

Transport Planning Society

TPS submission on the draft National Planning Policy Framework

Background to this submission

This submission is focussed on the transport section of the draft NPPF. We take a positive view and wish to take the opportunity to improve the system. One output from this process is an edited version, based closely on the draft, of the transport section of the draft NPPF, which is set out using tracked changes at the end this submission.

In this, we aim to build on the Government aim of simplifying the system, and seek to remove any ambiguities in the first draft, which, in our experience, would inevitably lead to legal argument and result in the planning process being at least as lengthy as it is today, if not longer. We are also aware that beyond the transport section, the use of phrases such as “where practical” or “where reasonable” weaken the guidance and throw it open to challenge (and thus delay). The guidance is itself less prescriptive than before and such ambiguity is even more inappropriate in the NPPF.

Thus our submission has sought to make minimal changes and mostly removes unnecessary qualifications and clarifies the text. This process does, however, require two essential definitions: the terms “significant” and “sustainable” (although these are for transport alone).

The revised version is, in keeping with Government aims, no longer than the current chapter, including the definitions.

We supply a tracked change version so that the logic of our editing can be better understood as well as a final pdf. The revised chapter is preceded by a further explanation of our thinking in this matter, and a description of how we have engaged with our members. The final point is that our response is an integrated approach for transport. No part of it should be extracted and used as support for an individual element of the original NPPF in transport or elsewhere.

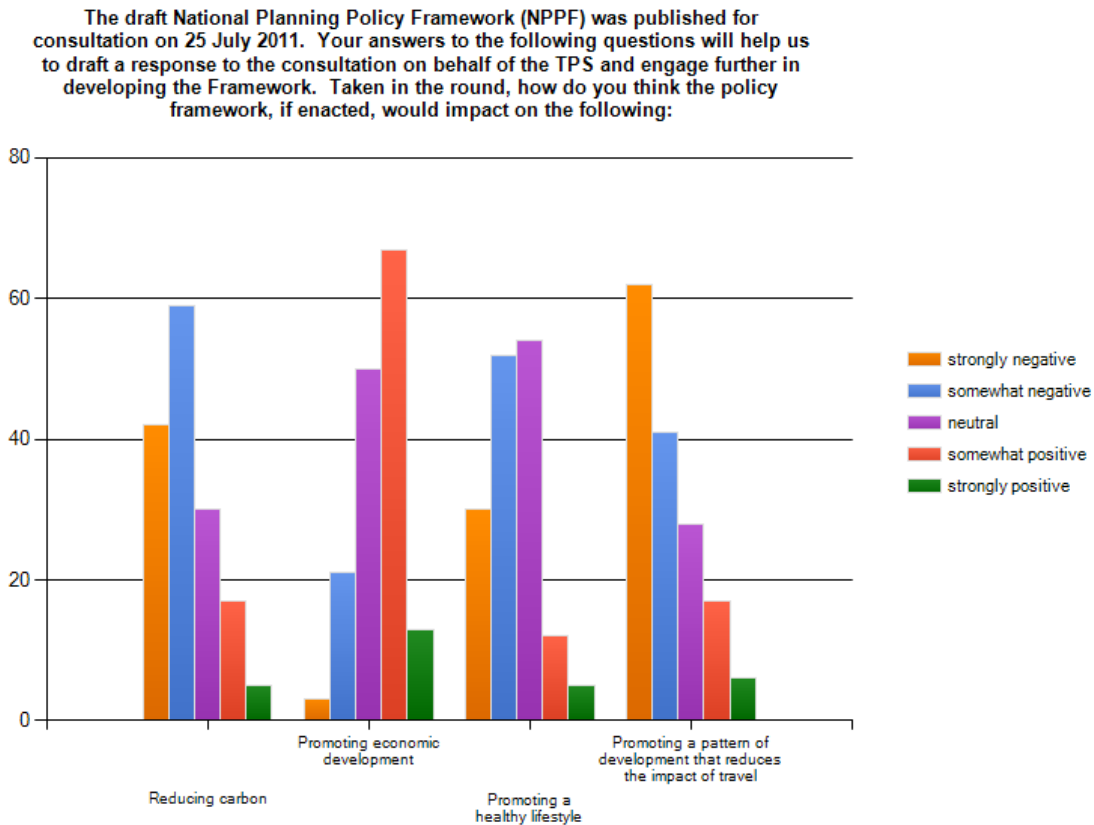
It should be emphasised, however, that we consider the transport section cannot be effective without a proper definition of significant, and sustainable.

Rationale for the TPS proposals

In the spirit of the Government’s desire to simplify the system we have made a series of amendments to the transport section of the NPPF. However, we do make one initial point – much of the delay in the system is caused by giving people a right to be heard. Interestingly, this is now taken up extensively by developers. To speed things up, decisions would have to more definitive, and less appealed. To be fair and transparent, the relative powers of appellants need to be brought more into balance – permission should not be granted as a result of having the most legal and professional resources.

TPS member views

In preparing this submission, the Society has consulted and surveyed its members, and held an event at which a representative of the DfT set out the proposals, with a response by an experienced transport planner and academic. The considered discussion which followed has also informed this submission, and the written material and a full recording are available on the TPS website. A chart showing members' views from a key part of the survey, relating the performance of the NPPF in relation to key Government objectives, is shown below.



Clearly the most serious doubts are over the NPPF's ability to help in the management of travel demand. This is essential if new development is to flourish, without imposing new costs on existing businesses. Carbon reduction is also a key concern, as is the growing need to address the nation's health. On economic growth, there is more support for the NPPF, although a number seem undecided.

In making our suggested amendments we have taken these views into account, particularly on demand management, although making progress on this issue would also create confidence that the issues of carbon and public health are being addressed. It is our conclusion that this approach would support existing businesses, which are as essential to economic growth as new development. This is an example of how transport and land use planning can achieve more than the sum of their parts.

However, before setting out our revised transport section, we wish to make some crucial points of principle arising from this process.

Underlying principles

Our first observation is that transport and land use planning, where it has been successful, has prevented congestion and environmental damage, both locally and in terms of the global threat of climate change. Many individuals and businesses complain about congestion but the way in which transport planning has guided the development of, and managed, our transport systems has saved people and businesses real time and money on a significant scale. Significant needs to be defined (as it should be in the NPPF itself) and in this case the cumulative impact, if the detailed cost benefit analyses undertaken over the last 30 years are anything like correct, is billions of pounds a year.

Thus we would not wish there to be any doubt that transport planning is critical to growth, critical to the environment, and that the cost of not doing it would be very great indeed.

This leads us to a second point, which is that the process of planning (transport or land use) is characterised as slowing up the system. We agree, but only in part, with this analysis. There are two important qualifications to be made about the speed or otherwise of the system.

The first is that an apparent lack of a decision and lengthy appeal is often caused by lack of clarity in the system, and the process of negotiation that takes place. Put simply, the apparent delay is sometimes caused by developers refusing to take no for an answer – they have the resources to hire lawyers to interpret guidance and policy, and indeed transport planners, to refute the local authority's position, and for many local planning authorities the cost of an appeal, and risk of losing, is a deterrent in itself. This includes the use of senior officer time as well as the legal costs.

If the Government is serious about speeding up the process, it must address this attritional approach to obtaining planning permission.

Our second qualification is simply that some decisions actually need to be slower than others.

For example, the re-use of a brownfield site should be easy and fast. A local development framework should have identified such sites, there should be a local plan for developing sustainable transport modes, and managing demand. However, Local Development Frameworks have been slow to come forward, and we consider that the NPPF being put in place as a default will encourage such frameworks to come forward more quickly.

On the other hand an urban fringe or greenfield site may raise many issues which need to be resolved, including the health of an existing town centre, loss of environmental capital, and views of local people.

The reality is that many off centre developments, and most greenfield sites, are popular with developers because they are cheaper to buy, to clear, and to access for construction.

There is thus a strong financial motive for individual developers to avoid brownfield sites, or to redevelop and regenerate existing sites. This is simply because the costs which the development of apparently “easy” sites impose on existing businesses, or on local people, or on the environment, are not represented in their decision. These costs are real – for example existing businesses may decide to relocate or close because of the congestion impact of a badly located newcomer.

These views need to be mediated not polarised (as is the case too often in the current system). This may take time, but may also result in a better (and different) decision. This applies equally to infrastructure projects at a larger scale, and we have, in another submission, suggested a less adversarial way of proceeding to do this in the case of High Speed Rail.

One of the things that transport planners do is to identify and assess the impact of these extensive “external” costs so that they can be taken into account. But this is not as “positive” as the Government wishes the planning system to be. In this sense we agree. It can be far more pro-active, identifying locations where access by sustainable modes is good, or how to make access better, or where co-location or connection of businesses can create a virtuous cycle.

Proposed amendments and the need for transport and land use planning

Within this wider context, the amendments which follow are focussed on transport.

Our final point therefore is that the long held view that transport and land use planning should be undertaken together, rather than in separate boxes, is one that seems to have widespread high level agreement, but a lack of implementation.

Anything that can be done in the guidance to ensure that this finally happens would be welcomed in both disciplines, and would result in the best practice becoming more widespread.

For example, a new para 9 in the Introduction could emphasise this.

“The disposition of land uses has been, and will continue to be, strongly influenced by the availability of transport and communication networks. Planning for these needs to be undertaken together, rather than changing land use first, and leaving transport to be sorted out later - or failing to understand the powerful impact of new transport networks on the desirability or otherwise of areas of land. National and local planning should always be undertaken on this basis.”

TPS
17th October 2011

Transport

Objectives

82. Transport policies have an important role to play in facilitating development but also in contributing to wider sustainability and health objectives. Smarter use of technologies, can reduce the need to travel as can “Smarter Growth” – the location of development where there is high accessibility to rapid transit. The transport system needs to be balanced in favour of sustainable ~~transport~~ modes, giving people a real choice about how they travel. However, the Government recognises that, within clear and measureable progress towards these goals, different policies and measures will be required in different communities and opportunities to maximise sustainable transport solutions will vary from urban to rural areas.
83. ~~E~~Where practical, encouragement should be given to solutions which support reductions in greenhouse gas emissions and reduce congestion. The planning system should therefore support a pattern of development which, ~~where~~ reasonable to do so, facilitates the use of sustainable modes of transport.
84. To this end, the objectives of transport policy are to:
- facilitate economic growth by taking a positive approach to planning for sustainable development, and creating space for growth through traffic stabilisation; and
 - support reductions in greenhouse gas emissions and congestion, and promote accessibility through planning for the location and mix of development.

Facilitate economic growth

85. Local authorities should work with neighbouring authorities and transport providers to develop strategies for the provision of ~~viable~~ infrastructure necessary to support sustainable economic growth, including large scale facilities such as Rail Freight Interchanges, roadside facilities for motorists, coach and goods vehicle users, or transport investment necessary to support strategies for the growth of ports, airports or other major generators of travel demand in their areas. The ~~primary function of roadside facilities for motorists should be to support the~~ safety and welfare of the transport road users and local people should be a primary function of all such infrastructure.
86. All developments that generate significant amounts of movement, as refined in determined by local criteria, should be supported by a Transport Statement or Transport Assessment. Planning policies and decisions should take into account ~~consider~~ whether:
- ~~the opportunities for~~ sustainable transport modes have been taken up depending on the nature and location of the site, used to reduce the need for major transport infrastructure;
 - safe and suitable access to the site can be achieved for all people;

- increased delivery of sustainable development, of homes and businesses has been encouraged; -and

- improvements can be undertaken within the transport network that cost effectively limit the significant impacts of the development. ~~Subject to those considerations, development should not be prevented or refused on transport grounds unless the residual impacts of development are severe, and the need to encourage increased delivery of homes and sustainable economic development should be taken into account.~~

87. When planning for ports, airports and airfields that are not subject to a separate national policy statement, planning policies should ~~consider their growth and role in serving business, leisure, training and emergency service needs. In doing this, planning policies should~~ take account of this Framework as well as the principles set out in the relevant national policy statements and the Government Framework for UK Aviation.

Support reductions in greenhouse gas emissions and congestion

88. Planning policies and decisions should ensure developments that generate significant movement are located where the need to travel will be minimised and the use of sustainable transport modes can be maximised. ~~However this needs to take account of policies set out elsewhere in this Framework, particularly in rural areas.~~

89. Planning strategies should protect and exploit opportunities for the use of sustainable transport modes for the movement of goods or people. Therefore, developments should be located and designed ~~where practical~~ to:

- accommodate the efficient delivery of goods and supplies
- give priority to pedestrian and cycle movements, and have access to high quality public transport facilities
- create safe and secure layouts which minimise conflicts between traffic and cyclists or pedestrians
- incorporate facilities for charging plug-in and other ultra-low emission vehicles; and
- consider the needs of disabled people by all modes of transport.

90. A key tool to facilitate this will be a Travel Plan. All developments which generate significant amounts of movement, as ~~refined determined~~ by local criteria, should be required to provide a Travel Plan.

91. Planning policies should aim for a balance of land uses within their area so that people can be encouraged to minimise journey lengths for employment, shopping, leisure, education and other activities.

92. For larger scale residential developments in particular, planning policies should promote a mix of uses in order to provide opportunities to undertake day-to-day

activities including work on site. ~~Where practical, particularly within large-scale developments,~~ Key facilities such as primary schools and local shops should be located within walking distance of most properties.

93. When setting local standards for residential and non-residential development, local planning authorities should take into account:
- the accessibility of the development
 - the type, mix and use of development
 - local car ownership; and
 - an overall need to reduce the use of high-emission vehicles.
94. 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 for passengers or goods

“Significant movement” means generating more than 10 car trips per peak hour

“Sustainable” in transport terms means having less than the average car driver mode share of the 50% of developments which have a car driver mode share below the National Travel Survey average – “the average of the better half”.