



**Appeal by Ministry of Justice
Land adjacent to HMP Garth and HMP
Wymott, Leyland Appeal Ref:
APP/D2320/W/22/3295556**

Summary Proof of Evidence of Kevin Riley

on behalf of Chorley Borough Council



Appeal by Ministry of Justice Land
adjacent to HMP Garth and HMP Wymott, Leyland
Appeal Ref: APP/D2320/W/22/3295556

Summary Proof of Evidence of Kevin Riley

on behalf of Chorley Borough Council

Type of document (version) Confidential

Project no. .

Date: June 2022

WSP

8 First Street
Manchester
M15 4RP

Phone: +44 161 200 5000

WSP.com



Quality control

Issue/revision	First issue	Revision 1	Revision 2	Revision 3
Remarks	DRAFT	FINAL	-	-
Date	13/06/22	14/06/22	-	-
Prepared by	AM/KR	AM/KR	-	-
Signature		-	-	-
Checked by	AL	JO/JH	-	-
Signature		-	-	-
Authorised by	KR	KR	-	-
Signature		-	-	-
Project number	-	-	-	-
Report number	POE-001	POE-001	-	-
File reference	-	-	-	-



Contents

Summary	1
<hr/>	
Background	1
Accident record	1
Development proposals	1
Mitigation	1
Impact on Highway Safety	2
Conclusion	2

Summary

Background

- 1.1.1 The Planning Application was refused by Chorley Borough Council as the Local Planning Authority.
- 1.1.2 Three reasons for refusal were given; reason 2 related to highway and transport issues and is shown below:
2. *The proposed development would have an unacceptable impact on highway safety by virtue of the increased traffic movements and inadequate highway infrastructure, contrary to paragraph 109 of the National Planning Policy Framework and policy BNE1 of the Chorley Local Plan 2012 - 2026.*
- 1.1.3 I consider that this reason for refusal is reasonable and justified and I will demonstrate this in my Proof of Evidence.

Accident record

- 1.1.4 I have considered the recorded Personal Injury Accident (PIA) record over the most recent five-year period. These are solely road traffic accidents reported to the police that result in slight, serious, or fatal casualties. This does not include collisions where the police were not informed (unreported accidents) or near misses.
- 1.1.5 I note 11 PIAs on the roads surrounding the proposed site based on the appellant's analysis years of 2016 - 2020. Whilst this number of recorded PIAs does not imply an existing safety issue, for much of 2020 traffic levels were suppressed due to Covid so the number of reported PIAs will be lower than otherwise expected.
- 1.1.6 It is also my opinion that the proposals will lead to an increased risk and ultimately an increase in reported PIAs, non-reported accidents and near misses as a result of increased traffic on these roads, which I will set out in the following sections and in more detail in my Proof of Evidence.

Development proposals

- 1.1.7 I note there are numerous unknowns in the traffic forecasts, and I question how realistic the trip generation and distribution provided is. I also note there has been no quantification or assessment of construction traffic.
- 1.1.8 The trip generation has been derived based on other prisons, but the appellant acknowledges that staff requirements and shift patterns vary between prisons (depending on age of prison and category of prison) and visitor travel patterns vary between each prison and inmate therefore it would not necessarily be reflective of how the new prison is going to operate.
- 1.1.9 I have also identified a shortfall in the appellant's assessment of development traffic for visitors to the prison. I also note that some of the vehicle numbers presented in the Transport Assessment (TA) do not include taxi and motorcycle as vehicles, further contributing to a shortfall in vehicles in the assessment.
- 1.1.10 Notwithstanding my concerns regarding the accuracy of the forecasts, the number of trips presented in the TA of 1,332 two-way vehicle movements daily are not insignificant, particularly on the roads surrounding the site which lack pedestrian and cyclist facilities, no crossing points, drop curbs nor tactile paving, despite there being residential properties and businesses along these roads. On Moss Lane and Ulnes Walton Lane in particular, pedestrians are required to walk on road due to a lack of footways.

Mitigation

- 1.1.11 The appellant has proposed mitigation for the proposals on some roads. However, it is my view that these schemes are not sufficient to mitigate the impact of the development with regard to safety.

Impact on Highway Safety

- 1.1.12 The increases on roads surrounding the site range from 1% to 322% daily. The greatest impact is on Moss Lane north of the existing HMP Wymott and Garth access, south of the new prison access where traffic flows will increase considerably from 414 two-way vehicle movements to 1,746 two-way vehicle movements, which indeed could be greater given the appellant's underestimation of development traffic flows.
- 1.1.13 For context, a change in traffic flow of +/- 10% is considered to be within day-to-day variations of traffic flow.
- 1.1.14 Moss Lane and Ulnes Walton Lane are both particularly sensitive links for pedestrians, cyclists and equestrians given the lack of facilities and the existing road layouts and design and increases in traffic of 24%, 48% and 322% are notable and could exacerbate the existing safety issues on these links.
- 1.1.15 Ulnes Walton Lane (north of Moss Lane) and School Lane will also see notable increases in traffic of 18% and 15%, respectively.
- 1.1.16 Whilst the proposed traffic calming schemes on Moss Lane and Ulnes Walton Lane north, School Lane and Dunkirk Lane have been intended to mitigate safety impacts of the development it is my opinion that the mitigation proposed is disproportionate to the percentage impacts and ultimately the likely safety impacts given recorded PIAs on these sections are not dissimilar to Moss Lane, Ulnes Walton Lane south or the A581 Southport Road.
- 1.1.17 The proposed mitigation on Moss Lane is minimal despite being one of the most sensitive links to increases in traffic and the development having the greatest impact.
- 1.1.18 Given that there is no footway on Moss Lane south of the existing HMP Wymott and Garth access, residents on Willow Road accessing the post box on Ulnes Walton Lane at the junction with Moss Lane will be exposed to an increased risk of accidents given the increase in traffic. There will also be an impact on existing residents who need to cross Ulnes Walton Lane to access both the bus stops either side of the junction with Moss Lane. The proposed mitigation on Moss Lane does not address this.
- 1.1.19 The mitigation for Ulnes Walton Lane referenced in LCCs formal response lacks detail. Based on the description provided, a 130m scheme on a 1.5km section of road and re-painting of white lines at the junction with Moss Lane, is insufficient and not proportionate to the increase in traffic on this route.
- 1.1.20 No consideration has been made to the increased risk of accidents for pedestrians, cyclists and equestrians who are all on road along Ulnes Walton Lane and will be exposed to increased risk of accidents due to the increase in development traffic. Ulnes Walton Lane is part of the Lancashire Cycleway, and there are numerous Public Rights of Way that meet or cross this road.
- 1.1.21 In addition, the proposed mitigation at the A581 Southport Road/Ulnes Walton Lane junction is intended to mitigate capacity impacts and has not been considered in terms of safety nor capacity as there is no assessment of either. I have demonstrated in my Proof of Evidence that the scheme is unlikely to be deliverable and therefore the derivation of contributions for any improvements at this junction are questionable.
- 1.1.1 There are also potential safety implications associated with the design of the scheme including omission of pedestrian and cyclist facilities, reduced visibility for the adjacent Barlow Trailers access and the incorporation of the three residential accesses into the junction without signalisation.

Conclusion



1.1.2 It is therefore my conclusion that the Appellant has yet to demonstrate that the proposals will avoid problems of safety across the study network and is therefore contrary to paragraph 110 and 111 of the National Planning Policy Framework, policy BNE1 and policy ST1 of the Chorley Local Plan 2012 - 2026.



8 First Street
Manchester
M15 4RP

wsp.com

WSP UK Limited makes no warranties or guarantees, actual or implied, in relation to this report, or the ultimate commercial, technical, economic, or financial effect on the project to which it relates, and bears no responsibility or liability related to its use other than as set out in the contract under which it was supplied.