

Compton Hill Reservoir
Pumping Station

SSS
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- ① confirm that the Certificate of Immunity from Listing would not allow The Royal Boro. to serve a Building Preservation Notice for a period of 5 years
- ② The current proposals include an application for conservation consent. This ~~will~~^{could} be refused if in the Council's opinion the proposed development did not meet ~~part~~^{part} of the ¹⁰⁰ criteria set out in policy CD51 and overall it does not preserve or enhance the character or appearance of the conservation area.

MEMORANDUM



To: Planning & Conservation
David McDonald
Steve Davis
Phil Hughes
Gwyn Richards

From: Director of Legal Services

SSB

Executive Director of Planning
& Conservation -
Mike French

Head of Development Control -
Lesley Jones

Transportation & Highways -
Gillian Palmer
Bill Mount

Housing & Strategic & Development -
Stan Logan

Legal Services -
Alun Phillips
John Zukowski

RECEIVED BY PLANNING SERVICES							
EX DIR	HDP	N	C	SW	SE	ENF	AO ACK
28 APR 1999							
FEES	IO	REC	ARB	FWD PLN	CON DES	FEES	

Our Ref: LeVerne Parker
Room No: 313

Your Ref: Derek Taylor

Ext No: 2180

Date: 26 April 1999

Campden Hill - Consultation Site Visit with David Holgate QC

Further to my Memo of 16 April 1999, the following matters arose from the consultation and site visit last week with Mr David Holgate QC:-

1. In the light of the letter from the Planning Inspectorate and Sellwood Planning, clarify the position with Lawrence Graham and the Inspectorate as to what scheme will be before the Inspector.

Action LP

2. Contact English Heritage about the impact of the development on the setting of listed buildings. Need to find out why Mr Stabb has changed his view on the impact of the development on Thorpe Lodge.

Action DT/DMcD

3. Contact the Developer about the proposals for the operation of the gates.


Action DT

4. Contact Tennis Club about information already requested from TPK. Cross-check with bookings ledger.

Action GP

5. Contact McCoys re: meaning of paragraph C7 on page 50 of CAPS.

Action DMcD

6. Look at Pevsner and Survey of London to build up a picture of the historical character of the area.

Action DMcD

7. Compass search on Inspector.

Action LP

8. Re-examine balconies and any problems with overlooking.

Action DT

9. Find copies of all correspondence between Arboricultural and Transportation Sections and the developer's representatives and incorporate into the correspondence bundle.

Action DT/LP

10. Look at the Decision Letter on 1 Edith Grove to see how the density issue was dealt with.

Action DT

11. Measure the size of the proposed central square and examine critically. Check what is said about this part of the development in the design statement submitted by the Developer.

Action DT


12. Once model is back in position, arrange a view.

Action DT/LP

13. Consider which of the surrounding properties have views of the site. Take photographs and start preparing a plan showing those views.

Action DT

14. Start preparing the analysis sections of draft Proofs ready for a conference in mid end May with QC to consider the final version of the Report.


LeVerne Parker
for Director of Legal Services

Action all Witnesses/LP

SS (initials)

MEMORANDUM

Date: 27 April 1999
To: Gillian Palmer/Bill Mount
CC: LeVerne Parker, Legal Services, MJFrench, Exec. Dir. Planning & Cons.
From: Derek Taylor, Area Planning Officer
RE: Campden Hill Reservoirs - Applications and Appeal

As you are aware, discussions are still continuing in relation to the above site, and a Public Inquiry in July looms closer.

As part of our discussions, the question of on-site provision of affordable housing is being rehearsed. In line with our UDP Policies and strategic guidance, we have asked the developers to provide the affordable housing on site; predictably on this high value site, the developers are arguing that service costs on site will be much too great for any affordable housing provider to bear, and that an off-site provision is likely to be the practical solution. We disagree on this point. The developers are arguing that because the large excavated basement car park runs under the proposed block of 17 affordable units, the service charges will need to be passed on to the units that would exist above, we don't see why they should be.

Of course, the developers' argument would be weakened if they did not have to provide so much car parking. The original quota of spaces in the underground car park provided one-for-one for these flats; as affordable flats, the requirement for spaces will decrease.....

Notting Hill Housing Trust (the likely provider) have told me this morning that they don't have a need for spaces here; the site is so close to Notting Hill and Ken. High Street that they would be perfectly happy without parking spaces for their units. In view of this, I would like to ask you the following question:

Is it possible to agree, in the case of this particular development, a provision of parking for the open market flats and houses that would meet UDP requirements, but allow the affordable housing part of the development to be "car free?"

This would mean that the size of the basement car park could be reduced by 17 spaces, and the affordable flats could sit on soil rather than a car park slab. If this was possible, part of the strength of the developers service charge arguments would be removed. The Housing Trust say they would be very pleased indeed to provide 17 flats here, without parking, and it is only the likely service charges that would prevent them.

Thankyou for your advice.

Derek Taylor, Area Planning Officer

ENVIRONMENTAL SERVICES
INTERNAL MEMORANDUM

(1)
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TO: Derek Taylor **ROOM NO:**
CC: LeVerne Parker; MJFrench
FROM: Gillian Palmer **ROOM NO:** 317
TELEPHONE 0171-361 3240 **CONNECT:** EHEGMP
DATE: 29 April 1999 **REF:** TF/202/A
SUBJECT: Campden Hill Reservoirs

- Further to your memo of 27/4/99 I have the following comments.
- Firstly, I am sure that NHHT would be more than happy not to be obliged to provide parking to the required standard!
- The crux of your question is whether we would allow the developer to provide none of the parking spaces required by the UDP, for the affordable housing element in this scheme. We would object most strongly if no spaces were provided for this element of the development as inevitably some residents of the affordable flats, either now or in the future, will be car owners. Without spaces provided these drivers will park on street in Aubrey Walk and adjacent streets, adding to the already high levels of parking stress in these streets to the detriment of residential amenity.
- If, however by "car free" development you mean "Permit free", then this opens up a whole new area of discussion.
- You may be aware that the Joint Planning & Conservation / Environmental Services Working Party, at their meeting on 8th March 1999, considered a report on this subject. (copy attached)
- The minutes of the meeting (copy attached) indicated that the Members were willing to take the idea further and allow the development of text for the first revision of the UDP. This draft text has now been prepared (copy attached) The text in draft para. 7.25 paves the way, inter alia, for the Council to consider preventing certain residents from qualifying for a Residents' Parking Permit. The Director of Legal services has some concerns about such a shift in policy which would, for example, require a change to the Traffic Management Order which "works" the CPZ, and a S106 Agreement. These concerns are expressed in the documents I have given you.
- As far as we are concerned, the D of T & H would have no objection in principle to a scheme such as this i.e. "Permit free", and indeed would welcome the development of policies which went towards the overall aim of traffic reduction. There may however be concerns relating to equity, enforceability etc.
- As you can see, the concept of "car free development" is at a relatively early stage of development, but is by no means a completely new issue to Members and not to Officers.
- we need further discussions including with the DLS if this is to be taken further in time to be of any use in this particular appeal / application.



THE ROYAL BOROUGH OF KENSINGTON AND CHELSEA
JOINT PLANNING AND CONSERVATION/ENVIRONMENTAL SERVICES

WORKING PARTY 8 MARCH 1999

CAR FREE HOUSING

JOINT REPORT OF THE EXECUTIVE DIRECTOR OF PLANNING AND CONSERVATION
AND THE EXECUTIVE DIRECTOR ENVIRONMENTAL SERVICES

This report brings to the Members attention issues relating to "car-free" housing. These include the objectives and operation of the Controlled Parking Zone, the demand for residential development in the borough and the current U. D. P. parking standards. It also refers to the potential effects of the introduction of charging regimes for either workplace parking or for road pricing. The report explains how such a car free option could operate with other Council policies to manage the demand for housing and the resulting parking pressure.

FOR COMMENT

1. BACKGROUND

- 1.1 At the UDP Working Party on the 8th December 1998, Members requested that the Executive Directors, Environmental Services and Planning and Conservation jointly prepare a report on the issue of "car-free" housing, including reference to other UDP policies and the experiences of other local authorities and all relevant legal advice. The Director of Legal Service's advice is set out in the report.
- 1.2 This report considers the relationships between applications for residential development, off-street car parking provision and the issue of parking permits. There can be several variations in these relationships of which "Car Free" housing is but one. In this report "Car Free" housing means housing development (new build, conversion or subdivisions) where no off-street parking is provided and where residents of these properties would not be issued with a residents' parking permit.
- 1.3 Such an arrangement would be contrary to current general UDP standards which require at least one off-street space per residential unit, apart from public or sheltered housing where standards can be reduced. An existing exception is made in the UDP for the conversions of premises above shops or of houses into multiple units where it is acknowledged that the provision of off-street parking may not be possible.
- 1.4 There could of course be a number of other arrangements between full off-street parking provision and "car free" housing, as the existing UDP acknowledges in special cases. However none of these exclude the issue of a residents' parking permit.



2. CONTEXT

- 2.1 There are several existing reasons for seeking Members views on this matter. Demand for on-street parking space already causes difficulties for residents parking in parts of the Borough - often described as areas of high “parking stress”. The Council has recently resolved to propose revisions to the control hours of the CPZ in South West Chelsea in response to residents’ concerns about parking stress. There are Government housing targets which bring continued pressure to grant planning permission for residential development. Many of these , especially conversions, do not provide off-street parking to the UDP Standards. Objection on the grounds of inadequate parking provision, despite evident parking stress, is often seen as an insufficient for a refusal for residential development. By way of contrast the Council would be more likely to refuse permission in similar locations for other uses, such as restaurants, even with the generation of only small numbers of additional vehicles. In effect, the demand for new residential units in the Borough persuades the Council to approve applications which, on parking grounds alone, it may have been minded to refuse.
- 2.2 The growth of these “garage free” developments within the existing regime for issuing parking permits will lead to more on-street parking stress.
- 2.3 The 1998/1999 Housing Capacity Study estimates the net increase in all types of housing provision for the period 1997 - 2016. This includes new build, windfall sites, office conversions and sub-divided units. The overall total net increase is estimated at 10,078 units or approximately 500 units/year. The large identified and windfall sites would most probably have off-street parking, but this still leaves a significant proportion of the increase from small conversions and infill sites. Appendix 1 sets out some recent and potential applications.
- 2.5 The existing position with the issue of residents’ parking permits is that there were approximately 41,000 issued by November 1998 against an estimated available kerbside space for about 27,000 vehicles during CPZ controlled hours. The criteria for the issue of permits is strictly controlled as set out in Appendix A. Information on the issuing of permits shows that between December 1991 and December 1998 there has been an increase in permits issued in every ward except Courtfield, Hans Town and Royal Hospital where there have been small decreases recently (of 41, 18 and 23 permits respectively). Naturally there were large increases in the North Kensington wards following the implementation of the CPZ in the area. However, excluding these wards, there was an overall increase of nearly 2,500 permits in all wards outside the North Kensington area during this seven year period.
- 2.6 There are ongoing area reviews of the CPZ in order to increase the ‘supply-side’ wherever possible. These have lead to an 778 extra residents’ spaces over a four year period. However there will be a limit to what can be gained through this process alone without distorting the resident/visitor balance.



2.7 That the CPZ 'works', given these figures, is due to several factors:

- off-street parking provision
- migration of cars from the borough during the CPZ controlled hours
- absent residents and cars
- availability of yellow lines and metered spaces out of control hours.
- increased on-street residents' provision resulting from reviews and conversions from visitor spaces.

Significant change in any of these factors, coupled with the increasing number of permits being issued, could signal additional pressure for on-street space.

3. ADDITIONAL FACTORS

Car Ownership/Availability

- 3.1 The 1991 Census indicated that there were, overall, about 50% of households without a car "available". This figure ranged between 35% in Norland Ward to 70% in Golborne Ward. The comparable overall figures for Central/Inner and Outer London were 46% and 68% respectively.
- 3.2 The London Area Traffic Survey (LATS 1991) showed that about 84,000 Royal Borough residents aged 17 or over held driving licenses of whom 45% did not have access to a car.
- 3.3 These figures are somewhat dated and of themselves do not indicate a growing number of car owning households. They do, at least, indicate a significant potential for growth - in line with National Road Traffic Forecasts - of between 47% and 62% in the Borough between 1991 and 2011 (Source: DETR).

Migration of Cars from the Borough

- 3.4 From LATS (1991) information about 11,750 residents drive to work each day. Of these, 2,057 stay in the Royal Borough which leaves about 9,700 who drive out of the Borough. Not all of these trips will necessarily be in the morning peak, but most of them will. Allowing for variation in the data, this would still leave over 8,000 residents who drive out of the Borough to go to work. Of these nearly 2,000 go to Westminster, 1,200 go to Hammersmith and Fulham, and 1,300 go to Camden or the City.
- 3.5 At present these trips are undertaken because parking places of one sort or another are available at the trip end. Should the Government's proposal to introduce either work place parking levies or area licensing be implemented, (as reported to Environmental Services Committee on 16th February 1999), residents would have to consider whether to continue to make these journeys by car.

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3.6 The figures themselves cannot predicate decisions but can give an indication of the potential effects. For example, if only 60% of current car journeys are made (that is, the trips made to Westminster, Camden and the City were restrained) - an additional 3,200 vehicles would remain in the Borough during CPZ control hours. This would be equivalent to about 12% of the total on-street space available at present. Residents who may have parked overnight on yellow lines or at meter spaces would need to find residential spaces for their cars during controlled hours.

4. CAR FREE HOUSING

4.1 Where the Council is minded to grant planning consent for residential development but off-street parking provision cannot be made, the Council could consider 'car free' housing. There are details of some schemes in the Appendices.

4.2 Methods of operation vary but, in short, there have to be effective mechanisms in place in order to restrict the issue of residents' parking permits to these developments. The use of covenants, S106 Orders and amendments to the Traffic Management Orders are set out, on which the Director of Legal Services comments.

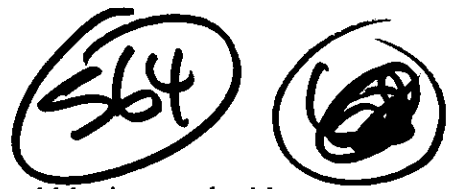
5. COMMENTS BY THE DIRECTOR OF LEGAL SERVICES

Covenants

5.1 There is much discussion within the report about the use of covenants, whether in the transfer of freeholds or the granting of leases, to restrict occupiers ability to park motor vehicles. This is a very narrow control of private rights which is limited to restricting such use either on land within the individual dwelling or the extent of that development, for instance a block of flats or small estate. There **must** be another proprietary interest capable of benefiting from a restrictive covenant, therefore such a restriction could not be imposed on the development of an individual dwelling. In any event the Council could not exercise any control unless it had an interest in the land.

Parking permits

5.2 The use of planning obligations as adopted in Camden does have potential difficulties. Firstly, if a developer fails to carry out his obligation to notify future tenants, what is the position of the tenant vis a vis a permit application? Could it be deemed unfair to refuse one in those circumstances? The Council's powers of enforcement would appear to be more apparent than real in that there is no remedy for the consequences of a breach. Once a restriction fails to find its way into a deed it cannot be inserted later. It is arguable that purchasers of freeholds and long leaseholds would have notice of the restriction, the S106 being registered as a local land charge. Assuming that restrictions were imposed, the refusal of a residents' permit would be straightforward, if not uncontentious. To date, as far as can be ascertained, there has been no legal challenge to Camden's approach but that is not to say that a challenge, if forthcoming, would not succeed.



5.3 It is quite conceivable that any or all of the restrictions could be imposed without any adverse effect (on the Council). However without car-free development being linked to a wider traffic reduction strategy, it could be viewed that such a policy may be unfair, placing the burden on a particular section of the community which is likely to be the newcomer, to the benefit of established interests. This could ultimately lead to challenge in the European Courts as has been the case in other planning matters. Therefore any such policy needs very careful consideration before it is implemented.

6. SUMMARY

6.1 There exists a large difference between the numbers of residents' parking permits issued and the kerbside space available during CPZ control hours.

6.2 Parking 'stress' already exists in several parts of the borough, resulting in proposed changes to the CPZ.

6.3 Parking 'stress' already exists resulting in successful planning appeals for non-residential uses.

6.4 The need to provide additional housing units will increase the pressure on-street if off-street space is not fully provided and parking permits continue to be issued.

6.5 There is general growth taking place in the number of permits issued.

6.6 Car ownership is predicted to grow.

6.7 The journey to work may be affected by charging for either road space or work place parking resulting in more demand for on-street space.

6.8 Methods of reconciling these conflicting pressures including "Car Free" housing which should be considered as part of a range of planning and transportation policies.

7. CONCLUSION

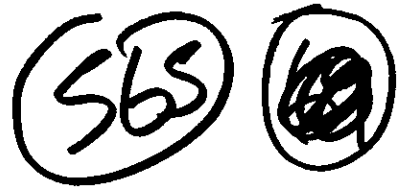
7.1 There is concern that development pressures, growth in resident parking permits and car ownership, projected housing targets and changes in transport policy will worsen existing levels of on-street parking stress.

7.2 One method of permitting developments to proceed without adding to on-street stress is to consider 'car free' housing in suitable locations. This would add another measure to planning and transportation policy in order to deal with continually increasing demand.

FOR COMMENT

Mike French
Executive Director
Planning and Conservation

Michael Stroud
Executive Director
Environmental Services



Background papers used in the preparation of this report:

The Design and Location of Car-Free Housing. - C Wood 1997

LB Richmond upon Thames Parking Places Order No. 17 1998

Urban Housing Capacity and the Sustainable City - Town & Country Planning Association 1998

Papers from a PTRC conference on Reducing Car Dependence, London, March 1998.

DETR Policy papers

Parking Permit records

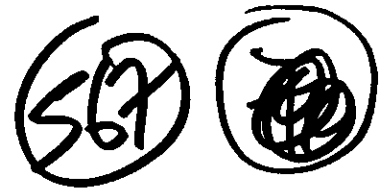
Housing Capacity Study

1991 Census and LATS Survey

DETR Tempro prediction

Officer Contact:

The above documents may be inspected by prior appointment with Miss Jane Elliott (Tel: 0171 361 3375).



APPENDIX 1

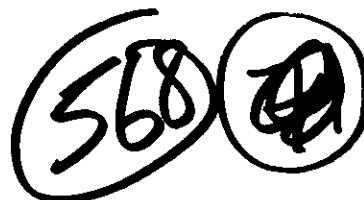
EXAMPLES OF RECENT RESIDENTIAL DEVELOPMENTS WITH NO/LOW PARKING PROVISION

A. Granted or Current

1. Ansdell Street **current** offices to 7 flats 1 space.
2. 59 - 79 Cromwell Road (98/2229) 11 large houses to 70 flats. Applicants want to provide some spaces (14) although officers doubt the possibility of providing any.
3. 31 35 Courtfield Gardens (97/2559) conversion of 123 bedroom hotel to 33 flats (tied in with proposal at Roland House, Old Brompton Road) no spaces, **granted**.
4. 5 7 Elvaston Place (98/1609) 6 additional flats, no spaces, **current**.
5. 33 - 41 Earl's Court Square change of use hotel 43 units, no spaces, **granted**.
6. 170 Ifield Road (96/1236) change of use offices to 3 flats, no spaces, **granted**.
7. Kenton Court, Kensington High Street, (98/2308) 3 additional flats **current** no additional spaces.
8. Kenton Court, Kensington High Street, (98/2309) 2 additional houses **current** no spaces.
9. 43 - 46 Kensington High Street and Young Street 12 flats and 10 spaces **current**.
10. 160 Kensington Church Street (98/1257) 2 additional units no spaces, change of use from shop/office, **current**.
11. Symons Street/Pavilion Road 32 flats 24 spaces (96/1932). **Under construction**.
12. Vicarage Court, Vicarage Gate, (97/0647), additional 6 flats, no additional spaces **current**.

B. Potential

1. Lightfoot Hall, King's Road, 160 flats.
2. Duke of York's Headquarters Phase 2 (details awaited).



APPENDIX A

CURRENT EXAMPLES OF CAR-FREE HOUSING

Although car-free housing is a relatively new idea, there are already examples of British car-free developments that have been built, or which have been granted planning permission. This report considers a number of car-free developments, in the London Boroughs of Camden, Richmond upon Thames and in Edinburgh.

It appears that, thus far, housing associations have been prominent in building car-free developments. However, car-free developments are not linked exclusively to low income or social housing. The Gorgie development in Edinburgh will include market rented and owner-occupied homes. In Camden, a car-free site built by a private developer has been targeted at high income earners in the financial sector.

THE OPERATION OF CAR-FREE HOUSING

Enforcement

The details of the operation of car-free housing vary from one scheme to the next, and more particularly so when comparing conversions with new, purpose-built residential developments. Case studies, also included in Appendix A, give more precise details of planned and existing car-free schemes. Nevertheless, the principle common to all car-free schemes (as understood for the purposes of this report) is that residents do not keep a car at or near the development. This can be enforced through physical and legal measures.

The primary physical measure is that there are no off-street parking spaces, except for disabled persons or essential service vehicles. In designing new developments, it is also critical that vehicular entry to a site is designed so that the streetscape gives the impression that it is not an appropriate place to bring motor vehicles. Physical measures such as these may be supported by surveillance, either by the concierge or by a residents' association (as is planned in the Edinburgh site).

Essentially, car-free developments require an effective mechanism to prevent displacement parking on-street. Legal enforcement may be achieved by tenancy or purchase covenants, and by restricting access to residents' permits within a Controlled Parking Zones (CPZ). In rented accommodation, tenancy agreements would include a clause to the effect that a car must not be kept in a designated area. In owner-occupied accommodation, a restrictive covenant to the same effect would be required.

However, both Camden and Edinburgh Councils have concluded that enforcement of covenants would be difficult therefore restricting the car-free development within a CPZ. As the Royal Borough is wholly covered by a CPZ, this would allow the Council to consider the potential of local car-free schemes.

Restricting access to parking permits would require amendments to the CPZ Traffic Management Orders (TMOs), either through references to specific developments in each TMO, or by adding a general clause to the effect that no residents' parking permits should be

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issued to residents of housing which the associated planning permission requires to be car-free.

Where Camden has designated sites as car-free, it has used a section 106 agreement, stating that the Council has designated the development as car-free, and as such no resident will be able to purchase a residents' parking permit. The section 106 also requires developers to ensure that prior to occupying a dwelling, every resident is informed that they will not be entitled to apply for a permit to park in a residents' parking bay, nor able to buy a contract to park in any car park owned, controlled or licensed by the London Borough of Camden.

For second-generation residents, the Council could ensure that all relevant information is available in any deed, lease or tenancy agreement. Residents who move into a car-free development would be exercising a choice to move into a property where a restriction on car location applies.

The LB Richmond has taken a similar approach. It has attached an Informative to the planning consent for the car-free site. The Informative states that occupiers of the site will not be entitled to a residents' parking permit. This was reflected in a Parking Places Order, which was amended to state that:

"Notwithstanding the foregoing provisions of this Order, no permit shall be issued to a resident of housing which has a planning consent to which an Informative has been attached that future tenants or owners of the properties will not be entitled to a residents' parking permit." (Parking Places Order No.17, 1998)

Siting of car-free housing

Only some sites will be suitable for car-free housing. Edinburgh City Council has developed criteria for identifying locations which are appropriate. These include:

- service density – proximity and access to schools, shops, health facilities etc;
- access to transportation network – clearly it is vital that there are good public transport links. Good pedestrian and cycle routes are also necessary;
- position in relation to CPZs.

To date, car-free sites have tended to be found in central locations, in close proximity to public transport and local facilities. Which reflects the difficulty of finding good transport links and local facilities away from the city centre. This may not necessarily be such a significant issue in the Royal Borough.

Size of developments

The car-free developments planned in Camden are quite small, ranging from 10 to 40 units. The Gorgie scheme in Edinburgh is larger, at around 120 flats. The Royal Town Planning Institute and others have commented that it is only with much larger developments that land

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use patterns could be expected to change significantly. Moreover, small schemes will tend to be less 'buffered' from traffic on neighbouring roads. However, the opportunities for large residential developments in the Royal Borough are clearly limited, and it is likely that car-free locations would be small. Small-scale car-free conversions would not offer all of the benefits listed above. They would nevertheless have far less effect on traffic and parking pressure than conventional conversions. In Camden, most of the 15 planning permissions have been in respect of conversions from Class B1 to Class C3, although at least one 'new build' scheme is planned.

Vehicular access

In small, one-building, developments this issue is less important. However in large estates, access paths will need to be provided for waste collection vehicles, delivery vehicles and the emergency services. The paths should be wide enough to accommodate these, but only at low speeds.

Arrangements for disabled people, visitors, car clubs

The Gorgie development in Edinburgh will have a small number of disabled parking spaces. Not to allow any spaces would be discriminatory, particularly against those residents who may suffer disability some time after moving into a car-free development. In very small developments, it may not be possible to build any new spaces, so that any disabled parking might have to be provided on-street.

As well as people with disabilities, limited parking may be considered appropriate for essential visitors, (usually trade vehicles) and, where appropriate, for neighbourhood car-sharing schemes. Such schemes are more common in northern Europe and are now being introduced in the UK, including London. Like car-free housing, car-sharing schemes are central to distinguishing car use from car ownership. Scheme members tend to use them only for trips which could not realistically be made by other modes.

THE BENEFITS OF CAR-FREE HOUSING

Given the right circumstances, car-free housing could have a number of benefits, for the residents in the development, for neighbours living nearby, and for the wider community. They include:

- an opportunity to allow new housing without off-street parking *which does not add to parking pressure;*
- a pleasant environment within the development (no visual intrusion or noise from motor vehicles, the absence of traffic danger, cleaner air);
- the opportunity to make imaginative and attractive use of space which would otherwise have been needed for parking. This could include providing more trees, and open space, including areas for recreation and children's play;
- the ability to provide more dwellings on a site;



- cost savings through increased densities.

Furthermore, car ownership in general generates car use, and that once purchased, cars are used for most trips for convenience and partly to justify the cost of the initial purchase. Also, the car-owner may no longer be able to afford the cost of public transport, on top of the cost of the car. Car-free housing is therefore consistent with the Council's objective of reducing traffic in the Borough.

POTENTIAL PROBLEMS WITH CAR-FREE HOUSING

Car-free housing represents quite a departure from conventional planning approaches, and it is not surprising that there are many potential problems associated with it. The paragraph below lists the main difficulties:

- It may be difficult to persuade developers to build developments without parking, when off-street parking spaces are so valuable in London.
- The legal status of car-free housing has to be rigorous enough to withstand challenges? For instance, could a traffic authority withhold a permit from a resident who decided that he/she would, after all, like to own a car. A similar problem could be envisaged with people who move into a car-free property several years after it was built.
- Can the Section 106 agreement have effect indefinitely?
- How can the planning authority ensure that the benefits of car-free housing are shared by occupants as well as developers?
- How effectively can local authorities prevent residents of car-free sites owning cars and parking them in off-street car parks?
- There is no guarantee that evening parking pressure would not be aggravated. For instance, occupiers could still park on resident bays outside of controlled hours.
- Royal Borough residents living in car-free sites could still park their car in other boroughs.
- Car-free developments could affect the employment prospects of those needing a car or van for their work.
- Car free developments could encourage the fraudulent acquisition or use of residents' permits.

QUALIFYING FOR A PERMIT

“Only people who live in a controlled parking area can apply for a parking permit. Each person is only entitled to one permit. You can only get a permit if your home is in the Royal Borough and you meet the following conditions:

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- Full Council Tax is paid for your home address in the Borough.
- You spend at least 4 days and nights every week at the property.
- You will be living in the property for at least 13 weeks in a row.

We will not give permits to any of the following people.

- Landlords who do not live in the property which they own in the borough.
- Tourists.
- Hotel staff and hotel guests.
- Domestic staff (for example nannies) who work at an address in the borough but do not live there.
- People looking after friend's or relative's properties but who otherwise live outside this Borough.
- People who own property in this Borough but live somewhere else.
- People who own or rent a property that cannot be lived in but who want to supervise builders and decorators.

Just having an office, shop, hotel and so on does not mean you can get a residents' parking permit.

You must also say on your application form if you are claiming any Council Tax discounts or benefits. We will check your Council Tax records and may make other checks on the information you give us, so if you give us false information you will be prosecuted.

If, during the life of your permit, you stop living in the controlled parking area or you no longer use the vehicle the permit applies to, you must return the permit. **If you do not, you will be breaking the law. It is also against the law to use an out-of-date permit. You can only get a refund on a permit if you give it up without being asked.**

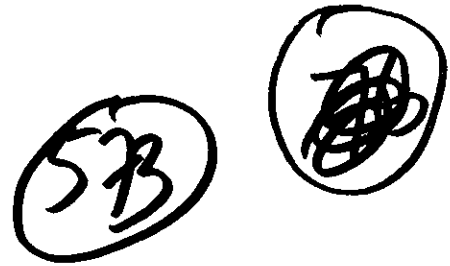
When we say the registered keeper of a vehicle, we mean the person who keeps and uses it on the road.

When we say 'vehicle', we mean one of the following:

- A vehicle designed for not more than twelve passengers not counting the driver. No vehicle may be more than 6 feet 10 inches (208.28 centimetres) long. Trailers do not count as part of the vehicle and you must not park them in a Residents' Parking Bay.
- A motorcycle.
- A mechanical invalid carriage."

APPENDIX B

CASE STUDIES OF CAR-FREE DEVELOPMENTS



The examples provided below are all from the UK, although officers know of car-free initiatives on the continent. In Hamburg, planning consent for a 220-unit car-free development was given on the condition that the dwellings would have contractual requirements not to keep a car. However, most of the continental schemes of which officers are aware are 'traffic-free' rather than car-free, with residents usually being allowed to park cars on the fringes of the sites.

1. Gorgie Goods Yard, Edinburgh

This site has attracted considerable interest among planners, being the first large purpose-built car-free development in the country. While the site meets many of Edinburgh's criteria for successful car-free development (see main report) it is not in a controlled parking zone.

The development will contain 120 'social' rented, market rented and privately owned flats. There will be only 12 parking spaces. Four of these will be for disabled residents. The remaining 8 will be used by essential visitors and, possibly, by a car-sharing scheme. Under a Section 75 Agreement, the developer, Canmore Housing Association, will impose obligations on future tenants and owners not to park, or cause or permit the parking of, any vehicle within the development. The management rules at the development will require residents not to park any vehicle on nearby streets. *These rules are not part of any legally-binding agreement.* Construction began in autumn 1998 and flats should be ready for occupation in summer 2000.

2. Rear of Holborn Town Hall, WC2 (LB Camden)

This site consists of 29 Housing Association units. The developer wanted to reduce the amount of parking, in order to provide more amenity space. There is one space for visitors or people with disabilities. The Section 106 Agreement requires the Housing Association to hold a joint review of the scheme with Camden Council, once the units have been occupied for a given length of time. This scheme is due to be ready for occupation by summer 1999.

3. Clerkenwell, EC1 (LB Camden)

This development has 41 private residential units, in a previously vacant listed building. Some of these units are now occupied. There was no possibility of providing any parking within the site, and there was acute parking stress in the local area (in the adjacent streets, there were four parking permits for every resident parking space). Camden was minded to refuse the application if the developer did not designate the site as car-free. The site is very close to a privately-run public car park. Camden's officers are currently looking at ways to prevent residents of the car-free development using this car park.

4. Twickenham (LB Richmond)

The site is a 'new build' development of around six townhouses, rented through a housing association. It is in a Controlled Parking Zone, and occupants may not purchase parking permits. There have been problems, as some of the occupants have already tried to obtain permits. However, at this stage, permits have successfully been refused.



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Action by: EDES/EDP&C

2. 'CAR-FREE' HOUSING

The Working Party considered that car-free housing was too small an instrument alone to tackle the problems of parking stress and congestion in the Borough. It was clear that, given projected increases in private vehicle ownership/usage, the Council would soon be obliged to reassess the provision of residents' parking and that car-free housing might then form part of these considerations.

The Working Party did ask, however, that the supporting text within the UDP (such as that on car parking standards) be suitably amended to include reference to the possibility of changes to residents' parking arrangements during the lifetime of the Plan so as to enable any such changes to be reflected in the Council's planning policies without any unnecessary delay.

In the meantime, officers would consult Counsel on the legal position relating to car-free housing in the context of the Council's own residents' parking scheme.

Action by: EDP&C/DLS/DT&H

3. UDP TRANSPORTATION CHAPTER - DRAFT ALTERATIONS

The Working Party asked that where the Transportation & Highways Department was considering the installation of entry treatments, chicanes and other such traffic management measures in streets within or affecting conservation areas, that this always be progressed in close liaison with Planning & Conservation officers to ensure that appropriate designs and materials were used. Members recorded, in particular, their view that the recent works at Talbot Road were most unsympathetic.

The Executive Director of Planning & Conservation was asked look again at whether there was scope to further strengthen the policy TR50 to best protect residential areas of the Borough, including garden squares, against helicopter traffic. He was also asked to include, as a fourth category at lxii (page 12), reference to the nuisance of open-top tour coaches which usually drove very slowly around their predetermined route with loud commentary for passengers.

In relation to paragraph 4.9 (page 37), the Director of Transportation & Highways explained that this referred to the Council's wish to have the Earl's Court One-Way System removed from London's strategic road network and to have trucks re-routed around, rather than through, central London.

Action by: EDP&C/DT&H

1st Review

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The Council recognises the need and desire of residents to be able to park close to where they live. Many existing residential developments do not have off-street spaces and the availability of on-street parking is limited. The Council will normally require residential development to include off-street parking to supplement the restricted on-street provision. Where off-street parking is provided to the Council's minimum standards, this should be made available to, and permanently retained for use by, residents of the development. If the number of spaces provided exceeds the Council's minimum standards, a Planning Obligation may be required to ensure that the additional spaces are only available to residents qualifying for parking permits and living within a short walking distance. The levels of provision are given in the Planning Standards Chapter.

7.25 In some instances, the provision of off-street parking may not be considered necessary. For example, where the development is close to public transport and/or convenient car hire or car sharing schemes, and where means can be agreed for avoiding any increase in on-street parking demand from the development. The Council will consider ways of overcoming potential on-street parking pressures. These could involve restricting the issue of residents' parking permits to new or future occupants of a development, or seeking opportunities for the use of alternative off-street parking away from the development. The additional demand for on-street parking spaces resulting from the conversion of self-contained residential units into smaller dwellings may also preclude the granting of planning permission unless means can be agreed for avoiding any increase in on-street parking (see also Housing Chapter, policy H6).

7.26 The Council recognises that in some cases proposals for the change of use of properties to residential use will be unable to provide off-street parking. This may be for townscape reasons, because the building is of architectural or historic interest, or because the inclusion of off-street parking would reduce a scheme's viability.

TR41 NORMALLY, TO REQUIRE ALL RESIDENTIAL DEVELOPMENT TO INCLUDE ADEQUATE OFF-STREET PARKING.

For the avoidance of doubt, policy TR41 refers to all forms of residential development:- new build; redevelopment; changes of use; and conversions.