Planning Obligations: Transport Supplementary Planning Guidance Adopted 20th July 2004 The policies which provide the context for this supplementary planning guidance (SPG) are set out within Cheltenham Borough Local Plan Revised Deposit. This is a draft plan which will be considered by an inspector at a public local inquiry during November 2004. Until this plan is formally adopted by the Council following consideration of the inspectors report, this SPG will not have full weight as a material consideration when taken into account in the determination of planning applications. The Council does however consider that SPG is useful in assisting developers in developing proposals and encourages the use of this SPG as guidance until such a time as the local plan is adopted.

Cheltenham Borough Council

SUPPLEMENTARY PLANNING GUIDANCE PLANNING OBLIGATIONS: TRANSPORT

1. INTRODUCTION

- 1.1. The aim of this Supplementary Planning Guidance (SPG) is to provide guidance and rationalise the Council's existing approach to planning obligations, including financial contributions, for highways and transportation.
- 1.2. This SPG sets out the circumstances in which Section 106 Agreements and planning obligations will be required for transport and how features to be included in obligations will be assessed. The policy basis on which obligations are to be sought is also set out.
- 1.3. Obligations may be required for:
 - Access and Local Impact Works (see paragraph 3.1);
 - Corridor Works (see paragraph 3.3);
 - Onsite Works Services and Incentives (see paragraph 3.18).

All obligations will need to meet the tests of circular 1/97, including that they are necessary, relevant to planning, directly related to the proposed development, fairly and reasonably related in scale and kind to the proposed development and reasonable in all other aspects.

- 1.4. SPG can play a valuable role in supplementing local plan policies. Although it does not form part of the local plan, it can be taken into account as a material consideration in the determination of planning applications. It must be consistent with national and regional planning guidance, as well as the adopted local plan. In this case, it must also relate to the aims, objectives and proposals of the Gloucestershire Local Transport Plan.
- 1.5. Where development is accessed off or affects the trunk road the Highways Agency should be consulted as to their requirements.

2. POLICY CONTEXT PPG 13 (TRANSPORT)

- 2.1. There are several sections in PPG 13 that are relevant to this SPG and refer to the circumstances in which planning obligations for transport may be required.
 - Paragraph 74: improvements to public transport can be sought as part of development proposals, in order to reduce the need to travel by car and the level of parking at such sites.
 - Paragraph 76: the needs of pedestrians should be addressed to ensure that walking is promoted as a prime means of access to new development.
 - Paragraph 79: the needs of cyclists should be addressed to ensure that cycling is promoted as a means of access to new development.
 - Paragraph 83: 'the development plan should indicate the likely nature and scope of contributions which will be sought towards transport improvements as part of development in particular areas or on key sites. This will give greater certainty to developers as to what will be expected as part of development proposals and also provide a firmer basis for investment decisions in the plan area'.
 - Paragraph 84: 'Planning obligations may be used to achieve improvements to public transport, walking or cycling where such measures would be likely

to influence travel patterns to the site involved either on their own or as part of a package of measures. Examples might include improvements to a bus service or cycle route which goes near the site, or pedestrian improvements which make it easier and safer to walk to the site from other developments or from public transport.'

- Paragraph 85: planning obligations in relation to transport should be based around securing improved accessibility to sites by all modes, with the emphasis on achieving the greatest degree of access by public transport, walking and cycling.
- Paragraph 89: sets out guidance as to when travel plans should be submitted in support of planning applications.
- 2.2. PPG13 therefore provides a clear framework within which transportation contributions and/or works can be sought in relation to development. It also states that the development plan should set out the likely nature and scope of contributions.

Regional Planning Guidance for the South West (RPG 10)

RPG 10 identifies accessibility criteria that should be used to assess new development. This criteria considers both residential and non-residential development, reflecting the different patterns of travel associated within these two categories (see appendix 1)

Local Plan

- 2.3. This SPG relates to core policies CP 5 Sustainable Transport and CP 8 Provision of Necessary Infrastructure and Facilities of Cheltenham Borough Local Plan Revised Deposit Draft (2004).
- 2.4. Policy CP 5 states:

Development will be permitted only where it is located and designed so as to:

- (a) minimise the need to travel; and
- (b) provide adequate accessibility to the site for vehicles, including public transport, pedestrians, cyclists and people with disabilities; and
- (c) meet travel demands in safe and energy efficient ways; and
- (d) provide a level of parking space that will encourage walking, cycling and public transport and discourage use of the private car; and
- (e) meet Local Transport Plan targets for the proportion of trips to the site by each mode of transport.
- 2.5. Policy CP 8 states:

Development will be permitted only where adequate provision has been made for:

- (a) the infrastructure necessary for the development to proceed; and
- (b) other public services and facilities, the need for which arises directly from the development.

Planning obligations may be sought as a means of securing such provision.

Local Transport Plan

2.6. The Local Transport Plan (LTP), was adopted by Gloucestershire County Council in July 2000, sets out transport policies and programme in Gloucestershire for 2001/2002 to 2005/2006. Cheltenham is part of the Central Severn Vale policy area. In the LTP there are a number of key targets and policies relevant to this SPG:

- HT3 sets out a target for modal shares for journeys to work in the Central Severn Vale. All new development in Cheltenham must aim to better these targets.
- HT4, HT5 and HT6 set out targets for the reduction of road accident casualties.
- HT7 sets out the target to double cycle journeys by the year 2012 using 2002 as a base year.
- CSV 1 states that by 2010 average daily traffic volumes on the Central Severn Vale road network should increase by no more than 10% compared with 1996 levels. CSV2 states that by 2010 average daily traffic across the Cheltenham and Gloucester central area traffic cordons should not increase beyond year 2000 levels.
- T11 and T12 set out targets for increases in the number of Park and Ride sites and also in the number of people using them.
- 2.7. These Local Transport Plan targets are aimed at restricting vehicular traffic growth in Cheltenham and increasing the use of other modes of transport whilst ensuring that the safety of all highway users continues to improve. To be acceptable development must contribute to the achievement of these targets.

3. PLANNING OBLIGATIONS

Access and local impact works

- 3.1. All development, irrespective of its size, must be capable of being accessed safely by vehicles, including public transport; pedestrians, cyclists and people with disabilities. Development proposals will be assessed against RPG 10 accessibility criteria.
- 3.2. To achieve this, the developer may need to carry out and/or fund on and off site works. The type of works secured under this heading may include;
 - New junction / site access works for all modes;
 - Works to cycle, pedestrian and disabled facilities close to the site that provide a route for cyclists, pedestrians and the disabled into the site;
 - Traffic calming close to the site if there is a risk of the development generating unsuitable traffic on residential roads close by;
 - Improvements to existing bus infrastructure facilities.

Corridor works

- 3.3. As more development occurs within and around Cheltenham, there will be increased pressure for travel into, out of and around the town. To meet LTP targets this increased demand for travel must be accommodated whilst the increase in vehicles travelling around Cheltenham's highway network is limited. This will only be achieved by ensuring that there is a shift from car use to more sustainable modes of transport. This will only happen if the alternatives are available, safe, comfortable, convenient, and affordable when compared to the car and have journey times comparable with or quicker than the car.
- 3.4. For development to be accommodated without prejudicing these targets, it should minimise any increase in vehicular traffic by ensuring that those travelling to and from it can do so using more sustainable transport modes than the private car. Development should also contribute towards removing vehicular traffic already on the network to compensate for increases resulting from the development e.g. by contributing towards Park and Ride facilities.

- 3.5. Contributions will therefore be sought in relation to development which adds 20 vehicular trips per day or more to the highway network towards works and/or services within the transport corridor to;
 - 1) ensure that visitors to and occupiers of a site have available to them and are encouraged to use sustainable modes of transport.
 - 2) encourage a modal shift to more sustainable modes of transport within that corridor to ensure that the additional motorised vehicular traffic from the development can be accommodated without an unacceptable increase in congestion, delays to public transport or reduced safety to any road user.
- 3.6. The works the corridor contribution is to fund will be specified for each development to ensure that they pass the tests of Circular 1/97 (see paragraph 1.3).
- 3.7. The works will be schemes required to achieve the objectives of the LTP by improving the quality, safety provision and reliability and ease of use of sustainable modes of transport along that corridor and the safety of all modes of transport.
- 3.8. The development of Park and Ride and the completion of the Northern Relief Road are considered to be vital to encourage alternatives to the private car on all corridors.
- 3.9. The corridor works will be based on strategies included in the Local Transport Plan, but not anticipated to be fully funded through the Capital Programme and works to achieve these strategies may include:
 - bus facilities (bus priority, including necessary junction improvements, improvements to bus stops, the provision of real time information);
 - funding of bus services;
 - park and ride (facilities and /or services);
 - cycle facilities;
 - pedestrian facilities:
 - disabled facilities:
 - traffic management (e.g. provision of variable message or other signing, traffic calming and speed management, traffic regulation orders);
 - completion of the Northern Relief Road.
- 3.10. Development within the town centre may be required to contribute to a wider range of works reflecting the different issues, which relate to movement in the town centre. These may include:
 - bus facilities (bus priority, including necessary junction improvements, improvements to bus stops, provision of real time information);
 - park and ride;
 - cycle facilities;
 - pedestrian facilities;
 - disabled facilities;
 - traffic management (e.g. provision of variable message or other signing, traffic calming and speed management, traffic regulation orders);
 - completion of the Northern Relief Road;
 - Shopmobility;
 - Closed circuit television;
 - Pedestrianisation.

3.11. The corridor contribution is calculated by multiplying the contribution rate per vehicular trip by the maximum number of vehicular trips per day and then applying a discount depending on the location of the site and the existing level of public transport accessibility, i.e,

Corridor contribution = contribution per trip x no of motorised vehicular trips per day x trip discount (where applicable)

- 3.12. The contribution rate per trip will be reassessed as appropriate (no more than annually) to take account of any changes to the cost of schemes in the LTP and the annual settlement for the capital programme. It will be indexed up quarterly in line with the Road Construction Tender Price Index, published by the DTI.
- 3.13. It is calculated by assessing the difference between the estimated cost of a package of works required over the next 5 years to meet LTP targets in Cheltenham and the amount of funding it is anticipated will be provided through the Local Transport Plan over the next 5 years.
- 3.14. An assessment is then made of the number of additional daily trips generated by anticipated development (i.e. that which is required to meet structure plan requirements for housing and in part for employment) over the next 5 years. Division of the cost of works to be funded by development by the daily trips gives a maximum figure for the contribution rate per additional daily trip, i.e.

Contribution rate per trip = (estimated cost of works to meet LTP targets - likely funding through LTP) / estimated vehicular trips generated by development during LTP period.

- 3.15. Windfall development i.e. development not specifically provided for in the Local Plan still has an impact and contributions will be sought at the same rate per trip.
- 3.16. The corridor contribution as calculated above gives a guide as to the level of contribution the Local Planning Authority and Local Highway Authority will seek to address the impact of the development on the wider transport network within Cheltenham.
- 3.17. The current contribution rate per trip, together with calculations of contribution levels for various uses is set out in Appendix 2. These trip rates will be used to calculate corridor contributions except where other evidence clearly shows a different figure should be used (see paragraph 3.18)
- 3.18. For major development which falls into the following categories corridor works will be negotiated in conjunction with the County Council on a site by site basis:
 - Residential developments in excess of 200 units.
 - Business (B1 and B2) gross floor area in excess of 5000 sq m.
 - Warehousing (B8) gross floor area in excess of 10,000 sq m.
 - Retail gross floor area in excess of 1000 sq m.

Onsite works, services or incentives

- 3.19. On site works services or incentives required to encourage occupants of residential development to use more sustainable modes of transport to access local services may also be sought by planning condition and/or as part of a Section 106 Agreement.
- 3.20. Measures to encourage visitors, employees and customers of non residential development to travel by a means other than the private car may also be sought as

part of a section 106.

- The type of works secured under this heading may include;
 - on site cycle, pedestrian, disabled and public transport facilities;
 - travel plans (for employment/retail/educational developments, which may include things such as car sharing, free bus basses, interest free loans for cycle/ bus pass purchase, lockers showers, provision of travel information, car park charging amongst other things);
 - provision of cycles and free bus passes (in residential development).

4. TRANSPORT AND ACCESSIBILITY ASSESSMENT

- 4.1. Where development would result in local increases in traffic that are considered to be material by the local planning authority, the developer will be required to assess the impact of those increases on the local network. As a general rule an increase of 5% on any part of the highway network, or an increase of 1% on the main highway network will be considered to be material. Advice as to what should be considered material on the Trunk Road should be obtained from the Highways Agency.
- 4.2. Any increase in traffic may be considered to be material where congestion or accidents occur or where there is particular concern in relation to vulnerable road users (e.g. close to a school). On the main highway network assessment is likely to include junction analysis.
- 4.3. Where the assessment of the impact of the development indicates that the increase in traffic from the development is likely to result in:
 - increased delays to public transport; or
 - a deterioration in the ease of use or safety of the highway network for pedestrians, cyclists, *disabled* or public transport users; or
 - a reduction in safety for car and other vehicle users; or
 - an increase in congestion in an area where air quality is or may become a concern; or
 - the potential for an increase in the amount of traffic using unsuitable roads (e.g. residential streets)

The developer will be required to identify measures to address these impacts.

- 4.4. The developer will also be required to assess whether or not there are local weaknesses in the pedestrian or cycle or public transport links into the site, and to propose how any identified weaknesses will be addressed.
- 4.5. An accessibility assessment will be required for all significant development (i.e. development that will result in 200 trips per day or more, The assessment should be carried out in accordance with the Transport Accessibility Criteria set out in RPG 10 (see appendix 1). Cheltenham should be classed as a principal urban area.
- 4.6. In carrying out the accessibility assessment, it can be assumed that bus services that are commercially run will continue to do so. In the case of bus services that are currently subsidised by the Highway Authority or any other organisation (i.e. not commercially run), the situation in relation to the particular service will have to be considered. If it is clear that funding will continue to be available to provide the level of service that the development relies upon for 5 years following completion of the development, then this service can be assumed to continue. If however this is not the case then this should be identified.

- 4.7. It is intended that all new development within Cheltenham should achieve the accessibility criteria in RPG 10.
- 4.8. If the assessment indicates that the proposed development does not meet the required accessibility criteria, the developer will be required to identify measures required to achieve adequate accessibility
- 4.9. In relation to significant employment development (more than 200 trips per day), the developer will also need to identify how the modal split targets set out in Headline Target 3 of the Local Transport Plan will be achieved, and the implementation of a Travel Plan will be required (see supplementary planning guidance Travel Plans(2003).
- 4.10. For significant development (more than 200 trips per day) comprising shopping or leisure, a sustainable modal split target for customers and employees should be defined and a Travel Plan implemented to achieve this.
- 4.11. Any applications to increase the floor area of an educational establishment by either 10% of its existing floor area or 1000m², whichever is the lower, will require the implementation of a Travel Plan.
- 4.12. Applications to increase car parking at existing employment sites, schools, colleges, health centres or retail sites will require a statement to demonstrate that there is a highway safety need for additional parking and to show how modes of transport other than the car are being actively encouraged.
- 4.13. In cases where the Local Planning Authority is minded to permit such applications and the level of car parking is being increased significantly (either by 25 spaces or 20% whichever is the lower), the Local Planning Authority will require the implementation of a Travel Plan. The LPA may also seek funding for offsite works that encourage alternative forms of transport as with other development.

5. FURTHER INFORMATION

Relevant legislation

- Town and Country Planning Act 1990
- Disability Discrimination Act 1995

Guidance

- PPG 13 Transport, DETR (2001)
- Regional Planning Guidance for the South West, Government Office for the South West (2001)
- Cheltenham Borough Local Plan Second Review Revised Deposit Draft, Cheltenham Borough Council (2004)
- Gloucestershire Local Transport Plan, Gloucestershire County Council (2000)
- Cheltenham Transport Plan, Cheltenham Borough Council (2000)

Useful websites

- www.cheltenham.gov.uk
- www.planning.odpm.gov.uk
- www.gosw.gov.uk

6. CONTACTS

The following officers of Cheltenham Borough Council will be able to offer further advice on the issues set out in this guidance:

Engineering Development Manager 01242 774986 Strategic Land Use Officer 01242 264382 **Development Control Manager** 01242 264168

APPENDIX 1

Regional Planning Guidance for the South West may be viewed via the Government Office for the South West website, www.gosw.gov.uk

Transport Accessibility Criteria

This section sets out criteria for accessibility that should be used to assess new development. These can also indicate where improvements are likely to be needed to the accessibility of existing development. There are separate criteria for residential and non-residential development, reflecting the different patterns of travel associated with these two categories.

These are minimum criteria, applying across the South West region as a whole. Local authorities are encouraged to set tighter standards where these would be appropriate. The national policy context for developing transport accessibility criteria is still developing and the target distances for accessibility criteria have not been rigorously tested at the local level. The criteria set out below should therefore be considered as interim guidance. The early review of the Regional Transport Strategy to take account of the results of transport studies, should review the accessibility criteria set out below in the light of local experience and emerging national policy.

Interim Transport Accessibility Criteria

Residential Development

Residential development should be proposed within walking distance of a food shop and a primary school.

Major residential development should be within walking distance, or should have access by public transport*, to employment, convenience and comparison shopping, secondary and tertiary education, primary and secondary health care, leisure and other essential facilities.

In most cases this will involve public transport services to and from the centre of a PUA, Other Urban Area and/or to other key facilities where these are located outside the town centre(s).

Provision should also be made for cycling between the development and the nonresidential facilities referred to, where these lie within 4 Km of the development.

See tables below for definitions of walking distances and public transport access.

Non-residential development

All major non-residential development should be accessible within walking distance* and/or by public transport* to a majority of its potential users.

Provision should also be made for cycling between the development and its catchment area, where this lies within 4 km of the development.

*See tables below for definitions of reasonable walking distances and adequate public transport access.

Table 1: Desirable Maximum Walking Distance (Interim Criteria)

For residential developments, this table defines the maximum distances within which facilities are considered to be within reasonable walking distance of the development. For non-residential developments, it defines the pedestrian catchment area of the development.

Facility	Target Distance	Maximum Distance
Food shop, primary school	300m	600m
Other non-residential facilities	600m	1000m
Bus stop	200m	400m
Bus station	-	600m
Railway station	-	800m

Table 1: Notes:

- The Target distance is the maximum desirable distance that people should be expected to walk and should usually apply as a maximum in PUAs and other significant towns.
- The maximum distance should apply throughout the rest of the region, but only exceptionally in PUAs and other significant towns.
- Steep gradients will effectively reduce these distances.
- · All walking routes must be safe, i.e. provided with footways and crossing facilities where necessary and lit at night.
- Footpaths should be designed to ensure natural surveillance from adjacent property.

Table 2: Maximum Public Transport and Car Travel Times

For **residential developments**, this table defines the maximum travel times within which facilities are considered to be adequately accessible by public transport from the development. The user should refer to the "public transport" column corresponding to the area where the development is located and ignore the "car" columns.

For **non-residential developments**, the table defines the relative catchment areas of the development by public transport (PT) and car. The user should refer to the "PT" and "car" columns corresponding to the area where the development is located in order to assess the relative accessibility of the site

Travel Time (minutes)								
	PUAs/urban areas* Other areas							
	PT	Car	PT	Car				
Shopping and education	25	15	45	30				
Other non-residential facilities	30 20 60 40							

Table 2: Notes:

Table 3: Interim Criteria for Adequate Public Transport

- Public transport service should be accessible within walking distance from both journey origin and destination and provide a frequency of service and hours of operation suitable for the journey purpose.
- Public transport services must operate during all the hours that the non-residential facility is open to users, including staff working hours.
- The frequency of public transport services should correspond to existing best practice in the area where the development is located, subject to minimum frequencies as follows:

Table 3: Ideal Frequencies To Ensure Maximum Accessibility By Public Transport (Interim Criteria)

	PUAs	Other Urban Areas	Other areas
Mon – Sat 0700 – 1900	15 minutes	30 minutes	60 minutes
Evenings and Sundays	30 minutes	60 minutes	120 minutes

Car Parking and Accessibility: Definitions Used

In the context of parking and accessibility the following descriptions have been used

PUAs Principal Urban Areas

Major development As defined in PPG13 as those requiring transport assessments, or residential sites in excess of 100 dwellings

Relative Accessibility The proportion of potential users who have a choice of mode to travel to the development site relative to the total potential users within the car based catchment,

Modal Split The proportion of travel by alternative modes

Transport Assessments The assessment of traffic and travel implications of the proposed

development

[•] Public transport times include walking to bus stop / station, transport time (including any interchange) and walking from the bus stop / station.

[•] Desirable maximum walking distances to and from bus stops and bus and railway stations are shown in Table 1 above.

APPENDIX 2

Calculations correct at 20 July 2004. To be updated annually CONTRIBUTION TO CORRIDOR WORKS PER ADDITIONAL DAILY VEHICULAR TRIP

£233

CONTRIBUTION LEVELS FOR DEVELOPMENT TYPE AND SIZE

RETAIL	Day	In	Out	total daily trip rate per 100m2 or dwelling	Contribution rate per trip	contribution rate per100m2 or per dwelling	contribution rate1000m2 or per10 dwellings	contribution rate per per 5000m2 or per 50 dwellings
smaller food stores < 2500m2	Saturday	84.63	84.43	169	233	£39,391	£393,910	£1,969,549
food superstores 2500m2 to 10000m2	Saturday	100.05	101.19	201	233	£46,889	£468,889	£2 ,344 ,446
DIY superstores with garden centres (311 Om2 to 12000m2)	Saturday	33.79	33.8	68	233	£15,748	£157,485	£787,424
retail parks with PFS - including food	Saturday	47.06	47.54	95	233	£22,042	£220,418	£1,102,090
retail parks with PFS - excluding food	Saturday	20.76	30.43	51	233	£11,927	£119,273	£596,364
retail parks without PFS - including food	Saturday	47.91	48.17	96	233	£22,387	£223,866	£1,119,332
retail parks without PFS - excluding food	Saturday	25	25.12	50	233	£11,678	£116,780	£583,898

EMPLOYMENT								
Offices use class B1- up to 10,000m2	weekday	9.1	9.33	18	233	£4,294	£42,942	£214,710
Offices B1 > 10,000m2	weekday	5.44	5.35	11	233	£2,514	£25,141	£125,704
Business Parks B1 up to 10,000m2	weekday	6.63	6.44	13	233	£3,045	£30,453	£152,266
Business Parks B1> 20,000m2	weekday	6.2	6.16	12	233	£2,880	£28,799	£143,994
Industrial Estates B2 up to 12,000m2	weekday	6.39	6.42	13	233	£2,985	£29,847	£149,237
Industrial Estates B2 >20,000m2	weekday	4.98	5.01	10	233	£2,328	£23,277	£116,384
Warehousing up to 6000m2 - primarily storage	weekday	0.85	0.86	2	233	£398	£3,984	£19,922
Warehousing up to 50,000m2 - primarily distribution	weekday	2.65	2.68	5	233	£1,242	£12,419	£62,095

RESIDENTIAL								
housing privately owned	weekday	3.83	3.85	8	233	£1,789	£17,894	£89,472

TRIP DISCOUNTS

Residential Development	
Within the town centre	60%
Within 200m walk distance of a bus stop with a 15 minute service to Cheltenham town centre during weekday days	25%
Within 400m walk distance of the town centre (primary shopping areas)	25%
Within 200m walk distance of local shopping centre or food supermarket	25%
Within 400m walk distance of a bus stop with a 15 minute service to Cheltenham town centre during weekday days	10%
Within 400m walk distance of a local shopping centre or supermarket	10%
Within 200m walk of the station	5%

Retail / Employment	
Within the town centre	60%
Within 200m walk distance of a bus stop with a 15 minute service during weekday days serving the residential catchment	25%
Within 400 m walk distance of a bus stop with a 15 minute service during weekdays serving the residential catchment	10%
Implementation of a travel plan	to be determined in
	each case

Notes;

- A maximum of two trip discounts can be added except within the town centre where the maximum trip discount is 60%
- 2. The trip rates to be used to calculate contributions for each development will be those specified above unless the developer can demonstrate that a different figure should be used
- 3. The trip rates to be used to assess traffic impact will need to be determined for each site, the above trip rates are a guide only in this respect.
- The walk distance must be measured along a route where there is an adequate footway width, appropriate crossing facilities (dropped kerbs signalised facilities as appropriate) and lighting.
- 5. Trip rates are based on Halcrows report dated April 2003, 'Trip Rate Summary Applicable for Developments in Gloucestershire'.
- 6. The Corridor contribution per vehicular trip will be reassessed as appropriate (no more than annually) to take account of any changes to the cost of schemes in the L TP and the annual settlement for the capital programme. It will be indexed up quarterly in line with the Road Construction Tender Price index.
- Trip rates and trip discounts for development not covered in the list above will be agreed on a site by site basis.