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# Craven Local Plan Examination

## Matter 11

### Statement by Craven District Council

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**Matter 11** – Transport (Suggested Policy INF7, Policy INF4 and ENV12)

**Hearing Day 7** – Friday 19th October 2018 (Week 2)

September 2018

# Issue 1 – Transport – Suggested Draft Policy INF7

## Q1. How has the Council:

- Identified the transport demands arising from the policies, allocations and growth aspirations of the Local Plan;
- Assessed the impacts of policies, allocations and growth aspirations on the performance of the transport network;
- Identified any outcomes or mitigation as necessary;
- Assessed the adequacy of any identified outcomes or mitigation; and
- Identified any phasing and/or funding requirements necessary to ensure that the identified infrastructure measures are viable and deliverable?

## Council's Response

1. North Yorkshire County Council (NYCC) is the Highways and Transport Authority for Craven District. Bus services in Craven are generally provided on a commercial basis by private bus operators. NYCC has powers and some funding available to support bus and community transport services, where an adequate level of service is not provided by private transport operators. There are two inter regional rail routes operating through Craven, the Leeds-Settle-Carlisle line and the Leeds-Morecambe line. The Leeds-Liverpool Canal runs through the plan area and provides a regional boating, walking and cycling facility. Further information on the transport network and responsible organisations is given in Appendix C of the Local Plan at paragraphs 3.2 to 3.17
2. In preparing the Local Plan, the CDC has cooperated, and consulted, with all the main operators of transport services across the plan area, and all the authorities and organisations responsible for the strategic planning and maintenance of the transport network within and beyond the plan area. Details of such cooperation and consultation are contained in the plan's Statement of Consultation (PD008) and Duty to Cooperate Statement (SD006). See also the Council's response to Examination questions 1 to 6 under Matter 1 – Compliance with the Act and Regulations, the Habitat Regulations and Strategic Flood Risk Assessment; Issue 1 – Duty to Cooperate.
3. Transport demands arising from the Local Plan's policies, allocations and growth aspirations have been taken into account by these stakeholders during the plan process. Where these stakeholders have expressed concerns over these Local Plan growth demands on the performance of the transport network, CDC has assessed the impact.
4. Only the transport demands on the highway network in Skipton were highlighted by these stakeholders as of concern. The work undertaken to assess and plan

for these impacts is described in response to Q2 below. The issue of the capacity of the local highway network to accommodate the plan's proposed growth in Bentham has also been raised by a local resident. In response to this, the Council has undertaken an impact assessment of the network in Bentham and Settle. See response to Q3 below.

**Q2. In response to the Inspector's Initial Questions the Council advised that further modelling work was being undertaken and "would allow CDC and NYCC to produce a Statement of Common Ground on this matter..." Has the further modelling work now been completed? What does it demonstrate? Does it consider the traffic impacts of additional development on all of the settlements identified for growth?**

### **Council's Response**

1. This further modelling work (Appendix 1) and a Statement of Common Ground (Appendix 2) has been completed. The Statement of Common Ground summarises what the traffic modelling work demonstrates. The further modelling work concludes that there would be an unacceptable impact from the Plan's increased traffic on two road junctions in the area. To mitigate this impact, relatively modest widening of three arms on these two junctions has been assessed. This indicates that the widening would be effective in making these junctions perform at an acceptable capacity. This road widening can be achieved within existing highway land. Preliminary costs for the work have been estimated in this modelling work.
2. The low level of growth proposed in the Tier 3 and below settlements of Policy SP4 (Submission Draft Plan (PD001)) indicates that the traffic impacts of additional development within these settlements does not require assessment for the Local Plan. Suggested Policy INF7 – Sustainable Transport and Highways will allow the local planning authority, guided by the local highway authority, to seek transport assessments and statements on individual development proposals as necessary. These may identify localised impacts on the highway network that require mitigation.
3. Traffic impact assessments have been undertaken for the Tier 2, Key Service Centre settlements of Bentham and Settle. This is dealt with in answer to Q3, below.

**Q3. The Council's response to the Inspector's Initial Questions also confirmed that it has commissioned "some high level traffic modelling for Bentham and Settle..." What are the reasons for this, and what does the further modelling show? What effect will the allocations and policies in the Plan have on the highway network in and around Bentham and Settle? If mitigation is necessary, how will this be delivered?**

### **Council's Response**

1. Local Plan growth proposals in Settle and Bentham are modest and neither settlement suffers from significant traffic congestion. This led CDC to the initial conclusion that traffic modelling was unnecessary for these settlements. However, following concerns raised by a local resident on traffic flows in Bentham, it was decided to ensure that the Plan was supported by proportionate evidence on the impact of the Plan's development proposals in the two 'Key Service Centres' of Settle and Bentham.
2. This work has now been completed and published alongside CDC's responses to the Examination MIQ's (Appendix 3). This traffic modelling concludes that the plan period growth will have minimal impact on key junctions in these settlements. No mitigation is necessary in connection with the residual cumulative impact of the development proposals in these settlements.

**Q4. Is the Plan consistent with paragraph 34 of the Framework which states that plans should ensure that developments which generate significant movement are located where the need to travel will be minimised and the use of sustainable transport modes can be maximised?**

### **Council's Response**

1. The proposed larger housing and employment land allocations in the Plan which will generate significant movement are located in the Tier 1 and 2 settlements of Skipton, Settle and Bentham. The potential for walking, cycling and using public transport to travel in, and out from, these settlements is generally significantly higher than in Tier 3 and below settlements. Skipton, Settle and Bentham give much better access to day to day services, including public transport, and have a good range of employment within them than other settlements across the plan area. Skipton and Settle also have good access by rail to the larger urban centres of West Yorkshire.
2. The Plan is therefore consistent with paragraph 34 of the NPPF.

**Q5. How do the policies and allocations in the Plan meet the requirements of paragraph 35 of the Framework, having particular regard to prioritising pedestrian and cycle movements, creating safe and secure layouts, incorporating facilities for ultra-low emission vehicles and considering the needs of people with disabilities?**

**Council's Response**

1. The 'protection and exploitation of opportunity' requirements of the first sentence of NPPF paragraph 35 are met in the Plan through
  - the protection of the original double track route of the Skipton to Colne railway line for future rail transport use as identified on the policies map (Policy SP2 C)
  - support for the re-opening of former Crosshills Railway Station by safeguarding land at the former railway station from other forms of development, as identified on the policies map. (Policy SP2 C)
  - support for pedestrian and cycle links to enhanced public transport facilities (Policy SP2 C)
  - protecting and enhancing access along the Leeds – Liverpool Canal and the plan areas footpaths, bridleways, byways and cycle routes in Policies ENV 11 and 12.
  - the allocation of mixed use development on land at Skipton Station which will enhance the role of Skipton railway station as a transport hub and gateway to Skipton and the Yorkshire Dales, and enhance pedestrian connectivity to the town and form a traffic free pedestrian gateway. (Site SK140 in Policy SP5-Strategy for Skipton).
  
2. The Plan meets the locational and design requirements of the second sentence of NPPF paragraph 35 through:
  - the focussing of new housing and employment development in Skipton, Settle and Bentham in Policy SP4 (see response to Q4 above)
  - the inclusion of development principles for sites allocated in Policies SP5 to SP11 which will improve walking and cycling connectivity; secure the design and layout of a site which maximises the opportunities for future occupiers to walk and cycle; and secure the submission of a Transport Assessment alongside the planning application.
  - under criteria i) to l) in Policy ENV3, ensuring that:
    - development proposals are accessible and inclusive to everyone, including a means of access for people with disabilities.
    - proposals are permeable for pedestrians, cyclists and people with disabilities.
    - the public highway, as the public realm, is people friendly, safe and active, and helps to create a network of easy to use routes.

- the incorporation of secure storage for bicycles.
- encouraging the increased use of low emission vehicles, including where appropriate the provision of electric vehicle charging points in Policy INF4 e)
- the provision of safe and accessible travel facilities, maximising opportunities for travel by sustainable transport modes, through working in partnership with the highway authority, other authorities, local enterprise partnerships, transport providers developers and local groups. (Proposed Modification (PM) Policy INF7)
- the use of the tool of the Travel Plan to facilitate the requirements of paragraph 35 of the NPPF (PM Policy INF7 d)
- the provision of safe, suitable and convenient access to all development sites for all modes of transport and all people, including vulnerable users of the highway, and wheelchair-users, people with limited mobility and people with other disabilities. (PM Policy INF7 e)
- the developer funding of necessary upgrading of appropriate infrastructure, including safety measures, and pedestrian and cycling connectivity. (PM Policy INF7 f)

**Q6. What is the justification for suggested Draft Policy INF7? Why is it necessary in the interests of soundness?**

**Council's Response**

1. This suggested draft policy seeks to bring together all aspects of the plan's provisions for sustainable transport and highway infrastructure into one policy and provide more detail on the specific requirements of planning obligations for transport. As detailed in the response to Q5 above the Plan's provisions on sustainable transport are dispersed over a number of policies in the Plan. Suggested Policy INF7 clarifies how the Local Plan will deliver, at local level, NPPF policy on 'Promoting Sustainable Transport'. It will allow the policy principles of sustainable transport and highway mitigation, already established in different parts of the Plan, to be clearly articulated and developed in one 'topic' based policy. This will fulfil the aim of paragraph 154 of the NPPF of providing 'clear policies on what will or will not be permitted'. Policies SP12 and INF1 provide the Plan's strategic and generic policies on infrastructure and planning obligations. Like other INF policies such as Education (INF6) and Sport, Open Space and Recreation Facilities (INF3), suggested Policy INF7 provides more detail on transport impacts and the potential planning obligations associated with transport. This detail is necessary to provide a clear and effective Plan and is justified by evidence. (For Proposed Modification Policy INF7 and explanatory text see Appendix 4)

**Q7. What is the justification in draft Policy INF7 for seeking tariff style contributions for highway improvement works to mitigate the cumulative impact of proposed growth around Skipton? Is the policy consistent with paragraphs 203 and 204 of the Framework relating to planning obligations?**

**Council's Response**

1. In the absence of the introduction of the Community Infrastructure Levy (CIL) in Craven, any necessary developer contributions towards infrastructure will largely be collected through planning obligations in the form of Section 106 agreements. The PPG accepts that tariff style developer contributions can be sought providing they meet the relevant tests (CIL Regulations 2010 as amended and the NPPF). As the PPG states the tariff style contributions pool funding to provide common types of infrastructure for the wider area. These proposed tariff style contributions for the wider area's highway infrastructure are consistent with paragraphs 203 and 204 of the NPPF because, as evidenced in Appendices 1 and 2 to the Council's responses on this matter.
  - they will be directly related to the development proposed in Skipton
  - without them, the scale of growth proposed in Skipton would be unacceptable
  - with them, the scale of growth proposed in Skipton can be made acceptable,
  - they will be fairly and reasonably related in scale and kind to the development.
2. Furthermore, the costs to the developer for this highway infrastructure and other planning obligations proposed in the Plan, will not threaten the viability of development.

## **Issue 2 – Parking Standards - Policy INF4**

**Q1. What are the minimum parking standards referred to in Policy INF4?**

**Council's Response**

1. The minimum parking standards referred to in Policy INF4 b) are those referred to in the policy's supporting text, at paragraph 8.35 of the plan, and set out in document In005 – 'Interim Guidance on Transport Issues including Parking Standards and Advice on Transport Assessments and Travel Plans (NYCC, 2015)'

**Q2. The Written Ministerial Statement ('WMS') of March 2015 states that local planning authorities should only impose local parking standards for residential and non-residential development where there is clear and compelling justification that it is necessary to manage their local road network. Which evidence base documents set out the justification for minimum parking standards in Policy INF4?**

## **Council's Response**

1. The justification and relevant evidence base to support minimum parking standards is set out in the policy's supporting text, at paragraphs 8.33 – 8.41 of the Local Plan. Paragraph 8.38 of the Local Plan refers to document BD052 – 'North Yorkshire County Council Parking Strategy (2011)', which sets out:

- how parking provision can contribute to economic, environmental, safety/health, accessibility and quality of life objectives (section 9); and
- specific policies (section 10), including development management (paragraphs 10.17 – 10.20).

Paragraph 8.39 of the Local Plan refers to document In009 – 'North Yorkshire Local Transport Plan (LTP4) 2016 to 2045', which sets out:

- economic objectives (Part 2a), including tackling congestion (page 32);
- a traffic engineering theme (Part 3f), including car parking (page 127); and
- a planning and new developments theme (Part 3g, page 132).

The Written Ministerial Statement of March 2015 states that the "Government is keen to ensure that there is adequate parking provision both in new residential developments and around our town centres and high streets" and the setting of minimum (not maximum) parking standards is consistent with this objective.

### **Q3. Is it clear to decision-makers, developers and local communities what the parking policies and objectives of Craven District Council and NYCC are for the purposes of Policy INF4 d)? Is the policy effective?**

#### **Council's Response**

1. Yes – the relevant parking policies and objectives are described in the policy's supporting text, at paragraphs 8.38 – 8.40 of the plan. Paragraph 8.38 includes references to the relevant documents, which are document BD051 – 'Craven District Council Parking Strategy 2014-2019' and document BD052 – 'North Yorkshire County Council Parking Strategy (2011)'.

### **Q4. How will the Council encourage the use of electric vehicle charging points under Policy INF4 e)? Is the policy effective in this regard?**

#### **Council's Response**

1. The Council will encourage the use of electric vehicle charging points in accordance with commitments made, in Policy SD1, to take a positive and proactive approach to the achievement of sustainable development and the consideration of development proposals, and to work co-operatively with applicants and developers. Early, positive, proactive and co-operative engagement at the pre-application stage is widely regarded as an important and



effective element of successful planning and one that the Council is fully committed to.

## Issue 3 – Footpaths, Bridleways, Byways and Cycle Routes – Policy ENV12

**Q1. To be effective is it also necessary to refer to the towpaths associated with the Leeds & Liverpool Canal in Policy ENV12?**

### **Council's Response**

1. Whilst the towpath of the Leeds & Liverpool Canal is a 'permissive path' rather than a 'public right of way', it is both a 'footpath' and a 'cycle route' for the purposes of Policy ENV12. This is established in the policy's supporting text, at paragraphs 5.99 and 5.102 of the Local Plan. The policy itself refers to 'footpaths' and 'cycle routes' rather than 'public rights of way' and it should be clear, therefore, that the policy applies to the towpath. However, the heading above paragraph 5.100 of the Local Plan could be clearer, as it may give the incorrect impression that all footpaths are public rights of way. Therefore, the Council proposes the following modification to the Local Plan:

<b>Proposed Modification</b>
Page 159, of the Submission Draft Local Plan : supporting text to policy ENV12, heading above paragraph 5.100 of the submission local plan: <del>Footpaths, bridleways and byways (public rights of way – PROWs)</del> <u>Public rights of way – PROWs</u>

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