

NORTH SOMERSET COUNCIL DECISION

DECISION OF: THE EXECUTIVE MEMBER FOR PLANNING,
BUILDING CONTROL, HIGHWAYS & TRANSPORT



WITH ADVICE FROM: DIRECTOR OF DEVELOPMENT AND ENVIRONMENT

DECISION NO: 19/20 DE 350

SUBJECT: Approval of the updated Highways Development Design Guide (HDDG) following public and internal officer consultation.

KEY DECISION: NO

REASON:

The HDDG does not result in the Local Authority incurring expenditure or making savings of at least £500,000 or over. Although the HDDG is a guide for development in all wards of the Local Authority, it is not deemed to be significant in terms of its effects on communities living or working in this area.

BACKGROUND:

The Highways Development Design Guide (HDDG) assists developers, individuals and communities in understanding and meeting the expectations of North Somerset Council and guides the planning and technical process in respect of new highway development.

It provides the guidance and specifications required for roads and other types of transport infrastructure to be designed and constructed to the standard required for adoption by the local highway authority, and to be maintained at public expense.

The aims of the HDDG are to:

- Save NSC officers' time and resources by providing information and resources for developers on common queries;
- Create a unified approach from NSC on key issues (maintenance, liability, commuted sums, place-making, materials, etc.);
- Provide clarity for developers;
- Offer a one-stop package covering planning and construction;
- Manage the cost of maintaining our highway asset;
- Ensure that development continues to reflect the distinguishing features of North Somerset.
- Ensure that development is high-quality, low-carbon and in sustainable locations that align with North Somerset Council's commitment to reduce reliance on the private car and become carbon neutral by 2030.

The HDDG was first adopted by Full Council in January 2015 and has fulfilled its purpose by contributing towards the above list of aims. However, due to changes in planning, highways and transport design standards and best practice, as well as numerous other

changes, it has been appropriate for NSC to review the HDDG by consulting officers across the relevant council teams to update the document. Following these changes, a public consultation was undertaken via the council's e-consult website (the council's recognised consultation protocol) for six weeks and two days. Additional comments were also received during this period from planning, policy and design officers who provided further comment for consideration within the review. The document contains a host of proposed changes, with the most significant changes summarised below:

- Inclusion of JLTP4 and NSC's Climate Emergency objectives.
- Guidance on Car Share Clubs and Electric Vehicle charging points added.
- Updated the Shared Space guidance to adhere to DfT guidelines.
- Securing low speeds section updated with the new approach.
- Amendments to thresholds for travel plans and inclusion of travel plan statements.
- Public transport design requirements updated with Home to School requirements added.
- Sustainable Drainage guidance updated with SUDS Manual (C753) guidance noted as standard.
- Temporary works section amended for clearer understanding with the inclusion of highway licencing requirements for developers/contractors working on the adopted highway.
- Update to Footways and Cycle Track guidance for the latest guidance and design widths.
- Maximum dwelling figure for consideration for one access road for new developments.
- Gated accesses design requirements included.
- RSA audit information updated to include stage 4.

All the detailed changes are included in the Report of Consultation below in Appendix 1.

DECISION:

This Decision Notice asks the Executive Member for Planning, Building Control, Highways and Transport to approve the updated HDDG following the public consultation and internal officer requests.

REASONS:

The document has been reviewed and updated to include the latest best practice guidance, NSC's Climate Emergency declaration, the newly-adopted JLTP4, changes to reflect and reduce the national Home to School Transport crisis and also emerging technological advances such as electric vehicles. Consultation through NSC's public and stakeholder consultation platform, e-consult, has enabled developers, stakeholders, individuals and communities to have an opportunity to review the proposed changes by Council Officers, as well as suggest their own changes to the HDDG to bring it up to current best practice for highway and development design standards. It is important to bring this to the attention of the Executive Member.

OPTIONS CONSIDERED:

Several options were considered:

1) Publicly consult on the proposed changes to the HDDG, to enable the guidance to be updated to current standards and best practice as outlined above (this was the recommended option and approved by the Executive Member).

2) Continue with the current HDDG (adopted 2015). This would mean relying on a guide that contains outdated advice, standards and guidelines and would leave NSC open to challenge, as well as further resource commitment in correcting misguided design/standards further into the planning application, design & adoption process.

3) Revoke the HDDG (2015) and revert back to considering design and maintenance of the highway network on an ad-hoc basis, and/or seeking to recover full costs of the additional costs of maintaining the additions to the highway network. This is considered to be an unreliable way to achieve our objectives and to recover costs which are more likely to be subject to challenge by developers. Ultimately this would represent a significant step backwards.

FINANCIAL IMPLICATIONS:

There were no financial costs associated with the decision to publicly consult on the proposed changes to the HDDG, except for staff time in setting up the online consultation on the North Somerset Council website (via 'e-consult'). As this was an online consultation, there was no physical consultation and therefore no financial or resource implications such as providing consultation materials or public consultation sessions.

Costs

None financial - staff time only.

Funding

None.

LEGAL POWERS AND IMPLICATIONS

North Somerset Council has the policy of a presumption to adopt highways, street lighting and flood management on new developments. In the case of highways this applies to residential developments.

Adopted roads are designed and constructed to appropriate standards. The Council adopts the roads under Section 38 or Section 278 of the Highways Act, which requires the developer to maintain the works for at least 12 months following their completion. This method of management and maintenance provides an assurance that the roads delivered will be fit for purpose and up to the Council's standards, reducing the risk of problems later on. It also offers a level of consistency that is beneficial and appropriate in relation to residents' council tax payment.

Adoption agreements provide the mechanism for the collection of commuted sums for the ongoing maintenance of the adopted works, where appropriate.

CLIMATE CHANGE AND ENVIRONMENTAL IMPLICATIONS

The HDDG outlines that all new developments must contribute to NSC's commitment to be carbon neutral by 2030, as included within the Council's Climate Emergency Strategy and supporting Action Plan. It sets out how all new developments in North Somerset must be

low-carbon and truly sustainable by this updated development design guidance outlining that active travel and public transport choices are prioritised.

Since consultation, significant text has been added from the recently-adopted West of England Joint Local Transport Plan 4 (JLTP4) and the emerging North Somerset Active Travel Strategy (ATS). This has strengthened the HDDG's stance on providing guidance that developments now need to more proactively enable modal shift from the private car to more active and sustainable modes of transport. The HDDG sets out how developments must be designed to give clear priority for pedestrians and cyclists at junctions wherever possible and with integrated on-site provision and access, more trips are retained within local areas, so people are not forced to travel to access basic services. The design for new developments in North Somerset must therefore prioritise walking and cycling provision both within and connecting to and from their developments.

The HDDG will also help new developments contribute to carbon neutrality by 2030, by including stronger guidance on:

- the use of Sustainable Urban Drainage Systems (SUDs);
- Car Share Clubs and Electric Vehicle charging points;
- the thresholds for travel plans and inclusion of travel plan statements;
- public transport design requirements updated with Home to School requirements added;
- Footways and Cycle Track design widths and standards.

The HDDG also strongly emphasises the urgency and importance of the Climate Emergency and the need for low-carbon developments as the context and standard for all new developments. A new section on this included within the introductory pages and sets the tone for the rest of the guide. The guide will enable NSC planning officers to uphold the principles of lower-carbon development design through setting out a clear message to developers as they engage with the planning process.

CONSULTATION

The HDDG was first published in December 2015 and is a working document that should be updated and refreshed with new policy, guidance and legislation when appropriate. Officers were consulted with to provide updates to this version from 2017 onwards and resulted in necessary changes to the document being identified. A Briefing Note was sent to the Executive Member and a meeting took place on 15 July 2019 to discuss the changes to the document and seek approval to carry out a Public Consultation. Following the Executive Member's approval, a Public Consultation was conducted in Autumn 2019 for six weeks and two days with the updated document. This was undertaken via the council's e-consult website, which is the Council's recognised consultation protocol. Some 4000 consultees who have registered an interest in transport consultations were notified of the consultation and 2 consultation responses were received from NSC Officers.

Further responses were received from NSC Officers together with those received via the e-consult process and were analysed and reviewed and the necessary changes have been incorporated into the HDDG. The full list of consultation responses is included in Appendix 1.

RISK MANAGEMENT

The HDDG has significant implications for the quality of the environment and the operation of the transport network in North Somerset and the impact on Council budgets. It is also significant for residents on new developments who will expect timely completion to a high quality of the roads, paths and street lights that are essential to the functioning and safety of the new settlements.

Proceeding to update and adopt the HDDG without public consultation would leave us open to increased scrutiny and challenge from developers, transport consultants, other stakeholders, individuals and communities.

EQUALITY IMPLICATIONS

Have you undertaken an Equality Impact Assessment? **No**

The design and maintenance of the highway network within North Somerset is of critical importance to all residents, visitors and businesses in North Somerset and affects a wide range of groups in the community who have different levels of access to transport of all kinds for all forms of journey reasons.

CORPORATE IMPLICATIONS

The design and build of highway infrastructure compliant with current standards and best practice enables the Council to meet a number of the Corporate Plan 2020-24 priorities, either directly or indirectly, as shown in the table below:

Table 1: NSC Corporate Plan 2020-24 – Priorities and whether the HDDG contributes

NSC Corporate Plan 2020-24: Priorities		Direct (✓✓) or Indirect (✓) contribution
A thriving and sustainable place	A great place for people to live, work and visit	✓✓
	Welcoming, safe and clean neighbourhoods	✓✓
	To be a carbon neutral council and area by 2030	✓✓
	A transport network which promotes active, accessible and low carbon travel	✓✓
	An attractive and vibrant place for business investment and sustainable growth	✓
	A broad range of new homes to meet our growing need, with an emphasis on quality and affordability	✓
A Council which empowers and cares about people	A commitment to protect the most vulnerable people in our communities	✓
	An approach which enables young people and adults to lead independent and fulfilling lives	✓
	A focus on tackling inequalities and improving outcomes	✓
	Partnerships which enhance skills, learning and employment opportunities	X
	A collaborative way of working with partners and families to support children achieve their full potential	✓
An open and enabling organisation	Engage with and empower our communities	✓
	Empower our staff and encourage continuous improvement and innovation	✓

	Manage our resources and invest wisely	✓
	Embrace new and emerging technology	✓✓
	Make the best use of our data and information	✓
	Provide professional, efficient and effective services	✓✓
	Collaborate with partners to deliver the best outcomes	✓✓

BACKGROUND PAPERS

NSC Highways Development Design Guide (2015)

<https://www.n-somerset.gov.uk/wp-content/uploads/2015/11/highways-development-design-guide.pdf>

APPENDICES:

Appendix 1: Highways Development Design Guide – Report of Consultation May 2020

Appendix 2: NSC Highways Development Design Guide (2020)

SIGNATORIES:

DECISION MAKER(S):



Signed: ..

Executive Member for Planning, Building Control, Highways and Transport

Date: 24 June 2020

WITH ADVICE FROM:



Signed:

Director Development and Environment

Date: 15 June 2020