

Report of the Acting Head of Transport Policy (Andrew Hall)

Report to Chief Planning Officer

Date: 30th July 2012

Subject: Travel Plan Supplementary Planning Document

Are specific electoral Wards affected? If relevant, name(s) of Ward(s):	<input type="checkbox"/> Yes	<input checked="" type="checkbox"/> No
Are there implications for equality and diversity and cohesion and integration?	<input type="checkbox"/> Yes	<input checked="" type="checkbox"/> No
Is the decision eligible for Call-In?	<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No
Does the report contain confidential or exempt information? If relevant, Access to Information Procedure Rule number: Appendix number:	<input type="checkbox"/> Yes	<input checked="" type="checkbox"/> No

Summary of main issues

The Department for Transport defines a travel plan as:

“a long-term management strategy for an occupier or site that seeks to deliver sustainable transport objectives through positive action and is articulated in a document that is regularly reviewed.”

The main objective of a travel plan is to provide incentives and / or disincentives for users of a development to reduce the need to travel by non sustainable modes such as alone by car to and from a site. This lessens the environmental impact of development and also makes best use of highway capacity, reducing congestion locally and on a city wide basis. Travel plans bring a wide range of benefits to the community as a whole and to individual developments and organisations.

The role and importance of travel plans has been highlighted by specific inclusion in the National Planning Policy Framework (NPPF) published in March 2012 and the SPD amplifies existing UDP Policy T2C.

In May 2007, Leeds City Council published a draft Supplementary Planning Document (SPD) on Travel Plans for consultation. The draft Travel Plan SPD has now been updated to reflect the latest national guidance and experience of using the document over the last five years. The changes to the document are significant and are set out in further detail within this report, and have an overall impact of making the SPD less onerous, particularly

for smaller development. The revised draft has been subject to a further internal consultation and a statutory external consultation process in 2011. It is proposed to adopt the SPD formally as part of the Leeds Local Development Framework.

Recommendations

The Chief Planning Officer is requested to:

- i) Note the contents of this report and attached documents; and
- ii) Approve the Travel Plan Supplementary Planning Document and its formal adoption as part of the Leeds Local Development Plan Framework.

1 Purpose of this report

1.1 The purpose of this report is to

- explain the purpose of travel planning and the national, regional and local policy context;
- provide a summary of content of the Travel Plan SPD;
- outline the consultation process undertaken and amendments made to the SPD as a result of this; and
- allow Board Members to make an informed decision on the approval and subsequent adoption of the Travel Plan SPD as part of the Local Development Framework.

2 Background information

2.1 The main objective of a travel plan is to provide incentives and / or disincentives for users of a development to reduce the need to travel by non sustainable modes such as alone by car to and from a site. Travel plans bring a wide range of benefits to the community as a whole and to individual developments and organisations. It is important to note that travel plans are not designed to be anti-car, rather pro-sustainable travel and concerned with increased choice and widening of travel options. It is accepted that for many people, travel by car to work, school or the shops etc is the only realistic option available. However many people do have alternatives, and travel plans only need to have minor impacts on travel behaviour to have a major positive impact on local / city wide congestion, on-street parking problems, CO2 emissions, health of individuals, and other benefits.

2.2 Travel plans have been an integral part of the planning process since the release of PPG13 (2001). The recent White Paper "Creating Growth, Cutting Carbon: Making Sustainable Local Transport Happen" (DfT 2011), lists travel planning as one of the key mechanisms in packages of measures enabling sustainable transport choices. The role and importance of travel plans has been highlighted by specific inclusion in the National Planning Policy Framework (NPPF) published in March 2012 which states

"All developments which generate significant amounts of movement should be required to provide a Travel Plan."

2.3 The NPPF does not define 'significant', but indicative thresholds for requiring a travel plan are set out in the current national guidance on Travel Plans, 'Good Practice Guidelines: Delivering Travel Plans through the Planning Process' (DCLG/DfT 2009) and 'Guidance on Transport Assessment' (DfT/DCLG 2007).

- 2.4 Significant research has been undertaken by various bodies into the effectiveness of travel plans. A brief summary of some of this research is given in Appendix 1. This shows that travel plans have the potential to reduce vehicle trips to and from a site by 10-20% and represent very good value for money compared to many transport infrastructure projects.
- 2.5 In order for a travel plan to be effective there must be buy in and commitment from the applicant / site developer / end user. In many existing cases this can be voluntary commitment as the company in question is keen to overcome issues such as lack of parking or comply with a Corporate Social Responsibility charter. However, often in development cases the submission of a travel plan has been seen as a tick box exercise by the applicant with no real intention to (or compulsion) to follow through with the agreed measures. Effective travel plans have been demonstrated to have many positive impacts, but in order for LCC to secure, monitor and enforce them, strong local policy is required. The national guidelines advocate the use of SPDs to set thresholds, secure review fees and effective sanctions / remedial measures, allowing for action should targets not be met.
- 2.6 In May 2007 the draft SPD was published for external consultation and approved at that point for development control purposes. However, it has remained in draft format since then because the Government announced that it would be releasing national guidance on travel plans and the planning system. It was decided that the SPD should not be adopted until this guidance had been released to ensure that the two documents complimented each other. This national guidance was finally released in April 2009 – it was entitled ‘Good Practice Guidelines: Delivering Travel Plans through the Planning Process (DfT / DCLG 2009).’
- 2.7 A redrafting process of the SPD started in late 2010 when it became apparent that significant changes to the draft SPD text would be required as a result of the national guidance and also the positive experience gained by the TravelWise team of using the document since May 2007.

3 Main issues

- 3.1 The revised SPD contains significant changes, many are minor text changes, but others are significant, and therefore a full reconsultation was considered appropriate – this is discussed in further detail at section 4.1 of this report. The section below considers the main issues associated with the revised SPD.
- 3.2 The key changes to 2012 update from the 2007 draft due to the review process and internal / external consultations are the:
- inclusion of a Summary at the start of the document
 - update of the Policy context including the CIL regulations and NPPF and relocation of the majority of this section to the Appendices
 - amended thresholds for Travel Plans (TPs) generally in line with the national guidance.
 - clarification on when TPs will be required in conjunction with applications for Extensions and Changes of Use
 - change and clarification of travel plan types (eg Full, Interim & Framework) to mirror the National Guidance
 - better advice on travel plan content including targets, essential components, and measures
 - updated advice on School Travel Plans

- clarification on what development will be liable for Review fees and what that fee will be used for
- additional text and strengthening of the section on sanctions and remedial measures
- updated contacts, websites and publications sections
- revised appendix on s106 clauses and definitions, including numerous examples
- stressing the importance of flexibility within the travel plan process
- post implementation review of measures and targets
- new section on scheme viability and its impact on travel planning

Thresholds

- 3.3 The 2007 DfT document 'Guidance on Transport Assessment' set out thresholds for transport assessments, transport statements and travel plans. The threshold for travel plans was set as the same as that for transport assessments. The LCC 2007 draft Travel Plan SPD utilised the lower transport statement thresholds for travel plans. This has resulted in a large number of smaller applications having to submit travel plans. Often these sites are too small or have too few staff / visitors, or operate at times of the day when full travel plans may not be appropriate.
- 3.4 The thresholds set out in the revised SPD for travel plans generally follow the national guidance with some minor amendments to reflect local experience of dealing with planning applications. With the exception of office and housing developments the thresholds have therefore been increased.
- 3.5 The 2009 DfT Good Practice Guidelines introduced the concept of 'Travel Plan Statements (TPS)' for smaller sites. However after some detailed consideration the Council has elected not to include travel plan statements within the SPD due to concerns over resources, relative effectiveness / enforceability of them and the current economic climate..
- 3.6 The affect of the threshold changes is that significantly fewer travel plans will be received, allowing staff time to be focused on larger developments and achieving effective travel plans.

Review Fees

- 3.7 Effective travel planning in terms of advice and assistance, together with monitoring and enforcement, requires the input of LCC Officers for a significant length of time after planning permission has been granted. S106 obligations generally require that the travel plan is reviewed annually for 5-10 years after occupation of the site. Such work by LCC Officers is outside the remit of collected planning fees and requires additional fees to fund it. The national guidance advocates the use of review fees, funded by the developer and secured by legal agreement, to enable this ongoing work to take place.
- 3.9 The minimum review fee has remained as per the 2007 draft rate of £500 per annum for five years. This minimum applies to applications with up to 100 employees or 100 residential units. This fee then increases at a rate £1.00 per employee or residential unit up to a maximum that has been increased from £3000 per annum to £4000 per annum. This increase only affects the largest of sites (those with 2900 plus employees or residential units).

3.10 The SPD wording has been amended to clarify the difference between monitoring surveys, which are the responsibility of the developer / site owner, and the ongoing review undertaken by LCC. It also sets out how the Council will spend the fee once received.

3.11 Using the travel plan review fee, the Leeds TravelWise team will work with the appointed Travel Plan Coordinator to support the delivery of the travel plan, providing advice and information. The fee will also support the use of computer software in the survey and monitoring process. When the results of the monitoring surveys are received the TravelWise team will discuss the results of the survey with the TPC, comparing the data to the travel plan targets, and looking at the survey response rates. The survey data will indicate where further measures may be required, or further marketing and promotion work required. In addition the review fee will be used by the Council to provide the following travel plan services:

- host and run an annual snapshot travel survey which is suitable for compliance with standard annual monitoring requirements at developments
- review and evaluate annual travel plan update reports submitted by development travel plan coordinators to ensure compliance with Planning obligations and travel plan targets
- provide advice to travel plan coordinators in respect of measures, initiatives, campaigns and other opportunities that may be necessary to comply with travel plan targets and avoid sanctions / remedial measures
- maintain a live database record of development Travel Plan planning activity (iTrace) including, site details, measures, actions, site audits, targets and survey results etc
- invite travel plan site coordinators to submit travel plan progress reports via a coordinators portal on iTrace
- initiate any enforcement or sanctions / remedial measure process should agreed targets not be met
- provide an annual report to Chief Officers and Plans Panel Members on travel plan monitoring (to commence Autumn 2012)

3.12 Securing travel plans and the measures contained via s106 agreements is fully compliant with Circular 05/2005 and the 2010 CIL regulations. It is accepted that this position would need to be reviewed on an application by application basis as no two developments are the same.

Scheme Viability

3.13 The viability of development schemes is increasingly an issue at the planning stage, where the recognised need of developers to make a profit is balanced against planning policy requirements. It is acknowledged that combined s106 obligations, in certain circumstances, run the risk of making otherwise acceptable development unviable. This is clearly not the intention of travel planning or the SPD. The Travel Plan Review fee has been set at a minimum of £2500 and a maximum of £20,000 for significant developments (see formula approach at para 3.9). A large percentage of development tends to fall in the minimum category, and the maximum figure only applies to the largest of development. Therefore, even for sites where viability has been argued for other more significant s106 contributions such as affordable housing or public transport contributions, the Review fee has normally been accepted. The difficulty has tended to be with smaller development only just exceeding the thresholds. However, due to the threshold increases these smaller

sites would now not be required to submit a travel plan, making the overall impact of the updated SPD less onerous in terms of the Review fee.

- 3.14 The cost of implementing travel plan measures is a separate issue. While many measures are low cost to implement, other measures such as Metrocards can be more onerous on a development. The current approach is to consider the merits of the travel plan as a whole, the viability of the development, and potential benefits of such measures on a site by site case. For example Metrocards are a better use of developer money in certain location, such as a well connected suburban area than other areas such as the city centre. Also, Metrocards have a better long term impact on longer tenure type development such as family housing rather than rented flats.

Targets and Sanctions / Remedial Measures

- 3.15 The Good Practice Guidelines advocate the use of planning obligations to ensure compliance with travel plan measures and targets and suggests mechanisms for handling breaches. It goes on to state that

'These sanctions should not be regarded as a penalty but as means of addressing the travel impact of the scheme to the benefit of all parties.'

It goes to state that sanctions should be seen as the last resort. The aim is clearly to produce travel plans, which while positively impacting on travel modes, are realistic and have achievable targets. Where targets are agreed at the planning stage the SPD allows for a review once the development has been occupied and first surveys undertaken.

- 3.16 The revised SPD sets out the different forms such sanctions could take and how they should be set out in the travel plan and s106. In order to be monitored and, where necessary, enforced, sanctions will have to be clearly set out in the travel plan and associated s106. It is not intended that such sanctions would be open ended financial risks or run in perpetuity, but rather be linked to an agreed set of remedial measures or a formula based approach with defined monitoring and review periods (typically five to 10 years or linked to build out).
- 3.17 The use of sanctions within travel plans will be assessed on a site by site by basis, but it is intended that more applications will be subject to such measures so that robust Travel Plans are produced supporting the creation of sustainable developments and travel choices.

Programme

- 3.18 It is intended that subsequent to an Executive Board decision to approve the SPD that it would be formally adopted as part of the Local Development Framework and become a policy document of significant weight in the planning process.

4. Corporate Considerations

4.1 Consultation and Engagement

- 4.1.1 The 2007 draft document went through a full statutory consultation in May 2007. An initial consultation report was prepared and the comments taken into account in the revised document.
- 4.1.2 Further to the publication of national guidance in 2009 and experience of using the draft document the SPD has now been substantially redrafted. This updated SPD

was opened up to a wider internal consultation with the document sent out in May 2011.

4.1.3 A formal external consultation (including Ward Members, Parish Councils, local interest groups, statutory bodies, developers, agents, transport consultants & LCC internal) was undertaken in August / September 2011. 16 responses were received (2 Ward Member / Parish Council, 4 LCC internal, 5 developer / agent, 5 other interest group).

4.1.5 A number of changes were made to the SPD as a result of these consultation processes. A full consultation report covering both the 2007 and 2011 consultation events is annexed to this report.

4.2 **Equality and Diversity / Cohesion and Integration**

4.2.1 An equality, diversity, cohesion and integration screening has been prepared and determined that a full impact assessment is not required for the approvals requested. The screening report is available as a background document and has been published on the Council website.

4.2.2 The SPD has the potential for a positive impact on many Equality Characteristics as outlined in the Screening report due to the promotion of more accessible mode of travel. No negative impacts were identified.

4.3 **Council policies and City Priorities**

4.3.1 The adopted Unitary Development Plan (2006) Policy T2C states that

“All planning applications which are significant generators of travel demand must be accompanied by a Travel Plan”

4.3.2 It is this policy that the SPD seeks to amplify. Other relevant UDP Policies are SA2, T1, T2, T2B, T2D, T5, T7, T7A, T7B, & T9.

4.3.3 The draft Core Strategy, released for consultation in February 2012, contains specific reference to travel plans and the SPD in Policy T1. Policy T2 sets out that travel plans will be required to accompany planning applications in accordance with national thresholds and the Travel Plans SPD.

4.3.4 The use of travel planning in the planning process is fully supported by National and Regional Policy and Guidance (see Appendix 1 of the revised SPD), including the West Yorkshire Local Transport Plan 2011-26.

4.3.5 Following Executive Board the SPD would become an adopted SPD. As such the document would be given full weight in the planning process. In draft form it can only be given limited weight.

4.4 **Resources and value for money**

4.4.1 The costs and staff time associated with the development of the SPD and publication costs can be met from within existing service resources.

4.4.2 An electronic version will be freely available on the Council website for download reducing the number of printed copies that are required.

4.5 Legal Implications, Access to Information and Call In

4.5.1 The SPD has legal implications for the validation and determination of planning applications, and requirement for legal agreements. Legal Services have provided comment on the document at each stage, and have no issues with the final version.

4.6 Risk Management

4.6.1 The current draft SPD on Travel Plans is not formally adopted and now out of date in terms of the national guidance document 'Good Practice Guidelines' on travel plans. As a consequence there is the increasing risk that the policy basis for requiring the right form of travel plan and review fees could be challenged and that inadequate travel plans are accepted as the policy backing does not exist to require more rigorous documents. It is therefore important that the SPD is updated and adopted as soon as possible.

5 Conclusions

5.1 The draft Travel Plan SPD has been updated to reflect the latest national guidance and experience of using the document over the last five years. The revised draft has been subject to internal consultation and statutory external consultation. It continues to embody the best practice advice provided by Government and others and is consistent with the recently published NPPF. It is proposed to formally adopt the SPD as part of the Local Development Framework.

6 Recommendations

6.1 The Chief Planning Officer is requested to:

- i) Note the contents of this report and attached documents; and
- ii) Approve the Travel Plan Supplementary Planning Document and its formal adoption as part of the Leeds Local Development Plan Framework.

7 Background documents ¹

- i) Equality, Diversity, Cohesion and Integration Screening Report

¹ ¹ The background documents listed in this section are available for inspection on request for a period of four years following the date of the relevant meeting. Accordingly this list does not include documents containing exempt or confidential information, or any published works. Requests to inspect any background documents should be submitted to the report author.

Appendix 1

UK Studies into the Effectiveness of Travel Planning

- Recent Highways Agency research for four large sites showed up to 12% reduction in Single Occupancy Vehicle trips with a cost benefit ratio of 13:1 (to compare - reductions in AM peak traffic during school holidays is typically 10-15% and anything above a CBR of 2:1 is considered acceptable and worthy of potential funding by the DfT)
- 2004 DfT study and review of various scheme showed average reductions of car use at sites with active travel plans of 10-20%
- 2008 Cairns et al study into impact of Smarter Travel Choices indicated the potential for a national reduction in traffic of around 11% with a cost benefit ratio in excess of 10%
- 2009 Chatterlee study into residential travel plans showed an average reduction in single occupancy vehicles of 11%
- School Travel Plans have been demonstrated to reduce car use and increase walking, nationally this average is around 1.5% but this masks a wide range and in Leeds between 2007 and 2011 walking to school rose by 4.5% (mostly at the expense of car travel)
- Sustainable mode of travel percentages from companies completing the annual Leeds Travel to Work survey (ie those companies with active sustainable travel measures) are significantly lower than those mode splits obtained for district wide or city cordon counts results (it should be noted that these different data sources cannot be directly compared, but the differences infer that the Travel Plans / sustainable travel measures are effective at reducing car use).

Appendix 2: Travel Plan SPD Consultation Report

Appendix 3: 2012 Travel Plan SPD