

**Development
and Transport
Assessment**

DLP BRIEFING NOTE 9

Prepared by
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Development & Transport Assessment

Two documents were published in March 2007 relating to the highway and transport aspects of proposed developments; "**Guidance on Transport Assessment**" published by the DFT/DLG and "**DFT Circular 02/2007 Planning and the Strategic Road Network**". Whilst both documents were issued over two years ago, their implications are still, often, not fully understood.

The Highways Agency, an executive arm of the DTp operates in accordance with Circular 02/2007 and uses extensively the document, *Guidance on Transport Assessment*. This is not however necessarily the case for all local highway authorities, many of whom, whilst they refer to this document, still operate their own guidance which may have differing requirements.

It should be noted also that whilst both documents have been adopted in England, they do not apply to Scotland or Wales.

Planning authorities currently operate a *checklist approach* to planning applications (1APP) which determines the information they require to be submitted in support of an application. The checklists include, depending on particular circumstances, a requirement for a **Transport Assessment** or other highway statement to be submitted. Without this, or an explanation why it is not required, most planning authorities will not register an application.

The *Guidance on Transport Assessment* provides assistance with this by providing thresholds for various land uses (based on planning use classes) that recommend when either a *Transport Assessment* (TA) or a *Transport Statement* (TS) is required. A Transport Statement is a briefer document which does not provide so much detail, and is usually appropriate only for smaller developments.

The thresholds advanced are based upon development scale (usually gross floor area), the minimum number of additional vehicular trips predicted to be generated per day, or sites that are not within the LDF which should always be submitted with either a TA or TS.

One of the fundamental changes contained in the *Guidance on Transport Assessment* for proposed developments is the expectation that a detailed multi-modal trip analysis should be carried out. Whilst in the past, the primary concern was in relation to the vehicular trip generation of the proposals, i.e. any increase in the vehicular movements, now all modes of transport must be considered. Whilst the impact of the vehicular traffic on the highway is still a major concern, facilities for pedestrian and cyclists and public transport capacity are of equal importance. The **Travel Plan**, which was previously seen as an "add on", to hopefully encourage sustainable transport by users of a site, is now often the key document in achieving acceptance of the proposals and demonstrating compliance with national and local policies.

The *Guidance on Transport Assessment* document states that a Travel Plan is always required when a Transport Assessment is produced, but is not necessarily required when the lesser Transport Statement is prepared. The Highways Agency however, will always require a Travel Plan to be prepared as part of an assessment of the development proposals, as will the majority of local Highway Authorities for significant developments. There are regional variations however, as not all Authorities currently insist on a Travel Plan for residential developments. It is anticipated that in the near future all authorities will require this, in accordance with the guidance.

The Travel Plan is important, as an appropriately worded document can not only demonstrate compliance with national and local policies but by proposing appropriate measures can demonstrate mitigation of some of the impacts that the proposed development may cause. The Travel Plan document must be seen to be creating sustainable travel patterns for the users of the site, which should typically aim to create a 10% modal shift, i.e. a change from the use of a private car to other means of transport.

Previously, the predicted traffic movements contained within a Transport Assessment would often present a worse case scenario to demonstrate that a robust assessment had been undertaken. This was partly to give a level of confidence to the approving authority, as there is always uncertainty in the accuracy of traffic modelling, particularly when predicting traffic flows forward into the future. The current guidance **permits the agreed modal shift target stated within a Travel Plan to be applied to the predicted trip generation of the development** and therefore it is the resulting lower trip generation figure that may be assessed and used in any traffic modelling undertaken. This is particularly the case for an assessment submitted to the Highway Agency, as current government policy is no longer to cater for uncontrolled traffic growth, but to look at alternatives to building new roads, such as network management and by making “smarter” journey choices easier.

DFT Circular 02/2007 states that the Highways Agency should take part in developing regional spatial strategies, local development frameworks, and also when they should be consulted on planning applications. Article 15 of the Town and Country Planning (GDP) Order 1995, sets out the circumstances when local planning authorities are required to notify the Secretary of State, via the Highways Agency, of applications for developments affecting certain highways. Paragraph 44 of the Circular states the following in respect of when the Agency should be consulted:

“The Agency should be consulted on any development proposals where a new access on to a local road is required, which in turn feeds a strategic road and has the potential for a material affect.”

This criterion is not considered to be definitive and for example does not include reference to the use of an existing access. It is considered that the possibility for a material affect can only be determined once some initial assessment has been undertaken, or by formally obtaining a view from the Highway Agency.

Should a Transport Assessment submitted to the Highways Agency conclude that capacity or safety improvements are required to the strategic road network these will be considered, however, **there is a general presumption that there will be no capacity enhancements or new access on routes of strategic national importance. The Highways Agency will adopt a graduated and less restrictive approach to access on the remainder of the strategic road network.** The Highways Agency will consider the environmental effects, the affects upon road users and to society in general. This consideration will also include the disruption caused during the construction period of any highway improvements which could incur delays in journey times to road users.

It is considered that applicants should be aware of following extract from paragraph 28 of the Circular, as in certain circumstances there could be a potential for significant costs:

“Improvements required to mitigate the impact of traffic generated by developments will also need to address any existing issues at that location, unless the Agency already has a firm commitment to do so”.

As a statutory consultee, the Highway Agency as an agency of the Secretary of State is empowered by Article 14 of the Town & Country Planning (GDP) Order 1995 to make a direction restricting the grant of planning permission by the local Planning Authority, if it deems appropriate. The Highways Agency does this by issuing a TR110 notice.

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