

Kirklees Local Plan Examination

Stage 3 – Policy hearings

MATTERS, ISSUES AND QUESTIONS (MIQs)

Council Response

Matter 19 – Transport policies

- 1.1 This statement sets out the council's responses in relation to the Inspector's matters and issues. All the documents referred to in this statement are referenced within the main body of the statement.
- 1.2 The modifications proposed in this document have been provided to assist with the discussions at the hearings for this matter and have not been subject to sustainability appraisal testing or public consultation. Should it be necessary to make any of the modifications these will be added to the full schedule of modifications to the Local Plan which will be made available for comment and subject to sustainability appraisal at a later stage of the Examination in Public, subject to the delegated powers agreed by the council's Cabinet.

Issue - Does the Plan set out positively prepared policies for supporting sustainable travel and safe access, which are justified, effective and consistent with national policy?

[Policies PLP 20, 21, 22, 23]

- a) **What is the scheme size threshold above which Travel Plans will be required, as set out in Policy PLP 20?**
- 1.3 Policy PLP20 does not specify a scheme size threshold but states 'Travel plans will be required for all major planning applications in accordance with current guidance'.
- 1.4 Current guidance specifically states in para. 36 NPPF 'all developments which generate significant amounts of movement should be required to provide a Travel Plan'. It is the Council's interpretation of this that larger developments (i.e. major planning applications) have the potential to generate significant amounts of movement. There is no specific national guidance on a threshold to be set on developments, para. 009 of NPPG puts the onus on local authorities to be flexible in their approach to judging significant movement by taking into account a range of considerations before determining whether a Travel Plan is required on 'case by case' basis.
- 1.5 The Council is confident that PLP20 maintains this flexible approach for travel plan requirement in accordance and is consistent with national policy.

b) Is section 2 in Policy PLP 21 justified and sufficiently flexible to allow for mitigation or improvements in the highway network? Is the Council's proposed modification SPMM23 necessary to ensure that the policy is sound?

- 1.6 It is considered section 2 in Policy PLP21 sets out the circumstance where a development proposal would not be acceptable.. The modification proposed at SPMM23 is to re-word this element of the policy to read "*New development will normally be permitted where safe and suitable access to the site can be achieved for all people and where the residual cumulative impacts of development are not severe*". The modification proposed seeks to re-word the policy in a positive way and reflects the guidance at NPPF para. 32. It is not necessarily needed to make the plan sound.
- 1.7 Section 3 goes on to read "*Proposals shall demonstrate adequate information and mitigation measures to avoid a detrimental impact on highway safety and the local highway network. Proposals shall also consider any impacts on the Strategic Road Network*". The Council considers this part of the policy provides the flexibility to allow for mitigation and improvements (in) to the highway network if necessary.

c) In what circumstances would be Transport Assessments or Transport Statements be sought, as referred to in Policy PLP 21?

- 1.8 Policy PLP21 does not specify a scheme size threshold but states at criterion c) 'All proposals shall be accompanied by a supporting Transport Assessment or Transport Statement where the development would generate significant trip generation'.
- 1.9 Current guidance specifically states in para. 32 NPPF: "all developments that generate significant amounts of movement should be supported by a Transport Statement or Transport Assessment". It is the Councils interpretation of this that larger developments (i.e. major planning applications) have the potential to generate significant amounts of movement. There is no specific national guidance on a threshold to be set on developments, para. 013 of NPPG puts the onus on local authorities to be flexible in their approach by taking into account a range of considerations before determining whether a Transport Statement or Transport Assessment is required on 'case by case' basis.
- 1.10 The Council is confident that PLP21 maintains this flexible approach for transport statement/assessment requirement in accordance and consistent with national policy.

d) Is criterion g in Policy PLP 21, relating to the provision of on-site electric charging points, justified and deliverable?

- 1.11 The Council has proposed at modification at SPMM23 (SD4) to delete criterion g) of PLP21. The Council considers this element of the policy is a duplication of requirement d v) in PLP24.
- 1.12 NPPF paras. 124 and 35 specifically relate to the need for local plans to comply with air quality action plans and strategies and provide policies that incorporate facilities for charging plug-in and other ultra-low emission vehicles.

- 1.13 The West Yorkshire Low Emissions Strategy 2016-2021 (CR26) which has been adopted throughout all local authorities in West Yorkshire provides a strategic framework to help shape regional and local strategies, policies and plans and demonstrate their commitment to ensure the people of West Yorkshire can continue to enjoy cleaner air over the next five years and for future generations in compliance with the EU Air Quality Directive.
- 1.14 Objective 3 of the strategy specifically relates to the provision of electric charging infrastructure *“We will accelerate the up-take of plug-in electric cars and vans through improved electric vehicle charging infrastructure and the implementation of an Electric Vehicle Strategy”*. The West Yorkshire Low Emission Strategy: Technical Planning Guidance (CR22) provides further clarity on this and how to implement this objective through the planning system. The Council is fulfilling its commitment to the strategy by requiring the provision of charging points within new development schemes.
- 1.15 In addition, the Draft West Yorkshire Transport Strategy (CR8) at Policy 9 (p.33) relates to the provision of a comprehensive electric vehicle charging network.
- 1.16 The Council currently attaches planning conditions to new developments requiring the provision of electric charging points. *“Prior to occupation of the dwelling an electric vehicle recharging point shall be installed. Cable and circuitry ratings shall be of adequate size to ensure a minimum continuous current demand of 16 Amps and a maximum demand of 32Amps. Thereafter the electric vehicle recharging point shall be retained”*
- 1.17 The reason for the condition is *“In the interest of sustainable transport, to accord with Policy PLP 24 of the Publication Draft Local Plan, guidance within the West Yorkshire Low Emissions Strategy and to accord with policy guidance in Chapters 4 and 11 of the National Planning Policy Framework”* The Council has had no challenge to the implementation of this condition to date and considers, therefore that it is deliverable.
- 1.18 The Council recognises the justification for this criterion is lacking within the justification text of PLP24. However, should further clarification be needed the Plan could be modified to include text relating to the West Yorkshire Low Emission Strategy 2016-2021.

e) What car parking standards will apply in new development schemes?

- 1.19 There is no prescribed car parking standards to apply in new development schemes. Policy PLP22 at criterion e) and f) specifically refer to a flexible approach for car parking within new developments dependant on a number of considerations.
- 1.20 This approach is in accordance with NPPF para. 39 and guidance in NPPG para 008 which states *“Maximum parking standards can lead to poor quality development and congested streets, local planning authorities should seek to ensure parking provision is appropriate to the needs of the development and not reduced below a level that could be considered reasonable”*.
- 1.21 The Council has proposed modification SPM24 to provide further clarity which states: *All proposals shall provide full details of the design and levels of proposed parking provision. They should demonstrate how the design and amount of parking proposed is the most efficient use of land within the development as part of encouraging sustainable travel”*