the view, expressed at the Local Plan hearings, that the Council has significantly overstated overall housing need and hence the need for Bailrigg Garden Village). Although much was made in Gladman's publicity leaflet that the site falls within the Bailrigg Garden Village Broad Area for Growth, the crucial issue is that the application fails to make any specific reference to the garden village development principles set out in chapter 12. For example :
  - Para 12.9 stipulates that *"The Council will require a very high standard of urban design to deliver new development in a holistic and comprehensive manner,*

*creating .....a distinct sense of place which defines Bailrigg Garden Village's sense of identity". The planning application does not address this objective.*

- Para 12.16 stipulates that *"Part of the green network will be the creation of Areas of Separation which will ensure visual separation between the new development and the existing boundaries of South Lancaster...."* However, the planning application proposes that new houses will be built right up to the existing homes to the south and east of Bentham Road in Scotforth.

The Planning Committee is invited to read the planning application against the principles set out in paras 12.8 to 12.20 and to note other significant shortcomings from the Council's declared garden village principles. It should also be borne in mind that this development alone accounts for about half the houses proposed to be built in Bailrigg Garden Village over the Local Plan period - so failure to comply with garden village principles here will in effect invalidate the whole concept.

3. **Alternative Travel Modes.** One of CLOUD's objections to the Lancaster Local Plan was that the alternative travel modes it proposed (that is the Bus Rapid Transit system and the 'cycle superhighway') were merely aspirational. At the Local Plan Hearings a member of the Planning Team admitted that the cycleway was indeed aspirational. The Plan lacked any specific detail on crucial aspects such as the routes they would follow, how they would connect into the garden village and how they would circumvent the current traffic congestion in south Lancaster. Unsurprisingly, the same lack of detail afflicts this application and, to make matters worse, it puts an unjustifiable gloss on bus connectivity. The Environmental Statement Chapter 5 (Transport and Access) states *"It is therefore concluded that the proposed development site is accessible by bus."* (para 5.3.67).

However:

- Para 5.3.59 admits that the nearest bus stop to the site is 880 meters from its centre - a considerable distance and unlikely to prove a popular alternative to car usage.
- Para 5.3.60 mentions the provision of new bus stops on the A6 at the Health Innovation Centre junction, but again these will be a considerable distance from the development.
- Para 5.3.61 recognises the reality - that a bus service is needed through the site and not just on its perimeter. However it admits that discussions to provide such a service have so far been unsuccessful and that *"in relation to providing a penetrative service through the site, further discussions are currently taking place."* This is clearly inadequate - given the Council's climate emergency declaration and the existing problems of congestion and pollution in Lancaster, no development should be approved until realistic properly funded public transport is available.

4. **Transport Infrastructure.** The Local Plan recognises that the south Lancaster transport infrastructure needs substantial investment to enable Bailrigg Garden Village to be developed - especially M6 Junction 33 remodelling and crossing the main railway line. However, this planning application maintains that the impact of the additional traffic generated by it will be relatively modest. There is a fundamental inconsistency here - the extra traffic from 680 houses has only minor effects on congestion, pollution, accidents etc, while twice that number (ie the overall number of houses proposed for the garden village in the Plan period) requires a substantial infrastructure investment? It is perhaps convenient, but surely not credible, that the tipping point at which the existing infrastructure needs enhancing seems to be somewhere above the 680 house level?

CLOUD maintains that, without a comprehensive traffic assessment covering the whole of the proposed garden village, it would not be appropriate to approve this application. In this connection, we invite the Planning Committee to consider the evidence we presented in our response to the Local Plan consultation in April 2018 - see Appendix A of this document. Little if anything has changed since then - the outcome of the HIF bid for infrastructure funding is not yet known and the expected update to the vitally important Lancashire County Council Highways Plan has yet to appear.

CLOUD's concerns are echoed by Highways England. In May 2019, at the time of the scoping bid for this development, Highways England (see [19/00491/EIO](#)) expressed considerable concern over the lack of robust evidence to support a sustainable transport system for South Lancaster. Highways England also commented that *"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"*.

Other concerns include road access. The Illustrative Masterplan shows vehicular access via Hala Hill. This is highly problematic, potentially increasing congestion at both the A6 traffic lights at the Boot and Shoe and on Bowerham Lane and Bowerham Road. The proposed turning out is also close to Blea Tarn Lane, itself a highly dangerous turning point. This is also likely to increase the use of both Hazelrigg Lane and Chapel Lane as a rat run to avoid the A6 when heading south for the M6.

**5. Air Quality.** We believe that the air quality assessment carried out for this application raises a number of issues which could impact on its validity. We would invite the Planning Committee to consider the following points and draw their own conclusions as to the fitness of the air quality assessment :

- We are concerned that AQC have not only undertaken the air quality assessment for Gladman, but have also worked for Lancaster Council on the proposed Bailrigg Garden Village, which encompasses the land in this application. Is there not a conflict of interest here with the same company providing air quality assessments to the Council firstly as garden village advocate and secondly as 'judge' of this planning application?
- The sensitivity analysis has been carried out using AQC's own CURED methodology. However, there is no proof that this is accurate or realistic, and as such has not been endorsed by either Defra or the Institute of Air Quality Management (IAQM). IAQM and Defra guidance states that the most up to date tools should be used. Therefore we would expect that background concentrations from the 2017-based maps would be used.
- A realistic 'worst-case' scenario, using 2017 background concentration and 2017 vehicle emission factors, is needed before any development is approved.
- Tables 6.6 and 6.7 show very significant improvements in air quality by 2023 for the 'without development' scenario. No objective evidence is provided to explain or justify this, leading to the suspicion that the CURED methodology is overly-optimistic.
- There are no mitigation measures included in the report to counter the substantial increase in road traffic which the development will generate. While section 6.9 discusses cumulative effects, it fails to mention the impact on air quality of

development on the rest of the Bailrigg Garden Village site. This is a serious omission.

- The appendix states that Blackpool meteorological data has been used, claiming that it is only 30km from the site and is most representative. However, the Lancaster University meteorological site less than 1km from the proposed development would be far more representative. Why was this not used?
- It isn't obvious which committed developments have been included in the traffic figure. Are developments that have been given the go ahead but aren't yet operational (for example the University Health Innovation Centre, the new student housing opposite and the small housing development slightly further north on the A6) included in the figures?

6. **Surface Water Flooding and Sewage.** Since December 2015 it has become more and more obvious, especially across the North of England, that in addition to flooding in Flood Zones 2 and 3, and from main rivers, existing homes in Flood Zone 1 are flooding as a result of new developments nearby or "upstream". On the night of 22/23 November 2017 900 homes were flooded across Lancashire. In Galgate 160 homes were flooded and across South Lancaster major roads, including the A6, were blocked by flood water. A boat was deployed to rescue people. In Galgate the flood risk comes from surface water flooding, run off from the M6 and A6 as well as flooding from Whitley Beck, the Conder and Ou Beck. In Scotforth and Hala surface water run-off into Burrow Beck is a significant cause of flooding.

The Gladman's planning application raises several issues relating to surface water flooding.

- What assumptions are embedded in the design and sizing of sustainable drainage features such as attenuation ponds and tanks?
- What checks have been made of the actual flows and the impact on existing or old infrastructure in the surrounding and downstream areas where there has been repeated flooding? What is the impact on existing culverts?
- What site investigations have been made of Flood Zone 1 areas - including Scotforth, Hala and Galgate where local flooding has been partly the result of small culverted water courses such as occurs on the Ou Beck?
- What account has been taken of regional differences in the impact of Climate Change on the North West of England in terms of extreme storms and flooding?
- What tests have been carried out on the actual flow capacity of existing downstream sewers or culverted water courses, how well maintained are they and by whom, and what access is available
- What assessment has been made of the impact on downstream properties of increased peak flows during storms and of the volume of water flowing during extreme storms?

There is also flooding from the sewer network. There are places where the often nineteenth-century sewers simply cannot cope with the amount of water being pushed into them, the result surging up from the drains. What account is being taken of the capacity of the sewerage system in South Lancaster? We suggest that until there is robust evidence on these issues the proposed development should not go ahead.

7. **Cumulative impact of development.** Setting the Gladman development in a wider context of the cumulative effect of development is vital. The current application contributes to a proposed 1193 houses in South Lancaster. These include Ward Field Farm (Galgate, 68 houses), North Bailrigg Lane (Hala, 680 houses), Pinewood Close (Scotforth 140 houses), Grab Lane (John of Gaunt, 210 houses), Scotforth Road (95 houses). All have the potential to increase surface water run-off and place additional pressure on existing drainage and sewerage systems.

These developments are only part of the story and should be seen alongside the long-term expansion of Lancaster University and especially the building of the university's Health Innovation Campus (HIC), now due for completion Spring 2020. This drains into the Ou Beck and Burrow Beck. Planning permission was granted for it prior to the November 2017 flooding of Burrow Beck in Hala and Scotforth and the Ou Beck which contributed to flooding in Galgate. There was of course no reconsideration of the permission to assess whether additional mitigation measures might be needed. Further surface water run off can also be expected from the new student residences on the old waterworks site opposite HIC.

Currently we are awaiting the South Lancaster Area Action Plan which was the under-developed Chapter 12 of the Local Plan. This limbo makes development on this site premature and based on aspiration rather than evidence.

**Important Addendum :** Mark Davies, Director for Communities and the Environment, wrote a letter to the *Lancaster Guardian*, 5 December 2019 p. 18, in response to concern expressed by Galgate Flood Action Group, South Lancaster Flood Action Group and CLOUD about the increasing risk of flooding from the cumulative impact of development in South Lancaster. <https://www.lancasterguardian.co.uk/news/lancaster-flood-action-groups-unite-against-unacceptable-plans-hundreds-new-homes-1326641>. He wanted to 'reassure *Lancaster Guardian* readers that the City Council takes these issues extremely seriously'. He stated that where the Environment Agency or Lancaster County Council, in its role as Lead Flood Authority raise objections on flood risk then a planning application would either be refused or amendments would be sought. It is hoped that this is indeed the case, given on air quality, where the City Council's own air quality officer recommended refusal of the Ward Field Farm development in Galgate in May 2018, his concerns were ignored. In addition, Mark Davies refers to a letter to the Planning Inspector, informing him of the decision to develop measures to redress the challenge of climate change and revising local planning policies and this is welcome. The question remains of what impact such local proposals would have given the strong central government pressure on house-building under the [2012 legislation](#). The National Planning Policy Framework makes clear that inappropriate development in areas at risk of flooding should be avoided by directing development away from areas at highest risk, but where development is necessary, making it safe without increasing flood risk elsewhere. It does little to address the problem of surface flooding in Zone 1 areas downstream of new developments. How does the City Council intend to address this issue?

8. **Climate Emergency.** In January 2019 Lancaster City Council declared a Climate Emergency which should have implications for development choices. Emphasis was placed on increasing the efficiency of buildings, building solar and other renewable energy-generating and storage plants, replacing the vehicle fleet with electric and/or hydrogen powered vehicles and switching to 100% fossil-fuel-free energy. Environmental scientists at Lancaster University have stressed that climate change is

undoubtedly making the flooding problem worse in our locality. There is compelling evidence of more intense and slow-moving storms. For all these reasons there is surely a strong case for Lancaster City Council to extend the scope of its climate emergency declaration to include a thorough assessment of the additional measures now needed to protect existing communities from flooding and to defer the Gladman's application until this has been achieved.

9. **School places - GP surgeries - hospital capacity in the locality.** Document 009581134.pdf contains the education authority (ie Lancashire County Council) assessment of the likely and substantial developer contributions which would be needed to fund the additional school places required for children from the new houses in this (and other) current development proposals. However, we have been unable to find any indication in the current application that the developer is prepared and able to make such a contribution. This is clearly not an acceptable basis on which to allow any development to proceed. Similar issues arise with capacity at GP surgeries and local hospitals.
10. **Employment Opportunities within Bailrigg Garden Village.** A Freedom of Information request to Lancaster University in 2018 revealed that the Health Innovation Campus was only expected to generate around 150 jobs (full-time equivalents). As there will be few other employment opportunities within the garden village, it seems inevitable that the new residents from this proposed development would have to travel to work - either elsewhere in Lancaster or in the surrounding region - and to do so by car, thus conflicting with the Climate Emergency aim of reducing carbon emissions.
11. **Previous Assessment of this Land.** The land covered by this planning application was previously assessed by the city council during the Autumn/Winter 2012 Preferred Options Consultation (reference SHLAA\_285). The Council's evaluation included these points :
  - Site Character : "...Presently this area provides a greenfield separation between the south eastern edge of Lancaster and the countryside which surrounds it and the University campus to the south and south east."
  - Constraints – Access : "...the only access to the Bailrigg site would be via the A6, which already has significant congestion issues..."
  - Constraints - Landscape : "The site is.....recognised to have high landscape amenity and is a gateway between the urban form of Lancaster and the green fields which surround it, any future development here would reduce the visual amenity in the area."
  - Constraints - Bailrigg Village : "Development of the entire site would result in the amalgamation of Bailrigg village with the wider Lancaster settlement area, radically changing the character of the entire area."
  - Constraints - M6 motorway : "The adjacent motorway route will have the potential to cause significant noise disturbance to any residential properties unless appropriate buffering was provided."
  - Constraints - National Grid : "Power lines cross the site under which development would be restricted."
12. **Conclusion.** To approve a planning application solely on the basis of aspirations or intentions (eg with regard to the provision of bus services) is to give away the principal

mechanism within the planning system for enforcing crucial elements such as air quality, flood prevention, transport systems, public services etc.

## **Appendix A**

*“We then made what we believe was a reasonable assumption that a diligent planning authority would have carried out some form of analysis of the impact of such a major and concentrated land use change on what is a local road network which is relatively constrained in terms of the access to different routes and existing traffic volumes, especially through Lancaster Town Centre. Specifically, we asked questions about: (a) what proportion of the adult population they had assumed would travel to work each day, (b) where their land use planning assumed they would work, (c) how they calculated they would travel (for example by bus or car), and (d) what impact the resulting analysis would have on the road network in terms of traffic volumes. We asked the same questions about trips to and from school. Finally given the likely traffic volumes we asked what options they or the County Council had for accommodating the additional demand and what would happen if no changes were made to the network.*

*The Authority’s reply was disappointing in the extreme. It contained only two material facts. Firstly, the reply affected to imply that we had assumed that all the additional journeys would be by car (clearly, we had not) and then pointed to the proximity of the University bus interchange. They then went on to state that the analysis we asked about “had not yet been carried out”. Basically, they have no idea of the impact of the BGV on the current transportation network. In respect of the suggestion that the University Bus Interchange might act as a transportation hub, the Inspector may wish to include this in his/her site visits to form conclusions on its ability to cope with any significant increase in services.”*