

CITY OF WESTMINSTER			
PLANNING APPLICATIONS COMMITTEE	Date 17 May 2016	Classification For General Release	
Report of Director of Planning		Ward(s) involved St James's Knightsbridge And Belgravia	
Subject of Report	<ol style="list-style-type: none"> 1. Constitution Hill, SW1 2. St James's Park, SW1 3. South Carriage Drive, SW1 		
Proposal	<ol style="list-style-type: none"> 1. Creation of a segregated cycle route running through Constitution Hill as part of the East-West Cycle Superhighway and associated works. 2. Creation of a segregated cycle route running alongside St. James's Park as part of the East-West Cycle Superhighway and associated works. (Site includes Birdcage Walk and The Mall). 3. Creation of a segregated cycle route running through South Carriage Drive in Hyde Park as part of the East-West Cycle Superhighway and associated works. 		
Agent	Abigail Kos		
On behalf of	Transport for London - Surface Transport		
Registered Number	<ol style="list-style-type: none"> 1. 16/00090/FULL 2. 16/00250/FULL 3. 16/01965/FULL 	Date amended/ completed	6 January 2016
Date Application Received	6 January 2016		
Historic Building Grade			
Conservation Area	Royal Parks		

1. RECOMMENDATION

Grant conditional permissions for Applications 1, 2 and 3.

2. SUMMARY

This report covers three separate applications, all for works to roads within the Royal Parks to form part of the East-West cycle superhighway (EWCSH). These applications involve a new segregated cycle route along South Carriage Drive, Constitution Hill, Spur Road and Birdcage Walk.

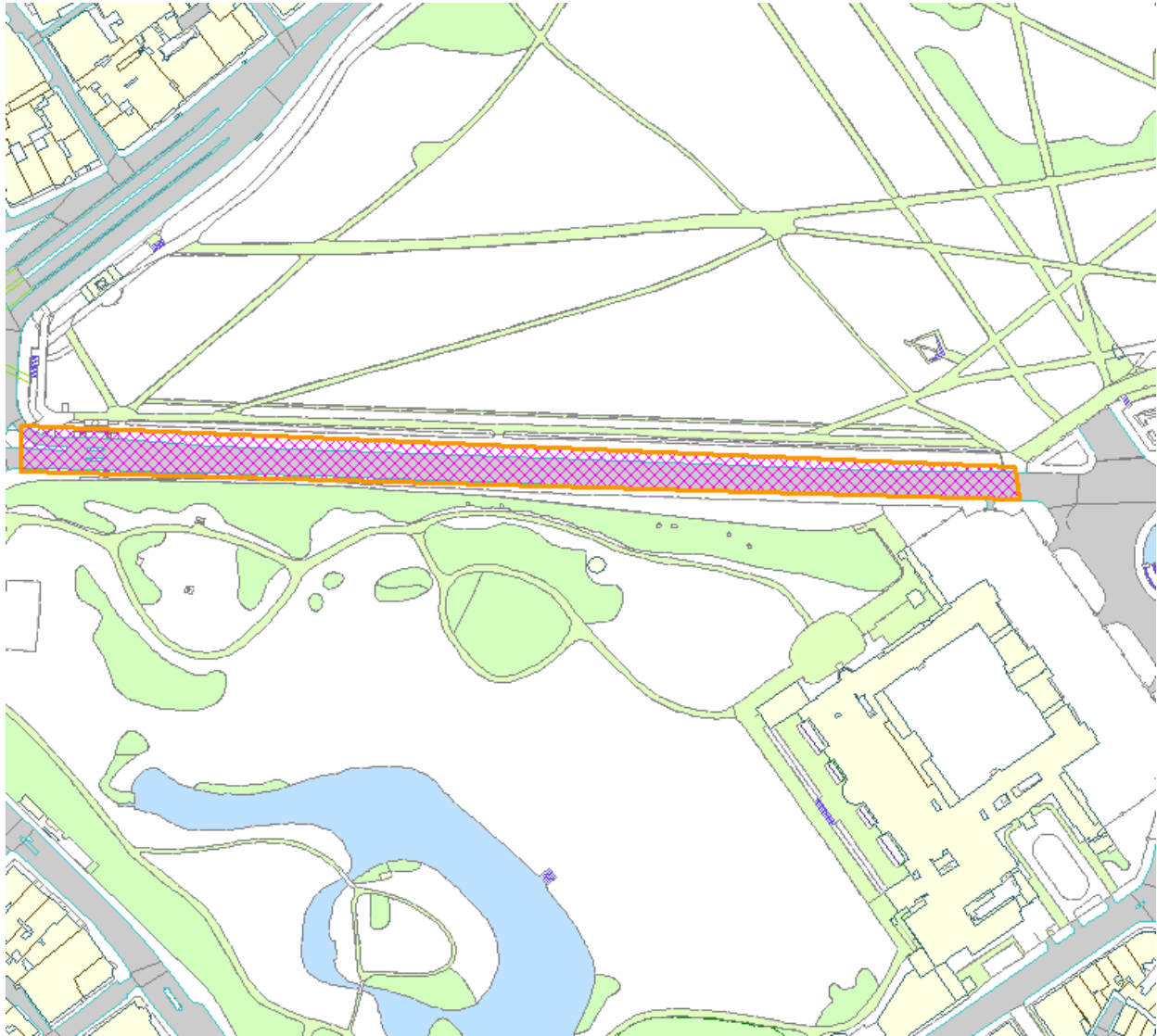
Objections have been received from the Westminster Society and one resident on South Carriage Drive on the grounds of the Royal Parks being an unsuitable location for a major cycle route, loss of

trees/green space and loss of amenity.

The objections are noted. It is not, however, considered that on this occasion they can be supported given the wider benefits of the proposed cycle superhighway and the application is considered acceptable in planning terms subject to the conditions set out in the draft decision letter.

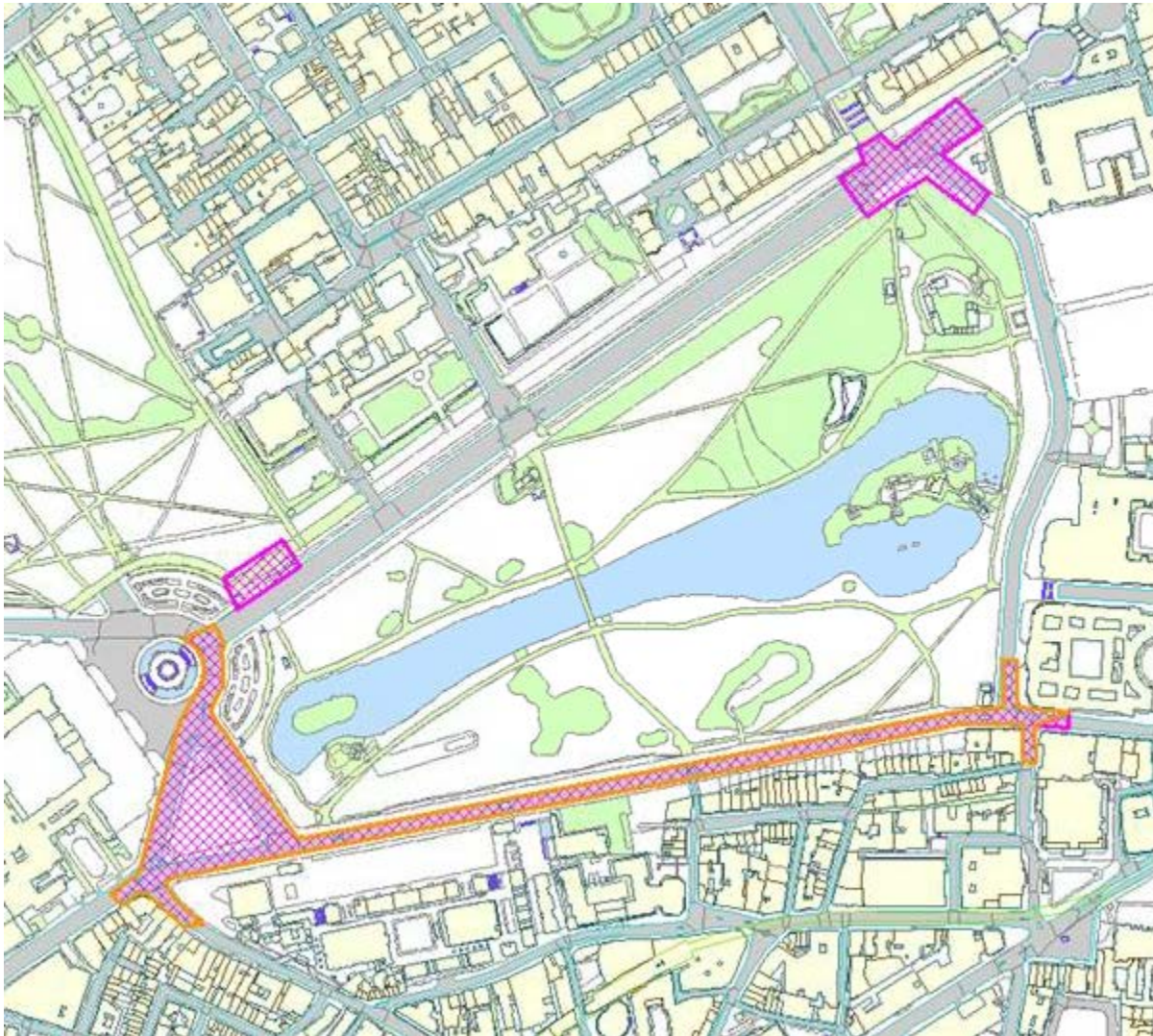
3. LOCATION PLANS

1. Constitution Hill



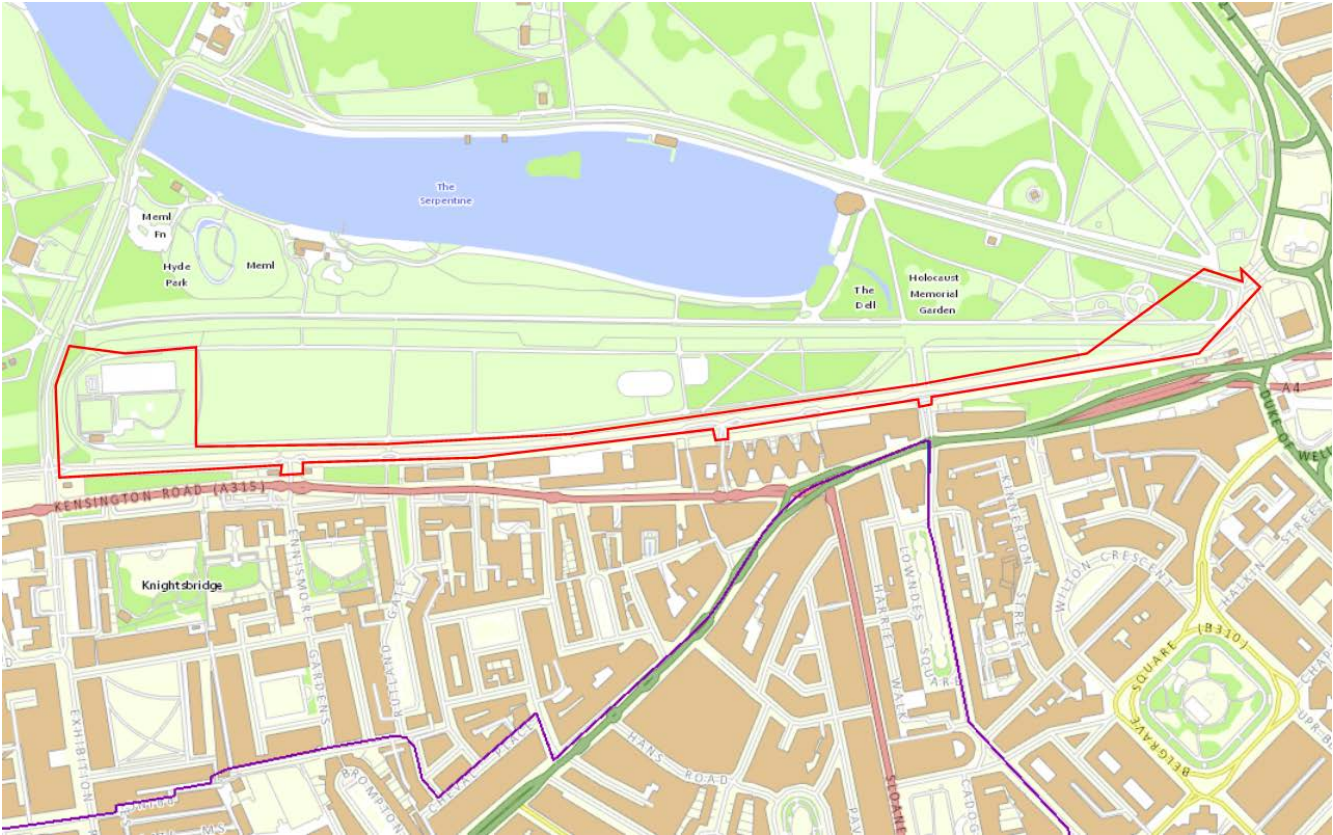
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2. Spur Road/Birdcage Walk



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3. South Carriage Drive



4. PHOTOGRAPHS



Constitution Hill





Spur Road



South Carriage Drive

5. CONSULTATIONS

Application 1: Constitution Hill (RN 16/00090/FULL)

Historic England

Authorisation to determine in line with national and local guidance.

The Royal Parks

Any response to be reported verbally.

Westminster Society

Objection – the Royal Parks are not a suitable location for the creation of a cycle superhighway, there will be a loss of green space and trees. Constitution Hill retains an air of relative tranquillity and TfL should consider alternatives.

St James's Conservation Trust

Any response to be reported verbally.

London Historic Parks and Gardens

Any response to be reported verbally.

Thorney Island Society

Welcomes the segregation of cycles, will be an improvement for all.

Metropolitan Police - Property Services

Any response to be reported verbally.

Gardens Trust

Any response to be reported verbally.

Buckingham Palace

Any response to be reported verbally.

Highways Planning Manager

No objection.

Licensed Taxi Drivers Association (LTDA)

Any response to be reported verbally.

ADJOINING OWNERS/OCCUPIERS AND OTHER REPRESENTATIONS RECEIVED

No. Consulted: 2

Total No. of replies: 0

PRESS ADVERTISEMENT / SITE NOTICE: Yes

Application 2: Spur Road (RN16/00250/FULL)

Historic England

Authorisation to determine in line with national and local guidance.

The Royal Parks

Any response to be reported verbally.

Westminster Society

Objection – the Royal Parks are not a suitable location for the creation of a cycle superhighway.

St James's Conservation Trust

Any response to be reported verbally.

London Historic Parks and Gardens

Any response to be reported verbally.

Thorney Island Society

Welcomes the segregation of cycles, but concern over the increase in the number of cyclists using the junction at Birdcage Walk/Horseguards Road and conflict with pedestrians.

Metropolitan Police - Property Services

Any response to be reported verbally.

Gardens Trust

Any response to be reported verbally.

Buckingham Palace

Any response to be reported verbally.

Highways Planning Manager

No objection.

Arboricultural Section

Any response to be reported verbally.

ADJOINING OWNERS/OCCUPIERS AND OTHER REPRESENTATIONS RECEIVED

No. Consulted: 237

Total No. of replies: Any replies to be reported verbally.

PRESS ADVERTISEMENT / SITE NOTICE: Yes

Application 3: South Carriage Drive (RN 16/01965/FULL)

Historic England

Authorisation to determine in line with national and local guidance.

The Royal Parks

Any response to be reported verbally.

London Historic Parks and Gardens

Any response to be reported verbally.

Knightsbridge Association

No objection.

Metropolitan Police - Property Services
Any response to be reported verbally.

Gardens Trust
Any response to be reported verbally.

Buckingham Palace
Any response to be reported verbally.

Highways Planning Manager
No objection.

Arboricultural Section
Any response to be reported verbally.

ADJOINING OWNERS/OCCUPIERS AND OTHER REPRESENTATIONS RECEIVED

No. Consulted: 576
Total No. of replies: 1

Concern over the carriageway coming a metre closer to residential properties bordering South Carriage Drive.
Layout of junction at Edinburgh Gate unclear.

PRESS ADVERTISEMENT / SITE NOTICE: Yes

6. BACKGROUND INFORMATION

6.1 The Application Sites

1. Constitution Hill

The site runs east/west along Constitution Hill from Victoria Memorial to the Wellington Arch, adjacent to Green Park. The carriageway is in the ownership of the Royal Parks.

The site is within the Royal Parks Conservation Area.

2. Spur Road

The site runs from Victoria Monument, around Spur Road, linking to Birdcage Walk, running down to Horse Guards Road alongside St James's Park. There is a separate section of alterations to the junction of Horse Guards Road and the Mall, where carriageway alterations are also proposed. The site is within the Royal Parks Conservation Area.

3. South Carriage Drive

This site runs from the Apsley Gate entrance to Hyde Park along South Carriage Drive up to the point it meets West Carriage Drive. It is within the Royal Parks Conservation Area and the Knightsbridge Conservation Area.

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'.

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. These applications relate to the sections running along Birdcage Walk, Spur Road, Constitution Hill and South Carriage Drive.

Constitution Hill (16/00090/FULL)

The cycle superhighway on Constitution Hill will be a two way cycle lane along the route of the current sand covered 'horse ride'. The route will be finished in golden top gravel dressing. It is separated from the main carriageway by the existing grass verge and trees. The route runs adjacent to the Memorial Gates where it exits Royal Parks land and goes through the Wellington Arch.

Spur Rd (16/00250/FULL)

To the east end of Constitution Hill where it meets Spur Road (by Buckingham Palace) the cycle route joins the carriageway and is separated from the traffic by demountable bollards. The bollards can be removed when required for ceremonial occasions. The route continues around Spur Road where it meets Birdcage Walk. There is sufficient space to the north side of Birdcage Walk to accommodate the segregated cycle route on the existing carriageway, still separated from vehicles by removable bollards. Existing pedestrian crossings over Birdcage Walk are upgraded. Though not forming part of the 'Superhighway' there are also some works to the junction of Spur Rd/Buckingham Gate/Buckingham Palace Rd to widen the footway on the north side and improve the signage and pedestrian crossings. There are also alterations to the junction of Horseguards Road and the Mall to improve the experience for pedestrians and cyclists. The works involve introducing a signalised crossing on Horse Guards Road and building out the footway as well as some other minor alterations.

South Carriage Drive (16/01965/FULL)

The cycle superhighway route picks up from Wellington Arch, going under the western arch of the Apsley Gate to Hyde Park. It continues along South Carriage Drive (the segregated route runs to the north side of the carriageway) until it meets West Carriage Drive and continues northbound (the northbound section has already been granted planning permission). As well as the creation of the segregated cycle route, various other alterations are proposed. These include upgrading existing footpaths, providing more cycle stands next to the Pavilion and bowling green and additional planting. No trees are removed. Existing on-street parking is reprovided and existing pedestrian crossings upgraded. The pavement adjacent to the westbound carriageway is reduced in width to accommodate the proposed changes (from Hyde Park Barracks to Park Lane).

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 it's 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.

8.3 Residential Amenity

A section of the existing footway to the south of South Carriage Drive, between Hyde Park Barracks and Hyde Park Corner, will be reduced in width by up to one metre to enable the carriageway to accommodate both vehicles and the cycle lane. The reduced width of the footway does not present any concerns in terms of the physical space available for pedestrians as the pavement is unusually wide in this location. However, concern has been expressed by an objector that the reduced pavement width will mean traffic is

passing closer to residential windows facing South Carriage Drive (flats in Park Close, 1 Hyde Park). The objection is noted, but given that there is a substantial grassed area and/or gardens between windows and the pavement, it is not considered the reduction in pavement width here would have an impact to a degree that refusal on amenity grounds would be justified.

8.4 Transportation

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.

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

There are a number of trees in close proximity to the works. For the main part, any new surfacing will replace existing hard standing or loose gravel/sand so it should be possible to minimise any impact on nearby trees. This will be secured by condition. Given that there are no trees lost as a result of the works and the cycle lane does not generally encroach on existing green space, the Westminster Society's objection is not considered sustainable.

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

Application 1 (16/00090/FULL)

1. Application form
2. Letter from Historic England dated 2 February 2016.
3. Response from the Westminster Society dated 9 February 2016.
4. Response from the Thorney Island Society dated 27 January 2016.
5. Memorandum from the Highways Planning Manager dated 20 April 2016.

Application 2 (16/00250/FULL)

1. Application form
2. Letter from Historic England dated 2 February 2016.
3. Response from the Westminster Society dated 16 February 2016.
4. Response from the Thorney Island Society dated 4 February 2016.
5. Memorandum from the Highways Planning Manager dated 20 April 2016.

Application 3 (16/01965/FULL)

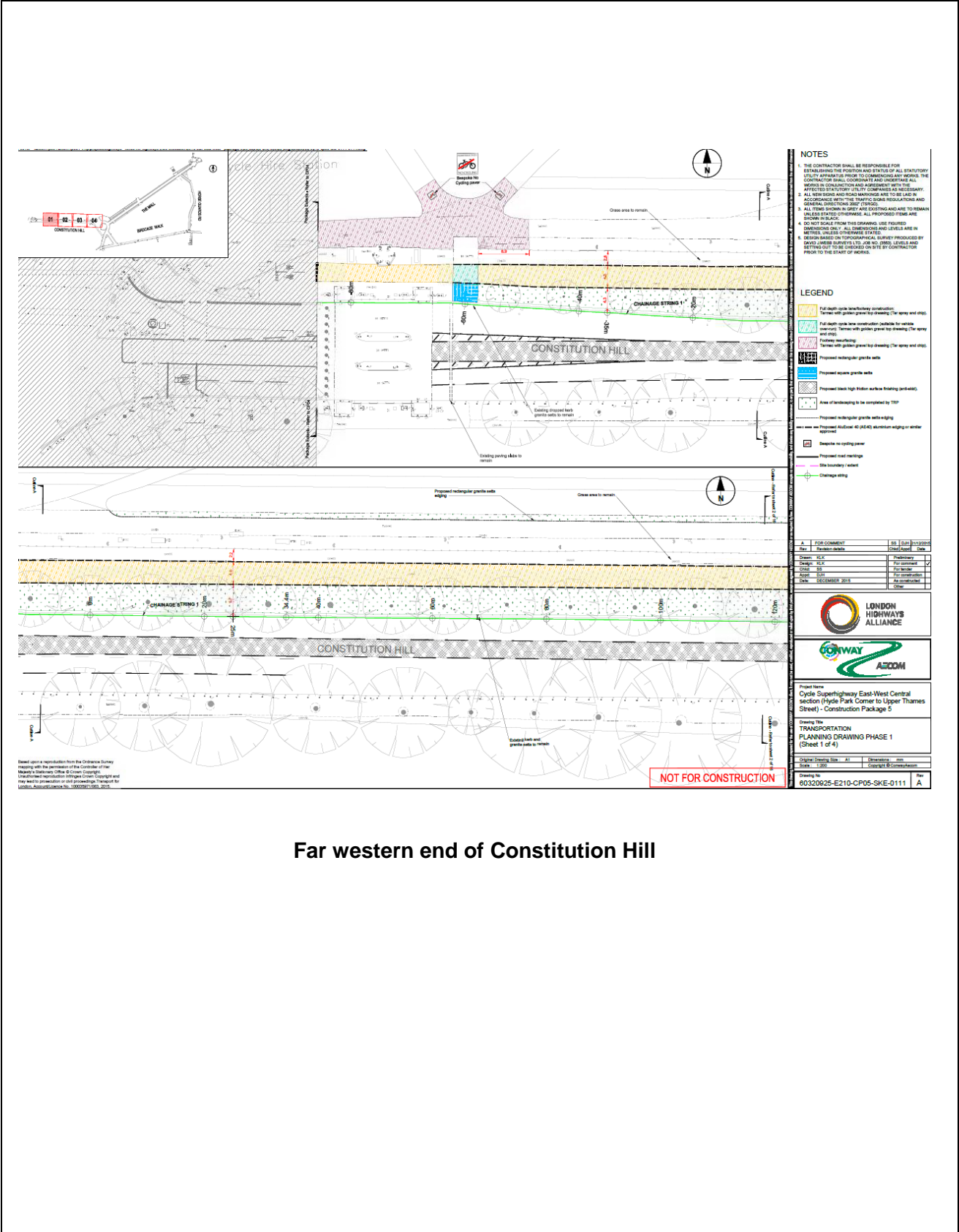
1. Application form.
2. Letter from Historic England dated 22 March 2016.
3. Response from the Knightsbridge Association dated 22 March 2016.

4. Letter from the occupier, Park Close, dated 14 April 2016.

(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 LOUISE FRANCIS ON 020 7641 2926 OR BY EMAIL AT lfrancis@westminster.gov.uk

10. KEY DRAWINGS



Far western end of Constitution Hill

DRAFT DECISION LETTER

Address: Constitution Hill, London, SW1

Proposal: Creation of a segregated cycle route running through Constitution Hill as part of the East - West Cycle Superhighway and associated works.

Plan Nos: 60320925-E210-CP05-DWG-0101A; 0102A; 0103A; 0104A; 60320925-E210-CP05-SKE-0111A; 0112A; 0113A; 0114A; location plans 1 and 2; planning statement dated 6 January 2016; environmental evaluation report dated December 2015.

Case Officer: Louise Francis **Direct Tel. No.** 020 7641 2488

Recommended Condition(s) and Reason(s) or Reason(s) for Refusal:

- 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 residents. This is as set out in S29 and S32 of Westminster's City Plan: Strategic Policies adopted November 2013 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: Strategic Policies adopted November 2013, 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.

DRAFT DECISION LETTER

Address: Spur Road, London SW1

Proposal: Creation of a segregated cycle route running alongside St. James Park as part of the East - West Cycle Superhighway and associated works (site includes Birdcage Walk and The Mall).

Plan Nos: location plan numbers 1 to 5; 60320925-E210-CP05-DWG-0105A; 0106A; 0107A; 0108A; 0109A; 0110A; 0111A; 0112A; 0113A; 0114A; 0115A; 0116A; 60320925-E210-CP05-DWG-0125A; 60320925-E210-CP05-SKE-0116A; 0117A; 0118A; 0119A; 0120A; 0121A; 0122A; 0123A; 0124A; 0127A; 60320925-E210-CP05-SKE-0115A and 0116A; Environmental Evaluation report dated December 2015; planning statement dated 12 January 2016.

Case Officer: Louise Francis

Direct Tel. No. 020 7641 2488

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DRAFT DECISION LETTER

Address: South Carriage Drive, London, SW7

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

Plan Nos: Location plans 1 to 4; 60320925-E220-CP03-SCD-DWG-0110A; 0111A; 0112A; 0113A; 0114A; 0115A; 0116A; 0117A; 0118A; 0119A; 0120A; 0121A; 0122A; 0123A; 0124A; 0125A; 60320925-E220-CP03-SCD-DWG-0141G; 0142G; 0143G; 0144G; 0145G; 0146G; 0147G; 0148G; 0149G; 0150G; 0151G; 0152G; 0153G; 0154G; 0155G; 0156G; environmental evaluation report dated December 2015; planning statement dated 3 March 2016.

Case Officer: Louise Francis

Direct Tel. No. 020 7641 2488

Recommended Condition(s) and Reason(s) or Reason(s) for Refusal:

- 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 residents. This is as set out in S29 and S32 of Westminster's City Plan: Strategic Policies adopted November 2013 and ENV 6 of our Unitary Development Plan that we adopted in January 2007. (R11AC)

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- 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: Strategic Policies adopted November 2013, 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.