

2 Delivering a Travel Plan through the Planning Process

2.1 The role of Local Authorities in Somerset

This section sets out the respective responsibilities and roles of different authorities in Somerset.

Local government in Somerset follows a two-tier structure, with planning responsibilities largely lying with District Councils (LPAs) and highways and transport responsibilities with the County Council (Local Highways Authority, or LHA).

Aside from national scale infrastructure projects, Planning Applications must be submitted through the LPAs; in Somerset these are:

- Exmoor National Park Authority
- Mendip District Council
- Sedgemoor District Council
- South Somerset District Council
- Taunton Deane Borough Council
- West Somerset District Council
- Somerset County Council (only for County matters such as schools, major road schemes, Park and Ride sites, and minerals and waste applications)

Consulting with Somerset County Council on planning applications

Somerset County Council, acting as as the Local Highways Authority (LHA), is a statutory consultee⁽¹⁵⁾ on all planning applications with highway considerations, including taking responsibility for access and travel planning matters. The LPA liaises with the LHA's Highways Development Control (HDC) team, who assess the impact of the proposed development on the highway network and feed this information back to the LPA.

As part of the LHA's highways role, Somerset County Council assesses and coordinates the implementation of travel plans prepared as part of planning applications, on behalf of LPAs. This coordinating function is fulfilled by the LHA's Travel Plan Co-ordinator (SCC TPC). The LPA, after considering advice and representations from all parties, determines planning applications, which includes deciding whether to secure the travel plan and its elements in any legal agreement (see section 5 on securing travel plans) or by setting travel plan conditions.

15 The LHA's Highways Development Control function is provided for under the General Development Planning Order which requires local planning authorities to consult the LHA, as the highway authority, as a statutory consultee on all planning applications with 'highway considerations'.

An outline of the respective roles of the LPA, HDC team and SCC TPC is provided in Table 2.1 (current at November 2011). An ideal process to be followed by all parties is given in Figure 2.1. Developments below the thresholds set out in Table 1.2 may contain measures to encourage sustainable travel, but will not usually have the direct involvement of the SCC TPC.

LPA	HDC	SCC TPC	Developer and occupiers	Others
Project manage application	Agree physical infrastructure measures with developer	Provide advice to HDC, developer and LPAs on packaging physical infrastructure measures with smarter choice measures into an integrated travel strategy	Prepare travel plan	Transport Assessment Analysts
Decide on planning permissions	Provide formal detailed advice to LPA on all highway and transport aspects of the application	Review and recommend the approval of the travel plan	Implement travel plan	Estates Roads Designers
Discharge conditions related to the travel plan	Recommend enforcement action in the event of breach of obligations	Receive and review monitoring reports concerned with the travel plan (over min. 5 year period)	Appoint a travel planner	Landscape Officers
Adopt SPD for travel plans		Advise LPA on the discharging of conditions or any breaches in planning obligations	Market travel plan	Legal Services
Develop policies in Local Development Frameworks for travel plans			Monitor and report progress on travel plan	Highways Agency
			Maintain long-term arrangements for travel plan	Safety and Technical Audit teams
				Police/ architectural liaison officers
				Code Assessors
				Public Rights of Way officers
				Heritage and landscape officers

		Develop guidance on travel plans for LPAs to adopt as SPD		Environment Agency
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Table 2.1 Role of local authorities and other parties in the preparation and implementation of travel plans associated with planning applications

Consulting with the Highways Agency on planning applications

If the development is likely to have an impact on the Strategic Road Network (or SRN, i.e. motorways and trunk roads⁽¹⁶⁾), the Highways Agency (HA) is also consulted on the planning application and associated travel plan. The HA has the power to direct consideration of the planning application and impose conditions which the LPA and LHA must accept if planning permission is granted (further information on the role if the HA is given below).

16 The Trunk Road Network, is a system of strategic routes of national importance that caters for the through movement of long distance traffic. The network includes motorways (“M”) and all-purpose (“A”) roads managed by the Highways Agency (M5, A36, A303). The Trunk Road Network does not includes A roads managed by Somerset County Council.

The LHA works together with the HA to provide comments on developments with travel plans. Further explanations of the HA's specific requirements are provided as follows.

Planning Policy:

The Highways Agency (HA) has a clear policy to promote travel plans as an integral part of managing the capacity of the trunk road network (Circular 02/2007). As an alternative to building additional highway infrastructure to accommodate traffic growth, the HA is instead seeking to reduce demand from developments (and their surrounding areas) with a combination of measures to promote sustainable access to sites. They will only allow developments which do not adversely affect trunk road traffic flows and look at these effects 10 years after. The Agency's approach to promoting Travel Plans supports the Department of Transport's (DfT) overall environment and climate change objectives.

For developments that could significantly impact on the trunk road network, representatives of the Highways Agency should be consulted throughout the process from the earliest stage. The current Highways Agency policy is to manage further traffic growth on its highway network by exploiting fully the opportunities provided by travel plans.

The Highways Agency would expect a travel plan to be submitted with a planning application and include:

- the identification of targets based on transport assessment
- the methods to be employed to meet these targets
- detailed travel plan management arrangements including identification of travel plan co-ordinator
- the mechanisms for monitoring and review, taking into account phasing of the development
- the mechanisms for reporting
- the remedial actions in the event that targets are not met
- the mechanisms for mitigation
- implementation of the Travel Plan to an agreed timescale or timetable and its operation thereafter, including actions on how it is to be managed
- where appropriate, financial provision for implementation and remedial measures

The Highways Agency's approach to travel plans is focused on outcomes. All plans are tested against their ability to deliver no deterioration in traffic conditions on the trunk road network 10 years after the application is approved. This approach is set out in Circular Roads 2/2007.

It is essential that travel plans are rigorously monitored in order that an understanding of the effectiveness of the plan can be gained. This is useful to understand what changes have occurred over the period and also informs the LHA and Highways Agency to understand whether travel plan obligations or conditions are being met.

The acceptability of the Travel Plan will need to be agreed in writing by the Local Planning Authority and Local Highway Authority (in consultation with the HA on behalf of the Secretary of State for Transport), in advance of commencement or occupation of the development.

2.2 Preparation of Travel Plans

Pre-application discussions

Once the need for a travel plan has been established, developers should contact the LHA's HDC team and SCC TPC (and the HA, where applicable) in advance of submitting the planning application to discuss the requirements of the travel plan (see Table 2 and section 3).

For Measures-only Travel Statements (MoTSs), a face-to-face meeting may not be required, but for larger applications (above the Full Travel Plan thresholds), an initial discussion should be seen as essential to agree the scope of the travel plan. This should be done alongside the scoping of the Transport Assessment (TA) and other highways matters.

Matters to be discussed at the pre-application stage:

- work to be done in advance of travel plan submission (for example, site audits and traffic counts for all modes of travel)
- the content of the travel plan, i.e. types of measures to be included in the travel plan
- outcomes sought
- draft terms for any legal agreement
- the mechanism to be used to secure the adoption and implementation of the travel plan

Developers need to be familiar with travel plan requirements in Somerset prior to embarking on the preparation of their travel plan. This particularly applies to the design and inclusion of physical measures (see Section 4).

Pre-application discussions allow time between the submission and determination of the planning permission to formally agree the travel plan document and Heads of Terms. Contacting the HA in advance could minimise the need for it to use its powers of direction later on in the process.

TVS 2

For relevant developments requiring a travel plan, the document should be submitted with the planning application and have been informed by pre-application discussions and technical feedback from the Local Highway Authority (LHA). Travel plans must show integration with the transport assessment, design and access statement, environmental statement and the proposed layout of the development.

Registering travel plans

Developers are required to submit details of their travel plan upfront and developers must register new developments on www.iontravel.co.uk when requested by the LHA. LHA approval is only given to travel plans following agreement of the travel plan document, and the entering of actions and targets onto iOnTRAVEL. iOnTRAVEL is the LHA's online travel plan submission and monitoring system to record the ongoing operation of their travel plan over several years (see section 6). Throughout the development of the travel plan, the LHA TPC will provide feedback and advice to the developer to enable the plan to be operated effectively – see section 2.3 below.

TVS 3

Once travel plans are agreed and prior to their full approval by the LHA, applicants must enter the details of their travel plan onto iOnTRAVEL to enable the ongoing management and supervision of travel plans by the LHA.

TVS 4

To enable the LHA to monitor the progress of Full Travel Plans or Travel Plan Statements over the life of the development, applicants are required to pay a Travel Plan Fee where an appropriate legal agreement is being used to secure highways and/or travel plan measures according to a published schedule negotiated as part of the development process once planning permission has been granted.

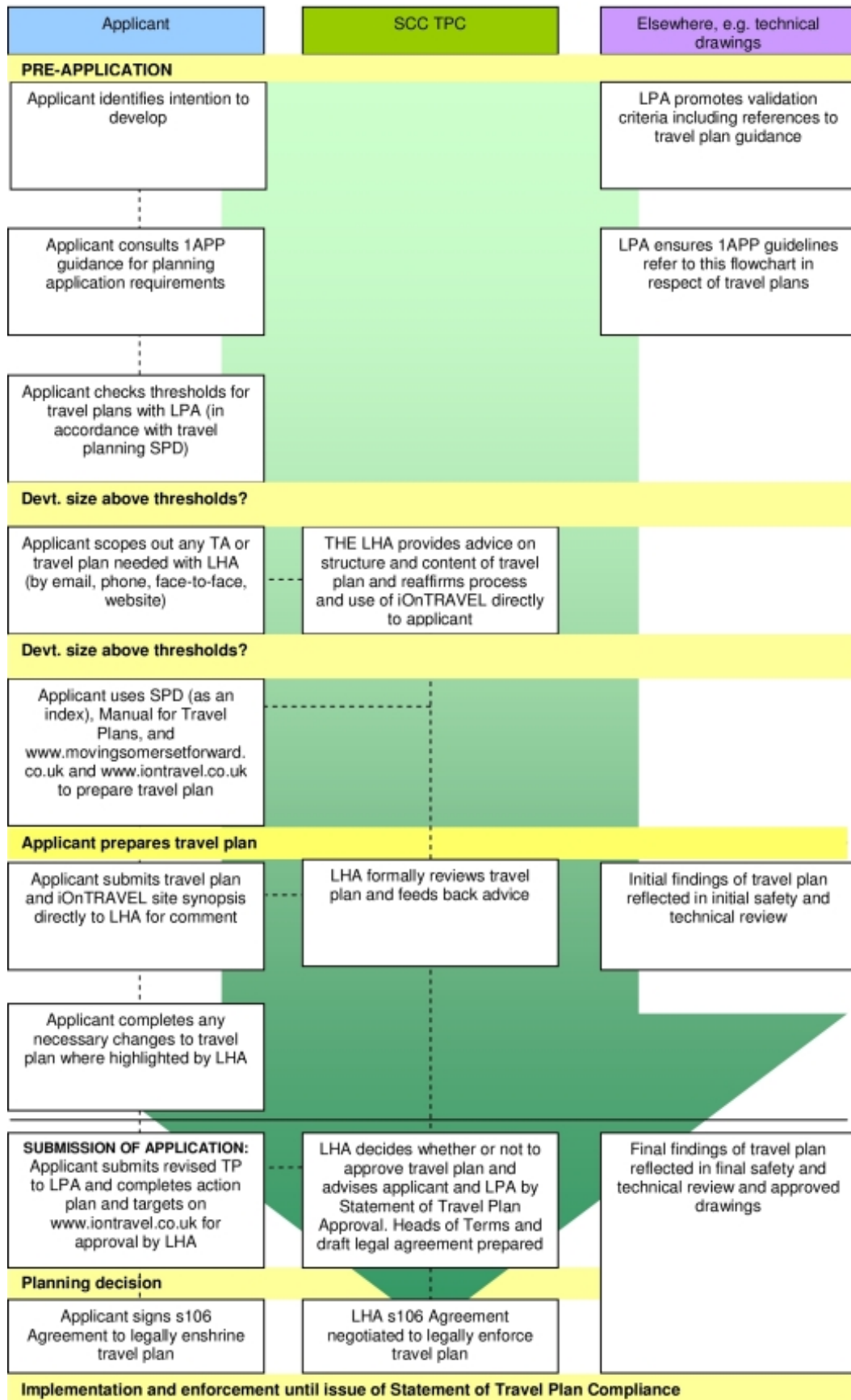


Figure 2.1 Summary of the process of preparation of a travel plan

2.3 Gaining approval of Travel Plans as part of the planning application

The SCC TPC assesses travel plans against guidance detailed in Somerset County Council's advice⁽¹⁷⁾, in the context of the site location and local transport conditions, with the ultimate aim of achieving the lowest practicable level of car use.

It is not acceptable to defer the agreement of the main components of the travel plan past the timescales and stages set out in Figure 2.1 as they must be included in legal agreements and site drawings.

TVS 5

Full travel plans must demonstrably cover three topic areas:

1. A Site Audit Report giving information about the existing range of travel opportunities to and through a development site by all modes of travel
2. An Action Plan of new initiatives to improve travel options for staff, customers and visitors
3. A Monitoring Strategy providing a methodology and schedule for monitoring travel to and from a development site by all modes of travel including sets of approved modal share targets

If the travel plan has not reached a sufficient standard by the end of the formal consultation period on the planning application, the HDC team may recommend refusal of the application to the LPA. It is ultimately a matter for the LPA to decide whether the principle of development outweighs transport policies that seek to reduce reliance on the private car and ensure equality of access by alternative modes of transport. PPG13 states that,

“The weight to be given to a travel plan in a planning decision will be influenced by the extent to which it materially affects the acceptability of the development proposed.”

Conversely, if the travel plan is sufficiently robust, the LHA may consider that the traffic mitigation measures proposed in the travel plan allow development to go forward that might otherwise be rejected on highways grounds. In these cases, the HDC team may consider not objecting to the LPA regarding the planning application.

17 Including Manual for Travel Plans, available via www.movingsomersetforward.co.uk/new-developments. Both this guidance and Manual for Travel Plans (MfTPs) have been informed by Government guidance on travel planning and best practice elsewhere in the country (see Acknowledgements and References).

Refusing an application

Should an application be refused on the basis of a travel plan, developers have the right to appeal against a refusal through a written representation, informal hearing or public enquiry.

Reasons for refusal on the basis of a travel plan might include but are not limited to:

- Travel plan not complying to the definition and content (including scope, timing and detail of measures) of a travel plan as specified by this formal guidance and providing insufficient detail to make a full assessment of the traffic impacts of the proposal
- Oversupply of car parking spaces against modal share targets or Countywide Parking Standards
- Lack of accessibility by alternative forms of transport – walking, cycling, or public transport
- Lack of potential for modal shift and lack of scope for an effective travel plan given the size of the development, fostering growth in the need to travel contrary to advice given in PPG13 or any subsequent policy framework
- Content of travel plan otherwise insufficient to deliver outcomes to address adverse highway impacts

Relevant policy documents are listed in Table 1.1.

2.4 Travel Plan Fees

The LHA requires applicants/developers to commit to a long-term management framework and monitoring strategy for their travel plans in order to achieve sustainable and lasting results. A successful travel plan must be a long-term management strategy that is constantly monitored, updated and its performance reviewed. This is a unique selling point of travel plans.

“The plan continues for the life of the development and requires commitment from occupiers and partners. It is not simply a means of securing planning permission.” (DfT/DCLG, 2009)

To enable the ongoing auditing and supervision of operational travel plans, a standard set of fees are applied to travel plans secured through the planning process. Fees are payable to the LHA through legal agreement and cover non-statutory (discretionary) services provided⁽¹⁸⁾. The current level of fee is available from a published schedule at www.movingsomersetforward.co.uk.

18 Further information on local authorities’ ability to use fees is available in guidance, with p113 of the DfT/DCLG’s recent guidelines on Delivering Travel Plans through the Planning Process being a good starting point. Section 93 Local Government Act 2003 gives the power to for local authorities to charge for discretionary services. Section 93 of the Local Government Act 2003 provides the power to charge for discretionary services. These are services that an authority has the power, but not a duty, to provide.

The Travel Plan Fee is required to be paid following the granting of planning permission for outline, hybrid, and full and reserved matters applications. The Travel Plan Fee is linked to the size of development, and applied at two levels, with the threshold between the upper and lower fee determined by the Department for Transport's (DfT) travel plan thresholds published in the Guidance on Transport Assessment (2007). Table 2 gives an index of fees by size of development.

In the event of any dispute over payment of the fee, the LHA would be unable to supervise and assess the long-term viability and impact of the travel plan, and would need to call into question the applicant's commitment to its future operation. This could inform the LHA's views in judging the acceptability of the development and the likelihood of the Travel Plan delivering the outcomes necessary to address the highway impact. Further information about monitoring travel plans is provided in Section 6.