

Lancaster District Strategic Policies & Land Allocations Development Plan Document and Development Management Development Plan

Hearing Statement

Matters 1, 2, 3, 5, 6 and 7

Submitted on behalf of Peel Investment (North)
Limited

2 April 2019

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Peel Investments (North) Limited

Our reference

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1. Introduction

- 1.1 Peel Investments (North) Limited (“Peel”) is the owner and promoter of 44ha (110 acres) land at Whinney Carr, part of the proposed ‘Broad Location for Growth - Bailrigg Garden Village’ (Policy SG1).
- 1.2 Peel is generally supportive of the emerging Lancaster Local Plan (LLP) and considers that it is imperative the plan proceeds to ensure that Lancaster has an up-to-date local plan as required by national planning policy. Notwithstanding, Peel has identified a number of concerns relating to the LLP that currently mean that some of its policies are unjustified, ineffective, not positively prepared or not consistent with national planning policy. These representations demonstrate how those concerns can be readily addressed through Modifications to the policies in order to render the LLP sound.
- 1.3 Peel supports the identification of South Lancaster as a focus of sustainable development, the proposed Broad Location for Growth and Garden Village propositions. These representations illustrate how housing delivery can be accelerated in accordance with the wider objectives of the LLP.
- 1.4 Peel and a number of other key landowners are keen to work further with Lancaster City Council (LCC) and others to secure the early delivery of this much-needed development in a logical and sustainable way. There are opportunities to do this – as set out in these wider representations. LCC has identified delivery from the Garden Village from 2021/22 and it is important that the policies within the LLP give effect and support this. It is important that there is sufficient flexibility with the LLP to react positively to delivery opportunities. Again, these representations set out how we consider this can be achieved, without compromise to the wider objectives of the Broad Location for Growth and Garden Village. It is submitted that a first phase of the Garden Village identifying and allocating as a Sustainable Urban Extension and that other easily made Modifications to the LLP will ensure that is effective in delivering its vision and strategic objectives.

2. Matter 1: Legal compliance, procedural and general

Main issue: Whether the DPDs have been prepared in accordance with relevant legal requirements, including the Habitats Regulations, Duty to Cooperate, the procedural requirements of the National Planning Policy Framework (NPPF), the Local Development Scheme (LDS) and the Statement of Community Involvement (SCI)?

Question a): The Council refers to Policies SO1 to SO5 “to some degree, being relevant throughout the sub-region” but could the Council be specific as to how these and any other policies would have an impact on any other local planning authority area?

- 2.1 Peel supports the recognition by Lancaster City Council (LCC) that whilst these objectives relate directly to delivering the District’s future needs, they may have a wider strategic impact.
- 2.2 LCC’s aspirations for economic growth (SO1) must be considered in the context of the wider region¹. A failure to deliver economic growth will impact on the wider sub-region as well as Lancaster, particularly in respect of job creation and housing.
- 2.3 Providing a sufficient supply of housing to meet needs has been central to the Duty to Co-operate discussions (SO2).
- 2.4 The proposed housing requirement (Policy SP6) falls short of the identified OAN; this could prevent households from meeting their needs within the District and could fuel longer-distance commuting from outside the city² (see Matter 2). It is therefore critical – and necessary to ensure that the housing requirement is justified³ for LCC to make efforts to deliver as much housing as possible from the identified land supply.
- 2.5 Peel agrees with LCC’s conclusion that strategic new highways infrastructure is needed for South Lancaster and is of regional importance (SO4).

Question b): The Council refers in the Duty to Co-operate Statement to how cooperation with South Lakeland District Council informed the need to review the Greenbelt in relation to OAN methodology and calculation. Could the Council be more specific on this matter? How did the Council cooperate with adjoining authorities in respect of any unmet housing need?

- 2.6 LCC makes clear that none of the adjacent districts have indicated their ability to accommodate any of Lancaster’s identified OAN. LCC must therefore take all reasonable steps to meet the OAN within the District. This includes maximising delivery from identified sources of land, including Bailrigg Garden Village (BGV).

¹ This is acknowledged by LCC in their response to Matter 1.

² Paragraph 3.17 of *Modelling the demographic implications of the proposed housing requirement for Lancaster District: Technical Note for Lancaster City Council*, Turley Economics (March 2019)

³ NPPF, paragraph 182.

Question c): Has consultation been carried out in accordance with the Statement of Community Involvement and the relevant Regulations; how would the Council secure the mitigation outlined in Table 16 of the Habitats Regulation Assessment Report following the detailed screening of sites affected by policies in the DPDs (in particular SG14, SG15, EC1)?

- 2.7 Appendix D of the SPLADPD sets out a mechanism to secure mitigation which may be necessary, in line with the conclusions of the Habitat Regulations Assessment Report⁴. The text within Policy SG1 is inconsistent with Appendix D and should be amended to provide flexibility based on development parameters at BGV (**Appendix 1**).

Question d): Are the DPDs in general conformity with the National Planning Policy Framework (NPPF)? Do they reflect the presumption in favour of sustainable development (in particular policies SP1 and SP2)?

The approach to sustainable development

- 2.8 Sustainable development is comprised of social, economic and environmental objectives that are interdependent, and “...*should not be undertaken in isolation...*”⁵ but pursued collectively. To deliver sustainable development, the presumption in favour of sustainable development makes it clear that authorities should positively seek opportunities to meet the development needs of their area and should “...*meet objectively assessed needs...*”⁶
- 2.9 The SPLADPD does not plan for sufficient housing to support anticipated job growth from planned economic growth. The strategic policies for economic growth and housing provision are not balanced or consistent with the requirement to achieve sustainable development.
- 2.10 LCC must make efforts to meet as much of the OAN as possible, by maximising delivery of housing within the Plan period. LCC has not exhausted these opportunities. It has failed to engage effectively with landowners and constrained delivery of sites such as BGV, such that the LLP is inconsistent with the NPPF requirement to significantly boost housing supply⁷.

Policy SP1

- 2.11 Policy SP1 should be amended to state that decisions will be made in accordance with the presumption in favour of sustainable development to align more closely with the NPPF.

Question g): Are appropriate arrangements in place to ensure proper monitoring of the DPDs?

- 2.12 Monitoring the delivery of Development Plans is essential to ensure that they are effective. Peel welcomes the mechanisms identified within Chapter 25 of the SPLADPD. A thorough and accurate review of these indicators is necessary and should be provided on a regular basis as this will enable LCC to quickly establish an alternative

⁴ Lancaster Local Plan Part 1: Strategic Policies and Land Allocations DPD Habitats Regulations Assessment Report, Arcadis (February 2018) (reference number: SD_004.1)

⁵ NPPF, paragraph 8.

⁶ NPPF, paragraph 14.

⁷ NPPF, paragraph 47.

approach to ensure that housing needs are met and, if they are not, that action can be taken swiftly to put in place an alternative approach.

- 2.13 Policy SP6 is a suitable location for identifying an early review mechanism in the event housing needs are not met, including at BGV (see suggested Modifications, **Appendix 1**). In making those suggested changes, Peel is clear that it is important not to 'plan to fail'; the review mechanism should be treated as a last resort and only enacted if all other efforts to secure delivery have failed.

3. Matter 2: Housing

Main Issue: Whether the Council's strategy for meeting its housing requirement is sound?

Question a): The identified objectively-assessed need (OAN) for housing for the area is 14,000 new dwellings (an average of 700 per year). The Council, as set out in policy SP6, identifies a requirement of 12,000 new dwellings at a rate of 522 per year. Is the Council's housing requirement soundly based and supported by robust and credible evidence? Does it take appropriate account of the 2012-based DCLG Household Projections, the likelihood of past trends in migration and household formation continuing in the future, and 'market signals'? Is the housing requirement appropriately aligned with forecasts for jobs growth? What implications should be drawn from paragraphs 7.9 – 7.13 of the Updated Consultation Statement February 2019, on the OAN figure?

- 3.1 Local Plans should meet “...*the full objectively assessed needs* [OAN] *for market and affordable housing...*”⁸ Meeting OAN is a key requirement of the ‘presumption in favour of sustainable development’⁹. It is a critical component of plan-making.
- 3.2 A Housing Requirements Study (2015) identified that the OAN for Lancaster is c.675 dwellings per annum¹⁰ (2011 to 2031)¹¹. A subsequent study¹² (2018) sought to ‘verify’ the OAN in the context of new demographic projections and updated guidance. While not concluding an updated OAN figure, it indicated that:
- Accommodating projected demographic growth, responding to market signals and providing for baseline job growth would generate a need for c.605 dpa.
 - A higher need for c.620 dpa would be generated by higher forecast job growth.
- 3.3 The OAN studies are prepared in line with NPPF and Planning Practice Guidance (PPG) requirements. The OAN studies were informed by the Employment Land Review¹³ (ELR) for Lancaster and the ‘*Prospects and Recommendations for Achieving Economic Potential*’¹⁴. These reports have also informed the strategic priorities and policies for economic growth¹⁵ in the SPLADPD (Policies SP4 and SP5). They:
- set out projections for future job growth.

⁸ NPPF, paragraph 47.

⁹ NPPF, paragraph 14.

¹⁰ The average of the identified OAN range of 650 to 700 dpa.

¹¹ *Lancaster Districts Independent Housing Requirements Study*, Turley Economics (October 2015) (reference number: C_IO_1_005)

¹² *OAN Verification Study*, Turley Economics (February 2018) (reference number: Ho_SHMA_04)

¹³ *Review of the Employment Land Position for Lancaster District*, Turley Economics (January 2015) (reference number: Em_ElR_02)

¹⁴ *Prospects and Recommendations for Achieving Economic Potential*, Turley Economics (April 2015) (reference number: Em_Ep_01) and *Lancaster District Economic Prospects: Update Report*, Turley Economics (September 2017) (reference number: Em_Ep_02)

¹⁵ Paragraph 8.9 of the submitted Strategic Policies and Land Allocations DPD.

- identify opportunities for economic growth.
- 3.4 The identified opportunities include the expansion of Lancaster University, which is provided for in the SPLADPD, including as part of the 'Broad Location for Growth – Bailrigg Garden Village' (Policy SG1). Indeed, LCC's sets out that *"...in quantitative terms the allocations made for employment growth exceed the shortfalls identified in the ELR..."*¹⁶
- 3.5 The OAN studies highlight that *"Growth in the economy is likely to continue to generate a higher need for housing than implied by a continuation of longer-term demographic trends..."*¹⁷ A commensurate increase in housing delivery above projected demographic growth is required to provide for the labour force needed to support planned job and economic growth and investment. This is a requirement of national policy.
- 3.6 The purpose of the planning system is to *"...contribute to the achievement of sustainable development..."*¹⁸. The three dimensions to sustainable development¹⁹ cannot be pursued in isolation because *"...they are mutually dependent..."*; gains against each must be sought *"...jointly and simultaneously..."*²⁰ A housing strategy which does not positively seek to meet the needs of the area and/or which restricts economic growth cannot be sustainable. This is particularly the case given that planning policies should address barriers to economic investment *"...including a poor environment or any lack of infrastructure, services or housing..."*²¹. In this regard:
- the 'Economic Potential'¹⁴ report makes clear that a failure to provide a *"...sufficient number of homes to cater for labour force demand..."* (paragraph 5.1) would present a risk to Lancaster's ability to realise its economic potential; and,
 - the Economic Growth Background Paper²² identifies that the district faces *"...demographic challenges..."* which can be addressed by *"...planning positively for growth and expansion of the workforce..."* principally by *"...attempting to maximise opportunities for housing delivery..."* (paragraph 10.17).
- 3.7 Planning for the identified OAN figure, which is identified as sufficient to cater for projected labour force demand, is critical to realising economic opportunities and to achieving sustainable development.
- 3.8 The SPLADPD proposes the delivery of 522 dpa and LCC has now proposed a reduction to 510dpa²³ – substantially below the OAN. It does not cater for the housing required to support the job growth which is likely to result from the amount of planned

¹⁶ Reference number: LCC7.4, paragraph 4A.18)

¹⁷ *OAN Verification Study*, Turley Economics (February 2018) (reference number: Ho_SHMA_04), paragraph 8.

¹⁸ NPPF, paragraph 6.

¹⁹ Economic, social and environmental (NPPF, paragraph 7).

²⁰ NPPF, paragraph 8.

²¹ NPPF, paragraph 21.

²² *Background Paper 3 – Achieving Sustainable Economic Growth in Lancaster District*, Lancaster City Council (February 2018) (reference number: P_014)

²³ Reference numbers: LCC7.1 and LCC7.2

employment floorspace. The strategic policies for housing and economic growth are not aligned, such that the SPLADPD will not achieve sustainable development. This is not consistent with the requirements of the NPPF. The proposed housing requirement:

- creates a risk that the economic potential of Lancaster will not be realised; and/or
- will result in an imbalance between the demand for and supply of new homes²⁴, which could prevent households from meeting their needs. This will result in:
 - a worsening of market signals²⁵; and/or
 - an unsustainable pattern of growth, in which households are forced to move outside of the housing market area to meet their needs, fuelling longer distance commuting.

3.9 This is confirmed by LCC’s response to Matter 2²⁶ and the housing requirement Technical Note²⁷ which states:

“The modelling therefore indicates that the proposed scale of housing provision could serve as a constraint to achieving these levels of job growth. Alternatively, where the higher levels of job growth were achieved without parallel levels of housing provision, a potential outcome could be a change in commuting relationships with surrounding authorities.”

3.10 The effects of the housing under-provision are likely to be particularly acute within Lancaster itself, given that the expansion of Lancaster University (Policy SG2) is a key driver of economic growth. It is for this reason that LCC made a successful application (**Appendix 2**) to Government for the designation of and funding for infrastructure for BGV. It proposes the co-location of new home and jobs, comprising residential development which is:

“...built around the districts most significant employment site with the added advantage of being directly connected to two of its other main hubs of employment...”²⁸

3.11 The housing requirement is ‘supply-led’²⁹. LCC must therefore make efforts to deliver as much housing as possible as quickly as possible from the identified sources of supply. LCC has not considered how best to expedite the delivery of new homes from BGV; specifically it has not consulted the developers/landowners for their delivery

²⁴ Because labour force growth will exceed the scale of new housing provision.

²⁵ Such as rapidly growing house prices and property rents, worsening affordability, constrained household formation and overcrowding.

²⁶ Reference number: LCC7.2

²⁷ *Modelling the demographic implications of the proposed housing requirement for Lancaster District: Technical Note for Lancaster City Council*, Turley Economics (March 2019), paragraph 3.17

²⁸ See paragraph 1.2 of LCC’s application for the designation of BGV (see Appendix 2).

²⁹ i.e. it is a product of LCC’s assessment of the amount of potential delivery which can be achieved from the identified sources of supply.

assumptions, despite the PPG requirement to do so³⁰. The constraint on supply from BGV has been self-imposed by LCC. The proposed requirement is not justified, positively prepared or consistent with national policy and will not be effective at meeting identified needs.

- 3.12 These soundness issues can be readily addressed. The trajectory published alongside the SPLADPD (**Appendix 3**) identifies that the BGV will deliver 1,655 dwellings over the supply period. These assumptions have since been downgraded in the latest trajectory. However, Peel considers that they are robust and realistic, and that they should be reinstated. When added to delivery from other sources³¹, it would enable the proposed housing requirement to be increased to c.560 dpa³². This would narrow the gap between the housing requirement and OAN.

Question b): Are the constraints identified by the Council sufficient justification for not meeting the full OAN for housing in the District?

- 3.13 LCC has made clear that the proposed housing requirement is 'supply-led'²⁹:

*"...the extent of the housing requirement is established by a realistic assessment of the phased delivery of the sites allocated by the Local Plan..."*³³

- 3.14 LCC has advised that opportunities to provide a higher number of homes are limited by physical constraints, which preclude its ability to identify additional sources of development land. However, LCC has also imposed delivery mechanisms on the proposed development sites which will unnecessarily delay their ability to provide new homes.
- 3.15 BGV is not allocated for development but is instead identified as a 'Broad Location for Growth', despite an earlier proposed allocation³⁴. Policy SG1 sets out that an AAP will be prepared to establish the allocation/s and detailed development requirements/parameters. LCC proposes a restriction on development in advance of AAP preparation. This approach will unnecessarily constrain delivery and could prevent housing needs from being met. That approach is not justified, positively prepared, consistent with the requirements of national policy³⁵, nor is it effective at delivering the new homes needed³⁶.
- 3.16 The trajectory published at Appendix E of the SPLADPD (**Appendix 2**) identifies that the delivery of the 522 dpa housing requirement is dependent upon delivery from BGV from 2021/22. Similarly, the '2019 Update' trajectory identifies that delivery from BGV is required in 2022/23. Despite this, draft Policy SG1 sets out that:

³⁰ Reference ID: 3-008-20140306.

³¹ As set out in LCC's latest trajectory.

³² Notwithstanding Peel's comments regarding flexibility.

³³ Reference number: LCC7, paragraph 2B.28

³⁴ *Consultation Draft Part 1: Strategic Policies & Land Allocation DPD*, Lancaster City Council (January 2017) (reference number: PP_001)

³⁵ E.g. the requirements to boost housing supply and meet housing needs (paragraph 47) or enable sustainable development without delay (paragraph 15).

³⁶ NPPF, paragraph 182

- the AAP will be prepared for adoption before 2024; and
 - LCC will not support applications for “...piecemeal...” development within the ‘Broad Location’ in advance of the AAP preparation.
- 3.17 This approach is likely to constrain delivery until 2024/25 or thereafter, much later than required. It precludes the ability of BGV to deliver a higher number of homes at a faster rate, which could increase the proposed housing requirement. It puts the delivery of even the 522dpa requirement at risk. Whilst LCC’s most recent LDS³⁷ identifies an expected date of AAP adoption of February 2021:
- this is a conservative estimate given:
 - timescales associated with the statutory process for AAP preparation³⁸.
 - the AAP preparation has already been significantly delayed³⁹.
 - previous LCC AAP’s have typically taken in excess of three years to prepare⁴⁰.
- 3.18 Even if adoption in 2021 is achieved, there will not be a sufficient ‘lead in’ time for delivery in 2022/23⁴¹. LCC⁴² identifies that a lead in time of three years is likely, albeit a shorter lead-in time which secures delivery in 2021/22 is achievable.
- 3.19 LCC’s sets out that an AAP is required due to the “...constrained context...” within which BGV is being delivered and the “...complex nature of land ownership...”. The Economic Growth Background Paper²² also states that:
- “Releasing the potential of development in South Lancaster is however severely constrained by the existing highway network with the main access route (the A6) already operating close to capacity...”* (paragraph 4.27)
- 3.20 Peel’s representations to various stages of consultation have made clear that the delivery of new homes can be achieved much more quickly:
- The Highways Technical Note⁴³ (**Appendix 4**) submitted in response to LCC’s additional evidence (**Appendix 5**) shows that, with short-term highways improvements, phased development could come forward in South Lancaster without resulting in ‘severe’⁴⁴ harm to the highway network (see Matter 6,

³⁷ A Local Plan for Lancaster District 2011-2031: Local Development Scheme, Lancaster City Council (January 2019)

³⁹ The SPLADPD itself identifies that it would be completed by early 2020 (paragraph 12.24) and the ‘Issues and Options’ AAP (reference number: OD:05) estimated adoption in Summer 2019.

³⁹ The SPLADPD itself identifies that it would be completed by early 2020 (paragraph 12.24) and the ‘Issues and Options’ AAP (reference number: OD:05) estimated adoption in Summer 2019.

⁴⁰ See Peel response to Matter 3.

⁴¹ It would provide just 12-18 months in which to prepare and submit a planning application, secure planning permission, discharge any necessary pre-commencement conditions, prepare the land for development and deliver the required new homes.

⁴² The Council’s Approach to Delivering Housing Supply in Lancaster District, Lancaster City Council (March 2019)

⁴³ Highways Technical Note, Bryan G Hall (February 2019)

⁴⁴ NPPF, paragraph 32.

question a). It confirms that there is sufficient capacity to allow early delivery on land at the northern part of the 'Broad Location'. This is also confirmed by the various applications for residential development within the vicinity of BGV which have been submitted/approved in recent years and which have not been contested by the local highway authority⁴⁵.

- Notwithstanding its scale, the principal area of land for residential development within the 'Broad Location', to the west of the A6 corridor, is largely under the control of three major landowners/developers (Peel, Commercial Estates Projects and Story Homes) and LCC who are collaborating (**Appendix 8**).

- 3.21 LCC is keen for the BGV to comprise a comprehensive development which safeguards design quality and secures a coordinated approach to infrastructure delivery. These objectives can be achieved whilst also addressing the imperative – and indeed policy requirement – to meet housing needs and deliver sustainable development “...without delay...”⁴⁶. LCC’s assessment of “...reasonable alternatives...”⁴⁷ has not considered alternative delivery approaches which can be used to expedite the development of new homes at BGV – as borne out by its evidence. It has missed opportunities to increase housing supply (and the housing requirement). Moreover, “accelerated delivery” is a key requirement of BGV’s ‘Garden Village’ status⁴⁸, which secured Government backing in January 2017⁴⁹.
- 3.22 The constraints identified by LCC in Policy SG1 do not provide sufficient justification for the low rate of housing delivery proposed. They are unnecessarily self-imposed and are unsound. The soundness issues can be readily addressed through modifications, including to Policy SG1 (Appendix 1).

Question c): What provision has the Council made for any unmet housing need and does the housing requirement take appropriate account of the need to ensure that the identified requirement for affordable housing is delivered?

Unmet housing needs

- 3.23 The low housing requirement will result in considerable unmet housing needs. LCC has identified⁵⁰ that those needs cannot be met in adjoining HMAs. It is therefore imperative that opportunities to expedite delivery from the identified sources of land are maximised (see question b).

⁴⁵ See paragraph 3.15 of Peel’s representations to LCC’s Draft Suggested Modifications to the LLP in October 2018 and provided at Appendix 3.

⁴⁶ NPPF, paragraph 15.

⁴⁷ NPPF, paragraph 182.

⁴⁸ The Government’s Garden Village prospectus (March 2016) makes clear that the Garden Villages should “...offer a strong prospect of quantified early delivery, a significant acceleration of housing delivery, and genuinely additional housing supply...” (paragraph 24).

⁴⁹ See paragraph 3.8 of Peel’s representations to LCC’s Draft Suggested Modifications to the LLP in October 2018 and provided at Appendix 5.

⁵⁰ Reference number: LCC7.2

Affordable housing needs

- 3.24 LCC makes clear⁵¹ that the scale of the affordable housing need significantly exceed that which will be delivered by the proposed requirement. The housing requirement exceeds baseline demographic housing needs and is likely to have some impact on affordability. However, given that it falls short of the OAN, there is a significant risk that affordability will worsen.
- 3.25 Data from MHCLG indicates that private sector housebuilders were responsible for providing 48.5% of the 47,355 affordable homes completed across the UK in 2017/18. Affordable housing supply in Lancaster is likely to be similarly dependent upon private sector delivery⁵². Peel reiterates that opportunities to expedite delivery from the identified sources of land must be maximised. A higher level of delivery from BGV will secure the provision of a higher number of affordable homes, thereby narrowing the gap between the supply proposed and the identified need.

Question d): Is the Housing Market Area (HMA) agreed with adjoining authorities in line with the Planning Practice Guidance and does the plan period coincide with housing projections?

- 3.26 Peel's representations highlight that the plan period (2011-2031) coincides with the identification of the OAN figure but, assuming LLP adoption within the next 12 months⁵³, it does not accord with the requirement to cover a 15-year timeframe⁵⁴.
- 3.27 Draft Policy SP6 proposes an extended supply period up to 2034. However:
- this is inconsistent with the general plan period up to 2031.
 - an end date of 2035 is required to achieve a 15-year timeframe.
- 3.28 Moreover, the 12,000 dwelling requirement reflects the identified OAN figure up to 2031 – it has been stretched across the extended supply period, rather than being increased to account for the higher need which will result from the inclusion of additional years. This compounds the issues resulting from the low level of housing delivery proposed.

Question f): Is the amount of land allocated for housing sufficient to meet the requirement and how will it ensure delivery of the appropriate type of housing where it is required within the District (with particular reference to Policies SP2, SG1, SG7, SG9, H1, H2, H3, H4, H5, H6, DOS7, DM1, DM2, DM4, DM7, DM8, DM11 and DM12)?

- 3.29 The amount of land allocated includes no flexibility to ensure that the requirement is achieved if sites stall, are delayed or if windfalls do not come forward⁵⁵. The 522 dpa requirement is dependent upon the delivery of all identified sites in accordance with the published trajectory. This remains the case in respect of the revised trajectory⁵⁶,

⁵¹ Reference number: LCC7.1

⁵² This is particularly the case given reduced public sector funds for regeneration.

⁵³ i.e. before 31 March 2020.

⁵⁴ NPPF, paragraph 157.

⁵⁵ See discussion in Peel's representations to the Submission Draft version of the SPLADPD in April 2018.

⁵⁶ 2019 Update to May 2018 Submission Trajectory (reference number: LCC7.2.1)

which identifies a supply just 1.4% above the proposed lower requirement of 510 dpa⁵⁷.

- 3.30 Peel's representations to the SPLADPD identified a requirement for additional land equivalent to 15% of the requirement⁵⁸. Whilst LCC has incorporated a 20% 'lapse rate' for small sites, no flexibility is provided for larger sites because the SHELAA has "...individually assessed..." their delivery potential. However, the SHELAA is only an estimate of delivery potential⁵⁹. It is for this reason that the Local Plans must incorporate "...sufficient flexibility to adapt to rapid change..."⁶⁰.
- 3.31 There is a risk that the amount of land allocated will not be effective in meeting the proposed housing requirement⁶¹. Opportunities to expedite delivery from the identified sources of land must therefore be maximised.

Question g): Will the distribution, capacity and speed of deliverability (with regard to viability and infrastructure) of the sites, satisfy the provision of a 5 year housing land supply?

- 3.32 Demonstrating a 5-year housing land supply is a key requirement⁶² and a critical component of soundness. LCC has proposed a 'stepped' housing requirement such that it can do so. Peel does not support this approach, which is 'supply-led' and ineffective at meeting identified housing needs. It emphasises the importance of securing early delivery from BGV, so that it can contribute a greater amount of housing supply in the 5-year period.

Question i): Is the proposed monitoring likely to be adequate and what steps will be taken if sites do not come forward?

- 3.33 See response to Matter 1, question g).
- 3.34 Policy SG1 identifies that an "early review" of the LLP may be necessary if the BGV AAP is not adopted before 2024/25. However, effective delivery of the LLP is dependent on all the allocated sites. Policy SP6 is therefore a suitable location for the early review mechanism. Policies SG1 and SP6 should be amended accordingly (**Appendix 1**).

Question j): How will the housing allocations in the DPDs deliver the affordable housing set out in policies DM3 and DM6? What is the likely effect of DM6 on viability?

- 3.35 LCC proposes to reduce the affordable housing target for new greenfield development to 30% to reflect the LSH viability assessment⁶³. Peel's comments on the assessment (**Appendix 7**) have not been addressed, such that it is of limited relevance in determining whether the targets are justified.

⁵⁷ Supply of 11,894 dwellings against a reduced requirement for 11,730 dwellings (510 dpa).

⁵⁸ See paragraphs 2.27 to 2.30 of Peel's representations to the Publication Draft LLP, dated April 2018.

⁵⁹ For example, based on, *inter alia*, current market conditions and known constraints. It cannot forecast the implications of a change in market conditions or for abnormal constraints to delay or stall delivery.

⁶⁰ NPPF, paragraph 14.

⁶¹ We have already addressed the specific risks associated with constraining delivery at BGV by precluding development until adoption of an AAP.

⁶² NPPF, paragraph 47.

⁶³ *Local Plan Viability Assessment Stage One*, Lambert Smith Hampton (May 2018), plus Chapter 4 Addendum (January 2019)

- 3.36 The Stage Two viability assessment⁶⁴ does not include an assessment of BGV. Peel therefore considers that the proposed affordable housing target – which will apply to BGV – is not justified⁶⁵; there is no evidence that it will be achievable given the scale of the infrastructure issues to be addressed⁶⁶.
- 3.37 Policy DM3 must be amended to make clear that it does not apply to the full BGV. A specific affordable housing target for BGV should be defined through the proposed Spatial Development Framework (Policy SG1). Any applications submitted in advance would be required to accord with the Policy DM3 targets.

⁶⁴ *Local Plan Viability Assessment Stage Two*, Lambert Smith Hampton (January 2019) (reference number: VI_02)

⁶⁵ NPPF, paragraph 182.

⁶⁶ Peel highlights that whilst affordable housing provision is important, it must be carefully balanced alongside other infrastructure requirements to ensure that development is viable in accordance with the parameters established in the NPPF, PPG and statute (including The Community Infrastructure Levy Regulations 2010 (as amended)), including that contributions/obligations are proportionate and must not undermine development viability.

4. Matter 3: Spatial Strategy

Main Issue: Whether the Council's spatial strategy for development within the District is sound?

Question a): Is the spatial strategy as set out in policies SP1, SP2, SP3, SP4, SP5 and SP6 and their supporting text soundly based? Would the spatial strategy be sound if no provision was made for any unmet housing need for Lancaster District either within the District or within the wider Strategic Housing Market Area?

- 4.1 Peel is generally supportive of the spatial strategy of the emerging LLP (policies SP1 - SP6). Those policies are intended to deliver the Spatial Vision for Lancaster which is taken from LCC's Corporate Plan⁶⁷.

SP1: Presumption in favour of sustainable development

- 4.2 Peel welcomes the positive approach to sustainable development; it is committed to working with LCC to ensure that land within its ownership is brought forward to assist in meeting the housing needs of the District.

SP2: Lancaster District settlement hierarchy

- 4.3 Lancaster is the largest settlement in the District by some margin; it contains the widest range of employment opportunities and facilities and it is appropriately identified as the main focus for future growth.
- 4.4 Given the importance of BGV towards meeting the development needs of the District and achieving the Spatial Vision, it should be explicitly referred to in the settlement hierarchy. BGV:
- was selected by the Government as one of the first wave of 14 new garden villages, with strategic funding provided to accelerate housing delivery.
 - is expected to accommodate c.25% of the total identified housing supply⁶⁸.
 - includes Lancaster University and the Health Innovation Campus which is central to LCC's economic growth ambitions⁶⁹.
 - is a location that has long been identified as having capacity for significant development that is "...critical to meeting the future housing and employment growth needs of Lancaster which will have wider economic benefits to Lancashire and beyond..."⁷⁰.
 - includes land at Whinney Carr that has a long history of being supported for housing development.

⁶⁷ Draft LLP, page 16: *The Spatial Vision for Lancaster District*

⁶⁸ 13,901 dwellings total to 2034 identified in Policy SP6.

⁶⁹ *Background Paper 3: Achieving Sustainable Economic Growth in Lancaster District*, Lancaster City Council (February 2018) (reference number: P_014)

⁷⁰ Ibid, paragraph 4.26

- BGV is of such strategic scale and importance that it merits a specific reference in the Spatial Strategy; this would be consistent with the approach set out in other development plans⁷¹.
- 4.5 To enable the LLP to be positively prepared and effective⁷² in focussing development in the most sustainable location for growth, Policy SP2 should be amended either by the addition of BGV as an additional tier between the regional centre and key service centres, or by explicitly referring to BGV as part of the regional centre.
- SP3: Development Strategy for Lancaster***
- 4.6 A development strategy which combines urban concentration/regeneration with sustainable greenfield sites is the most effective to deliver the Spatial Vision. LCC's own evidence base sets out that BGV is of critical importance to ensure development targets and economic growth aspirations are met. Without significant and early development at BGV the LLP will not be effective⁷³ as it will fail to meet housing and economic growth targets.
- 4.7 The second paragraph of Policy SP3 should be amended and explicitly refer to BGV as a strategic greenfield site that will be brought forward "...without delay..."⁷⁴.
- SP4: Priorities for Sustainable Economic Growth***
- 4.8 Economic growth is one of LCC's corporate priorities focussed primarily around existing established and significant economic drivers including Lancaster University and the Health Innovation Campus; collectively they are expected to draw in millions of pounds of investment and create up to 3,000 new jobs as part of a highly sustainable mixed use development at BGV.
- 4.9 Peel strongly supports the identification of BGV as an employment location, and LCC's own evidence supports the conclusion that this necessitates the timely provision of new homes to support those jobs and maximise economic growth. Given that the first phases of development at the Health Innovation Campus are under construction, early housing development at BGV is necessary.
- SP6: The Delivery of New Homes***
- 4.10 The broad spread of allocations identified in Policy SP6 is consistent with the settlement hierarchy in Policy SP2 in that the majority of new housing development will be in Lancaster. It identifies five strategic development sites, three of which, including BGV, are in Lancaster. BGV is the largest of the strategic development sites⁷⁵; reinforcing Peel's proposed changes to Policies SP2 and SP3.
- 4.11 The scale of overall housing development and delivery within the supply period is supported by Peel and the other significant landowners at BGV as demonstrated in the joint Memorandum of Understanding (**Appendix 8**) and a Development Vision

⁷¹ e.g. Central Lancashire Core Strategy Policy 1 which allocates NW Preston Strategic Location and Cottam Strategic Site as part of the Preston Urban Area, and Buckshaw Village as a mixed development.

⁷² NPPF, paragraph 182.

⁷³ NPPF, paragraph 182.

⁷⁴ NPPF, paragraph 15.

⁷⁵ 3,500 residential units in total and with anticipated delivery of 1,655 homes within the supply period, as identified by the trajectory submitted alongside the SPLADPD.

(Appendix 9) document illustrating their commitment to bringing that land forward for development as soon as possible in accordance with Policy SP6 and the housing trajectory.

- 4.12 NPPF sets out the requirement to boost the supply of housing “as far as is consistent with the policies set out in this Framework”⁷⁶. LCC states that, *inter alia*, delivery expectations on strategic sites is one of the key reasons why it is unable to meet its full OAN. These expectations are of principal concern to Peel (see Matter 2, question b). These concerns are capable of being readily addressed through LCC adopting a positively prepared⁷⁷ approach to the effective delivery of housing from strategic sites, most particularly at BGV. Enabling some sustainable development to be brought forward in advance of an AAP⁷⁸ will result in a greater quantum of housing being delivered in the plan period, narrowing the shortfall of unmet need.

Conclusion re Soundness of the Spatial Strategy

- 4.13 As drafted, some of the policies are currently not justified, positively prepared, effective or consistent with national planning policy to ‘significantly boost’ the supply of housing. LCC should do more to ensure that housing needs are met by planning positively to accelerate delivery at BGV such that it makes a greater contribution to meeting housing needs generally and earlier in the Plan period.
- 4.14 To render the plan sound, Modifications should be made to policies SP2 and SP3 and SG1 (Appendix 1).

Question b): Policies SG1, SG2, SG3 and TC1 (Bailrigg Garden Village) : is the need and location of this mixed-use development soundly based on, and justified by, the evidence assembled by the Council in support of the DPDs?

- 4.15 BGV underpins the spatial strategy and economic growth of the District. It is one of the last large-scale deliverable development opportunities in the District that is not constrained by Green Belt. It is well-placed to deliver Lancaster’s growth ambitions, integrate the University with the city, and provide a sustainable mixed community of new homes alongside economic and jobs growth.
- 4.16 The strategic importance of BGV is set out in LCC’s successful application to Government for identification of the Garden Village⁷⁹ and in its evidence base, including the Sustainability Appraisal which provides strong scores for BGV against more than 50% of the assessment criteria⁸⁰.

⁷⁶ NPPF, para 47

⁷⁷ NPPF, paragraph 182

⁷⁸ Notwithstanding Peel’s view that the preparation of an AAP is not an appropriate delivery mechanism for the site.

⁷⁹ *Bailrigg Garden Village Application (see Appendix 2)*

⁸⁰ *Lancaster Local Plan Part 1: Strategic Policies and Land Allocations DPD Publication Sustainability Appraisal Report*, Arcadis (February 2018) (reference number: SD_003)

4.17 Peel and other landowners have undertaken their own technical studies to demonstrate that the land within their control is suitable, available and achievable⁸¹. In summary it is:

- **Available:** Much of the land west of the A6 is available for immediate development and not constrained by land ownership.
- **Suitable:** The land is contiguous with the southern built-up area of South Lancaster and functionally linked to the existing residential community, as well as having the potential for strong functional links to the University. It is within a strategic transport corridor with public transport links along the A6 between the University and the city centre.
- **Achievable:** The three principal landowners/developers are working collaboratively and are in discussion with LCC to deliver a cohesive development on the land as soon as possible. The commissioned transport report⁸² demonstrates that BGV could potentially deliver up to 600 dwellings in advance of the strategic highways infrastructure interventions identified in the recent HIF bid (see Matter 6, question a).

4.18 The parties have prepared a joint Memorandum of Understanding and Vision Document providing further details (**Appendices 8 and 9**).

Land at Whinney Carr

4.19 Peel's own land interests are at Whinney Carr which lies at the northern end of BGV. That land and adjoining LCC-owned land has historically been considered as suitable for housing development. It:

- was identified as an allocation in the emerging LLP⁸³.
- is identified in LCC's 2015 SHLAA (ref: 341)⁸⁴ and the subsequent 2018 SHELAA⁸⁵
- was considered at the previous LLP Inquiry where the Inspector found that it:
 - has capacity to accommodate development without unacceptable harm to the area;
 - is well-located to provide opportunities for walking and cycling to employment, services and facilities; and

⁸¹ Further information is contained in Peel's submissions to the Publication Plan, LCC's draft suggested modifications (November 2018) and the 'additional evidence' consultation (March 2019).

⁸² Appendix 4 and *Local Plan Transport Assessment Parts 1 and 2*, White Young Green (December 2018) (reference numbers: Tr_02 and 03)

⁸³ *Consultation Draft Part 1: Strategic Policies & Land Allocation DPD*, Lancaster City Council (January 2017) (reference number: PP_001)

⁸⁴ *Strategic Housing Land Availability Assessment 2015: Report*, Lancaster City Council (October 2015) (reference number: HO_SHLAA_01.1)

⁸⁵ *Strategic Housing and Employment Land Availability Assessment*, Lancaster City Council (2018) (reference number: Ho_SHELAA_03)

- is immediately adjacent to proposed primary bus corridors linking it to Lancaster University, the city centre and other main destinations in the urban area.
 - was subject of a call-in inquiry in 2002 when the Secretary of State concluded that it is a suitable and sustainable location for residential development⁸⁶.
- 4.20 Peel's representations to the Publication Draft LLP and 'Additional Evidence' consultation (Appendix 5) demonstrate that the Whinney Carr site is suitable for residential development, together with associated infrastructure and open space.
- Policy SG1: Broad Location for Growth - Bailrigg Garden Village***
- 4.21 Peel strongly supports the identification of the 'Broad Location for Growth' and BGV in the LLP. However given LCC's acknowledgement that it is unable to meet the full OAN, the LLP should endeavour to expedite delivery at BGV.
- 4.22 The timescale for the adoption of an AAP in advance of any development commencing at BGV will result in significant unnecessary delay. LCC's proposed timetable is unrealistic given the process involved, the slippage⁸⁷ that has already occurred and their own experience of producing AAPs⁸⁸ (see Matter 2, question b).
- 4.23 The recently adopted Preston Local Plan provides a successful example of the approach that Peel suggests⁸⁹. Suggested amendments to Policy SG1 are provided at **Appendix 1**.

⁸⁶ Application reference: 98/01207/OUT

⁸⁷ The Issues and Options of the AAP assumed that it would be adopted in 2019 *Bailrigg Garden Village AAP: Issues and Options Paper*, Lancaster City Council (May 2018) (ref: OC.05), this slipped to 2020 in the LLP (paragraph 12.24) and is now 2021 in the recently published Local Development Scheme (*A Local Plan for Lancaster District 2011-2031: Local Development Scheme*, Lancaster City Council (January 2019))

⁸⁸ Morecambe AAP, Arnsdale and Silverdale AAP each took more than 3 years to adopt.

⁸⁹ The NW Preston Strategic Area is allocated in the Preston Site Allocations Plan (Policy MD2) with an expectation that it will deliver c.5,300 dwellings over a 20-year time period. Significant public sector funding through the City Deal growth fund is required to deliver highways infrastructure to serve the site. While a comprehensive masterplan and Spatial Development Framework is required the policy does permit development to come forward in advance of that document subject to not resulting in severe cumulative transport impact and not prejudicing delivery on the wider site.

5. Matter 5: Heritage and the natural environment

Main Issue: Have the DPDs been prepared in accordance with the relevant statutory tests and the policies of the NPPF

Question a): Do policies SP7, SP8, SG4, SG9, SG14, SG15, EC1, EC3, H3, H4, H5, H6, DOS1, DOS2, DOS3, DOS6, DOS7, DOS8, DOS9, DOS10, DM21, DM24, DM29, DM37, DM38, DM39, DM40, DM41, DM43, DM44, DM45 and DM46 provide for the conservation and management of the District's built and natural heritage in accordance with the policies of the NPPF?

- 5.1 The requirement of Policy DM39 to "...enhance..." heritage assets and the historic environment is not consistent with relevant statutory duties⁹⁰ or the requirements of the NPPF⁹¹. It is appropriate to take account of the desirability of sustaining and enhancing heritage assets; however, Policy DM39 must make clear that:
- (a) this is not a requirement and that development which preserves and causes no harm to heritage assets is acceptable.
 - (b) in some cases harm to designated heritage assets may be unavoidable⁹² but must be considered in accordance with the Framework for the balancing of that harm against the identified benefits⁹³.
- 5.2 Policy DM39 is not justified or consistent with national policy in this regard and must be amended accordingly.
- Question f): Can the Council clarify the justification for policies EN8, EN10, EN11 and SC2 (with regard to Freemans Wood, sites adjacent to the canal network, the River Lune, Over Kellet Craggs and the definition of extensive tract of land)?**
- 5.3 The sizes and locations of the "Areas of Separation" (Policy EN8) proposed are unclear, in conflict with national policy⁹⁴.
- 5.4 The areas and development parcels should not be 'fixed' inflexibly at this stage. Peel does however recognise LCC's rationale for achieving a quality landscape setting and

⁹⁰ The Planning (Listed Buildings and Conservation Areas) Act 1990 ('the 1990 Act').

⁹¹ Paragraphs 126 to 141. In this regard, Case law (South Lakeland District Council v Secretary of State for the Environment [1992] 1 PLR 143) has established that preserving the character or appearance of an area is achieved by either "...a positive contribution to preservation or by development which leaves the character or appearance unharmed that is to say preserved...".

⁹² For example, works to listed buildings associated with securing their long term viable use where distinct heritage and wider public benefits accrue can result in a degree of harm.

⁹³ NPPF, paragraphs 195 and 196.

⁹⁴ NPPF, paragraph 154 which requires that "Only policies that provide a clear indication of how a decision maker should react to a development proposal should be included in the plan."

open space provision within BGV and an area of separation between the core of BGV and Galgate. This is set out in LCC's response to Matter 5⁹⁵.

- 5.5 Peel's representations to the BGV AAP consultation (**Appendix 10**) highlight that a substantial 'gap' is unnecessary to achieve the aspirations of identity and distinctiveness. The extent and location of the gap needs further careful consideration, to ensure that it does not undermine the sustainability of BGV and/or lead to unnecessary loss of developable land in sustainable locations.
- 5.6 The Illustrative Masterplan contained in the Vision Document (**Appendix 9**) demonstrates that a buffer between the South of Lancaster and BGV can be delivered. The extent of the gap proposed enables sustainable development on developable land to be achieved, located adjacent to the Regional Centre and the services and amenities this location provides, whilst respecting landscape character.
- 5.7 The separation requirements in respect of BGV are already discussed and included within Policy SG1. Policy EN8 should therefore be deleted as it is not justified, effective or consistent with national policy⁹⁶.

⁹⁵ LCC's response to Matter 5 states as follows: *"Situated on the edge of a revised urban boundary the identified area seeks to provide an important gap between these two settlements, protecting the local character, identity and distinctiveness of the settlements and creating an area of breathing space between them. The fundamental role of this policy is to protect the 'openness' this area provides and to prevent encroachment. Although the M6 may form a distinct boundary between the two, it does not provide openness."*

⁹⁶ Including the requirement of NPPF to avoid unnecessary duplication between policies.

6. Matter 6: Transport

Main Issue: Whether the Council’s strategy for accommodating transport infrastructure

Question a): Are the transport schemes contained in the DPDs evidence based? How do they provide for the management of traffic movements in Lancaster City Centre (policies SP10 and SG4)?

- 6.1 The WYG Transport Assessment⁹⁷ identifies that a range of improvements, including strategic infrastructure schemes, are required to ‘unlock’ the full development of BGV. A Highways Technical Note⁹⁸ produced by Bryan G Hall (BGH) (**Appendix 4**)⁹⁹ has undertaken a review of the transport evidence base, including WYG’s assessment. Whilst agreeing with the general approach to undertaking the assessment¹⁰⁰, it raises specific observations relating to:
- the use of Tempro traffic growth rates which are not representative of actual (surveyed) traffic growth on the A6 corridor.
 - over-estimation of projected traffic from committed and planned development¹⁰¹.
 - failure to take account of committed improvements at the Hala Road junction¹⁰²; and
 - not taking into account all relevant modelling outputs to determine whether the impact of development on specific junctions would be ‘severe’¹⁰³.
- 6.2 As a consequence, WYG’s assessment overestimates the predicted impact of development on the highway network and underestimates its potential to accommodate development in the short-term. These issues have not been addressed in the recent WYG Technical Note¹⁰⁴.
- 6.3 The BGH Technical Note sets out the findings of its own assessment of early housing delivery at BGV, building upon the WYG assessment¹⁰⁵. It recognises that the full BGV

⁹⁷ *Local Plan Transport Assessment Parts 1 and 2*, White Young Green (December 2018) (reference numbers: Tr_02 and 03)

⁹⁸ *Highways Technical Note*, Bryan G Hall (February 2019)

⁹⁹ It was submitted to LCC’s consultation on ‘additional evidence’ in February 2019.

¹⁰⁰ In the absence of a Strategic Transport Model (STM) and notwithstanding the positive conclusions reported in the WYG assessment regarding the potential for early housing delivery in South Lancaster.

¹⁰¹ Including assumptions regarding the likely land uses related to the residual phases of development at the Lancaster University Innovation Campus.

¹⁰² This will be delivered as part of the committed Booths development in the locality.

¹⁰³ NPPF, paragraph 32.

¹⁰⁴ *Technical Note 4: Consideration of Comments Received on Local Plan Transport Assessment*, White Young Green (March 2019) – published alongside LCC’s response to Matter 6.

¹⁰⁵ The assessment adopts the trip rates used by WYG with traffic distribution, which assumes c.65% of traffic from these sites will travel north towards Lancaster city centre with the remaining 35% travelling south towards the M6 motorway.

will trigger the requirement for strategic transport infrastructure which are the subject of a HIF funding bid¹⁰⁶. However, it demonstrates that in advance of this strategic infrastructure there is capacity to deliver¹⁰⁷, *inter alia*, c.400-600 dwellings with a single access into the Whinney Carr site from Ashford Road¹⁰⁸.

- 6.4 This demonstrates that with the short-term highways improvements identified by WYG (excluding the Pointer roundabout) and those already committed, phased development could come forward in South Lancaster without 'severe' harm to the network. The BGH analysis shows that there is sufficient capacity with those short-term works to allow early delivery and demonstrates that development at the northern part of BGV can make an important early contribution to housing needs.

- 6.5 LCC notes that the WYG assessment demonstrates that:

"...it is possible to accommodate additional development related traffic as anticipated might be generated by the draft allocations of the SP&LA in what could be termed a 'worst-case scenario'..." (paragraph 6A.7)

- 6.6 LCC therefore accepts that there is capacity for new development in advance of the provision of the strategic transport schemes set out in draft Policy SG3. LCC is keen that any developments using this capacity *"...facilitate sustainable travel modes and achieve modal shift..."* (paragraph 6A.7). This can be achieved through the release of an initial phase of development at the northern end of BGV as a Strategic Urban Extension (SUE). The proposed policies of the LLP provide a framework for and requirements in respect of sustainable transport; it will be necessary for planning application proposals to demonstrate that they accord with these policies.

- 6.7 The proposals set out in Policy SG1 to restrict delivery at BGV on the basis of the need for *"...strategic infrastructure..."*¹⁰⁹ delivery are not justified. The amendments required to the policies of the SPLADPD in this respect are set out in Peel's response to Matters 2 and 3.

Question e): Is the evidence for policy DM61 up-to-date and would it provide sufficient flexibility to deliver the desired reduction in private car use?

- 6.8 Peel supports the car parking requirement as included within Policy DM61. Though LCC is seeking a reduction in private car use, adequate parking must be provided so that if the reduction does not occur development is functional and endures the test of time.

Question f): Would policy DM63 be inconsistent with the Highways and Transport Masterplan?

- 6.9 Policy DM63 references several site-specific Policies which will assist LCC in delivering their Infrastructure Delivery Plan (IDP). Policy SG3 should be included within this list.

¹⁰⁶ This HIF bid was submitted in 2017 and the Business Case was submitted on 22 March 2019.

¹⁰⁷ In addition to the c.8,115 sqm of committed development at the University.

¹⁰⁸ The WYG assessment identified a higher amount of capacity, albeit on the basis of an additional access via Hazelrigg Lane.

¹⁰⁹ Paragraph 12.22 of the SPLADPD.

7. Matter 7: Environment

Main Issue: Are the DPDs in accordance with the NPPF in respect of open space, recreation, design and renewables.

Question a): Would policies DM26, DM27, DM30, DM31, DM55, DM56, DM57 and DM58 adversely affect development viability?

Policy DM30

- 7.1 Peel supports the aspirations within Policies DM30 and DM31 in respect of sustainable design and air quality. However, its representations raise concerns about the potential cost to development that might result from the requirements. The policies should be modified such that they are positively prepared¹¹⁰, by identifying that its requirements are subject to viability and will be balanced with other planning/development objectives, aspirations and requirements.

Policy DM56

- 7.2 The requirement to submit a Health Impact Assessment (HIA) for all schemes of 100+ dwellings is onerous and unnecessary. Issues relating to health and well-being are typically set out in the current submission requirements¹¹¹. The requirement for a HIA in all cases is therefore not justified and should be omitted.

Policy DM57

- 7.3 Policy DM57 identifies that LCC will investigate the role of CIL. The NPPF identifies that CIL should be worked up and tested alongside the Local Plan. This has not been undertaken and it has not been demonstrated that CIL is an appropriate or effective delivery mechanism.
- 7.4 Moreover a) there is uncertainty over the future of CIL and b) its inclusion in Policy DM57 creates ambiguity and uncertainty¹¹². It should not therefore be included within the Plan. There are alternative infrastructure mechanisms which can be pursued¹¹³.

Question b): Are policies DM29, DM33, DM34, DM52 and DM56 in accordance with the policies of the NPPF in respect of design, flood risk, drainage, low carbon energy generation and health and well-being? Does the Development Management DPD require a flood risk document to be added to Appendix B?

- 7.5 Policy DM56 as currently drafted does not accord with the NPPF¹¹⁴ and places the onus on the developer to identify the health and wellbeing requirements arising from development. The requirement for an HIA should therefore be deleted.
- 7.6 Peel supports the reference to Heat Networks in Policy DM52.

¹¹⁰ NPPF, paragraph 182

¹¹¹ Such as in a Planning Statement or a Design and Access Statement.

¹¹² Contrary to the requirements of Paragraph 154 of the NPPF, which identifies that only policies that provide a clear indication of how a decision will be made should be included.

¹¹³ Such as that proposed in respect of BGV, as set out in Policy SG1.

¹¹⁴ Paragraph 171, which identifies that authorities should work with public health leads and health organisations to understand and take account of the health status and needs of the local population.

Appendix 1: Suggested Policy Modifications

Suggested Modifications to draft Policies

Policy SP2: Lancaster District Settlement Hierarchy

Either:

- a) Amend the first bullet of policy as follows:
"1. Regional Centre including Bailrigg Garden Village - this will provide the focus for future growth in the district and will accommodate the majority of new development". or
- b) Insert a new second tier below the Regional Centre:
Bailrigg Garden Village - this is a sustainable mixed-use development on the edge of the Regional Centre capable of accommodating c.3,500 dwellings, major employment development and open space, and which is fundamental to meeting the development needs of the district

In either case, amend the table at the foot of the policy according to the Modifications made.

Policy SP3: Development Strategy for Lancaster District

Amend the second paragraph of the policy as follows:

"Urban-focussed development will be concentrated towards the main urban areas of Lancaster, including Bailrigg Garden Village Morecambe, Heysham and Carnforth for residential, retail, employment and leisure development, seeking to maximise opportunities for regeneration in sustainable brownfield locations complemented by development of the Garden Village to support the economic growth objectives of the district. To supplement this approach a range of additional strategic greenfield sites have been identified on the edge of Lancaster and Carnforth to meet future development needs"

Policy SP6: The Delivery of New Homes

Amend the first sentence of the policy as follows:

"Between 2011/2012 and 2033/34 the Council will seek to deliver a net minimum ~~delivery~~ of ~~522-560~~ new dwellings per annum over a 23 year delivery period, equivalent to ~~12,000~~ 12,880 new dwellings."

Amend the first paragraph after the table as follows:

"The Council will continue to monitor and review the housing land supply against requirements for housing need within the district, both in terms of changes to Government policy at a national level and changes to local circumstances in terms of delivery rates, economic growth and other relevant factors. In the event there is a shortfall of housing delivery against the requirement in this policy, the Council will determine whether it is necessary to undertake a review of the plan to ensure housing needs are met"

Policy SG1: Broad Location for Growth– Bailrigg Garden Village

Amend the policy as follows:

“The Council has identified a Broad Location for Growth -Bailrigg Garden Village on the Local Plan Policies Maps. This will be a major mixed-use development which focuses on the delivery of at least 3,500 new houses, a number of opportunities for employment and economic growth opportunities including the delivery of Lancaster University Health Innovation Campus.

Key Principles of the Garden Village

The Council has defined a range of principles which will be at the heart of planning and development for the Garden Village, these include:

- *Involving local communities in the creation of new development where high-quality urban design promotes sustainable, attractive places to live, defines a sense of place and creates a sense of community for its new residents.*
- *Seeking a modal shift in local transport movements between the Garden Village, including Lancaster University Campus, Lancaster City Centre and beyond into the employment areas of Morecambe/ Heysham through the delivery of a Bus Rapid Transit System and Cycling and Walking Superhighway network.*
- *Delivering a wide range of market and affordable housing, in terms of type and tenure to ensure that opportunities to live in the Garden Village are available to all sections of the community and contribute significantly to the district meeting its evidenced housing needs particularly in the medium and long term phases of the Local Plan period.*
- *Ensuring that the necessary infrastructure to deliver sustainable growth is delivered in the right place, at the right time, to address strategic constraints to the delivery of future development.*
- *The creation of sufficient areas of high quality open spaces to provide a distinct sense of place and deliver a network of green corridors across the Garden Village to the benefit of the local environment and residents. The delivery of such spaces should include distinct areas of separation between the core of the Garden Village area and South Lancaster and also Galgate and investigate opportunities for a new country park.*
- *The creation of healthy and cohesive communities through the delivery of high quality development and the correct levels of services and infrastructure which is provided in safe and accessible locations.*
- *The sympathetic masterplanning of new facilities and growth within the campus of Lancaster University for a range of educational facilities and student accommodation.*
- *Taking proper account of the need to reduce the impacts of Climate Change in the design of new development. This should assure that new development is resilient to the effects of Climate Change.*
- *Managing water and run-off to safeguard development, assuring public safety and amenity and take active measures to reduce flood risk within the area and downstream for both existing and new residents and businesses.*
- *Offering opportunities for national housebuilders to work alongside local construction firms and encourage training opportunities for local people, particularly through the construction*

phases of the Garden Village. The Garden Village should also include opportunity for the provision of self-build and custom-build properties.

- *To assure innovative urban design both in terms of the layout and density of new development and the specific design of new buildings. This should include the application of new technologies for buildings and transport where possible.*
- *Addressing longstanding constraints and capacity issues in the strategic and local road network through the improvements to traffic management and physical interventions to increase capacity. This will involve the re-configuration of Junction 33 of the M6 to allow direct motorway access into the Garden Village and remove motorway traffic from Galgate which is currently designated as an Air Quality Management Area (AQMA).*

To support the delivery of the Garden Village, there will be a requirement for a wide range of both locally important and strategically important infrastructure, including new highways, public transport network, education provision, new local centre(s), open spaces and green network. These are set out in Policy SG3 and will be addressed in more detail in the future Spatial Development Framework, which will form a Development Plan Document (DPD) for the Bailrigg Garden Village.

Future proposals will need to demonstrate that no European designated site would be adversely affected by development either alone or in combination with other proposals, as per the requirements of Policy EN9 of the DPD. In view of the potential for likely significant effects as a result of this allocation development proposals at Bailrigg Garden Village must accord with the requirements of Appendix D of the Local Plan. ~~must delivered as part of any future proposal.~~

To enable a comprehensive and co-ordinated approach to new development and strategic growth, piecemeal or unplanned development proposal within the area which are likely to prejudice its delivery (including infrastructure required for the area) will not be permitted beyond that which has already secured planning permission or on the land identified on the Proposals Map as a sustainable urban extension of Lancaster. ~~and proposals which are sited within the development footprint of Lancaster University Campus.~~ Planning permission will be granted on those sites in advance of the adoption of the Bailrigg Garden Village DPD where it is demonstrated that the development:

- will not result in severe cumulative impacts on the transport network
- will not prejudice the delivery of adjoining land within Bailrigg Garden Village
- will support an integrated and coordinated approach to the development of the Bailrigg Garden Village; and
- accords with the Key Principles set out in this policy.

Mechanism for Delivery of the Garden Village

The Council will prepare and implement a specific Development Plan Document (DPD)—for this area of growth, entitled the-Bailrigg Garden Village Area Action Plan DPD. As a result Subject to support for a sustainable urban extension on the land identified on the Proposals Map, development in this area will be delivered in accordance with this Area Action Plan ~~and the Council will not support piecemeal development of the area (beyond existing planning commitments) in advance of the preparation of this DPD.~~

The recommendations of the Local Plan (Part One) Sustainability Appraisals should be taken into account when preparing this document.

The purpose of the forthcoming DPD will be as follows:

- 1. To provide more detail on how the development principles set in this policy will be delivered;*
- 2. To set out a Spatial Development Framework ~~as a basis for further masterplanning and to~~ and masterplan to help guide the preparation and assessment of future planning applications;*
- 3. ~~To provide a Spatial Development Framework against which future development proposals and planning applications will be assessed~~*
- 4. To enable and support the co-ordination and timely delivery of the infrastructure necessary to facilitate growth in this location.*

The potential for the future re-configuration of Junction 33 of the M6 and highway network improvements in South Lancashire will be an integral part of this forthcoming DPD.

To ensure the timely delivery of the Bailrigg Garden Village, work on a Spatial Development Framework and the wider DPD has already commenced and is anticipated to be ready for adoption within the first 2 years of the plan (i.e. before 2022). In order to maintain housing delivery rates in the District, planning applications within the sustainable urban extension area identified on the Proposals Map will be assessed against the Key Principles set out in this policy. within the first five years of the plan (i.e. before 2024). Failure to achieve this may result in the need for an early review of the Local Plan to ensure that housing delivery rates are maintained to meet development needs.

Policy DM3: The Delivery of Affordable Housing

Amend the text in the third paragraph of the policy as follows:

“Other than in the most exceptional circumstances or for schemes within the West End Masterplan, ~~and Morecombe Area Action Plan~~ Bailrigg Garden Village Area Action Plan boundaries, new housing development must contribute to towards the provision of affordable housing and meet the requirements set out in the table below.....”

Amend the following text at the foot of the table:

“Affordable housing requirements within the Arnsdale & Silverdale AONB are identified within the Arnsdale & Silverdale AONB DPD and requirements for the Forest of Bowland AONB identified under Policy DM6 of the DPD. Affordable housing requirement for Bailrigg Garden Village will be determined through preparation of the Bailrigg Garden Village AAP; any applications that are brought forward under policy SG1 in advance of the adoption of that AAP will be required to address the affordable housing targets set out in this policy”

Policy EN8: Areas of Separation

Delete the policy

Policy DM30: Sustainable Design

Amend the second paragraph of the policy as follows:

~~“In delivering sustainable development~~ Subject to viability constraints, the Council will encourage development to deliver high standards of sustainable design and construction through consideration of:”

Policy DM31: Air Quality Management and Pollution

Amend the first paragraph of the policy as follows:

“Subject to viability constraints, all development proposals ~~must~~ should seek to minimise the associated emission of harmful air pollutants during operation phases. They ~~must~~ should avoid causing or worsening a breach.....They ~~must~~ should also avoid worsening any emissions of air pollutants.....”

Amend the third paragraph of the policy as follows:

“The developer must take these aims into account with regards choice of location, building design and transport arrangements. They ~~are likely to~~ may also need to apply additional on-site mitigation.....This contribution will be based on the calculated associated air pollutant damage costs having regard to viability constraints and the balance of benefits arising from the development”

Policy DM39: The Setting of Designated Heritage Assets

Amend the first part of the policy as follows:

“The Council recognises the ~~significance of the~~ contribution setting can make to the significance of ~~to~~ a heritage asset. Proposals that fail to preserve or enhance those elements of the setting which contribute to significance of a designated heritage asset will not be supported.

Development proposals that preserve those elements of setting that make a positive contribution to or better reveal the significance of the asset ~~and its setting~~ will be favourably considered.

~~The greater the negative impact on the significance of the designated heritage asset and its setting, the greater the benefits that would be required to justify its any approval~~

Any harm to or loss of an asset’s significance arising from proposals, including from change within its setting, should be weighed against the public benefits bearing in mind the great weight which should be given to the asset’s conservation.

Where appropriate, regard should be given to relevant characterisation studies or appraisal of heritage assets adopted by the Council”

Policy DM57: Infrastructure Delivery and Funding:

Omit the second paragraph under the sub-heading: Community Infrastructure Levy (CIL)

Policy DM63: Lancaster District Highways and Transport Masterplan

Amend the final paragraph of the policy as follows:

“Schemes that seek to address the above issues will form important elements of the Infrastructure Delivery Plan (IDP) and will be critical to the delivery of major development sites. These are addressed in more detail within Policies SG3, SG4, SG7, SG10 and SG13 of ~~this~~ the Strategic Policies and Land Allocations DPD”

Appendix 2: LCC Application for BGV Designation and Funding

LANCASTER CITY COUNCIL

Application for a locally-led Garden Village.

BAILRIGG GARDEN VILLAGE, LANCASTER

Project objectives, Scale and Planning Status.

The Concept

*“ **B**ailrigg Garden Village presents the best opportunity in generations to extend Lancaster’s strategic housing supply in a manner which respects and reflects the ethical beliefs of the local community about sustainable living, local identity, and high levels of connectivity through public transport and cycling.*

It will address the long standing “Town and Gown” challenge of integrating the university campus with the city, in a carefully master planned and themed manner, without simply extending the urban area around it.

The Garden Village will also assist the university with its aspirations to attract the highest calibre of staff and students to Lancaster by providing a bespoke new residential neighbourhood closely assimilated with the Bailrigg and Innovation campuses during an unprecedented period of growth”.

1.0 Project description: Bailrigg Garden Village :-

- Abuts the narrow southern boundary of the city of Lancaster.
- Incorporates the existing Bailrigg campus of the Lancaster University.

- Is an opportunity to strengthen the visual disconnect between town and country and enable a bespoke development to evolve as a Garden Village with the university campus at its centre.
- Will be built around the most effective public transport corridor in the district linking Lancaster city centre with the university's public transport hub.
- Addresses needs arising from the next generation of growth at the Lancaster University.
- Could deliver 3,000 new homes up to 2031.

- 1.1 The key will be careful master planning and building vision into that plan. The landform around Bailrigg allows for creativity in design with interlinking heavy landscaped belts to create intimate neighbourhoods and corridors. Lancaster district enjoys a distinct range of urban design capable of being interpreted in both traditional and contemporary, and this must be at the heart of Bailrigg Garden Village. It must complement and enhance the evolving university campus yet have the ability to stand alone as a distinct settlement on the edge of the City of Lancaster.
- 1.2 Many of the original Garden Cities lost their main local employment hubs and have become commuter settlements within larger conurbations in recent years. At Lancaster there is a very real opportunity to create a bespoke Garden Village built around the districts most significant employment site with the added advantage of being directly connected to two of its other main hubs of employment none of which will need a car to access.

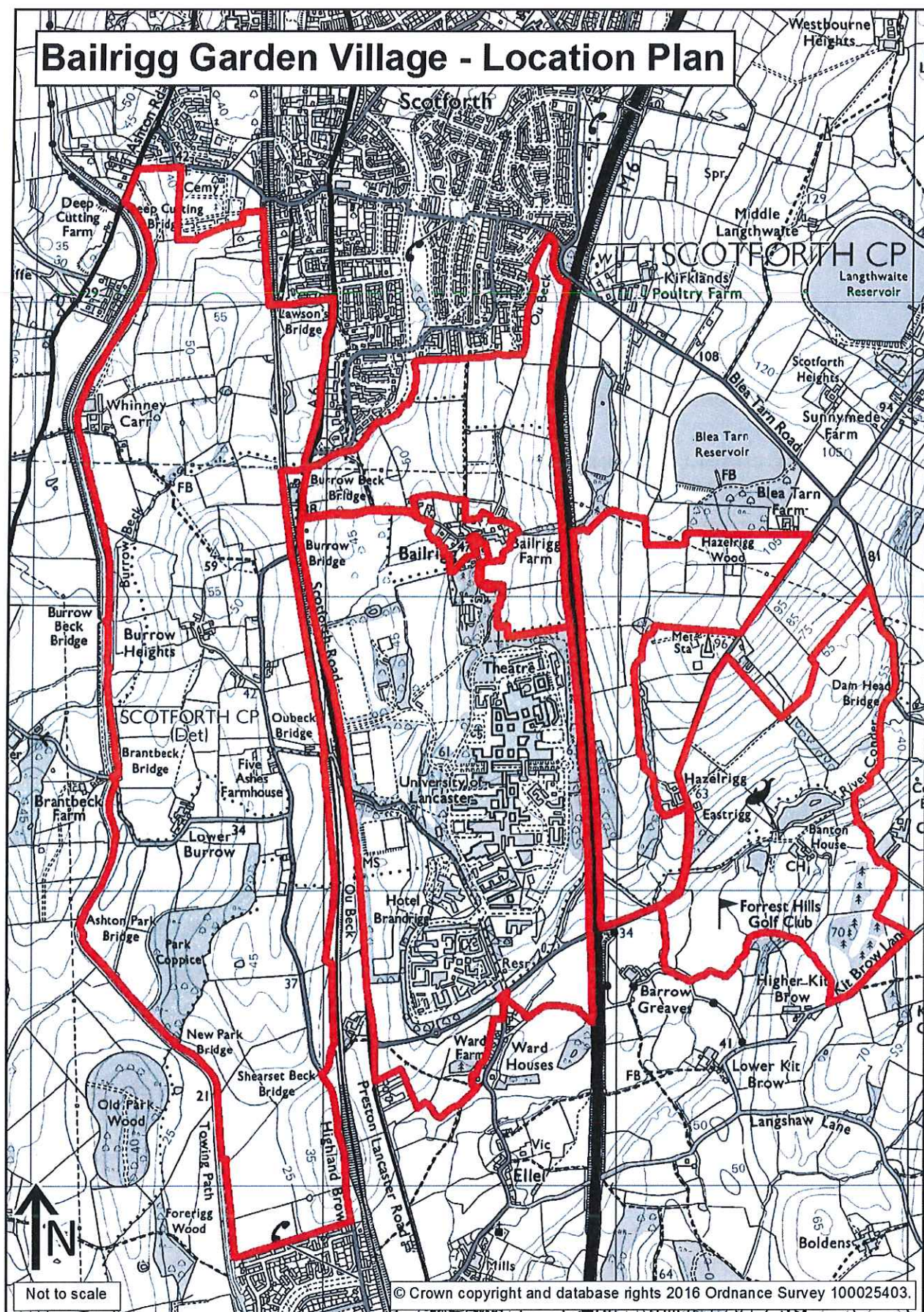


Figure 1: Location plan for Bailrigg Garden Village

2.0 The Strategic Growth Challenge for Lancaster

2.1 Work undertaken by Turley Associates to provide the evidence base for Lancaster District's emerging Local Plan 2013-2031 highlights :-

- Low levels of natural population growth
- Low levels of inward migration
- Negligible graduate retention
- Outward migration by hidden households
- An ageing workforce within the local economy

2.2 The current sustainability the district enjoys with 80% of people living and working locally is under threat (For contextual background within Northern Powerhouse refer to Appendix A).

2.3 The councils new Local Plan expects to plan for between 13,000 and 14,000 new homes between 2013 and 2031 to start to address the demographic challenge evidenced by Turley.

2.4 Within the context of that growth Bailrigg Garden Village has the ability to:-

- Deliver around 3,000 new dwellings and make a significant contribution to meeting housing needs, including starter homes – a national priority. Sufficient highway capacity will be released to consider increasing this figure even further to at least 5,000 in the longer term (subject to future planning decisions).
- Secure the long term growth aspirations of the Lancaster University. That growth would see 1,000 new staff employed on campus with associated housing and travel needs to be met.
- Enable the full potential of the Health Innovation Campus (2,000 jobs) which is of national significance to be realised. Growth is currently constrained by highway issues which can be unblocked by this proposal.
- Realise the full potential of the university through its leading work with SMEs to maximise the economic impacts to Lancaster and Lancashire.

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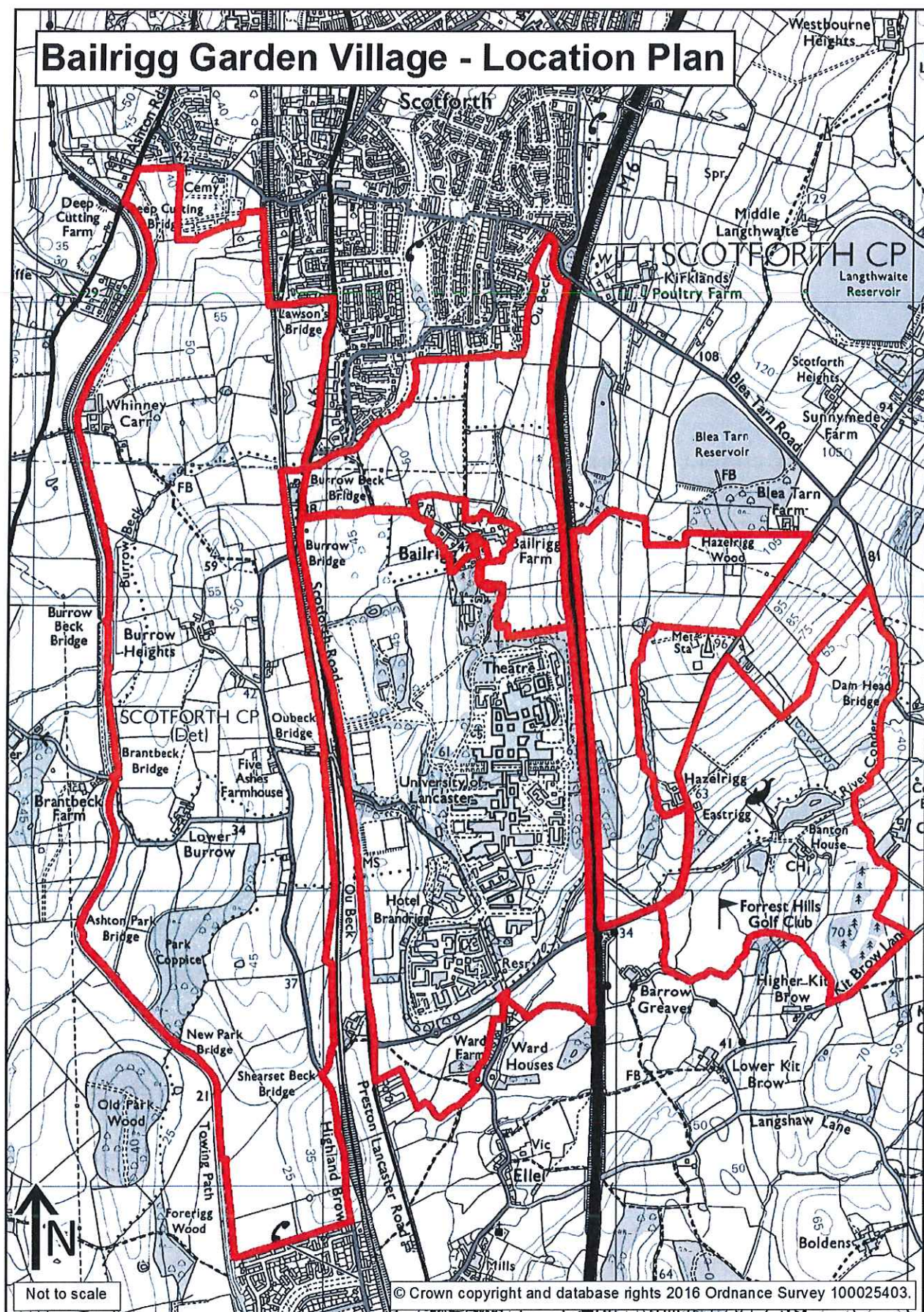


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- Realise the full potential of the university through its leading work with SMEs to maximise the economic impacts to Lancaster and Lancashire.

3.0 High Level Spatial Plan

3.1 The ambition to create a Garden Village at Bailrigg arises from:-

- a) The need to stimulate significant growth in the delivery of new housing in north Lancashire; and
- b) The need to address a number of the key blockages to development in one of the few corridors where the Lancaster's true growth potential can be realised.
- c) Options to deliver a significant housing growth being restricted because of natural constraints. These broadly fall into coastal flood risk, Green Belt, Mineral interests, and Protected Landscape constraints.
- d) The need to relieve a major corridor heavily constrained by traffic congestion which already has an impact on the level of growth permissible within the Lancaster University campus, the phasing of the Health Innovation Campus, and the delivery of housing.

3.2 The creation of a Garden Village enables a critical mass of development to be promoted which addresses these challenges by :-

- a) Facilitating growth along the congested A6 Corridor by the construction of a major junction re design to M6 Junction 33, including potential new northern slips relocated close to the Lancaster University. These improvements are identified in the Lancaster District Transport Master Plan with an estimated cost £55m.
- b) The delivery of a comprehensive land drainage strategy to facilitate the development and deal with current flooding challenges around Ou Beck, Burrow Beck and Galgate.
- c) Integrating a new village within developing public transport networks and hubs, including investigating the potential for a southern park and ride interchange for the university and Lancaster city centre.
- d) Delivering a commercially viable district centre serving the Garden Village, the Health Innovation Campus and the

Lancaster University. This may include new education provision.

- e) Delivering an efficient and permeable local transport network whilst addressing the challenges of crossing the West Coast Main Line in two places.
- f) Maintaining the integrity of the Lancaster Canal which forms the entire western boundary of the Garden Village at high level.
- g) Delivering an effective balance between high quality market housing and affordable / starter homes for those needed to grow the districts workforce.
- h) Supplying the Garden Village with high quality digital services.

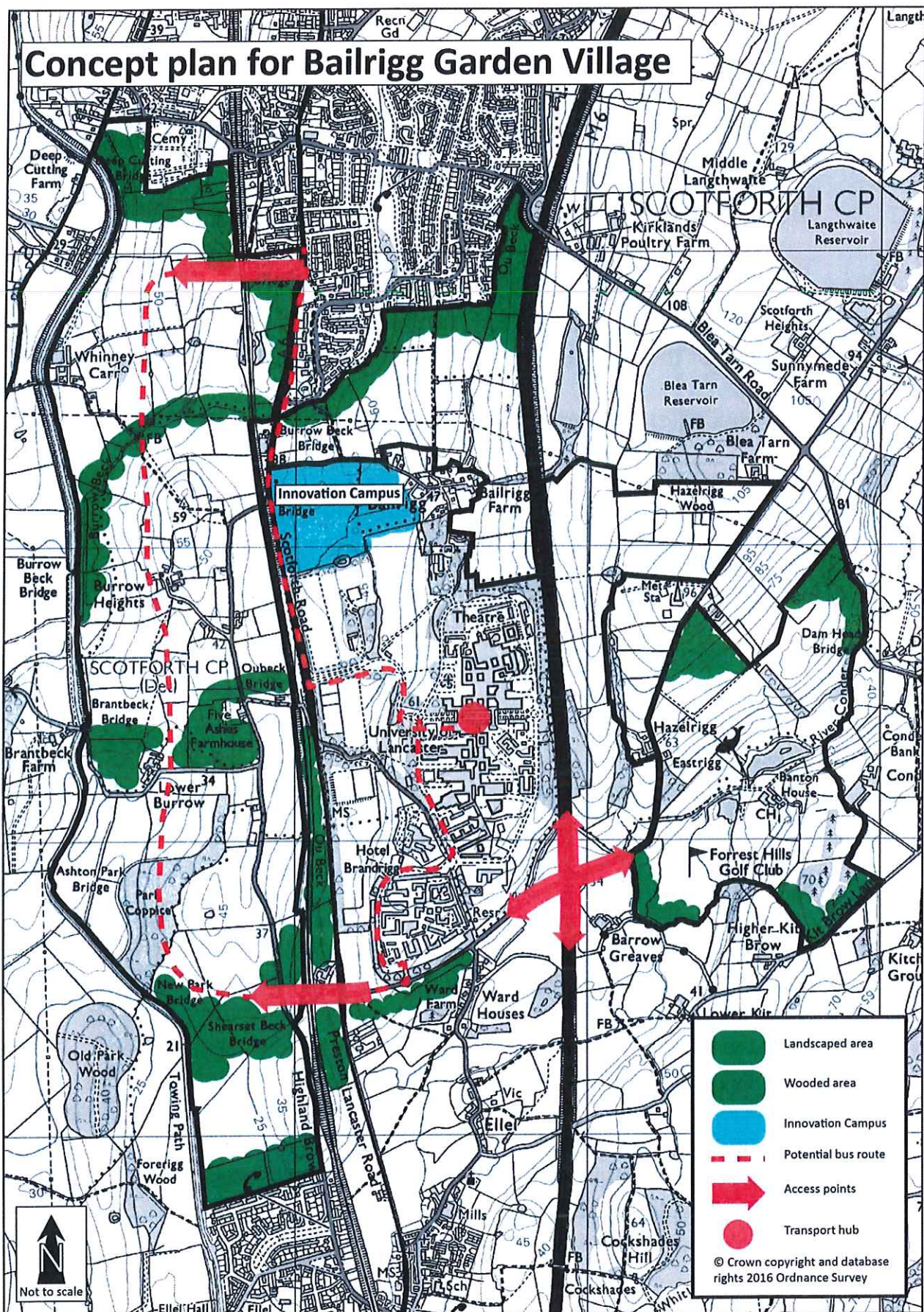


Figure 2: Concept plan of Bailrigg Garden Village

4.0 Planning Status

4.1 Bailrigg Garden Village is:

- a) An emerging allocation in the City Councils statutory Development Plan.
- b) Identified as the most favoured option to deliver a large quantum of housing in a public consultation on options for housing growth between October and November 2015.
- c) Expected to be included in the deposit draft Land Allocations DPD for the councils' new Local Plan in December 2016.

4.2 The Lancaster University Innovation Campus :-

- a) Has planning permission which has started to be implemented.
- b) Reserved matters applications due to be submitted in August 2016 for the first phase of development.
- c) Has been delivered through a development partnership between Lancaster City Council, Lancashire County Council and Lancaster University.

4.3 The Transport Master Plan for Lancaster due to be adopted by Lancashire County Council in September 2016 already identifies the infrastructure requirements to support the proposal.

5.0 Master Planning

5.1 Design ambition: The key to creating a well-planned and distinctive Garden Village will be master planning. The post-recession town planning environment in the north of England is faced with volume housebuilders who have jettisoned much of their commitment to urban design practice and the experiences learnt in the early years of the millennium. A return to quality place making requires the identification of very firm design objectives and standards. Bailrigg Garden Village must create a step change in the return to high standards and local distinctiveness.

5.2 **Integration:** The Lancaster University is about to embark on a refresh of its campus master plan to account for the innovation campus and Forest Hills. This process will be integrated with a wider master plan for Bailrigg Garden Village. There is already engagement with master planning specialists John McAslan and Partners in relation to this refresh and many of the design principles established for the university campus are capable of being applied in the same landscape setting.

5.3 **Connectivity:** The scheme presents a unique opportunity to achieve levels of connectivity otherwise only possible in metropolitan areas. The potential in this regard is huge as one of the districts major sources of employment already sits within the scheme and delivers integrated links to the city centre along an uncomplicated route, shared by a number of the districts other major employers.

6.0 Governance

6.1 The success of the current partnership between the City Council, the County Council and University will be the driving force.

a) Lancaster City Council will be responsible for planning policy, development management, land drainage and economic promotion and project management.

b) Lancashire County Council will be responsible for delivering highway infrastructure, transport planning, strategic economic development and support linkages with the Lancashire LEP through the current Growth Deal 3 applications.

c) The Lancaster University will be responsible for Master Planning, integrating high quality design criteria, and delivery of campus growth. Their estates management operation has the potential to become the management organisation for landscape and community infrastructure within the scheme.

6.2 The above partnership expects to operate as a Strategic Management Board assembling the key development interests which include Peel Estates and Bailrigg Farm Trust in a JVC or SDV.

- 6.3 Lancashire Enterprise Partnership supports the project and views the Lancaster University as one of its major economic drivers, and fully understands, through its Strategic Economic Plan, the importance of Lancaster District in cross boundary economic relations with Cumbria.
- 6.4 Since the identification of this potential land allocation information has been assembled about other landowners with a controlling interest.
- 6.5 Strategic highway infrastructure both within the A6 corridor and at junction 33 have been the subject of detailed discussions with Highways England. Detailed design work for potential junction improvement options is already underway.
- 6.6 The project has already been submitted as a bid for Growth Deal 3 funding and is currently ranked 2 out of 23 by the Lancashire LEP.
- 6.7 Virgin Media have taken the strategic decision to invest in upgrading digital infrastructure in Lancaster and have identified Bailrigg as a new digital hub for their product.

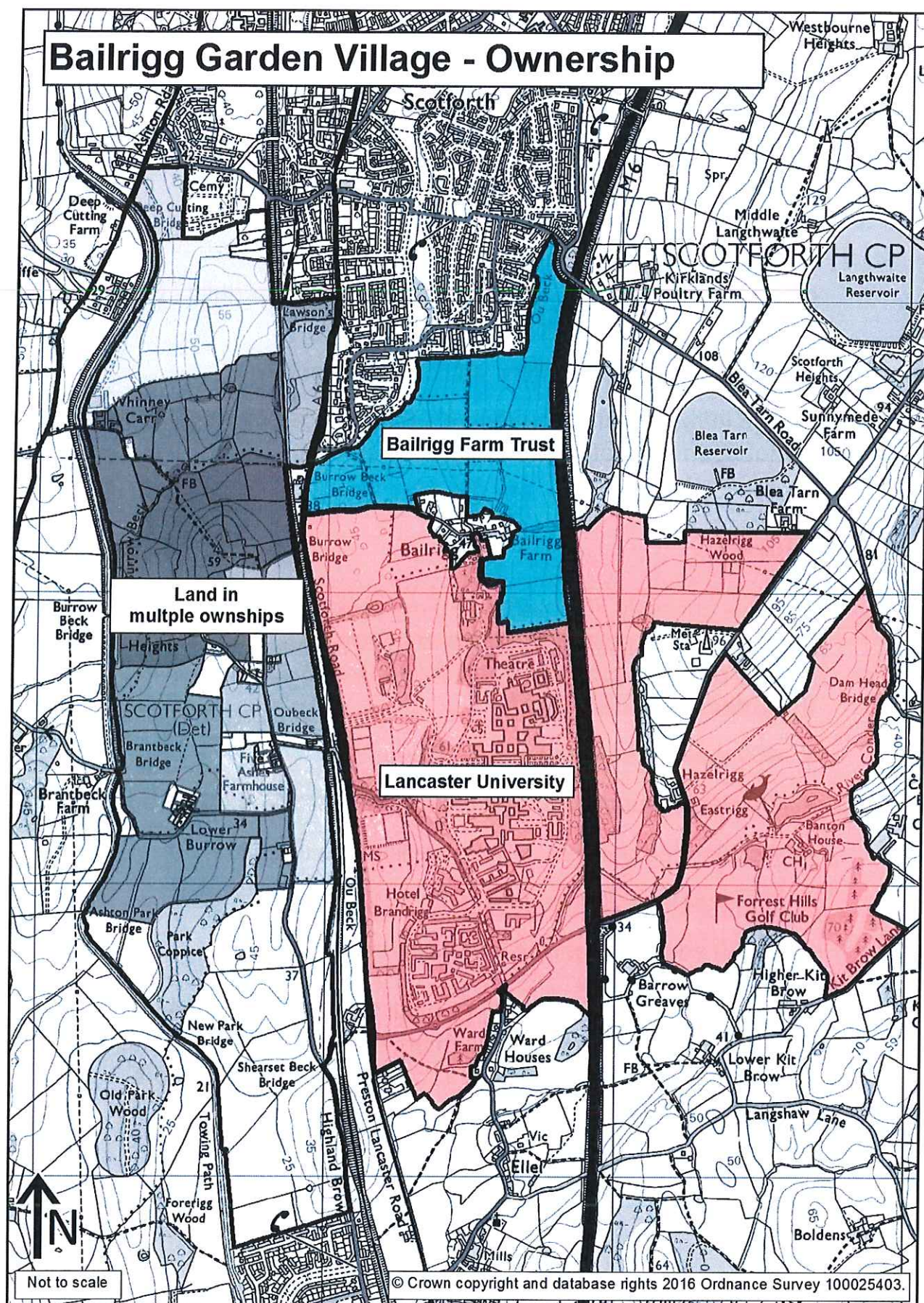


Figure 3: Map of known ownership parcels across the Bailrigg Village Garden site.

7.0 Constraints

- 7.1 The range of constraints which represent potential threats / blockage to the scheme fall within policy, land ownership and infrastructure challenges.
- a) Out of date Local Plan in process of replacement.
 - b) Public support required for new draft plan in Winter 2016/17.
 - c) Support from Planning Inspectorate requires certainty over infrastructure delivery.
 - d) Introduction of CIL within district still uncertain.
 - e) The infrastructure requirements for flood risk management have not been evaluated since Storm Desmond.

8.0 Delivery

- 8.1 There is currently no specific delivery option preferred over another. All the potential options are to be evaluated alongside the master planning process. The Growth Deal 3 submission includes the potential for delivery of:-
- 450 dwellings between a 2019 and 2022
 - Delivery of junction improvements to JCN 33 by 2022
 - Accelerated delivery to 300 dwellings pa to 2031
 - Increase of 4,000 new students by 2027
 - 3,000 additional university employees by 2027
- 8.2 Experience at Lancaster City Council includes a track record of delivering an entirely new settlement through a master planning and high quality urban design processes. Wychewood Park, Nantwich, Cheshire.

9.0 Exemplar

- 9.1 ***Bailrigg Garden Village*** presents a significant opportunity to become a best practice exemplar. It can demonstrate how early master planning and the setting of locally distinctive urban design criteria can restore design quality to the process of volume house building which has been a major casualty of the recent recession.
- 9.2 ***Bailrigg Garden Village*** will demonstrate how close collaboration between a major economic driver and local authorities can set the vision and standards for the creation of a new settlement, and drive delivery of built form coupled to lifestyle and wellbeing, paying homage to the concepts delivered by the industrial philanthropists in the early town planning movement in this country.
- 9.3 ***Bailrigg Garden Village*** will demonstrate how critical mass and ambition can overcome previously insurmountable blockages to growth and within the scope of a strict master plan. There will also be scope for accommodating innovative new forms of pre-constructed housing and self-build projects given the considerable scope for intimate phases.

10.0 Package of support

- 10.1 To advance the proposal the City Council is examining a package of funding measures to assist in preparing an overarching master plan for the proposals.
- An initial £55,000 will be allocated by the City Council and Lancaster University to extend the master planning process to the wider garden village
 - Additional private sector funding which is capable of being recovered during the phased development amounts to a conservative estimate of £15 Million based on assumptions included in the council's evaluation of potential CIL charging undertaken by GVA.
 - These investments are estimated to assist in the delivery of over £600 Million in private sector housing investment.

10.2 Unblocking the current barriers to delivering Bailrigg Garden Village is estimated to require public sector support. This will be in the region of :-

- 1) Around £55m is required to provide the critical infrastructure to improve M6 Junction 33 and effect crossings of the west Coast railway line to unlock land for 3,000 -5,000 homes. Access to HCA funding streams required.
- 2) Around £15M is likely to be required to undertake detailed investigations into designing and constructing the land drainage infrastructure to facilitate the development and deliver the added benefit of mitigating surface water flooding evidenced during Storm Desmond. Access to EA design expertise and potential funding streams required.
- 3) The Local Planning Authority has experienced a depletion in its planning resources since 2010 so capacity funding to assemble a project delivery team for this major development would be required for a) the master planning exercise leading up to the consents process 2017/18 and b) the delivery phase post 2019 although this could partially be recovered through the use of a Planning Performance Agreement once a development partner or consortium is identified.
- 4) Master planning support and facilitation from ATLAS to work with the local authority and Lancaster University teams.

Andrew Dobson Dip EP MRTPI PDDMS
Chief Officer (Regeneration and Planning)
Lancaster City Council
adobson@lancaster.gov.uk

APPENDIX A: LANCASTER DISTRICT'S STRATEGIC NARRATIVE IN THE NORTHERN POWERHOUSE.

Within the Northern Powerhouse concept there tends to be an over dominating emphasis on the importance of large metropolitan areas to the exclusion of other communities. The large northern cities may well be powerhouses of commerce and manufacturing but cannot, and do not accommodate all key economic drivers and infrastructure projects of national importance.

It is very clear that the new economic landscape in the north will be dominated by large Combined Authorities linked through HS2 and HS3. For areas like Lancaster District the evidence base already suggests that these very metropolitan areas are drawing away a significant proportion of young talent and skills with Newcastle, Leeds, Liverpool and Manchester being the most popular destinations for its young people to seek their university education. Many do not subsequently return to strengthen the local economy and workforce.

Between them the shire counties of Lancashire and Cumbria are home to major hubs of the energy and defence industries. Two out of seven of the country's nominated sites for new nuclear power stations are located there, together with National Grids largest infrastructure upgrade project in the UK. Both on shore and offshore, a significant amount of energy generation by wind power is housed here, serviced and linked into the national grid.

BAE systems have no less than three major manufacturing complexes in Lancashire and Cumbria and GSK are constructing a major new bio-pharmaceuticals plant at Ulverston. The two counties house several nationally and regionally important centres of higher education including the Lancaster University. There is however clear evidence of poor graduate retention and a mismatch between Higher Education provision and delivering the skills needed to support these vital industries. This evidence can be found in the skills plans for both LEP's and within the emerging Great North Plan.

Both Counties also face similar challenges which could affect their continuing ability to house these substantial economic assets for the nation. Those challenges relate in more remote areas to demographic problems associated with replacing the ageing workforce, skills retention and encouraging inward migration. In addition to these the challenges

poor transport and communications links are very real constraints especially in the rural areas. Concerted efforts are needed to rise to these challenges if Lancashire and Cumbria are to maintain the ability to house these key industries.

Some of the basic assumptions decision makers make about the natural attractiveness of the landscape, its heritage coast and culture as promotional assets for inward migration no longer align with the desires of young people and families who need to be attracted to live and work in this part of the region. In short the excitement and draw of the major metropolitan areas out competes what can often be seen as remoteness and culturally disadvantaged locations when it comes to quality of life decisions being made.

Both the Lancashire and Cumbria Local Economic Partnerships have produced Strategic Economic Plans. Both highlight very well the contribution that the counties make to the Northern Powerhouse but in different ways describe the challenges of matching the skills needed to generate higher levels of economic growth. For Lancaster District the economic research carried out to influence the decisions to be made in the emerging Local Plan for 2013-2031 suggests that there are elements of both Lancashire and Cumbria scenarios which need to be addressed to protect the long term sustainability of the local economy.

The location of a relatively high volume of Further Education establishments within and well connected to it does not seem to be a guarantee of delivery of the skills needed to meet future demand and provide a replacement workforce in the years to come. Given their relative remoteness from larger urban concentrations around central Lancashire and Carlisle the local communities around Morecambe Bay within the administrative areas of Lancaster, South Lakeland and Barrow could look to each other to provide mutual assistance in the maintenance of a healthy economy around Morecambe Bay.

Connectivity between employment growth in advanced manufacturing and housing/skills growth in popular locations is critical to success along with improving transport links between the two and taking positive action to match the cultural and service centre desires of those needed to be attracted to the area.

Increasing the local workforce need not start with encouraging increased inward migration. The first call could be to address the aspirations of school leavers and graduates many of whom also make up the hidden

households expecting to leave the district. These together with a proportion of graduates from the universities, who might aspire to stay in the area could be encouraged to do so with arrange of incentives. These incentives need to include:

- Affordable housing needs
- Access to employment
- Arts and Cultural enhancements in the districts service centres
- Retail and leisure enhancements in the districts service centres
- Broadband comparable to the metropolitan areas in both speed and reliability.

Attracting new workers to the area largely relies on the same set of incentives on top of the significant assets such as high quality schools, environment and accessibility which already exist.

There are already significant projects in the pipeline to address the deficiencies. The City Council wants to work with the HCA on a partnership to deliver the Governments Starter Homes initiative. A multi million pound investment in a Health Innovation Campus at the Lancaster University will be one of the Lancashire LEP's priority initiatives. It will deliver around 2,000 new jobs and become a world class centre for research into the provision of health care for ageing adults based on pioneering developments in North America. The district is a nominated location for new nuclear build once its two existing power stations need to be replaced. Currently however to support the extended lives of these stations EDF Energy need to recruit 700 new Engineers in 10 years to retain a sustainable workforce. The completion of the Heysham/M6 Link Road brings with it expanded activity between the Port of Heysham and Ireland with jobs related growth in the Heysham Gateway area.

In Lancaster City Centre a new masterplan will link together the major retail/cultural redevelopment opportunity at the Canal Corridor North, with regeneration in the visitor economy and arts sectors across the City Centre and the renovation of Lancaster Castle under the custodianship of the Duchy of Lancaster. The Dukes Playhouse and Lancaster Grand Theatre will be provided with opportunities to grow and refine their contribution to the vibrancy of the City Centre. Significant growth in new student accommodation and the promotion of young worker accommodation in a similar format will enhance the attractiveness of Lancaster as a place to learn and subsequently work.

Major investments by BT and Virgin Media are making significant changes to the digital connectivity of the district which is also home to a growing number of digital media companies.

The Morecambe Bay University Hospitals Trust is working closely with the City and County Councils to rationalise its estate and effect a major long term overhaul of Lancaster Royal Infirmary to strengthen the resilience of the NHS around the Bay. Other strong collaborations such as Morecambe Bay Partnership and Marketing Lancashire deliver targeted heritage and visitor economy related regeneration projects to enhance the identity of the district as a unique destination for lifestyle to visit and relocate to.

Initiatives between the local authorities, further education establishments and the schools system are beginning to examine ways to create a single point of access to job opportunities and intelligence on education and lifestyle. All geared to giving young people more accurate information on career planning and lifestyle choices with the specific aim of challenging the belief that outward migration is the best choice for economic prosperity.

Appendix 3: Housing Trajectory (February 2019)

Appendix E: Housing Trajectory

The Local Plan is supported by a detailed housing trajectory. The housing trajectory for Lancaster District covers the period 2011/12 to 2033/34. This incorporates the full Local Plan period 2011/2012 to 2031/32 with an additional 3 years included post adoption to ensure the requirement to plan for a 15 year supply.

The trajectory reports actual dwelling completions for the period 2011/2012 to 2016/17. A total of 2,070 dwellings were completed during this period.

From 2017/18 the trajectory reports anticipated completions. This is reported in four phases. The period 2017/18 to 2018/19 reports pre-adoption completions with adoption anticipated in the financial year 2018/19. From this date the trajectory is divided into the five year components matching the delivery phases described in national planning policy.

SMA Ref	Outstanding Commitment	Address	Outstanding approvals as of 01/01/17	2011-2016 Completions	Pre-adoption 2017/2018	Total Pre-adoption	Years 1-5					TOTAL	Years 6-10					TOTAL	Years 11-15					TOTAL	
							2019/2020	2020/2021	2021/2022	2022/23	2023/24		2024/25	2025/26	2026/27	2027/28	2028/29		2029/30	2030/31	2031/32	2032/33	2033/34		
11	Land East of Ashbourne Methodist Church, Ashby Road	17			12	0	6	7	4			17					0								17
7	1700																								

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Appendix 4: BGH Highways Technical Note (February 2019)

BRYAN G HALL

CONSULTING CIVIL & TRANSPORTATION PLANNING ENGINEERS



Lancaster Local Plan Transport Review in the Context of Bailrigg Garden Village

Technical Note

February 2019

BAILRIGG GARDEN VILLAGE
LANCASTER

COMMERCIAL ESTATES PROJECTS (CEP)
& PEEL INVESTMENTS (NORTH) LIMITED

**LANCASTER LOCAL PLAN TRANSPORT REVIEW IN THE
CONTEXT OF BAILRIGG GARDEN VILLAGE**

Report by Andrew Cooper

Bryan G Hall
Consulting Civil & Transportation Planning Engineers
Suite E15, Joseph's Well, Hanover Walk, Leeds, LS3 1AB

Ref: 18-262-003.04

Date: February 2019

Report Reference No: 18-262-003.04

	Name	Signed	Date
Report prepared by	Andrew Cooper		15/02/2019
Report checked by	Stuart Wilkins		15/02/2019
Overview by	Geoff Bowman		15/02/2019

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3.0	EARLY DELIVERY OF DEVELOPMENT FROM CEP AND PEEL SITES	16
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Appendix BGH4	Table 7.2 of the WYG Transport Assessment (Part 1)
Appendix BGH5	Approved Booths Junction Improvements at Hala Road
Appendix BGH6	Agreed CEP Site Access and Link Road Design
Appendix BGH7	AM and PM Peak Base Network Diagrams (BGH Surveys)
Appendix BGH8	WYG and BGH Traffic Flow Comparison
Appendix BGH9	Committed Innovation Campus (Phase 1) Flows
Appendix BGH10	Committed Booths Food-Store Flows
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2023 DS Junction Analysis (without and with Booths)

Appendix BGH19

Junction Analysis Summary Table

1.0 INTRODUCTION

- 1.1 This Technical Note (TN) has been prepared by Bryan G Hall (BGH) on behalf of Commercial Estates Projects (CEP) and Peel Investments (North) Limited (Peel).
- 1.2 This TN reviews the transport evidence base prepared by consultants White Young Green (WYG) on behalf of Lancaster City Council (the Council) in respect to their emerging Local Plan (LP). The LP sets out the Councils strategy to guide development in the Lancaster District for the next 15 years and is likely to be subject to Examination in Public (EiP) commencing April 2019.
- 1.3 The transport evidence is presented in two documents prepared by WYG in December 2018, namely: -
- ‘Lancaster Local Plan – Transport Assessment Part 1 – Initial Assessment’, and;
 - ‘Lancaster Local Plan – Transport Assessment Part 2 – Identification and Assessment of Mitigation Measures’.
- 1.4 The Part 1 WYG report assesses, in high-level terms, the existing capacity of the highway network and its ability to accommodate additional traffic which is expected to be generated by natural background traffic growth, committed developments and emerging proposed LP allocation sites.
- 1.5 The Part 2 WYG report builds upon the findings of the Part 1 report and considers in further detail, a series of highway improvement schemes at key junctions, which are deemed to require intervention in the future to allow the Districts growth aspirations to come forward.
- Purpose of this Report**
- 1.6 The purpose of this report is two-fold. The first substantive part of this TN specifically comments on the approach and conclusions reached by WYG in respect of the two parts of the Transport Assessment (TA). The BGH review will critique the adopted technical approach and the relative merits of the WYG study having regard to the EiP process.
- 1.7 The second part of this TN focuses on CEP’s and Peel’s land holding interests in south Lancaster, an area identified by the Council for significant future growth in the District, and how the Councils transport evidence base prepared by WYG compliments the early delivery of both sites.

- 1.8 The latter section of this report is effectively a condensed TA which identifies the impact of traffic generated by the CEP and Peel sites (both individually and in combination) having regard to the Councils evidence base and with a focus upon operational junction analysis.
- 1.9 This report will present a case to demonstrate the quantum of development which could come forward as part of a first phase, prior to more significant highway intervention in south Lancaster, as proposed in the Councils and County Councils Housing Infrastructure Fund (HIF) bid.
- 1.10 The CEP site is triangular in shape and situated some 2.8 kilometres to the south of Lancaster city centre. The CEP site is bounded to the north by the Lawson's Bridge development site which benefits from planning permission for a food-store by operators Booths (yet to be constructed) and Rays Drive which demarcates the current extent of the south Lancaster residential area, to the east by the A6 Scotforth Road, to the south by a small area of agricultural land, beyond which is the Burrow Beck watercourse and the site known as the 'Filter House' (which is in the process of being developed for student accommodation) and to the west by the West Coast Mainline (WCML).
- 1.11 Peel control a large parcel of land (circa 111 acres) to the west of the WCML which is known locally as 'Whinney Carr'. The site is bounded to the north by Ashford Road and the Scotforth Commonwealth War Cemetery, to the east by the WCML and beyond that the A6 Scotforth Road, to the south by agricultural land (the boundary being Burrow Beck and Carr Lane) and to the west, in part, by A588 Ashton Road which is an alternative link to Lancaster city centre.
- 1.12 Both the CEP and Peel sites form a significant part of the proposed Bailrigg Garden Village (BGV), a new self-contained settlement of around 3,500 homes in south Lancaster and a vital part of the Councils development aspirations as identified in the emerging LP. Both sites are considered appropriate for early development and would constitute the first phase of the delivery of the BGV, representing a logical urban extension / location for new development in south Lancaster. A location plan highlighting both development sites in the context of the local and strategic highway networks is attached at **Appendix BGH1**.
- 1.13 In terms of access to these sites, it has long been established that the CEP site would take access directly from the A6 Scotforth Road and would ultimately provide a route across the WCML, via a new bridge link, to facilitate access to the Whinney Carr site. This access strategy fits with the Councils aspirations for the BGV. However, and in the immediate term, the Peel site would deliver a link to Ashford

Road to the north, which is likely to be delivered prior to construction of the bridge link across the WCML.

1.14 In order to evidence the analysis undertaken within this report, AM and PM peak period traffic surveys were commissioned by BGH on behalf of CEP and Peel in November 2018. Where relevant, this data is referred to in detail, in the following sections.

1.15 The remainder of this TN is structured in the following sections:-

Table 1.1 – Technical Note Report Structure

Section	Title	Description
2.0	Review of WYG Evidence Base	This section reviews parts 1 and 2 of the WYG evidence base and the relative merits of the study in respect to the EiP process.
3.0	Early Delivery of Development from CEP and Peel Sites	This section identifies the level of development which could come forward on both sites having regard to key constraints on the highway network in advance of significant highway intervention in south Lancaster.
4.0	Summary & Conclusions	This section presents the conclusions drawn from the review and analysis contained within this report.

2.0 REVIEW OF WYG EVIDENCE BASE

Introduction

- 2.1 As detailed by the Council in respect to the LP Transport Evidence Base and set out in the Introduction of this TN, consultants WYG were commissioned to prepare a TA for the District. This evidence was made available in December 2018 following submission of the Council's LP for Examination on 15th May 2018.
- 2.2 Part 1 of the WYG assessment (LP document TR_02) identified key congestion points / junctions within the district which were, with specific regard to south Lancaster and the BGV:-
- Northbound along the A6 Corridor between Junction 33 and Lancaster City Centre in the AM peak; and
 - Southbound on the same corridor in the PM peak.
- 2.3 Further to the initial study, Stage 2 of the WYG assessment (LP document TR_03) sets out a range of potential mitigation measures and junction improvements which seek to address, as best as possible, the identified highway capacity constraints.
- 2.4 The WYG assessment considered a number of potential improvements, specifically in respect to south Lancaster and the A6 corridor between Galgate and Lancaster city centre and concluded that the level and type of intervention identified was broadly appropriate in the context of the emerging growth aspirations, and that the short to medium term improvement schemes, did not rely on land outside the public highway to deliver them.
- 2.5 The improvement schemes are however recognised as short term interventions and the Council expects that longer-term measures will be required, including major new infrastructure and greater emphasis and provision in respect of sustainable travel modes which would include the reconfiguration of J33 of the M6 and a new strategic spine road, Bus Rapid Transit (BRT) system and a pedestrian / cycle super-highway (all included within the HIF bid).
- 2.6 Indeed this is further highlighted in respect to south Lancaster at paragraph 1.3.5 of the Part 1 TA which states that: -

"...Additional transport-based evidence is being worked up for Bailrigg Garden Village through preparation of the Lancaster South Area Action Plan DPD and separate TAs will need to be prepared for each site if and when these are brought forward in the future when the precise nature and size of

proposed development is known. Where required appropriate mitigation measures will need to be developed”.

- 2.7 Aligned with the above, it is also stated in the Transport Studies (TS) section of the LP web page, that the WYG work is an independent view on behalf of the Council, separate to Lancashire County Council (LCC) who are the local Highway Authority for the District. It is recognised by the Council therefore that there may be:-

“...more suitable forms of mitigation taking account of the wider considerations of land-ownership, air quality and maximising sustainable transport movements across the network”.

- 2.8 Evidence of this from LCC in respect to the LP aspirations and south Lancaster are set out in the following documents and referred to within this TN where relevant:-

- District of Lancaster – Highways and Transport Masterplan (LP document TR_01); and
- Lancaster District Local Plan - Infrastructure Delivery Schedule Update December 2018 (LP document VI_03).

- 2.9 The documents referred to above can be found on the Councils LP evidence, monitoring and information web page at:-

<http://www.lancaster.gov.uk/planning/planning-policy/evidence-monitoring-and-information>

Review of WYG Transport Assessment – Part 1

- 2.10 Paragraphs 1.3.1 to 1.3.5 set out the limitations of the WYG study. The approach taken by WYG is that of a ‘...traditional approach’ in the absence of an up to date area wide Strategic Transport Model (STM). WYG accept that a STM would allow the LP aspirations and potential highway infrastructure schemes to be tested more accurately and under a number of ‘...what if’ scenarios.
- 2.11 BGH agree with this statement, however, and as per paragraph 1.3.3, the adopted WYG approach represents a ‘...worst-case’ situation and in reality, network conditions are likely to be better than reported. This is particularly true in the short term to medium term. The development of a STM when predicting long term impacts of the LP, i.e. towards the end of the plan period of 2033 and beyond is supported.
- 2.12 Paragraph 2.1.5 defines the assessment scenarios. The traditional AM and PM peak periods have been concentrated upon for the interim periods of 2023 (some 5 years

post production of the Councils evidence base) and 2033 (which is understood to be two years post the final year of the LP). These assessment periods are supported in the context of residential, employment and retail development.

- 2.13 The AM and PM peak 2023 and 2033 'Do Minimum' (DM) scenarios are defined as including locally adjusted Temprow growth factors, applied to the base year traffic flows (which are understood to have been counted or obtained from other assessments in 2017 and 2018) and 'Committed' development schemes, i.e. those with the benefit of planning permission but not yet implemented in addition to those which are 'likely' to receive planning permission shortly (as agreed with the Council and detailed at Table 4.1 of the WYG report).
- 2.14 The AM and PM peak 2023 and 2033 'Do Something' (DS) scenarios include the DM traffic, in addition to the traffic estimated to be generated by the emerging LP allocation sites. These developments are detailed at Table 4.2 of the WYG report and include, with specific regard to the BGV:-
- A draft allocation for some 1,650 dwellings (in total) across the Garden Village site (ref: Site 1) of which the CEP and Peel sites combined could deliver some 1,100 dwellings (estimation based on developable areas); and
 - A draft retail allocation of 3,500 sqm to be located within the Garden Village site (ref: Site 63).
- 2.15 As detailed within the introduction, BGV is expected to deliver a new self-contained settlement of around 3,500 homes in south Lancaster. The further development (of some 1,850 dwellings) is understood to be part of the Councils housing strategy beyond the plan period of 2033 and as such this additional quantum has not been considered as part of the WYG work. This additional level of development further supports the need for a STM.
- 2.16 With respect to the CEP and Peel sites in relation to south Lancaster, the WYG TA study area includes a number of junctions on the A6 corridor from, Galgate in the south to Lancaster city centre in the north, including the A588 Ashton Road / Caspian Way mini roundabout to the west. The peaks for the network are identified in Table 6.1 of the WYG report as 7:30 to 8:30 am and 4:30 to 5:30 pm. These periods generally accord with the known peaks on the network and as such there is agreement in respect to these chosen periods.
- 2.17 Paragraph 6.3.3 sets out the rationale for Temprow growth. The approach generally accords with good practice guidance for assessing the transport implications of development, however, given the inclusion of some 23 committed development

sites and a further 8 schemes which are likely to receive planning approval in the near future, the WYG approach is considered to be overly cautious.

- 2.18 Despite an attempt to discount committed schemes as much as possible to avoid the ‘...double counting’ of trips, the analysis still includes the full projection with respect to employment growth resulting in typical background growth rates of 7% for future year 2023 assessment and upwards of 16% for future year 2033 assessment (both peak periods).
- 2.19 To put these growth percentages in context, the WYG TA details at Figures 1 and 2, total two-way vehicle flows on the A6 corridor (to the south of the Hala Road junction in the vicinity of the CEP site) of 1,410 in the AM peak hour and 1,514 in the PM peak hour. BGH commissioned surveys from November 2018 (detailed later within this TN) recorded total two-way observed flows on the A6 (same location) of 1,479 in the AM peak hour and 1,469 in the PM peak hour. Given flows of these magnitudes, even in the absence of committed development, the background traffic growth rates represent an additional 250 total two-way vehicle trips on the A6, which is significant in the networks current context and unlikely to be realised in full.
- 2.20 Further evidence to support this view is attached at **Appendix BGH2** in respect to data obtained from the opensource DfT website (<https://www.dft.gov.uk/traffic-counts/>) for a permanent Automatic Traffic Counter (ATC) located on the A6 corridor (Counter ID: 77822) to the immediate south of Lancaster University.
- 2.21 Counts were undertaken by the DfT in years 2002 to 2003, 2005 to 2006, 2008, 2010 and 2015 and demonstrate that growth on the A6 corridor is, as expected, variable year on year, but minimal overall, with a relatively flat growth profile on the A6 corridor. Although this maybe, in part as a result of other factors, i.e. peak spreading etc, it is considered on the whole unrealistic to assume that traffic flows on the A6 corridor will grow in line with traditional linear projections.
- 2.22 Given the above, it is considered that the WYG approach is overly cautious and is likely to have underestimated the true levels of capacity within the highway network (in the absence of any mitigation measures) which could be utilised in the short term, prior to the significant mitigation, as set out by the LCC Transport Masterplan and Infrastructure Delivery Schedule.
- 2.23 Table 6.4 details ‘Committed Development’ schemes accounted for within the WYG analysis as agreed with the Council. With specific respect to significant generators on the A6 corridor, these are:-

- Land for the Proposed Bailrigg Business Park (Phase 1 of Lancaster University Innovation Campus) - 8,115 sqm of B1 (Employment Site ref: 40); and
- Land at Scotforth Road, Lancaster (New Booths Superstore) - 2,052 sqm of A1 (Retail Site 62).

- 2.24 In order to understand the traffic impact of the above developments, WYG have obtained the agreed development flows from the approved TA's. It is however noted that the mitigation scheme for the A6 Scotforth Road / Ashford Road / Hala Road traffic signal controlled crossroads junction, conditioned as part of the Booth's planning permission has not been accounted for in either Stages of the WYG TA work. Both the Booths scheme traffic and associated junction improvement have a significant bearing on any analysis at this junction with respect to the impact of emerging LP sites and these implications are considered further with this TN.
- 2.25 With respect to the remaining phases of the Lancaster University Innovation Campus, it is noted that WYG assume the land use will be that of B1 office type development with traffic generation assumptions adopted as per the historic TA for the site. It is understood, however, as per published information on the University website, that the Campus will focus on "*...healthcare transformation and innovation*" and as such is likely to be significantly less traffic intensive in reality set against what the adopted WYG approach would suggest. Again, although cautious, the assumptions are likely to underestimate existing capacity in the network in respect of early delivery of development in south Lancaster.
- 2.26 Table 6.5 details the quantum and levels of traffic expected to be generated by the emerging LP allocation sites. With respect to BGV, the table details a total development size of 1,650 dwellings which WYG estimate would generate some 881 and 870 total two-way traffic movements during the AM and PM peaks respectively. This level of traffic equates to a total trip rate per household of 0.534 and 0.527 as detailed in Appendix D of the Stage 1 report.
- 2.27 The WYG development trip rates have been derived on the basis of the industry standard assessment tool the 'TRICS' database. BGH have undertaken a comparative exercise for residential development, also using TRICS with the outputs at **Appendix BGH3**. The BGH assessment derives total trip rates per household of 0.549 and 0.524 for the AM and PM peak respectively. These rates are almost identical to the WYG rates and as such are considered appropriate.

- 2.28 With respect to 'other' uses on the BGV site, the WYG TA states that:-
- “...Potential 'other facilities' e.g. schools; convenience shops; health and community facilities; etc assumed to generate mostly internal trips from the residential development within the future Garden Village during peak hours and therefore it is assumed that there is negligible new trips on the external road network in connection with these uses”.*
- 2.29 BGH would agree with the above statement, however, it is noted that a modest level of development associated with other potential BGV facilities has been assumed by WYG, with a food-store of some 2,000 sqm gfa on the wider BGV site predicted to generate 141 and 351 total two-way trips in the AM and PM peaks respectively. Although some traffic is likely to be new to the network, industry accepted evidence indicates that a considerable proportion of new food-store traffic (circa 90%) is likely to already be using the highway network and will transfer or divert from other existing outlets. Again the assumption by WYG is therefore considered overly cautious and could further impact upon the ability of the network to accommodate early delivery of development in south Lancaster.
- 2.30 Development trip distribution and assignment of LP sites has been undertaken on the basis of Travel to Work Data (dataset WU03EW) from the 2011 Census and, in the absence of a strategic model, applied to the highway network on the basis of current Trafficmaster data. This analysis is set out at Appendix E of the WYG TA and is considered appropriate in respect of the BGV.
- 2.31 With respect to vehicular access to the BGV site, Appendix E (Plan 5) of the WYG TA assumes two points of access, one from the A6 Scotforth Road to the south of the existing built up area of south Lancaster (in the broad location of the proposed Booths food-store) and a further access from the A6 in the vicinity of Hazelrigg Lane. The matter of access and the CEP / Peel sites is detailed further in the following section.
- 2.32 Table 7.1 and Appendix F detail the validation process with respect to a number of key junctions, based on the Red, Amber, Green (RAG) system. Junction models have been prepared in stand-alone assessment packages such as LINSIG and the TRL Junctions 9 programme with respect to PICADY and ARCADY modules for priority junctions.
- 2.33 Having regard to the CEP and Peel sites and the key areas of known concern, the A6 (Main Road) / Stoney Lane / Salford Road signal junction ('Galgate') is modelled by WYG to operate (in the base situation) above capacity during both peak periods (i.e. between 100% and 125%) and is therefore given a Red score. Although it is

recognised that the junction is currently under strain, it should be noted that the vehicle queues on the A6 southern arm are modelled to be significantly higher than recorded and observed by WYG on site in October 2018 (some 59 vehicles in the PM peak against an observed queue of 10 vehicles). Despite this the TA indicates that the junction model has not been adjusted. It is therefore considered that the model is underestimating the current operational capacity of the junction. The relevance of this is explored in further detail in the following section.

- 2.34 Although consented, the operation of the Booths food-store site access has not been considered by WYG having regard to emerging LP allocations. As detailed earlier, the relevance of this is explored further in the following section.
- 2.35 The A6 Scotforth Road / Hala Road / Ashford Road signal junction ('Hala Road') is modelled by WYG, in the base scenario, to be operating satisfactorily (below 90%) and therefore receives a Green score during both peak periods. Although less significant than within the Galgate model, it should be noted that the vehicle queues on the A6 southern arm are also modelled to be higher than recorded and observed by WYG on site in February 2017 (some 18 vehicles in the PM peak against an observed queue of 10 vehicles). Again the TA states that the model has not been adjusted and the relevance of this is explored in the following section.
- 2.36 With respect to the A6 Greaves Road / Ashton Road roundabout ('Pointer') this is generally shown to be approaching capacity (between 85% and 100%) and therefore receives an Amber score. The model is shown to validate well with the observed queues on site.
- 2.37 Finally, with respect to the A588 Ashton Road / Caspian Way mini roundabout, the junction is shown to be operating significantly below capacity (less than 85%) and therefore receives a Green score for both peak periods. The model is shown to validate well with the observed queues.
- 2.38 With respect to DM and DS scenario testing at 2023 and 2033, Table 7.4 of the WYG TA sets out the parameters where further intervention is likely to be required. This table is reproduced at **Appendix BGH4**.
- 2.39 As a broad rule of thumb, the RAG assessment has again been adopted. It should be noted however, as stated at paragraph 7.2.4 of the WYG report that: -

"...it must be stressed that these thresholds do not correlate with policy guidance in NPPF, in respect of what is a 'severe' impact".

- 2.40 Furthermore, paragraph 7.2.5 states that: -

“...Moreover, for a more detailed approach to establishing if a junction has reached its capacity and severe impact levels, RFC/DOS, queue lengths and delay results should be considered together”.

- 2.41 The above statements are supported and further weight should be given to them, when considering the impact of development at junctions within the existing urban environment, through the application of professional judgement, having regard to national and local policy.
- 2.42 Section 7.3 of the WYG TA details those junctions requiring intervention as part of the emerging LP allocations. Table 7.4 states, with respect to the junctions of interest in south Lancaster and the BGV, as detailed above, that: -
- The Galgate and Pointer junctions require intervention at 2023, even in the absence of LP proposals in both peak hour periods (i.e. DM scenario resulting from committed developments);
 - Hala Road requires intervention at 2023 DS PM peak scenario and all peak hour scenarios (including DM) at 2033; and
 - The A588 Ashton Road / Caspian Way junction requires no further intervention, even in the 2033 DS scenario for both peak hour periods.
- 2.43 Highway improvement schemes in respect to the above junctions (with the exception of the A588 Ashton Road / Caspian Way) are detailed in the WYG TA Part 2 and reviewed and commented upon below.
- 2.44 Finally, as detailed above, whilst the WYG approach to assessment (despite the limitations of the analysis highlighted) is generally supported, some points of concern are raised with respect to the number of overly cautious assumptions which have been adopted, i.e. the approach to junction modelling particularly at the Galgate junction and the resulting conservative conclusions within the Councils Transport Evidence base. The impact of these matters in relation to the CEP and Peel sites early phases of development at BGV are detailed in the following section.
- 2.45 This view is consistent with paragraph 8.1.23 of the WYG report which states that site specific assessments for individual sites will be required to predict the precise nature of the impact of development, on the local highway network, having regard to existing capacities and the NPPF test of ‘severe’ residual impact.

Review of WYG Transport Assessment – Part 2

- 2.46 Part 2 of the WYG TA builds upon the findings of the Part 1 report and considers further, appropriate mitigation schemes to accommodate as best as possible, the additional traffic generated by the emerging Lancaster LP sites.

- 2.47 In the absence of a STM, the precise nature and impact of the LP allocations in totality are difficult to predict (i.e. at 2033 and beyond) and as such the various improvements suggested by WYG should be considered as 'short term measures' (appropriate to 2023) in the absence of the more strategic interventions identified in the LCC Transport Masterplan (and HIF funding bid).
- 2.48 It is understood that the schemes prepared by WYG have been developed within the confines of the existing highway boundary. However, as detailed above, this approach is slightly at odds with normal planning practice in particular in respect to the Hala Road junction which has a commitment to improvements involving land outside of the highway boundary as part of the Booths food-store scheme. The effects of this matter are covered further in the following section.
- Galgate Junction**
- 2.49 Given the existing land constraints, opportunities for improvements at the Galgate junction are considered to be limited, by WYG, and as such significant intervention has not been considered. Two schemes have been prepared by WYG which address, as best as possible, the existing 'blocking effects' of ahead traffic by right turning traffic on the A6 approaches. These schemes are contained within the WYG report and the rationale is supported, although it is recognised that further investment will be required in the medium to long term.
- 2.50 Paragraph 3.3.15 of the WYG report states (despite some reservation as expressed at paragraph 3.3.16) that the schemes: -
- "...show that both potential mitigated junction layouts are forecast to operate within capacity in 2023 with the LP in place and within capacity in 2033 without the LP".*
- 2.51 The schemes (operating marginally over capacity at 103.3% maximum Degree of Saturation) therefore allow for early delivery of development (to 2023) in south Lancaster, even allowing for the cautious assumptions adopted by WYG in respect to committed development, background traffic growth and junction modelling. The cost of the scheme is estimated at circa £115k which is not considered to be prohibitive in the context of early LP aspirations.
- 2.52 It should be noted that additional modest interventions are also possible at the Galgate junction. These are detailed in the approved TA for the Lancaster University Innovation Campus (also prepared by WYG in January 2012, application reference: 11/00800/RCN). The package of measures at the junction includes:-

- Provision of a layby at the northbound bus stop immediately north of the junction;
- Provision of a parking layby and parking management on the A6 north of the junction; and
- The benefits of installing a MOVA / Puffin system at the junction.

2.53 These measures are understood to be deliverable and could easily form an extended package to the LP mitigation measures suggested at Galgate. Although not considered in detail within this TN, these measures are likely to further support the conclusion reached with respect to early delivery of development in south Lancaster.

Hala Road

2.54 With respect to Hala Road, the situation is similar in nature to the Galgate junction, with an existing constrained junction resulting in the blocking of ahead movements on the A6 mainline due to right turning vehicles. WYG have only considered a scheme in the context of land forming part of the highway network (i.e. they do not account for the permitted Booths improvements as detailed earlier) and on this basis conclude that despite the modest improvements, the junction is still a constraint and operates above capacity in the 2023 DS PM peak hour scenario (at 101.9% D of S maximum) although this is no worse than the 2023 DM scenario. WYG conclude therefore that there is limited scope to improve conditions without the use of land outside the public highway. The cost of the WYG scheme is estimated at circa £110k which again, is not considered to be prohibitive in the context of early LP aspirations.

2.55 Although the junction at Hala Road is recognised as a constraint, there are wider ranging improvements as part of the Booths planning permission which would be implemented should the store be developed. Details of the scheme are attached at **Appendix BGH5** and the impact of this is considered further in the following section.

Pointer Roundabout

2.56 With respect to Pointer roundabout, a number of options have been considered by WYG, such as a signalisation scheme and modifications to the existing priority roundabout junction arrangement. The signalisation scheme is favoured by WYG as it fits with the strategic aspirations of the Council and LCC in maximising sustainable travel for the city centre (i.e. BRT, pedestrian / cycle super-highway, etc) and leaves the junction operating significantly better than the existing arrangement. The scheme is modelled to operate at capacity in the 2023 DS peak hour scenarios but over in the 2033 DS peak hour scenarios. The cost of the scheme is however estimated by WYG at circa £2.4m.

- 2.57 WYG state at paragraph 3.3.33, that it is highly likely that the final form of intervention at the Pointer roundabout junction will change once the LCC Transport Masterplan strategies are developed further.

Summary

- 2.58 The following table summarises the 2023 WYG junction analysis and brings together the results of both parts of the TA. A 'tick' indicates that a junction operates satisfactorily, i.e. either under capacity of 100% (i.e. Green and Amber on the RAG scale) or better than the preceding scenario subject to suitable intervention. A 'cross' indicates that a junction does not operate satisfactorily (i.e. is either over capacity and as such receives a Red score) or the impacts of traffic generated by that scenario is considered to be unsatisfactory, even when accounting for junction mitigation measures.

- 2.59 As stated above further intervention is expected beyond this point to 2033 and as such has not been considered further by WYG: -

Table 2.1 – WYG Junction Analysis Summary Table

Junction	2018 Base		2023 DM		2023 DS	
	AM	PM	AM	PM	AM	PM
Galgate	X	X	X	X	✓	✓
Hala Road	✓	✓	✓	✓	✓	✓
Pointer Roundabout	X	X	X	X	✓	✓

NB: 2023 DS Scenarios at Galgate junction operate better than 2023 DM Scenarios and as such receive a tick. The Hala Road junction operates marginally over capacity in the 2023 DS scenario (PM Peak) at 102.7%. With improvements in place this drops to 101.9% and as such the residual impacts are considered acceptable. See notes above with respect to Pointer Roundabout.

- 2.60 In summary, the WYG TA analysis incorporates what are considered to be a number of overly cautious assumptions which results in a number of key junctions on the A6 corridor requiring immediate intervention. Although the junctions are recognised as currently constrained and requiring a comprehensive range of measures to resolve issues in the long term, the WYG analysis does demonstrate, despite the approach to assessment, that in the short term, i.e. to 2023, the LP aspirations can start to come forward with a package of minor interventions, leaving junctions operating with greater operational capacity than in the DM scenario or in a position where 'severe' residual impact does not arise.

- 2.61 Should a more realistic approach be taken to assessment, it is considered that the Councils LP aspirations could be further accelerated even in advance of the mitigation measures identified by WYG. The following section considers this position in greater detail having regard to south Lancaster and early delivery of development at the CEP and Peel sites.

3.0 EARLY DELIVERY OF DEVELOPMENT FROM CEP AND PEEL SITES

- 3.1 This section considers the CEP and Peel sites (both separately and in combination) and identifies, in the context of the emerging LP and the WYG transport evidence base, the level of development which could be delivered in south Lancaster from the BGV, early in the local plan period, without resulting in severe harm to junctions located on the A6 Scotforth Road corridor.
- 3.2 As detailed within the introduction, this section of the report is effectively a condensed TA which identifies the impact of traffic generated by the CEP and Peel sites (both individually and in combination), having regard to the WYG evidence base and with a focus upon operational junction analysis. This section of the TN will present a case to demonstrate the quantum of development which could come forward as part of a first phase of development, prior to significant intervention in south Lancaster associated with the HIF bid.
- 3.3 The BGV was first designated by the Government in January 2017, following the submission of an 'Expression of Interest' (EoI) from the Council. This 'Expression of Interest' identified the need for a new strategic link road from A6 Scotforth Road to facilitate strategic future access to those parts of the Garden Village located to the west of the WCML. The EoI also identified other major investments such as improvements to the M6 (i.e. J33) and measures focused upon sustainable travel.
- 3.4 Although the assessment undertaken by WYG assumes an indicative access to the BGV in the vicinity of the proposed Booths food-store, it should be noted that a position with the Council and LCC for this access across CEP's site was agreed in relation to a planning inquiry detailed further below.
- 3.5 The CEP site was subject to a planning appeal for a mixed-use retail led development (ref: 10/00366/OUT) in 2012. As part of that appeal the location, form and design of an access with the A6 Scotforth Road was agreed in principle with the Council and LCC as highway authority. The agreed CEP site access was a traffic signal control T-Junction which not only served the site, but also provided a strategic link road across the WCML to Whinney Carr (the Peel site). A copy of the agreed site access preliminary layout arrangements is attached at **Appendix BGH6**.
- 3.6 With respect to access to the Peel land holding, access is possible (and desirable) from Ashford Road at the junction with Caspian Way, in addition to access across the WCML to the A6 Scotforth Road. The form of the Ashford Road junction is yet to be considered in detail.

- 3.7 For simplicity and to allow a comparative assessment, except where highlighted, a number of the WYG assumptions have been adopted for the operational assessments presented in this section.
- 3.8 BGH on behalf of CEP and Peel, commissioned fully classified traffic surveys on Tuesday 20th November 2018 between the periods of 7:00 am – 10:00 am and 3:00 pm – 7:00 pm. Queue data was also collected at the time of the traffic surveys and has been used to validate the junction models described in further detail below.
- 3.9 Surveys were undertaken at the following junctions on the A6 corridor given their relationship to the CEP and Peel sites, at BGV: -
- The Galgate traffic signal junction,
 - Hala Road traffic signal junction, and
 - Pointer roundabout.
- 3.10 On the basis of the WYG analysis and conclusions reached with respect to the impact of the LP allocation sites, i.e. no mitigation required, the A588 Ashton Road / Caspian Way mini roundabout, has not been included in the analysis.
- 3.11 Network diagrams for the BGH surveyed AM and PM peak periods are attached at **Appendix BGH7**.
- 3.12 When comparing the BGH base traffic flows with the WYG base traffic flows, the data sets indicate broad correlation for both the AM and PM peak periods, i.e. within the accepted daily variation levels for traffic of +/-10%. A detailed summary table is attached at **Appendix BGH8**. The BGH surveys are therefore considered appropriate for use in the analysis.
- 3.13 With respect to committed development, tests including only those schemes detailed within the previous section have been undertaken on the basis that the CEP and Peel sites could provide early delivery of development and are likely to come forward in advance of other emerging LP aspirations. For clarity these developments are:-
- The first phase of the Innovation Campus (some 8,115 sqm gfa of B1); and
 - With and without the Booths food-store (some 2,052 sqm of A1) and the associated committed highway improvement scheme, i.e. at Hala Road.
- 3.14 This approach to assessment is different to that adopted by WYG, however, it is considered appropriate for the reasons set out in the previous section in relation to the overly cautious nature of the WYG work. Committed development flows for

both the Innovation Campus and Booths sites have been distributed as per the flow diagrams attached at **Appendix BGH9** and **Appendix BGH10** respectively.

- 3.15 With respect to traffic growth, and to balance the fact that not all committed developments have been specifically accounted for, unadjusted Temprow growth rates have been applied of some 9.3% and 8.8% in the AM and PM peaks to 2023 respectively. Whilst this is clearly at odds with the observations made in the previous section, growth has been applied to ensure consistency with the WYG approach. Calculation of these growth rates is attached at **Appendix BGH11**.
- 3.16 An assessment beyond 2023 (i.e. at 2033) is not considered necessary given the context of the LCC Transport Masterplan and the HIF bid and as such detailed analysis of scenarios beyond 2023 has not been considered within this TN.
- 3.17 Growth rates have been applied to the base traffic flows, in addition to the committed development flows (i.e. Innovation Campus and Booths) to result in two sets of 2023 DM scenario flows. These are attached at **Appendix BGH12** and **Appendix BGH13** respectively.
- 3.18 The AM and PM peak 2023 DM flows have been tested using the models prepared for the Galgate, Booths, Hala Road and Pointer junctions. It should be noted that the Galgate and Pointer junctions are on the basis of the existing arrangements (in advance of the WYG suggested improvements).
- 3.19 With respect to Hala Road, two scenarios have been assessed either with or without the Booths development. The Hala Road model is that of a linked LINSIG model as agreed at the 2012 planning appeal on the CEP site, and for the scenario including Booths, includes the committed improvements at the Hala Road junction and the food-store access arrangements. The analyses for all junctions are attached at **Appendix BGH14** and summarised below.
- 3.20 The analysis demonstrates that the Galgate junction at 2023 operates within capacity at a maximum of 98.8% in the evening peak period. These results are significantly lower than the WYG position as a result of the BGH approach to committed development, a point which applies to all the DM Models.
- 3.21 With respect to Hala Road (in the absence of Booths) the junction at 2023 operates below capacity at a maximum of 85.7% in the morning peak period. For a scenario which includes the Booths permission including the junction improvements at Hala Road, the network also operates within capacity in 2023 with a maximum of 83.5% in the morning peak period.

3.22 The analysis demonstrates that the Pointer roundabout junction at 2023 operates within capacity at a maximum of 0.83 RFC also in the morning peak period.

3.23 As expressed in the previous section and highlighted above, the WYG approach is considered overly cautious and limits the reporting of the spare capacity on the highway network which would allow early release of development before mitigation is required. A more realistic assessment of the position in relation to various development scenarios is therefore considered below.

Development Scenario Tests

3.24 A number of scenarios have been tested having regard to early development on the CEP site and Peel site at Whinney Carr with respect to the LP aspirations for the BGV and south Lancaster.

3.25 The CEP site is expected to accommodate upwards of 100 residential dwellings. The Whinney Carr site is expected to provide development in respect to Phase 1 of the BGV for some 1,000 of the overall draft allocation of 1,650 dwellings.

3.26 The WYG residential trip rates have been adopted along with the broad distribution and assignment patterns for development traffic, although the distribution has been refined further having regard to the location of the two sites.

3.27 With respect to the scenarios, the following has been assumed with respect to access, traffic assignment and development density: -

Table 3.1 – Scenario Assumptions

No	Scenario Description	Assumptions
1	CEP site in isolation	Maximum of 100 dwellings with a single point of access from the A6 Scotforth Road (as agreed at the 2012 planning appeal). Northbound traffic heads via the Hala Road junction to Pointer roundabout and southbound traffic travels via the Galgate junction.
2	Peel site in isolation	Up to a maximum of 1,000 dwellings (subject to junction capacities) with a single point of access from Ashford Road. Northbound traffic heads to Lancaster via A588 Ashton Road and A6 Scotforth Road to Pointer roundabout and southbound traffic heads via the Hala Road junction south on the A6 to the Galgate junction.
3	Both sites in isolation	Up to a maximum of 1,100 dwellings (subject to junction capacities) with two separate points of access from the A6 Scotforth Road (as agreed at the 2012 planning appeal) and from Ashford Road. No link over the WCML.
4	CEP and Peel (in combination) with a single point of access	Up to a maximum of 1,100 dwellings (subject to junction capacities) with a single point of access from the A6 Scotforth Road (as agreed at the 2012 planning appeal). Northbound traffic heads via the Hala Road junction to Pointer roundabout and southbound traffic heads via the Galgate junction.
5	CEP and Peel (in combination) with two points of access	Up to a maximum of 1,100 dwellings (subject to junction capacities) with two points of access, one from the A6 Scotforth Road (as agreed at the 2012 planning appeal) and the other from Ashford Road. A link over the WCML is included which reflects the 'original' masterplan for the sites. Traffic distribution dependent upon direction of travel as detailed above. In this scenario there is an allowance for the redistribution of traffic currently using the A6 to use the WCML link road, and the A588 Ashton Road to reach the city centre.

3.28 Each of the 5 development scenarios listed above have been tested with and without the Booths development (and the associated improvements at Hala Road) and on the basis that the WYG junction improvements used to assess the 2023 DM scenarios have been implemented.

3.29 The mitigation measures, include the junction improvements at Galgate, as per the WYG preferred scheme, and whilst other opportunities such as moving bus stops, introduction of MOVA etc are possible, these have not been considered for the purposes of this exercise. For the A6 Scotforth Road CEP access, Booths access and Hala Road (including Booths committed highway improvements) the linked LINSIG network model as agreed at the 2012 planning appeal has been adopted. Finally, with respect to the Pointer roundabout, given the lack of certainty over what improvements are ultimately likely to be adopted at this junction as part of the

overarching city centre package the impacts of each scenario have been tested on the existing roundabout arrangement.

- 3.30 The traffic flows associated with each of the 5 development scenarios are attached at **Appendix BGH15**. These have been added to the 2023 DM flows to result in the 2023 DS flows (with and without Booths) which are attached at **Appendix BGH16** and **Appendix BGH17** respectively. Junction model outputs for all scenarios are attached at **Appendix BGH18**.
- 3.31 Where incremental testing has been undertaken (i.e. scenarios 2 through 5), scenarios have been run until the network is considered to reach maximum capacity generally deemed to be a Practical Reserve Capacity (PRC) of 100% or in the context of the severe harm test (i.e. NPPF) having regard to the preceding DM scenarios test results. The development levels achieved through this incremental testing are indicated below.
- 3.32 The tables below summarise the impact of each DS development scenario (with and without Booths) at 2023. The reported results are the worst case from either the AM or PM peak hour.
- 3.33 Beyond the development levels identified, further junction mitigation beyond that achievable in the short term within the highway boundary is deemed to be required.

Table 3.2 – 2023 Scenario Summary - Without Booth's

2023 Scenario	Galgate		CEP Site Access / Hala Road		Pointer Roundabout	
	Max Cap	Units	Max Cap	Units	Max Cap	Units
DM 2023	98.2%	0	85.7%	0	0.82	0
DS Scenario 1 (100 dwellings)	98.8%	100	86.6%	100	0.83	100
DS Scenario 2 (600 dwellings)	101.4%	600	100.4%	600	0.86	600
DS Scenario 3 (700 dwellings)	101.9%	700	101.2%	700	0.86	700
DS Scenario 4 (1,100 dwellings)	104.0%	1,100	92.8%	1,100	0.87	1,100
DS Scenario 5 (1,100 dwellings)	104.0%	1,100	92.0%	1,100	0.87	1,100

**Table 3.3 – 2023 Scenario Summary
With Booth's**

2023 Scenario	Galgate		CEP Site Access / Booths / Hala Road		Pointer Roundabout	
	Max Cap	Units	Max Cap	Units	Max Cap	Units
DM 2023	98.8%	0	83.5%	0	0.83	0
DS Scenario 1 (100 dwellings)	99.2%	100	84.5%	100	0.84	100
DS Scenario 2 (400 dwellings)	100.9%	400	92.7%	400	0.85	400
DS Scenario 3 (500 dwellings)	101.4%	500	93.0%	500	0.85	500
DS Scenario 4 (700 dwellings)	101.9%	700	90.5%	700	0.86	700
DS Scenario (1,100 dwellings)	104.4%	1,100	90.9%	1,100	0.92	1,100

- 3.34 The tables demonstrates in respect to Scenario 1, the CEP site in isolation, that some 100 dwellings can come forward (with or without the Booths scheme) before any of the junctions under consideration within this report exceed operational capacity of 100%. This site is therefore considered to be appropriate for early delivery in south Lancaster.
- 3.35 With respect to Scenario 2, the Peel site in isolation, the table demonstrates that in the absence of Booths (and the associated improvements at Hala Road) some 600 dwellings can come forward without significant detriment to the highway network, leaving it functioning within, or at, acceptable levels of operational capacity (in the context of the NPPF). With the addition of the Booths permission and traffic generated by the store the level of development in this scenario reduces to some 400 dwellings. Again this site is considered to be appropriate in the context of early housing delivery in south Lancaster.
- 3.36 Having regard to Scenario 3, both the CEP and Peel sites in isolation, the summary table demonstrates that in the absence of Booths, that some 700 dwellings (i.e. 100 from CEP and 600 from Whinney Carr) can come forward without significant detriment to the highway network, leaving it functioning within or around acceptable levels of operational capacity (in the context of the NPPF). With the addition of the Booths permission and traffic generated by the store the level of development reduces to some 500 dwellings (i.e. 100 from CEP and 400 from Whinney Carr).

- 3.37 With respect to Scenario 4, CEP and Peel sites (in combination) with a single point of access from the A6, the table demonstrates that some 1,100 dwellings (i.e. 100 from CEP and 1,000 from Whinney Carr) can come forward (in the absence of Booths) without significant detriment to the highway network, leaving it functioning within or at acceptable levels of operational capacity (in the context of the NPPF). The addition of Booths reduces the number of houses which could come forward in this scenario to some 700 dwellings (i.e. 100 from CEP and 600 from Whinney Carr).
- 3.38 Finally, and having regard to Scenario 5, CEP and Peel (in combination) with two points of access, one from the A6 Scotforth Road and the other from Ashford Road, assuming some base traffic reassignment, the table demonstrates that 1,100 dwellings in total (i.e. 100 dwellings on the CEP site and 1,000 dwellings on the Whinney Carr site) can come forward without significant detriment to the highway network, leaving it functioning within or at acceptable levels of operational capacity (in the context of the NPPF). In this scenario the conclusion is the same in either scenario with or without the Booths store being treated as a committed development.
- 3.39 A detailed summary table for each of the scenarios detailed above is attached at **Appendix BGH19**.
- 3.40 The above analysis shows therefore, that with the intermediate WYG improvements (except for the Pointer Roundabout scheme) in place along with those proposed at Hala Road, early release of development could come forward in south Lancaster, on both the CEP and Peel site individually or in combination with an appropriate link road over the WCML linking the two sites, without resulting in severe harm to the operation of the road network.
- 3.41 It is recognised that beyond the development levels identified above further intervention is required, which the BGV sites could help the Council and LCC to facilitate in the medium to long term to realise the LP aspirations.

4.0 SUMMARY AND CONCLUSIONS

- 4.1 This Technical Note (TN) has been prepared by Bryan G Hall (BGH) on behalf of Commercial Estates Projects (CEP) and Peel Investments (North) Limited (Peel) and reviews the transport evidence base prepared by consultants White Young Green (WYG) on behalf of Lancaster City Council (the Council) in respect to their emerging Local Plan (LP).
- 4.2 The LP sets out the Councils strategy to guide development in the Lancaster District for the next 15 years and is likely to be subject to Examination in Public (EiP) commencing April 2019.
- 4.3 The first part of this TN comments on the approach and conclusions reached by WYG in respect of their two Transport Assessments (TA's) prepared in support of the LP. Whilst the second part of the TN focuses on CEP's and Peel's land holding interests in south Lancaster, areas identified by the Council for significant future growth in the District, and how the Councils transport evidence base prepared by WYG compliments the early delivery of development on both sites.
- 4.4 The review of the WYG approach to assessment is generally supported, however issues are raised with respect to a number of overly cautious assumptions which have been adopted, namely in relation to the application of background traffic growth, the approach to committed development traffic, the calibration of traffic models and the use of committed development improvement schemes, such as those associated with the Booths development scheme at Hala Road.
- 4.5 It is considered that the WYG approach results in a conservative view in relation to the delivery of early development on the CEP and Peel sites, which form part of the Bailrigg Garden Village (BGV) site, that can come forward in advance of the intervention measures being proposed as part of LCC's Transport Masterplan and the subject of a Housing Infrastructure Fund (HIF) bid.
- 4.6 In relation to the A6 Scotforth Road corridor, the main areas of focus to this TN, WYG have prepared intervention measures in respect of the Galgate traffic signal controlled junction, at the Hala Road traffic signal controlled junction and at the Pointer priority controlled roundabout.
- 4.7 The WYG work confirms that no intervention is required at the A588 Ashton Road / Caspian Way mini roundabout junction or the A6 Scotforth Road / Barton Road priority junction.

- 4.8 The WYG work does not reflect the full extent of improvements at the Galgate junction conditioned against Lancaster University Innovation Campus or at Hala Road junction conditioned against the relocation of the Booths store to the Lawsons Bridge site, and these committed improvements will bring with them further small scale improvements in operational capacity.
- 4.9 In the second part of this TN evidence is presented in relation to a number of different development scenarios assessing the resulting impact of early development on the CEP site and the Peel site at Whinney Carr, which form part of the Councils BGV development site.
- 4.10 Although utilising survey data from November 2018, the approach to the modelling of the impact of development adopted in this TN, follows many of the base assumptions in relation to trip generation and traffic distribution as used by WYG in their assessments.
- 4.11 One of the significant differences between the BGH and WYG analysis is in relation to the way that committed development is applied to the 2023 assessment year, with this TN taking a more realistic view in relation to how much development from sites, such as the Innovation Campus, can come forward by the design year of 2023.
- 4.12 A number of development scenarios have been tested which consider the impact of development on CEP and Peels Whinney Carr sites using a variety of access strategies, and in each case the assessment of the impact of development related traffic has reflected a scenario with and without the relocation of the Booths store, which brings with it, an increase in traffic flows on the A6 corridor a new signalised site access junction and improvements to the A6 Scotforth Road / Hala Road junction.
- 4.13 In summary the scenario testing has demonstrated that: -
- A development of circa 100 houses on the CEG site can come forward via a new signalised access onto the A6 corridor site without resulting in a significant worsening of traffic conditions on the wider highway network;
 - Development of up to 400 dwellings on the Whinney Carr site (600 dwellings in a scenario where the Booths development does not come forward) can be accommodated on the highway network via an access strategy which involves the construction of a new access onto Ashford Road to the north of the Peel land holding which facilitates access to Lancaster city centre via A588 Ashton Road;

- Development of both sites in combination utilising the access strategies set out above, without any link between the two sites, can deliver development of up to 700 houses (100 on the CEP site and 600 on the Whinney Carr site) without the Booths development, reducing to 500 houses (100 on the CEP site and 400 on the Whinney Carr site) with the Booths development.
- Development of both sites in combination with a single access point onto the A6 Scotforth Road, facilitated by a bridge over the WCML, can deliver 1100 houses on a scenario without Booths (100 on the CEP site and 1000 on the Whinney Carr site) reducing to 700 houses in a scenario which includes Booths (100 on the CEP site and 600 on the Whinney Carr site); and
- Development on both sites with an access strategy that provides a new traffic signal junction onto the A6 Scotforth Road and an access onto Ashford Road with a link between the two sites facilitated by a bridge over the WCML, can deliver full development on both sites (100 on the CEP site and 1000 on the Whinney Carr site) in either scenario. This access strategy would also allow some transfer of traffic from the A6 Scotforth Road corridor to the A588 Ashton Road corridor to facilitate access to Lancaster city centre.

- 4.14 In conclusion the WYG transport Assessment prepared on behalf of the Council in support of the LP has been prepared on a highly precautionary basis and as a consequence underestimates the quantum of development that could be facilitated from the BGV site prior to the significant highway infrastructure improvements that will be delivered as part of full development of the site.
- 4.15 This TN has shown that with the intermediate improvements identified by WYG in place (except for the Pointer Roundabout scheme which has no certainty at this stage) along with the improvements proposed at Hala Road, the early release of development in south Lancaster could come forward on both the CEP or Peel site individually or in combination with an appropriate link road over the West Coast Mainline (WCML) linking the two sites, without resulting in severe harm, on the highway network.
- 4.16 It is recognised that beyond the development levels identified in this TN further intervention is required, which the BGV sites could help the Council and LCC facilitate in the medium to long term to realise the LP aspirations.

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**Appendix 5: Peel representations to LCC
'additional evidence' consultation
(February 2019)**

15 February 2019

Delivered by email and post

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

Ref: PEEM3048

Dear Sir/Madam,

EMERGING LANCASTER LOCAL PLAN – CONSULTATION ON ADDITIONAL EVIDENCE AND INFORMATION: REPRESENTATIONS BY PEEL

Turley is pleased to submit this representation on behalf of our client Peel Investments (North) limited (hereafter referred to as “Peel”). It makes representations to Lancaster City Council (LCC) in relation to the emerging Lancaster Local Plan (LLP) additional evidence consultation which closes 15 February 2019.

This letter and the subsequent enclosures respond specifically to the following consultation documents:

- Transport Assessment Stage 1 and 2, completed by WYG
- Lancaster City Council Open Space Study, prepared by Knight, Kavanagh & Page
- Lancaster District Playing Pitch and Outdoor Sports Strategy, prepared by Knight, Kavanagh & Page
- Landscape, Townscape and Visual Field Summary Report, prepared by Arcadis
- Key Urban Landscape Review, prepared by Arcadis
- Identified Sites: Landscape and Visual Assessments, prepared by Arcadis
- Local Plan Viability Assessment Stage 1 and 2, completed by Lambert Smith Hampton
- Infrastructure Delivery Schedule, prepared by LCC
- Strategic Flood Risk Assessment, prepared by JBA Consulting and
- Strategic Housing and Employment Land Availability Assessment (SHELAA), prepared by LCC.

Each topic is dealt with in turn and summarised below. This letter is submitted with the following enclosures:

- Peel’s Representation to LCC’s Issues & Options Bailrigg Garden Village AAP (May 2018) (**Enclosure 1**)
- Peel’s Representation to LCC’s Draft Suggested Modifications to the submitted LLP (November 2018) (**Enclosure 2**)
- Highways Technical Note prepared by Bryan G Hall (February 2019) (**Enclosure 3**)
- Landscape Assessment prepared by Randall Thorp (February 2019) (**Enclosure 4**)
- Indicative Masterplan prepared by Randall Thorp (**Enclosure 5**)

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- Viability Report prepared by Turley Development Viability (February 2019) (**Enclosure 6**) and
- Ecological Assessment prepared by Bakers (February 2019) (**Enclosure 7**).

LCC will be aware that our client is the owner and promoter of land at Whinney Carr (c.45ha /111 acres) which is identified as part of a Broad Area of Growth within the emerging LLP and the proposed Bailrigg Garden Village. The site and wider area has been identified in earlier versions of the LLP as a proposed allocation and has been identified in a number of previous SHLAA documents as being suitable for residential development.

This letter and enclosures comprise Peel's representations to Lancaster City Council (LCC) in relation to the public consultation on additional evidence and information. It does not repeat the detailed representations that Peel has submitted in response to earlier consultations, including Issues & Options Bailrigg Garden Village AAP (May 2018) and Draft Suggested Modifications to the submitted LLP (November 2018); however these are both attached for information (**Enclosures 1 and 2**).

In principle, Peel supports the delivery of the Bailrigg Garden Village proposal and the inclusion of Whinney Carr within the Broad Area of Growth, and is keen to work with LCC to deliver the development as soon as possible. Whinney Carr is a suitable and sustainable location for the provision of new homes and Peel is keen to be able to bring forward early phased development. The development of Bailrigg Garden Village can accelerate housing delivery in accordance with the Government's Garden Village principles and the aim to significantly boost the supply of housing. The Whinney Carr site could also be specifically allocated within the LLP and this would bring a range of benefits. It could act as either an early phase of the Garden Village or as a standalone urban extension of Lancaster.

As set out in Peel's representation to the Issues and Options Bailrigg Garden Village AAP (May 2018) and Draft Suggested Modifications to the submitted LLP (November 2018) (**Enclosures 1 and 2**), early housing delivery is necessary in South Lancaster to ensure the LLP meets the District's housing need. The current strategy of using an AAP to establish a Spatial Development Framework for the site is likely to cause unnecessary delays to delivery. The use of a Supplementary Planning Document (SPD) or allocation route would help to expedite delivery, and has been suggested before in Peel's previous representations to the LLP (**Enclosures 1 and 2**).

South Lancaster/Bailrigg Garden Village represents the most sustainable development option for strategic growth in the District. These representations demonstrate that the Whinney Carr site should be specifically allocated for residential development within the Garden Village designation, enabling new housing to be delivered in the short term in accordance with both the LP objectives and the BGV principles.

The examination of the LLP is due to commence in early April. The swift progress and conclusion of the examination process is now essential to ensure that a local Development Plan is in place. This is critical both to facilitate the delivery of the new homes urgently required in Lancaster and to support LCC's bid for funding to enable the provision of much-needed strategic infrastructure. Peel looks forward to assist LCC in securing a positive outcome to the examination.

Each topic included within the emerging LLP's additional evidence consultation is considered below, in turn.

Highways / Transport

The enclosed Technical Note produced by Bryan G Hall (BGH) reviews the transport evidence base, including that prepared by consultants White Young Green (WYG) on behalf of LCC in respect of the emerging LLP. The first part of the BGH note comprises a commentary and critique of the WYG Transport Assessment. In particular, while agreeing with the general approach to undertaking the assessment in the absence of a Strategic Transport Model (STM) and notwithstanding the positive conclusions reported in the WYG assessment regarding the potential for early housing delivery in South Lancaster, the BGH report raises specific observations relating to:

- The use of Temprow traffic growth rates which are not representative of actual (surveyed) traffic growth on the A6 corridor over recent years.
- Over-estimation of projected traffic from committed and planned development; and assumptions regarding the likely land uses related to the residual phases of development at the Lancaster University Innovation Campus.
- Failure to take account of committed improvements at the Hala Road junction that will be delivered as part of the committed Booths development.
- Not taking into account all relevant modelling outputs to determine whether the impact of development on specific junctions would be 'severe'.

The consequences of the above are that WYG's report overestimates the predicted impact of the Local Plan proposals on the highway network and therefore potentially underestimates its potential to accommodate development in the short-term.

The BGH Technical Note then sets out the findings of their own high level highways assessment for the Whinney Carr site and adjacent CEP landholding to demonstrate the quantum of development that could be brought forward in advance of strategic highway improvements. The assessment adopts the trip rates used by WYG with traffic distribution which assumes c.65% of traffic from these sites will travel north towards Lancaster city centre, with the remaining 35% travelling south towards the M6 motorway. It has identified that, in addition to the c.8,115 sqm of committed development at the University, there is capacity to deliver:

- c.400-600 new homes with a single access into the Whinney Carr site from Ashford Road.
- c.500-700 new homes from a single access into the site from the A6 Scotforth Road via a bridge over the West Coast Mainline; or
- c.1,100 new homes from dual access into the site, i.e. both the A6 Scotforth Road access and an access onto Ashford Road.

The above therefore shows that with the short term highways improvements identified by WYG (except from the Pointer roundabout) in place and those already permitted at Hala Road (by the Booths relocation scheme), development could come forward in South Lancaster without resulting in 'severe' harm to the highway network. The BGH analysis shows that there is sufficient capacity with those short term works to allow early delivery on the CEP land and Whinney Carr sites either individually or in combination and has the ability to make an important early contribution to the housing needs of the district. The new bridge across the West Coast Mainline will be delivered as part of the strategic infrastructure and funding is being sought by LCC via the Housing Infrastructure Fund (HIF).

Finally, the BGH Technical Note recognises that beyond the level of development identified above, further significant highways intervention would be required and these works are proposed via HIF funding. The Bailrigg Garden Village sites could help LCC and Lancashire County Council facilitate those works in the medium to long term to realise the LP aspirations.

Landscape

The Landscape Appraisal (**Enclosure 4**) completed by Randall Thorp provides detailed comments on the individual documents comprising LCC's landscape evidence base. It undertakes an evaluation of the Whinney Carr site specifically and identifies three key visual receptors:

- Pedestrians using Public Rights of Way's (PROW's);
- Motorists and pedestrians using local roads; and
- Users of the crematorium.

The Landscape Appraisal states that:

"The proposals for residential development should be sensitively planned, existing features within the site should be retained and reasonable landscape buffers should be incorporated at the interface of the site with the surrounding land uses. Provided that these measures were in place, it is expected that an LVIA would conclude that there would be no significant effects overall on the landscape of the site and its features."

An indicative Masterplan (**Enclosure 5**) for the Whinney Carr site and adjoining land (the majority of which is owned by LCC and CEP) has been prepared by Randall Thorp and takes into consideration the recommendations and identified visual receptors within their Landscape Appraisal. It builds upon earlier iterations of the Masterplan, including work undertaken in 2011 which has previously been shared with LCC. The Masterplan demonstrates that harm to the key visual receptors can be avoided by the inclusion of the following measures:

- Providing green routes along the existing and proposed PROW.
- Providing a green corridor where the existing drumlin is situated.
- Providing green buffer between the existing crematorium and the proposed development.

The masterplan area is based around previous SHELAA areas and/ or draft site allocations identified by LCC itself.

The Landscape Appraisal concludes there are no overriding landscape constraints which present an obstacle to the sensitive development of the area.

It also determines that the site at Whinney Carr and adjoining land to the west of the west coast main line is a sustainable and achievable location to be allocated for housing development and the Masterplan demonstrates it is capable of delivering c.1000 dwellings whilst retaining and mitigating harm to the visual receptors. A further 100 units could be delivered on the CEP land.

Flood Risk

The Strategic Flood Risk Assessment (SFRA) identifies that the Whinney Carr Site is in Flood Zone 1 and is therefore at low risk of flooding.

There is an area to the north west of the Site which is at medium to high risk of surface water flooding. As can be seen within the Indicative Masterplan (**Enclosure 5**) submitted with this representation, the land to the north west of the site at medium risk of surface water flooding would form part of a Sustainable Drainage System (SuDS) corridor and would therefore remain undeveloped. As such there are no flooding issues to prevent development.

Viability

LCC has not completed a Viability Appraisal for the Broad Area of Growth; Peel notes that this is to be completed at Area Action Plan stage. In the meantime, Peel is completing an internal viability appraisal to demonstrate that the Whinney Carr site is capable of delivering residential development whilst facilitating the delivery of the required associated infrastructure.

Turley Development Viability has also prepared a critique in respect of the viability evidence completed by Lambert Smith Hampton (LSH) on behalf of LCC (**Enclosure 6**); concluding that:

- The assumptions of development density (units per net acre and sq.ft per net acre) are too low.

- Unit mix including 10% bungalows and 10% apartments does not meet market expectations.
- Detached and bungalow sales values are too high when compared to the market evidence.
- The benchmark land value used is insufficient at circa £100,000 per gross acre.
- The general housing construction costs used within the viability report are too low and not representative of the actual costs incurred.
- The costs of garages are omitted from the construction costs, further reducing the validity of the construction costs used.
- The use of only 50% of allocated sites for development is unjustified and represents inefficient use of sustainable development land.
- The abnormal and infrastructure costs are excluded from the assessment, which will result in a reduced finance cost.

Each of the above issues (except development density) would be likely to have an unnecessarily adverse effect on the viability of sites. Consequently, the Viability Assessment completed by LSH makes assumptions which are overly optimistic and indicate unrealistic (inflated) returns for affordable housing provision and/or surplus profits for S106 and infrastructure costs. This will result in under delivery of affordable housing and other planning obligations, subsequently perpetuating the unmet need of housing in Lancaster (and all that goes with that).

Ecology

The Ecological Appraisal (**Enclosure 7**) confirms that the majority of the Whinney Carr site comprises improved grassland which is of relatively low ecological value. As such, there is no ecological constraint to development.

The Ecological Appraisal identifies that there are several higher value habitats within / adjacent to the Site, including:

- A small population of Great Crested Newts on land to the east;
- Bat roosts within the farm buildings;
- Foraging bat activity across the site;
- Lancaster Canal and Burrow Beck Biological Heritage Sites (BHSs); and
- Over-mature trees/wooded copses.

The Ecological Appraisal confirms that these habitats are relatively small scale and impacts on features of interest will need to be avoided, or appropriate mitigation put in place to reduce the effects of development. This includes creating green infrastructure and wildlife corridors incorporating the canal and beck as well as the wooded areas in the site, and mitigation/enhancement for the bat roost and Great Crested Newt population present.

Several mitigation options are provided for each of the ecological receptors. The proposed mitigation can be incorporated into the detailed design as illustrated by the indicative masterplan (**Enclosure 5**). Overall, the Appraisal concludes that there is scope for net gain in biodiversity resulting from the development through careful design and implementation of mitigation methods and adoption of good practice.

Strategic Housing and Economic Land Availability Assessment

The NPPF (2012) identifies at footnote 11 that in order to be deliverable a site should be:

“available now, offer a suitable location for development now, and be achievable with a realistic prospect that housing will be delivered on the site within five years and in particular that the development of the site is viable.”

Suitable

Land at Whinney Carr is included within LCC's Strategic Housing and Economic Land Availability Assessment (SHELAA) (2018) as Site Reference 334 and categorised as Greenfield 'Urban' Site. The SHELAA identifies the site as not being within a sustainable settlement. Peel disputes this conclusion as the site is immediately adjacent to the urban edge of Lancaster and within close proximity of the A6, Ashton Road and Scotforth which provides access to services such as:

- Booths Supermarket
- Shell Garage
- Scotforth St Paul's C of E Primary School
- The Boot and Shoe Pub
- Brookdale Day Nursery
- Royal Alberts Playing Field
- St Pauls Church

The scale of the site (c.45ha / 111 acres) also provides the opportunity for the provision of services within the development. Peel therefore asserts that the wider Whinney Carr site is in a sustainable location and the SHELAA should fairly reflect this.

The SHELAA does not provide a conclusion on the deliverability of the Site. Peel disagrees with this approach the SHELAA identifies whether a site is Suitable, Available and Achievable and provides an important evidence source to inform plan making. The SHELAA should therefore provide a conclusion on the Whinney Carr site.

The SHELAA does not provide comments in relation to the Site's 'Suitability', 'Achievability' and 'Availability'. However, LCC's previous SHLAA (2015) concluded that the site was suitable for development and was developable within years 6 to 10.

Suitable

The enclosures submitted with this report respond to LCC's evidence base and confirm the following:

- The BGH Technical Note shows with the short term highways / junction improvements identified by WYG in place and those already permitted at Hala Road, early release of land for development at Whinney Carr could come forward Lancaster without resulting in severe harm to the highway network.
- The site is within Flood Zone 1 and at low risk of flooding. The Indicative Masterplan demonstrates that the land to the north west of the site at medium risk of surface water flooding would form part of a Sustainable Drainage System (SuDS) corridor and would therefore remain undeveloped.
- With mitigation there are no ecological constraints which would prohibit development on this site.
- The site is not designated or identified as a 'special landscape' and there is no significant landscape or visual constraints to development.
- An Indicative Masterplan has been prepared in accordance with the Landscape Appraisal's recommendations and demonstrates that the Whinney Carr site is capable of delivering c.1000 dwellings with a further 100 dwellings on the land owned by CEP.

The enclosures clearly demonstrate that there are no overriding technical or environmental constraints which prohibit the development of this site, such that it is suitable for residential development in principle.

Available

LCC will be aware that our client is the owner and promoter of land at Whinney Carr which is identified as part of a Broad Area of Growth within the emerging LLP as part of the proposed Bailrigg Garden Village. The site is owned by willing land owners including Peel and LCC, which owns land off Ashton Road which has long been regarded as part of the proposed Whinney Carr development. As such, there are no legal constraints which would prohibit its development, subject to the delivery of the necessary highway access points. The submitted indicative Masterplan (**Enclosure 6**) identifies two different access points; discussions relating to the delivery of those access points are ongoing and the Council will be aware that there has been longstanding collaboration with CEP in this regard. The site should therefore be identified within the SHELAA as available for residential development.

Achievable

The land at Whinney Carr has willing land owners who are keen to deliver development quickly; the Site is located in a sustainable location and there are no technical constraints which would prohibit its development. The Site should therefore be identified as achievable within the SHELAA and marked Green within the traffic light indicators.

Peel respectfully requests that the SHELAA be updated to reflect the above and the site be included within LCC's trajectory as being able to deliver dwellings within the first five years.

Conclusion

This letter and its enclosures review LCC's evidence base and go on to demonstrate that the land at Whinney Carr comprises a suitable, available and achievable development option of a sustainable site on the edge of the city. It also demonstrates that there are no technical or environmental constraints which would prohibit the early development of the land. Though several concerns have been raised within Enclosure 6 about the assumptions used within LSH's Viability Appraisal, Peel is completing its own appraisal to demonstrate that the Whinney Carr site is capable of delivering residential development in the short term and able to provide necessary contributions to the required associated infrastructure.

Peel asserts that the SHELAA should conclude that the land at Whinney Carr is deliverable. The scope for early delivery on the Whinney Carr site either within or alongside the preparation of a Garden Village SPD should be explored further and contribute towards the short-term housing needs of the district. Peel is very willing to further engage with LCC and other stakeholders in this respect to ensure that the Whinney Carr Site can be brought forward and in accordance with the aspirations of the Local Plan. LCC should use its full range of powers and funding opportunities to facilitate delivery earlier than identified on LCC's trajectory.

In summary, the additional evidence and information supports the delivery of residential development in South Lancaster, including at the Whinney Carr site. It therefore supports the proposed delivery of the Garden Village and the proposed designation of the Broad Area of Growth in the emerging LLP. It also indicates, particularly in respect of transport matters, that LCC could be more ambitious in facilitating early delivery of residential development, which would accelerate the delivery of much-needed new homes. This could be achieved via an allocation of land at the site and/or the preparation of an SPD (rather than an AAP) in respect of the proposed Spatial Development Framework.

Peel remains keen to engage with LCC regarding these matters and to assist LCC in securing a positive outcome to the forthcoming examination of the LLP. This is essential to ensure that a local Development Plan is in place in order both to facilitate the delivery of the new homes urgently required in Lancaster and to support LCC's bid for funding to enable the provision of much-needed strategic infrastructure.

Yours sincerely

Nick Graham
Associate Director

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Appendix 6: Peel Representations to LCC Draft Suggested Modifications (November 2018)

A Local Plan for Lancaster District 2011-2031: Council Suggested Modifications (October 2018)

Representations by Peel Investments (North)
Limited

November 2018



Turley

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Client

Peel Investments (North) Limited

Our reference

PEEM3048

2 Nov 2018

1. Introduction

- 1.1 This report is prepared by Turley on behalf of our client Peel Investments (North) Limited (hereafter referred to as “Peel”). It makes representations to Lancaster City Council (LCC) in relation to the draft suggested modifications in respect of the Strategic Policies and Land Allocations DPD¹ (SPLA DPD) and the Development Management DPD² (DMDPD) which are currently the subject of public consultation. Both DPD’s – which each comprise part of the emerging Lancaster Local Plan (LLP) – have already been submitted to the Secretary of State for independent examination.
- 1.2 LCC will be aware that Peel is the owner and promoter of land at Whinney Carr (45ha or 110 acres) (“the land”) which is identified as part of the Lancaster South Broad Location for Growth including Bailrigg Garden Village (BGV). The land has been identified in earlier versions of the 2004 Local Plan and the currently emerging LLP as a proposed allocation and in a number of previous SHLAA documents as being suitable for residential development.

Peel Group

- 1.3 The Peel Group is a major investment company and is one of the leading infrastructure, real estate, transport and investment enterprises in the UK. Peel is a major investor, infrastructure provider, landowner and developer. Peel also has major interests and assets across the UK. Peel’s diverse network of businesses range from ports to airports; land to leisure; media to hotels; wind farms to shopping centres; nature parks to canals; residential sites to agricultural uses.
- 1.4 Peel’s track record is one of delivering transformation and creating vibrant places through regeneration and innovation. Peel invests for the long term. For example, at MediaCityUK in Salford, Peel delivered a £650 million investment in Europe’s largest construction project during the recession. Peel Port’s £400 million investment in the Port of Liverpool is opening up new export markets for the North.

Peel Land and Property

- 1.5 Peel Investments (North) is part of Peel Land and Property, which is in turn part of the Peel Group. It has extensive real estate assets which consist of 1.2 million sqm (13 million sqft) of investment property and over 15,000 hectares (37,000 acres) of strategic land and water throughout the UK, with particular concentrations in the North West of England, Yorkshire and the Medway. The breadth of Peel Land and Property’s assets covers transformational developments including MediaCityUK and Liverpool Waters. Peel Land and Property’s landholdings accommodate offices, retail and business parks, shopping centres, leisure and sports venues, residential developments and agricultural land.

¹ A Local Plan for Lancaster District 2011-2031 Part One: Strategic Policies and Land Allocations DPD – Council Suggested Modifications, Lancaster City Council (October 2018)

² A Local Plan for Lancaster District 2011-2031 Part Two: Review of the Development Management DPD – Council Suggested Modifications, Lancaster City Council (October 2018)

Context

1.6 This representation provides comments on LCC's draft suggested modifications to both the SPLA DPD and DMDPD. It is therefore focussed upon the modifications themselves and does not comment on those aspects of the SPLA DPD and DMDPD which LCC does not at this stage propose to modify. As such, this representation should be read alongside Peel's representations to the following, both of which remain extant:

- The Publication Versions of the SPLA DPD and DMDPD³, which was submitted in April 2018.
- The Issues and Options Paper for the BGV Area Action Plan⁴, which was submitted in July 2018 and is enclosed at Appendix 1.

1.7 In this context, Peel reserves the right to provide further comments regarding the suggested modifications to LCC and the examining Inspector in due course.

Status of the draft suggested modifications

1.8 The status of LCC's draft suggested modifications to the SPLA DPD and DMDPD is unclear. In particular:

- The two consultation documents refer to the modifications as both 'draft' and as 'suggestions'. This suggests that they are not fixed. Indeed, at the meeting of the Lancaster District Housing Developers Forum on 4 October 2018, LCC informed attendees that these modifications may be subject to further changes and refinements prior to their submission to the Inspector appointed to examine the LLP. Consequently, the status of the 'proposed modifications' is far from clear and LCC's position on these is urgently required.
- A number of the draft suggested modifications do not appear to be based on robust evidence. For example, LCC states that the change in the annual housing requirement results from a reappraisal of the delivery expectations of the proposed development allocations, but no evidence of this reappraisal has been published. The purpose of and justification for the modifications is therefore seemingly without any evidential justification. Further detailed comments in respect of this matter are set out throughout this report.
- The Planning Practice Guidance (PPG) makes clear that main modifications can only be proposed by the examining Inspector but that authorities can put forward modifications where these relate to "...minor matters..." (Reference ID: 12-023-20140306). The rationale for the introduction of draft suggested major modifications by LCC whilst the examination process is already underway but before the hearing sessions (timetabled for January 2019) is therefore unclear and is considered to be premature.

³ A Local Plan for Lancaster District 2011-2031: Publication Draft – Representations by Peel Investments (North) Limited, prepared by Turley on behalf of Peel (April 2018)

⁴ Bailrigg Garden Village Area Action Plan: Issues and Options Paper – Representations by Peel Investments (North) Limited, prepared by Turley on behalf of Peel (July 2018)

- 1.9 Peel therefore requests urgent clarification from LCC regarding the status of the draft suggested modifications.

Summary of Representations

- 1.10 Peel's representations can be summarised as follows:

- Peel strongly agrees with and supports LCC's approach to make South Lancaster the focus for much-needed new housing delivery, and is therefore supportive of the proposed residential development of land at Whinney Carr Farm and the wider BGV/Broad Area of Growth proposition. It is important that LCC retains the objective of early delivery of new homes from this area and looks for all opportunities to do so. Indeed, consistent with the Publication Draft Local Plan, Peel considers that new homes could be delivered from the Whinney Carr site by 2021/22 or 2022/23, which would coincide with the delivery of the strategic infrastructure funded by HIF. The draft suggested modifications are much less positive and effective in this respect than the Publication Version of the SPLA DPD. Peel is keen to work with all parties to facilitate early delivery at the Whinney Carr site and the wider Garden Village.
- However, Peel has concerns regarding the draft suggested modifications. In particular:
 - A further reduction in the annual housing requirement from 522 to 455 dwellings per annum. This is below the level of delivery achieved in recent years and falls far short of meeting the objectively assessed need for new homes in Lancaster (now 605dpa⁵) – it will not meet demographic needs nor support economic growth and will not address growing affordable housing needs. This new housing requirement is insufficient to secure a sustainable and aspirational future for the District. It is not justified, effective or consistent with the requirements of the archived NPPF (2012).
 - The 'planned' delay in delivery of the Garden Village from 2021/22 to 2024/25, with a consequent reduction in the number of dwellings it delivers within the plan period from 1,655 to 460 dwellings. Such a delay is unjustified, prevents housing needs from being met and runs counter to the Government's, County and City's objectives and aspirations of early delivery from the Garden Village and boosting housing supply; indeed, LCC has applied for Garden Village status with the objective of accelerating delivery. The proposed approach is also relatively inflexible and could present an unintended hindrance to the delivery of the Garden Village over its build period.
- While LCC asserts that delivery of 455 dpa is the maximum which can be achieved, it does not provide any evidence to support that claim. Peel does not agree that the housing requirement should be (un-evidenced) 'supply led' and considers that there are opportunities to deliver more homes earlier within the

⁵ This figure, itself is a reduction from 675dpa set out in the original SHMA (2015) upon which the local plan has been prepared

LLP plan period. Peel supports the inclusion of the Whinney Carr site in the South Lancaster Broad Location for Growth designation, but proposes that:

- In addition to designating the Broad Location for Growth, the Whinney Carr site and adjoining land, including land owned by Lancaster City Council and CEP, (see Appendix 4) should be allocated for an early phase of delivery in accordance with – and without prejudicing the delivery of – the wider Garden Village. The allocation would be akin to the ‘sustainable urban extension’ (SUE) area identified by LCC’s preferred Option 3 as set out in the Issues and Options paper of the AAP³³.
 - The BGV Spatial Development Framework should take the form of a Supplementary Planning Document (SPD) rather than an AAP, given the shorter timeframes for its preparation and the increased flexibility that this will provide over the longer-term.
 - The backstop date for the adoption of the BGV Spatial Development Framework should be brought forward to late 2020 which will align with the delivery of strategic infrastructure via Housing Infrastructure Fund (HIF) monies.
 - Policy SG1 should be amended such that applications to deliver the Garden Village can come forward if the BGV Spatial Development Framework is not adopted by the backstop date, provided that its overriding principles are not prejudiced or put at risk.
 - In any event, the plan should enable applications to be brought forward in advance of prior to the backstop date for adoption of the AAP (2024) and to provide flexibility and encourage delivery consistent with objectives of the Local Plan
- In respect of other draft suggested modifications, Peel comments as follows:
 - The draft suggested modifications to Policy SP1 are supported as they are necessary to ensure that the policy is effective and consistent with revised NPPF (2018).
 - The timeframes for housing delivery in Policy SP6 and the overarching LLP plan period should be consistent (they are not at present). They should account for a period of at least 15 years as required by the NPPF.
 - The justification for the inclusion of an additional 10.6ha (26.193 acres) of employment land in Policy SP5 is unclear and must surely increase the need for positive planning in relation to housing delivery.
 - The ‘lapse rate’ identified in Policy SP6 should not be confined to small residential sites but should also apply to major developments.
 - Peel does not agree that student accommodation should comprise over 23% of the proposed housing supply; there is no evidence to support the

increased reliance on that source of housing supply, it is unjustified and not effective in meeting the overall housing needs of the District.

- The justification for and implications of the draft suggested modification to change the name of the Broad Location for Growth from ‘Bailrigg Garden Village’ to ‘Lancaster South including Bailrigg Garden Village’ in respect of Policy SG1 is unclear. Peel requests clarification from LCC and reserves the right to comment further in due course.
- The rationale and justification for the inclusion within Policy SG1 of the new Principle 13 for “economic growth” in the Garden Village is unclear and potentially unjustified. Peel requests clarification from LCC and reserves the right to comment further in due course.
- The location of the local centre within the Garden Village and Broad Location for Growth should be treated as indicative and the scale of the centre should be flexible (i.e. local or district centre) such that it can be determined through the masterplanning process.
- The affordable housing requirements proposed by Policy DM3 of the DMDPD should not be fixed until the Stage 2 Viability Assessment of the strategic sites, including the Garden Village, has been consulted and completed.

1.11 Peel’s comments are made on the basis that the provision of further information and amendments to the emerging LLP will make for a stronger and more robust plan which has flexibility to adapt to opportunities as they arise and help deliver the LCC’s overall vision. Peel considers that such changes could be relatively minor in nature and addressed, as necessary, through the formal Main Modifications process.

Report Structure

1.12 This report provides a detailed response to the draft suggested modifications to the SPLA DPD and DMDPD. It is structured as follows:

- Chapter 2 sets out our comments in respect of the strategic policies of the SPLA.
- Chapter 3 sets out our comments in more detail in respect of Lancaster South Broad Location for Growth
- Chapter 4 sets out our comments in respect of the DMDPD.
- Chapter 5 provides concluding comments.

1.13 A number of appendices are attached, as follows:

- Appendix 1: Peel’s representations to the BGV Area Action Plan: Issues and Options Paper (July 2018).
- Appendix 2: LCC’s application to Government for Garden Village status.

- Appendix 3: Publication Version SPLA DPD housing trajectory (February 2018).
- Appendix 4: Site area of proposed allocation within the Garden Village.

2. Strategic Policies

- 2.1 This chapter comments on LCC's draft suggested amendments to the strategic policies of the SPLA DPD (Policies SP1 to SP10), particularly in respect of the delivery of new homes (Policy SP6).

Policy SP1: Presumption in Favour of Sustainable Development

- 2.2 The draft suggested modifications propose to amend the wording of Policy SP1 such that it is broadly consistent with that set out at paragraph 11 of the revised National Planning Policy Framework (2018) (NPPF). The transitional arrangements set out at Annex 1 of the NPPF make clear that the soundness of this LLP will be tested against the archived NPPF (2012) given that it was submitted for examination before 24 January 2019. However, in order for it to be considered up-to-date at the point of adoption, those policies which will relate directly to the determination of planning applications must be in broad accordance with the current NPPF. Peel therefore **supports** the draft suggested modifications to Policy SP1 as they are necessary to ensure that the policy is effective and consistent with revised NPPF (2018).

Policy SP5: The Delivery of New Jobs

- 2.3 The draft suggested modifications propose an increase in the scale of new employment land from 48.9 to 59.5 ha (c.120.8 - 137 acres). Peel, in principle, supports LCC's ambitions to deliver increased levels of economic growth. Notwithstanding this, LCC has not identified where the additional 10.6 ha (26.19 acres) of employment land will be located and whether the proposed location for development is deliverable and appropriate. While the draft policy makes reference to the (incorrectly named) 'Achieving Economic Potential for Lancaster District' report⁶, that document does not provide any evidence of the need for an additional 10.6 ha (26.19 acres) of employment land; no additional explanation is provided within the commentary of the SPLA DPD. Moreover, the inclusion of this additional land must increase the need for positive planning in relation to housing delivery, in order to create long term and sustainable growth (see below).
- 2.4 Peel therefore queries the justification for amending the policy to include a requirement for an additional 10.6ha (26.19 acres) of employment land; it requests clarification from LCC in this respect and also confirmation of where that additional land will be allocated. Peel reserves the right to comment further in respect of this matter in due course.

Policy SP6: The Delivery of New Homes

- 2.5 The following paragraphs comment on the draft suggested modifications to Policy SP6.

⁶ It is assumed that the document referred to in Policy SP5 is *Lancaster District: Prospects and Recommendations for Achieving Economic Potential* (Turley) (April 2015) [LP05.01.02]

The plan period

- 2.6 The emerging LLP proposes a 20 year plan period from 2011/12 to 2030/31. However, mindful that the archived NPPF (2012) states that Local Plans should cover a 15-year timeframe (paragraph 157), Policy SP6 of the Publication Version of the SPLA DPD proposed a longer housing delivery period of 23 years up to 2033/34 enabling a 15-year forward trajectory from the anticipated adoption date of 2019. LCC's draft suggested modifications now propose that:
- The delivery timeframe set out in Policy SP6 is modified to 2011/12 to 2030/31 such that it is consistent with the overarching LLP plan period.
 - The new annual housing requirement (455 dwellings per annum) is "*...rolled forward...*" to cover an additional three years of delivery up to 2033/34.
- 2.7 Assuming that the SPLA DPD is adopted within the next 12 months, i.e. before the end of 2019, only 11 full years of the plan period will remain. This falls significantly short of the NPPF requirement to cover a 15-year timeframe. The plan period proposed by the SPLA DPD is therefore inconsistent with the policies of the NPPF in this respect.
- 2.8 While LCC's proposal to 'roll forward' the annual housing delivery requirement for an additional three year period seeks to address the NPPF compliance issue. However, it results in a housing delivery timeframe which is inconsistent with the overarching LLP plan period. In this respect the SPLA DPD adds an unnecessary layer of complexity and lacks clarity, particularly to those who are less familiar with the intricacies of the planning system. Moreover, the weight to be attributed to and effectiveness of the rolled forward housing requirement in the additional three years beyond the 2030/31 end date of the plan period – after which the LLP will be "time expired" – is unclear.
- 2.9 Peel therefore maintains its position as set out in its representations³ to the Publication Version SPLA DPD, that the timeframes for housing delivery and the overarching LLP plan period should be consistent. They should account for a period of at least 15 years as required by the NPPF.

The housing requirement

- 2.10 Peel's representations to the Publication Version SPLA DPD³ set out concerns regarding the failure of the SPLA DPD to meet the District's overall housing needs and for delivery within the plan period. LCC's draft suggested modifications now propose a further reduction in the housing requirement, from 12,000 dwellings for the 23-year period 2011 - 2034 to 9,000 dwellings for the period 2011 - 2031; with an additional 1,365 (455dpa) 'rolled forward' for the three years to 2034. This equates to an unexpected 12.84% reduction in the annual housing requirement from 522 to 455 dwellings per annum (dpa).
- 2.11 It is noted that paragraph 9.19 of the tracked changed version of the SPLA DPD refers to the delivery of the dwelling requirement over the period up to 2033/34, whilst the first part of draft Policy SP6 itself still refers to an annual requirement of 522 dpa. For the purposes of this representation, it is assumed that the wording of paragraph 9.19 and the draft policy does not reflect LCC's current position.

Meeting baseline housing needs

- 2.12 The NPPF (2012) sets out a clear expectation that local authorities should “...*boost significantly the supply of housing...*” including by ensuring that their Local Plan “...*meets the full, objectively assessed needs for market and affordable housing...*” (paragraph 47). The 2015 Lancaster Independent Housing Requirements Study (IHRS) concluded with a calculated need for between 553 and 763 dwellings per annum in Lancaster District. A narrower OAN range of between 650 and 700 dwellings per annum was recommended, with LCC accepting 675 dpa as its OAN and including this figure as the housing requirement for the District in the Consultation Draft SPLA DPD⁷.
- 2.13 The subsequent 2018 OAN Verification Study⁸ concludes that there is a need for “...*at least 605 dwellings per annum over the plan period 2011-2031...*” (emphasis added) to support likely job growth, accommodate projected demographic growth and respond to market signals. LCC’s draft suggested modification now reduces the housing requirement to 455 dpa – 150 dwellings short (c.25% fewer) than the latest baseline assessment of housing needs for the District and 220 dpa short (c.32.5% fewer) of the 675 dpa figure which LCC has previously planned for.
- 2.14 The Verification Study⁸, whilst confirming that it has not sought to arrive at a concluded OAN, states that “...*the analysis presented strongly indicates that the need for housing in Lancaster District continues to fall within the wider range of projected housing need established through the IHRS...*” (paragraph 13). It also concludes that “*The narrower range of 650 to 700 homes per annum can also be considered to remain broadly reasonable...*” (paragraph 14). The requirement now proposed by the draft suggested modifications equates to just c.75% of the reduced baseline need (605 dwellings) concluded in the Verification Study and is only 70% of the lower end of the OAN range. The SPLA DPD will, therefore, not be effective at meeting the District’s full housing needs and is inconsistent with the policies of the NPPF (2012).
- 2.15 The 2015 IHRS and subsequent Verification Study represent an independent and objective assessment of the number of families in the District who need a home. Peel considers – and the NPPF requires – that every effort must be made to meet those needs as soon as is practicably possible. Instead of doing so, the draft suggested modifications now propose a housing requirement which:
- Is only marginally higher than the 400 dpa requirement established by the 2008 North West Regional Spatial Strategy (RSS)⁹, a figure which reflected a policy of restraint to “...*promote urban regeneration in urban areas by reducing the potential for dwelling completions to exceed the housing requirement...*”¹⁰.
 - Is significantly below the number of dwellings delivered in recent years. Indeed, it is 173 dwellings (27.55%) lower than the 628 dwellings built in 2016/17 and 54

⁷ A Local Plan for Lancaster District 2011-2031 Part One: Strategic Policies and Land Allocations DPD – Consultation Draft, Lancaster City Council (January 2017)

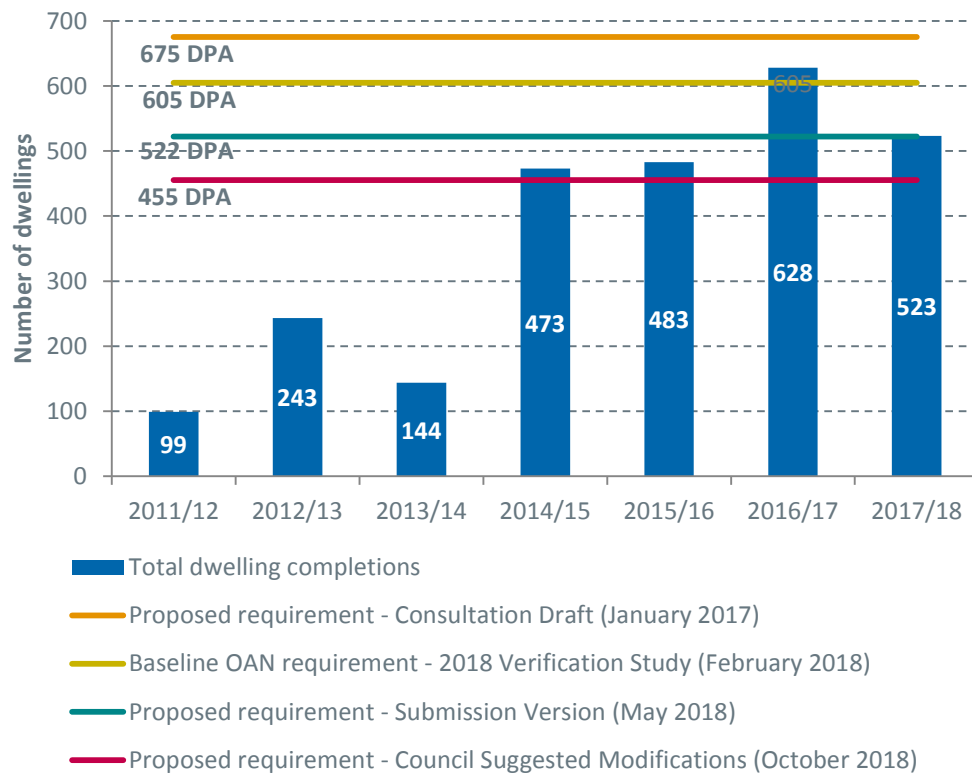
⁸ OAN Verification Study, Lancaster City Council (February 2018)

⁹ North West of England Plan: Regional Spatial Strategy to 2021, Government Office for the North West (September 2008)

¹⁰ Lancaster Independent Housing Requirements Study 2015, Lancaster City Council (October 2015) – paragraph 6.23

dwellings (10.61%) lower than the average of 509 dwellings delivered over the last four years. This is illustrated in Figure 2.1 below. The proposed reduction in the requirement below recent delivery cannot be considered to represent a ‘significant boost’ to supply in line with NPPF and other multi-agency initiatives to address the ongoing national housing crisis.

Figure 2.1: Housing delivery in Lancaster during since the start of the LLP plan period



Source: Lancaster Housing Monitor 2018¹¹

- 2.16 LCC’s response¹² to the Inspector’s initial questions¹³ suggests that the reduction in housing provision will mean that housing needs will actually be lower, because the failure to meet the District’s economic potential will mean that it will retain fewer residents and attract fewer in-migrants. This is misleading. The OAN Verification Study (2018)¹⁴ makes clear that the demographic-based housing need in Lancaster is 605 dpa. This is the minimum housing need within the District before the implications of stronger economic growth potential are taken into account. The proposed requirement of 455 dpa will therefore fall far short of meeting the minimum baseline demographic-based housing needs of Lancaster.

¹¹ A Local Plan for Lancaster District: Five year housing land supply position, Lancaster City Council (September 2018)

¹² Inspector’s initial questions of 5th September 2018 with responses from Lancaster City Council at 3rd October 2018, Lancaster City Council (3 October 2018)

¹³ Inspector’s initial questions, Richard McCoy (5 September 2018)

¹⁴ OAN Verification Study, Lancaster City Council (February 2018)

- 2.17 Paragraph 9.20 of the SPLA DPD states that the 455 dpa requirement will deliver the full demographic need identified by the Government's standard method for calculating housing needs, as set out in the revised NPPF (2018) and accompanying Planning Practice Guidance (PPG). However, the transitional arrangements set out in the revised NPPF (2018) make clear that it is the policies of the archived NPPF (2012) which apply for the purposes of examining the SPLA DPD because it was submitted for examination before 24 January 2019. As such, the implications of the Government's standard method are of limited relevance. This is also made clear by the Government's current consultation on updates to national planning policy and guidance¹⁵ which states that:

"Under the transitional arrangements set out in the revised National Planning Policy Framework, these plans do not need to be informed by a housing need assessment using the standard method." (paragraph 22)

- 2.18 Outside of this explicit instruction through the revised NPPF (2018) as to its application at examination of the LLP, it is also important to recognise the following:

- The Government is currently consulting on revised planning policy and guidance regarding an adjustment to the standard method with an acknowledgement that the current method does not adequately calculate needs in full in the context of the Government's identified objective for boosting supply¹⁵. Any output from the standard method at this point is clearly inappropriate, particularly when examining a plan under the archived NPPF (2012) and should be viewed in this context with the acknowledgement that it is likely to be subject to change.
- In any event, paragraph 60 of the revised NPPF (2018) sets out that strategic policies on housing provision should be informed by the outcome of the standard method within the context of a local housing need assessment in determining the minimum number of homes needed. This clearly does not prohibit authorities from planning for levels of housing which exceed this 'minimum' benchmark. Indeed, the Government has been clear to articulate its expectation that authorities do just that¹⁶, acknowledging that the output of the standard method will not in isolation deliver the 300,000 homes needed by the mid-2020s to address the current housing crisis.
- Paragraph 81 of the revised NPPF confirms the importance of establishing a clear economic vision and strategy supported by the establishment of criteria for local and inward investment to match the strategy and meet anticipated needs. Importantly this recognises the need to *"...address potential barriers to investment, such as inadequate infrastructure, services or housing..."*, whilst being *"...flexible enough to accommodate needs not anticipated in the plan... and to enable a rapid response to changes in economic circumstances..."*. LCC's evidence base has been prepared in that context and identifies a baseline need

¹⁵ *Technical consultation on updates to national planning policy and guidance*, Ministry of Housing, Communities & Local Government (October 2018)

¹⁶ Housing, Communities and Local Government Committee oral evidence: MHCLG priorities for the Secretary of State, HC 1036 – Rt Hon James Brokenshire MP, Secretary of State, Ministry of Housing response to Questions 35 and 36

to deliver 605 dpa across the District and as much as 650-700 dpa to align with future job growth and labour force behaviour.

- The PPG informs that authorities should consider establishing a requirement which exceeds the minimum where, *inter alia*, previous housing delivery has exceeded the minimum identified need or a recent assessment suggests a higher level of need (Reference ID: 2a-009-20180913). Both circumstances apply in Lancaster as set out above and at Figure 2.1.

Supporting economic growth

- 2.19 It is evident – and indeed acknowledged by LCC – that the suggested modification of the housing requirement to 455 dpa is not aligned with the District’s economic growth potential, which would require the delivery of at least 584 dpa¹⁴. Despite this substantial shortfall in housing delivery, the SPLA DPD proposes various allocations for new or expanded employment development. Policy SP5 now sets out that it will allocate 59.5ha (147 acres) of employment land, a significant 10.6ha (26.19 acres) (c.20%) increase on the 48.9ha (145.5 acres) proposed in the Publication Version of the SPLA DPD (see above). The allocations include the delivery of numerous strategic employment opportunities including the Lancaster University Health Innovation Campus, Heysham Gateway which seeks to capitalise on the ‘Bay Gateway’ growth opportunity established by the new Heysham link road, and various other business parks.
- 2.20 The delivery of these developments without the corresponding and necessary increases in housing provision would be expected to result in:
- Unsustainable growth in traffic congestion as a result of increased in-commuting from surrounding areas
 - An exacerbation of worsening affordable housing need issues in Lancaster, which are already acute (see below) ; and
 - The holding back of economic growth given a likely shortfall in new housing delivery and, therefore, labour force.
- 2.21 The failure to align housing and economic growth provision results in a strategy which is ineffective at delivering sustainable growth, is not positively prepared and fails to address key strategic objectives of the SPLA DPD itself, including:
- SO1 which seeks the delivery of a thriving economy that fosters investment and growth, and which supports growth opportunities to deliver the District’s economic potential. SO1 states that this will be achieved by promoting jobs growth.
 - SO2 which sets out that LCC will deliver housing in the District to support economic growth.
- 2.22 It would also fail to meet the requirement in the NPPF (2012) to facilitate economic growth, including by removing barriers to investment such as housing (paragraph 21).

Meeting affordable housing needs

2.23 The suggested modification of the housing requirement to 455 dpa will be insufficient to meet the District's current annual need for 376 affordable dwellings per annum. LCC sets out in its response to the Inspector's initial questions¹² that it expects the delivery of 137 affordable homes per annum on the basis of a 30% affordable housing target. This is a very low level of overall provision given the scale of the need. Notwithstanding, the actual level of affordable housing provision that is likely to be delivered will be significantly less than 30% overall, given that Policy DM3 of the DMDPD proposes:

- Lower targets of 15% and 20% for some sites; and
- Developments of less than 10 units – which make up considerable proportion of delivery¹⁷ – fall outside of the affordable housing thresholds.

2.24 The delivery of just 455 dpa will suppress the delivery of affordable homes and is therefore likely to exacerbate the impacts associated with a position of already worsening affordability across the District. This is particularly the case given that the delivery of new economic growth opportunities are likely to result in increased demand for new homes which will lead to further disproportionate increases in house prices (see above). The shortfall in meeting existing affordable housing need means that real people in real housing need are not having their needs accommodated; this represents a failure of the development plan system to address actual human requirements rather than abstract concepts.

The justification for a reduced requirement

2.25 LCC has set out in its response to the Inspector's initial questions¹² that the proposed reduction of the housing requirement to 455 dpa has resulted from a reappraisal of the delivery expectations on the identified allocations, such that *"...the commencement of sites and annual phasing must be reduced..."* This makes clear that the housing requirement in Policy SP6 is 'supply-led'.

2.26 The draft suggested modifications are not accompanied by any specific or clear evidence which explains the process of the reappraisal of delivery expectations. Whilst LCC has published a short paper¹⁸ regarding the supply in the District, this only provides vague statements that *"....the annual phasing and commencement dates have been revised to reflect what the council believes to be more realistic expectations of delivery..."* (paragraph 2.30) and some sites have experienced *"...delayed implementation..."* (paragraph 3.9). It does not contain any specific information about:

- Which sites have or will have experienced delays or the nature and cause of those delays; or
- How the delivery expectations of specific sites have been identified.

¹⁷ The note entitled *The Council's Approach to Delivering Housing Supply in Lancaster District* published alongside the draft suggested modifications to the SPLA DPD identifies that small sites of less than 10 units comprised the delivery of 75 dpa on average in the previous four years (2014/15 to 2017/18).

¹⁸ *The Council's Approach to Delivering Housing Supply in Lancaster District*, Lancaster City Council (October 2018)

- 2.27 LCC has published a revised trajectory at Annex 1 of the SPLA DPD, but this is not accompanied by any information or evidence about why the delivery expectations for specific sites have been revised. As such, the suggested reduction in the annual housing requirement is currently unjustified.
- 2.28 LCC's response to the Inspector's initial questions¹² sets out that the delivery of infrastructure is a key factor in the delivery of new homes. It notes that the County Council is currently preparing a detailed bid for Housing Infrastructure Fund (HIF) monies to deliver a range of strategic transport infrastructure which will help to unlock strategic development allocations across Lancaster including – but not limited to – BGV.
- 2.29 The draft SPLA DPD takes a pessimistic view of the anticipated timescales for delivery of those developments, which is not closely aligned with the Garden Village status granted by the Government or the HIF opportunity and its clear expectations of funding to accelerate development. LCC has not explored the extent to which there are opportunities to bring forward such developments alongside or even in advance of the delivery of this infrastructure. Peel considers that such opportunities do exist, including at the Garden Village / Broad Location for Growth; and that such options should be pursued and indeed prioritised over Green Belt release. This is particularly the case given the extent to which the housing delivery proposed by LCC falls short of the District's needs. The purpose of Garden Village status is to accelerate delivery; it represents a once-in-a-generation opportunity to delivery new homes and it is therefore critical that LCC is ambitious and positive in planning for it. This matter is discussed further in the context of the Garden Village in the following chapter.

The delivery of student accommodation

- 2.30 Policy SP6 sets out the various components of housing supply. Of the total anticipated provision of 9,158 dwellings within the LLP plan period, 2,119 dwellings are comprised of student accommodation. This is a very high proportion, equivalent to almost a quarter (23.14%) of the total anticipated housing supply. This proportion is significantly higher – almost double – than that set out in the Publication Version of the SPLA DPD (11.67%). This is due both to:
- The reduction in the overall anticipated housing supply over the plan period, from 12,056 dwellings to 9,158 dwellings; and
 - A significant increase in the amount of student accommodation to be delivered within the plan period, from 1,407 dwellings to 2,119 dwellings.
- 2.31 The change between the Publication Version and draft suggested modifications of the SPLA DPD in this respect are set out in Table 2.1 below.

Table 2.1: Comparison of student accommodation supply in the Publication Version and Draft Suggested Modification of the SPLA DPD

Publication Version SPLA DPD (February 2018)	Draft Suggested Modifications SPLA DPD (October 2018)	Change (+ / -)
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Overall housing provision	12,056 dwellings	9,158 dwellings	-2,898 dwellings (-24.04%)
Student accommodation	1,407 dwellings	2,119 dwellings	+712 dwellings (+50.61%)
Proportion	11.67%	23.14%	+98.29%

Source: Turley analysis

- 2.32 Given the scale of the student accommodation supply and its contribution to the overall housing provision set out in Policy SP6, it is necessary to consider the extent to which it is helping to meet the District's identified housing needs. This is particularly the case given the scale of the change between the Publication Version SPLA DPD and LCC's draft suggested modifications.
- 2.33 The 2015 IHRS¹⁹ identified that growth in student numbers is included within historic migration patterns, with the future projections therefore assuming that current trends will continue. It concluded that *"...a review of university strategies does not suggest that a specific student target is currently being pursued, and it is therefore not considered appropriate to deviate from this historic trend for the purposes of this assessment..."*. It also noted that students *"...do not have a significant effect on population numbers in Lancaster..."*. This conclusion was reiterated in the 2018 OAN Verification Study⁸. Moreover, the latest information on student numbers from the Higher Education Statistics Agency¹⁹ shows little change in recent years, with a relatively stable student population that shows no meaningful departure from the historic trends or any "need" to grow the supply of student accommodation.
- 2.34 Despite this, it is evident that Policy SP6 proposes a significant uplift in student accommodation, which is now expected to be the largest single component of housing land supply within the plan period, with 2119 units now expected to be delivered by 2031.
- 2.35 In the first instance, the amount of student accommodation relative to the overall housing supply across the plan period (23.14%) appears to be significantly disproportionate to the projected growth of the student population. It also represents a substantial uplift on recent completions; LCC's housing land monitor²⁰ sets out that *"student accommodation and other residential institution units"* have averaged just 27 dwellings per annum over the last seven years (2011/12 to 2017/18), whereas Policy SP6 now assumes average delivery of 163 student accommodation units per annum across the plan period. This is despite:
- No indication in the university's strategies that it is pursuing a specific student target.
 - LCC's acknowledgement that the proposed housing requirement does not cater for economic growth opportunities in the District, such as the university's proposed Innovation Campus.

¹⁹ Table 1: HE student enrolments by HE provider 2016/17, Higher Education Statistics Agency (2018)

²⁰ A Local Plan for Lancaster District: 2018 Housing Land Monitoring Report, Lancaster City Council (2018)

- 2.36 Whilst the delivery of new purpose-built student accommodation might help to ‘free up’ traditional housing stock, which can then be repurposed to meet the wider housing needs of the District, there is no assessment within LCC’s evidence base of the scale of supply which might result or the contribution that this can make towards meeting general housing needs. It is also unclear from the Council’s recent paper²¹ whether the planned additional 1,360 units of student accommodation identified in the housing trajectory at Appendix E refers to student bed spaces or ‘equivalent dwellings’. If the former, as considered most likely, then the actual number of dwellings freed up is between just 485 based on an equivalence ratio of 2.8 (different from the census ratio that the PPG says should be used); resulting in a reduction of 875 dwellings from the supply.
- 2.37 It is, therefore, likely that the contribution of student accommodation towards meeting the overall 9,100 dwelling requirement has been significantly overstated and that the supply of new homes which can reasonably be counted towards delivering this requirement is much less than that set out in Policy SP6. There is no justification for the proposed change and it is likely to result in a failure of the LLP to be effective in meeting even the reduced housing requirement now postulated by LCC.

Accounting for a lapse rate, demolitions and flexibility

- 2.38 The draft suggested modifications to Policy SP6 include an allowance for demolitions and a ‘lapse rate’ for small sites²². Peel agrees with the identification of a lapse rate and notes that it has been factored into the delivery trajectory provided at Annex 1 of the SPLA DPD. However, the lapse rate should not be confined solely to small sites. It is also possible for major developments to lapse. This matter and the consequent need for the SPLA DPD to incorporate flexibility is discussed in detail in Peel’s representations to the Publication Version of the SPLA DPD³.
- 2.39 Peel maintains its comments regarding the need for flexibility. This is even more relevant now that the anticipated supply of new homes identified by the draft suggested modifications to Policy SP6 (9,158 dwellings) is now proposed to be just 58 dwellings higher than the minimum 9,100 dwelling requirement, which itself falls significantly short of meeting identified needs (see above).

Summary

- 2.40 Meeting housing needs is one of the core principles of the planning system and there is great emphasis from Government on addressing the national housing crisis. The draft suggested modifications propose another reduction in the annual housing requirement, below the level of delivery achieved in recent years. The proposed requirement will fall far short of meeting the objectively assessed need for new homes in Lancaster – it will not meet demographic needs, support economic growth or address growing affordable housing needs. The delivery of 455dpa is insufficient to secure a sustainable and aspirational future for the District. It is not justified by LCC’s evidence and will be ineffective in delivering the development plan strategy; the requirement is inconsistent with the policies of the archived NPPF (2012) and the secured Garden Village status.

²¹ Approach to Delivering Housing Land Supply in Lancaster District

²² Defined as developments of less than 10 dwellings.

2.41 The housing requirement is 'supply led'. Peel disagrees with LCC that the delivery of 455 dpa is the maximum which can be achieved; there are opportunities to deliver more homes earlier within the LLP plan period. This is discussed in chapter 3 in respect of the BGV. The draft suggested modification and the issues seemingly related to this of reducing the housing requirement increases the imperative to consider and implement such delivery opportunities in order to ensure as many new homes are built as quickly as possible.

2.42 In addition, Peel:

- Considers that the timeframes for housing delivery and the overarching LLP plan period should be consistent. They should account for a period of at least 15 years as required by the NPPF.
- Queries the justification for the inclusion of an additional 10.6ha (26.19 acres) of employment land in Policy SP5 and requests clarification in this respect. Peel reserves the right to comment further in respect of this matter in due course.
- The scale of student accommodation proposed by Policy SP6 appears to be disproportionate to the projected growth of the student population and significant over-estimation of the contribution that this element of the supply could make to meeting the overall housing needs of the District.
- Considers that the 'lapse rate' identified in Policy SP6 should not be confined to small sites but should also apply to major developments.
- Maintains that there is limited flexibility in LCC's strategy for housing delivery, which should be addressed.

2.43 Peel considers that appropriate changes can be made to the Local Plan through the formal Major Modifications process to address its concerns.

3. Lancaster South Broad Location for Growth

- 3.1 This chapter sets out Peel's comments on the draft suggested modifications which relate to the BGV and Lancaster South Broad Location for Growth. It builds on and should be read alongside Peel's earlier representations to the Publication Version of the SPLA DPD³ and the Issues and Options paper for the BGV Area Action Plan⁴. These representations set out the context for the delivery of major new development in South Lancaster including its lengthy planning history, its important role and function in meeting the District's need for new homes and infrastructure, and the need to prioritise early delivery. The comments in this chapter are provided within this context.

Policy SG1: Lancaster South Broad Location for Growth (Inc. BGV)

Renaming of the Broad Location for Growth

- 3.2 The draft suggested modifications propose to change the name of the Broad Location for Growth from 'Bailrigg Garden Village' to 'Lancaster South Broad Location for Growth, including Bailrigg Garden Village'.
- 3.3 The extent of the Broad Location as shown on the Policies Map is generally the same as the location plan which accompanied LCC's Garden Village application to Government²³ (see Appendix 2). It encompasses the majority of land to the south of Lancaster, including the University campus. That application makes clear the Garden Village comprises not just new housing delivery to the south of Lancaster but also the existing campus of Lancaster University and its proposed expansion through the development of the Innovation Campus. The application states that the Garden Village would be a bespoke development comprised of new homes with the University, which continues to function as an 'employment hub'. The Government endorsed this proposal.
- 3.4 Peel acknowledges that the concept of the Garden Village is likely to evolve over time and supports it in principle. However, the proposal to rename the Broad Location appears to downgrade the Garden Village from the proposal endorsed by Government, including by changing the role, function and contribution of the University within the Garden Village. The rationale and justification for this draft suggested modification and its implications for the delivery of the Garden Village is not set out in the SPLA DPD, such that it is unclear and cannot be justified.

Economic Growth

- 3.5 The draft suggested modifications include a new principle in respect of the Garden Village – Principle 13 – which states as follows:

"Seek to encourage economic growth within the Garden Village to create new jobs, investment and economic opportunity..."

- 3.6 The rationale and justification for the inclusion of this principle is unclear and entirely absent from the SPLA DPD and associated evidence base documents. In particular:

²³ Application for a locally-led Garden Village: Bailrigg Garden Village, Lancaster – Project objectives, Scale and Planning Status, Lancaster City Council (2016)

- The SPLA DPD does not provide any information regarding the scale, type or location of ‘economic growth’ proposed by Principle 13. Peel assumes that it may correspond to the proposed 10.6ha (26.19 acres) increase in economic growth proposed by the draft suggested modification to Policy SP5 (see chapter 2). However, this is unclear and in any event would not represent a robust justification for the delivery of ‘economic growth’ within the Garden Village.
- Peel notes that the ELR identifies South Lancaster as “...a focus for growth...”²⁴ However, the growth opportunities discussed relate to the proposed Lancaster University Innovation Park and further development of the existing University Campus; there is no discussion of the requirement for an additional Business Park in that location.

3.7 Peel therefore queries the justification for the inclusion of Principle 13 and requests clarification in this respect. Peel reserves the right to comment further in respect of this matter in due course.

Delivery Expectations

3.8 Peel’s representations to the Publication Version of the SPLA DPD³ highlighted concerns that there has been a significant step change in the policy approach and mechanism for delivery of the Garden Village. In particular, the SPLA DPD proposes that the preparation of an Area Action Plan (AAP) to resolve various matters relating to its delivery. The draft suggested modifications seek to clarify the purpose of the AAP to address “...matters of financing, delivery and phasing of new developments and infrastructure...”. While Peel welcomes this clarity, Policy SP6 goes on to state that no applications for development will be supported in advance of the AAP adoption, which will be adopted by 2024. Peel’s concerns regarding this policy approach and delivery mechanism therefore remain unchanged.

3.9 The draft suggested modifications significantly reduce the housing delivery expectations from the Garden Village. The trajectory at Annex 1 to the SPLA DPD assumes that the first new homes will not be provided until 2024/25. This is:

- Significantly later than assumed by the trajectory included within the Publication Version of the SPLA DPD (2021/22) (see Appendix 3).
- Later than the other strategic allocations identified by the SPLA DPD, which are anticipated to deliver new homes from 2022/23 and 2023/24.
- Commencing delivery just 7 years before the end of the plan period.

3.10 As a result, LCC now estimates that the Garden Village will deliver just 460 dwellings within the LLP period (see Policy SP6); a reduction of 1,195 dwellings. This represents just 13% of the anticipated minimum 3,500 dwelling yield of the Garden Village and c.5.6% of the LLP housing requirement.

3.11 Peel considers that this significant delay is harmful to the objectives and requirements of the LLP and Garden Village status. It is an unambitious figure contrary to the growth

²⁴ Lancaster District: Prospects and Recommendations for Achieving Economic Potential (April 2015)

objectives of the plan and does not represent 'positive planning' as required by the NPPF and by Government to address the housing crisis; it is a significant factor in the overall reduced housing target. Peel considers that LCC must maintain the objective of early delivery at BGV and work with all stakeholders to ensure that it is brought forward as soon as possible to provide new sustainable and high quality homes in the area. This is consistent with:

- Its formal status as a Garden Village and the emphasis that the Government has placed on its swift early delivery. Indeed, the Government has provided funding to LCC *"...for additional resources and expertise to accelerate development and avoid delays..."*²⁵
- The vital sustainable role that it plays in meeting the housing needs of the District's current and future communities.
- The importance of early delivery supporting LCC's bid for infrastructure funding from the Housing Infrastructure Fund (HIF), which it is expected will be determined by a cost/benefit analysis which will have regard to, *inter alia*, the proposed timing of housing output from the Garden Village.
- Peel's continued willingness to work with LCC and other key stakeholders to seek and secure opportunities for early, successful and sustainable housing delivery at Whinney Carr.

3.12 The provision of new sustainable and quality homes as soon as possible must be a priority. Peel does not consider that LCC has explored all options to expedite the planning process for the Garden Village, which would enable an increase in the 'supply led' housing requirement. Exploring all options for such delivery from non-Green Belt sources of development land is an essential component of demonstrating exceptional circumstances to justify the release of land from the Green Belt, as proposed by the SPLA DPD elsewhere. Peel understands LCC's aspiration to ensure that the development does not result in significant adverse effects on the local highway network and has a lasting character and quality. Notwithstanding, Peel considers that sustainable quality development can be achieved in the short-term with the right policy context and public and private sector funding frameworks and flexibility.

3.13 In this context, LCC will be aware that Peel's representations to the Publication Version of the SPLA DPD and to the Issues and Options paper of the AAP (see Appendix 1) promoted:

- The allocation of land within the Garden Village/Broad Location for Growth to enable early phases of delivery.
- The use of a Supplementary Planning Document (SPD) rather than an AAP.

²⁵ Press release: *First ever garden villages named with government support*, Department of Communities and Local Government and the Rt Hon Gavin Barwell (2 January 2017)

- 3.14 Peel considers that the merits of these policy approaches and delivery mechanisms must be reconsidered in the light of LCC's further proposed reduction in the 'supply led' housing requirement for the District. Each is discussed in turn below.

Allocation within the Garden Village / Broad Location for Growth

- 3.15 LCC maintains that earlier delivery is not achievable given the constraints in the local highway network. Peel support the principle of the Garden Village and the Broad Location for Growth. Notwithstanding:

- LCC has yet to publish an up-to-date transport assessment in respect of the SPLA DPD; LCC's responses to the Inspector's initial questions highlight that this work is "ongoing"¹². The assertion that there is no capacity within the highway network to accommodate new development in advance of the delivery of the proposed new infrastructure is therefore untested.
- Various applications for residential development within the vicinity of the Garden Village have been submitted/approved in recent years and have not been contested by the local highway authority (Lancashire County Council). The highway authority has indicated that there is some capacity within the highway network to accommodate new development in advance of the strategic infrastructure improvements, including:
 - 50 dwellings on the site of Former Launds Field Caravan Park in Galgate by Persimmon Homes²⁶, which secured planning permission in 2015.
 - 71 dwellings on land north of Stoney Lane in Galgate by Story Homes, which secured planning permission in 2015²⁷ (15/00080/FUL): Detailed for 71 dwellings submitted by Story Homes on 27 January 2015 approved on 18 August 2015.
 - 70 dwellings at Ward Field Farm at Galgate by Hollins Strategic Land. The application was submitted in late 2017 and in May 2018 LCC resolved to grant planning permission²⁸. Lancashire County Council has commented that the development "...will have only a slight impact on morning peak and evening rush hour demand through the village and will be unlikely to make existing queuing significantly worse..."
 - 32 dwellings on land at Chapel Lane in Galgate by Applethwaite Homes²⁹. The application was submitted in May 2018 and is pending determination. Lancashire County Council's comments on the application in respect of highway matters do not oppose the grant of planning permission.

- 3.16 Peel therefore considers that there must be scope for early delivery on the Whinney Carr site and adjoining land, alongside the preparation of the AAP; potentially requiring localised small-scale highways capacity enhancements. Such early delivery is supported

²⁶ Application references 12/00834/OUT & 14/01105/REM.

²⁷ Application reference 15/00080/FUL.

²⁸ Application reference 17/00944/OUT.

²⁹ Application reference 18/00335/FUL.

by Lancashire County Council (LCC) as part of its detailed bid for Housing Infrastructure Fund (HIF) monies in respect of the proposed strategic infrastructure improvements identified within the SPLA DPD.

- 3.17 The HIF bid is due to be submitted on 1 March 2019, with a decision due to be issued by Government in June 2019. Subject to a successful outcome, the Government expects that the majority of the funding will be spent during 2019/20 and 2020/21³⁰. As such, even accounting for delay, it is likely that all of the required strategic infrastructure will be in place by 2022/23 or potentially before.
- 3.18 Peel considers that a 'natural' lead-in time of approximately three years will be sufficient to commence the delivery of new homes at the Garden Village. This will provide sufficient time in which to secure outline planning permission, instruct a delivery partner/housebuilder, secure reserved matters consent and discharge relevant conditions. Research regarding lead in times undertaken by Savills on behalf of Barratt Homes indicates that such a lead-in time is feasible³¹. Peel therefore considers that new homes could be delivered from the Whinney Carr site by 2021/22 or 2022/23. This would in fact coincide with the delivery of the strategic infrastructure funded by HIF.
- 3.19 Even if the delivery of new homes might precede the operation of all of the strategic HIF infrastructure, the effect on the local highway network would be negligible given that it would comprise only one or two years of delivery (i.e. between 30 and 75 dwellings based on the SPLA DPD trajectory). There is therefore no justification for delaying the delivery of new homes at the Garden Village to 2024/25. Doing so simply prevents housing needs from being met and might deter or delay the planning application process in relation to early phases.
- 3.20 In this context, Peel reiterates its previous representations that the SPLA DPD should allocate the Whinney Carr site and adjoining land for an early phase of delivery within the Broad Location for Growth. This approach would help to facilitate the early delivery of the development in this location in a way which is sustainable and consistent with the headline principles of the Garden Village.

Whinney Carr

- 3.21 The Whinney Carr site has previously been identified as an allocation in the emerging LLP, including in the January 2017 Consultation Draft version of the SPLA DPD⁷, and has also been identified in LCC's SHLAA as a suitable residential development site for a number of years (see Appendix 1). While the site was subject of a call-in inquiry that was dismissed by the Secretary of State in 2003³² for issues relating to the need for the development at that time, there have been significant material changes in the scale of housing needs in the District since then which now places an imperative upon the delivery of new homes from the site as soon as possible.
- 3.22 Peel therefore proposes that the Whinney Carr site and adjoining land (see Appendix 4) is allocated for an early phase of residential development. The delivery of this

³⁰ *Housing Infrastructure Fund: Supporting Document for Forward Funding*, Department for Communities and Local Government (July 2017)

³¹ *Urban Extensions: Assessment of Delivery Rates – Report to Barratt Homes*, Savills (October 2014)

³² Application reference 98/01207/OUT

allocation would not be dependent upon the adoption of the AAP; however, it would be:

- Required to accord with the principles of the wider Garden Village, as set out in Policy SG1 and consistent with any Spatial Development Framework (see below).
- Dependent upon alignment with the infrastructure proposals which will be set out in the detailed bid for HIF monies, including when triggered as necessary the provision of a crossing over the West Coast Main Line for the purposes of providing highway, bus and cycle access.
- Complementary to the existing urban area and uses in South Lancaster.

3.23 Such an allocation would enable the sustainable delivery of an early phase of development in accordance with – and without prejudicing the delivery of – the wider Garden Village proposal. This is particularly the case given the LCC’s preferred option for the Garden Village (Option 3) set out in the Issues and Options AAP³³ identified the Whinney Carr site and adjoining land as a sustainable urban extension. Peel would welcome further discussions with LCC regarding the proposed allocation.

3.24 Peel is undertaking a range of technical assessment work regarding the suitability and sustainability of the land for a residential development allocation. This will be submitted to LCC and LLP examination Inspector in due course alongside hearing statements.

Use of a Supplementary Planning Document

3.25 Peel appreciates the need to plan effectively and appropriately for BGV. It is accepted that a Spatial Development Framework is required to establish parameters for BGV and to provide a co-ordinated approach to infrastructure delivery. However, the use of an AAP for this purpose is not considered to be the most appropriate mechanism and Peel encourages the Council to prepare and SPD instead. Peel’s comments in this respect are set out in its representations to the Publication Version of the LLP. In summary:

- The process of preparing and adopting an AAP is lengthy and is likely to take at least two to three years. LCC currently estimates that the AAP will be adopted in June 2020³⁴. However, this is considered to be very optimistic given that this programme allows for just c.18 months to:
 - Prepare and consult upon a ‘Draft’ AAP, and subsequently review and consider responses.
 - Prepare and consult upon a Publication Draft AAP and associated evidence base, and subsequently review and collate responses.
 - Submit the AAP for independent examination and undertaken the examination process.

³³ *Bailrigg Garden Village Area Action Plan: Issues and Options Paper*, Lancaster City Council (May 2018)

³⁴ *A Local Plan for Lancaster District 2011-2031: Local Development Scheme*, Lancaster City Council (September 2018)

- Prepare and consult upon modifications to the AAP arising from the examination process, and review and consider responses.
 - Prepare and adopt a final version of the AAP.
- 3.26 Peel is concerned that there will be significant slippage in these timescales. Indeed, there has already been such slippage given that the Issues and Options AAP³⁵ anticipated adoption in summer 2019.
- Policy SG1 of the SPLA DPD prevents delivery on the Garden Village in advance of the AAP being adopted. This restricts flexibility in policy and makes clear that delivery of any development within the defined ‘Broad Location for Growth’ is entirely incumbent on the prompt preparation, examination and adoption of AAP. This is a particular concern given that:
 - Policy SG1 proposes a ‘backstop’ date of 2024 for adoption of the AAP, up to six years away. This is very late given the programme for adoption proposed by LCC and the urgent need to facilitate delivery as quickly as possible.
 - Policy SG1 would still prevent delivery of the Garden Village via planning applications if LCC fails to adopt an AAP by the 2024 backstop date.
 - AAPs are relatively inflexible documents once adopted. This is because any amendment or review must proceed via the typical process for preparing and adopting a DPD, including examination. AAPs cannot therefore be amended quickly, meaning that they can be slow to respond to external influences and opportunities which might affect delivery, such as changing market conditions, housing needs or site constraints. Mindful that the Garden Village is likely to have a lengthy build period, it is important that the Spatial Development Framework has a degree of flexibility and can if necessary be amended quickly.
- 3.27 Given the above and in the context of the draft suggested modifications to further reduce the ‘supply led’ requirement, the rationale for use of an AAP is unclear and unjustified; it is both self-defeating and unambitious in terms of LCC taking the steps required to ensure its housing needs are met. This is particularly the case given that the Garden Village is under the control of a relatively small number of developers/housebuilders whom are working collaboratively and have the collective desire that the site is broad forward as soon as possible.
- 3.28 There is a clear risk that the preparation of Spatial Development Framework via an AAP – particularly in the way proposed by Policy SG1 – will unnecessarily delay delivery from the Garden Village and could be an unintended hindrance in future years. Mindful of the extent to which the ‘supply led’ requirement falls short of meeting the District’s housing needs and the importance in securing earlier delivery from the Garden Village to meet as much of those needs as possible, alternative approaches should be considered. This is particularly the case given the Garden Village Principles established by the Government promote early delivery³⁵ and in earlier consultations and evidenced

³⁵ *Locally-Led Garden Villages, Towns and Cities*, Department for Communities and Local Government (March 2016)

documents regarding the LLP it was established that development in South Lancaster was the most sustainable development option. Peel agrees with that analysis and considers that:

- The Spatial Development Framework could be prepared via an SPD rather than an AAP. An SPD can be prepared and subsequently reviewed/amended more quickly, such that it will enable earlier delivery and be more responsive to external influences. Peel's representations³ to the Publication Version of the SPLA DPD provide more comments on the use of an SPD, including examples of other authorities that have successfully used SPD's to deliver large scale developments and Garden Villages. Indeed, it is noted that LCC proposes the use of SPD's for other strategic sites in the SPLA DPD and previously proposed this approach for the Garden Village **Error! Bookmark not defined.**
- While LCC has indicated that it considers that an AAP might carry more weight than an SPD given that it would comprise part of the LLP, the SPD can achieve similar weight because Policy SG1 of the SPLA DPD, which comprises part of the LLP, requires that the development accords with the Spatial Development Framework. As such, if the development did not accord with the SPD, it would be in conflict with the LLP. Such approach has been successfully applied by other local planning authorities bringing forward major sites in the region, including the NW Preston development area and Halsnead Garden Village in Knowsley.
- The backstop date for the preparation of the Spatial Development Framework should be brought forward to the end of 2020, in accordance with – and indeed later than – LCC's current timetable. This would provide two years for the preparation and adoption of the Spatial Development Framework. This should be more than sufficient, particularly if it is prepared via an SPD and mindful that it allows for six months slippage in LCC's programme.
- If Policy SG1 is not amended to require an SPD rather than AAP then it should, at least, indicate that applications to deliver the wider Garden Village (beyond the initial allocation) can come forward if the Spatial Development Framework is not adopted by the backstop date. This is necessary to ensure that the Garden Village can be delivered and that the SPLA DPD will be effective at facilitating the provision of new homes in parallel with the Local Plan.

3.29 These modifications should be taken forward in addition to an allocation within the Garden Village for an early phase of delivery at the Whinney Carr site and adjoining land, as discussed above.

SG10: Infrastructure Requirement & Delivery for Growth in North Lancaster

3.30 Policy SG10 identifies a requirement for a secondary school within the District. The suggested modification removes the specific reference to the secondary school being located within BGV and identifies that the secondary school will be provided in 'South Lancaster'; this would also be consistent with Policy SG3. Peel supports this approach as the new secondary school relates to existing need and therefore should not be funded solely by the Garden Village development which this modified approach recognises. The location of the proposed new high school needs to be considered

carefully through consultation with the Local Education Authority, such that there should be flexibility regarding its location at the present time.

Policy TC1: The Retail Hierarchy for Lancaster District

- 3.31 Policy TC1 proposed the creation of a new local centre within the Garden Village (TC1.9). The draft suggested modifications include the addition of a symbol to the policies map which accompanies the SPLA DPD denoting the provision of a local centre within the Broad Area of Growth.
- 3.32 Peel supports the statement in Policy SG1 that the Garden Village should include the creation of a new local centre which could comprise commercial, cultural, retail and/or other uses; that would serve the new development and existing communities in South Lancaster who might otherwise have to travel longer distances to such facilities.
- 3.33 Peel therefore agrees with LCC that the addition of the symbol to the policies map should be treated as indicative mindful that its position is yet to be confirmed. Peel also considers that the scale of the local centre should be flexible, such that it can be determined through the masterplanning process for the Garden Village in response to relevant evidence regarding the type and scale of required uses.

Policy SC5: Recreation Opportunity Areas

- 3.34 The suggested modification for Policy SC5 removes BGV from the list of recreation opportunity areas. The Garden Village area remains identified on the Policies Map for this purpose, albeit it is assumed that this is an error.
- 3.35 Peel disagrees with the removal of the BGV from this list. Peel's representations to the Publication Version of the SPLA DPD³ supported the delivery of an appropriate proportion of recreation space within the Garden Village to be considered as part of the masterplanning stage. Peel would therefore advocate that reference to the Garden Village should be retained within Policy SC5.

Summary

- 3.36 Peel retains concerns regarding the specifics of the policy approaches and delivery mechanisms proposed by LCC in the SPLA DPD. These concerns are exacerbated given the draft suggested modifications which significantly delays delivery from the Garden Village until 2024/25. Such a delay is unjustified, prevents housing needs from being met and runs counter to the Government's objective of early delivery. The proposed approach is also relatively inflexible and could therefore present an unintended hindrance to the delivery of the Garden Village over its build period. This could be rectified, and flexibility provided, by allowing applications to be brought forward in advance of the adoption of the AAP in 2024.
- 3.37 Peel therefore proposes the use of alternative policy approaches and delivery mechanisms which can expedite the provision of new homes and create a flexible but secure policy basis. In particular:

- The Whinney Carr site and adjoining land should be allocated for an early phase of delivery in accordance with – and without prejudicing the delivery of – the wider Garden Village.
- To expedite and help facilitate delivery, the Spatial Development Framework should take the form of an SPD rather than an AAP, given the shorter timeframes for its preparation and the increased flexibility that this will provide over the longer-term.
- The backstop date for the adoption of the Spatial Development Framework should be brought forward to late 2020, in accordance with – and indeed later than – LCC’s current timetable. Two years for preparation should be sufficient – it allows for six months slippage in LCC’s programme and will align with the delivery of strategic infrastructure via HIF.
- Policy SG1 should be amended such that applications to deliver the wider Garden Village (beyond the initial allocation) can come forward if the Spatial Development Framework is not adopted by the backstop date, and/or in parallel with the Strategic Development Framework to avoid delays in actual delivery.

3.38 Peel provides the following additional comments regarding Policy SG1:

- The justification for and implications of the draft suggested modification to change the name of the Broad Location for Growth from ‘Bailrigg Garden Village’ to ‘Lancaster South including Bailrigg Garden Village’ is unclear. Peel requests clarification from LCC and reserves the right to comment further in due course.
- The rationale and justification for the inclusion of the new Principle 13 for “economic growth” in the Garden Village is unclear and unjustified. Peel requests clarification from LCC and reserves the right to comment further in due course.
- The location of the local centre should be treated as indicative and the scale of the centre should be flexible such that it can be determined through the masterplanning process.

4. Development Management DPD

- 4.1 This chapter comments on the draft suggested modifications to the DMDPD. Peel's representations in respect of the Publication Version of the DM DPD³ still remain relevant and extant, and should be read alongside the following comments.

Policy DM1: New Residential Development and Meeting Housing Needs

- 4.2 Peel agrees that the effective use of land should be promoted and supports LCC in the suggested proposed modification that the characteristics of the local area should be considered.

Policy DM2: Housing Standards

- 4.3 Peel's comments in respect of LCC's proposed requirement for 20% affordable and market housing on schemes of more than ten dwellings will be expected to meet Building Regulations Requirement M4 (2) Category (accessible and adaptable dwellings) still remain and can be found in Appendix 1. Peel agrees with the suggested modification to include a flexible approach to the policy where it can be stated that a site is unviable.

Policy DM3: The Delivery of Affordable Housing

- 4.4 Peel supports the changes to the Policy in respect of affordable housing in Lancaster. This was previously identified as 40% affordable on greenfield sites in rural areas and has now been reduced to 30%. This ensures that the Policy is aligned with the conclusions of the Stage 1 Viability Assessment³⁶ prepared by Lambert Smith Hampton (LSH).
- 4.5 However, Peel notes that the Stage 2 Viability Assessment has not yet been completed. This is assessing in detail the viability of the strategic allocations proposed by the SPLA DPD, including the Garden Village. It is considered premature to establish affordable housing requirements which apply to these allocations in advance of this assessment being completed, mindful of the extent to which they are likely to be required to help facilitate strategic infrastructure delivery. In this context, the affordable housing requirements are currently considered to be unjustified.
- 4.6 Peel considers that the amendments to criterion (II) which requires affordable housing to *"...accord with the most up to date SHMA..."* are not considered appropriate. There may be other forms of more up to date evidence that needs to be considered or there may be a more localised demand identified by a registered provider.

Policy DM30: Sustainable Design

- 4.7 The suggested modification to Policy DM30 includes a new criterion which requires the provision of electric vehicle charging points. The provisions set out within the policy must be applied flexibly and in the context of the wider benefits, costs and scheme

³⁶ Local Plan Viability Assessment (Stage One), Lambert Smith Hampton (April 2018)

viability related to individual development schemes. The viability assessment has not considered the implication of this modification on site viability such that the modification is unjustified.

5. Conclusion

- 5.1 This report is prepared by Turley on behalf of our client Peel Investments (North) Limited. It provides representations to LCC in relation to the draft suggested modifications in respect of the SPLA DPD and the DMDPD which are currently the subject of public consultation. Both DPD's comprise part of the emerging Lancaster Local Plan (LLP) and have already been submitted to the Secretary of State for independent examination. This representation builds on and should be read alongside representations submitted to the Publication Version of the emerging LLP³.
- 5.2 LCC will be aware that our client is the owner and promoter of land at Whinney Carr which is identified as South Lancaster Broad Area of Growth within the Suggested Draft Modifications. The site has also been identified in earlier versions of the Local Plan as a proposed allocation and has been identified in a number of previous SHLAA documents, as suitable for residential development.
- 5.3 The status of the proposed modifications is unclear given that they are 'draft' and 'suggestions', and are proposed in advance of the LLP examination hearings. They are considered to be somewhat premature and unjustified, particularly given the lack of evidence regarding the modifications themselves. In this context, Peel reserves the right to provide further comments regarding the suggested modifications to LCC and the examining Inspector in due course.
- 5.4 Peel strongly agrees with and supports LCC's approach to make South Lancaster the focus for much-needed new housing delivery, and is therefore supportive of the proposed residential development of land at Whinney Carr Farm and the wider Garden Village/Broad Area of Growth proposition. It is important that LCC retains the objective of early delivery of new homes from this area and looks for all opportunities to do so. Indeed, Peel considers that new homes could be delivered from the Whinney Carr site by 2021/22 or 2022/23, which would coincide with the delivery of the strategic infrastructure funded by HIF. The draft suggested modifications are much less positive and effective in this respect than the Publication Version of the SPLA DPD. Peel is keen to work with all parties to facilitate early delivery at the Whinney Carr site and the wider Garden Village.
- 5.5 However, Peel has concerns regarding the draft suggested modifications, including in particular:
- The further reduction in the housing requirement to 455 dwellings per annum, which is below the level of delivery achieved in recent years. The proposed requirement will fall far short of meeting the objectively assessed need for new homes in Lancaster (originally 675dpa and subsequently reduced to 605dpa) – it will not meet demographic needs, will not support economic growth and will not address growing affordable housing needs. The delivery of 455 dpa is insufficient to secure a sustainable and aspirational future for the District. It is not justified, effective or consistent with the requirements of the archived NPPF (2012).
 - The proposed delay in the delivery of the Garden Village from 2021/22 to 2024/25, with a subsequent reduction in delivery within the plan period from

1,655 dwellings to 460 dwellings. Such a delay is unjustified, prevents housing needs from being met and runs counter to the Government's, County and City's objectives and aspirations of early delivery; indeed, LCC has applied for Garden Village status with the objective of accelerating delivery. The proposed approach is also relatively inflexible and could therefore present an unintended hindrance to the delivery of the Garden Village over its build period.

5.6 LCC asserts that the delivery of 455 dpa is the maximum which can be achieved, such that the housing requirement is 'supply led'. Peel does not agree and considers that to be a self-defeating target. There are opportunities to deliver more homes earlier within the LLP plan period. The draft suggested modification to further reduce the housing requirement increases the imperative to consider and implement such delivery opportunities in order to ensure new homes are brought forward to support the growth aspirations of the District as quickly as possible.

5.7 Peel strongly agrees with and supports the BGV concept and inclusion of Whinney Carr within the Broad Location for Growth (Policy SG1); the company is keen to continue to work with LCC and other partners to ensure delivery as soon as possible. It is a suitable and sustainable location for the provision of new homes and Peel wishes to be able to bring forward early phased development. The proposed development of South Lancaster would accelerate housing delivery in accordance with the Government's Garden Village principles and the aim to significantly boost the supply of housing. Peel therefore proposes that:

- The Whinney Carr site and adjoining land should be allocated for an early phase of delivery in accordance with – and without prejudicing the delivery of – the wider Garden Village. The allocation would be akin to the 'sustainable urban extension' (SUE) area identified by LCC's preferred Option 3 as set out in the Issues and Options paper of the AAP.
- The Spatial Development Framework should take the form of an SPD rather than an AAP, given the shorter timeframes for its preparation and the increased flexibility that this will provide over the longer-term.
- The backstop date for the adoption of the BGV Spatial Development Framework should be brought forward to late 2020. Two years for preparation should be sufficient – it allows for six months slippage in LCC's programme and will align with the delivery of strategic infrastructure via HIF monies.
- Policy SG1 should be amended to such that applications to deliver the Garden Village can come forward if the Spatial Development Framework is not adopted by the backstop date; this would provide flexibility and ensure that housing is delivered in accordance with the strategy and objectives of the Local Plan.

5.8 In respect of other draft suggested modifications, Peel comments as follows:

- The draft suggested modifications to Policy SP1 are supported as they are necessary to ensure that the policy is effective and consistent with revised NPPF (2018).

- The timeframes for housing delivery in Policy SP6 and the overarching LLP plan period should be consistent (they are not at present). They should account for a period of at least 15 years as required by the NPPF.
- The justification for the inclusion of an additional 10.6ha (26.19 acres) of employment land in Policy SP5 is unclear and must surely increase the need for positive planning in relation to housing delivery. Peel requests clarification in this respect and reserves the right to comment further in respect of this matter in due course.
- The identified 'lapse rate' identified in Policy SP6 should not be confined to small residential sites but should also apply to major developments.
- Peel does not agree that student accommodation should comprise over 20% of the proposed housing supply; there is no evidence to support the increased reliance on that source of housing supply, it is unjustified and not effective in meeting the overall housing needs of the District.
- The justification for and implications of the draft suggested modification to change the name of the Broad Location for Growth from 'Bailrigg Garden Village' to 'Lancaster South including Bailrigg Garden Village' in respect of Policy SG1 is unclear. Peel requests clarification from LCC and reserves the right to comment further in due course.
- The rationale and justification for the inclusion within Policy SG1 of the new Principle 13 for "economic growth" in the Garden Village is unclear and potentially unjustified. Peel requests clarification from LCC and reserves the right to comment further in due course.
- The location of the local centre within the Garden Village should be treated as indicative and the scale of the centre should be flexible (i.e. local or district centre) such that it can be determined through the masterplanning process.
- The affordable housing requirements proposed by Policy DM3 of the DMDPD should not be fixed until the Stage 2 Viability Assessment of the strategic sites, including the Garden Village, has been completed.

5.9 The policies within the DMDPD should take greater consideration of development viability and the practicality of delivery as required by the NPPF and Peel has supported LCC's efforts to achieve this within the draft suggested modifications. However, there is still a need for greater consideration in respect of this matter.

5.10 Peel's comments, while wide-ranging, could be addressed through amendments to the Local Plan, as appropriate, during the formal Main Modifications stage of the process.

Appendix 7: Peel comments on LSH Viability Assessment

Lancaster City Council
Lancaster District Local Plan 2011-2031
Local Plan Consultation on Additional
Evidence and Information

Peel Investments (North) Limited

February 2019

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1. Introduction

- 1.1 Acting on behalf of Peel Investments (North) Limited (“Peel”) Turley’s Development Viability service has previously provided independent critique by way of representations to the Lancaster City Council (“LCC”) Local Plan Viability Study Stakeholder Workshop which was held on Wednesday 15 November 2017.
- 1.2 Representations were dated 6 December 2017 and responded to the viability methodology that was produced by Lambert Smith Hampton (“LSH”) in respect of the proposed approach to the assessment of viability for both generic and strategic site testing.
- 1.3 The particular focus of the representation was the Bailrigg Garden Village Strategic Site, within which Peel has land interests. Specific revisions to the methodology and inputs were proposed in respect of the following matters:
 - residential market review;
 - commercial market review;
 - development scenarios;
 - Bailrigg Garden Village Strategic Site development area;
 - Bailrigg Garden Village Strategic Site net and gross development area;
 - development densities;
 - unit mix;
 - affordable housing values;
 - planning fee allowance;
 - the need for appropriate strategic site infrastructure costs to be adopted;
 - absence of garage construction costs; and
 - inadequacy of proposed strategic site professional fees.
- 1.4 Following the workshop, LSH has produced two viability papers, headed Local Plan Viability Assessment Stage One (“LPVAS1”) and Local Plan Viability Assessment Stage Two (“LPVAS2”). The LPVAS1 paper was published in April 2018 and the LPVAS2 paper was published in November 2018.
- 1.5 The LPVAS1 paper provides:
 - national and local planning policy context;

- details on overarching viability assessment professional guidance; description of the residential and commercial markets in respect of achievable unit sales values and land transactions;
- viability methodology and assumptions;
- viability assessment findings; and
- conclusions and recommendations.

1.6 The LPVAS1 includes appendices that:

- consider the potential impact on development viability of adopted and emerging Local Plan policy documents;
- provide comparable evidence from five geographical locations within the Lancaster City Council area;
- detail stakeholder involvement to date;
- schedule development scenarios and appraisal assumptions; and
- provide viability appraisals for various generic residential site models in four geographical locations plus generic commercial site models.

1.7 For the residential viability assessments, the methodology adopts a variable rate of affordable housing provision, with any positive viability assessment results stated as being used to:

“enable Council Officers to make broad brush assumptions on whether genres of sites are likely to be deliverable and to support the progression of the Local Plan towards the examination process”. It is proposed that further work will be required to “consider likely S106 contributions, a possible Community Infrastructure Levy (“CIL”) and test the extent of affordable housing which can be viably delivered within residential schemes”.

1.8 LPVAS1 concludes that generic sites can viably contribute between 15% and 30% affordable housing.

1.9 LPVAS1 states at paragraph 7.3 “feedback received has, in turn, being critically reviewed and informed minor adjustments to appraisal assumptions”.

1.10 Turley is of the opinion that the representation submitted on behalf of Peel has not been given due consideration by LSH and LCC.

1.11 For example, LPVAS1 states at paragraph 7.15 that, “stakeholders raised no objection to the market value assumptions”.

1.12 However, the submitted representation provided clear and reasoned commentary in respect of the assessed level of detached unit and bungalow values, and proposed revisions to pricing inputs. It does not appear that the requested alterations have been

made. Equally, other areas of stated concern have not been addressed within the LPVAS1.

1.13 LPVAS2 tests the viability of four strategic sites:

- Ridge Farm; Cuckoo Farm (Lancaster East);
- Hammerton Hall/Beaumont Hall (Lancaster North);
- Lundsfield Quarry (Carnforth South); and
- South of Windermere Road (Carnforth South).

1.14 It is noted that the Lundsfield Quarry/south of Windermere Road (Carnforth South) strategic site was referenced within the LPVAS1 as a 700 unit scheme, but has now been split into two separate schemes of 200 and 500 units.

1.15 The Bailrigg Garden Village Site comprising 3,500 units has been excluded from LPVAS2 despite viability assumptions having been proposed within LPVAS1. The LPVAS2 states the following:

“detailed planning policy for the Bailrigg Garden Village site is to be developed through a dedicated Area Action Plan (AAP) and the viability of that site will be tested through the AAP Preparation Process”.

1.16 Peel’s land interest relates to the Whinney Carr site, which sits within the broad location for growth for Bailrigg Garden Village/South Lancaster. Peel supports LCC’s approach of making the Bailrigg Garden Village Site a focus for much-needed new housing delivery.

1.17 However, mindful that the Government’s Garden Village initiative promotes early delivery, Peel considers that new homes could be delivered from the Whinney Carr site by 2021/22 or 2022/23, which would coincide with the delivery of the strategic infrastructure funded by HIF.

1.18 Peel has promoted the Whinney Carr site and adjoining land, including land owned by LCC and CEP, as a development allocation for an early phase of delivery in accordance with – and without prejudicing the delivery of – the wider Bailrigg Garden Village. The allocation would be akin to the ‘sustainable urban extension’ (SUE) area identified by LCC’s preferred Option 3, as set out in the Issues and Options paper of the Area Action Plan¹, and viability assessment will be necessary during the allocation process.

¹ Bailrigg Garden Village Area Action Plan Issues and Options Paper May 2018

2. Technical review of LPVAS1 and LPVAS2

Appraisal Assumptions

Development Scenarios

- 2.1 LPVAS1 paragraph 7.10 states that the scale of development and unit mix adopted are, *“based upon analysis of existing site allocations, recent planning and development activity and potential future development in the district”*.
- 2.2 The number of units adopted within the development scenarios are as follows: 6; 15; 50; and 150 with additional apartment scenarios covering: 50; 100 and 260 units on build to sell and build to rent (BTR) bases.
- 2.3 For generic site testing (excluding strategic sites) the scale of development scenarios appear appropriate.
- 2.4 The smaller, 6 and 15 unit scenarios include 2, 3 and 4 bed houses, which can be regarded as acceptable.
- 2.5 However, the 50 and 150 unit scenarios also include one and two bed apartments and two bed bungalows. No evidence is provided to support the inclusion of between 18.7% and 22% (20% on strategic sites) of units as apartments and bungalows.
- 2.6 It appears that the development mix may have been developed with reference to the LCC Strategic Housing Market Assessment (Part II), but this is not stated as a data source within the LPVAS1.
- 2.7 It is regarded as essential that the source of the unit mix assumptions are clearly stated within the viability testing evidence.
- 2.8 Schemes must mirror current development activity and the introduction of unit types that fall outside developers’ expectations must be tested to show the impact on development viability of those unit mix/density setting assumptions which are not supported by market evidence.
- 2.9 A limited number of the current new build comparable schemes referenced in LPVAS1 include apartments, but the scale of provision is not stated and no reference is made to any new build delivery of bungalows.
- 2.10 Therefore, the proposed unit mix for the larger generic sites in LPVAS1, and for the strategic sites included within LPVAS2, does not reflect current market delivery expectations. Equally, the proposed mix utilised within the evidence base is inconsistent with the comparable schemes cited as justification. It is, hence, unclear as to the rationale for the unit mix used.
- 2.11 Turley considers it appropriate for the removal of bungalows within the unit mix tested for larger generic sites in LPVAS1, and, thereon, to and for the strategic sites included within LPVAS2.

- 2.12 The inclusion of apartments within a 50 unit scheme is not regarded as appropriate, with the larger 150 unit scenario having scope for the inclusion of apartments at circa 5% of units. We regard the strategic sites as more appropriate for inclusion of apartment units and we regard 15% delivery as achievable on the basis that the apartments will be allocated for affordable housing disposal.

Gross and Net Site Areas and Development Density

- 2.13 Within LPVAS1 it is proposed that the Bailrigg Garden Village Site is assessed at 25 dwellings per net hectare. This density equates to coverage of only circa 8,470ft² to 8,950ft² per net acre, which is regarded as too low to support a viable level of development and unreflective of necessary market delivery expectations.
- 2.14 Whilst it is acknowledged that the allocation of the Bailrigg Garden Village Site may require some variation to normal development expectations in order to reflect garden village principles, it is essential that the assumptions adopted are in line with market delivery expectations and commercial reality.
- 2.15 It is Turley's view, which is shared by Peel's masterplanning advisors, Randall Thorp, is that a development density equating to circa 35 dwellings per net acre as appropriate.
- 2.16 Turley has also noted that the gross site area is increased in each development scenario to accommodate testing of Nationally Described Space Standards (NDSS). This assumption in no way reflects market reality. It is unclear as to the logic behind this. Sites do not increase in size to accommodate larger units.
- 2.17 It is essential that the NDSS appraisals adopt the same gross site area as standard appraisals. Instead the development density, and associated coverage, must be reduced to reflect the impact on unit capacity resulting from application of NDSS to dwellings.
- 2.18 The Bailrigg Garden Village assumptions set out within LPVAS1 Appendix 4 includes a gross to net ratio of 50%. This falls below the land owner's expectations and appraisals must be modelled on the basis of current information at the time of assessment.

Market Value Assumptions

- 2.19 No dwelling type assumptions (terraced/semi-detached/detached) has been provided within LPVAS1 or LPVAS2, meaning that it is unclear as to how the average sales values applied have been derived. A clear statement of unit type mix is requested. Turley has assumed that the 2 bed units comprise a mix of terraced and semi-detached units, 3 bed units comprise semi-detached and detached, with 4 bed units being detached. Whilst not stated, it is assumed that all units are two storey. This should be confirmed by LSH.
- 2.20 The proposed pricing of 4 bed properties at £10 per square foot (psf) higher than 2 and 3 bed properties is regarded as unusual. Whilst detached units may be regarded as more desirable than other unit types, they are typically significantly larger (as adopted in LPVAS1 and LPVAS2), and £psf value return will decrease with larger unit sizing. In line with market experience and evidence, Turley would expect the detached units to achieve a similar £psf value to the smaller unit types and request appropriate amendment to the proposed 4 bed pricing on this basis.

- 2.21 Turley has carried out a review of new build asking prices and achieved values, and has also given regard to re-sale transaction evidence. We have focussed upon the delivery of new build housing and re-sales in the immediate vicinity of the Bailrigg Garden Village Strategic Site.
- 2.22 Morris Homes is nearing completion of sales at its 71 unit scheme (The Silks), whilst Persimmon Homes has recently completed construction and sales at its 50 unit scheme (Launds Fields). Both are located in close proximity to the southern boundary of the Bailrigg Garden Village Strategic Site.
- 2.23 Further analysis is presented within the Market Report attached at **Appendix 1**.
- 2.24 New build sales within the Story Homes scheme are similar to those proposed by LSH for the semi-detached units, but detached units have achieved a slightly lower £psf average than the semi-detached.
- 2.25 The Persimmon scheme has achieved higher average £psf values for the terraced and semi-detached units, but Turley regards the much smaller than average unit types provided by Persimmon Homes as somewhat -misrepresentative of standard housing delivery in the area and inappropriate for use in the assessment of traditional housing typology.
- 2.26 Sales at the Persimmon scheme during 2017 do not include any of the smaller house types and achieved values are substantially below the values proposed by LSH (as adopted in LPVAS1) and achieved on the Storey Homes site. Considering only the 2017 sales, it can be seen that detached units generated lower £psf values than terraced units.
- 2.27 Revisions to the proposed approach to detached house pricing in particular is requested, and detailed evidence and reasoning must be provided to support the proposed value assessments.
- 2.28 No new build bungalow units are available for comparison. We have reviewed bungalow re-sale units in the nearby area and find some limited evidence of a modest uplift in comparison to two storey homes.
- 2.29 However, Turley regards the uplift applied to bungalow units of circa £37psf within LPVAS1 and LPVAS2 as being in excess of market expectations. Turley proposes a maximum uplift of £20psf above detached values as appropriate.
- 2.30 As a more fundamental issue, and as raised previously, Turley does not regard the modelling of bungalows as appropriate given it does not reflect current market expectations, and has an adverse impact on density and coverage.
- 2.31 Affordable housing values are stated to be assessed within LPVAS1 and LPVAS2 at a 60% discount from open market value for social rented units and a 20% discount from open market value for intermediate units. These values are higher than our understanding of current market expectations and are not supported by any published evidence.

- 2.32 A reduction in affordable housing values is regarded as necessary, with social rented units at a 65% discount from open market value and intermediate at a 30%-35% discount from open market value.
- 2.33 Whilst an affordable housing mix is provided for the strategic sites in LPVAS1, it appears that the appraisals for strategic and generic sites include affordable units split on a pro-rata basis across all unit types. This mix does not reflect Turley's understanding of demand from registered providers of affordable housing and a revised mix and appraisal methodology is requested.

Benchmark Land Values

- 2.34 Benchmark land values of £250,000 - £425,000 per net developable acre are proposed at LPVAS1 paragraph 5.41, based on land transaction evidence as set out within LPVAS1 Figure 34.
- 2.35 LPVAS1 Figure 34 presents land transactions relating to sites of 0.87-7.83 net acres with sales values ranging from £204,342-£619,926 per net acre (with £ per net acre average sales values not directly reflecting the size of site).
- 2.36 It is, however, noted that significant abnormal costs are stated in respect of two of the greenfield land transactions, whereas the benchmark proposed for adoption in viability testing is stated within LPVAS1 to reflect sites "*without any significant abnormal costs*".
- 2.37 In order to bring the two sites on to a more appropriate comparable basis, the stated abnormal costs should be added to the stated purchase price to provide a proxy "clean" site purchase price, which increases the value of the Burtree Meadow, Cowan Bridge site from £237,500 per net acre to £487,500 per net acre and Forge Weir View, Low Road, Halton increases from £204,342 per net acre to £395,913 per net acre.
- 2.38 When adjusted, the average site transaction value equates to £450,524 per net acre. Most schemes are not of significant scale and applying a 90% average gross:net site ratio generates an achieved average value of £405,472 per gross acre.
- 2.39 No commentary is provided within the LPVAS1 document to explain the difference in achieved £ per net acre values in respect of respective locations, or other factors.
- 2.40 Similarly, the adopted benchmark land values are set out within LPVAS1 paragraph 7.21, with greenfield sites ranging from £250,000 – £425,000 per net acre, with no explanation provided to help the reader understand the reasoning or methodology adopted in the assessment and application of the benchmark land values.
- 2.41 It is noted that the LPVAS1 greenfield strategic sites are assessed on the basis of benchmark land values equating to £250,000 - £300,000 per net acre, with a discount of £75,000 per net acre stated to apply in comparison to the generic sites to reflect an assumed quantum discount for scale and an adjustment for higher infrastructure costs. No evidence is provided to support the deduction of quantum and no detail is provided to explain the impact of abnormal and infrastructure costs. This is inappropriate and such evidence and explanation should be forthcoming.

- 2.42 LPVAS2 adopts strategic benchmark land values that are further reduced from those within LPVAS1. No reasoning is provided in LPVAS2 to explain the further reduction in benchmark land values adopted. This, again, is inappropriate and reasoned justification should be forthcoming.
- 2.43 The benchmark land values utilised within LPVAS2, which equate to £118,881 - £166,410 per gross acre, are regarded as insufficient to incentivise a greenfield land owner to release their site for higher value development.
- 2.44 Neither LPVAS1 nor LPVAS2 provide commentary in respect of the minimum land value required for a strategic greenfield site owner to release their site for development, taking into account the significant variance between the net developable area and gross area of large scale strategic sites.
- 2.45 Within LPVAS1, the Bailrigg Garden Village was proposed to be assessed at the lowest benchmark land value out of the four strategic sites set out within the Appendix 4 Schedule of Assumptions, despite the achievable residential sale values being higher than the other strategic sites. This is counter-intuitive. No detailed reasoning was provided within LPVAS1 and the Bailrigg Garden Village site is excluded from LPVAS2.
- 2.46 The proposed land value for the Bailrigg Garden Village Strategic Site within LPVAS1 was £250,000 per net acre (£125,000 per gross acre).
- 2.47 Where a significant reduction from gross to net developable area is expected, such as with strategic sites, it is most relevant to assess the land value requirement in respect of the gross site area being released for development. A land value equating to circa £125,000 per gross acre is regarded as insufficient to incentivise a greenfield land owner to release their site for higher value development (particularly given that the LPVAS1 and LPVAS2 methodology is structured such that any abnormal costs would be deducted from this sum).
- 2.48 It is understood that LCC propose to examine the financial viability of the Bailrigg Garden Village Site as part of the preparation of a dedicated Area Action Plan (AAP). It is regarded by Turley as essential that such testing is carried out with reference to an appropriate benchmark land value that will meet the minimum release expectations of the greenfield land owners with interests in the Bailrigg Garden Village Site.
- 2.49 Further commentary in this regard is reserved until full methodology and evidence is provided by LSH in respect of the Bailrigg Garden Village Site within the formal consultation process.

Basic Build Costs

- 2.50 LPVAS1 makes reference to the RICS BCIS as a *“useful starting point for the calculation of basic build costs for new build schemes”*. RICS BCIS is referred to as *“appropriate data”* within Planning Practice Guidance (PPG)².
- 2.51 LPVAS1 determines that national and regional house builders construct properties at cost which are *“well below BCIS ‘average price data’ including lower quartile costs”* but

² Ministry of Housing, Communities & Local Government: Planning Practice Guidance – Viability (last updated 24 July 2018)

no evidence is provided to support this proposition. LPVAS1 adopts costs which are based on “a combination of experience and cost evidence from appeal decisions”. No evidence is provided to support the adopted cost assumptions. This is inappropriate and evidence must be made available to substantiate the position adopted in the LPVAS1 and LPVAS2 testing.

- 2.52 The base construction costs applied to large schemes (150 units) within LPVAS1 testing equates to £75/ft² for standard housing, with significantly higher rates proposed for bungalows and apartments at £113.17/ft² and £114.46/ft².
- 2.53 The general housing construction costs fall substantially below RICS BCIS lower quartile prices. For example the published cost of “*Estate housing generally*” equates to £90.58/ft² when rebased to the Lancaster location at the time of writing. In contrast the proposed costs for apartments and bungalows are in excess of RICS BCIS lower quartile costs, which are published by RICS BCIS at £101.08/ft² and £101.45/ft² respectively at the time of writing.
- 2.54 From Turley’s understanding and market knowledge, the costs set out within RICS BCIS lower quartile data is more closely aligned with market expectation than the costs adopted within LPVAS1 and LPVAS2. Unless detailed comparable market evidence is provided by LSH and LCC to support alternative cost assessments as applied within LPVAS1 and LPVAS2, it is requested that RICS BCIS lower quartile costs are used for Local Plan viability testing purposes, which accords with PPG.

Garage Costs

- 2.55 Following questioning by Turley, it was stated by LSH and LCC during the LCC Local Plan Viability Study Workshop that garage provision and associated construction costs were to be fully modelled within LPVAS1 and LPVAS2.
- 2.56 However, there is no reference to the construction costs of garages, or provision at all, within either document. This is an oversight.
- 2.57 The cost of garage construction (particularly where detached or attached, rather than integral) falls outside basic build and external works costs. The construction costs adopted for general housing is regarded as insufficient to cover base construction costs and certainly provides no capacity to include the cost of garages.
- 2.58 The assumptions made within LPVAS1 and LPVAS2 in respect of the applied provision of integrated, attached and detached garages (of single and double design) must be provided along with an evidenced assessment of appropriate construction costs. Such costs should be applied within the LPVAS1 and LPVAS2 viability testing.

Infrastructure and External Works Costs

- 2.59 LPVAS1 proposes external works costs equating to 10-15% or 20% of basic build costs depending on scale of scheme, with lower costs applied to schemes of 15 units or less, and the highest costs applied to schemes of 150 units. LPVAS2 applies external works costs equating to 20% of basic build costs for each strategic site.
- 2.60 The LPVAS1 approach to external works allowance would be appropriate, in applying a percentage of basic build costs (when compared to a £/m² rate that reflects Turley’s

understanding of such costs when assessed in detail), if applied to the published RICS BCIS lower quartile costs (as proposed by Turley). At present LSH's proposed percentage allowances, as applied to the low basic build costs utilised within the LPVAS1 and LPVAS2 testing, are insufficient.

- 2.61 A developer's external works costs will not include site specific infrastructure requirements, such as highways requirements in excess of standard estate roads, site re-profiling and a number of other costs that will be incurred on large scale development and that fall outside normal (basic) construction allowances. Such costs must be regarded as abnormal costs.

Abnormal Costs

- 2.62 Abnormal costs are excluded from LPVAS1, which includes reference to a requirement to include abnormal costs in more detailed site specific viability modelling (in LPVAS2).
- 2.63 From a generic point of view, the exclusion of an abnormal cost allowance can be regarded as appropriate. However, in doing so it is essential that the viability testing (and application of policy costs thereafter) includes a sufficient buffer back from the margins (i.e. maximum limits) of viability. This will ensure that viability testing results and conclusions/recommendations are not presented at levels that risk rendering development sites unviable when subject to the introduction of abnormal works costs, which are generally found to apply to both brownfield and greenfield development sites.
- 2.64 LPVAS1 *"Figure 3: Summary of NPPG Relating to 'Viability in Plan Making'"* references NPPF paragraph 008 and states that local plan viability testing *"should allow for a viability buffer to respond to changing markets and avoid the need for frequent plan updating"*. No further reference is made to a viability buffer within either LPVAS1 or LPVAS2.
- 2.65 It is often proposed that the land owner must bear the brunt of abnormal costs identified on their site, but we regard the benchmark land values adopted within the viability testing as falling below the minimum required for a land owner to release their site, meaning that no allowance is available to accommodate additional costs.
- 2.66 For example, LPVAS2, paragraph 2.18 makes reference to one item of abnormal costs relating to the SC7 strategic site totalling £3m for the repositioning of a golf course. This cost is not included within the viability appraisals at LPVAS2 Appendix 3, and it must be deemed that it is proposed for all abnormal costs of development to be accommodated by the land owner. As previously referenced, the land value benchmarks adopted are regarded as falling below the land owners minimum requirements.
- 2.67 As presented, the SG7 strategic site is assessed on the basis of a benchmark land value which equates to £166,410 per gross acre, which would reduce to £135,640 per gross acre following the deduction of a £3m abnormal cost relating to the golf course alone (ignoring any other prospective abnormal costs). Finance costs would also apply to the abnormal costs. These land values fall very significantly below the minimum land requirement set out by DCLG and we do not regard the levels of land values adopted as being sufficient to enable delivery of the proposed and planned levels of development.

- 2.68 The exclusion of infrastructure costs from the strategic site viability testing within LPVAS2 produces results that are stated within the document to directly inform the financial sums available for S106 contributions, CIL and site specific infrastructure.
- 2.69 However, the exclusion of infrastructure (abnormal) costs from the viability appraisals will potentially substantially overstate the appraisal results – given that abnormal works (such as enabling infrastructure) can be costly and will frequently be necessary for delivery early in a sites development (e.g. highways/access/utilities reinforcement works etc.). The early delivery of infrastructure will, in particular, generate high levels of finance costs and it is regarded as essential that an informed estimate of such infrastructure costs should be included within the strategic site appraisals.

Contingency

- 2.70 A developer contingency is applied within the LPVAS1 and LPVAS2 testing at 3% of total build costs for greenfield development and 5% for brownfield residential development.
- 2.71 A 3% contingency for greenfield development is regarded as minimal, providing insufficient buffer for wide scale viability testing purposes.
- 2.72 Turley proposes that a 5% developer contingency is applied to all residential sites, with this of particular importance for the strategic site testing, due to the inherent levels of cost uncertainty attached to development of greater scale at this stage.

Professional Fees

- 2.73 Residential professional fees are applied at 8-10% within LPVAS1, with fees decreasing with increasing scale of scheme. LPVAS2 applies professional fees at 7% of build costs and contingency for strategic site modelling.
- 2.74 The professional fee allowances for the generic sites within LPVAS1 are regarded as appropriate, reflecting the fees incurred by differing types of developer, decreasing slightly with the scale of development.
- 2.75 However, the 7% allowance proposed for strategic sites, some of which are of very significant scale, is regarded as a significant underestimation, at this stage in the process. This is highlighted within “*Viability testing local plans*” (Harman Guidance)³, where it is stated that research on site delivery confirmed that fees will vary on the complexity of each site, with 8-10% expected for straight forward sites and up to 20% for the most complex, multi-phase sites.
- 2.76 The Bailrigg Garden Village Strategic Site is a complex, multi-phase, site. Turley regards a 10% professional fees allowance as an absolute minimum for the Bailrigg Garden Village Site and other strategic sites of 500+ units.

Developer Contributions (S106)

- 2.77 Both LPVAS1 and LPVAS2 present development viability testing that excludes S106 costs. This is conducted on the basis that any positive sum that remains after comparison of the residual land value generated by each scheme appraisal with the

³ Viability Testing Local Plans Advice for Planning Practitioners June 2012

benchmark land value will represent the amount available for S106 or Community Infrastructure Levy (CIL) contributions.

- 2.78 It is essential that an appropriate balance is struck when assessing an appropriate level of CIL in comparison with the economic viability of development, in line with Regulation 14 of the CIL Regulations 2010 (as amended). A viability buffer of 50% (back from the margin of viability) is widely applied and adopted in charging regimes nationally, thereby avoiding the setting of rates which could put the overall deliverability of the local plan land supply at risk.
- 2.79 No buffer is adopted within either LPVAS1 or LPVAS2. The documents are not an appropriate evidence base for the setting of CIL charging rates. Equally, it is Turley's express recommendation that a buffer is applied to the assessment of affordable housing and S106 contributions (particularly given the exclusion of abnormal cost allowances from testing) to avoid setting policy expectations within the emerging Local Plan that could put the overall deliverability of the local plan land supply at risk.

Marketing and Disposal Costs

- 2.80 Sales agency, marketing and legal fees are included in LPVAS1 and LPVAS2 at a total of 4% of gross development value, which is regarded as reasonable and appropriate.

Site Acquisition Costs

- 2.81 An allowance of 1.5% of site value is adopted within LPVAS1 and LPVAS2 in respect of site acquisition agent and legal fees, which is regarded as reasonable and acceptable. It is stated that SDLT is included at the prevailing rate set by HMRC, which is regarded as appropriate.

Development Finance Costs

- 2.82 Finance costs totalling 7% per annum (comprising 6% debit interest and 1% arrangement fee) are adopted within LPVAS1 and LPVAS2, which is regarded as reasonable.
- 2.83 However, LPVAS2 references an assumption relating to borrowing on individual land parcels for a period of 32 months, with borrowing on development costs for a period of only three months, which is stated to reflect the *"recurring pattern of construction and sale of units in quick succession"*.
- 2.84 This approach is not regarded as standard practice in local plan viability assessment and further details in respect of the assumed development phasing/land parcels and finance profile must be published transparently for as part of the consultation process. It is essential that stakeholders review this in order to determine the appropriateness of the methodology and the finance costs generated from this approach. Cashflows are requested to accompany the viability appraisals undertaken for LPVAS2 to enable appropriate due diligence in the consultation process. Transparency in viability assessment is a requirement of the NPPF (2018) and Turley therefore expect this request to be met urgently.

Assumed Developer Return

- 2.85 A generalised developer return equating to 18% of gross development value is adopted within LPVAS1 and LPVAS2, with reference made to a range of profit level required in

respect of market housing and a typical profit equating to 6% of affordable housing value stated as a “guide”.

- 2.86 A market housing developer return equating to 20% of gross development value is regarded as essential to reflect the requirements of regional and national housebuilders and 6% return on affordable housing GDV is widely accepted for local plan viability assessment purposes.
- 2.87 Whilst the varying levels of tested affordable housing provision has scope to adjust the total level of profit, the adopted 18% profit on GDV is regarded as an appropriate coverall rate for the assessed schemes of differing scale and affordable housing provision.

Building Regulations Part M4 (2) and Nationally Described Space Standards

- 2.88 Viability sensitivity testing is carried out through the application of assumptions relating to building regulation M4(2) and nationally described space standards, with appraisals provided on the basis of:
- 20% of units complying with Building Regulations Accessibility Standard M4 (2);
 - All units delivered at Nationally Described Space Standards (NDSS); and
 - 20% of units complying with Building Regulations Accessibility Standard M4 (2) and all units delivered at nationally described space standards.
- 2.89 Costs of complying with Building Regulation M4(2) are assessed within LPVAS1 and LPVAS2 at £1,000 per unit, but no details are provided in respect of the source of data for this allowance. Turley requests that supporting evidence is provided to demonstrate that the costs of Building Regulations Accessibility Standard M4 (2) have been appropriately accounted for.
- 2.90 LPVAS1 Paragraph 7.14 and LPVAS2 Paragraphs 2.6, 3.6 and 4.6 state that “*a modest premium has been added to all units proposed at nationally described space standards to reflect the potential uplift in value (approximately 3% uplift)*”.
- 2.91 However, a review of the unit values adopted for the market facing unit size appraisal in comparison with the NDSS appraisals indicates that very similar £ per square foot (psf) rates have been adopted for each unit type under both assumption scenarios. It is not clear how the 3% uplift has been calculated, as Turley calculate that NDSS compliance increases total unit areas by an average of 5.99% and, therefore, it appears that values have increased by circa 6%, although it is noted that some of the NDSS units also benefit from a modest uplift in psf values.
- 2.92 In Turley’s opinion, the £psf value of the NDSS units must be reduced to reflect the fact that purchasers will not be prepared to pay a greater £psf value sum for a larger unit in comparison with a more efficient, smaller unit (offering the same number of bedrooms etc.).
- 2.93 As currently assessed, the methodology within LPVAS1 and LPVAS2 overstates viability by adoption of excessive values for NDSS units and viability is further exaggerated by

the adoption of increased gross site areas for NDSS schemes (a point made earlier in this representation), meaning that the NDSS and non-NDSS appraisals cannot be compared meaningfully on a like for like basis.

Viability Assessment Findings

- 2.94 Using Lancaster as an example, LPVAS1 produces positive results in respect of large, medium and small greenfield and brownfield development, with greenfield shown to be capable of supporting 30% affordable housing and brownfield 20% affordable housing. The introduction of Building Regulations M4(2) is described as having a “minor impact” on viability and nationally described space standards are described as having a “modest impact” on viability. Apartment schemes are shown to be unviable and PRS/student schemes are potentially viable (with a lack of clarity).
- 2.95 Other locations produce similar results albeit requiring a reduction in affordable housing provision.
- 2.96 LVPAS2 concludes that the strategic sites tested (excluding the Bailrigg Garden Village Site) can be delivered with affordable housing provision ranging from 20-30%, with positive viability sums providing a surplus of between £4,300-£11,100 per plot for directing towards S106 contributions and Infrastructure Delivery Schedule (IDS) costs.
- 2.97 Following deduction for IDS costs, the viability supply drops to £730-£7,484 per plot.
- 2.98 Following amendments to methodology, as proposed by Turley within this representation, the level of affordable housing and surplus for S106 contributions and IDS costs is expected to alter significantly from the stated conclusions in the published LPVAS1 and LPVAS2 documents. This will necessitate LSH and LCC to reconsider the conclusions arrived at in respect of affordable housing provision alongside provision of other S106 planning obligations.

Appendix 8: Memorandum of Understanding

South Lancaster: Memorandum of Understanding

This Memorandum of Understanding is prepared jointly on behalf of Commercial Estates Projects (CEP), Peel Investments (North) Limited (Peel) and Story Homes Limited; hereby known as the South Lancaster Landowner Group (or 'Landowner Group').

Subject to the individual representations submitted in relation to the Lancaster Local Plan ['LLP'] by each party, the Landowner Group welcomes the production of the 'LLP' to ensure Lancaster City Council has an up-to-date local plan in accordance with the national policy. The Landowner Group supports in principle:

- The proposed Spatial Vision for Lancaster District.
- The Strategic Objectives, Settlement Hierarchy and Development Strategy for the District.
- An urban-focused approach to development supplemented by large strategic greenfield development sites principally on the edge of the regional centre, Lancaster, which are critical to meet development needs.
- Development of Broad Location for Growth: Bailrigg Garden Village, as South Lancaster represents the most sustainable location for strategic development.

Policy SG1: Broad Location for Growth - Bailrigg Garden Village

Support for Bailrigg Garden Village

The Submission Draft Local Plan for Lancaster (LLP) identifies Bailrigg Garden Village (BGV) as a Broad Location for Growth (BLG) (Draft Policy SG1). The Government's designation of the Bailrigg Garden Village in January 2017 is intended to accelerate housing delivery and thereby help address the housing crisis and support local areas. These objectives must be a key strand within the LLP.

The BLG encompasses a large portfolio of land, a substantial proportion of which is under the control of the South Lancaster Landowner Group. Collectively they own /control c.162ha (400 acres) of land within the core of the BLG, lying on the west side of the A6 between Galgate and the southern built up area of the city. Land to the east of the A6 largely comprises the Lancaster University Campus and additional land in the University's ownership.

The South Lancaster Landowner Group has consistently expressed its support for development in South Lancaster, the Broad Location for Growth and Garden Village; this is evident in the Group members' submissions to the City Council in relation to the emerging Lancaster Local Plan. They are keen to work with Lancaster City Council to see delivery of the development as soon as possible.

The land is not within the Green Belt or subject of any environmental protection designations; technical assessments show there are no major physical constraints on the land. It is a key sustainable location and provides a clear and widely recognised opportunity to deliver much needed new housing, employment and other development, playing a significant role in meeting the Council's wider strategic objectives for the district.

In recognition of its strategic importance, it is important that the BLG designation is anchored within the adopted plan.

Key Principles

Draft policy SG1 identifies a range of 'key principles' that will be at the heart of planning and development of BGV. The South Lancaster Landowner Group agrees with those key principles and supports their inclusion within the LLP. They will ensure that the development:

- Is of high quality urban design, creating a sense of place and community for its residents
- Delivers a wide range of market and affordable housing delivered by a range of providers from national housebuilders to self and custom-build properties
- Includes all necessary infrastructure at the right time and in the right place to deliver sustainable growth
- Creates and supports opportunities for sustainable travel
- Supports local and strategic improvements to highways infrastructure
- Includes areas of high quality open space to provide a distinct sense of place
- Is designed to take proper account of climate change and manage water run-off

The South Lancaster Landowner Group agrees that development at the BGV should be comprehensive and coordinated; they have prepared a 'Vision Document' for the BGV to demonstrate how their individual and collective land ownerships are complementary and can contribute towards meeting the housing needs of Lancaster in accordance with that overarching objective and the key principles for the BGV.

Mechanism for Delivery

The members of the South Lancaster Landowner Group are committed to working together and with the City Council to develop the BGV; they support the Housing Trajectory at Appendix E of the submitted draft LLP which shows housing delivery on the site commencing in 2021 and contributing c.1,655 dwellings in the plan period (see also draft policy SP6). In order to achieve those required levels of development, BLG needs to start delivering new homes from 2021. The Landowner Group agrees that this is both desirable and achievable; its members have collectively and separately undertaken significant work to ensure that, subject to obtaining planning permission, there are no insurmountable obstacles to immediate development on land within their own or the Council's control. Early delivery would accord with the Garden Village status which supports the Government's imperative to 'boost significantly' housing land supply.

The Landowner Group recognises that there is significant housing need within the Lancaster District and believe that, in working with Lancaster City Council and Lancashire County Council as highway authority, BLG provides an opportunity to accelerate home building in Lancaster, support the economic growth ambitions of the Council linked to the Lancaster University Health Innovation Campus, and reduce housing pressures across the wider district. They have held a number of joint meetings and also met with Lancaster City Council to discuss an appropriate mechanism for delivery in accordance with the trajectory in the submission draft LLP; not just of residential units, but also of local facilities such as schools, open space and health care provision.

Whilst the Landowner Group is supportive of the work LCC is undertaking to bring the Garden Village forward, the Group questions the proposed policy mechanism of delivery for the Bailrigg Garden

Village primarily through the preparation of an Area Action Plan (AAP). It is concerned that use of an AAP, as currently proposed in draft policy SG1, is likely to result in unnecessary delay to delivery of the Garden Village, preventing development commencing in 2021 and resulting in a higher level of unmet housing need across the district. In order to meet the aspirations and objectives of the LLP it is necessary to introduce a mechanism allowing the ability for appropriate parts of the Garden Village to deliver early and flexibly. This could be achieved through allocation of specific land parcels.

Allocations

The Landowner Group has written to Lancashire County Council to demonstrate its support for the HIF bid submitted on 22 March 2019. It is important that the HIF funding provides and supports accelerated housing delivery across the BGV in a way which is both viable and sustainable.

The technical work undertaken by the Landowner Group includes a Highways Technical Note which demonstrates that it would be possible to bring forward some housing development at BGV in advance of the major infrastructure works that will be delivered through the HIF. In order to maintain the momentum of house building in the District, it would be appropriate to allow development at BGV in advance of the HIF funding and adoption of the SDF (or other suitable policy document), subject to the applicants demonstrating:

- (a) there would be no cumulative severe effects on the highways network;
- (b) the proposals would not prejudice the development of adjacent parcels of land within the BGV; and
- (c) compliance with the key principles of Policy SG1.

The following land parcels are located at the northern end of the BGV; they represent the first logical stage of development as a sustainable urban extension of South Lancaster and integral part of the BGV:

- Land at Lawson's Bridge: the site is the subject of a current application by CEG for c.95 dwellings. Access would be taken from the A6 and facilitate a link to bridge over the West Coast Main Line for access into Whinney Carr and the wider BGV
- Whinney Carr: located adjacent to the urban edge of Lancaster with a long history of being identified as suitable for housing development. Initial phases of development could be accessed from Ashford Road to the north utilising council controlled land with an additional link in due course to the A6 through the Lawson's Bridge site.
- Land at Ashton Road: This site has the capacity for 140 dwellings and was previously identified for allocation at the Preferred Options stage. It is a stand-alone site that is capable of being brought forward separately to provide early delivery of housing.

The Landowner Group agrees that a 'joined up' approach to development is required. They have jointly prepared a Vision Document to demonstrate how land to the west of the A6 could be brought forward for development as part of a cohesive spatial framework for that land.

Amendments to Policy SG1

In order that the LLP is positively prepared and effective in delivering housing development in Lancaster in accordance with its ambitions, the Landowner Group suggests amendments to draft Policy SG1 that will make the plan sound by ensuring that it is positively prepared, effective and in accordance with national planning policy:

- Allocate specific land parcels at Bailrigg Garden Village for development;
- Permit the identified land parcels to be brought forward for development in advance of adoption of the AAP provided that it:
 - is in accordance with the Key Principles of Policy SG1
 - does not result in severe cumulative impact on the transport network; and
 - does not prejudice delivery of development on adjacent land.

Text changes to draft Policy SG1 are attached.

Signed on behalf of:


(John Winstanley)

(David Thompson)

Story Homes Limited

Peel Investments (North) Limited




on behalf of CEP
02/04/19
(Will Martin)

Commercial Estates Projects
(part of CEP).



2 April 2019

Policy SG1: Broad Location for Growth– Bailrigg Garden Village

The Council has identified a Broad Location for Growth -Bailrigg Garden Village on the Local Plan Policies Maps. This will be a major mixed-use development which focuses on the delivery of at least 3,500 new houses, a number of opportunities for employment and economic growth opportunities including the delivery of Lancaster University Health Innovation Campus.

Key Principles of the Garden Village

The Council has defined a range of principles which will be at the heart of planning and development for the Garden Village, these include:

- Involving local communities in the creation of new development where high-quality urban design promotes sustainable, attractive places to live, defines a sense of place and creates a sense of community for its new residents.
- Seeking a modal shift in local transport movements between the Garden Village, including Lancaster University Campus, Lancaster City Centre and beyond into the employment areas of Morecambe/ Heysham through the delivery of a Bus Rapid Transit System and Cycling and Walking Superhighway network.
- Delivering a wide range of market and affordable housing, in terms of type and tenure to ensure that opportunities to live in the Garden Village are available to all sections of the community and contribute significantly to the district meeting its evidenced housing needs ~~particularly in the medium and long term phases of the Local Plan period.~~
- Ensuring that the necessary infrastructure to deliver sustainable growth is delivered in the right place, at the right time, to address strategic constraints to the delivery of future development.
- The creation of sufficient areas of high quality open spaces to provide a distinct sense of place and deliver a network of green corridors across the Garden Village to the benefit of the local environment and residents. The delivery of such spaces should include distinct areas of separation between the core of the Garden Village area and South Lancaster and also Galgate and investigate opportunities for a new country park.
- The creation of healthy and cohesive communities through the delivery of high quality development and the correct levels of services and infrastructure which is provided in safe and accessible locations.
- The sympathetic masterplanning of new facilities and growth within the campus of Lancaster University for a range of educational facilities and student accommodation.
- Taking proper account of the need to reduce the impacts of Climate Change in the design of new development. This should assure that new development is resilient to the effects of Climate Change.
- Managing water and run-off to safeguard development, assuring public safety and amenity and take active measures to reduce flood risk within the area and downstream for both existing and new residents and businesses.
- Offering opportunities for national housebuilders to work alongside local construction firms and encourage training opportunities for local people, particularly through the construction phases of the Garden Village. The Garden Village should also include opportunity for the provision of self-build and custom-build properties.

- To assure innovative urban design both in terms of the layout and density of new development and the specific design of new buildings. This should include the application of new technologies for buildings and transport where possible.
- Addressing longstanding constraints and capacity issues in the strategic and local road network through the improvements to traffic management and physical interventions to increase capacity. This will involve the re-configuration of Junction 33 of the M6 to allow direct motorway access into the Garden Village and remove motorway traffic from Galgate which is currently designated as an Air Quality Management Area (AQMA).

To support the delivery of the Garden Village, there will be a requirement for a wide range of both locally important and strategically important infrastructure, including new highways, public transport network, education provision, new local centre(s), open spaces and green network. These are set out in Policy SG3 and will be addressed in more detail in the future Spatial Development Framework, which will form a Development Plan Document (DPD) for the Bailrigg Garden Village.

Future proposals will need to demonstrate that no European designated site would be adversely affected by development either alone or in combination with other proposals, as per the requirements of Policy EN9 of the DPD. In view of the potential for likely significant effects as a result of this allocation development proposals at Bailrigg Garden Village must accord with the requirements of Appendix D of the Local Plan. must delivered as part of any future proposal.

To enable a comprehensive and co-ordinated approach to new development and strategic growth, piecemeal or unplanned development proposal within the area which are likely to prejudice its delivery (including infrastructure required for the area) will not be permitted beyond that which has already secured planning permission or on the land identified on the Proposals Map as a sustainable urban extension of Lancaster. and proposals which are sited within the development footprint of Lancaster University Campus. Planning permission will be granted on those sites in advance of the adoption of the Bailrigg Garden Village DPD where it is demonstrated that the development:

- will not result in severe cumulative impacts on the transport network
- will not prejudice the delivery of adjoining land within Bailrigg Garden Village
- will support an integrated and coordinated approach to the development of the Bailrigg Garden Village; and
- accords with the Key Principles set out in this policy.

Mechanism for Delivery of the Garden Village

The Council will prepare and implement a specific Development Plan Document (DPD)—for this area of growth, entitled the-Bailrigg Garden Village Area Action Plan DPD. As a result Subject to support for a sustainable urban extension on the land identified on the Proposals Map, development in this area will be delivered in accordance with this Area Action Plan—and the Council will not support piecemeal development of the area (beyond existing planning commitments) in advance of the preparation of this DPD.

The recommendations of the Local Plan (Part One) Sustainability Appraisals should be taken into account when preparing this document.

The purpose of the DPD will be as follows:

1. To provide more detail on how the development principles set in this policy will be delivered;
2. To set out a Spatial Development Framework ~~as a basis for further masterplanning and to~~ and masterplan to help guide the preparation and assessment of future planning applications;
3. ~~To provide a Spatial Development Framework against which future development proposals and planning applications will be assessed~~
4. To enable and support the co-ordination and timely delivery of the infrastructure necessary to facilitate growth in this location.

The potential for the future re-configuration of Junction 33 of the M6 and highway network improvements in South Lancashire will be an integral part of this forthcoming DPD.

To ensure the timely delivery of the Bailrigg Garden Village, work on a Spatial Development Framework and the wider DPD has already commenced and is anticipated to be ready for adoption within the first 2 years of the plan (i.e. before 2022). In order to maintain housing delivery rates in the District, planning applications within the sustainable urban extension area identified on the Proposals Map will be assessed against the Key Principles set out in this policy. ~~within the first five years of the plan (i.e. before 2024). Failure to achieve this may result in the need for an early review of the Local Plan to ensure that housing delivery rates are maintained to meet development needs.~~

Appendix 9: Vision Statement



South Lancaster

Vision Document

April 2019





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Introduction

This Vision Document has been prepared jointly by Commercial Estates Projects Ltd ('CEP'; part of CEG), Peel Investments (North) Ltd ('Peel') and Story Homes Ltd (hereby known as the Landowner Group).

All three parties are currently working together to promote the development of key parcels of land within South Lancaster, and more specifically within the Bailrigg Garden Village / Broad Location for Growth which has been proposed by Lancaster City Council.

The Landowner Group's landholdings between Ashton Road and Scotforth Road (A6) cover a large area of land adjoining the southern edge of Lancaster. The development potential of this area has long been recognised by Lancaster City Council (LCC), most recently through its strategy for the Broad Location for Growth / Bailrigg Garden Village in its emerging Local Plan (Policy SG1).

The Garden Village designation is also supported by Central Government, which has made clear that it should result in early, accelerated and uplifted housing delivery. This is very much welcomed and the Landowner Group is keen to ensure that swift progress continues to be made. This Vision Document therefore sets out our latest thinking in terms of the form and delivery of new development within the wider Broad Location for Growth.

The Landowner Group have vast experience of bringing forward high-quality strategic housing and mixed-used developments, with a proven track record of delivery across the country.

The Landowner Group:

- supports in principle LCC's proposed Broad Location for Growth and Garden Village concept and Lancaster County Council's bid to Government for Housing Infrastructure Funding to help unlock the critical major infrastructure needed to deliver the whole Garden Village proposition
- considers it important that the LCC adopts a Local Plan as quickly as possible, to help guide the delivery of new development
- considers it important to establish early, quality development opportunities within South Lancaster; and
- is keen to engage positively with LCC and other stakeholders to see the successful delivery of new development in South Lancaster.

This Vision Document summarises the opportunities that exist.

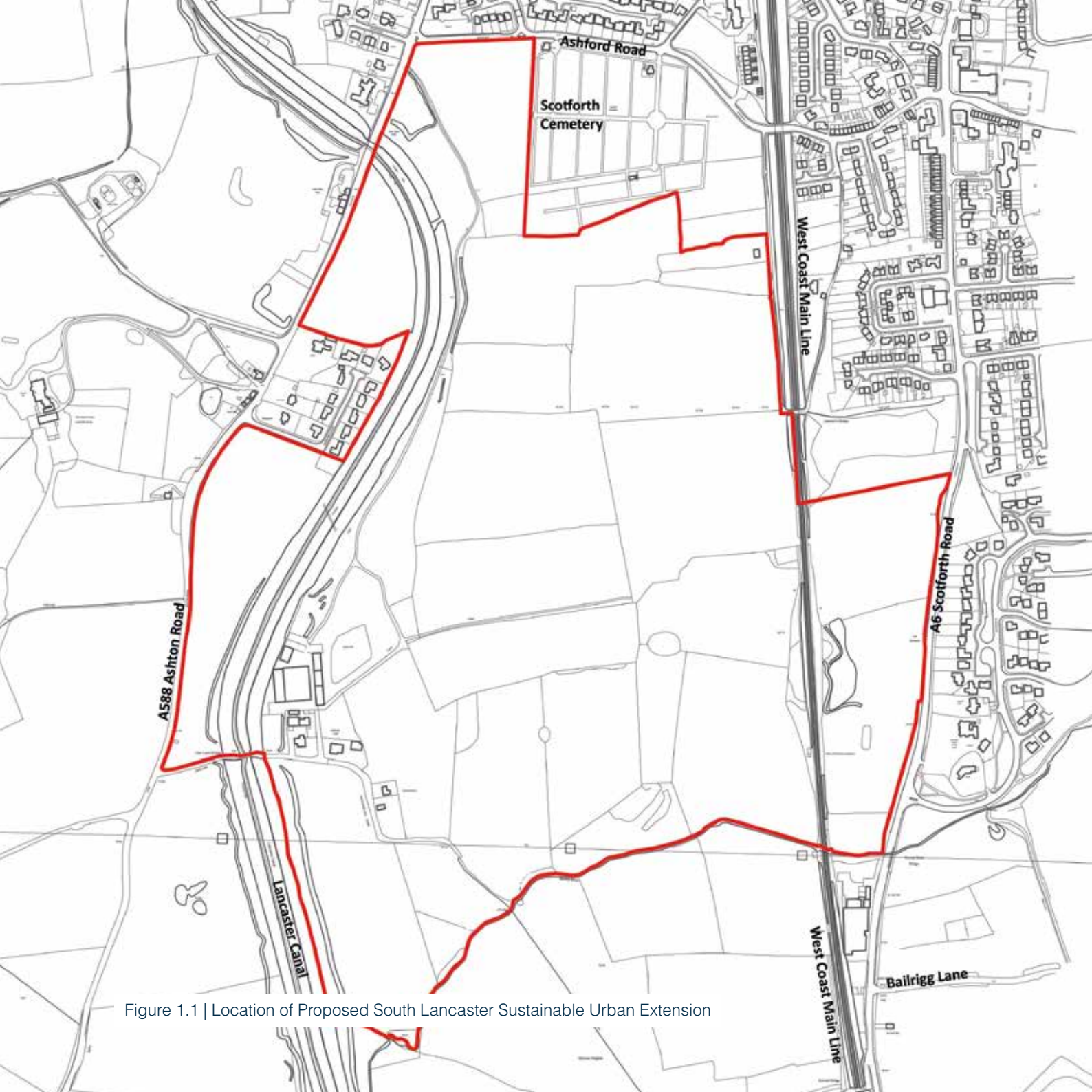


Figure 1.1 | Location of Proposed South Lancaster Sustainable Urban Extension

A Strategy for Early Delivery

The Landowner Group agrees with LCC that South Lancaster offers the most important development opportunity in Lancaster. It occupies a highly sustainable location with good access to, and synergy with, existing facilities. In the draft Local Plan, LCC has indicated that new housing delivery in South Lancaster could begin in 2021/22.

As currently set out in the emerging Local Plan (the Strategic Policies and Land Allocations DPD), LCC's strategy is to identify a 'Broad Location for Growth' in South Lancaster which can accommodate a new residential-led mixed use development, including at least 3,500 new homes. The Landowner Group broadly supports this approach.

However, we believe that there must also be a specific 'first phase' allocation within the emerging Local Plan, relating to the northern extents of the Broad Location for Growth and effectively comprising an sustainable urban extension to South Lancaster within the Garden Village. This area is similar to that identified by LCC as a draft Local Plan allocation in 2012.

This is required to facilitate and ensure earlier delivery to provide the new homes needed and support economic growth ambitions. It could be brought forward without compromise to the principles of the wider Garden Village and secure a high quality of design and layout across the whole area. The wider Broad Location of Growth is shown on the Figure opposite, along with the Landowner Group's illustration as to how development to the west of the A6 could look.

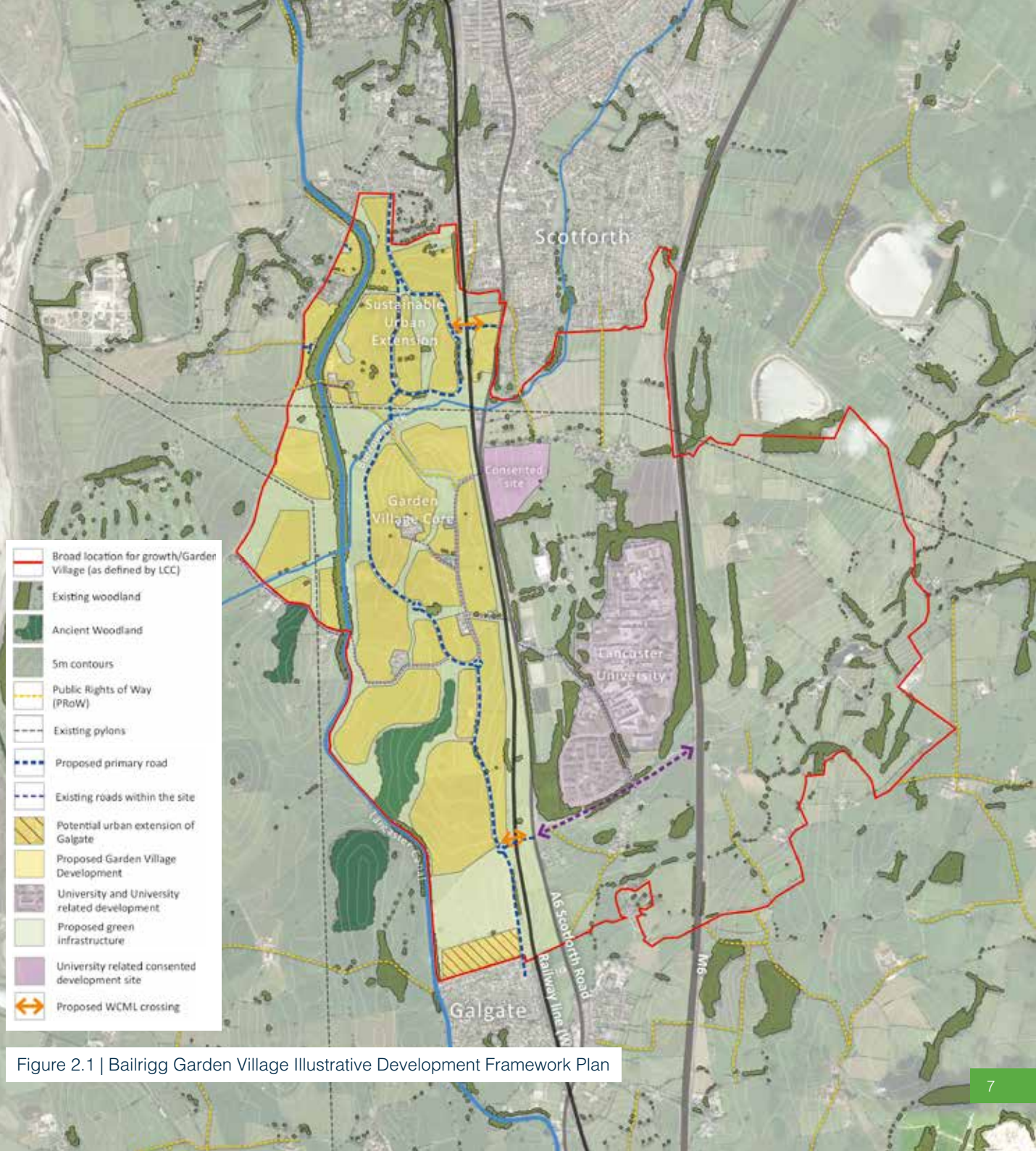


Figure 2.1 | Bailrigg Garden Village Illustrative Development Framework Plan

Site and Surroundings

The Landowner Group collectively control land totalling approximately 168ha/420 acres within the core of the Bailrigg Garden Village 'Broad Location for Growth', as identified at Policy SG1 of the draft Local Plan.

Within this broader area, the proposed Sustainable Urban Extension allocation site which is identified for early delivery at South Lancaster comprises around 148 acres / 57ha. The proposed allocation site is crossed by the West Coast Mainline within its eastern extents, and by the Lancaster Canal towards its western limits. The site is undulating, with field boundaries marked by hedgerows and a number of trees and copses across the site.

The site for the proposed allocation is bounded:

- To the north by Scotforth Cemetery and allotments, with existing residential development, Ashford Road and the urban area of Lancaster beyond;
- To the south by Burrow Beck (which forms part of a green corridor network within the adopted Local Plan), beyond which lies open countryside proposed for latter phases of Bailrigg Garden Village;
- To the east by Scotforth Road (A6), beyond which lie existing residential areas and a range of strategic development sites, including Lancaster Health Innovation Campus, as well as Cinder Lane, part of a Strategic Cycle Network; and
- To the west by Ashton Road, with open countryside beyond.

The site is situated approximately 2.7km/1.6 miles to the south of Lancaster City Centre and close to Lancaster University (which is located approximately 1km/0.6 miles to the south east of the site).

The site adjoins the well-established residential area of South Lancaster, which includes local and neighbourhood shopping, restaurants, public houses and community facilities.

The character and appearance of the surrounding residential area is mixed. In architectural terms, the area includes 18th and 19th century stone houses and terraces, mid 20th century housing and contemporary housing developments.



KEY

- Site Boundary
- Bus Stop
- Park / Playing Fields
- Petrol Station
- Pub / Bar
- Take Away
- Local Shop
- Place of Worship
- Pharmacy
- School
- University
- Community Centre

Figure 3.1 | The Proposed Sustainable Urban Extension Allocation Site and Surrounding Area





“South Lancaster will be an exemplar development, within Bailrigg Garden Village. The Sustainable Urban Extension will be a distinctive community which Lancaster can be proud of, combining exceptional family and affordable housing using the best practice urban design and with an extensive accessible green infrastructure network. Each phase of development will be carefully planned and will integrate with the existing urban area and the wider Garden Village.”



Our Vision

The Landowner Group has undertaken a masterplanning study which shows that the most northerly land within the Broad Location for Growth can be brought forward as a sustainable urban extension to the south of Lancaster without compromising the integrity or wider function of the proposed Garden Village. This reflects the early work undertaken by LCC in identifying options for the design of the development. The majority of the Sustainable Urban Extension site was proposed as such by LCC in 2012, prior to the larger Garden Village proposal coming forward.

It adopts a phased approach to development, distinguishing between a sustainable urban extension to Lancaster (in the northernmost part of the identified Location for Growth) and a new Garden Village community, all delivered according to a common set of principles.

This proposal will facilitate earlier delivery of development, particularly if a northern area can be brought forward through an allocation in the emerging Local Plan.

A subsequent Supplementary Planning Document (SPD) or Action Area Plan (AAP) produced by LCC could then be focussed more specifically upon the wider Garden Village. The 57ha/140 acre northern site would deliver circa. 1,200 new homes, affordable housing, a green infrastructure setting, recreational facilities, a new local centre and, if needed, land for a new primary school.

It could also open up access to the Lancaster Canal corridor from the east, through the creation of a new cycleway and accessible green spaces; forming a blue and green corridor running through the development.

The Masterplan area is based on the Broad Location for Growth area - as defined by Lancaster City Council. This includes the land owned by CEG, Peel and Story Homes and other landowners, including the City Council and the Lancaster University. The successful delivery of the whole Masterplan vision will inevitably require the involvement and agreement of a number of landowners and stakeholders. The City Council will have a lead role in this.

The illustrative masterplan has been designed around three guiding principles of People, Place and Movement. It will be developed and refined through consultation with Lancaster City Council and Lancashire County Council and other key stakeholders.



People	Place	Movement
A range of housing Circa. 1,200 new homes with an emphasis on family and affordable housing - providing a mix of housing types and tenures.	An aspirational place Strong place-making and high quality landscape features which provide an attractive neighbourhood with unique character.	Modal shift A sustainable new community which will promote positive modal shift through design - reducing reliance on private car use.
Economic growth Direct and indirect economic benefits which will support and drive economic growth, including through their proximity to, and synergy with, Lancaster University.	Habitat creation and protection Retention of valued habitats and enhancement of biodiversity resources via green infrastructure, wetlands and hedgerow tree planting.	Public transport The layout will offer enhanced and new bus service routes to maximise local take-up and also enable the Council's future plans for a Bus Rapid Transit ('BRT') system for the wider Garden Village.
Social infrastructure Services and facilities which meet local needs including land for a primary school (if necessary), local centre, green infrastructure, formal playing pitches and children's play spaces.	Sustainable drainage A comprehensive SUDS network which provides robust flood protection and management.	Connections Direct access to key arterial transport routes, including Scotforth Road (A6) and Ashton Road (A588).
Health and well-being New access to a substantial network of leisure and recreational areas.	Sustainable energy Exploration of renewable energy generation and sustainable construction to minimise carbon impact.	Footpaths and Cycleways Enhancement of the local network of public rights of way, footpaths and cycleways.

A Masterplanned Approach

Bairrigg Garden Village has Government support and is targeted at accelerating housing delivery in Lancaster, within a quality setting.

The Landowner Group have developed an Illustrative Masterplan for their sites (and certain adjoining land - which has already been included within the Council's Broad Location for Growth) to demonstrate how the design and form of development will respond sensitively to the characteristics of the site and the wider area.

It is expected that the South Lancaster Sustainable Urban Extension will be allocated for development, and then brought forward through the planning application process which would follow.

All stages of development (applications and plan-making) will involve comprehensive public consultation on the detailed proposals as they come forward.

The development will be planned with best practice for urban design and green infrastructure in mind, in order to deliver a family friendly residential area appropriate to its location. The site layout will seek to retain, protect and enhance key features in the landscape and incorporate them into the development for the benefit of existing and future residents and wildlife.

The layout and design of buildings will seek to complement the existing urban areas to the north and the proposed wider Garden Village to the south.

The illustrative Masterplan demonstrates that the Sustainable Urban Extension can deliver approx. 1,200 dwellings at a density of around 35 dwellings per hectare, together with land for a potential primary school and local centre. Family housing ranging from 2 to 5 bedrooms will be provided, a proportion of which will be affordable housing. House types may include terraces, semi-detached and detached dwellings.

Housing will be designed to reflect the local character and distinctiveness of the area with traditional building forms incorporating the range of materials currently found in the area but detailed to create a distinctive local character. Housing will be predominantly 2-storey, with some 2½ and 3 storey buildings used to create visual interest in focal areas.



Figure 5.1 | South Lancaster Sustainable Urban Extension Illustrative Masterplan



A Masterplanned Approach

Fundamentally, the illustrative masterplan is in accordance with the key principles of the Garden Village/Broad Location for Growth as set out by the Council in its draft Policy SG1 of the emerging Local Plan, and will be based upon the following design concepts:

Connections

Linkages to all key destinations including local amenities, Lancaster University, the Lancaster Canal and the city centre, and also the wider Garden Village to the south will be created to ensure the integration of the development with the adjacent areas.

Views and vistas

Parkland will be developed on high land at the heart of the site to maximise the potential for views out from public spaces and to enable the creation of a soft skyline in views towards the site.



Local character

Existing hedgerows, trees, stone walls, small woodlands and other local landscape features will be retained, where practicable, to lend character to the development and guide the alignment of spine roads. Traditional building forms combined with careful choice of elevational materials and attention to urban layout will be used to create a sense of place and encourage modal shift.

Green Infrastructure

A linked network of multifunctional greenspace will be laid out which responds to topography and existing landscape elements, provides a setting for pedestrian and cycle movement around the site, and an appropriate interface with the wider countryside. A distinct area of separation will follow the general route of the Burrow Beck (which demarks the site's southern boundary), separating the development from the wider Garden Village to the south.



Site Suitability

The Sustainable Urban Extension site is the most appropriate location for early phase development within the 'Broad Location for Growth' for Bailrigg Garden Village, and should therefore be the priority site for release in order to meet the District's housing requirement and other social, economic and environmental objectives.

The Landowner Group fully recognise that wider infrastructure needs to be planned for and delivered to achieve the delivery of the wider Garden Village (including strategic highway infrastructure), and acknowledge the need for further work in this respect.

However, the Group has collectively already prepared an extensive and comprehensive evidence base supporting the release of their sites. This includes technical reports in respect of highways and transport capacity, landscape and visual impacts, and ecological assessments.

In addition, a large part of the site, known as 'Whinney Carr', was previously the subject of a planning application for 535 dwellings in 2000 (application ref. 98/01207/OUT). The Council supported this application, as did a Planning Inspector following call-in, however it was ultimately refused by the Secretary of State in light of changes at that time to the housing requirement set out within Regional Planning Guidance.

The Inspector's 2002 Report on the scheme concluded that the site is well-placed to be a sustainable urban extension in terms of access to jobs and social infrastructure.

More recently, the majority of the Sustainable Urban Extension site has been identified in a number of Council studies on suitable housing sites, as a draft Urban Extension allocation, including in a draft of the Local Plan in 2012 and now as a part of a wider Broad Location for Growth and Garden Village designation.

Availability	Suitability	Achievability
<p>Much of the site is available for development immediately.</p> <p>CEP has now submitted an outline planning application for the development of up to 95 residential dwellings on the eastern portion of the site, as well as a link road which will facilitate longer term access across the West Coast Mainline to the Whinney Carr site.</p> <p>Story Homes also have development proposals relating to around 140 new dwellings on the western parcel of land between Ashton Road and Lancaster Canal.</p> <p>Working in conjunction with LCC, a first phase access to Peel's Whinney Carr site could be provided to Ashford Road - thereby bringing forward early delivery on this site.</p> <p>Residential development on the Whinney Carr site is a longstanding and well known proposition and would now form the proposed Sustainable Urban Extension.</p>	<p>The site is largely contiguous with the built-up area of South Lancaster and is functionally and perceptually linked to this existing well established residential community. It benefits from a highly sustainable location on a strategic transport corridor, and is situated within close proximity to existing residential and commercial areas, with a number of shops and services located a short distance to the north.</p> <p>The Council's 2015 Strategic Housing Land Availability Assessment also identifies land at Whinney Carr (ref. 341), which includes the majority of the collective site, as being potentially suitable for residential development, with a capacity for up to 900 dwellings. Detailed technical assessments prepared by LCC and the Landowner Group have demonstrated that there are no physical or environmental constraints to development.</p>	<p>The Landowner Group are willing and keen to work together and with other stakeholders to deliver housing development on their sites without delay. This is reflected in the recent submission of a planning application for up to 95 dwellings and a link road through CEP's part of the site. In addition, the Council's evidence base also supports the delivery of land at South Lancaster in the short term.</p> <p>In particular, the Transport Assessment prepared by WYG for the Council suggests that a large part of the northern site is capable of being delivered in the short term, without giving rise to severe harm to the local highway network or necessitating the delivery of any 'strategic' longer term highways improvements. This is supported by further analysis, undertaken by Bryan G Hall on behalf of the Landowner Group, which has found that initial development can be delivered without the need for the strategic infrastructure tied to the wider Garden Village proposals and HIF Funding bid.</p>

Infrastructure

CEP, Peel and Story Homes are three of the UK's leading landowners and developers, with a track record of bringing forward and facilitating high quality and sustainable residential and mixed use schemes.

The sustainable urban extension / first phase of the Garden Village proposed in the northern part of the Broad Location for Growth will provide new infrastructure to ensure that the neighbourhood is sustainable, has access to day to day services and facilities, and is capable of successfully integrating with and complementing the existing community.

Large sites, like the Sustainable Urban Extension, have the 'critical mass' to provide for much needed new infrastructure. They can be positive for local communities, bringing real and tangible benefits. The proposed Sustainable Urban Extension could provide a range of benefits and opportunities - as set out in this Vision Document.

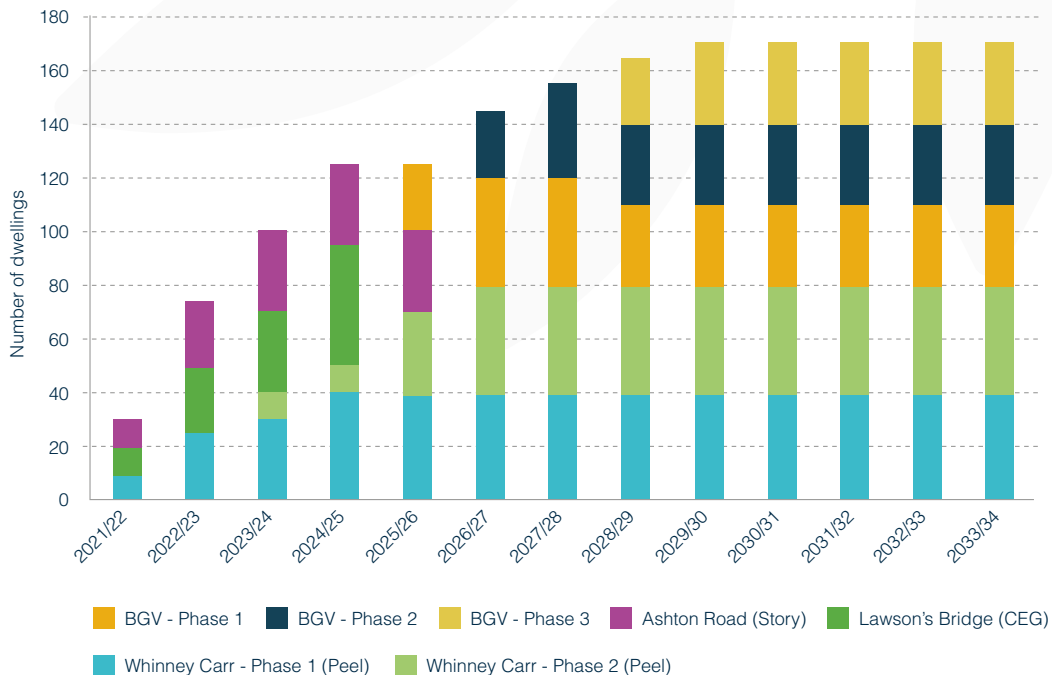


Delivery

The Landowner Group has extensive experience in delivering large scale, strategic developments. They are supported by specialist teams with a proven track record in bringing forward major development proposals and are committed to deliver the Sustainable Urban Extension as part of an early phase of the overall BGV.

The majority of the proposed allocation site lies within the ownership or control of the Landowner Group and LCC and can be made available for immediate development.

The development will consist of a number of development phases. The involvement of several developers enables new homes to be delivered simultaneously from multiple outlets. Following the allocation of the site, and allowing for appropriate lead in time to secure necessary planning permissions and prepare the site for development, it is anticipated that the phased approach proposed could see significant delivery within the first five years of the plan period i.e. from 2021 onwards. LCC have acknowledged this potential and timescale in their draft Local Plan.



Benefits

The South Lancaster Sustainable Urban Extension provides a unique opportunity to create an outstanding and sustainable community which enhances the local area and provides much needed new homes, recreation / leisure,

and employment opportunities. Its accessibility and synergy with neighbouring strategic sites can underpin sustainable growth in the area, whilst accelerating housing delivery.



£170m

Construction Value

(temporary jobs p.a. over the build period)



£14.6m GVA

Economic Output

(additional GVA p.a.)



130 Jobs

Construction Jobs

(temporary jobs p.a. over the build period)



195 Jobs

Supply Chain Jobs

(indirect / induced 'spin-off' jobs supported p.a.)



£6.8m

First Occupation Expenditure

(spending to make a house 'feel like home')



£5.5m

Resident Expenditure

(within local shops and services p.a.)



235 Jobs

Supported Jobs

(from increased expenditure in local area)



£1.8m

Council Tax Revenues

(p.a.)



£5.7m

New Homes Bonus Payments

(over a 4 year period)



Appendix 10: Representations to BGV AAP

**Bailrigg Garden Village Area Action Plan:
Issues and Options Paper**
Representations by Peel Investments (North)
Limited

July 2018



Turley

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Client

Peel Investments (North) Limited

Our reference

PEEM3048

11 Jul 2018

Executive Summary

1. Peel is keen to see a robust and deliverable policy framework put in place as soon as is possible, to help expedite the delivery of the Whinney Carr site and wider Garden Village in line with the requirements of the emerging Local Plan, its Garden Village status and Housing Infrastructure Funding principles. **Peel's representations, which follow, are intended to improve the clarity and effectiveness of the emerging Action Area Plan (AAP), enhance the deliverability of the Garden Village vision, and help enable Lancaster City Council (LCC) and its key partners to identify opportunities for the early delivery of initial phases of sustainable development.** Peel's representations are summarised as follows:
 - (a) Peel supports LCC's efforts to make progress on the delivery of the Garden Village / development in South Lancaster. Securing certainty and early sustainable development within the Garden Village must be an important priority.
 - (b) The potent pressures and opportunities related to housing need within the District (both locally and within the context of an acknowledged national housing crisis), Government supported Garden Village status, Housing Infrastructure Funding availability and the clearly stated ambitions of key landowners (including Peel) and developers present a once in a generation opportunity for Lancaster. This should be grasped, embedded in policy and delivered in partnership with all stakeholders as quickly as is possible.
 - (c) Peel is broadly supportive of the Vision for the Garden Village. However, the current draft AAP Vision appears to give limited weight to the role of the Garden Village in delivering a new successful and popular residential community, which is of course its key purpose.
 - (d) Peel agrees in principle with the Core Spatial Objectives for the Garden Village which are identified in the draft AAP and welcomes the inclusion of "Housing to meet needs" as an objective. However, the objectives should be made precise by referring to the minimum number of new homes which need to be delivered by the Garden Village (at least 3,500 dwellings) and should recognise the importance of accelerating delivery (in line with the objective of Garden Village status and Housing Infrastructure Funding).
 - (e) Peel considers that the imperative to deliver the Garden Village as quickly as possible should be recognised as a specific objective.
 - (f) Of the options presented in the draft AAP, Peel does not support Option 1 as the maximum potential dwelling yield is 28.3% below the minimum requirement figure for the Garden Village of 3,500 dwellings set out within the submitted version of the LLP. Peel also considers that a "concentrated" Garden Village does not accord with the previous LLP proposals, Local Plan or Garden Village bid documents and does not accord with urban design principles of social cohesion

and interaction. It would also lead to the unnecessary loss of developable land to the detriment of existing and future communities.

- (g) The expression of interest submitted to Government by LCC and its partners in 2016 makes clear that the Garden Village area would abut the southern edge of Lancaster, such that it comprises a new district adjacent to the existing City. This principle was subsequently indicated in drafts of the LLP. It is considered that there are sustainability, landownership and phasing advantages in securing and maximising early sustainable development in the northern parts of the Garden Village area. This type of approach was taken by LCC in its bid document for Garden Village status and needs further consideration.
- (h) Of the options presented in the draft AAP, Peel supports in principle LCC's preference for Spatial Options 2 or 3. However, certain parts of the draft AAP as currently drafted are unclear, potentially unjustified and/or ineffective. Peel's concerns relate to the following:
 - (i) Spatial Options 2 & 3 allow for a substantial "gap" between the 'concentrated' Garden Village area and the proposed development to the south of Lancaster (the Whinney Carr area/part of the Garden Village). Peel considers that the extent of the gap proposed needs further careful consideration, to ensure that it does not undermine the sustainability of the Garden Village and/or lead to the unnecessary loss of developable land. It is unclear in Spatial Options 2 and 3 why such a large area of separation between the northern parts of the Garden Village and the remaining areas to the south is proposed, and why a reduced area of separation has not been considered as an option.
 - (ii) Peel questions the "illustrative" strategic access and highways arrangements (as shown on page 93 of the draft AAP), which identifies a single access to the south of the Garden Village. To ensure a more sustainable and accessible pattern of development, it is considered that the original vision of there being two crossings of the West Coast Mainline would provide a greater benefit to existing and future communities in South Lancaster. The provision of two crossings or as a minimum a single northern crossing would also assist with the phased delivery of the development in South Lancaster. Adopting the current draft strategic highways infrastructure proposal would appear to leave the Whinney Carr site as one of the last phases of development, at the end of a long cul-de-sac. This is not considered appropriate or sustainable. The highways arrangements in the draft APP differ from previous proposals and it would seem are not supported by any specific evidence or by the testing of alternative options. The draft AAP provides no justification for the proposed access arrangements or the lack of an access to the north of the Garden Village, which was included in the concept plan set out in LCC's Garden Village bid document⁷. Peel considers that an access to the north of the development would offer significant benefits and all access options must be considered and ultimately justified by robust evidence. The absence of a proposal for a northern access into the Garden Village across the Lawson's Bridge site from the A6 is likely to delay the development of

some of the most deliverable and sustainable parts of the Garden Village site (i.e. the Whinney Carr site).

- (iii) The draft AAP indicates a preference for a single cluster of village facilities in the centre of the Garden Village. A centre in the preferred location would not support existing communities or development in the northern parts of the Garden Village site. Peel considers that the draft AAP has overlooked a previously identified opportunity to make provision for new District / Local Centre facilities within the local area which could result in significant benefits for the wider local area beyond the Garden Village. Peel therefore asks LCC to reconsider the potential for District / Local Centre provision on the Lawson's Bridge site. Spatial Option 3 gives the opportunity to allocate the Whinney Carr site for development within the emerging Local Plan and this opportunity should be given further consideration.
- (iv) Peel supports the principle of new development facilitating infrastructure provision where there is clear evidence that it is required. The role of the public sector and Housing Infrastructure Fund (HIF) is also critical to the early provision of strategic infrastructure that serves multiple areas within the Garden Village and/or helps address current capacity issues. Peel is therefore of the opinion that LCC must assemble a robust and comprehensive evidence base regarding infrastructure requirements and for all delivery partners, to define an appropriate approach to the funding and delivery of both the Garden Village and the necessary infrastructure. It is essential that the framework for the Garden Village not only promotes early delivery but is also realistic about viability and deliverability. Peel is keen to work with LCC in this respect.
- (i) The AAP should not be pushing back the target date for the first delivery of housing compared with the submitted LLP (a proposed delay of three years) or reducing the volume of development proposed within the plan period. The AAP or an SPD should be used as a vehicle for providing certainty and accelerating delivery.
- (j) LCC must seek to identify opportunities to accelerate the sustainable delivery of new high quality homes, in a manner which is consistent with the principles being established in the draft AAP. This could include allowing initial phases of development, expediting the planning process such as through the use of an SPD and/or an allocation for early phases of development in the emerging LLP. The scope for early delivery on the Whinney Carr site either within or alongside the preparation of the AAP should be explored further and Peel wishes to engage with LCC and other stakeholders in this respect. Ensuring that the provisions of the AAP can be applied flexibly as the detailed Garden Village proposals emerge will be important.
- (k) Peel is keen to work with LCC and other key stakeholders to bring about the realisation of the policy framework for the Garden Village and help prepare a comprehensive masterplan for its development as swiftly as possible. This work must now be an urgent priority which is undertaken in tandem with the LLP

examination and must include a thorough and evidenced infrastructure delivery and phasing plan. This will be critical in reducing the lead-in time for delivery on the Whinney Carr site and Garden Village as a whole.

2. If LCC continues with the option (Option 3) of identifying the development land adjacent to the southern edge of Lancaster as separate but linked to the Garden Village, Peel considers that the land should be formally allocated for development in the emerging LLP. This would help to facilitate the early delivery of the development in this location in a way which is sustainable and consistent with the headline principles of the emerging AAP. Further consideration should be given to this opportunity and the relationship between the draft AAP and submitted Local Plan.
3. It is intended that the above comments will make for a stronger and more robust AAP which is capable of underpinning the sustainable delivery of the Bailrigg Garden Village as soon as is practicable

1. Introduction

- 1.1 This report is prepared by Turley on behalf of our client Peel Investments (North) Limited (hereafter referred to as “Peel”) and Peel Energy Limited. It makes representations to Lancaster City Council (LCC) in relation to the Issues and Options Paper of the Bailrigg Garden Village Area Action Plan¹ (hereafter referred to as the “draft AAP”), which is currently the subject of public consultation.
- 1.2 LCC will be aware that our client is the owner and promoter of land at Whinney Carr (“the Site”) for residential development (111 acres). The land adjoins the southern edge of Lancaster and is included within the Broad Area of Growth for Bailrigg Garden Village as a key part of the emerging Lancaster Local Plan² (LLP). The Site has been identified in earlier versions of the Local Plan as a proposed allocation and has been identified in a number of previous SHLAA documents as being suitable for residential development.

Peel Group

- 1.3 The Peel Group is a major investment company and is one of the leading infrastructure, real estate, transport and investment enterprises in the UK. Peel is a major investor, infrastructure provider, landowner and developer. Peel also has major interests and assets across the United Kingdom. Peel’s diverse network of businesses ranges from ports to airports; land to leisure; media to hotels; wind farms to shopping centres, nature parks to canals, residential sites to agricultural uses.
- 1.4 Peel’s track record is one of delivering transformation and creating vibrant places through regeneration and innovation. Peel invests for the long term. For example, at MediaCityUK in Salford, Peel delivered a £650 million investment in Europe’s largest construction project during the recession. Peel Port’s £400 million investment in the Port of Liverpool is opening up new export markets for the North.

Peel Property

- 1.5 Peel Land and Property Peel Land and Property has extensive real estate assets which consist of 1.2 million sqm (13 million sqft) of investment property and over 15,000 hectares (37,000 acres) of strategic land and water throughout the UK, with particular concentrations in the North West of England, Yorkshire and the Medway. The breadth of Peel Land and Property’s assets covers transformational developments including MediaCityUK and Liverpool Waters. Peel Land and Property’s landholdings accommodate offices, retail and business parks, shopping centres, leisure and sports venues, residential developments, agricultural land and a ground rent portfolio.
- Structure of this Representation
- 1.6 This document provides a detailed response to the AAP. It is structured as follows:
- Chapter 2 explains the background and context to the representation.

¹ *Bailrigg Garden Village Area Action Plan: Issues and Options Paper*, Lancaster City Council (May 2018)

² *A Local Plan for Lancaster District – Part One: Strategic Policies and Land Allocations DPD – Submission Version*, Lancaster City Council (May 2018)

- Chapter 3 discusses the Objectives and Vision for the Garden Village.
- Chapter 4 examines the Spatial Options.
- Chapter 5 discusses infrastructure delivery.
- Chapter 6 considers deliverability of the Garden Village.
- Chapter 7 addresses other specific proposals, such as housing density and landscape strategy.
- Chapter 8 concludes this document.

2. Background and Context

Background

- 2.1 The development potential of the Whinney Carr site has been recognised for many years and has been a longstanding aspiration. In particular:
- The land was excluded from the Green Belt upon its introduction of the North Lancashire Green Belt in the early 1990's³ on the basis that it could in future form a sustainable development site to meet Lancaster's longer term housing needs.
 - The draft Local Plan⁴ for Lancaster prepared in the late 1990's and early 2000's proposed the allocation of the Whinney Carr site for residential development, albeit the allocation was not carried through to the adopted version of the Lancaster District Local Plan.
 - A call-in inquiry in respect of a Committee approved planning application for the residential development of land at the Site (LPA Reference 98/01207/OUT) concluded that it is well placed to accommodate a sustainable urban extension of Lancaster
 - The Preferred Options Draft Land Allocations DPD⁵ published in 2012 proposed the allocation of the Site for residential development. The allocation was subsequently extended in 2015⁶ to form a larger proposal which comprised the majority of land south of Lancaster, north of Galgate and west of the West Coast Mainline (WCML) – a proposal that later emerged as a Garden Village proposal.
- 2.2 This lengthy planning history culminated in the formal identification of the wider area as the Bailrigg Garden Village – one of 14 Garden Village proposals announced and supported by the Government in January 2017, following a bid made by LCC, Lancaster County Council and Lancaster University in 2016⁷. The stated key purpose of the Garden Village initiative is to deliver “...*transformational long-term housing growth...*”⁸ which can boost the supply of new homes across the UK to tackle the longstanding and growing housing crisis. The Government has made clear that the early delivery of new homes by the Garden Villages is imperative and this principle underscores the purpose of designation, the support offered in delivery and related public funding available.

³ Lancaster Green Belt Local Plan (1991)

⁴ Lancaster District Local Plan Proposed Modifications (2001)

⁵ A Draft Local Plan for Lancaster District 2003-2023/4 Part B: Land Allocations DPD – Preferred Options Stage (October 2012)

⁶ How should we plan for our district's future? Developing a Local Plan for Lancaster District 2011–2031 (October 2015)

⁷ Application for a locally-led Garden Village: Bailrigg Garden Village, Lancaster – Project objectives, Scale and Planning Status, Lancaster City Council (2016)

⁸ Locally-led Garden Villages, Towns and Cities, Department for Communities and Local Government (March 2016)

- 2.3 The overarching principles of Bailrigg Garden Village are established in the emerging Lancaster Local Plan² (LLP), which has now been submitted to the Secretary of State for examination. These principles include that Garden Village delivering “...at least 3,500 new homes...” alongside employment and economic growth opportunities, with the first new homes required to be delivered in 2021/22. Peel welcomes LCC’s ambition for growth to the south of Lancaster and its recognition that the Garden Village is the District’s best option for housing and economic growth. It is, however, clear that the swift implementation of development within the Garden Village is vital to fulfil the commitment made to Government by the LCC and its partners and to deliver the housing requirement in the emerging LLP. Indeed, it is of critical importance to the soundness of the LLP.

The proposed Area Action Plan

- 2.4 The draft AAP is intended to be the key mechanism for the delivery of the Garden Village. The AAP will establish the parameters in respect of the scale, form and design of the development, including the infrastructure which needs to be delivered alongside the new homes and economic growth opportunities. Mindful that the LLP states that the piecemeal development of the Garden Village in advance of the AAP will not be supported, its swift preparation is essential to facilitate the delivery of new homes in line with the trajectory set out in the LLP (i.e. by 2021/22). Peel set out in its representations to the Publication Draft LLP⁹ that LCC should have been more ambitious in its housing target – which is proposed to reduce from 675 dwellings per annum (dpa) in the Pre-Publication draft to 522 dpa in the Publication Draft. This is relevant as the target in the LLP should have been higher than has been taken forward, particularly given that the identified OAN for the Borough is at least 605 dpa¹⁰. A higher target would create greater pressure for early and continued successful deliver in the Garden Village during and beyond the LLP plan period.
- 2.5 However, LCC has indicated in discussions that it intends to delay the delivery of any development at the Garden Village until 2024/25 on the basis that the preparation of the AAP is likely to take several years. Peel considers that this significant delay is harmful to the objectives and requirements of the LLP, Garden Village status and funding opportunities. LCC must maintain its previous objective of early delivery and work with all stakeholders to seek to commence the delivery of new sustainable and high quality homes in the area given:
- Its formal status as a Garden Village and the emphasis that the Government has placed on its swift early delivery. Indeed, the Government has provided funding to LCC “...for additional resources and expertise to accelerate development and avoid delays...”¹¹.

⁹ A Local Plan for Lancaster District 2011-2031: Publication Draft - Representations by Peel Investments (North) Limited, Turley (April 2018)

¹⁰ OAN Verification Study, Lancaster City Council (February 2018)

¹¹ Press release: First ever garden villages named with government support, Department of Communities and Local Government and the Rt Hon Gavin Barwell (2 January 2017)

- Its vital importance to meeting the housing needs of the District's current and future communities, and the resultant implications of a delay for the soundness of the submitted LLP.
- The importance of early delivery in securing a successful outcome of LCC's bid for infrastructure funding from the Housing Infrastructure Fund (HIF), which it is expected will be determined by a cost/benefit analysis which will have regard to, *inter alia*, the proposed timing of housing output from the Garden Village.
- Peel's willingness to work with LCC and other key stakeholders to seek and secure opportunities for early and successful housing delivery at Whinney Carr.

2.6 The provision of new sustainable and quality homes must be a priority. LCC must therefore explore all options to expedite the planning process, rather than delaying the delivery of new homes to provide for an unnecessarily longer planning process. Peel understands LCC's aspiration to ensure that the development has a lasting character and quality; however, sustainable quality development can be achieved in the short-term with the right policy and public and private sector funding frameworks. In this regard, LCC will be aware that Peel's representations to the draft LLP⁹ promoted the use of a Supplementary Planning Document (SPD) instead of the AAP or as an interim measure. SPDs have been successfully used by several other authorities to delivery large-scale developments and Garden Villages quickly and effectively and the adoption of an AAP as an approach will ultimately be considered at the Local Plan Examination.. Peel considers that the SPD route remains a sound option and should not be discounted entirely.

2.7 Notwithstanding this, the initial progress of the AAP is welcomed and Peel remains keen to support its continued progress. However, it is at a very early stage and Peel has concerns about some of the content of the Issues and Options document, primarily as it diverges from previous and emerging policy intentions. These concerns are set out in this representation. In particular:

- There is a lack of alignment between the draft AAP and the policies of the emerging LLP in some respects. For example, the number of new homes proposed to be delivered within the Garden Village even under the high density scenario under Spatial Option 1 (c.2,500 dwellings), and also by the lower end of the dwelling yield envisaged under Spatial Options 2 and 3 (c.3,275 dwellings), falls short of the minimum required by Policy SG1 of the draft LLP (3,500 dwellings). In this and other respects the draft AAP is unjustified and there is no certainty that the spatial options identified by LCC will be effective at delivering the growth required. As noted above, the minimum target in the Publication Draft Local Plan (522 dpa) is already a figure reduced from a previously higher figure with the Pre-Publication LLP (675 dpa) and is below that required to support the Districts economic growth (at least 605 dpa).
- Some of the Garden Village options within the draft AAP have become somewhat inconsistent with the proposal for the Garden Village which was endorsed by the Government. The bid submitted to Government in 2016⁷ makes clear that the Garden Village would be about the southern edge of Lancaster. The Pre-Publication Consultation Draft LLP (January 2017) also identified the Garden

Village as, in effect, a sustainable urban extension. In contrast, the draft AAP now proposes a “standalone” development with very substantial areas of separation to existing settlements. The justification and sustainability of this alternative approach is unclear.

- The key drivers of the Garden Village in respect of housing and infrastructure provision are given relatively limited consideration and weight in the draft AAP. For example, the need for the Garden Village to achieve a particular scale of housing (i.e. at least 3,500 dwellings) – both to maximise its contribution to housing supply and achieve a “critical mass” to enable the viable delivery of the new infrastructure required – is a matter of fundamental importance. It is not, however, reflected in the Vision of the draft AAP and does not appear to have informed the spatial options identified within it.
- The draft AAP is not yet informed or underpinned by a full set of robust and up-to-date evidence, such that there may be uncertainty about whether or not the proposals therein are justified, effective or deliverable. For example:
 - The “initial transport proposals” are not informed by specific and detailed evidence in respect of traffic flows or highways capacity. Detailed transport modelling is required to inform decisions about access arrangements and other transport infrastructure requirements, but has not yet been progressed. All access options must therefore remain ‘on the table’ until such a time as they have been tested by a robust modelling exercise.
 - There appears to be little specific evidence to justify the proposed areas of separation and/or core landscape areas. These areas and development parcels should not be ‘fixed’ inflexibly at this stage. Peel does however recognise LCC’s rationale for achieving a quality landscape setting and open space provision within the Garden Village and an area of separation between the southern area of the Garden Village and Galgate.

2.8 The layout and development framework for the Garden Village should not be “fixed” in the emerging APP until there is sufficient evidence to underpin and justify it, including the consideration and “testing” of alternative options. LCC must retain the flexibility to modify and update the development framework as key evidence and opportunities emerge.

Next steps

2.9 As the Council itself acknowledges, significant further work is now required to refine the AAP to ensure it provides a sound basis for the planning and early delivery of the Garden Village. A range of key actions are now required both to progress the AAP and enable its swift implementation. These include the following, *inter alia*:

- The preparation of a concept development framework, which flexibly establishes the broad parameters of the development. The progress of the AAP in this respect is welcomed and Peel is broadly supportive of the principle of LCC’s preferred Spatial Options 2 or 3. However, it is noted above and throughout this

representation that further work is required to ensure that the emerging development framework is robust, justified and consistent with local and national planning policy, and to ensure that development opportunities are where appropriate maximised and phased so as to secure early and successful delivery.

- The assembly of a comprehensive and up-to-date evidence base in respect of infrastructure requirements, including their funding and delivery strategies. This must include not only transport facilities but social infrastructure, such as open space, sports facilities, health and education facilities. The absence of robust up to date evidence in respect of such matters must be addressed as a matter of urgency. Peel is willing to assist LCC with this process.
- A step-change in the level of engagement by LCC with key delivery partners. It is particularly important for LCC to secure “buy in” to the AAP from landowners and developers who have an interest in the Garden Village. This is necessary to secure the bringing forward of land and swift delivery of new development. LCC did not specifically engage with key landowners or developers about the content of the draft AAP prior to its publication.

2.10 Notwithstanding recent progress on the AAP, Peel is disappointed that overall progress with the delivery Garden Village remains slower than expected and that there has been relatively limited engagement with landowners and other delivery partners to assist in driving forward the delivery of Bailrigg Garden Village, we understand that more comprehensive engagement is now proposed and this is welcomed. Peel remains willing and keen to engage and work with LCC and other stakeholders to assist with the process and to deliver the Garden Village in a flexible, timely and sustainable manner. **The comments provided in this representation are presented in this context. They are intended to improve the robustness, clarity and effectiveness of the emerging AAP, enhance the deliverability of the Garden Village, and enable LCC and its key partners to identify opportunities for the early delivery of initial phases of sustainable development.**

2.11 Peel urges LCC to consider all options for the early delivery of homes within the Garden Village, if necessary in advance of the adoption of the AAP. Peel considers that there is an opportunity for an initial phase of sustainable development at the Whinney Carr site. This could provide new homes in a way which is consistent with the headline principles proposed in the draft AAP and which could help to facilitate the delivery of the wider Garden Village proposal. It would:

- underpin the implementation of the LLP;
- help meet the housing, employment and wider needs of the existing and future communities in Lancaster;
- meet the Government’s ambition for accelerated housing delivery (both locally and in the context of a national housing crisis);
- anchor delivery via the Garden Village concept (which has Government support); and

- boost the prospects of success of current and future bids for infrastructure funds.

3. The Objectives and Ambitions for the Garden Village

- 3.1 In this section, we respond to the specific consultation questions posed in the draft AAP.

The Core Spatial Objectives for the Garden Village

Q1 Do you agree with our proposed Core Spatial Objectives?

- 3.2 Peel agrees in principle with the Core Spatial Objectives for the Garden Village and welcomes the inclusion of “Housing to meet needs” as an objective. However, the emerging LLP sets out the key principles of the Garden Village in this respect, establishing that it will deliver “...at least 3,500 new homes...” from 2021/22 onwards. Achieving this scale of development is necessary to ensure that the AAP is consistent with the LLP and that the Garden Village itself is able to maximise its contribution to housing supply and achieve a “critical mass” to enable the viable delivery of the new infrastructure required. As such, Peel considers that the relevant objective should be revised to state “*The delivery of at least 3,500 new homes*”. This will ensure that at least the minimum requirement of the Garden Village in respect of housing delivery is recognised by the AAP.
- 3.3 Peel set out in its representations to the Publication Draft LLP⁹ that LCC should have been more ambitious in its housing target – which is proposed to reduce from 675 dpa in the Pre-Publication draft to 522 dpa in the Publication Draft, below the identified OAN for the Borough of at least 605 dpa¹⁰. This is relevant as the target in the LLP should have been higher than has been taken forward. A higher figure would create greater impetus for early and continued successful deliver in the Garden Village during and beyond the LLP plan period.
- 3.4 In this context, Peel considers that the imperative to deliver the Garden Village as quickly as possible should be recognised as a specific objective. As discussed in Chapter 2 of this representation, the Government has made clear that the early delivery of Garden Villages is imperative and it has provided funding to Lancaster County Council (and other Garden Villages) to accelerate the commencement of development. Early delivery is clearly a matter of the utmost importance to the Garden Village concept and can be achieved in a sustainable manner which accords with the principles being established through the AAP. It should therefore be recognised as a Core Objectives in the AAP.

The Draft Vision for the Garden Village

Q2 Do you agree with the draft vision for Bailrigg Garden Village?

- 3.5 The draft AAP proposes a “Local Vision” for the Garden Village. Peel is broadly supportive of that Vision. However, it is noted that there is no explicit mention of the role of the Garden Village in establishing a new community or the importance of housing delivery. For example, the list of “benefits” which could arise from the Garden Village set out in paragraph 5 of the Vision are identified as being “...improved

infrastructure, job opportunities, business start-up opportunities, better connectivity of people to assets, sustainable transport and the opportunity for growth that helps everyone...". There is no mention within this list of benefits or indeed elsewhere in the Vision of the role of the Garden Village in meeting housing needs.

- 3.6 The overarching fundamental purpose of a Garden Village is to deliver "...*housing growth...*"⁸. The importance of delivering housing development as soon as is practicable and alongside necessary infrastructure must be recognised by the Vision. The absence of these key drivers from the Vision suggests that they have been given limited consideration and weight in the formulation of the draft AAP. Peel considers that the Vision should therefore be updated to recognise the overriding importance of delivering sustainable housing growth, the context of local need and the national housing crisis.

4. The Spatial Options

4.1 The draft AAP sets out three potential spatial options for the Garden Village:

- Option 1 – a “concentrated” Garden Village comprising a standalone settlement between Lancaster and Galgate.
- Option 2 – a “dispersed” Garden Village comprising the standalone settlement which forms Option 1 alongside additional development abutting the southern edge of Lancaster including the Whinney Carr site.
- Option 3 – the same as Option 2, but the additional area of development abutting the southern edge of Lancaster is not labelled as “Garden Village development” by Option 3 and stands apart from the Garden Village proposal.

4.2 This section provides Peel’s comments on the spatial options in the context of the principles established by the emerging LLP, LCC’s Garden Village bid / secured status, infrastructure funding opportunities, local housing need and the national housing crisis.

The Principles of the Spatial Options

Q11 Which of the initial spatial options do you prefer?

Spatial Option 1

4.3 Spatial Option 1 comprises a standalone settlement between – and separate from – Lancaster and Galgate. The draft AAP identifies that it is able to deliver between 1,882 and 2,509 dwellings subject to the density of the development. The maximum potential dwelling yield is 28.3% below the minimum requirement figure for the Garden Village of 3,500 dwellings set out within the submitted version of the LLP. It also falls short of the dwelling yield set out in LCC’s Garden Village application to the Government (3,000 dwellings)⁷. Spatial Option 1 is therefore inconsistent with the requirements of the LLP, and incompatible with local housing need and the Garden Village concept. It also relies on the delivery of land in multiple ownerships.

4.4 Peel also considers that a “concentrated” Garden Village does not accord with urban design principles of social cohesion and interaction. The draft AAP considers that progressing the Garden Village as a standalone settlement which is separate to Lancaster will result in the most sustainable form of growth of the urban area, on the basis that it will create a community with a distinct identity. However, Peel considers that this approach will actually result in a physically remote and less sustainable form of development. This is because it will result in a lack of integration with the existing community and increased distances and travel times from existing services and amenities in South Lancaster.

4.5 Due to the inconsistency between Spatial Option 1 and the emerging LLP in respect of housing requirements, Peel considers that Spatial Option 1 does not comprise a legitimate or sound growth option for the Garden Village. Peel consequently supports LCC in its rejection of this spatial option.

Spatial Options 2 and 3

- 4.6 Peel in principle supports the general form and scale of growth proposed by Spatial Options 2 and 3. Peel specifically welcomes the proposed use of the land adjacent to the southern edge of Lancaster which includes the Whinney Carr site for the core Garden Village purposes. Development in this location will:
- Support the existing community through the delivery of new and enhanced infrastructure and facilities.
 - Facilitate the increased use of existing facilities, supporting the future viability and vitality of the community in South Lancaster.
 - Enable the increased use of the sustainable transport methods proposed on the A6 transport corridor to access the city centre.
 - Provide the opportunity for early delivery of housing and all the associated benefits that this will bring.
 - Help maximise the residential potential of the South Lancaster / Garden Village area – Peel envisage the Whinney Carr site accommodating c. 1,000 new homes and related open space and infrastructure.
 - Help bring about the longstanding aspiration to develop the Whinney Carr site for residential related use.
- 4.7 Development close to the existing southern edge of Lancaster will constitute a highly sustainable location for development. Indeed, the suitability of land at Whinney Carr for housing development has previously been considered through the planning process. The Local Plan prepared for Lancaster in the late 1990's and early 2000's identified the Whinney Carr and the Royal Albert site as 'Lancaster South', an area for housing, recreation, open space and community facilities. The proposed allocation was considered at the Local Plan Inquiry. The Inspector broadly supported the LPA's approach to identifying this area as a strategic housing allocation. In particular, it was concluded that:
- The site has capacity to accommodate development without unacceptable harm to the area;
 - The site is well located to provide opportunities for walking and cycling to employment, services and facilities; and
 - The land is immediately adjacent to proposed primary bus corridors, linking the land to the city centre, Lancaster University, key employment areas and other destinations within the main urban area.
- 4.8 The Site was also the subject of a Public Inquiry in the early 2000's following the call-in of a planning application for its residential development which LCC had resolved to approve (LPA reference: 98/01207/OUT). The Inspector concluded that the Site is well placed to accommodate a sustainable urban extension of Lancaster and recommended that planning permission be granted. This process demonstrates that the Secretary of

State has previously accepted that the residential development of the Whinney Carr site is suitable for housing development.

- 4.9 In previous iterations of the LLP, the Whinney Carr site has been included as an allocation, with the supporting evidence identifying that development adjacent to Lancaster comprised the most sustainable strategic solution to meeting housing need and has been identified in LCC's SHLAA as a suitable residential development site for a number of years. It is therefore clear that it is capable of delivery.
- 4.10 The draft AAP identifies that the anticipated dwelling yield of Spatial Options 2 and 3 is between 3,265 and 4,367 dwellings, subject to the density of the development. The lower end of this range falls short of minimum number of dwellings required at the Garden Village by the submitted version of the LLP (at least 3,500 dwellings). It is therefore necessary to identify additional land for development, such that there is certainty that the Garden Village will be effective at delivering the minimum yield required by the LLP. The potential to identify additional areas of development is discussed below.
- 4.11 The main difference between Spatial Options 2 and 3 relates to the "labelling" of the development immediately adjacent to the southern edge of Lancaster. Under Spatial Option 2 that area of development is referred to as part of the "dispersed" Garden Village, whilst Spatial Option 3 refers to it as a 'separate albeit linked' proposal. Peel sees merit in either option subject making best use of the land resource and uplifting the number of units identified as being deliverable from the Whinney Carr site to c. 1,000. Options 2 and 3 have the potential to enable the Bailrigg Garden Village to comply with the principles established by Government¹² that such developments should be distinct and free-standing, whilst achieving the scale of development required of the Garden Village and enabling new development to be integrated with Lancaster itself. Option 3 has the potential to be the most appropriate solution to securing early delivery, being aligned with the allocation of land within the Local Plan.
- 4.12 However, there are some detailed issues relating to the delivery of Spatial Options 2 and 3 which require further consideration. Peel is mindful that the Government has made clear that Garden Villages must demonstrate a credible route to deliver quality places viably and quickly¹². In this regard it is critical that LCC assembles a robust and comprehensive evidence base in respect of the Garden Village and the layout / development framework must not be "fixed" until that evidence has been completed. The evidence base needs to be prepared prior to the production of a Preferred Option version of the AAP, and used to shape the proposed development and ensure that it is deliverable. Ensuring that the provisions of the AAP can be applied flexibly as the detailed Garden Village proposals emerge will be important.
- 4.13 Some of the key issues relating to Spatial Options 2 and 3 are discussed within the remainder of this chapter.

¹² *Locally-Led Garden Villages, Towns and Cities*, Department for Communities and Local Government (March 2016)

a) Relationship between the Garden Village and development at South Lancaster

- 4.14 As noted above, Spatial Option 3 identifies that the Whinney Carr site is identified as being outside – but linked to – the Garden Village. Peel supports the development of land to the south of Lancaster / northern parts of the Garden Village as it could enable early delivery in a sustainable location. Previous representations to the LLP¹³ have demonstrated the suitability and deliverability of this land for residential development, subject to delivery of the necessary strategic highway access infrastructure. It is the most sustainable location for the provision of new homes within the Garden Village given its proximity to existing (and potential) services, facilities and transport routes. Indeed, the Whinney Carr site has previously been identified as an allocation in the emerging LLP and has been identified in LCC's SHLAA as a suitable residential development site for a number of years.
- 4.15 The draft AAP does not explain what status the proposed development of the Whinney Carr land would have if it is no longer included within the boundary of the Garden Village. It is also unclear how strategic infrastructure delivery for the Garden Village would be related to the Whinney Carr Site or what impact (if any) the removal of this land has on the viability of the Garden Village. Peel understands that the development of the Whinney Carr site would be expected to contribute proportionally to the delivery of the required infrastructure despite being somewhat (and perhaps unnecessarily) separate from the Garden Village itself. It is evident that further clarity and detail is required regarding the mechanisms, implications and delivery requirements for the areas of land determined to be outside of the 'core' Garden Village prior to the next iteration of the AAP. This should also be clarified and ratified within the LLP.

b) The "Separation Choice"

- 4.16 Spatial Options 2 and 3 do not maximise the potential for development in the most sustainable locations. They allow for a substantial "gap" between the northern and central parts of the Garden Village – with the effect of reducing development potential. LCC does not provide any significant evidence to justify why this substantial area of separation is required. The draft AAP notes that it is included largely in response to preliminary community engagement undertaken in late 2017.
- 4.17 LCC asserts that the separation will make the development more sustainable by providing the Garden Village with "coherence" and a distinct character and identity. Peel agrees with the provision of a "gap" between the Garden Village and Galgate to the south, to protect the distinct character and identity of Galgate. However, the provision of such a large "gap" to Lancaster is unnecessary. It could reduce the sustainability of the Garden Village by resulting in communities which are separate rather than integrated with the existing communities, limiting the accessibility of the Garden Village to services and facilities within South Lancaster and reducing the developability of the Whinney Carr site / area.

¹³ A Local Plan for Lancaster District 2011-2031: Publication Draft - Representations by Peel Investments (North) Limited, Turley (April 2018)

4.18 As has been discussed previously within this representation and Peel's representation to the LLP¹⁴, development to the south of Lancaster has been considered previously by the Planning Inspectorate and the Secretary of State and has been identified as a sustainable location for residential and commercial development. Peel agrees with LCC's previous conclusions that the land to the south of Lancaster comprises the most sustainable location for development for the following reasons:

- The northern part of the Garden Village between the A6 and Ashton Road constitutes the land least at risk of flooding within the Broad Area of Search for the Garden Village set out in the emerging LLP. In accordance with the NPPF and NPPG, LCC should seek to prioritise development on land which is at the lowest risk of flooding or increasing the risk of flooding elsewhere.
- Development of land at this location utilises the A6 transport corridor and would provide proposed residents with quick access to the city centre via a range of transport means.
- The land is within close proximity to existing services and amenities and would be able to deliver development which integrates with the existing communities. It would also, with a new strategic road link to the A6, relate well to a new District Centre on the land owned by CEP between the A6 and the West Coast Mainline.
- The core of the land is owned by three willing land owners and opportunities for early delivery which make use of existing or interim measures to improve local highway capacity need to be further explored

4.19 Peel therefore respectfully recommends that the proposed separation area is reduced and that the development potential of the land in this highly sustainable location is properly realised in accordance with good planning principles. As noted by the draft AAP, design and landscaping in appropriate locations can still be used to "...augment perceptions of separation..." without the provision of an unnecessarily large "gap". Amending, redesigning and reducing the area of separation to deliver a greater quantum and higher densities of development within a robust landscape will aid LCC in the provision of infrastructure, facilities and amenities.

c) The highways and access arrangements

Q7 The overall approach for transport in Lancaster is established via the Lancaster District Highways and Transport Masterplan. Do you agree that the Garden Village should be structured around sustainable transport provision and particularly, Bus Rapid Transit (BRT)?

and

Q14 Do you agree with our Initial Transport Proposals including indicative transport spine and any of the illustrative route options suggested for a Cycle Superhighway?

¹⁴ A Local Plan for Lancaster District 2011-2031: Publication Draft - Representations by Peel Investments (North) Limited, Turley (April 2018)

- 4.20 The draft AAP includes an “illustrative” transport sketch which identifies a single access to the Garden Village from the A6 south of Leach House Lane. In this scenario, this link road would serve a spine road which would run north-south through the entire development area between the A6 and Ashton Road. The access arrangement as proposed would necessitate residents of the Garden Village, including those immediately south of Lancaster, travelling south to exit the Garden Village before travelling north using the A6 to access Lancaster City Centre. In discussions, LCC has indicated that that this approach would facilitate increased use of public transport by “disadvantaging” travel by private car. However, this approach is evidently unsustainable for several reasons:
- It would load the vehicles from the entire development onto a single access point. This approach runs counter to the typical approach of distributing traffic throughout the local highway network and could result in increased congestion.
 - It would reduce the accessibility of northern parts of the development to services and facilities in South Lancaster, significantly lengthening journeys by private and service vehicles by up to c. 4km / 2.3 mile (each way) in some cases. Residents in the northern part would effectively be at the end of a long cul-de-sac. This would result in increased journey times and vehicle emissions.
 - It would reduce the deliverability of the Garden Village, mindful that development in the Whinney Carr area would be dependent upon the delivery and timescales of the entire length of the proposed spine road. This would move the Whinney Carr area from an obvious early phase to a much later phase.
 - It could result in reduced air quality within the A6 corridor south of Lancaster due to the number of cars using the proposed single access point to the Garden Village and travelling unnecessary distances. This approach would be inconsistent with Policy DM31 of the emerging LLP, which requires new development proposals to explore opportunities to deliver reductions in future air emissions through on-site or off-site measures.
- 4.21 There is an opportunity for the development to be accessed to the north of the Garden Village and closer to the south of Lancaster, from the A6 south of Rays Drive. As has been long recognised, this would entail a crossing over the West Coast Mainline (WCML). This access has been considered previously by LCC, Lancashire County Council and Network Rail and has historically been agreed in principle. Indeed, it was proposed in a previous draft of the LLP and identified within the concept plan submitted to Government as part of the Garden Village application⁷. The draft AAP provides no justification as to why this access has been removed. Indeed, LCC has acknowledged that there is limited evidence or modelling of the access proposals – or testing of alternatives – such that the illustrative transport sketch set out in the draft AAP is at this stage based entirely upon unsubstantiated opinions.
- 4.22 Peel considers that an access to the north of the development from the A6 into the Whinney Carr site would offer significant benefits. It would enhance the integration of the development with Lancaster itself, reduce journey times, enhance access to services and facilities, and disperse traffic from the development throughout the local highways network to reduce both congestion and air quality impacts. It would also

complement a District Centre development on the Lawson's Bridge site – a longstanding proposal by partners CEP. Peel considers that all access options must remain “on the table” until such a time as they have been tested by robust evidence. Paragraph 158 of the NPPF and 33 of the draft revised NPPF identify that policies should be based on an up-to-date and relevant evidence base to justify the policies concerned. It is therefore clear that LCC should undertake further technical highways work to ensure that any transport proposals are supported and justified by evidence and effective in terms of the delivery of sustainable development. In this context, Peel respectfully requests that LCC revisit the access proposals which are shown in the draft AAP.

d) Provision for new retail facilities and other services

Q13 Do you agree with our preferred Village Centre location around Burrow Road?

- 4.23 The AAP proposes a single village centre in the centre of the Garden Village. The provision of new services and facilities to meet the day-to-day needs of residents within the Garden Village is supported. However, Peel considers that the draft AAP has overlooked a longstanding opportunity to make provision for new District / Local Centre facilities within the northern part of the Garden Village which could result in significant benefits for the wider local area beyond the Garden Village.
- 4.24 Previous proposals for the Garden Village have typically denoted that a Local Centre would be located on the Lawson's Bridge land to the east of the rail line and west of the A6 Scotforth Road – collocated with the new access to the northern parts of the Garden Village from the A6. Peel remains of the view that this should be a location for such provision (with other complementary facilities provided elsewhere within the Garden Village area). It would offer substantial benefits, including the following:
- Enhanced settlement sustainability – the current proposals in the draft AAP to make provision for a single Local or District Centre means that some areas of the Garden Village would be somewhat distant from those facilities given the relatively linear nature of the site. Provision on the Lawson's Bridge land would therefore complement other facilities within the wider Garden Village site whilst being capable of more directly serving the Whinney Carr and Burrow Heights areas of development, thereby enhancing the sustainability of those areas and crucially also being accessible to existing communities within South Lancaster.
 - Reduced congestion throughout Lancaster – there is an acknowledged existing shortage of large-scale retail facilities in the south of Lancaster. This is a key cause of congestion within the local highway network, as people travel to the north and centre of Lancaster to meet their needs. The provision of new larger-scale retail facilities would therefore re-align travel patterns across south Lancaster, reducing the congestion which is currently experienced across the District. The failure to make provision for such retail facilities on the Lawson's Bridge land – or even to further consider their potential – represents a missed opportunity to increase the sustainability of the south of Lancaster and an unexpected change of direction by comparison with earlier versions of the draft LLP.

- 4.25 As noted above, the location preferred for a Local/District Centre within the draft AAP would not support the existing communities in South Lancaster. The separation proposed between the identified Garden Village area and the development to the south of Lancaster reduces the likelihood of the proposed village centre being utilised by the existing residents, would further create separate and disparate communities, and would increase the need to travel.
- 4.26 In combination, new facilities on the Lawson's Bridge site would reduce the need for existing and future residents to travel to Lancaster City Centre and/or further than they need to within the Garden Village – all helping to reduce traffic volumes on the A6, which is a key objective for the Council.
- 4.27 The draft AAP notes that there is an existing permission for a foodstore on the A6, south of Rays Drive (reference: 10/00251/FUL). This relates to the provision of a Booths supermarket which whilst welcome would be unlikely to cater for all of the needs of South Lancaster given its target market. It is also uncertain that the development will be delivered given that the permission has been in place for almost seven years and it is understood that there have been changes to Booths' business strategy. Peel therefore encourages LCC to consider the potential for additional larger-scale retail / community provision on the Lawson's Bridge site.

An Alternative Spatial Option

- 4.28 The expression of interest submitted to Government by LCC and its partners in 2016 makes clear that the Garden Village would abut the southern edge of Lancaster, such that it comprises a new district adjacent to the existing City. This principle was subsequently indicated in drafts of the LLP. However, the draft AAP has subsequently become inconsistent with the proposal for the Garden Village which was endorsed by the Government as it proposes principally dispersed and "standalone" development with significant areas of separation in the northern part of the Garden Village. In the context of the draft APP it appears that LCC has not considered the potential merits of a spatial option where the entire Garden Village 'abuts' the southern edge of Lancaster, such that it in effect forms a sustainable urban extension (as originally envisaged). The lack of consideration for this option in the draft AAP undermines the extent to which the spatial options presented therein can be considered to be the "most appropriate" options.
- 4.29 LCC has set out in the draft AAP that the inclusion of an area of separation in the northern part of the Garden Village would create a Garden Village which has a strong sense of place and unique identity. Peel disagrees that an area of separation specifically increases the sustainability of the Garden Village given that this approach would inevitably reduce the accessibility of the new homes to existing services, amenities and communities subsequently reducing social cohesion.
- 4.30 Making the best use of the land in the northern parts of the Garden Village would bring benefit from close proximity to existing services, amenities and infrastructure. The development could still be a distinct and separate neighbourhood, which could be achieved through the use of creative design and landscaping. Peel and other landowners and developers within the Garden Village are considering preparing an

alternative spatial option for presentation to LCC and would welcome a meeting with Officers to discuss its merits.

Opportunities for early sustainable delivery

- 4.31 Garden Village proposals were supported by Government where they offered a strong prospect of the early and accelerated delivery of new homes. LCC's application to secure Garden Village status from Government⁷ identified that it could deliver 3,000 new homes up to 2031. The draft AAP places little emphasis on accelerating the delivery of initial phases of development or the importance of meeting housing needs in the short-term. Rather, LCC now proposes to delay delivery in the Garden Village until the mid-2020's.
- 4.32 As an alternative, LCC should be working with all parties to seek to secure the earliest delivery possible. As set out in Section 2 of this representation, the AAP must recognise the importance of and promote the potential for early delivery within the Garden Village. There are opportunities for sustainable quality development in the short-term, which can be delivered in a way which is consistent with the headline principles proposed in the draft AAP. This would have the effect of enabling some new homes to be delivered early within the plan period without overly compromising the highway network, whilst providing some initial support and momentum for the delivery of initial or interim infrastructure requirements. Peel is keen to explore these options with LCC and other stakeholders.
- 4.33 If LCC wish to continue with the option (Option 3) of identifying the development land adjacent to the southern edge of Lancaster as separate to the Garden Village, Peel considers that the land could be formally allocated for development in the emerging Local Plan. This would help to facilitate the early delivery of the development in this location.

5. Infrastructure Delivery

5.1 Within the draft AAP, a number of large scale infrastructure requirements are identified, including:

- Retention and management of Park Coppice
- Bus Rapid Transit
- Reconfigured Junction 33
- Cycle Super Highway
- Cycling and Walking Investment Plan
- Dedicated walking and Cycle routes
- One crossing of the West Coast Mainline
- One secondary school
- Two Primary schools
- A district health centre – co-located with other facilities (e.g. pharmacy and dentist)
- A convenience offer
- Informal play areas
- Places for young people
- Play and sports facilities
- Greenspace

5.2 The cost of delivery of the above is yet to be fully estimated. However, it is clear that they will be significant. This is before the costs associated with other typical secondary site-specific infrastructure requirements and identified policy objectives are considered, for example including the proposed requirement for up to 40% affordable housing which are set out in and will be “fixed” by the emerging LLP. Successful funding bids to public sector bodies such as the Local Enterprise Partnership (LEP) have already helped to secure financial resources to help deliver the reconfigured Junction 33 of the M6 and the new bridge crossings over the West Coast Main Line; however, it is clear (and is only to be expected) that further significant strategic investment is required to deliver the overall Garden Village.

5.3 LCC anticipate that the Cycle Infrastructure, Bus Rapid Transit system and the reconfiguration of Junction 33 will cost £130m. The draft AAP identifies an objective to provide these main pieces of infrastructure by 2024 and that £100m is to be provided towards their delivery through the Housing Infrastructure Fund, with a further £16.25m from Growth Deal funds. A funding stream is not identified for the remaining £14m or the remainder of the infrastructure identified above, though several references have been made within the draft AAP to the use of private development within the Garden Village to fund this. Policy SG3 of the submitted LLP also sets out that the development proposals will be expected to contribute to the delivery of important transport infrastructure. Peel acknowledges that new development must contribute to infrastructure provision but, in accordance with the NPPF, such contributions must be proportionate and reasonable. LCC has previously indicated an intention to ‘equalise’ costs across the whole Garden Village – which would represent a fair approach.

- 5.4 Whilst it is appropriate and necessary for new development to help facilitate infrastructure provision where there is clear evidence that it is required, as LCC recognises it is neither viable nor appropriate for the development industry to be responsible for infrastructure funding that is needed to address existing problems and/or would provide benefits beyond the development itself. This is particularly the case where proposed infrastructure is strategic in nature, as it is clearly expressed to be in relation to the “strategic solution” required in respect of the M6 and A6 infrastructure requirements and where an element of the work would address existing capacity/infrastructure issues. Peel therefore supports the proposal that the funding secured through the HIF bid is used to deliver this strategic infrastructure.
- 5.5 Establishing disproportionate requirements for development to forward-fund early new infrastructure could undermine site viability, deter investment and lead to a failure to deliver. By way of example, we note in the draft AAP that there is a new aspiration for a new railway station associated with the University / central area. The costs of essential infrastructure need to be considered and a realistic approach should be taken towards the requirements identified.
- 5.6 The need for and timing of the delivery of new infrastructure should be determined following a detailed and evidenced review of site-specific requirements and consideration of the various funding options, including accessing public sector funding programmes. Peel supports; in principle, the acceptance within Policy SG3 and the draft AAP that the Garden Village is to contribute to infrastructure requirements. However, further information regarding the level of infrastructure required or considered ‘desirable’ for the Garden Village and the costs associated needs to be provided.
- 5.7 As highlighted above and as the Council acknowledge, the immediate priority must be to assemble a robust and comprehensive evidence base regarding infrastructure requirements and for all delivery partners, including LCC, Lancashire County Council, Homes England and other landowners, to define an appropriate approach to the funding and delivery of both Bailrigg Garden Village and the necessary infrastructure. This will be of critical importance in establishing a deliverable development framework, including in respect of infrastructure and phasing. The evidence base must consider the following:
- Careful consideration of all potential infrastructure requirements, including a determination as to whether it is “strategic” or “site-specific”, whether it is “essential” or “desirable”, and the preferred timing of (or triggers for) its delivery and taking account of the availability of existing facilities and their scope for improvement / enhancement first. This will enable the identification of key priorities for public and/or private sector investment;
 - Early engagement with relevant utility providers to establish capacity of, and requirement for reinforcement for, existing utilities infrastructure to comprehensively support the requirements of the wider Bailrigg Garden Village;
 - The preparation of robust and up-to-date evidence in respect of economic viability. This will enable a determination as to the scale of funding which can be reasonably provided by new development; and

- Investigation into the potential public sector funding routes and regimes available to contribute towards anticipated shortfalls in capital to finance early and/or deliver wider infrastructure and prompt delivery of strategic infrastructure (to both address existing capacity constraints and the potential impacts associated with the wider Garden Village proposals).

5.8 The Infrastructure Delivery Plan (IDP) provides a starting point but must be progressed swiftly to inform the Local Plan and next iteration of the AAP. There are a range of alternative potential delivery mechanisms for infrastructure delivery which might be feasible and therefore warrant investigation by LCC alongside key stakeholders. Peel has considerable experience of delivering large-scale development proposals and is keen to work in partnership with LCC. This will help to quickly identify an appropriate approach which can be established as part of the development framework.

5.9 Irrespective of the preferred approach to delivery of the Garden Village, Peel remains of the view that there are opportunities, particularly towards the north of the Garden Village site at Whinney Carr and at the Lawson's Bridge site, for initial phases of development to come forward sooner than is currently envisaged in the LLP and without prejudice to the APP. Subject to clarification of existing highway capacity, this would have the effect of enabling some new homes to be delivered early within the plan period without overly compromising the highway network, whilst providing some initial support for the delivery of initial or interim infrastructure requirements. Peel is keen to explore these options with LCC and other stakeholders.

6. Delivering the Garden Village

Q4. Do you have any comments or suggestions to make on this section?

- 6.1 The importance of securing the delivery of new homes within the Garden Village in the short-term is discussed in Chapter 2 of this representation. It is a key and fundamental driver of the Garden Village and its designation by Government. In order to fulfil the commitment made to Government about early delivery, to deliver the housing requirement in the emerging LLP (taking account of local need and the national housing crisis) and to boost the prospects of success for bids for infrastructure funding, LCC and its partners must aim for early delivery. Indeed, it is of critical importance to the soundness of the LLP, mindful that if the delivery of only one or two sites is delayed by a single year, the already reduced LLP housing requirement will not be achieved.
- 6.2 The Letwin Independent Review of Build Out Rates¹⁵ identifies that to meet housing needs it is necessary to achieve both high rates of build out and high levels of allocations. The Letwin Review will continue to look at how to ensure large sites deliver more quickly and identifies that policy options for larger sites should yield the greatest possible likelihood that such sites can be delivered quickly. This validates the Government's Garden Village / Garden City initiatives as a legitimate method of stimulating and securing housing delivery at scale and speed.
- 6.3 Peel considers that there are opportunities at the Garden Village for early and rapid housing delivery in a way which is sustainable, consistent with the general principles set out in the draft AAP and which delivers quality development. However, these opportunities have not been considered by the draft AAP. LCC is aware that the Garden Village area is comprised of multiple landownerships and that Peel is a major landowner within it, being the owner and promoter of the 111 acre Whinney Carr site. Previous Peel representations have demonstrated the suitability and deliverability of this land for residential development, subject to delivery of the necessary strategic highway infrastructure. Peel is one of the UK's largest developers and has specialist teams with a proven track record in bringing forward major development proposals. As such, LCC can have confidence that Peel-controlled elements within the Garden Village will be delivered as quickly as is possible.
- 6.4 It is, however, important that the emerging AAP and LLP create supportive conditions for early delivery, by putting in place policies which establish the principles of and mechanisms for the development of the Garden Village. Progress has not been as quick as originally envisaged by LCC and there has been limited recent engagement with landowners to assist in driving forward the Bailrigg Garden Village. The draft AAP has been produced without the full engagement of landowners and delivery partners, who will be critical to its successful implementation.
- 6.5 Peel remains committed to working with LCC, the other landowners at the site, and various other stakeholders and delivery agents (such as the highway authorities) to contribute to the preparation of a comprehensive development framework for its development. This work must now be a priority and be undertaken both ahead of and

¹⁵ *Independent Review of Build Out Rates: Draft Analysis* (June 2018)

in tandem with the LLP examination and must include a thorough and evidenced infrastructure delivery and phasing plan. This will be critical in reducing the lead-in time for delivery on the Whinney Carr site and Garden Village as a whole.

- 6.6 As Bailrigg has been identified as one of 14 Garden Villages which secured Government backing in January 2017, the Government is providing access to an initial fund to support the delivery of the project. Delivery is also to be supported by the Homes England and their expertise. In addition to this there has been recent announcement that Lancaster was successful with their Housing Infrastructure Fund Bid. These are significant official endorsements of the Garden Village and should provide further confidence to LCC and its partners regarding the merits and deliverability of the Garden Village, particularly given that Government-backing comes with added support “...in terms of expertise, brokerage and offer of new planning freedoms...” which will help accelerate delivery.

7. Other Issues

- 7.1 This chapter of the representation provides comments on some of the specific matters set out in the draft AAP.

Housing need and density

Q9 Do you agree that we should seek higher densities of development where appropriate, for example in and around the Village Centre?

- 7.2 The scale of the Garden Village means that it is able to accommodate a wide range of new homes in terms of size, type and tenure. This will enable the creation of a mixed and inclusive community which is capable of meeting the needs of the different groups of people.
- 7.3 Peel agrees that higher densities of development can be achieved in some areas of the Garden Village, such as around key transport nodes and the proposed community-orientated facilities. Development in such locations may be able to achieve a net density of 50 dwellings per hectare (dph). The extent of development at this density may, however, be relatively limited and there may also be a need for development at lower densities to enable the provision of larger “executive”-type family homes. The net density of the development as a whole is therefore likely to fall within a range of 35-40dph. It will be necessary for LCC to give careful consideration to matters of density following discussions with key delivery partners and a review of market demands.

Landscape strategy

Q5 Do you agree with our approach to planning a Healthy Green Environment?

- 7.4 Peel strongly supports the establishment of a robust and flexible landscape framework for the new Garden Village. A multi-functional landscape strategy can add significant quality and setting for the development. It can function as a wildlife resource, provide recreational opportunities for local people, provide drainage infrastructure to mitigate flood risk, and enhance the character of a development. The creation of a healthy green environment is an important aspect of the proposals and therefore merits thorough assessment.
- 7.5 The draft AAP sets out a range of proposals for the green environment. At this stage these proposals are high level. For example, the “proposed baseline green” set out on page 36 has not been identified based on ecological or landscape assessments which consider the value of different areas of land within the site. The development framework must not be “fixed” until such evidence has been assembled. This is necessary to enable informed judgements about the land to be proposed for development or to form part of the strategic landscape framework.

Open space and sports facilities

- 7.6 Peel notes the need for sports facilities and village greenspace within the Garden Village. The requirement for sports infrastructure and recreational facilities should be

based on a robust and up-to date open space needs assessment. There are established standards, such as those produced by Sport England, regarding the scale and type of open space and green infrastructure which should be delivered alongside new homes. The use of appropriate standards will ensure that the provision of new open spaces and sports facilities is well considered, proportionate and necessary.

- 7.7 The provisions must be applied flexibly and in the context of the wider benefits, costs and viability related to the development and strategic infrastructure the proposed development is expected to deliver.

Flooding / drainage

- 7.8 Spatial Options 2 and 3 do not fully promote the development of land at lowest risk of flooding. The northern parts of the Garden Village (i.e. Whinney Carr area) constitute the land least at risk of flooding within the Broad Area of Search. In accordance with the NPPF and NPPG, LCC should seek to prioritise development on land which is at the lowest risk of flooding or increasing the risk of flooding elsewhere.

Design code

- 7.9 The draft AAP sets out an aspiration to prepare a Design Code for the Garden Village. Given the scale of development and the length of the build period, the Design Code must be capable of enduring over the long-term. The Design Code must therefore be flexible such that the development is able to adapt as approaches to design evolve over the extended build period. This will be necessary to ensure that the Design Code does not become an obstacle to delivery at any particular point in time.

Education

- 7.10 Policy SG3 of the submitted LLP and the draft AAP sets out that the Garden Village should facilitate the provision of sufficient school places at both primary and secondary levels. At present it appears that LCC has not assembled any detailed evidence regarding the need for or preferred approach to the provision of new school places. Peel is therefore keen to work with Officers from LCC and the local education authority to establish how the requirements of the new population at the Garden Village can be most appropriately accommodated, taking into account the existing supply and facilities in the local area, projected natural growth/change during the plan period, and the timing/phasing of new development.
- 7.11 In the event that the provision of additional primary educational facilities is required, Peel acknowledges that the provision of new primary school facilities may be required within Bailrigg Garden Village. Such provision would need to be proportionate to the development, with all parts of the Garden Village contributing, and identified through the forthcoming masterplanning work. The draft AAP also notes that a new three-form secondary school may also be required. However, the provision of a secondary school is typically only viable where it comprises at least six-forms. The Garden Village may therefore be of insufficient scale to achieve the critical mass to support the provision of a new secondary school. Further consideration is therefore required about how to meet the demand for secondary school places arising from the Garden Village. This

should involve an assessment of the scale of demand arising from the new homes, taking into account the existing supply, projected natural growth and change and the timing/phasing of new development. Any such provision would need to be proportionate to the development, with all parts of the Garden Village contributing, and identified through the forthcoming masterplanning work.

District Heating

- 7.12 Paragraph 12.10 of the SPLA supports Policy SG1 and states that the Garden Village should explore opportunities for innovative and creative design, including district heating systems and sustainable transport initiatives. Peel supports this proposal in principle. The preparation of the AAP should consider the potential of such initiatives, including both the costs associated with their delivery, and the scale of critical mass which needs to be achieved to ensure that they are viable and sustainable over the long-term and the potential benefits of such a scheme. Peel Energy has considerable experience in this field and is keen to work with LCC and other stakeholders to explore the potential of the Garden Village in this respect.

8. Conclusion

- 8.1 This report is prepared by Turley on behalf of our client Peel Investments (North) Limited and Peel Energy. It provides representations to LCC in relation to the public consultation on the Issues and Options Area Action Plan (draft AAP) for Bailrigg Garden Village. It builds upon comments provided by Peel to the LLP⁹.
- 8.2 LCC will be aware that our client is the owner and promoter of land at Whinney Carr which is identified within the Broad Area of Growth within the emerging LLP as part of the proposed Bailrigg Garden Village.
- 8.3 Peel is keen to see a robust and deliverable policy framework put in place as soon as is possible, to help expedite early delivery in line with the requirements of the emerging LLP, Garden Village status and Housing Infrastructure Funding principles. Peel's representations are provided to assist LCC to ensure that the emerging AAP contains a robust and deliverable development framework for the Garden Village. They are intended to improve the clarity and effectiveness of the AAP, enhance the deliverability of the Garden Village vision, and enable LCC and its key partners to identify opportunities for the early delivery of initial phases of sustainable development. Peel's representations can be summarised as follows:
- Peel supports the Bailrigg Garden Village concept and the inclusion of Whinney Carr land for residential development and is keen to work with LCC to see the delivery planned and achieved as soon as possible. It is a longstanding proposal and a suitable and sustainable location for the provision of new homes with willing land owners who are keen to deliver the site quickly and Peel wishes to be able to bring forward early phased development, which would assist LCC in boosting the supply of housing.
 - The potent pressures and opportunities related to housing need within the District (both locally and within the context of an acknowledged national housing crisis), Government supported Garden Village status, Housing Infrastructure Funding availability and the clearly stated ambitions of key landowners (including Peel) and developers present a once in a generation opportunity for Lancaster. This should be grasped, embedded in policy and delivered in partnership with all stakeholders as quickly as is possible.
 - Peel welcomes progress being made on the AAP. However, it remains at an early stage and it is important that LCC works with key stakeholders such as Peel to progress the delivery of the Garden Village as quickly as possible in line with meeting the objectives of the emerging LLP, the opportunities associated with Garden Village status, and the availability of Housing Infrastructure Fund funding. The AAP must however be prepared with flexibility and the option to revert to a Supplementary Planning Document and/or allocate the Whinney Carr site within the emerging LLP should be preserved, in the interests of securing early certainty and delivery.

- The AAP should not be pushing back the target date for the first delivery of housing compared with the submitted LLP (a proposed delay of three years) or reducing the volume of development proposed within the plan period. The AAP or an SPD should be used as a vehicle for providing certainty and accelerating delivery.
- Of the options presented in the draft AAP, Peel does not support Option 1 as the maximum potential dwelling yield is 28.3% below the minimum requirement figure for the Garden Village of 3,500 dwellings set out within the submitted version of the LLP. Peel also considers that a “concentrated” Garden Village does not accord with urban design principles of social cohesion and interaction.
- The expression of interest submitted to Government by LCC and its partners in 2016 makes clear that the Garden Village would abut the southern edge of Lancaster, such that it comprises a new district adjacent to the existing City. This principle was subsequently indicated in drafts of the LLP. The lack of consideration for this option in the draft AAP undermines the extent to which the spatial options presented therein can be considered to be the “most appropriate” options. The absence of such an option undermines the extent to which the spatial options presented can be considered to be the most appropriate option. It is considered that there are sustainability, landownership and phasing advantages in securing and maximising early sustainable development in the northern parts of the Garden Village area. This type of approach was taken by LCC in its bid document for Garden Village status⁷ and needs further consideration.
- Peel supports in principle LCC’s preference for Spatial Options 2 or 3 of the options identified within the AAP. However, there are several areas within the AAP where Peel considers further consideration needs to be given. These include:
 - The scope to secure early housing delivery in the northern parts of the Garden Village (i.e. in and around the Whinney Carr site), ahead of the major infrastructure proposals associated with the reconfigured Junction 33 of the M6.
 - The scale of the “gap” between the northern parts of the Garden Village and the parts of the Garden Village beyond – which impacts negatively upon the overall scale and potential of development at Whinney Carr. The reduction of the “gap” will enable the AAP to increase the development area of the Garden Village such that it can achieve the minimum dwelling yield identified in the emerging LLP (at least 3,500 dwellings).
 - The illustrative transport strategy for the Garden Village, including the failure at this stage to identify an access to the northern part of the Garden Village (i.e. the Whinney Carr area) from the A6 and instead the reliance on a ‘cul de sac’ spine road through the Garden Village that would not link back to the A6 or to either Ashton or Ashford Roads. This approach will result in a less sustainable pattern of development than could be achieved and is likely to delay the development of some of the

most deliverable and sustainable parts of the Garden Village site (i.e. the Whinney Carr site).

- A potential missed opportunity in respect of the failure to take forward the previous proposal for a District / Local Centre on the Lawson's Bridge site in to the northern part of the Garden Village, which can offer significant benefits for existing and future residents in South Lancaster, complement and support early delivery in the northern parts of the Garden Village, and be efficiently collocated with a northern access across the West Coast Mainline from the A6 and is likely to delay the development of some of the most deliverable and sustainable parts of the Garden Village site (i.e. the Whinney Carr site).
- Spatial Option 3 gives the opportunity to allocate the Whinney Carr site for development within the emerging Local Plan and this opportunity should be given further consideration.
- As the Council acknowledges Further work and evidence is required to underpin the emerging AAP, particularly in respect of infrastructure requirements, funding and delivery. The infrastructure which is required for the phased delivery of the Garden Village needs to be identified and the costs associated with this needs to be fully quantified. The triggers and phasing to secure early delivery also need to be considered. Peel is keen to work with LCC to achieve this.

8.4 Peel is willing and keen to engage with LCC and other stakeholders to assist with the process and work with LCC to deliver the Garden Village in a flexible and timely manner, and looks forward to closer future working with LCC and other key stakeholders.

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