

Stratford-on-Avon District Local Development Framework

Amendments to the Developer contributions towards transport schemes in Stratford-upon-Avon Supplementary Planning Document

Consultation Statement

December 2011

1. Introduction

- 1.1 The Supplementary Planning Document (SPD) sets out a methodology to secure contributions from developers towards transport schemes in Stratford-upon-Avon in accordance with the transport strategy of the District Local Plan Review and the Warwickshire Local Transport Plan. A List of Costed Schemes is contained within the SPD which specifies their projected costs, the level of Public Sector contribution and the expected Private Sector contributions for each scheme.
- 1.2 The schemes named within the SPD are those which are considered to have the potential to significantly mitigate the effects of increased motor vehicle traffic generated by new developments within the town. As such, these schemes are considered to be the main priorities for transport investment in Stratford-upon-Avon.
- 1.3 Given that a number of the schemes previously identified in the SPD have now been completed, it was appropriate to undertake a review of this List of Costed Schemes and the details contained within it.
- 1.4 In accordance with the provisions of the Planning and Compulsory Purchase Act 2004 and accompanying Regulations, it was necessary to undertake a consultation exercise on the proposed amendments to the SPD and to consider comments made, before they could be formally adopted.

2. Proposed Amendments to the SPD

- 2.1 A thorough review of the List of Costed Schemes has identified several reasons why an update is required. These can be categorised into four types: completed schemes, schemes to be deleted, updated schemes and new schemes that have been identified since the SPD was last reviewed in April 2007.
- 2.2 The revised List of Schemes that formed the basis of the consultation exercise is attached as **Appendix A**. The basis for the proposed amendments are set out below:
 - (i) **Completed Schemes**
- 2.3 A number of transport projects named in the SPD have now been completed. As such, there is no further need to seek developer contributions for them via the SPD and thus they were proposed for removal from the list. These are:
 - Urban Traffic Management Control System – completed in September 2005
 - Bishopton Park and Ride – completed July 2005
 - Decriminalisation of Parking Enforcement – completed October 2004
 - Bridgeway/Bridgefoot Junction Improvements – completed May 2005

- Waterside/Southern Lane Environmental Improvement Scheme – completed December 2010

(ii) Schemes to be Deleted

- 2.4 The following transport projects are proposed for removal from the List of Costed Schemes, either to conform to the Warwickshire Local Transport Plan 3 (LTP3) or due to a reduction in the expected benefits that would be generated by their implementation, given the costs involved and alternative schemes that have been identified.

Bishopton Pedestrian / Cycle Bridge

- 2.5 This scheme involved a new pedestrian and cycle bridge over the Stratford to Birmingham Railway, to link Birmingham Road, via St. Peter's Way, with Timothy's Bridge Road. Potential usage of this scheme by pedestrians and cyclists is unlikely to be significant given its out of town centre location. The bridge would also require approval from Network Rail which can be difficult to secure.
- 2.6 The proposed Birmingham Road to Alcester Road pedestrian / cycle scheme (see below) is now considered to offer better value for money, as it is located near to the congested Birmingham Road/Arden Street junction and thus has significant potential to provide congestion reduction benefits.

Warwick Road Access and Highway Works

- 2.7 This scheme was originally identified in the Local Transport Plan as a possible means of reducing congestion on Bridgeway by providing a new access into the car and coach park off the A439 Warwick Road. Scheme evaluation studies have since shown that a link between Warwick Road and Bridgefoot would bring congestion reduction benefits and facilitate redevelopment opportunities in the Bridgeway area.
- 2.8 As a result, it is now expected that a revised highway scheme will be implemented as part of the redevelopment proposals for the Bridgeway area once these come forward. As such, it is not considered necessary to pursue funding for this scheme through the SPD process.

(iii) Updated Schemes

- 2.9 The remaining transport schemes in the SPD have been reviewed to confirm that they continue to align with forthcoming LTP3 policy proposals, and to ensure that their estimated costs are robust and realistic. As a result of this process, the following two schemes were proposed to be updated:

Birmingham Road Cycle Route Extension to Bishopton Island

- 2.10 The scheme will provide the 'missing link' between cycle facilities on the Birmingham Road (which currently end at Worth's Way) and Bishopton Lane. The cost estimate of £175,000 is subject to an average 3 year inflationary rise (2007-present) of 4.5%, based on Office of National Statistics data. It is proposed that the figure should be increased to £190,000 to reflect inflation over future years.

Pedestrian / Cycle Link between Birmingham Road and Alcester Road

- 2.11 The original proposal for this scheme was to link the Birmingham Road with Alcester Road via an existing canal bridge. Two spurs are now proposed from the canal bridge that will link with Masons Road and Stratford Town Station. As a result of this

enhanced scheme, the cost estimate has been increased accordingly from £574,000 to £800,000.

(iv) New Schemes

- 2.12 A number of new schemes have been identified for inclusion within the SPD. These are either proposed as 'design only' feasibility studies, or are projects that have been developed in accordance with current Local Transport Plan policies and objectives since the previous review of the List of Costed Schemes. Eight new schemes are proposed for inclusion, each of which is described briefly below:

1. Stratford Parkway

- 2.13 The principal justification for including Stratford Parkway Station in the SPD is that the availability of resources from S106 contributions may assist with attracting Government and third party funding for the scheme.

2. Historic Spine

- 2.14 This comprises Henley Street, High Street, Chapel Street, Church Street and Old Town and reflects the fact that the majority of Stratford's Grade 1 and Grade 2* listed buildings are located on a route through the middle of town linking Shakespeare's Birthplace with Holy Trinity Church. Their architectural heritage cannot however be fully appreciated due to significant volumes of traffic in the area, parked vehicles and congested footways.

- 2.15 The sum stated in the List of Costed Schemes has been limited to £50,000 at this stage to provide scope for some initial small-scale, but effective projects.

3. Birmingham Road, Stratford Traffic Management Scheme

- 2.16 The need to tackle congestion on Birmingham Road has been identified as one that requires urgent attention due to the volume of traffic it carries and the impact of a number of recent developments in the area. A feasibility study is to be commissioned to assess the situation and identify effective means of improving the situation. Once a preferred scheme has been identified and formally agreed by the County Council, it will be possible to seek to secure the necessary funding.

4. Rother Street & Market Area Traffic Junction Enhancement

- 2.17 This scheme aims to improve the public realm in the vicinity of the Rother Street traffic-signalised junction as part of wider redevelopment proposals for the Rother Quarter area. A concept scheme has yet to be developed.

5. Southern Park and Ride

- 2.18 A study has been commissioned by the County Council to investigate the feasibility of a southern Park and Ride for Stratford-upon-Avon. The study examines options for a preferred site and establishes the likely cost and revenue implications for operating a second park and ride service.

6. Stratford Station to Rother Market Pedestrian/Cycle Route Enhancement

- 2.19 This scheme aims to enhance the route between the town centre and the station to improve access and encourage modal shift to the rail network. A concept scheme has yet to be developed.

7. Stratford Station Accessibility Improvements

- 2.20 These improvements seek to improve accessibility to the station, particularly for people who are disabled or have impaired mobility. The rail industry will also be expected to contribute towards the cost of this scheme.

8. Stratford Cycle Projects

- 2.21 This would comprise a combination of low cost, quick-win measures to improve cycling provision within the town in accordance with the Cycle Strategy in LTP3.

3. Consultation process

- 3.1 Two rounds of consultation have been undertaken on the proposed amendments. The first stage took place for a four week period between 19 May and 17 June 2011.
- 3.2 The Local Development Framework consultation database was used to inform a wide range of developers, agents and consultants and various specialist agencies. Members of the public on the database with a Stratford-upon-Avon postcode were also informed.
- 3.3 In addition, the consultation documents were available to view on the District Council's website and paper copies placed for inspection at the Council's offices in Stratford-upon-Avon, Alcester, Shipston-on-Stour and Alcester and at public libraries in the District.
- 3.4 A public notice was placed on one occasion each in the Stratford Herald and the Midweek free newspaper that is circulated widely to households in the Stratford-upon-Avon area.
- 3.5 In response to the consultation, the District Council received comments from fifteen organisations and individuals. The comments received and the response to these are set out in **Appendix B**.
- 3.6 The majority of the comments raised relatively minor issues. A small number of revisions to the proposed amended List of Schemes were identified and approved in principle by the District Council's Cabinet on 12 September 2011.
- 3.7 However, two comments submitted raised questions concerning the validity of the process. One of them stated that there was no justification provided as to how the costs in the amended List of Schemes have been derived and that this should be open to public scrutiny and assessment as part of the consultation process. As a result of this contention, the District Council decided it was necessary to make additional information available to the public in a second round of consultation.
- 3.8 This was carried out during the period 20 October to 18 November 2011. As a result, one further comment was received, which can be found at **Appendix C**.
- 3.9 The second of the comments claimed that, following the publication of the Community Infrastructure Levy (CIL) Regulations 2010, the procedure being pursued for amendments to developer contributions is unlawful and that the proper course of action is for the District Council to prepare a CIL Charging Schedule which should be costed.
- 3.10 Legal advice was sought on this matter. This concluded that the District Council may update its SPD, subject to the proposed amendments having gone through an adequate process including all consultations that are necessary to make the SPD legally sound in accordance with the Planning and Compulsory Purchase Act 2004, and the accompanying Regulations.

- 3.11 The Community Infrastructure Levy is currently voluntary and it is not until 6th April 2014 that the Council has to have the adopted tariff system in place and after which the CIL must be used for pooled contributions. However, since 6th April 2010, individual applications have to comply with the CIL Regulations when an obligation is requested by the Local Planning Authority.
- 3.12 Having considered this legal advice, the District Council's Cabinet resolved to continue with the process of amending the SPD, subject to the outcome of the second round of consultation.
- 3.13 On 5 December 2011, the District Council's Cabinet considered the further comment submitted and resolved not to make any further changes to the amendments to the List of Costed Schemes in the SPD approved at its meeting on 12 September.

Appendix A

Proposed amendments to List of Costed Schemes within SPD

List of Transport Schemes	Estimated Total Cost of Implementation	Public Sector Contribution	Public Sector Contribution Funding Gap Funding Received		Commuted Sums Payment	Note
A. Completed schemes - to be deleted from List						
Urban Traffic Management Control System						Completed September 2005
Bishopton Park and Ride						Completed July 2005
Decriminalisation of Parking Enforcement						Completed October 2004
Bridgeway/Bridgefoot Junction Improvements						Completed May 2005
Waterside/Southern Lane Environmental Improvement Scheme						Completed December 2010
B. Other schemes to be deleted from List						
Bishopton Pedestrian / Cycle Bridge						Use of the route is unlikely to be sufficient to justify the costs involved of providing a railway bridge.

List of Transport Schemes	Estimated Total Cost of Implementation	Public Sector Contribution	Private Sector Contribution		Commuted Sums Payment	Note
			Funding Gap	Funding Received		
Warwick Road Access and Highway Works						It is expected that a revised scheme will be promoted as part of the redevelopment proposals for the Bridgeway area.
C. Updated Schemes – to be retained in List						
Birmingham Road Cycle Route extension to Bishopton Island	£190,000	£0.00	£190,000	£0.00	£0.00	Cost increased from £175,000 to reflect inflation.
Pedestrian/cycle link Birmingham Road & Alcester Road	£800,000	£0.00	£800,000	£0.00	£0.00	Cost increased from £574,000 to reflect enhanced scheme which includes spurs to Masons Road and town railway station.
D. New or significantly revised Schemes – to be included in List						
Stratford Parkway Station	£6,989,000	£6,289,000	£700,000	£0.00	£0.00	In progress, due for completion in 2013/14
Birmingham Road Traffic Management Scheme	£25,000	£0.00	£25,000	£0.00	£0.00	Preliminary Design only

List of Transport Schemes	Estimated Total Cost of Implementation	Public Sector Contribution	Private Sector Contribution		Commuted Sums Payment	Note
			Funding Gap	Funding Received		
Rother Street & Market area traffic junction enhancement – shared space	£20,000	£0.00	£20,000	£0.00	£0.00	Preliminary Design only
Southern Park & Ride	£4,000,000	£0.00	£4,000,000	£0.00	£0.00	Feasibility Study currently being undertaken
Stratford Cycle Projects	£30,000	£0.00	£30,000	£0.00	£0.00	Specific projects to be identified
Stratford Station Accessibility Improvement	£1,800,000	£0.00	£1,800,000	£0.00	£0.00	Rail industry will be expected to contribute towards cost of the scheme
Stratford Station to Rother Market pedestrian/cycle route enhancement	£30,000	£5,000	£25,000	£0.00	£0.00	Feasibility stage only
Historic Spine – pedestrian, cyclist & environmental improvement scheme	£50,000	£0.00	£50,000	£0.00	£0.00	Initial projects only

Appendix B

Analysis of Representations submitted during first consultation period

Respondent	Summary of Comments	District Council's Proposed Response
Stratford-upon-Avon resident	Traffic in the town is chaotic.	It is accepted that managing traffic in the town is one of the key issues to address. Contributions from developers are one of the main sources of funding to implement schemes to help alleviate the situation.
Sport England	Not their area of responsibility. Would be very interested in an SPD relating to developer contributions for sports facilities and pitches.	It is anticipated that sport and leisure facilities will be included in the Infrastructure Delivery Plan and will eventually be covered by the Community Infrastructure Levy approach to securing developer contributions to infrastructure improvements.
Warwickshire County Council - Highways	<p>Birmingham Road Traffic Management Scheme – note should be updated to read: Feasibility study to inform preliminary design if possible schemes are identified.</p> <p>Stratford Cycle Projects – description should read: Minor cycle infrastructure improvements contributing towards the delivery of the Cycle Strategy within the Warwickshire Local Transport Plan 2011-2026.</p> <p>Historic Spine – note should read: Initial</p>	<p>Accepted that this reflects the actual situation at this time – recommend that wording of note be amended accordingly.</p> <p>Accepted that the LTP provides the basis for identifying appropriate cycle projects in the town – recommend that wording of note be amended accordingly.</p> <p>Accepted that this reflects the actual</p>

	projects only (details to be confirmed).	situation at this time – recommend that wording of note be amended accordingly.
Stratford-upon-Avon resident	Bishopton Pedestrian/Cycle Bridge should not be deleted on 1. environmental grounds 2. it is far enough away from the proposed Birmingham Road to Alcester Road link to be worth doing 3. further development is planned off Birmingham Road leading to a greater need for this link.	Warwickshire County Council has concluded that the cost of the scheme (ie. previously estimated at £894,000) cannot be justified based on the relatively low level of anticipated use. There is no commitment to further development in the Birmingham Road area at this time. The potential for such a link can be reassessed in the future should circumstances change significantly.
Stratford Cycle Forum	Cycle Forum has put forward suggestions on several occasions aimed at improving cycling routes into and around the town. The Forum also supports the Quality Cycle Routes idea that was promoted at one time.	The Forum continues to liaise with Warwickshire County Council to identify suitable cycle projects in the town.
The Coal Authority	No comments to make.	Noted.
Oxfordshire County Council	No comments to make.	Noted.
Studley Parish Council	Amendments should be welcomed. Approach needs to be applied to the whole of Stratford District but targeted at the area where the actual development is taking place.	It is anticipated that the District as whole will be covered by the Community Infrastructure Levy approach to securing developer contributions to infrastructure improvements.
RPS on behalf of Taylor Wimpey and Miller Strategic Homes	Appropriate to review the listed schemes and generally support the Council's	The SPD already states that the list of identified schemes will be updated

	<p>aspirations in respect of updated and new schemes provided within the list. It may be helpful for the document to indicate that the list will be reviewed again following development requirements being established through the emerging Core Strategy and Infrastructure Delivery Plan process. An understanding of how the SPD will relate to a future CIL charging schedule would assist users of the SPD.</p> <p>Improvements to Bishopton Lane Canal Bridge should be considered for inclusion in the List of Schemes.</p>	<p>periodically (see para. 6.12). However, it is anticipated that the Community Infrastructure Levy approach will supersede the SPD in any case.</p> <p>There is no reason to include such a scheme in the SPD as it relates to a specific development proposal and would need to be funded as an integral part of any such development.</p>
The Theatres Trust	No comments to make.	Noted.
Natural England	No comments to make.	Noted.
Highways Agency	<p>Agree that those scheme identified should be deleted from the list.</p> <p>Agree that updated schemes should be retained on the list.</p> <p>Stratford Parkway Station - Highways Agency will wish to liaise with District Council and County Highway Authority on the detail of improvement schemes that may affect the operation of A46 trunk road.</p>	<p>Noted.</p> <p>Noted.</p> <p>Noted.</p>
Shottery Village Association	Agree that those scheme identified should	Noted.

	<p>be deleted from the list.</p> <p>Stratford Parkway Station – would wish to see railway line reopened to through trains.</p> <p>Rother Street & Market area traffic junction enhancement – have strong reservations about shared space in general and in this area traffic comes from many directions. It is not a sensible space to experiment.</p>	<p>Proposed Parkway Station does not prevent this from being achieved.</p> <p>Any scheme for this area would have to consider carefully the relationship between vehicles and pedestrians.</p>
<p>Boyer Planning on behalf of J.S.Bloor Ltd and Hallam Land Management Ltd</p>	<p>It has been agreed in discussions with officers at the District Council and County Council that developers of the West of Shottery site will fund construction of the Western Relief Road and therefore provisions of the SPD would not be applied in this case.</p>	<p>This situation is acknowledged in relation to developer contributions towards the listed schemes in the SPD.</p>
<p>David Tucker Associates on behalf of Gallagher Estates Ltd and The Bird Group of Companies</p>	<p>There is no justification provided as to how the costs of the various schemes have been derived. This information should be open to public scrutiny and assessment as part of the consultation process. It is not clear how the proportion of costs have been apportioned to the private sector. The level of such contribution should satisfy the requirements of the Community Infrastructure Levy Regulations 2010.</p> <p>The procedure being pursued to make amendments to developer contributions is unlawful due to the provisions of the CIL Regulations. The proper course of action is for the District Council to prepare a Charging Schedule which should be costed</p>	<p>A substantial amount of material to justify the proposed schemes was provided in the County Council's report to its Stratford-on-Avon Area Committee held on 26 January 2011. This is a public report available for all parties to scrutinise.</p> <p>Legal advice is being sought on this matter. However, it is intended that the District Council will produce a Charging Schedule as part of its Infrastructure Delivery Plan, which will be prepared alongside the Core Strategy. It is still legitimate to continue to</p>

	and formally tested. The SPD attempts to circumvent statutory procedures.	seek contributions through Section 106 Agreements that are reasonably related to the proposed form of development.
Stratford-upon-Avon resident	<p>Increases in the developer contributions will be a further burden to developers who will add the extra cost onto house prices. A different method should be investigated.</p> <p>Concerned that the town railway station will be bypassed if a Parkway Station is built.</p>	<p>Proposed revisions to the SPD do not involve a change to the formula for assessing the level of contributions to be sought from developers. The current method is likely to be replaced by a Community Infrastructure Levy.</p> <p>There is no intention by the rail industry to close the town railway station given its important role for many users of the train services, eg. visitors, students.</p>
Welford-on-Avon resident	The sum of £1m allocated to enhance cycle route is excessive. The minority of cyclists seem to benefit disproportionately than the majority of motorists.	The SPD identifies a sum of only £30,000 for cycle projects in the town.

Appendix C

Analysis of Representations submitted during second consultation period

Respondent	Summary of Comments	District Council's Proposed Response
Shottery Village Association	<p>Would like to see railway line re-opened for through trains.</p> <p>Need more information to form view about Birmingham Road Traffic Management Scheme.</p> <p>Need more information to form view about cycle projects in Stratford.</p>	<p>Study due to be commissioned shortly into the feasibility of re-opening the line.</p> <p>Study due to be commissioned shortly by the County Council.</p> <p>Range of projects identified by Stratford Cycle Forum; an assessment will be made as to which ones are readily achievable.</p>