

Issue 10	Transport and Accessibility	
Development plan reference:	3.6 – Transport and Accessibility, page 34 TA1 - Transport Standards and Accessibility Requirements, page 35	Reporter: Hugh M Begg
Body or person(s) submitting a representation raising the issue (including reference number):		
Scottish Government (00092) Lynne Palmer (00239) Portmoak Community Council (00638) Fiona Ross (00786) Carse of Gowrie Sustainability Group (00788) Fossoway & District Community Council (00830) Councillor Michael Barnacle (02633) Sport Scotland (03185)		Scottish Natural Heritage (05211) Persephone Beer (07744) Jim Pritchard (09104) J W Farquharson/G D Strawson (09117) John Dewar Lamberkin Trust (09166) TACTRAN (09203) Network Rail (09414) G S Brown Construction Ltd (09817) George Pease (10115) Homes for Scotland (10214)
Provision of the development plan to which the issue relates:	Transport and Accessibility Policy and supporting text, pages 34-35	
Planning authority's summary of the representation(s):		
<p><u>Transport and Accessibility Supporting Text</u> J W Farquharson/G D Strawson (09117/2/001): The Plan fails to consider the merits of allocating a significant amount of development land around railway stations within the Plan area. This is considered vital to promote sustainable travel over the Plan period.</p> <p>Perth and Kinross requires major investment in new and improved public transport infrastructure and not an emphasis on new road-building. Encouragement should be given in the text of the Plan to the creation of a new railway station in the Carse of Gowrie in the vicinity of Grange.</p> <p>New and improved railway infrastructure will lead to sustainable economic development and at the same time protect and improve the environment, improve social inclusion and accessibility. Building more roads is not the answer to a more sustainable future.</p> <p>The vision should be to plan for new development around railway stations and to plan for new rail infrastructure.</p> <p>George Pease (10115/1/003): Greater investment is required in public transport including bus services in rural areas and the reinstatement of the Kinross and Cowdenbeath railway.</p> <p>Persephone Beer (07744/1/002): Not supportive of text as more measures are required to improve walking and cycling facilities in the Plan area.</p> <p><u>Policy TA1 Transport Standards and Accessibility Requirements</u> TACTRAN (09203/10/001): Suggest deleting the words '<i>that involve significant travel generation</i>' and inclusion of additional bullet point '<i>(f) effective Travel Plans should be</i></p>		

developed and agreed'.

Network Rail (09414/2/001): The importance of Level Crossing safety warrants a specific policy included in Chapter 3.6 Transport & Accessibility or Chapter 3.11 Public Safety (S4_Doc_402) which will help elevate the importance of level crossings within the development management and planning process.

If it is not possible for a specific policy on Level Crossings to be added to Chapter 3.6, a compromise would be an amendment to Policy TA1 to include for level crossings and a new policy to be included in Chapter 3.11 (S4_Doc_402).

G S Brown Construction Ltd (09817/3/002); Homes for Scotland (10214/1/017): Reducing travel demand by car is difficult to achieve in rural Perthshire and outwith the control of developers. The more remote locations relies on private cars for travel and will continue to do so unless the bus operators can be persuaded to improve the availability of their services. It is also outwith the control of house builders to ensure that public bus services are available.

In terms of car parking, insufficient car parking leads to more people parking in the street and will have no impact on car ownership in Perth and Kinross. Parking standards and road layouts are now determined by Designing Streets Policy (Core_Doc_014). Unless this policy is written into the LDP, with full endorsement from all departments, there is a risk that development proposals will stall once they get to Roads Construction Consent stage. Developers need assurances that any sites that are taken forward, will progress quickly through the planning system and allow them to commence development within realistic timescales.

Portmoak Community Council (00638/1/001): Portmoak Community Council strongly supports Policy TA1B but asks that mention is made that Portmoak is provided with better public transport, including a bus shuttle to the Kinross Park and Ride facility. The policy on car parking should define the standards that will apply in rural areas for public and private parking.

Councillor Michael Barnacle (02633/1/009): Policy TA1 fails to mention Kinross-shire. LDP also makes no mention of A977 or protection of railway line south of Kinross Policy 46 of Kinross Area Local Plan 2004 (S4_Doc_163).

Fossoway & District Community Council (00830/1/017): Transport infrastructure issues within the Community Council area is not dealt with in the plan, including the status and safety of the A977, which runs through the major settlements in the area, including those with proposed housing development.

Sport Scotland (03185/2/001): Cycling and walking policy is weak which suggests that proposals that do not take walking and cycling into account wont be penalised. Policy should state that all proposals should demonstrate provision or support for walking and cycling provision.

Lynne Palmer (00239/4/001); TACTRAN (09203/9/001); John Dewar Lamberkin Trust (09166/6/001); Scottish Government (00092/5/002); Scottish Natural Heritage (05211/3/001); Carse of Gowrie Sustainability Group (00788/1/004); Fiona Ross (00786/1/004); Jim Pritchard (09104/1/006 & 09104/1/007): All Support the Transport and Accessibility Policies TA1A and TA1B.

New Supplementary Guidance – Cycle Parking

Persephone Beer (0774/1/010): New supplementary guidance should be provided to highlight requirements for cyclists, particularly cycle parking as part of new developments.

Modifications sought by those submitting representations:**Transport and Accessibility Supporting Text**

J W Farquharson/G D Strawson (09117/2/001): Reference should be added to supporting text promoting development close to public transport hubs such as railway stations and planned/proposed railway stations.

George Pease (10115/1/003): LDP should protect the track bed of the former railway line that ran between Kinross and Cowdenbeath for future reinstatement.

Persephone Beer (07744/1/002): New developments should be in locations where walking and cycling is the travel mode of choice. New park and ride sites should have facilities for cycling parking and dedicated paths to link them to the city centre.

Policy TA1 Transport Standards and Accessibility Requirements

TACTRAN (09203/10/001): Delete the words *'that involve significant travel generation'* within TA1B and inclusion of additional bullet point *'(f) effective Travel Plans should be developed and agreed.'*

Network Rail (09414/2/001): Requests a specific policy on Level Crossings to be added to Chapter 3.6, or 3.11 (S4_Doc_402). No suggested policy wording is provided.

If not possible a compromise would be an amendment to Policy TA1 to include for level crossings and a new policy to be included in Chapter 3.11 (S4_Doc_402).

Policy TA1: *'New development proposals should:*

(b) incorporate appropriate mitigation on site and/or off site, provided through developer contributions where appropriate, which might include improvements and enhancements to the walking/cycling network and public transport services including railway and level crossings, road improvements and new roads.'

And safety is added to: *'Development for significant travel generating uses in locations which would encourage reliance on the private car will only be supported where:*

(c) it would not have a detrimental effect on the capacity or safety of the strategic road and/or rail network including level crossings.'

G S Brown Construction Ltd (09817/3/002): Add the following text to Policy TA1:

- *'Development to reduce travel by car not practical in rural areas & outwith the control of developers.'*

- *Car Parking section 'Insufficient car parking leads to more people parking in the street and will have no impact on car ownership in Perth and Kinross.'*

Homes for Scotland (10214/1/017): Policy should acknowledge that a large part of the local plan area is rural and not well served by public transport. Within rural developments, adequate parking spaces must be provided to cater for two car households. Access to local bus routes with an appropriate frequency of service is wholly reliant on third party private bus operators. Policy should also include references to Scottish Government's 'Designing Streets' policy.

Portmoak Community Council (00638/1/001): Policy should include reference to Portmoak being provided with better public transport, including a bus shuttle to the Kinross Park and Ride facility. The policy on car parking should define the standards that will apply in rural areas for public and private parking.

Councillor Michael Barnacle (02633/1/009): Policy TA1 should mention Kinross-shire.

Fossway & District Community Council (00830/1/017): Policy should include recognition of transport infrastructure issues within the Community Council area to be included within the plan, including the status and safety of the A977.

SportScotland (03185/2/001): Policy TA1 should state that all proposals should demonstrate support for walking and cycling provision.

New Supplementary Guidance – Cycle Parking

Persephone Beer (07744/1/010): Supplementary guidance should highlight requirements for cyclists, particularly cycle parking requirements within new developments.

Summary of responses (including reasons) by planning authority:

Transport and Accessibility Supporting Text

J W Farquharson/G D Strawson (09117/2/001): Policy TA1B clearly states that *'all development proposals that involve significant travel generation should be well served by, and easily accessible to all modes of transport. In particular the sustainable modes of transport modes of walking, cycling and public transport should be considered....'* It is therefore considered that this part of the policy adequately covers any reference to promoting development close to public transport hubs. The policy is considered to be consistent with the recommendations set out in SPP paragraphs 165 to 170 (S4_Doc_299).

Regarding a new railway station in the Carse of Gowrie, no major development is proposed in the Plan for the area that would warrant a new train station. Transport Scotland are not supportive of any additional stops on the Glasgow-Aberdeen network because it will add to the journey time and one of their key projects is to reduce the travel time between Aberdeen and Dundee to the Central Belt. In addition, Tactrans Regional Transport Strategy (Core_Doc_022) and TAYplan (Core_Doc_099) do not support an additional train station in the Carse of Gowrie. TAYplan does not promote any significant development in the Carse of Gowrie and therefore the LDP follows this strategy.

No modification is proposed to the Plan.

George Pease (10115/1/003): Investment in bus services is not a land use planning issue. Regarding the suggestion that encouragement should be given to the creation of a new railway rail line in Kinross-shire. This is not identified as a funding priority by Tacran in the Regional Transport Strategy Delivery Plan (Core_Doc_022). Nor is it included within TAYplan so it is unlikely to come forward within the life of the LDP. Such a proposal would need to come through a future review of the Regional Transport Strategy, the Strategic Development Plan and potentially the Strategic Transport Projects Review by Transport Scotland.

No modification is proposed to the Plan.

Persephone Beer (07744/1/002): Policy PM1B (f) states that all proposals should 'create safe, accessible, inclusive places for people, which are easily navigable, particularly on foot, bicycle and public transport'.

Supplementary Guidance will be published on Transport Standards and will include requirements for walking and cycling as they are sustainable modes of transport supported by SPP (paragraphs 165-170) (S4_Doc_299). The Draft Perth and Kinross Action Programme 2012-2024 (Core_Doc_172) has indicated that the supplementary guidance will be produced in 2013 and adopted in parallel with the Plan.

No modification is proposed to the Plan.

Policy TA1 Transport Standards and Accessibility Requirements

TACTRAN (09203/10/001): All developments will result in some form of travel and should only be located where onward travel is minimised. Some developments such as a change of use application can produce a reduction in travel generation. However some developments will inevitably result in significant travel and this may require more infrastructure than those closer to town centres, employment etc. It therefore may be necessary to cater for such development and it is considered there is no requirement for the suggested text deletion of the policy.

In terms of the need to mention travel plans Policy TA1B (Note) states that there will be supplementary guidance produced on travel plans. The Draft Action Programme 2012-2024 (Core_Doc_172) has indicated that the Supplementary Guidance will be produced in 2013 and adopted in parallel with the Plan.

No modification is proposed to the Plan.

Network Rail (09414/2/001): It is considered there is no requirement for a specific planning policy on level crossings and no policy wording has been put forward by Network Rail.

No modification is proposed to the Plan.

Whilst it is not possible to produce a new policy, it is however considered that the suggested compromise of additional text to Policy TA1 is noted and accepted. Public safety at such locations is supported and additional wording to the policy may help reduce any potential safety issues resulting from additional development near or in the vicinity of level crossings.

If the Reporter is so minded to recommend that the proposed additional wording to the policy is adopted, the Council would be comfortable with this modification because it would not have any implications on Policy TA1 or other policies within the LDP.

G S Brown Construction Ltd (09817/3/002); Homes for Scotland (10214/1/017): The strategy in the Plan directs development to areas with the best infrastructure. The suggested additional wording to Policy TA1 is considered to be more of a statement and would be more appropriate within the supporting text. Having said that we do not agree with it.

Policy TA1B acknowledges that some developments in certain locations may lead to a reliance on the private car. The policy does say that such developments could be supported if it meets certain criteria listed within the policy. In terms of parking, Policy

TA1B (Car Parking) mentions that less restrictive standards may be applied in rural areas.

Policy TA1 acknowledges that rural areas may not be well served by public transport and that less restrictive standards might be acceptable. The Scottish Government's 'Designing Streets' Policy (Core_Doc_014) is a published document and already a material consideration. It is considered that there is no need to refer to it within a Local Development Plan transport policy.

We acknowledge that developers may have no direct control over bus services, but it is still relevant to consider if a proposed development requires an improvement to the bus service either through re-routing, timetable alterations or in some cases a financial contribution to enhance the service.

No modification is proposed to the Plan.

Portmoak Community Council (00638/1/001); Councillor Michael Barnacle (02633/1/009); Fossoway & District Community Council (00830/1/017): Policy TA1 does not refer to any specific transport issues or requirements within a specific geographical area within Perth and Kinross. Because the 6 local plans are being streamlined into one LDP, it is considered impractical to highlight specific areas and it is considered that the policy is robust enough to be applicable to all areas within Perth and Kinross.

In terms of the issue on car parking standards by Portmoak Community Council (00638/1/001), Supplementary Guidance will be published on Transport Standards and will include details on parking standards. The Draft Perth and Kinross Action Programme 2012-2024 (Core_Doc_172) has indicated that the supplementary guidance will be produced in 2013 and adopted in parallel with the Plan.

In terms of the issue by Councillor Michael Barnacle (02633/1/009) on the protection of former railway lines south of Kinross, it has not been identified as a project by Transport Scotland, Tactran or Perth and Kinross Council and therefore no funding is available. However, former railway lines have potential to become pedestrian, cycling and biodiversity corridors and to ensure provision of further protection to former railway lines, the Council would have no objection to Policy CF2: Public Access being amended to include Development proposals that would have an adverse impact upon any (proposed) core path, *former railway line*, asserted right of way or other well used route.....'

No modification is proposed to the Plan.

Sport Scotland (03185/2/001): Policy TA1B contains a subsection supporting development proposals that take into account and promote cycling and walking.

No modification is proposed to the Plan.

New Supplementary Guidance – Cycle Parking

Persephone Beer (0774/1/010): Supplementary guidance will be published on Transport Standards and will include requirements for cyclists as it is a sustainable mode of transport supported by SPP (paragraphs 165-170) (S4_Doc_299). The Draft Perth and Kinross Action Programme 2012-2024 (Core_Doc_172) has indicated that the supplementary guidance will be produced in 2013 and adopted in parallel with the Plan.

No modification is proposed to the Plan.

Reporter's conclusions:Transport and Accessibility Supporting Text

1. The policy of the Scottish Government on Transport is set out in Scottish Planning policy (SPP) at paragraphs 165 to 170 and strategic policy for the local development plan is provided in TAYplan at Policy 3: Managing TAYplan's Assets. The Proposed Plan must conform to that national and strategic guidance. A further aspect of the relevant policy framework is the Regional Transport Strategy for improving the region's transport infrastructure, services and other facilities which covers the period to 2023. This strategy takes in Tayside as a whole including Perth and Kinross and has been prepared by Tactran in accordance with the Transport (Scotland) Act 2005. Paragraphs 3.6.1 to 3.6.4 of Section 3.6 Transport and Accessibility conform broadly to that policy framework.

2. However, paragraph 3.6.2 states at its third sentence that SPP comments that planning authorities should support development that reduces the need to travel and facilitates travel by walking, cycling and public transport and freight movement by rail and water. That is a misunderstanding of the Government's position. SPP is a statement of its policy on nationally important land use matters. The text in paragraphs 165 to 170 of SPP does not amount to comments or suggestions: there is no escape from the fact that it states requirements with which the planning authority is expected to conform. As the text currently reads it is understandable why certain of the respondents could have the impression that, notwithstanding the detail of the text of Policy TA1: Transport Standards and Accessibility Requirements, the Council is not wholly committed to support for sustainable modes of walking, cycling and public transport. However, that is easily remedied by the deletion of the word "comments" and its replacement with the word "requires" in the third sentence of paragraph 3.6.2.

3. Moreover, a number of respondents have general concerns regarding transport and accessibility in rural areas of Perth and Kinross and, in particular, the provision of public transport. They have sought to address these by securing amendments to Policy TA1. The introductory text contained in paragraphs 3.6.1 to 3.6.4 contains no mention of the rural areas of Perth and Kinross while paragraph 3.6.3 is devoted solely to the challenges presented in Perth and its vicinity. In these circumstances it is understandable that some of the respondents are concerned that the special problems of rural areas may not be given sufficient attention when the plan comes to be implemented. With that in mind, there is merit in the suggestion by Scottish Homes and others that there be text which recognises these difficulties. That can be conveniently placed within the supporting text.

4. Turning to specific matters raised by the respondents, there is no dispute that proposals for developments which have ready access to railway stations will be in tune with the policies of Scottish Ministers to promote sustainable travel. Policy TA1 and, in particular, the criteria listed in Policy TA1B will be used to assess the merits of relevant proposals.

5. There is no support in Regional Transport Strategy for a new railway station in the Carse of Gowrie and TAYplan focusses the majority of the region's new development within its principal settlements. There is no overwhelming reason that the Proposed Plan should make provision for a new railway station in the vicinity of Grange or, indeed, anywhere else in the Carse of Gowrie.

6. Item (f) of Policy PM1B which states that all proposals should "*create safe, accessible, inclusive places for people, which are easily navigable, particularly on foot, bicycle and public transport*" is sufficient to meet the concerns regarding the role of walking and

cycling in place making. The council is committed to the preparation of supplementary guidance on Transport Standards which will include requirements for walking and cycling and this is to be adopted in parallel with the Plan.

Policy TA1 Transport Standards and Accessibility Requirements

7. The Note which follows the text of Policy TA1B refers to the issue of supplementary guidance which will explain when a travel plan and transport assessment is required. In the light of the Council's commitment to produce that supplementary guidance in 2013 for adoption in parallel with this plan, there is no need to modify the plan itself as suggested by Tactran.

8. Public safety in the vicinity of level crossings is a matter of such concern that it merits a modification to the plan. A new policy is one way forward. However, the amendments to the text of Policy TA1B proposed by Network Rail can deliver what is appropriate.

9. Turning to other suggestions from respondents, and given the recommendation on paragraph 3.6.3, there is no need for any further wording to be added to Policy TA1A or Policy TA1B either to make specific reference to levels of car ownership, to the Scottish Government policy and technical guidance on street design, or to any other matter mentioned by the respondents. Because the policy has been devised to be sufficiently robust to cover the whole of Perth and Kinross, it would not be appropriate to pick out Portmoak, Fossaway and District, or any other area for particular reference within the text.

10. As far as Policy TA1B is concerned, there is already a sub-section which deals with walking. Then again, in the sub-section which deals with car parking, including the standards to be applied to on-site car parking, the third sentence reads: "*In rural areas where public transport is infrequent, less restrictive standards may be applied.*" Related to that and to cycle parking, the council is committed to prepare supplementary guidance on Transport Standards in 2013 and this is to be adopted in parallel with the Plan.

11. Contrary to the summary of his evidence provided by the council, George Pease states that: "*The route of the former railway line between Kinross and Cowdenbeath should be reserved for future reinstatement.*" Again contrary to the summary of evidence provided by the council, Michael Barnacle refers to "*the protection of the railway line south of Kinross*". A fair reading of their evidence makes it perfectly clear that neither of these respondents is promoting the reopening of the former railway line within the lifetime of this local development plan. SPP states at paragraph 170 that disused railways with a reasonable prospect of re-use for rail, tram or active transport should be safeguarded in the development plan. The reopening of the line is not proposed within either the current Regional Transport Strategy Delivery Plan or within TAYplan. However, in a relatively densely populated area it would run contrary to the thrust of Government policy if the coherence of the former railway line between Kinross and Cowdenbeath were to be irrevocably lost. All this has implications for Policy CF2: Public Access and there is a related recommendation below.

12. As the Council have helpfully pointed out, disused railway lines have potential to become pedestrian, cycling and biodiversity corridors. Policy CF2: Public Access can be adapted to meet the requirements of SPP paragraph 170; and it usefully can be made clear that the integrity of the whole length of lines and corridors is a matter which, according to circumstances, may have to be dealt with separately from ensuring access to all or part of them.

Reporter's Recommendations

Preamble

1. In the third sentence of paragraph 3.6.2 the word "*comments*" should be deleted and replaced with the word "*requires*".
2. In paragraph 3.6.3 introduce as the third sentence the following text: "*A large part of Perth and Kinross is rural and not well served by public transport and this has led to a reliance on the private car as a means of transport.*"

Policy TA1: New Development Proposals

3. Within the text headed "*Development proposals should:*" the wording should be modified read as follows:

"(b) incorporate appropriate mitigation on site and/or off site, provided through developer contributions where appropriate, which might include improvements and enhancements to the walking/cycling network and public transport services including railway and level crossings, road improvements and new roads;"

4. Within the text commencing "*Development for significant travel generating uses in locations which would encourage reliance on the private car will only be supported where:*" the wording should be modified to reads as follows:

"(c) it would not have a detrimental effect on the capacity or safety of the strategic road and/or rail network including level crossings;"

Policy CF2: Public Access

5. The text of Policy CF2: Public Access should be modified to read as follows:

"Development proposals that would have an adverse impact upon the integrity of any (proposed) core path, disused railway line, asserted right of way or other well used route will be refused. Development proposals that would affect unreasonably public access rights to these features will be refused unless these adverse impacts are adequately addressed in the plans and suitable alternative provision is made."