



Urban Mobility Partnership

Planning for mobility

Background

The planning process has huge implications for transport. As a key principle, planning for developments must have - at its heart – a focus on how the residents and workers who will live and work there can move around sustainably and offer the multi-modal transport options consumers want. New developments have a key role to play in assisting modal shift and changing consumer behaviour: a resident is much more likely to opt for shared transport if this is fully integrated in their housing development; a worker is more likely to avoid using a private car if a workplace is fully connected to a range of transport choices.

Air quality and planning

The role of air quality in determining planning applications is complex and has been challenged in numerous legal cases. There are three key points to remember:

1. **National planning guidance means that air quality is a material consideration in developments.** The National Planning Policy Framework (NPPF) places an obligation on planners to consider impacts on air quality impact in both plan making and decision taking.
2. **Adverse effects on air quality do not mean a development must be refused.** Under European legislation, the UK is required to comply with the legal limits of pollutants such as Nitrogen Dioxide and particulate matter. Where those limits are exceeded, an Air Quality Action Plan must be put in place. If a proposed development is likely to have adverse impacts on air quality, it is not necessary to automatically refuse it.
3. **Evidence showing how air quality issues will be mitigated are required.** Case law has established that planning permission for developments which would have an adverse impact on air quality can be refused if insufficient measures have been taken to address the problem. It is not enough for a developer to simply make a financial contribution. The developer must be able to evidence how that contribution will directly improve air quality. (FN: *Gladman Developments Ltd v SSCLG & CPRE (Kent)* [2017] EWHC 2768)

Existing planning approaches

Planning policy is slow to change. As a result, many urban transport policies fail to address many of the air quality, congestion and transport issues facing the UK's towns and cities and are not up to date with consumer attitudes in this area. Key points to note include:



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- The National Planning Policy Framework (NPPF) does contain some key sections considering the transport implications of new developments. However, although these sustainable transport provisions allow planning permission to be refused if the cumulative impacts on local transport are severe, the provisions concentrate on the effects on the road network and road safety rather than the provision of shared transport.
- The NPPF highlights the importance of designing developments to include shared transport and active travel provisions, but there is no guidance to local planners on how this should be applied at the decision taking level.
- Transport issues are largely dealt with by local mechanisms requiring developer contributions to fund sustainable transport. These contributions are normally agreed as part of a section 106 agreement. However, often these are narrowly scoped contributions largely designed to fund improvements to existing travel infrastructure or facilities rather than to provide high quality, multi-modal connectivity in new developments that could influence consumer behavioural change. Essentially, a developers' sustainable travel contributions are often regarded as a low priority in planning discussions and little innovation has been shown in this area to date.
- Since the early 2000's some regions and cities have made efforts to include a range of sustainable travel measures in their planning processes. One of these measures has been through the inclusion of car club measures in planning policy. However, further changes are still needed and planning processes need to include a multi-modal approach towards implementing sustainable transport infrastructure.

How should local authorities approach this area?

As the national policy for mobility planning is lagging behind the challenges facing local authorities, there is an opportunity for local authorities to be proactive in this area. We recommend the following:

- 1. Ensure that the transport, environment and planning teams work together.** It is easy for different parts of local authorities to exist in silos without sharing information or initiatives. All teams need to work together to deliver for consumers, assist modal-shift and improve air quality.
- 2. Provide training to planning departments on the options for securing multi-modal connectivity.** There is an opportunity to improve knowledge gaps and work to build the confidence of planners in challenging developers and considering innovative transport solutions at an early stage in the planning process. Government initiatives such as the High Streets Task Force are providing opportunities in this area and commercial partners would also be willing to provide assistance.
- 3. Consider using section 106 agreements creatively.** Instead of focusing on generic sustainable transport contributions, planners should focus on specific transport measures in every new development. For example, developers could be required to install a multi-modal transport hub featuring onsite car club, bike hire, electric car charging, bus/rail/tram links and any other locally available provision within a new development.
- 4. Issue planning policy guidance emphasising sustainable transport.** Until national and local planning policies are adopted in this area, guidance notes should be issued to set out a clear direction for promoting connectivity and multi modal transport as a material planning



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consideration in every new development – in particular it must take into account the shift that is happening from vehicle ownership to vehicle hire, and from single to multi-modal journeys.

- 5. Target parking provision.** Planners should review parking provision alongside multi-modal connectivity. This would not only help to discourage private car ownership and release space for denser urban development, but release funds for car hire, links to the bus network and incentivise infrastructure expansion focussing on shared transport. Increasing numbers of research reports show that under 25s are moving away from vehicle ownership. This will have important consequences for how urban housing developments are designed in future.

Incentivising developers to plan for mobility

To achieve real change in this area, developer 'buy-in' is essential. Some key points to emphasise include:

- The legal position dictates that a developer is required to show practical measures to mitigate a developments' adverse impacts on air quality. Simply throwing money at the problem will not be enough.
- A developer could potentially save money by offering multi-modal connectivity options, rather than opting to the normal system of sustainable travel contributions.
- High quality, multi-modal connectivity could increase the value of developments. Consumers are increasingly looking for ways to travel both sustainably and actively. A developer who seizes this potential could secure long-term benefits.