



## **Craven Local Plan Examination**

# **Matter 11**

# **Appendix 2**

## **Statement of Common Ground between Craven District Council and North Yorkshire County Council**

**Matter 11** – Transport (Suggested Policy INF7, Policy INF4  
and ENV12)

**Hearing Day 7** – Friday 19th October 2018 (Week 2)

September 2018



## **CRAVEN LOCAL PLAN EXAMINATION:**

### **STATEMENT OF COMMON GROUND BETWEEN CRAVEN DISTRICT COUNCIL AND NORTH YORKSHIRE COUNTY COUNCIL ON**

### **HIGHWAY INFRASTRUCTURE IN SKIPTON.**

#### **Introduction**

1. The purpose of this Statement of Common Ground (SoCG) is to set out the position of Craven District Council (CDC) as the local planning authority (LPA) and North Yorkshire County Council (NYCC), as the local highway authority (LHA) regarding the identified highway junction mitigation measures to address the cumulative residual impact on the local highway network of the local plan development in Skipton.

#### **Background**

2. The LHA, in its representation on the Craven Local Plan: Publication Draft (9 February 2018), indicated they were in on-going discussions with the LPA and that they sought to continue to work closely with Craven District Council on the mitigation of the cumulative residual impact on the local highway network of the local plan's development proposals.
3. The Craven Local Plan was submitted to the Secretary of State on 27 March 2018 for independent examination. On 18 May 2018, the appointed examination Inspector provided the LPA with his initial questions for the examination (Ref: EL 1.001a). One of these questions related to this highway infrastructure matter and asked the following:  
*"Please can the Council confirm if an agreed position has been reached with NYCC regarding any necessary mitigation in Skipton, and if not, what investigations are outstanding?"*
4. The Inspector also added that *"If matters have been agreed it would be helpful if a Statement of Common Ground could be prepared ahead of the hearing sessions."*
5. The LPA responded to this question in its letter of 20 June 2018 (Examination library EL 1.001b); and the response gave the agreed position of the LHA. The main conclusion stated:  
*"It has been decided, therefore, to undertake a further run of the traffic modelling for Skipton to reflect the latest Submission Draft development proposals. This is underway and the consultants, Jacobs, the LHA and CDC*

*are working to complete this update and agree the required mitigation measures and costs, at a 'high level', by the middle of August 2018. This would allow CDC and NYCC to produce a Statement of Common Ground on this matter by the middle of September, in time for the commencement of the examination hearings in October 2018. Both Councils are committed to producing a Statement of Common Ground prior to the hearings."*

6. This SoCG builds on the above position and brings the Examination up to date on the results of the refresh of the traffic modelling assessment work and provides further information on the detail and deliverability of the proposed highway mitigation measures.

### **Highway Mitigation: Works**

7. The report 'Craven Local Plan: Modelling Highway Impacts of Submission Draft Plan Developments in Skipton: September 2018 ' (referred to therein as the '2018 Model Update') is set out in Appendix 1 to this hearing statement. This document refreshes the 2017 evidence base document on traffic modelling (Submission document IN008) - which is based on local plan development proposals at an earlier stage of plan making.
8. The 2018 Model Update provides a robust and proportionate evidence base on the traffic implications of local plan allocations in accordance with the NPPF and the NPPG (Paragraph: 008 Reference ID: 54-008-20141010). The 2018 Model Update identifies two junctions that have capacity issues arising from the cumulative residual impact on the local highway network of the local plan developments. This compares with the four junctions identified in the 2017 Assessment. In separating out the forecast growth of traffic generated by existing and committed developments from the forecast growth due to the local plan allocations, the 2018 Model Update only identifies the cumulative residual impact on the local highway network due to the allocations in the local plan.
9. The 2018 Model Update, recommends junction improvements to mitigate the cumulative residual impacts directly associated with the local plan allocations. The proposed mitigation is an appropriate engineering solution to mitigate the impact of the proposed allocations on the highway network. The proposed mitigation is of a relatively minor nature with minor road widening proposals on the approaches to the two junctions; all the works can be delivered within existing highway limits.
10. It is therefore both the LPA's and the LHA's views that a mechanism should be developed to seek contributions from developers of appropriate sites allocated for development in the local plan to deliver the proposed highway mitigation.

## Highway Mitigation: Costs

11. The 2018 Model Update has established that all the mitigation measures proposed can be accommodated within existing highway land; as such there is no third party land purchase costs associated with delivering the mitigation. Highway consultants employed by CDC have indicated that, based on similar road widening schemes elsewhere in North Yorkshire, a preliminary cost for construction would be as follows:

• Junction 1 A65/Gargrave Road/A629/A59	=	£300,000
• Junction 4 A6131/A65	=	£170,000
• Total	=	£470,000

12. The above cost estimates for the 'civils' construction works need to be increased to include contingency sums for items which have not been included in the estimate. Percentage contingency sums have been added for:-

• traffic management:	15%,
• contractors' expenses including preliminaries and site compound	10%
• design and supervision costs	15%

13. Given some uncertainty around the works at this early preliminary stage of design, an additional allowance of 10% has made for contingencies together with the industry standard 44% Optimism Bias uplift, as a further contingency sum.

14. From a desk study of the statutory undertakers services under and on the likely land take area for mitigation, there are no major re-alignments or relocations required. Applying the contingencies stated above, there is a preliminary total works cost of £1.1million.

## Highway Mitigation: Timing

15 Using an assessment of potential growth rate during the plan period the 2018 Model Update identifies that the mitigation measures for Junctions 1 and 4 would, respectively need to be completed and in operation by 2028 and 2029.

## Highway Mitigation: Delivery

### Funding

- 16 Planning obligations can assist in mitigating the impact of unacceptable development to make it acceptable in planning terms. In this case, planning obligations in the form of Section 106 legal agreements will provide the funding mechanism to deliver the mitigation to address the cumulative residual impact of local plan allocations on the local highway network.
- 17 CDC's evidence base, the 2018 Model Update demonstrates that the proposed highway mitigation measures are necessary and directly related to the cumulative impact of local plan development. Developer contributions must also be fairly and reasonably related in scale and kind to the development. The proposed method by which the apportionments between sites will be achieved is set out below. Hence these proposed planning obligations to deliver the proposed highway mitigation infrastructure will be compliant with the Community Infrastructure Levy Regulations 2010, as amended.
- 18 As indicated in paragraph 15 there is a need for the highway infrastructure mitigation measures, set out in the 2018 Model Update to be in place before all local plan development has been completed.
- 19 The housing trajectory accompanying the local plan identifies that the plan's greenfield housing allocations in Skipton are likely to be mostly completed during the first half of the plan period. Housing allocations on previously developed land and employment land allocations are forecast to be built out during the latter half of the plan period. Hence it will be the greenfield housing allocations that will trigger the need for the highway infrastructure mitigation measures identified in the 2018 Model Update. It is therefore proposed to divide the cost of the mitigation, comprising the two junction improvements, between the greenfield housing land allocations based on a standard cost per dwelling.
- 20 The viability of seeking developer contributions of £1,500 per dwelling for highway mitigation measures on large greenfield housing land allocations in Skipton (above 100 dwellings) has been tested in Craven District Council's Local Plan Viability Assessment Addendum Report (November 2017) (Ec005). The triggers for payment of the contributions will need to be carefully programmed to ensure adequate funds are available to the Councils to enable timely delivery of the works.

- 21 There are currently six proposed greenfield housing land allocations in Skipton without planning permission or a 'minded to be approved' resolution by CDC's planning committee. They are all large sites with estimated yields from 89 to 324 dwellings. However, one of the sites is the subject of a planning application and may thus receive planning permission prior to plan adoption.
- 22 This would leave five large greenfield sites from which developer contributions for the local plan highway mitigation measures could be collected. The plan estimates that the total dwelling yield from these sites is 843 units. With a £1,500 contribution per dwelling from these dwellings there is the potential to raise £1.26 million for highway mitigation measures. This sum will meet the total estimated costs of the proposed highway mitigation, with contingency costs added, of £1.1million as identified in paragraph 14 above. It also provides a financial buffer in the event that unidentified circumstances result in additional costs. This level of comfort is needed to ensure that no financial risk is borne by either CDC or NYCC as LHA.
- 23 Given the number of sites involved in the process CDC and NYCC as LHA consider that the Section 106 pooling restrictions of the CIL Regulations (2010 as amended) will not be breached and the developer funding for the mitigation works will be forthcoming.
- 24 Should all the pooled contributions not be needed to deliver the proposed highway mitigation measures identified in the evidence base the surplus will be apportioned to those developers that have contributed to the fund in proportion to the level of contribution each developer has made.

### Construction

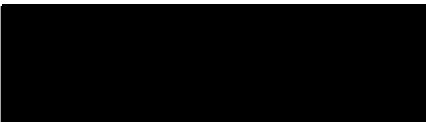
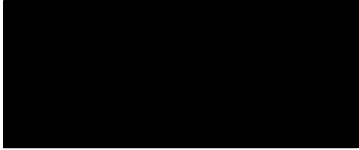
- 25 Construction work to deliver the proposed highway mitigation at the two junctions will be delivered using Agreements under Section 278 of the Highways Act 1980; the exact form of these Section 278 Agreements has not yet been finalised.

### **Highway Mitigation: Managing risk**

- 26 From a comparison between above indicative costs and the pooled developer funding set out above, it is very likely that the mitigation measures will be funded by planning obligations. However, as a precautionary measure, CDC is currently in discussion with the North Yorkshire, York and East Riding Local Enterprise Partnership to seek LEP underwriting of any unforeseen costs which may materialise.

## Conclusions

27. This document is a joint statement agreed at officer level between North Yorkshire County Council as the local highway authority and Craven District Council as the local planning authority. For Local Plan purposes, the evidence which supports this statement, the 2018 Model Update is proportionate and robust, and provides the two authorities with sufficient detail on the need for, and likely costs of, highway mitigation associated with the residual cumulative impact of local plan development proposals in Skipton.
28. The combination of the 2018 Model Update, the proposed main modification Policy INF7, and this SoCG provides a high level of certainty that the local plan will deliver the necessary highway mitigation measures for the appropriate level of development in Skipton to take place up to 2032.

<p><b>Signed on behalf of Craven District Council</b></p>  <p>Sian Watson Spatial Planning Manager</p> <p>Date: 18<sup>th</sup> September 2018</p>	<p><b>Signed on behalf of North Yorkshire County Council as Local Highway Authority</b></p>  <p>Pamela Johnson Team Leader Transport and Development Business and Environmental Services North Yorkshire County Council</p> <p>Date: 20<sup>th</sup> September 2018</p>
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