

<b>CITY OF WESTMINSTER</b>			
<b>PLANNING APPLICATIONS COMMITTEE</b>	<b>Date</b> 13 September 2016	<b>Classification</b> For General Release	
<b>Report of</b> Director of Planning		<b>Ward(s) involved</b> Knightsbridge And Belgravia	
<b>Subject of Report</b>	<b>North Carriage Drive, London, W2 2LP,</b>		
<b>Proposal</b>	Creation of a segregated cycle route running through North Carriage Drive in Hyde Park as part of the East - West Cycle Superhighway and associated works.		
<b>Agent</b>	Abigail Kos		
<b>On behalf of</b>	TfL		
<b>Registered Number</b>	16/02814/FULL	<b>Date amended/ completed</b>	30 March 2016
<b>Date Application Received</b>	30 March 2016		
<b>Historic Building Grade</b>	Hyde Park Grade I registered landscape.		
<b>Conservation Area</b>	Royal Parks		

## 1. RECOMMENDATION

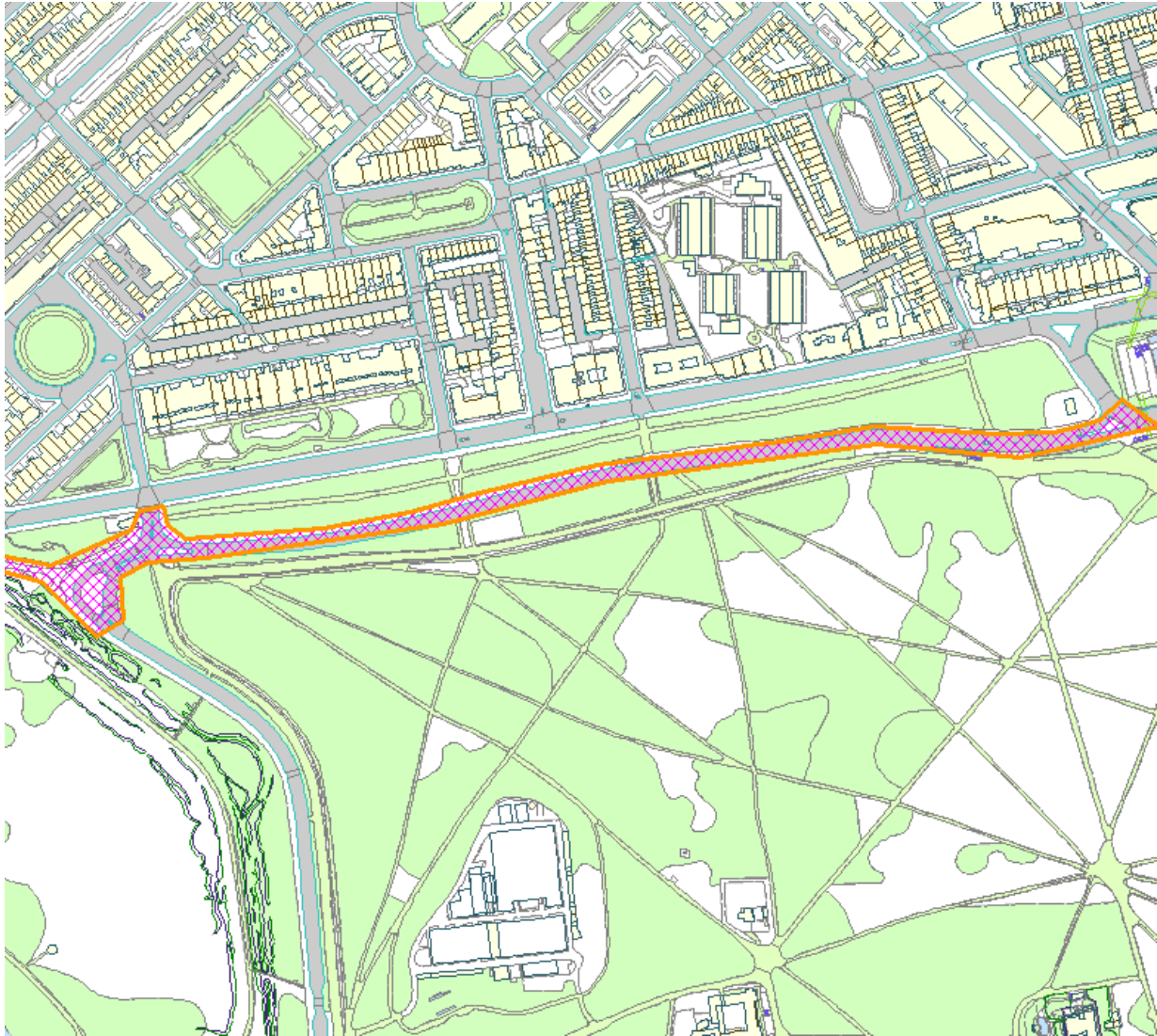
Grant conditional permission.

## 2. SUMMARY

The application is for works to North Carriage Drive within Hyde Park, to form part of the East-West cycle superhighway (EWCSH). It is proposed to create a segregated cycle route running adjacent to the southbound carriageway, separated from vehicles by a raised kerb.

The application is supported in planning terms given the wider benefits of the proposed cycle superhighway, subject to the conditions set out in the draft decision letter.

### 3. LOCATION PLAN



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4. PHOTOGRAPHS



North Carriage Drive (looking east)

## 5. CONSULTATIONS

### HISTORIC ENGLAND

Authorisation received to determine in line with national and local guidance.

### THE KNIGHTSBRIDGE ASSOCIATION

No objection.

### FRIENDS OF HYDE PARK AND KENSINGTON GARDENS

Any response to be reported verbally.

### LONDON HISTORIC PARKS AND GARDENS

Any response to be reported verbally.

### THE GARDENS TRUST

Any response to be reported verbally.

### THE ROYAL PARKS

Any response to be reported verbally.

### SOUTH EAST BAYSWATER RESIDENTS' ASSOCIATION

Any response to be reported verbally.

### THE LICENCED TAXI DRIVERS ASSOCIATION

Any response to be reported verbally.

### ARBORICULTURAL MANAGER

No objection.

### HIGHWAYS PLANNING MANAGER

No objection – subject to TfL response on the pedestrian/cycle crossing point between North Carriage Drive and West Carriage Drive.

### ADJOINING OWNERS/OCCUPIERS

Number consulted: 0

Number of responses: 0

PRESS ADVERTISEMENT / SITE NOTICE: Yes

## 6. BACKGROUND INFORMATION

### 6.1 The Application Site

The site runs west from West Carriage Drive along North Carriage Drive, meeting Bayswater Road at Cumberland Gate.

## 6.2 Recent Relevant History

12 April 2016 – Permission granted for a ‘segregated cycle route running through West Carriage Drive in Hyde Park as part of the East-West Cycle Superhighway and associated works. Route also includes part of Serpentine Rd and South Carriage Drive’.

17 May 2016 – Permission granted for the construction of the cycle superhighway and associated works in the following locations

1. South Carriage Drive (16/01965/FULL)
2. Constitution Hill (16/00090/FULL)
3. Spur Road/Birdcage Walk (16/00250/FULL)

## 7. THE PROPOSAL

This proposal forms part of the East-West Cycle Superhighway Scheme currently being implemented by Transport for London on behalf of the Mayor. The East-West superhighway runs from Tower Hill to Paddington (with TfL consulting on extending the route beyond Paddington). A large section of the route proposed runs through the Royal Parks within Westminster, incorporating a route through St James's Park, Green Park and Hyde Park. This application comprises North Carriage Drive, running between West Carriage Drive and Cumberland Gate.

The proposed cycle route runs to the south side of the carriageway and is separated from vehicles by a raised kerb. The section joining West Carriage Drive with North Carriage Drive requires the removal of 3 trees (2 limes and a maple). The segregated path then runs alongside the north side of the carriageway until it meets Cumberland Gate, at which point it rejoins public highway.

TfL do not consider that the works require planning permission as they believe that the construction of the cycle superhighway falls within 'permitted development' rights for highway authorities under Section 55 of the Town and Country Planning Act.

The maintenance and improvement of the public highway are generally exempt from the need for planning permission if undertaken by a local highway authority pursuant to s55 of the Act. In this instance however TfL is not the local highway authority for the Royal Parks, nor are the roads in question public highway, and as a consequence the City Council takes the view that planning permission is required. On land outside the Royal Parks, the council is satisfied that the normal s55 rights can apply to TfL and to other local highway authorities such as the City Council, acting as its agent.

Although TfL do not agree with the City Council's view that permission is required for the Cycle Superhighway within the boundaries of the Royal Parks, they agreed to submit applications for planning permission where the works are on land owned by the Royal Parks.

## 8. DETAILED CONSIDERATIONS

### 8.1 Land Use

No change of use is proposed as such there are no land use issues to consider.

## 8.2 Townscape and Design

The palette of materials proposed for the works to the footway, highway and proposed cycle route is a combination of asphalt, bauxite, granite setts and bonded gravel. These are considered appropriate to the surroundings and wider Conservation Areas. The works are not considered to have any impact upon the setting of any listed structure near the proposed route within the Royal Parks.

The finish of the asphalt to the cycle superhighway is generally blue, however, given the sensitivities of the surrounding environment, a scheme more consistent with the Royal Parks roads is considered preferable in this location.

The works are acceptable in design and conservation terms, in line with policies S25 and S28 of the City Plan and DES1, DES9, DES10 and DES12 of the UDP.

## 8.3 Residential Amenity

The route is well away from any residential properties and it is not considered the proposal has any potential to have a negative impact on the amenity of local residents.

## 8.4 Transportation/Parking

Policy S41 relates to pedestrian movement and sustainable transport, aiming to support walking and other sustainable transport modes, including cycling. UDP policy TRANS 9 aims to make cycling safer and to promote cycling as an alternative to the private car. Part A(1) of this policy states that the City Council will implement traffic management measures to aid cyclists and improve safety such as cycle lanes or advance stop lines. TRANS 2 (road safety) and TRANS 3 (pedestrians) are also of relevance.

There will be no loss of on street parking as a result of the proposals.

While there are no physical works proposed to Westminster's own highway and the proposals to aid cyclists may not be controversial in themselves, the overall scheme makes North Carriage Drive (NCD) one-way eastbound for general traffic, which will inevitably divert traffic that currently uses it westbound onto Westminster highway - Bayswater Road in particular.

The application does not appear to mention this, other than to show it on the plans and there is no assessment of the effects of doing it included with the application. The highways planning manager comments that the road is often closed when events are occurring in Hyde Park, and that in any event, NCD could be made one way without requiring the City Council's permission under any planning or highways legislation.

An issue that the City Council raised when consulted by TfL on the potential changes to North Carriage Drive, was with the operation of the pedestrian and cycle crossing facility at the junction of West Carriage Drive (WCD) with NCD, with the potential for traffic queueing back onto Bayswater Road. The highways planning manager does not consider that this has been fully addressed in this application – at the time of writing officers are still awaiting TfL's clarification on this point and this will be reported verbally.

Given the specific policies with the London Plan and Westminster's statutory development plans in relation to cycling and segregated routes, the proposed cycle route is welcomed and is supported by the highways planning manager.

### **8.5 Economic Considerations**

The economic benefits generated are welcomed.

### **8.6 Access**

It is not considered that the proposed cycle superhighway will prevent people accessing the parks or travelling through them, and the proposals are in line with S29 Health, Safety and Wellbeing.

### **8.7 Other UDP/Westminster Policy Considerations**

#### **Trees**

Consent has already been given by the City Council to replace the 3 trees affected by the proposed superhighway.

#### **Biodiversity**

Again, given that new surfacing generally replaces existing hard standing, it is not considered that there will be any undue impact on the biodiversity found in the parks. The main impact is likely to be during construction works, which will only be temporary.

### **8.8 London Plan**

Of particular relevance in the consideration of this application are policies 6.1 and 6.9. Policy 6.1 encourages close integration between transport and development, part b aims to "improve the capacity and accessibility of public transport, walking and cycling, particularly in areas of greatest demand". Policy 6.9 relates specifically to cycling, stating that the Mayor will "identify, promote and implement a network of cycle routes across London which will include Cycle Superhighways and Quietways". Paragraph 6.36 states that the aim of the Mayor is to enhance the conditions for cycling by improving the quality of the cycling network and improving the safety of, priority for and access to cycling"

### **8.9 National Policy/Guidance Considerations**

The City Plan and UDP policies referred to in the consideration of this application are considered to be consistent with the NPPF unless stated otherwise.

### **8.10 Planning Obligations**

Planning obligations are not relevant in the determination of this application.

## 8.11 Environmental Impact Assessment

The applicant has provided an 'environmental evaluation report' covering issues including biodiversity, cultural heritage, townscape, noise and vibration, emissions and water resources.

The principal impacts not already discussed in this report are noise/ vibration and air quality.

In terms of noise, an assessment for impacts along the whole East-West route was carried out. In this park location, the report concludes that there would be a very slight decrease in noise levels from this road after the works are completed.

In terms of air quality, there is projected to be a slight improvement following the completion of works. There will be a short term potential increase in noise, vibration and diminution in air quality during construction work, however this is a temporary effect.

## 9. BACKGROUND PAPERS

1. Application form.
2. Response from Knightsbridge Association, dated 21 April and 5 August 2016.
3. Response from Historic England (Listed Builds/Con Areas), dated 26 April 2016.
4. Memorandum from the Highways Planning Manager dated 28 July 2016.
5. Memorandum from the Arboricultural manager dated 17 May 2016.

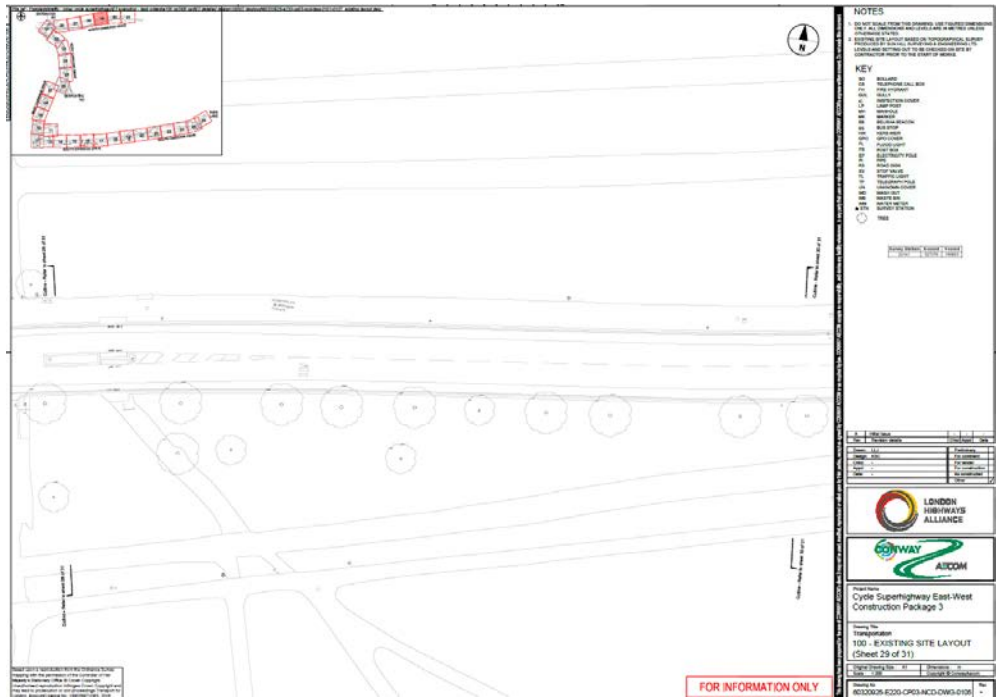
### Selected relevant drawings

(Please note: All the application drawings and other relevant documents and Background Papers are available to view on the Council's website)

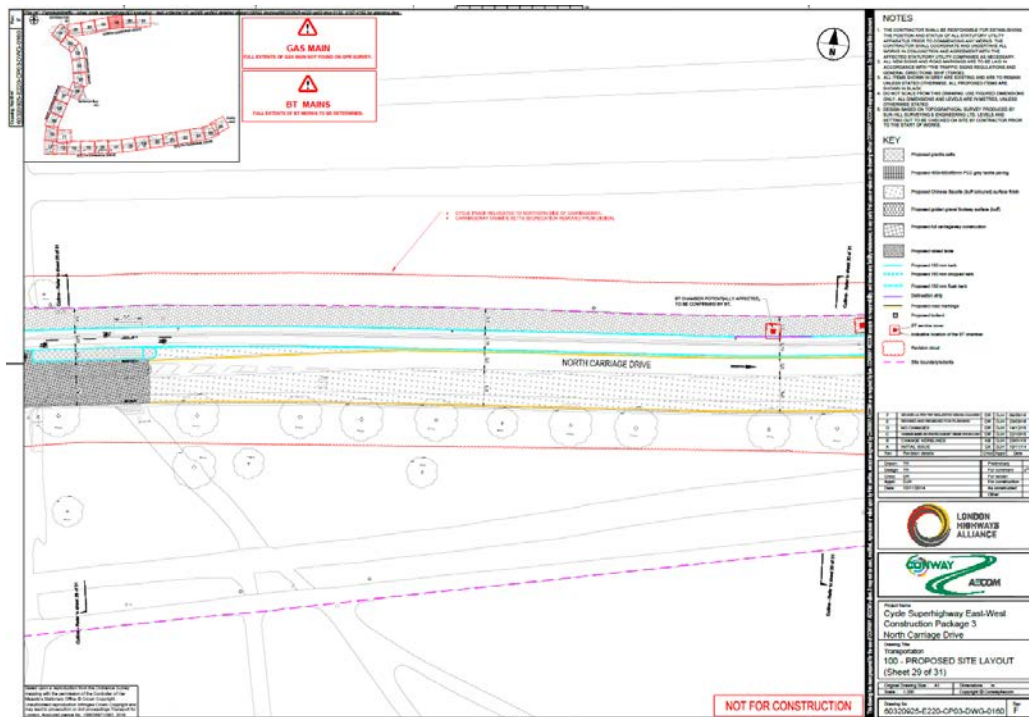
IF YOU HAVE ANY QUERIES ABOUT THIS REPORT PLEASE CONTACT THE PRESENTING OFFICER: OLIVER GIBSON BY EMAIL AT [northplanningteam@westminster.gov.uk](mailto:northplanningteam@westminster.gov.uk)



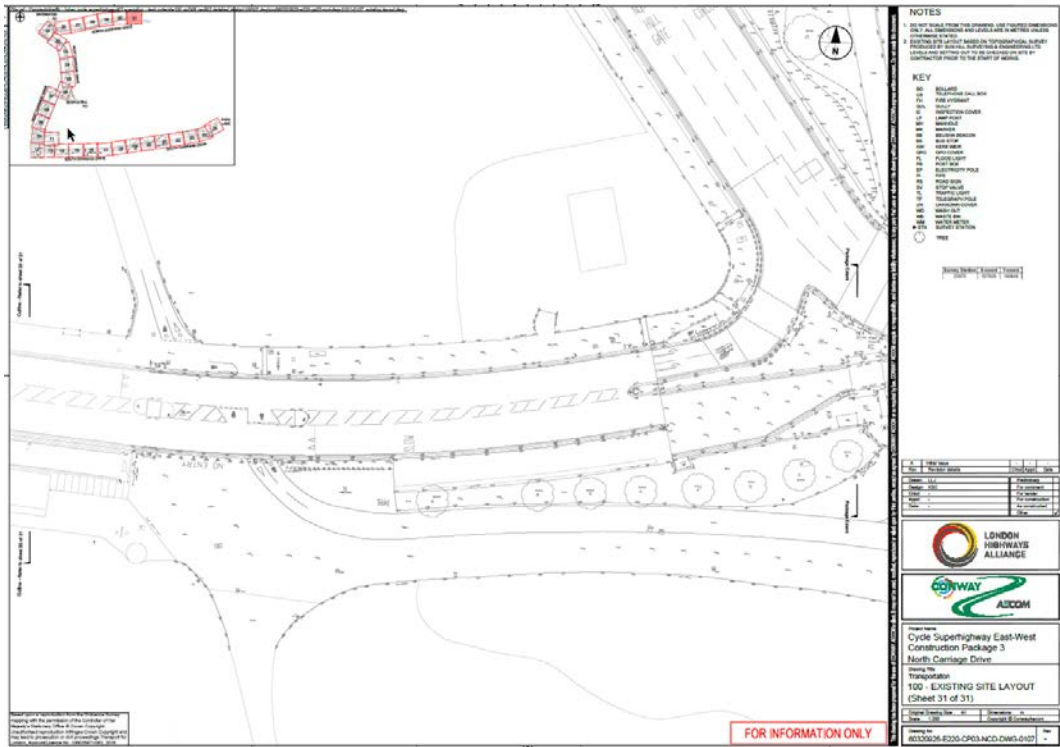




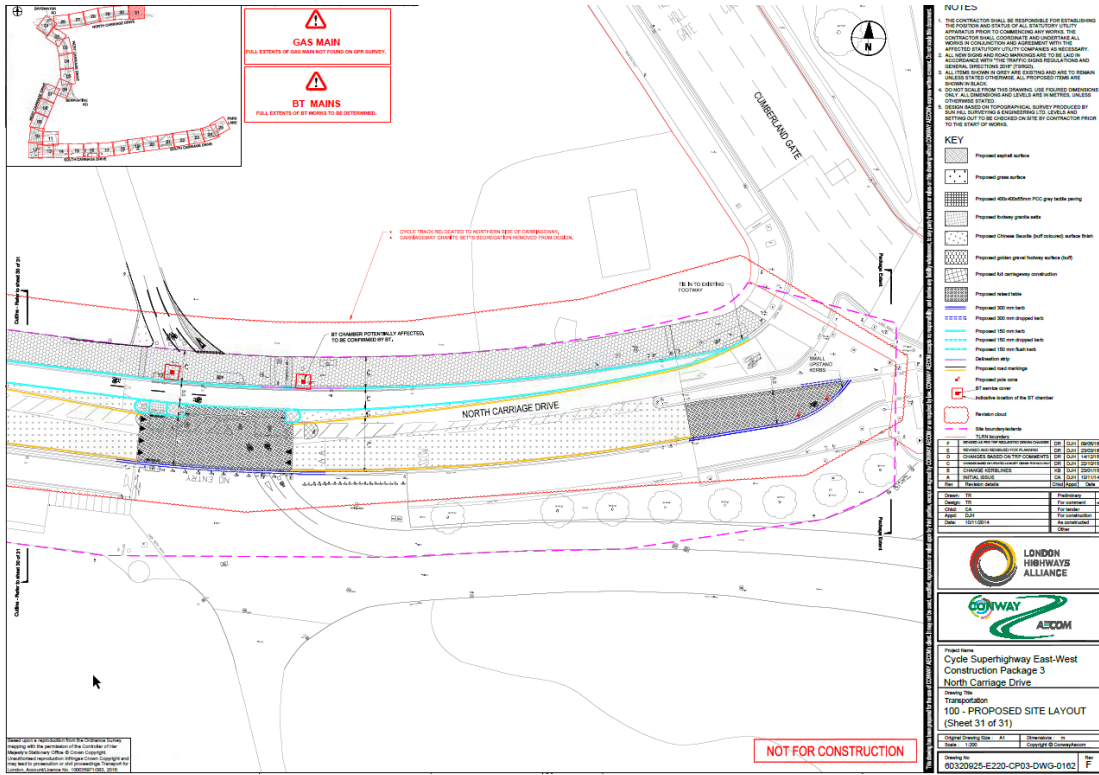
Existing North Carriage Drive



Proposed typical layout of North Carriage Drive



Existing Cumberland Gate layout



Proposed Cumberland Gate layout (where NCD meets Marble Arch)

**DRAFT DECISION LETTER**

**Address:** North Carriage Drive, London, W2 2LP,

**Proposal:** Creation of a segregated cycle route running through North Carriage Drive in Hyde Park as part of the East - West Cycle Superhighway and associated works.

**Reference:** 16/02814/FULL

**Plan Nos:** location plan; 60320925-E220-CP03-NCD-DWG-0101; 0102; 0103; 0104; 0105; 0106; 0107; 0132 rev I; 0157rev E; 0158 rev E; 0159 rev E; 0160 rev E; 0161 rev E; 0162 rev E; Environmental Evaluation Report dated December 2015.

**Case Officer:** Louise Francis

**Direct Tel. No.** 020 7641 2488

**Recommended Condition(s) and Reason(s):**

- 1 The development hereby permitted shall be carried out in accordance with the drawings and other documents listed on this decision letter, and any drawings approved subsequently by the City Council as local planning authority pursuant to any conditions on this decision letter.

Reason:

For the avoidance of doubt and in the interests of proper planning.

- 2 You must carry out any building work which can be heard at the boundary of the site only:

- \* between 08.00 and 18.00 Monday to Friday;
- \* between 08.00 and 13.00 on Saturday; and
- \* not at all on Sundays, bank holidays and public holidays.

Noisy work must not take place outside these hours. (C11AA)

Reason:

To protect the environment of neighbouring occupiers. This is as set out in S29 and S32 of Westminster's City Plan (July 2016) and ENV 6 of our Unitary Development Plan that we adopted in January 2007. (R11AC)

**Informative(s):**

- 1 In dealing with this application the City Council has implemented the requirement in the National Planning Policy Framework to work with the applicant in a positive and proactive way. We have

made available detailed advice in the form of our statutory policies in Westminster's City Plan (July 2016), Unitary Development Plan, Supplementary Planning documents, planning briefs and other informal written guidance, as well as offering a full pre application advice service, in order to ensure that applicant has been given every opportunity to submit an application which is likely to be considered favourably. In addition, where appropriate, further guidance was offered to the applicant at the validation stage.

Please note: the full text for informatives can be found in the Council's Conditions, Reasons & Policies handbook, copies of which can be found in the Committee Room whilst the meeting is in progress, and on the Council's website.