

Bath & North East Somerset Council

MEETING/ DECISION MAKER:	Cllr Tim Ball, Cabinet Member for Planning and Licensing	
MEETING/ DECISION DATE:	On or after 5th January 2023	EXECUTIVE FORWARD PLAN REFERENCE:
		E 3400
TITLE:	Transport & Development Supplementary Planning Document (SPD)	
WARD:	All	
AN OPEN PUBLIC ITEM		
List of attachments to this report: Appendix 1 – Transport & Development Supplementary Planning Document Appendix 2 – Consultation Statement relating to statutory consultation on the Draft SPD		

1 THE ISSUE

- 1.1 Upon its adoption the Local Plan Partial Update (LPPU) will introduce new policies that seek to further encourage and facilitate the shift towards sustainable modes of transport. Primarily to support and supplement the new and updated policies, the Transport and Development Supplementary Planning Document (SPD) has been prepared. The SPD sets out greater detail on these policies that is not appropriate to include in the Local Plan.
- 1.2 Following the recent consultation on the Draft Transport & Development SPD, a number of changes have been made and incorporated into the final version of the SPD proposed for adoption.

2 RECOMMENDATION

The Cabinet Member is asked to agree that:

- 2.1 The Transport & Development SPD (attached as Appendix 1) is adopted; and
- 2.2 The Head of Planning has delegated authority to make any necessary editorial changes, in consultation with the Cabinet Member for Planning and Licensing, prior to the publication of the adoption of the Transport & Development SPD; and
- 2.3 The Head of Planning has delegated authority to remove text in the SPD, which will be superseded on LPPU adoption. The text in question will make clear that where the SPD applies to the LPPU policies ST1-3, ST5, ST7, SCR9, H2, H2a

& LCR6 this will only be applied to planning applications determined on or after the date of the adoption of the LPPU.

3 THE REPORT

Purpose of the Transport & Development SPD

- 3.1 The Transport and Development SPD builds upon policies in the adopted Local Plan and provide more detailed guidance and advice for developers on the application of policies. The document further strengthens the council's focus on sustainable transport, travel choice and reducing car dependency.
- 3.2 The SPD provides clarity for anyone involved in the development process for "what good looks like" to B&NES Council, drawing on Best Practice. The SPD applies to new development and re-developments requiring planning permission.
- 3.3 The SPD covers the following areas;
 - Walking and Cycling
 - Parking
 - Ultra-Low Emission Vehicles
 - Travel Plans

Key policy changes in the Local Plan Partial Update (LPPU)

- 3.4 Once adopted, the LPPU will introduce amended policies on sustainable transport, that seek to further facilitate a shift to more sustainable modes of transport i.e., walking, cycling and public transport. The table below summaries the key changes within the LPPU.

Policy ST1: Promoting Sustainable Travel and Healthy Streets	Requires development to be located where there are, or will be at the time of development, a realistic range of transport opportunities
Policy ST2a: Active Travel Routes	Broadens the requirement that development considers all opportunities to enhance the active travel route network
Policy ST7: Transport Requirements for Managing Development	Relocation of Parking Standards from the Placemaking Plan to the Transport & Development SPD

- 3.5 The LPPU and revisions to the Placemaking Plan (PMP) provide an opportunity to review our approach to Parking Standards. The decision to move the Parking standards from the PMP to a separate SPD provides more agility to control parking levels, and review on a more regular basis as it takes Parking standards out of the Local Plan, significantly reducing the level of process required to revise. Transferring parking standards into a SPD also provides an opportunity to include a greater level of detail and specificity in guidance.
- 3.6 It should be noted that the LPPU policy requirements included in and supplemented by the Transport & Development SPD can only be applied to applications that are determined following adoption of the LPPU. The Council

has received the Inspector's Final Report for the LPPU and the policies (subject to Main Modifications) have been found sound. Adoption of the LPPU is due to be considered by a meeting of full Council in January 2023.

Draft Transport & Development SPD and Consultation

- 3.7 A draft Transport & Development SPD was consulted on for seven weeks between 27th August and 18th October 2021. A consultation statement has been prepared setting out the details of the consultation, a summary of the responses received, and Council comments on each of the key issues raised (Appendix 2).
- 3.8 As a result of consultation, a number of changes were made to the Draft SPD – these are set out below:
- Following comments, the SPD has been reviewed in terms of areas where **Car Club** implementation can reasonably be strengthened. This includes the introduction of standards for provision of, or contribution to, electric Car Club spaces, vehicles and/or memberships.
 - Comments have been made about the clarity of the wording of the **ULEV** vehicle parking standards. As a result, the wording has been reviewed to ensure clarity. This is important as it needs to be clear for the application and understanding of policy for a wide range of people.
 - Some comments requested more clarity on requirements for disabled parking to have access to **ULEV** charging. Changes have been incorporated in the updated SPD.
 - Some consultation responses related to the potential impact of the SPD on disabled people. An Equalities Impact Assessment was prepared for the SPD at an early stage and reviewed with the B&NES Equalities Officer. In response to the comments, a meeting has been held with the Equalities Officer to discuss the feedback. The Equalities Officer has subsequently reviewed the SPD and proposed some minor edits and clarifications to strengthen the document. These have been included in the updated SPD.

4 STATUTORY CONSIDERATIONS

- 4.1 SPDs are a Local Development Document under the Planning and Compulsory Purchase Act 2004 and their preparation is set out in the Town and Country (Local Planning) (England) Regulations 2012.. The revised SPD will be a material consideration in determining planning applications and will acquire the status of a Local Development Document.
- 4.2 Town and Country Planning (Local Planning) (England) Regulations 2012 Regulations 11 to 16 set out the requirements for preparing Supplementary Planning Documents. The Transport and Development SPD has been prepared in accordance with the Regulations and it does not conflict with policies in the adopted Development Plan. Accordingly, both this Single Member Decision Report and the Transport and Development SPD (2022 review) itself make it clear which elements of the SPD apply or come into force upon adoption of the

SPD and those elements which only apply or come into force in respect of applications determined following the adoption of the LPPU.

5 RESOURCE IMPLICATIONS (FINANCE, PROPERTY, PEOPLE)

- 5.1 The preparation of the Transport & Development SPD, including consultation on the draft SPD and consideration of the issues raised, has been undertaken by the Transport Policy and Planning Policy Teams and the costs covered within the existing salary budget and the Council's Transport Planning budget.
- 5.2 Following adoption, the Transport & Development SPD will be implemented within existing staff resources.
- 5.3 The SPD has introduced some additional detail on the way in which policies will be implemented for developers in progressing planning applications and implementing planning permissions. Where these new requirements are to mitigate the impact of the proposed development and will be secured through Planning Obligations (S106 agreements) this is also reflected in the Planning Obligations SPD, as recently reviewed.

6 RISK MANAGEMENT

- 6.1 A risk assessment related to the issue and recommendations has been undertaken, in compliance with the Council's decision making risk management guidance.

7 EQUALITIES

- 7.1 Pursuant to the public sector equality duty, an Equality Impact Assessment (EqIA) has been carried out for the Transport and Development SPD (see background paper), which sets out information on how equalities has been assessed and analysed to create an inclusive SPD. In addition, the Council has considered groups who may be disadvantaged due to socio economic status, or because of living in a rural area, as these are key issues within B&NES. Consultation has taken place with a wide range of Officers and LDF Members, and the EqIA has been reviewed by the Equalities Officer.
- 7.2 The SPD aims to ensure that developments provide reasonable alternatives of travel to car use, thereby reducing car use and its impacts on society. Many impacts of car travel disproportionately affect groups with protected characteristics, who also typically have lower levels of car ownership and usage. Predominantly, this is intended to be achieved by creating and improving sustainable travel choices to provide genuine alternatives to car usage. Where policies may introduce restrictions to car use, appropriate safeguards are provided to ensure access for disabled people can be maintained, e.g. providing sufficient disabled parking. Ensuring mobility for disabled people and other groups is about more than car parking and vehicle access. It includes creating spaces that support movement on foot and by bicycle, enabling access by public transport, and accommodating pushchairs and adapted and assisted mobility devices, e.g. adapted bicycles, mobility scooters. The SPD aims to provide inclusive alternatives to car travel for those who are able to use them, whilst maintaining access for those who need to use a car, including supporting rural communities.

7.3 The SPD also aims to address issues which disproportionately present barriers to use of the transport network to groups with protected characteristics. For example, safety and security of walking and cycling routes disproportionately affect women, and this is addressed through walking and cycling design requirements in the SPD. Segregating cyclists from pedestrians and vehicles will also result in inclusive design for both cyclists and pedestrians, as will ensure that infrastructure meets the needs of those with adapted cycles, assisted mobility devices and pushchairs. For full commentary on EqlA, please refer to the background paper.

8 CLIMATE CHANGE

8.1 One of the main reasons for partially updating the Local Plan is to ensure that the Council's planning policies are amended to contribute better toward achieving carbon neutrality by 2030 in response to the declaration of a Climate Emergency. The Transport and Development SPD supports these objectives by setting out greater detail on facilitating the shift to more sustainable modes of transport.

9 OTHER OPTIONS CONSIDERED

9.1 There is no other legislative mechanism to make SPDs and to not adopt the Transport and Development SPD will leave standing policy absent of detail on the way on which they will be implemented .

9.2 The SPD provides detail on development plan policy requirements and national policy and does not create new or additional policy requirements.

10 CONSULTATION

10.1 The statutory public consultation period under Regulation 12 (b) of the Town and Country Planning (Local Planning) (England) Regulations 2012 was carried out for 6 weeks in August to October 2021. The Council has followed its Statement of Community Involvement. A consultation statement has been prepared setting out the details of the consultation, a summary of the responses received, and Council comments on each of the key issues raised (see Appendix 2).

10.2 The preparation of the SPD was undertaken in consultation with Council Services, particularly with the Transport Policy, Highways and Development Management teams.

10.3 A range of external stakeholders have been consulted on the Draft SPD including Ward Councillors across B&NES, Parish and Town Councils, Local Residents Associations and National Highways.

Contact person	Claire Nimmo, Transport Development & Policy Manager and Richard Daone, Deputy Head of Planning
Background papers	Equality Impact Assessment of SPD SEA Screening Report of SPD

Please contact the report author if you need to access this report in an alternative format	