

Canal Corridor North Site, Lancaster

Planning Inspectorate Reference:

APP/A2335/V/09/2095002

I/TR/R/01

Rebuttal evidence

by

Professor John Whitelegg and Mr W. J Pye

against

Mr Dominic Mullen

Witness for Lancaster City Council

On

Traffic and Transport

June 2009

1. Introduction

- 1.1 The purpose of this rebuttal proof is to identify key points of disagreement between ourselves and Mr Mullen and to assist the Inspector in understanding the arguments, logic and evidence that underpin these disagreements. The absence of a reference to any specific point in Mr Mullen's proof does not indicate agreement with that point
- 1.2 On matters related to travel plans, car parking and cycling we cross-reference this rebuttal of Mr Mullen to the evidence submitted on behalf of the city council by Mr Dobson and Mr Cassidy. This is done because Mr Dobson and Mr Cassidy are making similar points to those of Mr Mullen and for the sake of simplicity it is thought appropriate to rebut them here.

2 Key points

- 2.1 Mr Mullen's "clear understanding" of the position of Lancashire County Council is not shared by us. We have presented evidence in our main proof that clearly indicates a number of doubts and concerns expressed by Lancashire County Council about the addition of the traffic burden from this development proposal on an already overloaded and congested highway system and in addition to a number of other committed developments. These concerns would normally be explored through cross-examination of a County Council witness but this Inquiry has been deprived of this opportunity. The County Council has serious concerns about this development and its impact on the local highway system
- 2.2 Mr Mullen discusses the Transport Assessment (TA) in section 3 of his main proof. He does not identify the serious deficiencies in the TA which we have referred to in our main proof. These relate to a totally inadequate incorporation of multi-modal considerations, the

need to incorporate explicit demand management initiatives in development proposals and the need to produce effective and appropriately funded travel plans as part of planning applications for development

- 2.3 We note in passing that significant gaps in the audit trail associated with what was agreed with the County Council prevent a clear picture emerging of the County Council's position on the TA. In para 3.1.4 Mr Mullen states that "MVA has not been provided with copies of this correspondence and thus are unable to confirm if the county Council have been in full agreement with the process undertaken by Mayer Brown". To the best of our knowledge there is no documentary evidence before this Inquiry to support the statement in 3.1.4 that "subsequent discussions" have confirmed the agreement of County to "the approach and methodology adopted by Mayer Brown".
- 2.4 In 3.3.1 Mr Mullen says accessibility to the site by foot and cycle is "considered to be good". We do not agree and this forms part of our main proof and will not be repeated here.
- 2.5 Mr Dobson on page 26 of his proof of evidence in the box labelled RT9 from the RSS re-states RSS policy on walking and cycling and claims that the proposal would create significant new walking routes into Lancaster and new connections to the Strategic Cycling Network. We disagree. The proposal destroys a well-used cycle route across the site and does nothing to improve walking routes from Skerton, Freehold, Ridge, and Newton and from the bus station to the site. The proposals do not follow RSS policy expressed as enhancing walking and cycling routes wherever possible.
- 2.6 In 3.3.4 and 3.3.5 Mr Mullen turns to bus accessibility. The lack of detail on the role of public transport after opening of this development and the degree to which shoppers and visitors to the

site are likely to use public transport is in stark contrast to the clear objectives of government and prescriptions in PPG13 to enhance the role of public transport. The lack of awareness of the importance of government policy in this respect on the part of city and county council is noted.

- 2.7 We disagree with Mr Mullen's summary in para 3.3.7 that the site's central location gives it "excellent accessibility". The loss of an important cycle route through to Phoenix St is a reduction in permeability and sits uneasily with the progress being made at considerable public expense in promoting cycle use as a Cycling Demonstration Town.
- 2.8 The argument put in favour of the bridge across Stonewell (para 3.3.8) is not supported by evidence and does not reflect the current traffic and transport debate around shared space, grade level crossings and the redesign of street space to create high quality pedestrian environments.
- 2.9 Mr Dobson in his proof of evidence (page 26) refers to the creation of "a significant new walking route into Lancaster". If this is a reference to the Stonewell bridge then it is important to recognise that this route already exists at the signalised, at grade, Stonewell crossing and the applicants have not presented an evaluation of options for dealing with pedestrian flows at Stonewell.
- 2.10 The section on car parking provision (3.6) does not address the issue of how to deliver the force of PPG13 with confidence and does not give due attention to the difference between a car-dependent development based on delivering car-borne shoppers required by Debenhams and a genuinely sustainable development delivering the full intent of government policy with flair and ingenuity
- 2.11 Mr Dobson in his proof at page 41 (T13 Car parking) confirms that shopper/visitor parking space are increased. We argue that this is directly contrary to PPG13

- 2.12 We note the shortfall in cycle parking (para 3.8.2) when proposed levels are compared with NWRA guidance and the lack of explanation for the shortfall. An agreement with City and County does not convey legitimacy.
- 2.13 We note that the highway improvements in para 3.10 are not associated with a clear explanation of (a) traffic generation at year of opening without highway improvements (b) traffic generation at year of opening with highway improvements (c) traffic generation with highway improvements and full transport demand management (TDM) interventions
- 2.14 The travel plan discussions at para 3.11 ignores TA guidance and PPG13 requirement that a travel plan should be submitted with the planning application. This was not done in October 2008 and has not been done to inform this Inquiry
- 2.15 Mr Dobson in his proof (page 41) confirms that development proposals must be accompanied by a green travel plan (RSS policy T17). This has not been done and we strongly advocate conformity with RSS policy rather than ignoring it.
- 2.16 Mr Cassidy is incorrect in his proof of evidence (page 53, para 9.48) when he introduces the idea that a green travel plan should be provided by the applicant prior to first use of the development. PPG13 and RSS T17 are very clear that the travel plan must be submitted with the planning application
- 2.17 The canal corridor proposals are not in conformity with key planning policies as set out in 3.12.1. This matter has been addressed in our main proof and we also rely on the proof of evidence submitted by CPRE (Andy Yuille)

- 2.18 We note that the car parking discussion in section 3.13 identifies city centre wide parking issues but fails to recognise the importance of an integrated approach to the management of car parking across the city centre as a whole and the ways it will be managed in the interests of sustainability, promoting non-car modes and resolving air quality problems. We identify the lack of an integrated approach as a major failure in the development proposals to date.
- 2.19 Coach parking is identified in para 3.13.1 and again in 3.13.11-3.13.13 but with no development of firm proposals to deal with this important matter. Coach parking is left in limbo to the detriment of tourism, accessibility, public transport usage and facilities for the disabled.
- 2.20 We disagree with the trip attraction methodology described in para 3.15.2 and are of the view that it leads to misleading conclusions about trip generation.
- 2.21 The assumption in the first sentence of para 3.15.7 is clearly incorrect and has not been supported by data.
- 2.22 We do not agree with the assertion that there is no alternative methodology (para 3.15.8). TRICS data could have been used as a validation tool and a more accurate factoring methodology based on purpose of trip data from city centre car parks could also have been collected and used.
- 2.23 We do not accept the unsubstantiated assertion in para 3.15.4 that “it is generally accepted that , for example, a 50% increase in retail floor area in an existing city centre will not result in a commensurate 50% increase in trips/visitors”. Such unsubstantiated assertions are unhelpful and misleading and should be disregarded unless backed up by robust data.

- 2.24 We do not accept the data in table 3.5 in para 3.15.8 and Table 3.9 in para 3.15.32 and regard these data as unreliable
- 2.25 We note the use of TRICS in para 3.15.21 and following paragraphs
- 2.26 We find the trip distribution discussion most inadequate. Trip origins are a key input into trip generation statistics especially on an overloaded and heavily congested gyratory system. We would expect to see numbers and validated assumptions about the origins of car-borne shoppers to the 800 space car park and in the absence of such numbers we have no confidence at all in statements about the impact of this development on the highway system

3 Conclusions

- 3.1 We find the proof of evidence submitted by Mr Mullen to be deficient in its treatment of planning policy, trip generation, car parking, impact on the gyratory system and travel plans. Further there is very little acknowledgement or recognition of the progress made in national transport policy in delivering a sustainable transport system based on policies that have a proven track record of reducing car use and boosting non-car modes
- 3.2 The methodology used to forecast traffic is weak and unconvincing and has produced unreliable numbers
- 3.3 The development will lead to serious problems of congestion on an already over-loaded gyratory system
- 3.4 The proposed parking supply has not recognised the importance of PPG13 and the need to reduce the need to travel by car
- 3.5 The proposed development is not well served by public transport and the evidence presented by Mr Mullen has ignored the fact that all trips by public transport are in fact both walking and public

transport trips and nothing has been done or proposed to improve a poor quality walking environment in and around the city centre

- 3.6 The proposed development damages cycling provision and produces less permeability and lower quality access by bike than the current situation
- 3.7 The pedestrian bridge has not been tested against alternatives especially against the alternative of a high quality shared space solution with at grade crossing
- 3.8 The assertion about the traffic reduction impact of the Heysham M6 link is incorrect (last bullet point in para 4.2.2)