

Cabinet Member Decision – Economy, Skills and Infrastructure Tuesday, 9 June 2015

Agenda

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Cabinet Member Decision

9 June 2015

WORCESTERSHIRE PARKWAY REGIONAL INTERCHANGE - AMENDMENTS TO AUTHORISATION OF COMPULSORY PURCHASE ORDER

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| Relevant Cabinet Member | Mr S E Geraghty |
| Relevant Officer | Director of Business, Environment and Community |
| Local Member | Mr R C Adams |
| Recommendation | <ol style="list-style-type: none">1. The Cabinet Member with Responsibility for Economy, Skills and Infrastructure is recommended to approve the amended Compulsory Purchase Order documentation in relation to the Worcestershire Parkway Regional Interchange attached as Appendix 1. |
| Background Information | <ol style="list-style-type: none">2. At its meeting on 18 December 2014, Cabinet authorised the making of a Compulsory Purchase Order (CPO) to acquire the land and rights necessary to construct the Worcestershire Parkway Regional Interchange. The Cabinet Member is referred to that report for further background information. Since that decision was taken, one of the parties with an interest in the land that is subject to the CPO has indicated that they would be minded not to object to the CPO if some minor amendments could be made to the precise extent of the land which the Council proposes to acquire rights over. The proposed amendment can be made whilst still acquiring rights over the land necessary to carry out the scheme. Further minor amendments to the extent of the land it is proposed to acquire for the scheme have also been identified following a detailed review of the extent of the current Highway. It is therefore proposed that the CPO documentation (including the land and rights acquisition plan) should be amended accordingly.3. It is expedient to address the detail of the proposed amendments through delegated decision-making. The Leader of the Council has therefore authorised the Cabinet Member with Responsibility for Economy, Skills and Infrastructure to take all decisions on behalf of the Cabinet acting as the Executive in relation to the details of Worcestershire Parkway Regional Interchange including in particular any amendments to the CPO authorisation and documentation in relation to the land and rights to be |

Recommendation

acquired (see Appendix 2).

4. The recommendation is that the Cabinet Member with Responsibility for Economy, Skills and Infrastructure approves the amended CPO documentation attached as Appendix 1.

Legal, Financial, HR, Equality and Human Rights Implications

5. There are no financial, HR, equality or human rights implications associated with the recommendation.

6. Approval of the recommendation would ensure that the information contained within the amended CPO documentation, including the Statement of Reasons and accompanying plan, would accurately reflect the land and rights which the Council wishes to acquire to construct the Worcestershire Parkway Regional Interchange.

Supporting Information

- Appendix 1 – Revised Statement of Reasons and plan
- Appendix 2 – Worcestershire Parkway Regional Interchange - Amendments to Authorisation of Compulsory Purchase Order – Delegation to Cabinet Member

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Background Papers

In the opinion of the proper officer (in this case the Director of Business, Environment and Community) the following are the background papers relating to the subject matter of this report:-

Agenda and background papers for the Cabinet meeting held on 18 December 2014

Worcestershire County Council (Worcestershire Parkway Regional Interchange) Compulsory Purchase Order

Prepared for
Worcestershire County Council

November 2014

CH2MHILL®

Red Hill House
227 London Road
Worcester
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Statement of Reasons

1.1 Introduction

By a Cabinet resolution dated 18th December 2014 and a decision of the relevant Cabinet member dated [redacted] Worcestershire County Council (WCC) determined to make the Worcestershire County Council (Worcestershire Parkway Regional Interchange) Compulsory Purchase Order 2015 (the CPO).

The purpose of the CPO is to enable the construction of the Worcestershire Parkway scheme (hereinafter referred to as the 'proposed scheme'). The Order has been made, inter alia, under section 226 (1) (a) and section 226 (3)(a) of the Town and Country Planning Act 1990 as amended, with WCC being satisfied that the proposed acquisition will facilitate the carrying out of development, redevelopment or improvement on or in relation to the Order Land. The proposed scheme comprises the provision of a new Parkway station for Worcestershire at the intersection of the Worcester to London (Cotswold line) and the Birmingham to Bristol lines at Norton.

This Statement of Reasons is a non-statutory document and it is provided in accordance with the guidance in Appendix R to ODPM Circular 06/04. It sets out the reasons why the powers of compulsory purchase contained in the Order are necessary and why there is a compelling case in the public interest for making the Order (in line with paragraph 17 of Circular 06/04) which justifies the overriding of private rights in the land sought to be acquired. It is considered that the tests in Circular 06/04 are met and there is a clear and compelling case for confirmation of the Order as set out in section 9 and generally in this Statement of Reasons.

The order will be submitted to the Secretary of State for Communities and Local Government (the "Secretary of State") for confirmation pursuant to the Acquisition of Land Act 1981. Objections can be made to the Secretary of State in accordance with the details set out in the Notice of Making the Order. Provided that the Order is confirmed by the Secretary of State, the Council will either serve Notices to Treat followed by Notices of Entry or execute General Vesting Declarations, the result of which will be to vest the Order Land in WCC.

This Statement is not intended to constitute the Council's Statement of Case for the purposes of the Compulsory Purchase (Inquiries Procedure) Rules 2007.

1.2 Need for the Scheme

The proposed scheme is required to improve rail access for residents in Worcestershire and the wider south Midlands's area, and support the economy of Worcestershire including planned urban extensions and commercial developments. Apart from confirmation of the CPO and the grant of planning permission (and WCC can see no obvious reason why planning permission should be withheld) there is nothing to prevent implementation of the proposed scheme.

This is a key priority for WCC, the Worcestershire Local Enterprise Partnership (LEP), and Wychavon District Council (WDC). The proposed scheme is situated within a triangle formed by the Cotswold line and Birmingham to Bristol railway lines which intersect at this location and the B4084. The strategy for the proposed scheme is below:

- Deliver a step change in direct rail access to people in Worcestershire and wider south Midlands area;
- Support the economy of Worcestershire and region including new housing and commercial developments, generating new jobs and boosting the local economy;

- Unlock the current suppressed demand due poor access opportunities for car users due to lack of parking spaces at stations;
- Improve access to rail to complement the improvements offered by new Inter City Express Programme trains offering significantly more attractive services to London; and
- Encourage sustainable travel and contribute to environmental objectives through mode shift to rail and reducing car dependency.

The proposed scheme is identified within the Wychavon Local Plan and emerging South Worcestershire Development Plan as being one of the schemes that will improve the area's transport infrastructure.

Implementation of the proposed scheme will benefit the key employment sites within the area, including the Crucible Business Park, and residents in Norton, as well as future employment and residential developments in the area. Worcestershire faces a period of growth in travel demand in the coming years with a significant increase in residential (+35,500 homes) and commercial (+4,345 hectares) development planned over the next ten to fifteen years. Worcester City and South Worcestershire will accommodate a significant proportion of this growth, details of which are contained in the South Worcestershire Development Plan (SWDP).

There is accordingly a clear need for additional rail infrastructure to promote economic prosperity but also to improve access, to connect important railway lines, and to help relieve congestion on the road network.

1.3 Description of the Proposed Scheme

The proposed scheme comprises the provision of a new Parkway station for Worcestershire at the intersection of the Cotswold line and the Birmingham to Bristol lines at Norton. The Scheme predominantly comprises a new platform on the Cotswold line, the station building, interchange facilities, a 500 space car park, new highway access, two new platforms and associated access arrangements, including provision of a new footbridge over the Birmingham to Bristol line to replace the existing at-grade Public Right of Way crossing.

The proposed scheme requires planning permission under the Town and Country Planning (Environmental Impact Assessment) (England and Wales) Regulations 2011 (SI 2011 No. 1824) (hereinafter referred to as 'EIA Regulations'), with the exception of those works undertaken within Network Rail operational land. The following aspects of the scheme would lie within Network Rail operational land, and would hence be considered as permitted development under the Town and Country Planning (General Permitted Development) Order 1995, Part 17 A, Development by railway undertakers on their operational land, required in connection with the movement of traffic by rail:

- All platforms on both the Cotswold line and the Birmingham to Bristol line; and
- Construction of new and changes to existing signalling and associated cabling.

An application for full planning permission for the proposed scheme is due to be submitted to WCC in spring 2015.

1.4 Description of the Order Land

The Worcestershire Parkway site is located at Norton, approximately 7km south east of the centre of Worcester on the B4084 and 7.5km north-west of Pershore. The site is primarily located within a triangle formed by the Cotswold line and Birmingham to Bristol railway lines which intersect at this location and the B4084. The site also extends to the east and west of the triangle.

The site is located within a rural context and is surrounded by arable fields with the exception of the Crucible Business Park located alongside the Birmingham to Bristol rail line to the north west of the site. Businesses that are located within the business park include indoor karting, waste recycling, metal products distribution and offices.

The Order Land comprises the following key areas for acquisition:

- Land directly adjacent to the west of the Birmingham to Bristol rail line, within the Crucible Business Park, which is allocated as Safeguarded Land for Transport Infrastructure (Policy SR6) on the Wychavon Local Plan Proposals Map . This area comprises land required for the Secondary Means of Escape (SME); the majority of this will be constructed within NR owned land, however, part of the SME straddles land in the ownership of the Crucible Business Park;
- An area of land, located directly to the north west of the Birmingham to Bristol rail line and north of the Cotswold line. Part of the area (near the eastern and southern boundaries of the land) is allocated as Safeguarded Land for Transport Infrastructure (Policy SR6) on the Proposals Map for the Wychavon Local Plan, and the remaining land is not allocated. This area of land is required for footbridge (PROW) construction, rail passenger bridge, cycle store and PROW access;
- Land comprising a Public Right of Way (ref: 523(C)), within the Crucible Business Park located to the west of the Birmingham – Bristol line. A small area of this land, near Woodbury Lane, is allocated for the Protection of Existing Employment Land (Policy ECON1) in the Wychavon Local Plan, and the remaining land is not allocated
- The main development triangular area of agricultural land directly to the south east of the Birmingham to Bristol rail line, which is allocated as Safeguarded Land for Transport Infrastructure (Policy SR6) on the Proposals Map for the Wychavon Local Plan. This area also has a Public Right of Way (ref: 524(C)) through the middle of the site. This area will consist of the main station building, car parking, landscaping, environmental mitigation areas and flood / drainage areas; and
- An area of agricultural land to the east of the B4084 which is not allocated on the Proposals Map for any particular use, considered Open Countryside. Land is earmarked for a roundabout junction, drainage pond, access road and landscaping.

The Order Land comprises the following key areas for acquisition of rights:

- Rights of access on foot only, over land on the south side of Woodbury Lane for the purposes of the erection and maintenance of fencing;
- Rights of access and use with or without vehicles, over land on the south east side of Woodbury Lane for the purposes of the erection of fencing and maintenance of fencing, the construction of a vehicular access and means of delivery for contractors materials and the execution of environmental enhancements around the reed pond;
- Rights of access on foot only, over commercial land lying to the south east of Woodbury Lane for the purpose of the erection and maintenance of fencing, and the execution of environmental enhancements along the track and around the pond;
- Rights of access on foot only, over commercial land on the south east side of Woodbury Lane for the purpose of the erection and maintenance of fencing;

- Rights of access on foot only, over commercial land to the south east of Woodbury Lane for the purpose of the erection and maintenance of fencing;
- Rights of access on foot only, over agricultural land on the east side of the B4084 leading from Worcester to Pershore for the purpose of the erection and maintenance of fencing; and
- Rights of access on foot only, over agricultural land for the purpose of the erection and maintenance of fencing.

An accompanying boundary plan is submitted together with this document clearly highlighting the extent of land purchase required to implement the scheme. In addition to land purchase, access rights are sought to specific areas of land adjacent to land purchase areas to enable construction and environmental mitigation.

The proposed scheme does not require the relocation or demolition of existing businesses within the Crucible Business Park. However, it will require the use of the existing ponds for environmental mitigation works adjacent to the Business Park through landowner agreement only and these areas are not intended to form part of the formal CPO but are included with the easement boundary (blue line), The widening of the Public Right of Way (ref: 523(C)) that runs through the Business Park from Woodbury Lane is required in order to upgrade the footway and give permission for cyclists to use this PROW to access the station.

1.5 Planning Position

Extensive discussions are taking place with both the determining planning authority (WCC) and with WDC prior to the submission of the planning application. This will help to achieve an acceptable design and layout that would meet the Councils' planning, environmental and design requirements for a high quality, attractive setting whilst providing the necessary improvement in transport infrastructure whilst helping promote economic growth in South Worcestershire.

Following extensive discussions with both the determining planning authority (WCC) and with WDC a planning application for the proposed scheme was submitted to WCC in February 2015 to seek full planning permission for the new station building, platforms and the associated infrastructure.

The application will be accompanied by an Environmental Statement in accordance with the requirements of the EIA Regulations. An Environmental Scoping Opinion received from WCC and extensive discussions with statutory consultees have helped shape the planning application submission. The application will be evaluated in light of all material submitted in support of the application, taking into account the Development Plan and all other material considerations as required by Section 54A of the Town and Country Planning Act 1990 (as amended).

Other documents supporting the application include:

- **A Planning Statement** – detailing the proposals and providing an assessment of the proposed scheme against relevant planning policy and an assessment of any material planning considerations.
- **A Design & Access Statement** – setting out the site appraisal, design objectives and key design criteria which will influence the layout concept, design, appearance, scale and massing of buildings and public car parks, landscaping and the Public Rights of Way through the development and wider site.
- **A Transport Assessment** – to consider the transport implications of the proposed development, with particular regard to proposed parking provision, the likely trip generation and distribution and highway implications of the development.

1.6 Negotiations with Landowners

The Council recognises the Circular 06/04 advice that acquiring authorities should seek to acquire land by negotiation wherever possible. Ongoing efforts are continuing with landowners affected by the development proposals and the Council recognise the importance of involving landowners throughout this process and throughout the planning process. The Council will continue to negotiate with owners for the purchase of the Order Land alongside and throughout the CPO process up to possession should the Order be confirmed by the Secretary of State.

Planning Policy

2.1 Introduction

For the purpose of Section 38(6) of the Planning and Compulsory Purchase Act 2004, the approved development plan in respect of the development of the proposed scheme comprises the documents listed below:

- Wychavon Local Plan (2006)
- South Worcestershire Development Plan (submission document, January 2013)

In addition, the National Planning Policy Framework contains relevant planning guidance and is a material planning consideration.

The following have also been considered:

- Planning Practice Guidance (2014)
- Objectives of the Worcestershire Local Enterprise Partnership (see section 3)
- Worcestershire Strategic Economic Plan (2014) (see section 3)
- Economic Strategy for Worcestershire 2010 – 2020 (2010) (see section 3)
- Worcestershire Local Transport Plan 3 (2011) (see section 3)
- Worcester Transport Strategy (see section 3)

2.2 Planning Practice Guidance

Planning Practice Guidance was published in March 2014 and provides guidance for a range of topics. The relevant topics for this assessment include:

Design - This guidance provides advice on the key points to take into account on design

Flood Risk and Coastal Change - This guidance advises on how planning can take account of the risks associated with flooding and coastal change in plan-making and the application process.

Natural Environment - Explains key issues in implementing policy to protect biodiversity, including local requirements.

The proposed scheme has been designed taking account of the requirements of the above-mentioned guidance.

2.3 National Planning Policy Framework

The National Planning Policy Framework (NPPF) was published in March 2012 and replaced the majority of Planning Policy Guidance documents and Planning Policy Statements that previously provided the national planning policy framework. The NPPF recognises that the purpose of the planning system is to achieve sustainable development, which can be achieved when economic, social and environmental gains are sought jointly. At the heart of the National Planning Policy Framework is a presumption in favour of sustainable development where the proposal accords with the local development plan.

The NPPF aims to ensure that planning policy guides development that contributes to protecting and enhancing our natural, built and historic environment; and, as part of this, helps to improve biodiversity, use natural resources prudently, minimise waste and pollution, and mitigate and adapt to climate change including moving to a low carbon economy.

The NPPF outlines a number of key outcomes of sustainable development. In relation to the proposed scheme, the two most pertinent outcomes are:

- Making it easier for jobs to be created in cities, towns and villages; and
- Improving the conditions in which people live, work, travel and take leisure.

Similarly, and in light of the drive towards sustainable development, the NPPF highlights a number of core principles that should govern development planning. These include:

- Promote sustainable economic development to deliver homes, businesses, infrastructure and thriving local places;
- Seek to secure high quality design and a good standard of amenity;
- Support the transition to a low carbon future in a changing climate, taking full account of flood risk;
- Manage patterns of growth to maximise use of public transport, walking and cycling; and
- Take account of and support local strategies to deliver facilities and services to meet local needs.

The provision of transport infrastructure is intrinsically linked to a number of these core principles, particularly where transport infrastructure is expected to reduce carbon emissions. The NPPF aims to integrate development and infrastructure planning by noting infrastructure is crucial to supporting economic development and building a strong, competitive economy.

The components of the NPPF considered to be of relevance to the proposed scheme are set out below:

- *Section 1 – ‘Delivering Sustainable Development’* promotes economic growth in order to create jobs and prosperity. Planning policy is committed to ensuring the system does everything it can to support sustainable economic growth. Paragraph 21 supports the proposed scheme as it recognises the lack of infrastructure for being a barrier to growth and investment. The proposed scheme will support the economy of Worcestershire and region including new housing and commercial developments, generating new jobs and boosting the local economy. The NPPF states local planning authorities should “*identify priority areas for economic regeneration, infrastructure provision and environmental enhancements*”. This scheme is bringing forward the local authorities desire to develop this site in order to create jobs and prosperity for Worcester and the wider area.
- *Section 4 – ‘Sustainable Transport’* is a key theme running through the NPPF, it is recognised that different policies and measures will be required in different communities and opportunities to maximise sustainable transport solutions will vary from urban to rural areas. Paragraph 30 states “*Encouragement should be given to solutions which support reductions in greenhouse gas emissions and reduce congestion*”. Further, paragraph 41 states “*Local planning authorities should identify and protect, where there is robust evidence, sites and routes which could be critical in developing infrastructure to widen transport choice*”.
- *Section 7 – ‘Requiring Good Design’* recognises that good design is a key aspect of sustainable development. The design of the proposed scheme has already undergone and is currently undergoing extensive consultation with a number of stakeholders including Network Rail, the Environment Agency, WCC, WDC, and Natural England to name a few - to agree upon a suitable design for this particular location. Paragraph 58 supports designs which reflect local surroundings and materials, while not preventing or discouraging appropriate innovation.
- *Section 10 – ‘Meeting the Challenge of Climate Change, Flooding and Coastal Change’* seeks to reduce greenhouse gas emissions and reduce the risk of flooding. The proposed scheme will provide a sustainable alternative to the motor vehicle and will help to reduce greenhouse

gas emissions. Further, as noted above, an OWC flows through the site and the area is currently at risk of flooding from this watercourse. The proposed scheme will include an appropriate design drainage that will make provisions for the long term maintenance of the infrastructure.

- *Section 11 – ‘Conserving and Enhancing the Natural Environment’* seeks to protect and enhance natural landscapes, and improve biodiversity. As noted above, Cooksholme Meadows SSSI is located immediately adjacent to the Birmingham to Bristol line, approximately 150m south of the site. There may be indirect damage to habitats during construction and operation of the scheme, as a result of the development proposals and associated infrastructure. Where mitigation is necessary, a range of measures will be considered where practicable and relevant to the construction of the proposed development.

2.4 Wychavon Local Plan

The Wychavon Local Plan was adopted in June 2006 and sets out policies and proposals to guide land use and development decisions in the District. The aim of the Local Plan is to ensure that it provides for *“an improvement in the economic and social well-being of communities, whilst protecting and enhancing the environment in order to improve quality of life”*. The objectives of the Local Plan identify how it Plan can help meet this aim and include:

“4 - Securing a mixture of new housing types to meet a range of needs

7 - Reducing the need to travel and improving transport schemes

10 - Fostering economic prosperity and diversifying the rural economy”.

As part of the transition between the Local Plan and the Local Development Framework a number of policies within the adopted Local Plan have been saved until such a time when new Development Plan Documents are adopted. Nearly all of the policies have been saved and the policies relevant to the proposed scheme are identified below:

Policy SR6: Safeguarded land for Transport Infrastructure

Policy SR6 of the Local Plan lists the safeguarded land for transport infrastructure and identifies the Worcestershire Parkway Station as one of the sites that will be safeguarded for potential improvements to the District’s transport infrastructure.

Policy ECON1: Protection of Existing Employment Land

Policy ECON1 of the Local Plan advises that proposals for the change of use or redevelopment of land or premises identified for or currently in employment use will not be permitted unless specific criteria are met.

Only a small part of the application site is located within the Crucible Business Park and is allocated for employment uses. The land comprises a Public Right of Way, which will be widened to 3m as part of the proposed scheme. This will not impact on existing businesses within the Crucible Business Park and does not require the demolition or relocation of existing buildings within the Business Park.

Policy ENV4: Sites of Special Scientific Interest

The Worcestershire Parkway site is near the Cooksholme Meadows Site of Special Scientific Interest (SSSI), which is immediately adjacent to the Birmingham to Bristol line (approximately 150m south of the site). This site is designated as a block of unimproved grassland containing species which are scarce at a county level.

Due to the close proximity of the SSI, Policy ENV4 has been considered in this assessment. The policy advises that development likely to affect a designated or proposed SSSI will be subject to most rigorous examination. Further, development which would have an adverse impact or which would result in an

unacceptable risk of an adverse effect on the integrity of a site will not be permitted unless two criteria are met, including that the reasons for the development outweigh the impact on the importance of the site, and there are no reasonable alternative sites or solutions. There may be indirect damage to habitats during construction and operation of the scheme, as a result of the development proposals and associated infrastructure. Where mitigation is necessary, a range of measures will be considered where practicable and relevant to the construction of the proposed development. Mitigation will focus on modifications to design and construction practices and timings, plus enhancement of existing key habitats within the site. This may include creation of new habitats (where necessary). Any new habitat creation will focus on local priorities and will be consistent with local policy documents.

2.5 South Worcestershire Development Plan

The South Worcestershire Development Plan (SWDP) covers the areas administered by Malvern Hills District Council, WCC and WDC.

The SWDP supports a number of strategic policies including the following:

Policy SWDP3: Employment, Housing and Retail Provision Requirement and Delivery

Policy SWDP3 outlines key housing and employment targets for the area during the plan period (2006 - 2030) including:

- 280ha of employment land, including 120ha within Wychavon District;
- 23,200 net additional dwellings, including 8,900 within Wychavon District; and
- 50,000m² net additional retail floorspace, including 12,500 m² within Wychavon District.

The proposed levels of further employment and residential development further reinforces the need to deliver the proposed scheme.

Policy SWDP 4: Moving Around South Worcestershire

Policy SWDP 4 identifies the objective of 'delivering transport infrastructure to support economic prosperity'. This policy includes prioritising the delivery of a number of major transport schemes, of which Worcestershire Parkway is one. The SWDP recognises that the Worcestershire Parkway scheme will deliver benefits that extend well beyond the south Worcestershire area. The poor quality rail service between Worcestershire stations and locations served by the Birmingham - Cheltenham - Gloucester - Bristol and Cardiff main lines is exacerbated by the lack of direct access to cross-country services. The proposed scheme will help to address this issue and improve access to national rail services, significantly improving local economic competitiveness.

Policy SWDP 5: Green Infrastructure

Policy SWDP5 requires that all qualifying development contributes towards the provision, maintenance, improvement and connectivity of Green Infrastructure. The precise form and function(s) of Green Infrastructure will depend on local circumstances and Worcestershire Green Infrastructure Strategy's priorities and should be agreed with the partner authorities in advance of a planning application. The Worcestershire Sub-Regional Green Infrastructure Steering Group including WCC, Natural England, the Environment Agency, Worcestershire Wildlife Trust and the Forestry Commission has prepared a Concept Plan for Worcestershire Parkway which sets out a framework for the development of the masterplan for the proposed scheme. This Concept Plan provides guidance and recommendations of areas for consideration and prioritisation in the development of the design of the proposed scheme. This Concept Plan is being used as a reference document throughout the development of the proposed scheme.

Policy SWDP 21: Design

Policy SWDP 21 states that all development will be expected to be of a high design quality, and will need to integrate effectively with its surroundings, reinforce local distinctiveness and conserve and where

appropriate enhance cultural and heritage assets and their settings. Further, new and innovative designs will be encouraged and supported where they enhance the overall quality of the built environment in established locations, or as extensions to more recent development. The proposed scheme has been designed in consultation with a range of bodies including Network Rail, highway authority, WDC and WCC planners and the Lead Local Flood Authority (LLFA) ensuring that suitable protection and, where possible, enhancement of the area can be achieved. Care has also been taken with the design of the station to ensure it reflects local distinctiveness, colours and materials.

Policy SWDP 22: Biodiversity and Geodiversity

Policy SWDP 22 deals with SSSI's and advises that development that would compromise these areas will not be permitted. It also states that all new development must be designed to enhance biodiversity / geodiversity interest and safeguard ecological corridors, and recognises that whilst a reduction in on-site biodiversity / geodiversity may be mitigated by off-site compensation, this will only be acceptable where on-site mitigation is clearly not possible. As noted above, the proposed scheme is located near Cooksholme Meadows SSSI, and a range of mitigation measures will be considered where practicable and relevant to the construction of the proposed development.

Policy SWDP 25: Landscape Character

Policy SWDP 25 requires proposals to take the Landscape Character Assessment and its guidelines into account, and to ensure that they integrate with the character of the landscape setting. The proposed scheme likely to result in permanent changes to the landscape and visual amenity of the site and surrounding area; however, mitigation and enhancements will be developed as part of the design process.

Policy SWDP 28: Management of Flood Risk

Policy SWDP 28 sets out the key principles that development must adhere to in order to reduce the risk of flooding. An unnamed ordinary watercourse (OWC) flows from south west to north east through the site, underneath the Cotswold line embankment and the B4084, and the site is currently at risk of flooding from this watercourse. The proposed scheme will include an appropriate drainage design that will make provisions for the long term maintenance of the infrastructure.

Economic Analysis

3.1 Benefits of the Scheme

The delivery of Worcestershire Parkway is a high priority for WCC and partner organisations, including the LEP, Chamber of Commerce, Members of Parliament and the Worcestershire District Authorities. The proposed scheme is aligned with agreed priorities, in particular in terms of supporting economic growth in Worcestershire.

The proposed scheme will deliver benefits that extend well beyond the south Worcestershire area. The poor quality rail service between Worcestershire stations and locations served by the Birmingham - Cheltenham - Gloucester - Bristol and Cardiff main lines is exacerbated by the lack of direct access to cross-country services. The proposed scheme will help to address this issue and improve access to national rail services, significantly improving local economic competitiveness.

Network Rail, as the operator of the rail network, is working collaboratively with WCC to advise on the Parkway's integration with other planned enhancements to rail infrastructure and services.

Analysis of the wider economic benefits of Worcestershire Parkway indicates that the proposed scheme will contribute substantially to the achievement of objectives in the Worcestershire Economic Strategy through improving accessibility and connectivity.

The delivery of a new Worcestershire Parkway station is an important element in delivering outcomes outlined below and is a priority for the LEP, WCC and other stakeholders.

- An improvement to Worcestershire's accessibility by rail to markets and other destinations.
- Improved direct access to national long distance rail services (this is seen by businesses and other stakeholders as being vital).
- Reducing total journey times by rail to destinations.

The proposed scheme will:

- Improve access to Worcestershire - London and Cardiff/Bristol – Birmingham rail services, removing one of the identified constraints to rail use.
- Reduce journey times to regional and national destinations and international hubs such as Heathrow Airport, improving the accessibility of Worcestershire by rail and encouraging modal shift.
- Enable the Worcestershire economy to better benefit from the recent significant investment in the Cotswold Line and the current investment in Crossrail and Reading Station.
- Enable interchange between Cotswold Line and Cross Country services.

Assessment of the impact of Worcestershire Parkway on total (car and rail) journey times has shown that the proposed scheme will deliver significant improvements. Reductions in total journey times of up to 20% are forecast for destinations served by the Cotswold Line and along the Cardiff/Bristol – Birmingham/North East/North West axis.

3.2 Worcestershire Local Enterprise Partnership

The LEP has identified six key objectives, including:

- Strategic Objective 1: Place development & infrastructure
- Strategic Objective 2: National profile & promotion
- Strategic Objective 3: Employment & skills
- Strategic Objective 4: Competitive innovative businesses & access to finance
- Strategic Objective 5: Sector development
- Strategic Objective 6: Inward investment

In particular, Strategic Objective 1 recognises that growth and prosperity in the area depend to a large extent on the existence of a sound infrastructure and the provision of attractive sites for potential investors. Further, infrastructure which creates better connectivity, including rail infrastructure, is an important element in Worcestershire's offer to inward investors.

3.3 Worcestershire Strategic Economic Plan

The LEP published the Worcestershire Strategic Economic Plan in March 2014. The Strategic Economic Plan identifies Worcestershire Parkway as a priority scheme for promoting cross country connectivity and the competitive edge that will enable the region to deliver its target of 25,000 new jobs by 2025.

3.4 Economic Strategy for Worcester

The Economic Strategy for Worcestershire 2010 – 2020 was published in June 2010 and provides a long term vision, focus and context for economic development and regeneration in the County that takes into account the changing economic circumstances. Section 5.2.2 (g) of the document recognises that it is essential that good infrastructure is in place to meet the new demands of a changing economy. The document also acknowledges Worcestershire Parkway is one of the planned initiatives which will have implications for the local economy and housing developments in the city (pg. 28).

3.5 Worcestershire Local Transport Plan 3

Worcestershire's third Local Transport Plan (LTP3) was adopted in February 2011. The LTP3 provides the policy and strategy context for major transport projects within Worcestershire.

The economic aim of the LTP3 is to *"Improve accessibility by all modes, particularly to Worcestershire's main urban areas"*. One of the policies for trying to achieve this is to *"Promote further rail parkway stations and rail, coach and bus Park & Ride facilities to maximise the amount of workers and visitors (including shoppers and tourists) that can access Worcestershire's constrained urban areas without increasing congestion and journey times and thereby controlling transport costs and supporting improved economic performance"*. The LTP3 identifies that Worcestershire Parkway is one of the major schemes within the area which will help achieve this aim.

3.6 Worcester Transport Strategy

The proposed Worcester Transport Strategy (WTS) identifies a range of transport infrastructure and service enhancements that require investment. One of the transport measures to deliver improvements to the existing network includes the construction of Worcestershire Parkway.

The WTS advises that to deliver the strategy in full, WCC and partners will need to secure over £200 million of investment. Given the level of funding required WCC aims to deliver the WTS through a phased approach, delivering parts of the strategy as funding becomes available.

CPO Reasons

4.1 Reasons for making the Compulsory Purchase Order

WCC recognise that a CPO for the proposed scheme can only be made if there is a compelling case in the public interest which justifies the acquisition of the Order Land, the private rights and interests in the Order Land and the creation of new rights sought to be acquired. However, without the construction of Worcestershire Parkway the significant benefits identified earlier in this Statement cannot be achieved. All the land in the CPO is required to bring the benefits identified in this Statement forward.

WCC have the resources available to carry out the proposed scheme, including the cost of land and rights acquisition, as shown in the tables below which identify contributions towards cost and a breakdown of the scheme cost.

| | Cost (£000's) | | | | | Total |
|-------------------|---------------|---------|---------|---------|---------|---------------|
| | 2013/14 | 2014/15 | 2015/16 | 2016/17 | 2017/18 | |
| Total Scheme Cost | 892 | 2,576 | 2,181 | 13,629 | 950 | 20,228 |
| Growth Fund | 0 | 0 | 0 | 8,300 | 0 | 8,300 |
| L A Contribution | 892 | 2,576 | 2,181 | 5,329 | 950 | 11,928 |

| Cost Heading | Cost (£000's) | Date Estimated | Status |
|-------------------------------|---------------|----------------|---------------|
| External Works | 5,335 | April 2015 | Cost Estimate |
| Station Building | 942 | April 2015 | Cost Estimate |
| Walkways | 2,559 | April 2015 | Cost Estimate |
| Platforms | 4,058 | April 2015 | Cost Estimate |
| Railway Works | 2,211 | April 2015 | Cost Estimate |
| Utilities | 379 | April 2015 | Cost Estimate |
| Land Cost and Fees | 2,503 | April 2015 | Cost Estimate |
| Sub Total Project Cost | 17,987 | | |
| GRIP 3 Costs | 2,242 | April 2015 | Cost Estimate |
| TOTAL | 20,229 | | |
| Contingency | 3,113 | 2015 | Cost Estimate |
| GRAND TOTAL | 23,342 | | |

There is a compelling case for the acquisition of the land and rights required for the proposed scheme and for the confirmation of the CPO to achieve this. Negotiations with those with an interest in the land concerned have been taking place and will continue.

Compelling Case in Public Interest and Human Rights Act

Circular 06/04 advises acquiring authorities in Paragraph 17 that compulsory purchase orders should only be made where there is a compelling case in the public interest. The purposes for which the order is made should justify the interference with human rights of those with an interest in the affect land. In this case the Council considers that the many benefits of the transport infrastructure will bring to the area and wider region (as outlined in sections 1 and 3) provide a compelling case in the public interest for the use of compulsory purchase powers and outweigh the impact on existing owners and occupiers and their current land activities.

The Council acknowledges that the proposal will have an effect on the human rights of those with interests in the Order Land. However on balance the Council finds the public benefit of the proposal outweigh the impact on the private individuals affected. The Human Rights Act 1998 requires (amongst other things) that every public authority must act in a manner which is compatible with the Convention for the Protection of Human Rights and Fundamental Freedoms ('the Convention'). The main articles of the Convention which are of importance in circumstances where the Council is considering making a CPO are Article 8 – the right of an individual to respect his/her private and family life and home and Article 1 of the First Protocol – the protection of property.

The European Court of Human Rights has recognised in the context of Article 1 of the First Protocol that *“regard must be had to the fair balance that has to be struck between the competing interests of the individual and of the community as a whole”*, i.e. in the present context that any compulsory purchase of land must be proportionate. Both public and private interests are to be taken into account in the exercise of WCC's powers and duties as a local planning authority. Similarly, any interference with Article 8 rights must be such that is *“necessary in a democratic society”*, i.e. proportionate. In pursuing a CPO, WCC has to carefully consider the balance to be struck between individual rights and the wider public interest having regard also to the availability of compensation for compulsory purchase.

Whilst Article 8(1) (as has been noted) provides that everyone has the right of respect for his/her property Article 8(2) allows the State to restrict the rights to respect for the property to the extent necessary in a democratic society and for certain listed public interest purposes (e.g. public safety, economic wellbeing, protection of health and protection of the rights of others).

If the Order is confirmed, compensation may be claimed by persons whose interests in land have been acquired or whose possession of land has been disturbed. In the circumstances, if the Order is confirmed, the compulsory acquisition of the Order Land will not conflict with Article 1 of the First Protocol or Article 8 of the Convention. As already explained, WCC considers that there is a compelling case in the public interest for the Order Land to be acquired. Having regard to the need for the Scheme, WCC considers the acquisition of land and rights over land that the CPO would authorise to be proportionate and justified.

Conclusion

The Council is satisfied that all of the Order Land is required to deliver the comprehensive development proposal in this location. There is no certainty that the necessary land and interests can be assembled by agreement within a reasonable period and as such the Order is necessary to deliver the Scheme, although efforts to acquire all interests by negotiation will continue in parallel.

The Council recognise that planning permission is yet to be granted for the Scheme, and have taken the proactive approach of involving as many key statutory stakeholders in the design and development process to ensure their needs are addressed where appropriate. Planning officers at the determining authority have taken an active role in the development of the proposals and have indicated no objection in principle based on information presented to them.

Supporting Documentation

The following documents provide the supporting information for this Statement:

- Wychavon Local Plan (2006)
- South Worcestershire Development Plan (submission document, May 2013)
- National Planning Policy Framework (NPPF) (2012)
- Planning Practice Guidance (2014)
- Worcestershire Strategic Economic Plan (2011)
- Economic Strategy for Worcestershire 2010 – 2020 (2010)
- Worcestershire Local Transport Plan 3 (2011)

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WORCESTERSHIRE PARKWAY REGIONAL INTERCHANGE – AMENDMENTS TO AUTHORISATION OF COMPULSORY PURCHASE ORDER – DELEGATION TO CABINET MEMBER

At its meeting on 18 December 2014, Cabinet approved the making of a Compulsory Purchase Order (CPO) to acquire the land and rights necessary to implement the Worcestershire Parkway Regional Interchange.

Since that decision some proposed amendments have arisen in relation to the land and rights to be acquired and made subject to the CPO. The CPO authorisation and supporting documentation (including the details of the land) would therefore need to be amended accordingly.

It is expedient to address the detail of the proposed amendments through delegated decision-making and I therefore authorise **Simon Geraghty**, as **Cabinet Member for Economy, Skills and Infrastructure**, to take all decisions on behalf of the Cabinet acting as the Executive in relation to the details of the above Worcestershire Parkway Regional Interchange including in particular any amendments to the CPO authorisation and documentation in relation to the land and rights to be acquired.

Dated 21 May 2015

Signed



A I Hardman

Leader of the Council

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