

ITS OUR CITY

ADDENDUM TO THE TRANSPORT PROOF (I/TR/01)  
SUBMITTED BY PROFESSOR JOHN WHITELEGG AND W. J PYE

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## Introduction

1. This document is an addendum to the Its Our City (IOC) Transport proof of evidence (I/TR-01). There were three issues which arose in the cross examination of Mr Cassidy of Lancaster City Council (LCC) and Mr Mullen of MVA Transport Consultancy which in the opinion of IOC would have been discussed in detail had IOC given its Transport evidence in chief to the public inquiry. Since this was not possible at the inquiry itself this document will serve to make the points that would have been made during evidence in chief by IOC.

## Congestion

2. During the cross examination of Mr Mullen by Professor Whitelegg the matter of increased congestion in and around Lancaster which will result from the development was discussed at some length. Mr Mullen's overall view on the increased congestion that the development will produce in Lancaster is summarised in his own proof of evidence at paragraph 4.2.1, 'Conclusions', second bullet point at the top of page 27 thus:

*“that the development will result in the generation of additional traffic volumes though the impact of the traffic, subject to the introduction of the identified mitigating measures, will not lead to any substantial increases in the existing levels of congestion or create safety problems on the highway network”*

3. During the cross examination of Mr Mullen by Mr Pye of IOC, Mr Mullen commented that he had not done any detailed analysis of the predicted increased traffic volumes which will result from the development and which are produced and included in IOC's transport proof (I/TR-01, paragraph 5.66). It is to be noted however that the contention of IOC, using the base data and methodology employed in the Centros Transport Assessment (TA) (CD17, hereinafter referred to as 'the TA') that the development will produce at least an extra 14,208 cars over a seven day period was not disputed by Mr Mullen.
4. The question which arose during the cross examinations of Mr Mullen and during the Inspector's questions was that of whether or not Lancaster's traffic system could cope with any increased congestion, taking account of the 'mitigating measures' proposed, and so leaving congestion in the city relatively unchanged once the development is open. There seemed to IOC to be an acceptance on the part of the Inspector, if we understood the point correctly, that congestion should be considered in relative or percentage terms. This is to say that in considering an increase in vehicle numbers on the roads one needs to look at the number of vehicles that there already are and, though a predicted increase in vehicles may seem large on its own, it may be that the increase will be a relatively small percentage increase on existing numbers.
5. IOC take a different view and would like to respectfully submit that any increased traffic volumes on Lancaster's roads cannot be seen simply in relative or percentage terms. IOC submit that Lancaster's traffic system is already operating at full capacity in identified peak periods and at other times. This is the matter that this document now turns to below.

### Average Yearly Traffic Flow Data

6. The TA provides average yearly traffic flow data for the Lancaster network for the years 1998 to 2006 inclusive in table 8.9 on p62. Paragraph 8.22 on the same page points out that the table shows that the traffic flows around Lancaster have remained constant over the 8 years to 2006 (no data for 2007 is included) with a slight reduction in 2006 compared to 1998.

7. Paragraph 8 2.3 in the TA quotes the Joint Lancashire Structure plan<sup>1</sup> (JSLP) (CD66) thus: The plan

*“acknowledges the congested nature of the highway network around Lancaster and sets a target to reduce traffic flows...”*

Clearly, that Lancaster's road network operates at capacity at present lies at the core of why average yearly traffic flows have remained constant over the past years. This is in fact confirmed in paragraph 8.24 of the TA itself. The City is simply full of vehicles. Anyone who drives in or around Lancaster on any given weekday or Saturday at certain times is only too painfully aware that this is the case. In recognition of this fact paragraph 8.23 of the TA quotes the JSLP in full on the matter:

*Traffic within town centres can have a significant impact on environmental quality and economic attractiveness. Morning and evening commuter flows have a particular impact. Target 7.2 seeks to reduce average daily traffic flows into and out of the core of Principle Urban Areas and Main Towns by 5% by 2016 compared with 2001 levels.*

8. The recorded traffic figure for 2001 in table 8.9 in the TA is given as 155,041. If the JSLP target were to be achieved by 2016 then based on the stated figure for 2001 a total of 7752 cars per year would have to be removed from the City's network by that year.

9. The increased traffic and congestion which will be caused by the development contravenes National PSA Targets which are also quoted in the JSLP. For example the target to *“Reduce congestion on the inter-urban trunk road network, and in large urban areas in England, below 2000 levels by 2010.”* On the basis of this target alone the proposed development should not be allowed.

10. It has not been contested by any party at to this inquiry that traffic levels in Lancaster will increase as a result of this development. In conclusion on this point IOC contends that Lancaster's road network is currently operating at capacity. Therefore any proposed increase in traffic levels in Lancaster should be considered in this context and not in relative terms.

### The 'Increased Attractiveness' of Lancaster after the development is opened.

11. During Mr Mullen's cross examination by Mr Pye of IOC the question of the increased attractiveness of Lancaster after the development is opened and the impact of this on traffic levels in the city was discussed. Mr Mullen expressed the view that Lancaster would be more attractive to shoppers. Mr Pye asked Mr Mullen why the TA (CD17) had not growthed the predicted traffic increases to take account of this increased attractiveness. Mr Mullen's answer was that there was no need for a

<sup>1</sup> The Joint Lancashire Structure Plan has now been superseded. However, it was in force when the Transport Assessment (CD17) was drawn up.

growing of the figures and gave reasons why the predictions were still robust in his opinion.

12. Mr Mullen's opinion on this matter has to be viewed in the context of the evidence given by Mr Nutter of White, Young, Green, who argued that the development would attract over eight million extra visitors a year to Lancaster which was part of his argument that the development would be economically viable. This point is covered more fully in IOC's addendum to our retail impact evidence.
13. It remains a question as to whether the 'mitigating measures' proposed as part of this development in relation to traffic level increases will be sufficient to offset those increases. IOC contends that they will not. Notwithstanding the potential success or otherwise of the proposed mitigating measures IOC submits that the predicted traffic increases should have been growthed to take account of the 'increased attractiveness' of Lancaster once the development is opened. This in itself would have been an important factor to take into account in evaluating the potential success or otherwise of those measures.
14. An explanation of why the TA fails to apply a growth factor to the predicted traffic increases in Lancaster can be found in paragraph 8.24 of the TA itself. The TA argues in paragraph 8.24 that since it appears to be the case that the network is operating at capacity and that the County Council is aiming to reduce traffic flows in Lancaster and elsewhere that it has been agreed with the County Council that it is not necessary to apply a growth factor to the base traffic data.
15. Notwithstanding that the proposed development will increase traffic in and around Lancaster to a level substantially beyond the current yearly average levels as is demonstrated in IOC's transport proof (I/TR-01), to use a County Council target as a reason not to apply a growth factor to base traffic data is unacceptable in the opinion of IOC. In the absence of an applied growth factor it is simply not possible to properly evaluate the impact of the development on congestion levels in Lancaster. Nor is it possible to properly evaluate the effectiveness of the proposed mitigating measures.

### Policy T13

16. On the first page of the Officer's Report (CD30) to the LCC planning committee meeting which granted outline planning permission for the proposed development it is pointed out that *“This application constitutes a departure from the Lancaster District Local Plan in respect of Policy T13 – Car Parking”*. This is an issue that was raised during Mr Cassidy's evidence in chief and cross examination. It is a matter that IOC would have returned to in detail in giving its transport evidence in chief.
17. Policy T13 of the Lancaster District Local Plan, Strike through edition September 2008 (CD63) reads: *“PROPOSALS FOR ADDITIONAL SHOPPER/VISITOR CAR PARKING WILL ONLY BE ALLOWED WHERE THIS IS ACCOMPANIED BY AN EQUIVALENT REDUCTION IN THE ALL DAY COMMUTER PARKING”* The Officers report (CD30) on page 38 acknowledges that the proposed multi-storey car park entails a breach of policy T13 but seeks to offset this breach thus:

*“There is no equivalent reduction in commuter parking. There is scope for the City Council, should*

*they wish to do so, to significantly reduce commuter parking as a result of these proposals. The City Council's review of long-term parking is imminent.”*

18. When this matter was raised during Mr Cassidy's cross examination it appeared to be the case that this clear breach of T13 was being considered to be a minor point given that LCC could, if it chose to, review its long stay parking strategy across the city as a whole.

19. IOC submits that it is clearly the case that the terms of T13 apply to any given development site within the city and not to the city as a whole. Its terms cannot simply be accommodated by the promise of a future review of the city's parking strategy. The actual proposed development and a future review of parking strategy by LCC are completely separate matters. This is clearly indicated by Mr Cassidy himself in his proof of evidence in paragraph 9.45 on the matter:

*“The committee report confirms that this element departs from the Development Plan in that (Saved) Policy T13 of the Lancaster District Local Plan (1996-2006) (**Document CD63**) requires additional shopper/visitor proposals to be accompanied by an equivalent reduction in all-day commuter parking. This cannot be achieved by this scheme although a reduction of 260 long-stay parking spaces can be achieved, should LCC as landowner (not as local planning authority) desire to remove the displaced long stay provision from the city altogether. As the report indicates, this is not a decision for the developer or the local planning authority, but a decision for LCC to (first) take at a political level as part of a wider review on car parking provision.”*

20. IOC is of the opinion that Mr Cassidy is correct to describe the decision to alter the city's parking strategy as having to be made on a political level. He is also correct in saying the clear requirements of T13 cannot be achieved by the development which is before the inquiry. Clearly, whether or not a promised parking strategy review and any assumption about what the result of that review might or might not be is not a matter that is before the inquiry for consideration. The proposed development would entail the clearest possible breach of policy T13 and IOC submits that it should be refused on that basis.

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