

ROYAL BOROUGH OF KENSINGTON AND CHELSEA
REPORT BY EXECUTIVE DIRECTOR,
PLANNING AND BOROUGH DEVELOPMENT

APP NO. PP/13/01207/Q18
PLANNING APPLICATIONS COMMITTEE 16/04/2013
AGENDA ITEM NO. S31

SITE ADDRESS

Footway adjacent Roper's Gardens Chelsea Embankment LONDON SW3	<u>APPLICATION</u> <u>DATED</u>	28/02/2013
	<u>APPLICATION</u> <u>COMPLETE</u>	28/02/2013

APPLICANT/AGENT ADDRESS

Mr A Maunder
Transport for London
Palestra 4th Floor Zone B3
197 Blackfriars Road
LONDON
SE1 8NJ

<u>LISTED</u> <u>BUILDING</u>	N/A	<u>CONS.</u> <u>AREA</u>	Cheyne	WARD	Cremorne
<u>CAPS</u>	Yes	<u>ENGLISH</u> <u>HERITAGE</u>	N/A	ART '4'	No

<u>CONSULTED</u>	<u>OBJECTIONS</u>	<u>SUPPORT</u>	<u>PETITION</u>	<u>COMMENTS</u>
18	3	0	0	0

Applicant Transport for London

PROPOSAL: Installation on footway of Barclays Cycle Hire docking station containing maximum of 21 docking points for scheme cycles plus terminal.

RBK&C Drawing No(s):PP/13/01207

Applicant's Drawing No(s): 12-613312-EX REV B, 12-613312-GA REV B, 12-613312-LOC REV B, CHS-DP-02 REV 3, CHS_2_T REV 5, TDE-FW-01-PL, TDE-FW-T-PL

RECOMMENDED DECISION: Grant planning permission

CONDITIONS/REASONS FOR THE IMPOSITION OF CONDITIONS:

1. **The development hereby permitted shall be begun before the expiration of three years from the date of this permission. (C001)**
Reason - As required by Section 91 of the Town and Country Planning Act 1990, to avoid the accumulation of unexercised Planning Permissions. (R001)

2. **The development hereby permitted shall not be carried out except in complete accordance with the details shown on submitted plans, 12-613312-EX REV B, 12-613312-GA REV B, 12-613312-LOC REV B, CHS-DP-02 REV 3, CHS_2_T REV 5, TDE-FW-01-PL, TDE-FW-T-PL (C068)**
Reason - The details are considered to be material to the acceptability of the proposals, and for safeguarding the amenity of the area. (R068)

3. **In the event that the Transport for London Cycle Hire Scheme ceases or alters in a manner so as to leave this docking station without function, then the docking station and all associated equipment shall be removed and the land suitably prepared to be made good to its former condition within 3 months of the cessation of use of the docking station.**
Reason – To ensure that there is no long term harm to the character or amenity of the vicinity through the existence of unnecessary street furniture.

4. **The cleaning and maintenance of the cycle hire stations and the loading and unloading of bicycles associated with regular redistribution across the scheme network shall take place only between the hours of 7am to 10pm each day, unless otherwise agreed in writing by the Local Planning Authority.**
Reason - To safeguard levels of amenity enjoyed by residents in the surrounding area, in accordance with Core Strategy policy CL5.

INFORMATIVES

- 1 I10 Attention to Conditions

- 2 Any works/events carried out either by, or on behalf of the developer, whether they are located on, or affecting a prospectively maintainable highway, as defined under Section 87 of the New Roads and Street Works Act 1991, or on or affecting the public highway, shall be co-ordinated under the requirements of the New Roads and Street Works Act 1991 and Traffic Management Act 2004 and licensed accordingly in order to secure the expeditious movement of traffic by minimising disruption to users of the highway network in the Royal Borough of Kensington and Chelsea.

Any such works or events commissioned by the developer and particularly those involving the connection of any utility to the site, shall be co-ordinated by them in liaison with The Royal Borough of Kensington and Chelsea's Traffic Manager (Telephone 020 7341 5746). This must take place at least one month in advance of the works and particularly to ensure that statutory undertaker connections/supplies to the site are co-ordinated to take place wherever possible at the same time. (I27A)

- 3 IDN1 GTD/No pre-app/Est. Guid/No amend reqd

- 4 I.67A

1.0 **SITE**

1.1 The proposed site is on the pavement on the northern side of Chelsea Embankment, to the east of the junction with Danvers Street and adjacent to Roper's Gardens.

1.2 Chelsea Embankment is a two way dual carriageway, with the area characterised by the adjacent open space of Ropers Gardens and three and four storey residential blocks to the northern side of Chelsea Embankment and Danvers Street.

1.3 The site is within the Thames Conservation Area and is opposite Crosby Hall, a Grade II listed building. It is also near to Chelsea Old Church Hall, a Grade listed building to the east. It is within an Archaeological Priority Area and is within Flood Zone 2.

2.0 **PROPOSAL**

2.1 Planning permission is sought for the installation on the pavement of a cycle hire docking station for the Transport for London Cycle Hire Scheme, containing a maximum of 21 docking points for bicycles plus a terminal to secure and release the bicycles and to provide registration/ payment facilities and mapping. The terminal would be positioned beside a line of the steel/dark blue docking points 0.8m high on the pavement.

2.2 This is one of 34 applications for new docking stations within the Royal Borough, as part of a programme to expand the boundaries of coverage of the cycle hire scheme westwards to Hammersmith and Fulham, and also south of the river to Wandsworth.

3.0 **OTHER RELEVANT SITE HISTORY**

3.1 There is no planning history relevant to this application.

4.0 **PLANNING CONSIDERATIONS**

4.1 The main considerations in the determination of this application relate to the impact the proposal will have upon the appearance of the vicinity, impact upon the character and appearance of this part of the Thames Conservation Area, and the implications in terms of amenity, pedestrian movement, or the safety of those using bicycles or vehicles in the vicinity.

4.2 The Core Strategy (CS) of the Local Development Framework for the Royal Borough was adopted on December 8th 2010, and contains planning policies which have succeeded the majority of those in the Unitary Development Plan (UDP). For the purposes of s.38(6) of the Planning and Compulsory Purchase Act 2004, the 'Development Plan' now comprises the Core Strategy, the London Plan July 2011, plus relevant 'saved' policies from the UDP. The relevant policies are included at the end of this report.

4.3 Part 4 of the National Planning Policy Framework (NPPF) supports sustainable transport, and paragraph 29 advises that "the transport system needs to be balanced in favour of sustainable transport modes, giving people a real choice about how they travel". The London Plan July 2011 is relevant, with policy 6.9 on 'Cycling' advising in section B part d that planning decisions should aim to facilitate the central London cycle hire scheme. Weight has also been given to the Supplementary Planning Document (SPD) on Transportation.

- 4.4 The Core Strategy Strategic Objective CO3 for Better Travel Choices is "for walking, cycling and public transport to be safe, easy, attractive and inclusive for all and preferred by residents and visitors to private car ownership and use."

Character and Appearance of the area

- 4.5 Core Strategy policies CL1, CL2, CL3 and CL4 cumulatively seek to support the strategic objective of renewing the legacy, which seeks to maintain and conserve and enhance the built heritage of the Borough. These policies also seek to ensure that all development in any part of the Borough is to a high standard of design and is sensitive to and compatible with the scale, height, bulk, materials and character of the surroundings. Policy CR4 seeks to improve the public realm and reduce clutter.
- 4.6 The over arching test for assessing development proposed within Conservation Areas is laid down in s.72 of the Town and Country Planning (Listed Buildings and Conservation Areas) Act 1990, which requires that planning decisions pay special attention to the desirability of preserving or enhancing the character or appearance of a Conservation Area.
- 4.7 In one sense the series of metal docking stations, bicycles with blue advertisements attached to them, and provision of the payment and mapping terminal, can be described as introducing a new and visually alien element to an area characterised by Victorian buildings and the pleasant setting of a garden square. The docking station would not relate to, or complement, the prevailing materials, styles, or appearance, of the features which provide the key contributions to the character and appearance of this part of the Chelsea Park/Carlyle Conservation Area.
- 4.8 However, all the key components in the prevailing character and appearance would be retained, exactly as they are. It is not proposed to alter, or remove, any of these key ingredients. Visually, the docking station be evident in views but would not alter or affect those views any more than motorcycles or vehicles parked in the streets. The appearance of the area would be preserved, and the requirements within the relevant policies and legislation regarding the appearance of streets and the townscape, in particular CL1 and CR4, would be satisfied.

Setting of Listed Buildings

- 4.9 S.66 of the Planning (Listed Buildings and Conservative Areas) Act 1990 requires a local planning authority, in considering whether to grant permission for development which affects a listed building or its setting, to have special regard to the desirability of preserving the building or its setting or any features of special architectural or historic interest which is possesses.
- 4.10 Although in some perspectives Crosby Hall would be seen in the background with the proposed docking station in the foreground, it is not considered that the bicycles or the fixtures would intrude upon the setting of the building in any harmful manner, and there would be no conflict with s.66 or Core Strategy policy CL4.

Living Conditions Enjoyed by Nearby Residents

- 4.11 With regard to impact upon the living conditions presently enjoyed by residents of nearby properties, the use of this position as a cycle hire station should not result in any greater noise or disturbance during the daytime than the existing activities which may already take place in the vicinity. However, given the position close to residential dwellings a condition to preclude overnight loading/unloading is necessary in this instance to ensure living conditions are not disturbed by loading/unloading during typical sleeping hours. It is understood that the efficient operation of the hire scheme benefits from nighttime loading in order to ensure

stations are fully stocked for the morning, but in some cases, such as this, a balance must be struck between the reasonable needs of the scheme and the reasonable needs of nearby residents. A 7am threshold is considered appropriate in this case. Subject to this condition, the proposal would comply with Core Strategy policies CL5 and CE6 in this regard.

- 4.12 The current proposal in 2013 can be assessed with the benefit of experience from many bicycle docking stations that have now operated in residential areas for up to two years. 587 docking stations have been installed in central London, with 64 docking stations in RBKC at present with a total of 1,455 docking points. Many fears were expressed two years ago regarding the potential for attracting anti-social behaviour of various forms, but experience in practice indicates that such fears were unfounded. There is no evidence to indicate docking stations attract anti-social behaviour to the immediate and surrounding areas.

Loss of Parking and Public Safety

- 4.13 The Director of Transportation and Highways has considered this application and raises no objection to the proposed scheme.

Highway safety

- 4.14 There would be no detrimental impact on the sight lines of vehicular traffic.
- 4.15 Bicycle access to and from this site can be achieved safely. There is a raised table at the southern end of Danvers Street that can be used to access the site from via Danvers Street. Those coming from the east via Chelsea Embankment would have to cross the busy carriageway with care, but a traffic island in the vicinity creates a refuge where a crossing cyclist can await a break in the traffic. Scheme users would have to mount a low kerb to reach the site. The provision of a dropped kerb here would be beneficial or alternatively a contra-flow cycle regime on Danvers Street that would allow cyclists to travel north from the site on a quiet street. However additional infrastructure is not necessary in order to satisfy CT1 (h). This site, like all others, has been audited for safety and no highway safety issues were identified.

- 4.16 The Director of Transportation and Highways has confirmed that the proposal would be in accordance with policy CT1 (h).

Pedestrian movement

- 4.17 The docking station would be positioned on the inside part of the pavement, against the boundary wall to Roper's Gardens. The docking station would measure 2m wide leaving at least 3m of clear footway width to the kerb edge. This comfortably exceeds the 2m required at this location and would fully accommodate the footfall on this area. A grit box and a bench would have to be relocated, but these changes would not obstruct pedestrian movement.

Servicing

- 4.18 There is yellow line adjacent to the site that could be used to service the station without undue disruption, although an hours condition is recommended due to the proximity of residential flats. The proposal would accord with policies CR7, and CT1 (b).

Impact upon Trees

- 4.19 The proposed docking station would not have any impact on nearby trees and would accord with CS policy CR6 in this regard.

5.0 PUBLIC CONSULTATION

5.1 Notification letters were sent to fourteen properties in Danvers Street, and the application advertised by notice displayed at the site, in the local newspaper, and through the Council's website.

5.2 Three representations have been received, raising the following concerns.

5.3 **A much better position, closer to more inhabitants, would be adjacent to Paultons Square and the Kings Road, avoid people having to come all the way to the river to collect a hire bicycle.**

The applicant has selected this site as a useful contribution to the London wide hire scheme. As advised in the main body of the report the decision on this application must be upon its own merits, and should not attempt comparison with other possible sites.

5.4 **The location is too dangerous, being too close to the Chelsea Embankment high speed road.**

The site has been assessed as to the safety implications both for users of the facility and highway users and pedestrians, and both TfL and the Director for Transportation and Highways have concluded that there is no undue safety risk beyond the reasonable caution that all users of the Embankment Road should employ.

5.5 **The proposed site is used by children of all ages, including prams, going to and from school, but it is also used by the elderly, many in wheelchairs, as well as joggers. The proposed site would narrow the usable pavement forcing people closer to the curb and thus closer to the traffic, which will be a health and safety risk.**

The usable pavement area will still exceed the relevant standards and the safety audit of the site did not identify any significant risks to safety, either to cyclists or pedestrians.

5.6 **The location is deserted at night with only a few tramps using the shelter of the square, and is unsafe for women at night.**

Siting a docking station here will not worsen any such situation, and extra activity and observation could even be of benefit.

5.7 **It would create disturbance immediately outside the residential block of Roper's Orchard.**

Experience of docking stations installed two or three years ago indicates that noise and disturbance is not normally generated by use of the stations. There should be no harm to the living conditions enjoyed by residents of Roper's Orchard.

5.8 **This is a Conservation Area and the proposed docking station would be incongruous with the look and feel of the local area.**

As discussed in the main body of the report, as a metal structure the docking station would clearly not relate to the brick and timber and glass that prevail as local materials, and it will not enhance the character or appearance of the Conservation Area. However, it will leave the key ingredients in the prevailing character unaffected, and will preserve the character of the Conservation Area in accordance with s.72 of the 1990 Act.

6.0 CONCLUSION

6.1 It is concluded that the docking station would preserve the character and appearance of the Thames Conservation Area, would not harm the living conditions enjoyed by residents of nearby buildings, or result in any detriment to pedestrian or vehicle movement or public safety. The proposal would accord with the development plan and the NPPF.

7.0 RECOMMENDATION

7.1 **Grant planning permission**

**JONATHAN BORE
EXECUTIVE DIRECTOR, PLANNING AND BOROUGH DEVELOPMENT**

List of Background Papers:

The contents of file PP/13/01207 save for exempt or confidential information in accordance with the Local Government (Access to Information) Act 1985.

Installation on footway of Barclays Cycle Hire docking station containing maximum of 21 docking points for scheme cycles plus terminal.

SUMMARY OF REASONS FOR DECISION

You are advised that this application was determined by the Local Planning Authority with regard to the National Planning Policy Framework (NPPF), Development Plan policies, including relevant policies contained within the Core Strategy of the Local Development Framework, the London Plan, as well as policies 'saved' from the Unitary Development Plan, and was considered to be in compliance with the relevant policies. In particular, the following policies were considered:

Core Strategy adopted 8 December 2010

CL1	Context and Character
CL2	New Buildings, Extensions and Modifications
CL3	Heritage Assets - Conservation Areas and Historic Spaces
CL4	Listed Buildings, Scheduled Ancient Monuments & Archaeology
CL5	Amenity
CT1	Improving alternatives to car use
CE6	Noise and Vibration
CR4	Streetscape

The material circumstances of the case, including site history, location, and impact on amenity were considered. In addition, consideration was given to the results of public consultation.

It is concluded that the docking station would preserve the character and appearance of the Thames Conservation Area, would not harm the living conditions enjoyed by residents of nearby buildings, or result in any detriment to pedestrian or vehicle movement or public safety. The proposal would accord with the development plan and the NPPF.

The full report is available for public inspection on the Council's website at <http://www.rbkc.gov.uk/PP/13/01207>. If you do not have access to the internet you can view the application electronically on the ground floor of the Town Hall, Hornton Street, London, W8 7NX.