

**Title of meeting:** Cabinet Member for Planning, Regeneration and Economic Development  
**Date of meeting:** Tuesday 31<sup>st</sup> July 2018  
**Subject:** Parking Standards and Transport Assessments  
Supplementary Planning Document  
**Report by:** Assistant Director of Development  
**Wards affected:** All  
**Key decision:** No  
**Full Council decision:** No

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**1. Purpose of report**

- 1.1 The purpose of the report is to inform PRED of commencement of work on a review of the Parking Standards and Transport Assessments Supplementary Planning Document (2014).

**2. Recommendations**

**It is recommended that the Cabinet Member for Planning, Regeneration and Economic Development:**

**1. Note this report**

**3. Background**

- 3.1 The city council has for many years published parking standards that it expects to be met in new development. The current standards were adopted in July 2014 and include parking and design standards for new residential and non-residential development for both cars and bicycles. The current version also includes guidance on when transport assessment and travel plans will be required to address the transport impacts of proposed developments.
- 3.2 The SPD sits alongside the Portsmouth Plan to supplement its policies; in particular policy PCS17. The policy outlines the council's aim to deliver a transport strategy that will reduce the need to travel and provide a sustainable and integrated transport network.
- 3.3 The SPD also supports policy PCS23 of the Portsmouth Plan which states that new development must be well designed; highlighting that car parking should be secure, well designed, integral to the overall scheme and convenient to users and accessible to all.

- 3.4 The current Parking Standards and Transport Assessments SPD is a material consideration for determining planning applications.

Policy Context

- 3.5 The National Planning Framework (NPPF) details Government's planning policies and how these are expected to be applied through Local Plans and through decisions on planning applications.
- 3.6 At the heart of the NPPF is a presumption in favour of sustainable development; a golden thread that runs through plan-making and decision taking. In practice this means that development proposals that accord with the Local Plan should be approved, unless material considerations indicate otherwise.
- 3.7 Section 4 of the NPPF addresses the topic of 'Promoting Sustainable Transport'. Paragraph 35 notes how Local Plans should protect and exploit opportunities for use of sustainable transport modes for movement of goods and people.
- 3.8 Paragraph 39 then lists a number of considerations that local authorities should take into account when setting residential and non-residential parking standards:
- the accessibility of the development;
  - the type, mix and use of development;
  - the availability of and opportunities for public transport;
  - local car ownership levels; and
  - an overall need to reduce the use of high-emission vehicles.
- 3.9 National Planning Practice Guidance (PPG) supplements the policies of the NPPF. The PPG suggests that local planning authorities should seek to ensure parking provision is appropriate to the needs of development and not reduced below a level that could be considered reasonable, noting that maximum standards should not be applied. The PPG also notes the important role that travel plans, transport assessment and transport statements play in promoting the most sustainable forms of transport.
- 3.10 In March 2015 a planning update from Government stated "Local planning authorities should only impose local parking standards for residential and non-residential development where there is a clear and compelling justification that is necessary to manage their local road network."
- 3.11 In order to conform to the NPPF and the 2015 planning statement, locally set car parking standards need to be based on and backed up by locally relevant evidence.
- 3.12 In March 2018 Government issued a revised draft of the updated National Planning Policy Framework (NPPF). Paragraph 106 of the draft NPPF requires that if local parking standards for residential and non-residential development are set, the policies should take into account: the accessibility of the

development; the type, mix and use of development; the availability of opportunities for public transport; local car ownership levels; and the need to ensure an adequate provision of spaces for plug-in and other ultra-low emission vehicles. Paragraph 107 takes into account the Government statement of March 2015 and states that maximum parking standards should only be set where there is a clear and compelling justification that they are necessary for managing the local road network.

#### **4.0 Current Parking Standards and Transport Assessments SPD**

- 4.1 The guidance set out by the NPPF and PPG has been reflected in the Portsmouth Plan. Policy PCS17 seeks to reduce the need to travel and provide a sustainable and integrated transport network. The policy meets with the requirements of the NPPF in seeking to promote use of sustainable transport and encouraging development in areas that have good access to facilities, services and public transport.
- 4.2 Policy PCS17 itself does not set parking standards, however the requirement to refer to the Parking Standards and Transport Assessments SPD is written into the policy.
- 4.3 The current SPD provides separate parking standards for residential and non-residential developments, which is standards practice to have separate origin-based and destination-based standards. In both cases the standards are expressed as expected parking standards, rather than a minimum or maximum requirement.
- 4.4 With regards to residential development the introductory section the current SPD notes that dwelling size, type, tenure and location are important factors in determining levels of car ownership.
- 4.5 The SPD notes that the car parking standards for residential development have been derived from 2011 census data on the average number of vehicles available to different sizes of dwellings. However, it is noted that this data is now over seven years old, and it is not supplemented with evidence from local household surveys.
- 4.6 In particular the location of development is not broken down across use and tenure factors. Whilst paragraph 2.2 of the current SPD notes that lower car parking provision would be expected in the city centre, the SPD does not take into account other areas of the city that are in highly accessible locations with regards to facilities, services and public transport.
- 4.7 Policy PCS17 of the Portsmouth seeks to encourage development in areas around public transport and along corridors where there is good access to public transport, goods and services. The policy also seeks to promote walking and cycling and improved integration with other modes.

## 5.0 Application of current SPD

- 5.1 The current SPD has been used as a justification to refuse planning applications where the proposed level of parking falls below that set out in the expected standards table in figure 4 of the SPD. However the Council has failed to sustain this reason for refusal at appeal.
- 5.2 The following examples outline some of the recent cases in which decisions to refuse planning permission based on under provision of car parking spaces compared to the levels defined in the SPD have been overturned by the Planning Inspectorate.
- 5.3 On 26<sup>th</sup> July 2017 the Planning Inspectorate allowed an appeal against the council's refusal of planning application reference 16/02009/FUL which was for change of use from a C3 dwelling to a C4 House in Multiple Occupation. The Parking Standards and Transport Assessments SPD required two parking spaces for the proposed development which could not be provided.
- 5.4 The inspector noted that due to proximity to local facilities and a high frequency bus route, the necessity for car ownership by future occupiers would be substantially reduced. The proposal was therefore considered not to have a significant worsening of the current car parking issues. The Inspector allowed the appeal and required that a condition was attached to ensure the implementation and retention of cycle parking facilities.
- 5.5 On 20<sup>th</sup> April 2018 the Planning Inspectorate allowed an appeal against the council's refusal of planning application reference 17/00111/FUL which was for change of use from A1 retail to one two-bedroom dwelling and three one-bedroom dwellings. The Parking Standards and Transport Assessments SPD required the development to provide four parking spaces which could not be provided.
- 5.6 The Inspector noted that due to the development being within easy walking distance of facilities, services and public transport there was reduced need for occupiers of the development to have private cars. The Inspector concluded that the development would not add significantly to the highway problems in the area.
- 5.7 Another decision made on 20<sup>th</sup> April 2018 allowed an appeal against refusal to grant planning permission for application reference 17/00338/FUL which was for conversion to form two one-bedroom flats. When applying the level of parking expected in the Parking Standards and Transport Assessments SPD this development should have provided two parking spaces. The spaces could not be provided due to constraints of the site.
- 5.8 The Planning Inspector noted that the supporting census data underpinning the SPD is based on households with cars and excludes households without cars. (The calculation used to establish the average number of vehicles per dwelling, only includes in the calculation those households with at least one vehicle.

Households with no vehicles are excluded from the calculation, meaning that the average given in figure 4 of the SPD is an increased reflection of average car ownership in the city).

- 5.9 The development proposed to provide single bedroom accommodation in a location within easy walking distance of facilities, services and public transport. It was therefore concluded that despite being unable to deliver the level of parking required by the SPD, the proposed development still complied with policy PCS17 of the Portsmouth Plan.

## **6. Reasons for recommendations**

- 6.1 The background and discussion in this report highlight that the current Parking Standards and Transport Assessments SPD now needs review due to the inflexibility allowed in considering the impact that accessibility to services, facilities and public transport, as well as the types, tenure and mix of development has on car ownership levels.
- 6.2 The current SPD does not set out requirements for developers to provide electric vehicle charging and does not set out expectation on how the Council will work with developers to agree travel plans to ensure that sustainable development is delivered.
- 6.3 Recent planning appeal decisions have not supported under delivery against the Parking Standards and Transport Assessments SPD as an adequate reason for refusing development.
- 6.4 The methodology used for calculating average car ownership levels for residential parking standards needs updating to accurately reflect local car ownership levels, as is required by the NPPF.

## **7. Equality impact assessment**

- 7.1 A full Equality Impact Assessment (EIA) has been carried out on the Portsmouth Plan (Core Strategy), including Policy PCS17: Transport. This exercise did not highlight any specific issues relating to equalities groups in the city. As this supplementary planning document amplifies existing policy, no further EIA is considered necessary.

## **8. Legal implications**

- 8.1 The provisions of The Town and Country Planning (Local Planning) (England) Regulations 2012 (“the Regulations”) regulate the process by which the Council prepares supplementary planning documents (SPD), including public consultation.

8.2 Prior to the adoption of a SPD regulation 12 of the Regulations require a local planning authority (LPA) to prepare a statement (a ‘consultation statement’) setting out:

- the persons consulted by the LPA when preparing the SPD
- a summary of the main issues raised by those persons
- how the LPA has addressed those issues in the SPD

The Regulations allow any person to make representations about an SPD.

8.3 Publication, consultation with appropriate stakeholders, and receiving and considering relevant representations are necessary steps towards adoption, and the report and recommendation support compliance with the Council’s statutory obligations as LPA.

**9. Director of Finance's comments**

9.1 The recommendation within this report, to undertake a review of the Parking Standards and Transport Assessments Supplementary Planning Document, has no adverse financial implications to the Council, and any associated costs are anticipated to be met from existing approved budgets.

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Signed by:

**Appendices:**

**Background list of documents: Section 100D of the Local Government Act 1972**

The following documents disclose facts or matters, which have been relied upon to a material extent by the author in preparing this report:

<b>Title of document</b>	<b>Location</b>
Parking Standards and Transport Assessments SPD	<a href="https://www.portsmouth.gov.uk/ext/documents-external/pln-parking-standards-transport-assessments-spd.pdf">https://www.portsmouth.gov.uk/ext/documents-external/pln-parking-standards-transport-assessments-spd.pdf</a>
The Portsmouth Plan	<a href="https://www.portsmouth.gov.uk/ext/documents-external/pln-portsmouth-plan-post-adoption.pdf">https://www.portsmouth.gov.uk/ext/documents-external/pln-portsmouth-plan-post-adoption.pdf</a>
National Planning Policy Framework	<a href="https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/6077/2116950.pdf">https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/6077/2116950.pdf</a>



Planning Practice Guidance	<a href="https://www.gov.uk/government/collections/planning-practice-guidance">https://www.gov.uk/government/collections/planning-practice-guidance</a>
Planning Update (March 2015)	<a href="https://www.parliament.uk/business/publications/written-questions-answers-statements/written-statement/Commons/2015-03-25/HCWS488/">https://www.parliament.uk/business/publications/written-questions-answers-statements/written-statement/Commons/2015-03-25/HCWS488/</a>
Appeal Ref: APP/Z1775/W/17/3188141	<a href="https://acp.planninginspectorate.gov.uk/ViewCase.aspx?CaseID=3188141&amp;ColD=0">https://acp.planninginspectorate.gov.uk/ViewCase.aspx?CaseID=3188141&amp;ColD=0</a>
Appeal Ref: APP/Z1775/W/17/3179828	<a href="https://acp.planninginspectorate.gov.uk/ViewCase.aspx?CaseID=3179828&amp;ColD=0">https://acp.planninginspectorate.gov.uk/ViewCase.aspx?CaseID=3179828&amp;ColD=0</a>
Appeal Ref: APP/Z1775/W/17/3169402	<a href="https://acp.planninginspectorate.gov.uk/ViewCase.aspx?CaseID=3169402&amp;ColD=0">https://acp.planninginspectorate.gov.uk/ViewCase.aspx?CaseID=3169402&amp;ColD=0</a>

The recommendation(s) set out above were approved/ approved as amended/ deferred/ rejected by ..... on .....

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Signed by: