

New Local Plan Review Policy Formulation Report – October 2022



Policy T5: Land Use and Transport

Policy T6: Active Travel

Policy T7: Public Transport

Policy T8: Car Parking

Policy T9: Servicing



THE ROYAL BOROUGH OF
KENSINGTON
AND CHELSEA

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1. Introduction

1.1 New Local Plan Review

1.1.1 The Council is undertaking New Local Plan Review (NLPR) to ensure we have an up-to-date and fit-for-purpose Local Plan to guide the development of the Borough and reflect our values.

1.1.2 The purpose of this Policy Formulation Report (PFR) is to demonstrate how the following policies within Chapter 8 – Streets and Transport – have been developed and evidenced to a level of detail which cannot be included in the NLPR document itself:

- **T5: Land Use and Transport**
- **T6: Active Travel**
- **T7: Public Transport**
- **T8: Car Parking**
- **T9: Servicing**

1.2 Existing Local Plan

1.2.1 These topics of the NLPR relate primarily to the following policies within the Local Plan:

CO3: Strategic objective for better travel choices,

Policy CT1: Improving alternatives to car use

Policy CT2: New and enhanced rail infrastructure

Policy CR7: Servicing

1.3 Key issues and policy drivers

1.3.1 The Council strategic objective 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. The importance of streets in facilitating safe efficient movement whether by active modes and public transport is reflected in Local Plan Policy CT1. In recent years the Mayor of London has published the Mayor’s Transport Strategy (2018) and the London Plan 2021. These policy documents introduced the “healthy streets” approach which calls for infrastructure and public realm improvements to significantly increase levels of walking, cycling and public transport use to address environmental challenges, including air quality and climate change, accommodate

sustainable growth, improve safety and to enhance the quality of Londoners' lives.

- 1.3.2 The Council no longer expects “new and enhanced rail infrastructure” to be delivered in the lifetime of the plan. Accordingly, no distinct policy on rail infrastructure is proposed. Instead, Policy T7 on Public Transport supports the delivery of enhancements to existing public transport infrastructure.

2. Legislation, policy and guidance context

2.1 Introduction

- 2.1.1 The existing Local Plan Policies CT1 was adopted in 2010 as part of the then Core Strategy for the borough. This policy was saved through subsequent Local Plan reviews. In national and regional policy there is a growing emphasis on the need to better address public policy challenges including achieving sustainable development, supporting economic growth and improving public health and highway safety.
- 2.1.2 Policy CR7 on Servicing was last updated in 2015 and saved in 2019. The text of this policy has been updated to address the growing importance of electric vehicles and deliveries generated by internet services.

2.2 National

NATIONAL PLANNING POLICY FRAMEWORK (NPPF)

- 2.2.1 A central strand of the NPPF is to achieve sustainable development. Chapter 9 on promoting sustainable travel recognises the importance of transport and good public realm in achieving sustainable development.
- 2.2.2 Paragraph 104 states that “*Transport issues should be considered from the earliest stages of plan-making and development proposals, so that:*
- a) the potential impacts of development on transport networks can be addressed;*
 - b) opportunities from existing or proposed transport infrastructure, and changing transport technology and usage, are realised – for example in relation to the scale, location or density of development that can be accommodated;*
 - c) opportunities to promote walking, cycling and public transport use are identified and pursued;*
 - d) the environmental impacts of traffic and transport infrastructure can be identified, assessed and taken into account – including appropriate opportunities for avoiding and mitigating any adverse effects, and for net environmental gains; and*
 - e) patterns of movement, streets, parking and other transport considerations are integral to the design of schemes, and contribute to making high quality places.*
- 2.2.3 Paragraph 105 confirms that “*Significant development should be focused on locations which are or can be made sustainable, through limiting the need to travel and offering a genuine choice of transport modes. This can help to reduce congestion and emissions, and improve air quality and public health*”.
- 2.2.4 Paragraph 106 sets out that “*planning policies should:*
- a) support an appropriate mix of uses across an area, and within larger scale sites, to minimise the number and length of journeys needed for employment, shopping, leisure, education and other activities;*

b) be prepared with the active involvement of local highways authorities, other transport infrastructure providers and operators and neighbouring councils, so that strategies and investments for supporting sustainable transport and development patterns are aligned;

c) identify and protect, where there is robust evidence, sites and routes which could be critical in developing infrastructure to widen transport choice and realise opportunities for large scale development;

d) provide for attractive and well-designed walking and cycling networks with supporting facilities such as secure cycle parking (drawing on Local Cycling and Walking Infrastructure Plans);

2.2.5 Paragraphs 107 and 108 cover parking standards. Local Plan “*policies should take into account:*

a) the accessibility of the development;

b) the type, mix and use of development;

c) the availability of and opportunities for public transport;

d) local car ownership levels; and

e) the need to ensure an adequate provision of spaces for charging plug-in and other ultra-low emission vehicles”.

2.2.6 *Maximum parking standards for residential and non-residential development should only be set where there is a clear and compelling justification that they are necessary for managing the local road network, or for optimising the density of development in city and town centres and other locations that are well served by public transport.*

2.2.7 Under Paragraph 110 (c), the design of streets, parking areas, other transport elements and the content of associated standards reflects current national guidance, including the National Design Guide.

2.2.8 Paragraph 112 advises that “*applications for development should:*

a) give priority first to pedestrian and cycle movements, both within the scheme and with neighbouring areas; and second – so far as possible – to facilitating access to high quality public transport, with layouts that maximise the catchment area for bus or other public transport services, and appropriate facilities that encourage public transport use;

b) address the needs of people with disabilities and reduced mobility in relation to all modes of transport;

c) create places that are safe, secure and attractive – which minimise the scope for conflicts between pedestrians, cyclists and vehicles, avoid unnecessary street clutter, and respond to local character and design standards;

d) allow for the efficient delivery of goods, and access by service and emergency vehicles; and

e) be designed to enable charging of plug-in and other ultra-low emission vehicles in safe, accessible and convenient locations”.

2.2.9 Paragraph 113 confirms that all developments that will generate significant amounts of movement should be required to provide a travel plan, and the application should be supported by a transport statement or transport assessment so that the likely impacts of the proposal can be assessed.

2.3 Regional

THE LONDON PLAN (MARCH 2021)

2.3.1 Chapter 10 of the London Plan sets out Mayor of London's spatial transport policies. These policies, which were found to be in adherence to the NPPF, form part of the borough's development plan.

2.3.2 Policy T1 affirms that *“all development should make the most effective use of land, reflecting its connectivity and accessibility by existing and future public transport, walking and cycling routes, and ensure that any impacts on London's transport networks and supporting infrastructure are mitigated.”*

2.3.3 Policy T2 sets out the requirement for achieving Healthy Streets. These are:

- A. *Development proposals and Development Plans should deliver patterns of land use that facilitate residents making shorter, regular trips by walking or cycling.*
- B. *Development Plans should:*
 - 1) *promote and demonstrate the application of the Mayor's Healthy Streets Approach to: improve health and reduce health inequalities; reduce car dominance, ownership and use, road danger, severance, vehicle emissions and noise; increase walking, cycling and public transport use; improve street safety, comfort, convenience and amenity; and support these outcomes through sensitively designed freight facilities.*
 - 2) *identify opportunities to improve the balance of space given to people to dwell, walk, cycle, and travel on public transport and in essential vehicles, so space is used more efficiently and streets are greener and more pleasant.*
- C. *In Opportunity Areas and other growth areas, new and improved walking, cycling and public transport networks should be planned at an early stage, with delivery phased appropriately to support mode shift towards active travel and public transport. Designs for new or enhanced streets must demonstrate how they deliver against the ten Healthy Streets Indicators.*
- D. *Development proposals should:*
 - 1) *demonstrate how they will deliver improvements that support the ten Healthy Streets Indicators in line with Transport for London guidance*
 - 2) *reduce the dominance of vehicles on London's streets whether stationary or moving*
 - 3) *be permeable by foot and cycle and connect to local walking and cycling networks as well as public transport*

2.3.4 Policy T3 - *“Transport capacity connections and safeguarding”* - calls for infrastructure to be identified and safeguarded to allow future transport needs to be satisfied sustainably. Policy T4 covers the assessment and mitigation of

transport impacts. Policies T5, T6 and T7 cover cycling, car parking and servicing respectively.

MAYOR'S TRANSPORT STRATEGY 2018

2.3.4 The Mayor's transport strategy sets out Mayor's policies and proposals to reshapes London's transport in the period to 2038.

2.3.5 The nine outcomes of the MTS are:

Healthy streets and health people, including traffic reduction strategies

- 1: London's streets will be healthy and more Londoners will travel actively
- 2: London's streets will be safe and secure
- 3: London's streets will be used more efficiently and have less traffic on them
- 4: London's streets will be clean and green

A good public transport experience

- 5: The public transport network will meet the needs of a growing London
- 6: Public transport will be safe, affordable and accessible to all
- 7: Journeys by public transport will be pleasant, fast and reliable

New homes and jobs

- 8: Active, efficient and sustainable travel will be the best option in new developments
- 9: Transport investment will unlock the delivery of new homes and jobs

2.4 Local

EXISTING LOCAL PLAN POLICY (2019)

2.4.3 The existing Local Plan policies specifically relating to transport are Policies CT1, and CT2. The latter relates to "new and enhanced rail infrastructure". These are set out in a chapter on *Better Travel Choices*. The chapter on *An Engaging Public Realm, a sense of place, attractive streets, and outdoor spaces* is also relevant as the design of the borough streets are integral to safe efficient movement. Policy CR7 covers servicing.

Policy CT1 Improving alternatives to car use

The Council will ensure that there are better alternatives to car use by making it easier and more attractive to walk, cycle and use public transport and by managing traffic congestion and the supply of car parking.

To deliver this the Council will:

- a. require high trip generating development to be located in areas of the borough where public transport accessibility has a PTAL score of 4 or above and where there is sufficient public transport capacity, or that will achieve PTAL 4 and provide sufficient capacity as a result of committed improvements to public

transport;

b. require it to be demonstrated that development will not result in any material increase in traffic congestion or on-street parking pressure;

c. require that all new additional residential development be permit-free;

d. require car parking provided in new residential development to be at or below the adopted car parking standards;

e. require that parking in non-residential development is for essential need only;

f. require cycle parking, showering and changing facilities in new development;

g. require improvements to the walking and cycling environment, including securing pedestrian and cycle links through new developments;

h. require new development to incorporate measures to improve road safety, and in particular the safety of pedestrians, cyclists and motorcyclists, and resist development that compromises road safety;

i. require Transport Assessments and Travel Plans for larger scale development;

j. ensure that new developments provide or contribute toward improvements to public transport services, access to them and interchange between them, giving priority to north-south bus links and areas that currently have lower levels of accessibility;

k. work with partners to ensure that step-free access is delivered at all Underground and rail stations by 2028, require new developments to contribute toward step-free access and ensure it is delivered at Underground and rail stations in the borough where there is a redevelopment opportunity;

l. resist new public car parks and the loss of off-street coach parking;

m. require that where a development creates new on-street parking it is managed so that parking demand is controlled and the need for off-street parking is minimised

n. require that new development adjacent to the River Thames or Grand Union Canal takes full advantage of, and improves the opportunities for, public transport and freight on the water, access to the water for recreation and walking and cycling alongside it;

o. work with TfL to improve the streets within the Earl's Court one-way system by:
i. investigating the return of the streets to two-way operation, and by implementing the recommended improvements, should TfL and the Council deem them feasible;

ii. by securing improvements to the pedestrian environment;

iii. requiring developments to contribute to objectives i and ii.

p. ensure that development does not reduce access to, or the attractiveness of, existing footways and footpaths used by the public, or land over which the public have a right of way.

Policy CT2 New and enhanced rail infrastructure

The Council will require improved access to existing and planned new rail infrastructure in the borough.

To deliver this the Council will:

- a. require developments at the allocated Kensal Canalside Opportunity Area to establish a Elizabeth Line Station, subject to approval by Network Rail and DfT;
- b. support the creation of a new station on the West London line at Westway Circus, as proposed by the St Quintin and Woodlands Neighbourhood Plan;
- c. protect the safeguarded route and associated land for the Elizabeth Line (Crossrail 1) and Crossrail 2, including for the latter a station located between 250 King's Road and 151 Sydney Street near Chelsea Old Town Hall on the King's Road;

Policy CR7 Servicing

The Council will require servicing facilities and coach parking to be well designed, built to accommodate the demands of new development and sensitively integrated into the development and the surrounding townscape. In particular servicing activities and coach pick-up and drop-off should not give rise to traffic congestion, conflict with pedestrians or be detrimental to residential amenity.

To deliver this the Council will:

- a. require sufficient on-site servicing space and coach parking to accommodate the number and type of vehicles likely to be generated and to ensure that this can take place without manoeuvring on the highway;
- b. require a Servicing Management Plan for all sites with on-site servicing space that will control the hours of servicing, including detail on how vehicles will be managed, and controls on the types and sizes of vehicles to ensure they are appropriate to the local area and are environmentally acceptable;
- c. require coach drop-off and pick-up facilities and a Coach Management Plan at new hotel developments and at extensions to existing hotels;
- d. require, where developments cannot provide onsite servicing space or coach parking, that it is demonstrated that the proposal can function satisfactorily without giving rise to adverse effects on traffic congestion, pedestrian safety,

residential amenity or impact on bus routes. A Servicing Management Plan and/or Coach Management Plan will be required in these instances;

e. require on-site servicing and coach parking spaces and entrances to be sensitive to the character and appearance of the building and wider townscape and streetscape

LOCAL IMPLEMENTATION PLAN (2019)

2.4.4 This document identifies how the Council will work towards the MTS outcomes.

2.5 Summary

Date	Document	Organisation
June 2019 (as amended)	National Planning Policy Framework Chapter 9	DLUHC
March 2018	Mayor's Transport Strategy	Mayor of London
Mar 2021	The London Plan Policy T2	Mayor of London
April 2019	Local Implementation Plan	RBKC

3. Evidence base

3.1 Our proposed policies on Land Use and Transport (T5), Active Travel (T6), Public Transport (T7), Car Parking (T8) and Servicing (T9) were informed by the following documents:

- [Travel in London Report 14](#) (2021) – The most recent issue of Transport for London’s (TfL’s) annual publication that summarises trends and developments relating to travel and transport in London. Its principal function is to describe how travel is changing and to provide an interpretative overview of progress towards implementing the Mayor’s Transport Strategy. It also provides an evidence and analysis base for the general use of stakeholders and policymakers. This fourteenth report covers trends and developments up to 2021, including the disruption brought about by the global coronavirus pandemic from early 2020.

4. Options, consultation and Integrated Impact Assessment (IIA)

4.1 Alternative options were consulted on as part of the borough Issues (September 2020) and Issues and Options (July 2021) consultation documents. The Consultation Schedules and Consultation Summaries for these are set out in the Consultation Statement published alongside the Regulation 19 Publication Policies (October 2022) consultation document. Consultation responses have been reviewed and used to inform the development of, and modification to, the draft NLPR Policies.

4.2 A breakdown of the public consultations undertaken by RBKC to inform the production of the NLPR is set out in the table below.

Public Consultation	Timeframe
Borough Issues Consultation	29 September – 10 November 2020
Issues and Options Consultation	26 July – 4 October 2021
Regulation 18 Draft Policies	9 February – 23 March 2022
Regulation 19 Publication	October 2022

Figure 4.1 : RBKC NLPR Consultation Timeline.

4.3 The options considered through the consultations and within the Integrated Impact Assessment (IIA) are summarised below.

4.4 The Council has considered the options particularly in light of the ‘tests of soundness’ which are set out in the NPPF:

- **Positively prepared** – providing a strategy which, as a minimum, seeks to meet the area’s objectively assessed needs; and is informed by agreements with other authorities, so that unmet need from neighbouring areas is accommodated where it is practical to do so and is consistent with achieving sustainable development;
- **Justified** – the plan should be the most appropriate strategy, when considered against the reasonable alternatives, based on proportionate evidence;
- **Effective** – deliverable over the plan period, and based on effective joint working on cross-boundary strategic matters that have been dealt with rather than deferred, as evidenced by the statement of common ground; and
- **Consistent with national policy** – enabling the delivery of sustainable development in accordance with the policies in this Framework

5. Publication Policy

- 5.1 Following consideration of the options presented above, consultation and reasonable alternatives, the Council has finalised the following policies:

T5: Land use and Transport

A. Require development to be located in suitable areas where the transport requirements can be met in a sustainable manner, and which actively encourages travel by sustainable modes.

B. High trip generating development to be located in areas of the Borough where public transport accessibility has a PTAL score of 4 or above and where there is sufficient public transport capacity, or that will achieve PTAL 4 and provide sufficient capacity as a result of committed improvements to public transport.

C. Large scale developments are required to submit Transport Assessments and Travel Plans.

D. Resist the loss of buildings and land used for public transport, active travel or related support functions (unless satisfactory alternative facilities are provided)

T6: Active travel

Promoting walking and cycling

A. All new development to maximise trips made by sustainable transport modes by making it easier and more attractive to walk and cycle within the Borough.

B. Improvements to the walking and cycling environment are required, including pedestrian and cycle links through new developments and through improving walking and cycling routes to transport infrastructure, social infrastructure, green spaces and town centre uses. Necessary off-site improvements shall be secured by planning obligation.

C. New development must incorporate measures to improve road safety, and in particular the safety of walking and cycling and resist development that compromises road safety.

D. New development adjacent to the River Thames or Grand Union Canal will be required to deliver improved access and connections to the water for walking, cycling and recreation alongside it.

Cycle parking

E. Development must provide accessible, secure cycle parking facilities and make provision for high quality ancillary facilities that promote cycle usage including changing rooms, showers, and lockers in line with or above current minimum standards.

Safeguarding public access

F. Ensure that development does not reduce access to, or the attractiveness of, existing footways and footpaths used by the public, or land over which the public have a right of way.

T7: Public transport

A. Development to promote sustainable travel through the delivery of enhancements to existing public transport infrastructure.

B. New developments must provide or contribute toward improvements to public transport services, access to them and interchange between them, giving priority to areas that currently have lower levels of accessibility.

C. Support improvements to West London Line services and enhancements to facilities that improve access to the services.

Step-free access

D. The Council will work with partners to ensure that step-free access is delivered at all underground and rail stations, requiring new developments to contribute toward step-free access and ensure it is delivered at Underground and rail stations in the Borough where there is a redevelopment opportunity, giving priority to those which deliver the greatest overall benefits.

T8: Car Parking

A. Seek to minimise reliance on private car use arising from new development and promote sustainable travel patterns by managing congestion and the supply of car parking.

B. Require it to be demonstrated that development will not result in any material increase in traffic congestion or on-street parking pressure.

C. All new additional residential development must be permitfree. Car parking provided in new residential development must be at or below

the adopted car parking standards. Parking in non-residential development must be for essential need only.

D. All parking spaces within new development to be equipped with electric vehicle charging points.

E. Where a development creates new on-street parking, this must be managed so that parking demand is controlled and the need for off-street parking is minimised.

F. Resist new public car parks and the loss of off-street coach parking.

T9: Servicing

A. Servicing facilities and coach parking must be well designed, built to accommodate the demands of new development and minimise the number of servicing trips required. Facilities should also be sensitively integrated into the development and the surrounding townscape. In particular, servicing activities and coach pick-up and drop-off should not give rise to traffic congestion, conflict with pedestrians or be detrimental to residential amenity.

B. Developments must provide sufficient on-site servicing space where feasible, delivery consolidation floorspace, and coach parking to accommodate the number and type of vehicles likely 191 to be generated and to ensure that this can take place without manoeuvring on the highway.

C. Require a Servicing Management Plan for all sites with on-site servicing space that will control the hours of servicing, including details on how vehicles will be managed, and controls on the types and sizes of vehicles to ensure they are appropriate to the local area and are environmentally acceptable.

D. All new developments with on-site servicing facilities must provide sufficient electric vehicle charging points for the size and number of vehicles likely to be generated.

E. New hotel developments including significant extensions to existing hotels must provide coach drop-off and pick-up facilities and a Coach Management Plan.

F. Where developments cannot provide onsite servicing space or coach parking, applicants must demonstrate that proposal can function satisfactorily without giving rise to adverse effects on traffic congestion, pedestrian safety, residential amenity or impact on bus routes. A Servicing Management Plan and/or Coach Management Plan will be required in these instances.

G. Proposals for restaurants or take-aways, requiring planning permission, must be supported by a Delivery Management Plan to explain how any food delivery service would operate and to demonstrate that there would be no resultant impact upon the function of the highway.

H. Proposals for larger developments, must be supported by a Delivery Management Plan to explain how deliveries would be consolidated (through use of a concierge or mail office) to limit van traffic generation.

6 Duty to cooperate and strategic issues

- 6.1 The legal obligation of the ‘duty to cooperate’ requires the Council to “engage constructively, actively and on an ongoing basis” and have “regard to activities” (i.e. strategies, plans, policies) of other bodies in the preparation of Local Plans “so far as relating to a strategic matter”. This includes “considering whether to consult on and prepare... agreements or joint approaches”¹.
- 6.2 A “strategic matter” relates to “sustainable development or use of land that has or would have a significant impact on at least two planning areas, including (in particular)... in connection with infrastructure that is strategic”². Strategic matters are further defined in paragraph 156 of the NPPF³ and paragraph 013 of the NPPG on the duty to cooperate⁴.
- 6.3 Figure 5.1 shows the actions the actions the Council has taken with regard to the duty and the relevant prescribed bodies.
- 6.4 The Council has prepared a statement ground which sets out where we are in agreement with neighbouring authorities. This will be amended as and when appropriate.
- 6.5 The provision of hotels is not concerned to be a cross boundary matter, and as such has not been a focus of discussions with our neighbours.

Prescribed bodies / LPAs ⁵	Action(s)	Date(s)
All	The Council has had regard to all relevant strategies, plans and policies of the relevant prescribed bodies in preparing the policies – as set out in Legislation, Policy and Guidance sections of Policy Formulation Reports (PFRs)	Ongoing
All	New Local Plan Review Issues consultation – see Consultation Schedule	Sept to Nov 2020
All	New Local Plan Review Issues and Options consultation – see Consultation Schedule	July to Oct 2021
All	New Local Plan Review Regulation 18 Draft Policies consultation – see Consultation Schedule	Feb to Mar 2022

Figure 5.1: Duty to cooperate strategic issues, prescribed bodies and Council actions

¹ Section 33A of the Planning and Compulsory Purchase Act 2004, as inserted by Section 110 of the Localism Act 2010

² Section 33A(4) of the Planning and Compulsory Purchase Act 2004, as inserted by Section 110 of the Localism Act 2010

³ <http://planningguidance.communities.gov.uk/blog/policy/>

⁴ <http://planningguidance.communities.gov.uk/blog/guidance/duty-to-cooperate/>

⁵ Regulation 4 of The Town and Country Planning (Local Planning) (England) Regulations 2012