

Divisions Affected – All divisions

CABINET – 20 SEPTEMBER 2022

IMPLEMENTING ‘DECIDE & PROVIDE’: REQUIREMENTS FOR TRANSPORT ASSESSMENTS

Report by Corporate Director for Environment and Place

RECOMMENDATION

1. **The Cabinet is RECOMMENDED to adopt the *‘Implementing ‘Decide & Provide’: Requirements for Transport Assessments’* as a formal supplementary document to the Local Transport and Connectivity Plan.**

Executive Summary

2. Oxfordshire County Council’s (OCC) Local Transport and Connectivity Plan (LTCP), adopted July 2022, outlines a clear vision to deliver a net-zero Oxfordshire transport and travel system by 2040. One of the policies within LTCP that will be key to ensuring this vision is realised is Policy 36, which sets out how a ‘decide and provide’ approach (see Background section for definition of this term) to transport planning will be adopted.
3. Policy 36 states that we will, “Require transport assessments accompanying planning applications for new development to follow the County Council’s ‘Implementing ‘Decide & Provide’: Requirements for Transport Assessments’ document.” This document has now been produced and its formal adoption as a supplementary document to the LTCP by Cabinet is recommended in order to allow the relevant OCC officers to require the implementation of the approach in practice through planning applications for new developments.

Background

4. OCC’s LTCP sets out the target of achieving a net-zero transport and travel system by 2040, improving health and wellbeing, tackling the climate emergency, reducing private car usage, and prioritising walking, cycling, and public transport.
5. As detailed in the LTCP, in order to achieve this, fundamental changes to the way the county’s transport and travel system functions will need to be made. Such a substantial undertaking will necessarily entail a multi-pronged approach to reshaping the way places are connected.

6. Stemming from the framework set out in the LTCP there will be numerous strategies which will contribute to setting out how the transport and travel system is upgraded and reconfigured in order to achieve these aspirations. Amongst these, the forthcoming area transport strategies and transport corridor strategies will be key, as will OCC's new Parking Standards for New Developments document and OCC's Street Design Guide, which will help to ensure sites are master-planned to give primacy to high-quality walking, cycling, and public transport.
7. Another significant element of realising these aims will be to make the shift from an approach to transport planning characterised as 'predict and provide' towards adopting a 'decide and provide' approach instead.
8. As such the 'Implementing 'Decide & Provide': Requirements for Transport Assessments' document has been produced to ensure that new developments also adopt this approach. The document can be found in Annex 1.

Summary of the 'decide and provide' approach

9. Traditionally, transport planning practice has typically followed the 'predict and provide' approach, which can be broadly described as an approach to transport planning that uses current or historical traffic patterns to determine the future need for infrastructure. However, this approach tends to simply maintain the status quo by perpetuating dependence on the private car through provision of additional highway capacity.
10. By contrast, the 'decide and provide' approach to transport planning decides on a preferred vision of the future and then provides the means to work towards that whilst also accommodating uncertainty about the future. This offers the opportunity for more positive transport planning and helps implement the Oxfordshire LTCP transport user hierarchy by considering walking, cycling and public transport upfront.
11. The 'Implementing 'Decide & Provide': Requirements for Transport Assessments' document details how the 'decide and provide' approach is to be implemented through the transport assessments and infrastructure delivery mechanisms which accompany planning applications for proposed development.
12. Whilst the document focuses on how the transport assessment process needs to be adapted to help facilitate the 'decide and provide' approach, this forms only one part of working towards adopting this new approach to transport planning. Such an endeavour needs to stem from a comprehensive rethinking of spatial and transport planning, beginning at a strategic level and continuing throughout all stages of planning.
13. The document applies to all development proposals but will be particularly pertinent to larger residential and employment sites that are expected to generate significant travel demand.

14. The document is based on guidance that TRICS (2021) has produced, called the 'Guidance Note on the Practical Implementation of the Decide & Provide Approach' with further detail and requirements provided relevant to the Oxfordshire LTCP. Having discussed the OCC document with the authors of the TRICS guidance, it is thought to be one of the first instances in the country of a Local Highway Authority producing its own document of this kind.
15. The document is primarily intended for use by developers and their consultants, transport officers at the county and planning officers at the district councils.
16. In summary, the new approach outlined in the document still entails the need for proposed developments to assess their transport impact on the highway network, but instead of basing this solely on previous travel patterns as before, transport assessments will be required to model a range of plausible scenarios. As such transport modelling will still be necessary.
17. These plausible scenarios will need to be based on the characteristics of the proposed development site's location, its existing connectivity, the mitigation or connectivity improvements that will be either delivered directly by the site developers or through financial contributions towards OCC schemes, and the extrapolation of historic trends.
18. The document also sets out how, through S106 legal agreements and travel plans, the impacts of developments will need to be monitored and managed over time.
19. Further to this, rather than identifying junctions that are forecast to be over capacity and then providing schemes to increase capacity for private vehicles, developers will instead be expected to first consider the extent to which they could address these issues by making provision for sustainable and active modes. These provisions should be of a sufficiently high quality to achieve the requisite modal shift to address the identified capacity issues. It should also be ensured that the provisions comply with policies requiring the promotion of sustainable and active modes, including due consideration of the transport user hierarchy identified in the Oxfordshire LTCP.

The role of this document as part of other planning processes

20. Referring back to the necessarily multi-pronged approach to reshaping the transport network, this document, and the practices it is intended to embed through transport assessments, will form only one part of the means necessary to achieving the aim of decarbonising the transport network.
21. Of fundamental importance will be ensuring that, through the forthcoming local plans for each of the district and city councils, development is allocated in locations where there are the best opportunities for reducing the need to travel by co-locating residential and employment uses, or where exists the best opportunities for providing high-quality active and sustainable transport infrastructure improvements.

22. These opportunities will need to be thoroughly explored and identified through the associated plan-making processes, as well as in more detail at the planning application stage. It is also important to acknowledge that this document and its requirements apply equally to allocated and non-allocated development sites.
23. Further to this, it will be important to ensure that these new practices promoted by OCC – including the forthcoming LTCP corridor and area strategies (and any resultant strategic schemes identified by OCC), this document, and the new Parking Standards for New Developments document – are appropriately referenced within the core policies of the forthcoming local plans, as these carry greater weight in planning decisions than the LTCP does by itself.

Corporate Policies and Priorities

24. The County Council's 'Strategic Plan: 2022-25', sets out a vision to lead positive change by working in partnership to make Oxfordshire a greener, fairer and healthier county. By helping to put into practice policy within the Oxfordshire LTCP, the 'Implementing 'Decide & Provide': Requirements for Transport Assessments' document will help to deliver all aspects of this vision.
25. By ensuring that the 'decide and provide' approach to transport planning is implemented through proposed developments, and thus prioritising active travel and public transport interventions, the document will contribute to delivering the following priorities identified in the Strategic Plan:
 - Put action to address the climate emergency at the heart of our work
 - Tackle inequalities in Oxfordshire
 - Prioritise the health and wellbeing of residents
 - Invest in an inclusive, integrated and sustainable transport network.

Financial Implications

26. Although the implementation of this document's requirements may have some implications for staff resource (see discussion below), any increase in resource pressure is not expected to be significant and will likely be accommodated within existing staff provision. As such, it is not expected that there will be any revenue or capital resource implications.

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Legal Implications

27. The approach outlined in the document may give rise to more complex S106 legal agreements between developers, the relevant LPA, and OCC, which could have some resource implications in terms of drafting legal agreements. This is due to the likelihood of S106 agreements increasingly including the phasing of infrastructure requirements based on various trigger points (such as trip generation, dwelling occupation, etc.) and the greater emphasis on developers

being required to monitor and manage the transport impacts of their proposals over time.

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Staff Implications

28. As a result of more complex transport assessments being required of developers through the approach identified in this document, this may result in greater demand on staff resource to discuss and agree the scope of transport assessments with developers and then review the resultant documents. Additionally, developers will be required to monitor and manage the multi-modal trip generation of their developments over time, these surveys will need to be reviewed by officers.
29. Additionally, as referenced above in the section on legal implications, the potential for greater complexity in S106 legal agreements may result in staff resources due to the resultant additional time taken to negotiate and draft said legal agreements.
30. At present it is difficult to quantify the scale of additional resource this will require but it is anticipated that it will likely be accommodated within existing staff resource and that the increase in demand will wane over time as developers and districts get used to the approach.
31. However, this situation will be monitored to ensure that no significant issues arise from this additional demand. If issues do in fact arise it may be possible to fund additional staffing resource with the concomitant increase in revenue generated by Planning Performance Agreements and paid-for pre-application advice.

Equality & Inclusion Implications

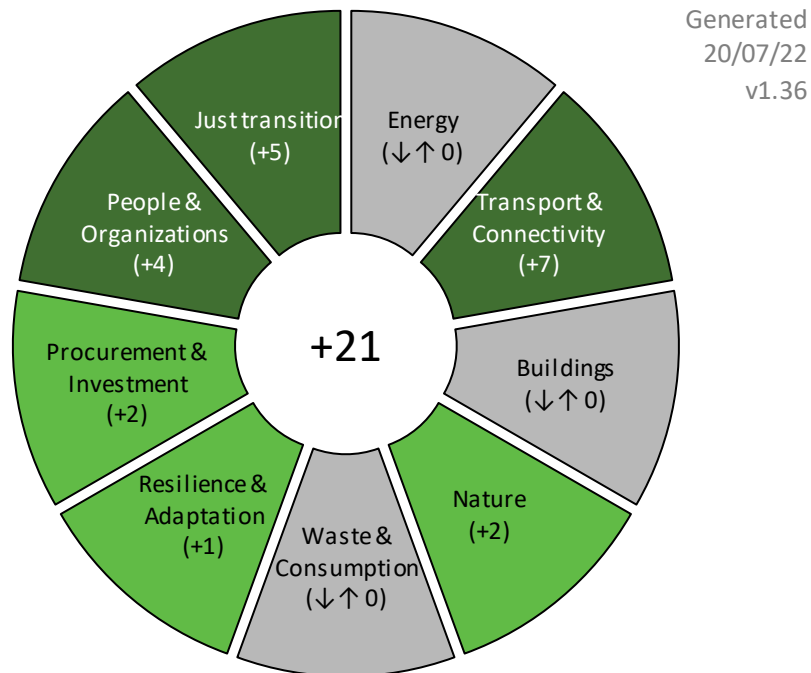
32. The Implementing 'Decide & Provide' document will help to ensure that new developments suitably mitigate the transport impacts of their development by making improvements to the transport and travel system in line with the Oxfordshire LTCP transport user hierarchy.
33. The Equalities Impact Assessment, which can be found at Annex 2, shows that there is likely to be a benefit to various individuals, groups, and communities as a result of this document being implemented as it should make a positive contribution to ensuring that a wider range of travel choices are available to all.

Sustainability Implications

34. As one of the key means of implementing the aims of the Oxfordshire LTCP, the 'Implementing 'Decide & Provide': Requirements for Transport Assessments' document will play a very important role in helping to deliver the

aims of OCC's Climate Action Framework and realising the goal of decarbonising the transport and travel system.

35. A Climate Impact Assessment has been undertaken and the resultant report can be found in Annex 3. As illustrated in the scoring summary wheel below, the document has been identified as making a positive contribution to climate action across various categories.



Oxfordshire Council has committed to being a carbon neutral organisation by 2030 (8 years and 0 months away).

Risk Management

36. Potential risks have been identified associated with the 'Implementing 'Decide & Provide': Requirements for Transport Assessments' document, these are discussed below, and necessary action has been considered to address these.
37. As this document identifies a new way for developers to undertake the transport assessments required in support of planning applications there may be issues that arise from the required methodology and its subsequent implementation. This is somewhat inevitable with a new and unprecedented way of working and to address this the document acknowledges that a review process will be required every 12-18 months to identify any elements that require refinement. This review will be carried out together with district and city colleagues as well.
38. The other significant potential risk is that the Local Planning Authorities within Oxfordshire do not embed the requirements of this document appropriately in their respective Local Plans. This may cause issues with the implementation of the document as it may hold less weight in planning decisions if it remains only a requirement of the Oxfordshire LTCP.

39. However, early engagement has taken place with officers at each of the four district councils and the City council to ensure that they are supportive of the document. Additionally, engagement with members of these councils is also planned so that they also understand the intent of the document. It is hoped that the document will receive support from the district councils and city council as its aims broadly accord with the strategic policies of all Oxfordshire councils.

Consultations

40. 'Implementing 'Decide & Provide': Requirements for Transport Assessments' is a technical document intended to implement policy in the Oxfordshire LTCP and as such the comprehensive consultation exercise for the Oxfordshire LTCP encompasses the intent of this document.

41. However, as part of the process of developing the 'Implementing 'Decide & Provide' document, an initial engagement exercise was undertaken with internal colleagues. Their written comments and views derived from discussions held in meetings were used to inform a first working draft of the document.

42. Subsequently, further engagement took place with internal colleagues, in addition to officers at the district and city councils, industry professionals, relevant OCC cabinet members (i.e. those with transport-related portfolios), National Highways, and the authors of the guidance upon which the document is based. The comments derived from this second engagement process were then used to inform the final draft of the document.

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Annex: **Annex 1:** 'Implementing 'Decide & Provide': Requirements for Transport Assessments' document (Final draft)
Annex 2: Equalities Impact Assessment
Annex 3: Climate Impact Assessment

Background papers: Nil

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