

PARKING STANDARDS FOR NEW DEVELOPMENTS SPD DRAFT (NOV 2022)

Consultation response on behalf of Persimmon Homes

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REPORT

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1 INTRODUCTION

- 1.1 RPS has been appointed by Persimmon Homes ('PH') to prepare a response to the Parking Standards for New Developments SPD Draft (Nov 2022) as presented by Central Bedfordshire Council.
- 1.2 This report aims to set out, in a clear and concise form, the relevant issues our client has in relation to the SPD consultation. It is considered the SPD in its current form poses issues for the development of new schemes on allocated sites within the Local Plan along with potential implications for future residential sites that will come forward during the Plan Period.
- 1.3 We broadly welcome the approach adopted to update the parking standards in the authority area, as this helps to provide certainty and guidance to investors in the area. We do, however, express some reservations with the draft proposals and therefore wish to provide a formal response to the consultation. These concerns are particularly pertinent as set out in these representations to Persimmon Homes land interests in relation to the Central Bedfordshire Local Plan allocation housing site HAS17.

2 SPD CONSULTATION RESPONSES

- 2.1 PH support the Council's proactive approach to encouraging a positive difference to transport choices through effective parking provision, encouraging more walking and cycling for shorter journeys. PH broadly welcome the role of the SPD in providing a range of guidance on various way in which this can be achieved.
- 2.2 Notwithstanding the modifications proposed in Table 1, our clients take issue with a key point of principle with this consultation's proposals. Policy T3 of the Local Plan seeks to manage parking and servicing provision within the Central Bedfordshire. As worded, the policy directs details of the parking standards to the Council's Central Bedfordshire Design Guide and the Parking Strategy, without specific mention to the 'Draft Parking Standards for New Developments SPD'. The introduction expresses that the SPD seeks to replace the guidance in the LAMP3: Car Parking Strategy, Design Guide: 1 [Place Making in Central Bedfordshire] and LAMP3: Cycle Parking Annexes. In the absence of evidence to demonstrate the parking standards in the document are justified and, as identified in paragraph 008 in Planning Practice Guidance on Plan Making, SPDs cannot be used to introduce new policy and set standards. For effectiveness, additional supporting text is necessary to explain the use of the SPD as a guide in the determination of planning applications. This point was made clear through the example of Birmingham City Council's Report on the Examination of the Development Management in Birmingham Development Plan document.
- 2.3 SPDs escape the examination process needed for DPDs and can effectively be seen as elaborating on existing policies. SPD policy cannot supersede development plan policy and is merely a material consideration in the determination of future planning applications. Regrettably, at times the SPD does go beyond its remit in introducing new requirements that go above and beyond existing policies set out in the Local Plan. It is well established in case law that SPD's cannot supersede development plan policy (see for example [William Davis Ltd & Ors v Charnwood Borough Council \[2017\] EWHC 3006 \(Admin\)](#)), nor should SPDs introduce standards that impact on viability, as viability should be tested through the formal development plan process.
- 2.4 In relation to the parking space dimensions, we consider that where parking spaces are proposed, the sizes should be no larger than the minimum bay size of 2.5m x 5.0m. This takes account of current vehicle sizes whilst balancing this approach with viability considerations and the importance of making efficient use of land.

- 2.5 The Council’s approach to artificially increase the amount of space given to cars, through a 1m buffer effectively enveloping a parking space is excessive and risks undermining viability of housing schemes. This approach risks undermining the consistency with the NPPF, where paragraph 68 outlines that *“planning policies should identify a sufficient supply and mix of sites, taking into account their availability, suitability and likely economic viability”*.
- 2.6 In appraising the local plan viability, the Council analysed each of the policies in order to determine which policies have a direct or indirect impact on development viability. All the policies were recognised to have an indirect impact on viability through the operation of the property market and via site allocations which shape supply over time. Crucially Policy T3 [Parking] was considered to have a direct influence on viability.
- 2.7 Appendix 1 of the Local Plan Viability Policy Review Study (Dec 2017) identified the implications for Local Plan Viability for Policy T3 as:
- “This policy regards the appropriate car and cycle parking provision for residential, commercial and other trip generation development. Development should be in line with the Central Bedfordshire Council’s Design Guide and Parking Strategy. Cycle parking must be in line with the standards in the Central Bedfordshire’s guidance for cycle parking in new developments.*
- There are no specific costs or quantum associated with these requirements which we assume are included in normal external works allowances”*.
- 2.8 We contend that the provisions set out within the SPD go further, burdening developers with costs outside of an acceptable level of external works allowances, as identified within the Viability Assessment for allocated sites.
- 2.9 Equally, the typologies matrix of the Viability Study reflects the sites allocated for development. It is therefore unreasonable to impose additional costs and by implication given the increased parking dimensions a reduced quantum of housing that can come forward from allocated housing sites from this additional change through a Supplementary Planning Document. Policy requirements (set at the local plan level), in this instance for parking standards, should be set at a level that takes account of infrastructure needs and allows for the planned types of sites and development to be deliverable, without the need for further viability assessments at the decision-making stage (see planning practice guidance - Paragraph: 002 Reference ID: 10-002-20190509).

- 2.10 By way of example, Persimmon Homes estimate that the implication of this measure on its allocated housing site off Steppingly Road (HAS17) would likely see a reduction of approximately 9000 sq. feet which equates to an estimated loss of up to 9 units (depending on unit type) which is clearly a significant impact. This is in addition to several units that have been removed from the site as a direct result of specific urban design changes to the scheme that have been requested by the LPA at the pre-application stage. This seriously threatens the viability of the scheme, which was assessed through the local plan viability process based on 216 dwellings and was submitted as a full planning application in October 2022 for 200 dwellings.
- 2.11 RPS contend that the Council should remove completely the ‘enlargement’ of parking spaces on the basis of the importance of making efficient use of land in line with Paragraph 119 of the Framework. Planning practice guidance advises on making effective use of land, including planning for higher density development. The requirement for larger parking spaces for each dwelling would impact on the density of development, particularly in areas closer to centres and other sustainable / accessible locations. We therefore consider it appropriate to allow for smaller spaces or a lower quantum of spaces to be proposed where justified and robust evidence is provided and/or to exclude existing housing allocations.
- 2.12 Detailed comments against paragraphs or appendices of the SPD are set out in the table below.

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Table 1: Full schedule of comments and proposed changes

Section	Paragraph / Principle / Indent	Response	Suggested modifications
1.2 Adherence to the standards	Primary paragraph	As raised in paragraph 2.1 of our report – we take fundamental issue with the principle of the SPD including ‘standards’. As raised, it should be made clear an SPD is ‘guidance’ with example parking layouts.	Omit ‘standards’ to ensure it is clear that the reference is to guidance.
3.1 – Visitor cycle parking at houses	3.1	We raise concern that short stay cycle parking for residential schemes is unnecessary.	Only require short stay cycle parking for residential development ‘where appropriate’ or where evidenced by a supporting travel plan.
3.3 – Resident’s cycle parking at houses	Indent (bullet point) 1	The suggestion that cycle parking should be incorporated preferably within the footprint of the building is completely impractical.	Omit the wording ‘preferably within the footprint of the building’ and replace with ‘within each plot’.
3.3 – Resident’s cycle parking at houses	Indent (bullet point) 5	PH question the evidence around the suggestion that domestic garden sheds are presumed to be too full to conveniently access a cycle, instead it is assumed they are solely used to store other equipment. It doesn’t appear this approach has been based upon the outcomes of the Central Bedfordshire Householder Travel Survey or other evidence. Given that garage spaces are considered suitable places to park cycles, we consider that where a garage is not present at a property, an occupier may have a larger shed to accommodate extra storage provision. This is something that cannot be controlled by planning.	We suggest that domestic gardens sheds are considered permissible cycle storage locations, similarly to garage spaces

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3.3 – Resident’s cycle parking at houses	Indent (bullet point) 7	The provision for e-bike charging appears excessive. Nearly all electric bikes have detachable batteries to reduce the risk of theft. In this event, a battery would be taken inside a property and charged at a conventional indoor plug socket.	We suggest that the requirement for e-bike charging points should be omitted.
3.5 - Cycle parking for non-standard cycles	3.5	It is impractical to request design of buildings to include non-standard cycle requirements and this would add to overall viability concerns.	Omit this section
4.5 – Car parking provision for residential developments	First paragraph & Table 3	<p>RPS are concerned that the proposed minimum parking standards set out in Table 3, whilst supposedly reflecting the current levels of car ownership, does not permit for flexibility should the situation change over time or have regard to accompanying Design and Access Statements or Transport Assessments or similar.</p> <p>The approach needs to allow for flexibility below the minimum should specific site requirements merit it in highly accessible locations.</p>	Supplementary messages at each table of minimum standards should be provided, for the purposes of clarity, to ensure that there is a clear and consistent message that variations to the standards will be allowed where this is demonstrated to be acceptable in supporting information. We recommend the following text is added: “Variations in the standards will be considered where justified by the supporting information of any forthcoming planning applications via the Design and Access Statement, Transport Assessment and have regard to similar developments in comparable locations”. Equally, evidence should be provided as to why maximum allowed parking provision would not perform adequately in this area. Given maximum standards allow for the flexibility of calculating more accurate parking standards in sustainable locations.
4.5 – Car parking provision for residential developments	Table 3	Presume ‘X no. of bedrooms’ means ‘houses and flats with X bedrooms or more’.	For clarity: The wording ‘Residential developments’ should be amended to read: “Use class C3: Dwellinghouses (house, flats/apartments).”

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Section	Paragraph / Principle / Indent	Response	Suggested modifications
4.5 – Car parking standards for residential development	4.5.1 – Visitor parking	We consider that in aiming to meet this requirement, there is not enough street space without undermining the opportunity for on plot garages / drives, which the SPD predicates. Possible situations (due to site layout – e.g., bends, visibility splays, etc.) for houses to have a drive blocked by requirement for on-street visitor parking.	Possibly reduce the no. requirement of visitor spaces when proposals deliver 50% or more unallocated spaces.
4.6 – Car parking standards in town centres	Table 4	<p>PH question the evidence around the suggestion that town centre residents are likely to still retain at least one car given that policy and practice has resulted in a modal shift away from reliance on the car and it is an accessible location via public transport. PH consider the approach is contrary to NPPF paras 28, 104 and 105. We consider it essential (as per the NPPF) to allow flexibility (i.e. neither minimums nor maximum standards). It is recognised in the Central Bedfordshire Local Plan Inspector’s Report that Site HAS17 is within walking distance of the town centre, and that future occupants would be able to access services, facilities and the train station by foot or cycle (para 228). Guidance which seeks a departure from the adopted Local Plan cannot be supported.</p> <p>Equally, clarity as to why only ‘infill residential developments’ are being controlled next to town centre locations. Surely an approach should be consistent for all residential developments?</p>	<p>We suggest amended wording to this section, ensuring that parking demands for residential development addresses local circumstances.</p> <p>A reduction in car parking provision to the no. set out in table 4 in highly accessible locations through innovative design or the provision of other incentives should be promoted and encouraged wherever possible (car share clubs and bike hire). No reason for requiring 1 space per dwelling in accessible locations.</p>
Page 26	Indent 3 & 4 (below Table 4)	Any contributions of undertaking sought should meet the CIL Regulation 122 ‘tests’ of being necessary to make the development acceptable in planning terms; directly	We support the text which emphasises “A developer may be asked to pay or contribute towards the costs of [implementing / upgrading, etc] ...”

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		related to the development; and fairly and reasonably related to the scale and kind to the development.	
<p>7.1.2 – Parking bay layouts and dimensions</p>	<p>Appendix 16 - 25</p>	<p>We are concerned that the SPD with regard to minimum car parking space / aisle widths does not allow for flexibility. For example, where end spaces are not constrained and therefore there is limited justification for the proposed standard, an allowance should be made for a reduced width of car parking space. It is therefore recommended that the SPD is amended to allow for flexibility in the size of spaces, where appropriate.</p> <p>We consider that the minimum size requirements are excessive – smaller spaces are much more appropriate to the efficient use of land. Clarity should be provided on where flexibility, or a departure from these standards will be considered appropriate (i.e., existing housing allocations). We recommend minimum space sizes should be 2.5m x 5m. The suggested increase (i.e. 4.5m x 6m) has implications for land use and cost of provision.</p> <p>Parking spaces in front of garages or windows should provide only space for the full length of the vehicle, plus an allowance for opening of the garage door or window. In these instances, 5.5 metres is the common standard to normally be provided in front of garages. This is to ensure there is no consequent overhanging onto, or blocking of, the public pavement. We therefore consider the proposed 1m / 1.2m / 1.5m buffer envelope of parking spaces is excessive. We consider that the requirement</p>	<p>Add text to clarify the appropriate circumstances, and/or where a departure from the larger spaces can be provided and considered acceptable. Change minimum size to 2.5m x 5m and caveat with the exclusion of existing housing site allocations. We conclude that this approach takes account of current vehicle sizes whilst balancing this approach with viability considerations and the importance of making efficient use of land.</p>

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		<p>be reduced from 4.5m x 6m to 2.5m x 5m (or 5.5m for spaces in front of garages / windows).</p> <p>Equally, the approach of the Council's appears inconsistent, driveways appear to require the additional 1 metre buffer when adjacent a wall, fence or plating to ensure a door can be opened fully or between two adjacent spaces (see Appendix 21). Yet for communal parking spaces this extra buffer space is not required, we would question what the difference in principle is? The 2.5m minimum width required for communal layouts is the minimum dimension that should apply to all residential parking layouts.</p>	
<p>7.1.2 – Parking Bay layouts and dimensions</p>	<p>Appendix 16 - 25</p>	<p>The appendices do not detail acceptable internal space requirement for garages. Section 4.4.1 [Garages], states that where a single garage is provided, the dimensions of the garage do not need to allow for a car to fit into it and could be reduced in size compared to a standard sized garage. Section 3.3 states that where a garage is built to dimensions that could be used to park a car in (not specified, and which size standard would the Council accept or expect to be adhered to?), the size of the garage must allow cycles to be removed easily without first driving out any car parked within it. We consider this additional internal space requirement for garages to facilitate moving a cycle out, has implications for design and land use without the guarantee of successfully retaining spaces in perpetuity. It is important to note, given the outcomes of the householder survey, that the</p>	<p>Add internal garage size specification for the purposes of clarity, but this should not include additional internal space requirements for garages to facilitate moving a cycle out, which has implications for design and land use and thereby the loss of housing units from sites without the guarantee of successfully retaining spaces in perpetuity.</p>

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Section	Paragraph / Principle / Indent	Response	Suggested modifications
		additional space is likely only to be used as storage space.	
Appendix 27	Appendix 27	The appendix sets out where pedestrian access and access to cycle storage is provided between two dwellings, a minimum width of 2 metres is required. This is excessive and inconsistent with the other parking dimensions set out. We question the rationale behind the approach to provide 1m buffer space for a vehicle – property relationship and then a 2m minimum width between two properties.	It is likely access to rear of properties will be required to securely park cycle spaces in sheds and / or other provision. The requirement for 2m minimum width between two dwellings is excessive and should be reduced to 1.2 metres – the average width of a side gate.

