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Architecture + Building Surveying + Town Planning

**Warrington Local Plan Examination,  
Matter 11 Transport & Infrastructure  
South Station Place Proposed  
Employment Development,  
Birchwood**

VN222347

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Joint Statement Produced by:

**VECTOS - PART OF SLR**

And

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## 1.0 INTRODUCTION

- 1.1 This Note provides a preliminary response to Matter 11 (Transport and Other Infrastructure) raised by the Inspector considering the Warrington Local Plan Examination. In this response we refer to Policies INF1, INF2 and INF5. Separate hearing statements will be submitted in respect to other matters.
- 1.2 Vectos and Cassidy and Ashton submit this combined Response Statement on behalf of Patrick Properties.
- 1.3 Patrick Properties are the promoters of land known as South Station Place, south of Birchwood railway station. The site is suitable for employment and public transport infrastructure led development and detailed representations have been submitted to the Local Plan [UPSVL 0436]. This statement does make specific reference to the site given the direct reference in the Infrastructure Development Plan and in the circumstances of the Local Plan being found unsound, the site is available, together with the adjacent land being promoted by St Modwen [UPSVL 1420]. Appendix CAV1 sets out a Preliminary Assessment and Outline Business Case Review in response to comments made by WBC following the submission of the previous representations.
- 1.4 The Council has submitted the Local Plan to the Government for Examination, during which, amongst other matters, the Inspectors must be satisfied that the Local Plan is positively prepared, justified, effective and consistent with national policy – these being the tests of soundness. The purpose of these representations is to highlight the fact that we do not consider the Plan, as submitted, to meet the tests of soundness and what changes need to be made to rectify this position.
- 1.5 In this response we only refer to the issues of specific relevance to the above site.

## 2.0 MATTER 11

### ***Issue***

*Whether the Local Plan is justified, effective and consistent with national policy in relation to the approach to transport and other infrastructure.*

*N.B. wider issues of infrastructure provision and the links with viability are dealt with under Matter 3*

*Relevant policies INF1 to INF6.*

## 3.0 QUESTIONS

### ***Sustainable travel and transport (INF1)***

1. *Is Policy INF1 intended to be applied to all development, regardless of scale and type? If not, is this clear?*
  - Policy INF1 is presented in full in Appendix CAV2.
  - Policy INF1 is not clear in relation to its application to all developments regardless of scale and type, and illustrated as follows:
    - Such a broad policy can lead to contradictory outcomes. For example, a residential development adjacent to a motorway junction may need to be treated differently than a logistics development. Similarly, where a major public transport proposal is incorporated in a mixed-use scheme, the approach should be different again.
    - The scale of development can also result in different outcomes. For instance, a number of smaller scale developments may fall below the threshold of impact where mitigation is required. Policy INF1 states that all major development proposals that are likely to generate significant movements will need to be accompanied by a Transport Assessment. The Transport Assessment thresholds for major developments are clearly defined in the Warrington Borough Council (WBC) Design Guidance Note 3 [Council’s supporting evidence document ref. SPD4]. Major developments are more likely to result in significant effects on the transport network that require mitigation measures to be considered on an individual basis. Policy INF1 does not cover the Transport Statement thresholds for smaller scale developments, and a Community Infrastructure Levy (CIL) contribution for smaller scale developments can help offset their cumulative impact.
    - Topic area 7 in Policy INF1 covers *Transport Assessments and Travel Plans* and specifically refers to major development proposals, however the related paragraph 7.1.10 later in the Local Plan document also mentions Transport Statements, which are submissions that are typically associated with smaller scale developments.
2. *Are all of the points in Policy INF1 genuinely related to development proposals or do some actually reflect the Council’s potential actions? How could the policy be rationalised to be more focussed on reasonable expectations of development?*

- Policy INF1 covers 7 general topic areas and 36 sub-policy topics, and this seems too much and would benefit from being broken down, otherwise the policy is simply too unwieldy to be of practical use in respect to the requirements of Section 38(6) of the Planning and Compulsory Purchase Act 2004. A development complying with one element may fail on another and the broad approach makes this conflict more likely, meaning that a development that may otherwise be regarded as acceptable may be regarded as failing to be in accordance with the development plan and more likely to be regarded as unacceptable. *5a) Improve Freight Transport Provision* is considered to be more reflective of a potential action for the Council, as it appears to be aimed at addressing an existing problem of lack of lorry parking and / or inappropriate lorry parking causing a nuisance, which is not related to development proposals.
  - Suggestions on how the policy could be rationalised include:
    - There is potential duplication, for example between 1f) and 7c) regarding mitigation of impact on Warrington’s Transport Network, between 1a) and 3b) in relation to sustainable accessibility and between 1b) and 2a) in respect of ensuring priority is given to walking and cycling within the design of new developments. The policy should be rationalised and reworded.
    - The *General Transport Principles* could easily be covered in the General Policy text.
    - The detail of 7) *Transport Assessments and Travel Plans* could easily be covered by a short statement that references the WBC Design Guidance Note 3 or a new Supplementary Planning Document (SPD), which relates to the detail on requirements.
3. *In other respects, is Policy INF1 justified, effective and consistent with national policy?*
- Overall, Policy INF1 is considered to be broadly consistent with National Policy. However, it seems to lack the tools to effectively tackle the Climate Emergency issues raised by Warrington Council. It does not refer to a more radical Vision and Validate (V&V) / Design and Provide approach that focusses more on delivery of quality Sustainable Transport and forcing people to use the car less, rather than the Predict & Provide (P&P) approach to traffic network assessments of forecasting the number of people that might like to travel by car in peak periods in the future and mitigating the traffic impacts. Guidance from professional organisations, including the Department for Transport (DfT) document ‘*Decarbonising transport: a better, greener Britain*’ (July 2021)[Appendix CAV3], is that P&P should no longer be used for assessing the UK’s local traffic networks, and an approach called Vision &

Validate (V&V) is used instead. A V&V approach to design and assessment of the transport networks is the appropriate interpretation of planning policy according to the latest guidance. Taking a V&V approach means starting with the vision of what one wants to see in terms of local living and transport choices and designing to achieve it. This method should concentrate on ‘accessibility’, (i.e. access to day-to-day facilities by a variety of means). It considers accessibility by all modes, and across the entirety of the day, not just the peak commuter periods. A V&V approach includes taking consideration of vehicular traffic, including in the peak periods, but it does not necessarily afford this ultimate priority. It is considered that the South Station Place proposals strongly embrace the V&V approach by being a public transport-led development, which is centred around the provision of a new P&R facility at Birchwood Rail Station.

- As a general comment, the transportation sector is one of the largest polluters of CO<sup>2</sup> / greenhouse gas emissions. Warrington has announced a Climate Emergency but the actual approaches that are set out in Policy INF1 are not considered to be particularly radical. For example, Warrington is surrounded by motorways including the M6, M56 and M62 with these strategic routes carrying large volumes of traffic, many of which are heading to the nearby conurbations of Manchester and Liverpool. Much of the traffic involved with logistics may be largely unavoidable, although it should therefore be conveniently located to the motorway network to keep traffic off local roads, but there is an opportunity to take other traffic off the roads. There is nothing in the Draft Local Plan Policy INF1 aimed at alleviating this large traffic demand, which will be exacerbated as a result of the planned housing and employment growth. The provision of a quality Park & Ride site within the Borough could help capture a significant proportion of this existing and proposed traffic demand. The P&R scheme that is proposed as part of the South Station Place development would improve public transport connectivity within the Borough and provide better opportunities for integrating transport modes. Also, the scheme makes provision for rail turn-backs at Birchwood Station, which would create an opportunity for future rail infrastructure enhancements on the wider the Cheshire Line Committee (CLC) corridor. It is considered that the South Station Place proposals support proposals for rail infrastructure and services and the provision of rail facilities, which is in accordance with Policy INF1.
- A further example is described in Policy 1d) which states that WBC will support proposals to reduce single occupancy car trips, but they offer no specific proposals themselves such as implementing car sharing or car club initiatives.

- The Warrington Borough Council Infrastructure Delivery Plan 2019 (IDP) was prepared as part of the evidence base supporting and informing the preparation of the Local Plan 2021-2038. The aim of the IDP is to assist in identifying and prioritising infrastructure provision as part of an integrated approach to planning and infrastructure development, ensuring that necessary infrastructure is delivered in line with the Borough’s growth. The Infrastructure Delivery Plan therefore sets out a schedule of *improvement projects* across the Borough which are intended to contribute to the overall aspirations and proposals of the Draft Local Plan.
- As such, there is a distinct relationship between the IDP and Policy INF1, which connects an identified infrastructure development opportunity with succeeding the principles of Policy INF1. The IDP identifies a project which fits the Vision & Validate (V&V) approach, through enhancements to public transport, discouraging car use. This project is ‘Birchwood station access strategy including P&R’, at an indicative cost of £37m. It is presented that South Station Place supports this infrastructure project, creating a new southern access to Birchwood Station, a 300-space park and ride [with capacity for significantly more spaces to be added in the future] and enhanced services along the CLC corridor. Although the IDP acknowledged a private-public partnership to this delivery, there is no reference to how this would be funded from the public purse. Patrick Properties, through their commitment to South Station Place represent an opportunity for this to be privately funded, delivered in conjunction with wider employment development. Through this V&V approach, the SSP proposals support the wider national and local ambitions to cut carbon emissions and tackle the climate agenda head on.

#### ***Transport safeguarding (INF2)***

4. *What is the basis for safeguarding land for the specific schemes in part 2 of Policy INF2? What is the status of the schemes in terms of progress and funding commitments etc?*
  - Policy INF2 is presented in full in Appendix CAV4.
  - The first part of Policy INF2 is relevant to the South Station Place development proposals, and it states that, “*The Council will support priorities and improvements set out in the Local Transport Plan and other delivery documents by ensuring development will not prejudice the implementation of proposed transport schemes and projects that require land beyond the limits of the public highway*”. WBC Infrastructure Delivery Plan (2021) has identified a private-public opportunity for transport-led development at Birchwood Rail Station, comprising Birchwood Station Access Strategy including P&R and a £37m investment, although there is no public commitment to this at the



current time. It is considered that the South Station Place proposals support these General Safeguarding Principles, as the Birchwood Rail Station P&R scheme will create a new southern entrance to the station and a 300 space [which can subsequently be increased] park and ride facility to provide better access to existing rail services along the CLC corridor. Being privately funded, the project can be taken forward immediately.

- Policy INF2 refers to four schemes where land is safeguarded. Overall, the approach seems unambitious and dominated by highway improvements looking to reduce congestion for the driver or provide highway access to development sites, contrary to the Transport Vision for Warrington and the councils commitment to reduce carbon emissions.
- Chapter 9 of the NPPF promotes the use of sustainable transport and states that the planning system should actively manage patterns of growth in support of sustainable transport methods. Paragraph 105 of the NPPF highlights that development should be focused in locations which are sustainable through limiting the need to travel and offering a genuine choice of transport modes. This can help to reduce congestion and emissions, and improve air quality and public health.
- With this in mind, we would expect that where safeguarded land was identified this would set out land for public transport improvements. It is therefore presented that the Plan is not consistent with national planning policy, which supports public transport improvements and the move to sustainable transport modes.
- Patrick Properties are promoting a proposed P&R facility at Birchwood Rail Station as part of the South Station Place development, which includes enhanced station facilities and improved public realm and bus interchange on the northside of the station. It is considered that the Warrington East Multi-Modal Corridor scheme, connecting Birchwood to Central Warrington via Birchwood Way, would be complimentary to the P&R proposal. The associated public transport improvements will provide better access to Birchwood Station for sustainable transport modes, which will enhance opportunities for multi-modal journeys including rail trips to / from Birchwood Rail Station. This is aligned with the NPPF and wider intentions of Warrington Council, declaring Climate Emergency. In accordance with the provisions of INF2, in particular, and notwithstanding comments made in response to other matters elsewhere, the plan should make safeguarding provision for the proposals at Birchwood Station including the P&R.

### ***Delivering infrastructure (INF5)***

9. *Is Policy INF5 sufficiently flexible in terms of taking account of the impact on viability?*

- The Council expects new development to provide a significant proportion of funding for infrastructure. This will initially be through S106 planning obligations. The Council will consider introducing a CIL immediately following adoption of the Local Plan, subject to the Government’s proposals for a potential National Infrastructure Levy.
- Policy INF5 [Appendix CAV5] provides the means of ensuring that the necessary infrastructure that has been identified through the WBC Infrastructure Delivery Plan (IDP) (2021) can be delivered.
- Successful schemes to secure planning obligations need a clear plan of infrastructure measures as identified in the IDP, noting that this can be updated over time. The potential schemes are very wide ranging. It is considered helpful if there is clarity on what types of development are expected to fund which type of infrastructure. WBC therefore should be up front and prompt to set out what infrastructure is needed early in development planning, rather than work out schemes as they go along in response to development applications. It is important to note that the WBC Infrastructure Delivery Plan (2021) has identified a private-public opportunity for transport-led development at Birchwood Rail Station, comprising Birchwood Station Access Strategy including P&R and a £37m investment, and this would be both facilitated and delivered as part of the proposed South Station Place development. Private funding is immediately available, but there is no indication of where and when the public funds will be derived. The proposed P & R facility promoted by Patrick Properties has received support from the Labour MP for Warrington North [Appendix CAV6]. A project proposal document for this proposed scheme has previously been prepared [Appendix CAV7] and Patrick Properties have submitted alongside St Modwen Developments Limited a joint statement to the Local Plan Examination [Appendix CAV8]. The Network Rail document ‘How to accommodate forecast growth on the Cheshire Line Committee (CLC) corridor?’ identifies a need for additional infrastructure at Birchwood [Appendix CAV9] and Highways England identifies aspirations to increase public transport use in their letter to the Draft Local Plan Consultation [Appendix CAV10].
- The thresholds for potential obligations as described in the WBC Planning Obligations SPD (2017) [Council supporting evidence document ref. SPD3] relating to transport are not clear cut, simply identifying, “*where impact on the transport network*” in Table 2.1. This approach comes back to the much criticised ‘Predict and Provide’ approach rather than ‘Vision and Validate’ for assessing the local transport networks.
- The SPD does not identify low thresholds for transport obligations from residential and non-residential sites and this only relates to major

development sites of a strategic nature, whereas smaller development sites could be contributing a smaller proportional amount for transport schemes. This could provide constant support to transport infrastructure needs, rather than relying on a few major schemes to deliver strategic improvements.

- The SPD states that, “*In all cases planning obligations will only be sought that are directly, fairly and reasonably related in scale and kind to the development proposed*”, and then later in the document, “*Planning applications will generally be refused where applicants are unable or unwilling to provide the necessary improvements*”. It is considered that the wording of the latter points towards an inflexible approach from the Council in terms of taking account of the impact of contributions to transport improvements on viability.

10. *Is the approach to a review mechanism for planning obligations justified?*

- In general terms yes but with a considerable degree of flexibility, and we expect that every scheme will undergo a detailed negotiation with WBC.

11. *In other respects, is Policy INF5 justified, effective and consistent with national policy?*

- In general terms yes, but it is important that all development proposals are assessed on their own merits in relation to the impact they have on the highway and sustainable transport networks, and contributions towards off-site improvements should only be sought by WBC which are required as a result of a proposed development and are necessary to make it acceptable in planning terms.

13. *Are any main modifications to the above policies necessary for soundness?*

- It is suggested that Policy INF1 would benefit from some modifications to ensure a sustainable transport-led approach to new developments that come forward during the next Local Plan period.
- **Specifically, a Major Modification should be made to the extent that South Station Place should be explicitly identified within Policy INF2 as a safeguarded land scheme. The scheme should be acknowledged to be private sector led, linked with the wider employment development proposed at South Station Place.**

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