

Council's Response to Inspector's Issues and Questions Issue 15

25 April 2018



Issue 15:

Are the topic policies for transport justified, deliverable and consistent with national policy? Will they be effective?

i) Do policies TRA2-TR7 provide an effective basis to promote opportunities for sustainable transport modes and is the approach sufficiently aligned to the growth strategy?

1. Yes. Policies TRA2-7 cover the broad range of transport modes available and together set out the Council's approach to promoting the use of sustainable transport modes within the context of the borough's geography and development opportunities.
2. The Council recognises that large parts of the borough are rural and have relatively limited opportunities for public transport, at least in comparison to the Ashford urban area. In the rural areas, residents will inevitably be dependent on the private car to a greater degree and that is reflected in the proposed parking standards set out in policy TRA3a.
3. The potential role of more sustainable transport modes such as public transport, walking and cycling is reflected in policies TRA4-6 and this aligns with the approach of the NPPF in promoting such means of transport where possible. Within Ashford itself, there is already a well-defined and used pedestrian and cycleway network, often utilising the Green Corridors that run through the town, and the opportunity to add to, or increase the usage of these corridors is an aspiration of the Plan. As the supporting text in the Local Plan makes clear, the Council has strong links with the County Council in respect of planning for bus and cycleway networks and this collaboration will help to ensure the optimum use of any developer contributions towards the enhancement of sustainable transport modes.

4. Policy TRA7 is crucial in ensuring that the use of the road network across the borough is fit for purpose. Much of the local road network outside Ashford is rural in nature and helps to contribute to the particular local character of the area. Such rural highways and lanes should not be expected to carry significant amounts of traffic, especially HGV traffic, as this has both a detrimental effect of the fabric of the highway network but also on the quiet, rural character of those parts of the borough. It can also introduce additional highway safety concerns where lanes are narrow, unlit and have no pedestrian footway and bring vehicles into conflict with pedestrians, cyclists and equestrians.
5. The growth strategy of the Plan therefore has focused on the ability of the local road network to accommodate additional development and reinforces the focus of new development in and around Ashford itself. Elsewhere, the ability to utilise the primary road network as the principal means of enabling access both into and out of a site but also to provide the link to main services and facilities is demonstrated by the proposed allocations within the A20 corridor (S47, S48 and S49) and at Charing, and the A28 corridor (S58 and S60). These allocations will significantly reduce the potential impact of additional traffic on the minor rural road network that would otherwise be the case with more remote allocations.

ii) Are the multi-storey car parks (MSCP) referred to in Policy TRA2 those identified in the Ashford Town Centre Area Action Plan? Is the policy justified and positively prepared in terms of meeting identified needs for additional MSCPs and would it be effective in delivering the need?

6. The Town Centre Area Action Plan (TCAAP) identified a potential need for 3 new MSCPs in the town centre at Victoria Way, New Street and Mace Lane although the latter was not likely to be required until after the TCAAP Plan period (2021). This approach was based on the predicted scale and nature of new development in the town centre at the time, derived from policy CS3 of the Core Strategy.
7. The references to MSCP provision in policy TRA2 should not be taken as necessarily referring to the same locations as in the TCAAP however. In the case of both the New Street and Mace Lane locations, these are active sites – the first

being the privately owned surface car parking serving the adjacent Lidl supermarket and the Park Club gymnasium; whilst the second formed part of the existing Mace Lane industrial estate.

8. The Council's strategy now needs to be more flexible and deliverable in order to be successful. It also needs to take account of the current context of redevelopment now occurring in the town centre and what is expected to happen over the remainder of the Plan period. The Council's own land holdings in the town centre are also materially different from those when the TCAAP was adopted and allows for a different approach to be considered.
9. The scale and nature of retail development anticipated in the town centre is now significantly different from that expected at the time of the TCAAP. This has reduced the short term need for additional short stay parking in the town centre but it remains the Council's aspiration to make better use of the centrally-located Vicarage Lane car park through redevelopment (see para 3.156 of the Submission Local Plan) and this will mean that replacement / additional car parking will need to be provided as a result.
10. The need for additional car parking will be monitored, including whether the need is for short or long stay parking or a combination of both but the Ashford Town Centre Parking Review (TBD03) that supports the Plan has indicated the scale of new parking necessary to accommodate the expected demands arising from new development over the Plan period.

iii) The WMS of 25 March 2015 introduced additional text to be read alongside paragraph 39 of the NPPF. In light of this, what is the clear and compelling justification necessary to include parking standards to manage the local road network? Are the individual standards in policies TRA3a, TRA3b and TRA9 justified? As the standards are expressed as minima, how would proposals which sought to provide higher levels of parking be assessed?

11. The justification for the application of parking standards locally is set out in summary in paras. 5.257 – 5.259. As described there, the Council has applied a

set of parking and design guidance for residential development through SPD since 2010. This has been regarded as a fundamental element of ensuring good place making in new developments as on-street parking is often seen by residents as one of the biggest issues affecting their quality of life and the quality of their environments.

12. This is cited from primary research by Kent Highway Services involving the occupiers of schemes built in the late 2000s and how those occupiers feel about their living environment. This highlighted factors such as inappropriate on-street parking, the general lack of unallocated on-street spaces, the propensity for garages to act as storage areas and the use that rear service/parking areas has on street surveillance, social interaction and security.
13. Whilst the SPD standards reflected either a maximum or actual standard to achieve, policy TRA3 (a) sets minimum parking standards. The Council considers this is appropriate as a means of ensuring that residential schemes properly plan for the expected levels of car parking and car ownership on-plot rather than over relying on on-street solutions that may result in issues of highway safety and adverse effects on the character of a street scene and urban environment. This needs to be coupled with appropriate guidance on the design of on-plot parking to ensure that maximum use may be made of the parking spaces provided. The need for the design and layout guidance contained within the SPD to remain valid is expressed in para. 5.260 of the Submission Plan.
14. With regards to the standards in policies TRA3 (b) and TRA9, it is important to note that the standards are drawn from those employed across Kent from many years in the County Council's SPG4. However, as stated in para. 5.261 of the Submission Plan, local examples in the borough have shown that on occasions, insufficient parking has been provided on site which has resulted in problems in nearby residential locations. By adopted the standards as minima, the Council can ensure that sufficient parking must be provided as part of a scheme to reasonably accommodate any associated operational or non-operational requirements. If proposals were to seek higher levels of car parking, then this would need to be justified on the basis of the highway capacity of the local and

strategic road network being able to accommodate additional car trips, the extent to which alternative more sustainable modes of transport have been employed and whether the quality of the overall design of a scheme would be compromised.

iv) Is it the intention that exceptions to parking standards would only be allowed where required by the Council? Is this approach justified? Would applicants be permitted to make a case for a departure from the standards if the same circumstances applied? If so, should the policy be expressed differently? Should Policy TRA3b also refer to 'minimum' standards for consistency?

15. The intention behind the circumstances set out as 'exceptional' in policy TRA3 a) and b) is to recognise that there will be occasions where bespoke standards may be more appropriate to impose rather than the default standards set out in the policy. It is accepted that the policy may appear to relate only to circumstances where the Council considers a departure from the policy standards is necessary but the intention is not to preclude applicants seeking to make a case too if the same circumstances applied. Para. 5.264 of the Submission Plan acknowledges that the policy will need to be applied flexibly for maximum benefit.

16. Given this, the Council would suggest a minor amendment to the text of the policy so that the relevant section reads as follows:-

"In exceptional cases, ~~the Council may require proposals to~~ may depart from the standards in policies TRA3 (a) or TRA3 (b) if any of the following apply....

With regards to the non-residential parking standards set out in policy TRA3 (b), the supporting text refers to the standards being the 'minimum' (para.5.262). Therefore, for the sake of clarity, the Council would suggest the following amendment to the start of policy TRA3 (b):-

"Proposals for non-residential developments within the Borough shall provide parking facilities to at least the following parking standards:..'

v) Is Policy TRA4 consistent with paragraph 154 of the Framework in that the provision of bus services is not a Council function? How would it be used to react to a development proposal? Is it clear in what circumstances planning obligations would be required and is the approach consistent with legal and national policy requirements?

17. Ashford borough has a well-established bus network provided principally by Stagecoach, together with a number of smaller independent and voluntary operators. The network is centred on the Ashford urban area and consists of high frequency routes serving the suburban areas – including the recent introduction of the “little&often” services, consisting of sprinter minibuses (at Euro 6 standards, and therefore very low emissions) running every few minutes. There are also longer distance services providing connections to many of the villages and neighbouring towns, including Faversham, Maidstone, Canterbury, Hythe and the Romney Marsh. These extensive connections indicate the local value of the bus network in the largest landmass borough in Kent, while the recent change in delivery the “little&often” service has heralded indicates the need to remain flexible to technological and commercial improvements in the delivery of public transport.

18. Although ABC does not directly influence the provision of commercial bus services, the authority works closely with the operators to improve the quality of services and to ensure that the highway network is planned and managed in a way that facilitates the efficient operation of buses. This relationship has been formalised through the Strategic Transport Group, which includes commitments by Stagecoach, Kent County Council and the council to work collectively to improve bus travel and to increase passenger numbers, and the Quality Bus Partnership.

19. A number of services cannot be provided commercially and are classed as socially necessary services that require subsidy from KCC. These primarily consist of school, rural, evening and weekend services, which provide access to education, employment, health care, or essential food shopping. KCC also completed the countywide roll out of the Kent Freedom Pass during 2009. The

County Council now provides free travel on almost all public bus services in Kent Monday to Friday for an annual fee for young people living in the county and in academic years 7 to 11. Stagecoach has extended free travel 24/7 to all pupils upon presentation of their school pass. The County Council also assumed responsibility for the administration and funding of the statutory Kent and Medway Concessionary Travel Scheme for disabled people, their companions and those aged over 60, in April 2011. As the Local Education Authority, KCC also provides free or subsidised home-to-school transport to children who meet the criteria.

20. Policy TRA4 requires applicants to consider the potential for bus patronage as part of their development proposals. This may be in the form of supplementing existing services or setting up additional ones. Where transport assessments are required, the ability to demonstrate whether modal split can be achieved through either existing bus services or improvements to those services will be important in assessing the sustainability of a proposal. The policy seeks liaison with the County Council and bus operators to ensure that any developer contribution will be sensibly applied where it can have the maximum potential benefit and to ensure that the operator will take it into account when planning these services in the future.

21. Policy TRA4 accords with NPPF paragraph 154, responds sustainably to spatial change, and providing a clear indication of how a decision maker should react to a development proposal – namely, that there must be clear evidence that an applicant has considered the potential for bus provision and network enhancement as part of a sustainable transport offer as per PPG (ID: 42-006-20140306). The policy, as written, provides the flexibility for the most appropriate technically and commercially-viable option at the time of application to be proposed, with up-to-date advice from the relevant service provider in the commercial market at the time. It also highlights the importance of early engagement of applicants with the sector.

vi) Is Policy TRA7 consistent with paragraph 32 of the NPPF, particularly in relation to the consideration of impact and mitigation? If the intention is that the effect of development is to be assessed through Transport Assessment or Statements, then would Policy TRA7 be more effective if the provisions and potential outcomes of Policy TRA8 were made clear?

22. Paragraph 32 of the NPPF states that all developments that generate significant amounts of movement should be supported by a Transport Statement or Transport Assessment, which is reflected in the main in Policy TRA8. With regards to Policy TRA7, this seeks to address the twin issues of capacity (congestion) and highway safety which are referred to paragraph 32 of the Framework.

23. In respect of the former, it will usually be necessary for applicants to assess the capacity of the relevant parts of the highway network taking account of appropriate committed schemes over a given modelling period. The basis of the assessment and its outcomes will need to be agreed with the relevant highway authorities.

24. There is no prescribed definition of what would constitute a 'severe' impact on the network in paragraph 32 terms and this would inevitably vary from location to location. Policy TRA7 refers to 'significant traffic delays' and this may result in a 'severe' impact in many circumstances. Similarly, it is conceivable that 'significant traffic delays' in area may lead to a 'severe' impact in another as drivers seek to re-assign their journeys to less suitable routes.

25. In respect of highway safety, policy TRA7 is clear in that proposals must demonstrate that access arrangements will be safe or, in rural areas, this and the amount of traffic to be generated on the rural road network will be safe for both drivers and other users such as cyclists, pedestrians and equestrians. This is entirely consistent with paragraph 32 of the Framework where safe and suitable access "for all people" is the requirement.

26. The policy provides flexibility for applicants, on a case-by-case basis, to propose suitable mitigation to the satisfaction of the Local Planning Authority and the Local Highway Authority – this concession is already allowed in national planning policy. Highway impact is a necessarily technical area, but the policy provides the ability for applicants to liaise with the highway authority over base modelling assumptions and scoping for the assessment of the impact of new development on the local network.

27. While ABC would not object to the cross-referencing of Policy TRA8 within the supporting text relating to TRA7, including an explanation of the provisions and potential outcomes of TRA8, it is important to note that the requirements of TRA8 is a related yet separate matter. Travel Plans, Assessments and Statements are concerned with integrating proposals for sustainable travel into the planning process and would incorporate the points raised in Paragraph 32 (NPPF) alongside a wider set of issues (PPG ID: 42-006-20140306). To this end, therefore, Travel Plans, Assessments and Statements would not focus solely on the road network. In a policy context in which the Local Plan should be read as a whole, and that planning policies should avoid undue repetition (PPG ID: 12-010-20140306), reference to Travel Plans, Assessments and Statements was not included in Policy TRA7 in the Submission version of the Local Plan.