

LDF

Building on Success

Transport

Supplementary Planning Document
December 2008

Local Development Framework



THE ROYAL BOROUGH OF
KENSINGTON
AND CHELSEA

Many thanks to Giles Breton for supplying the photographs for this SPD

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1.0

Introduction

1.1.1 The Royal Borough's Unitary Development Plan (UDP) sets out the Council's Transport policies for development. This Supplementary Planning Document (SPD) deals with the Council's standards for parking, servicing and highway improvements in new or converted developments. The SPD complements the UDP policies and provides detailed guidance on how to implement them. The UDP is in the process of being replaced by the documents comprising the Local Development Framework. This SPD will be updated to reflect the new policy framework once it is adopted, but it is anticipated that much of the information provided in this guidance will remain relevant.

1.1.2 The document consists of two parts. The first deals with transport related planning policy matters that will need to be addressed for all relevant planning applications. The second part deals with those elements of development that require consideration under the Highways Act 1980 and other legislation, in addition to planning legislation.

1.1.3 The document replaces SPG 08: Technical Guidance on Transportation Standards and SPG 10: Permit-free and Car-free plus Permit-free Development.



PART ONE: PLANNING POLICY GUIDANCE

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2.0

Provision for Pedestrians, Cyclists and Motorcyclists

2.1 THE PEDESTRIAN ENVIRONMENT

2.1.1 Kensington and Chelsea has always exemplified high standards of street construction and maintenance. The emphasis is on simple, classical design, free of unnecessary clutter and barriers, and on high quality materials and craftsmanship. All of this means the streets are safer and more attractive for pedestrians. The Council, through its programme of rolling streetscape improvement and major schemes such as Exhibition Road, continually seeks to improve the public realm for pedestrians. The Council will ensure that all new developments complement the Council's approach in order to encourage walking, whether for leisure or as a means of transport. All opportunities for increasing permeability into and through developments will be sought through the creation of new pedestrian links and open spaces in development sites. The Council will also ensure that public rights of way are retained and wherever possible new rights of way created. This is consistent with policy

LR13 of the UDP which is *“To ensure the retention of Public Rights of Way over public and private land, and provide new rights of way where appropriate”*.





2.1.2 UDP policy TR3 states the Council's commitment "to maintain and improve footways to provide a safe and attractive environment for pedestrians". In order to ensure a development is consistent with the above, developers should consider the following when proposing any changes to the pedestrian environment:

- the number of vehicle 'crossovers' (dropped kerbs in the footway for vehicles to access a development) should be kept to a minimum. How the Council will consider crossover applications is explained in more detail in part two;
- accesses to new developments should be safe for users of all modes of transport, including walking and cycling. Shared motor vehicle, pedestrian and bicycle entrances should be safe and welcoming to pedestrians and cyclists and be designed to indicate that those on foot or on bicycles have priority over motor vehicles; the design should ensure that those crossing the entrance (especially those with mobility impairments) take precedence over motor vehicles entering or leaving and can pass safely and without hindrance;
- new footways should be a minimum of 2m (6.6ft) wide although greater width will be required in areas of heavy footfall (see section 13 - table and chairs). Similarly, a new development must not reduce the width of existing footways to below 2m (6.6ft). Please see section 4 for footway width requirements for tables and chairs and other proposals that will reduce footway width. The 'footway' includes areas of privately maintained forecourt over which the public have a right of way on foot only. The Council will resist the loss of such areas and generally considers them to be highway. Their loss reduces the space available to pedestrians, causing congestion contrary to policy LR13 and TR3;
- the doors of developments must not open onto the highway. This includes garage doors and garden gates;
- within the development site doors, gates or passageways should not open directly onto pedestrian areas and footways or vehicle routes;
- the provision of suitable crossing facilities in the surrounding area for residents and visitors to new development;

- where pedestrian access ramps are proposed these must be set within the curtilage of the building. Access ramps on the highway will not be acceptable; and
- the provision of safe, convenient, accessible and direct pedestrian access to public transport facilities when major new developments that generate significant numbers of pedestrian trips are proposed. Such routes should be consistent with the Council's Streetscape guidance, Transport and Streetscape Policies and TfL's guidance Improving Walkability.

2.2 CYCLE PARKING

2.2.1 The Council encourages cycling as a sustainable method of transport in the borough, and aims to ensure that cyclists are provided for in new development. Table 13.5.1 of the UDP sets out the Council's bicycle parking standards at new developments. Policy TR9 of the UDP states that the Council will "... require the provision of cycle parking facilities in residential and commercial developments and at other suitable locations".

2.2.2 Cycle parking stands or spaces provided within developments, whether inside or outside, should be located in areas that are accessible and within areas of natural surveillance so that they are attractive to use. The basic requirements of cycle parking are that:

- it provides security against theft;
- it does not pose a hazard to pedestrians (especially those who have sight problems) if located outside, and does not impede pedestrian desire lines;
- it supports cycles without damaging them;
- it is sheltered from the elements; and
- it is convenient to use.

2.2.3 Although there are several types of cycle parking stands, the Council considers the Sheffield stand to be the most appropriate design for use by the public. Alternative types of cycle parking to the Sheffield stand may be acceptable if manufacturers' details are supplied to the Council, and if the design meets the basic requirements set out above. Ideally the applicant should consult the transportation team at the earliest opportunity to discuss alternative designs.





2.2.4 For residential developments at least one space should be provided per dwelling and for those of 10 or more dwellings visitor bicycle parking should also be provided that is easy to locate from the street. A minimum gap of 1m should be allowed between two parallel stands and in banks of stands. Please note that two bicycles can be parked on one 'Sheffield stand'.

2.2.5 For non-residential development the Council will seek secure and adequate cycle parking facilities for staff and visitors. The standard for the provision of cycle parking facilities for employees is a minimum of 1 stand per 200m² (656ft²) of floorspace. Table 13.5.1 of the UDP sets out the additional cycle parking requirement for visitors for various land uses.

2.2.6 Changing rooms and shower facilities should also be provided in non-residential developments.

2.2.7 When access to cycle parking is via a lift there should be sufficient space within the lift to wheel a bicycle in without having to rear the bicycle up.

2.3 MOTORCYCLE PARKING STANDARDS

2.3.1 Motorcycle use is increasing in London, and with it an increased demand for motorcycle parking. If motorcycle parking facilities are not available, the result can be more inconsiderate parking of motorcycles on-street, which creates potential hazards to other road users, particularly pedestrians. This is inconsistent with policies TR3 and TR36 of the UDP, which state respectively the Council's commitment "*to maintain and improve footways to provide a safe and attractive environment for pedestrians*" and "*to resist development which would result in, inter alia, any decrease in road safety*".

2.3.2 The Council therefore requires motorcycle parking facilities in developments that require a Transport Assessment or where car parking is provided (see section 5). No specific standard has been adopted for motorcycle parking, however in general at least four spaces should be provided or at least ten percent of the total provision of car parking or one space per 600m² (6458ft²) in non-residential developments, whichever is the greater.

3.0

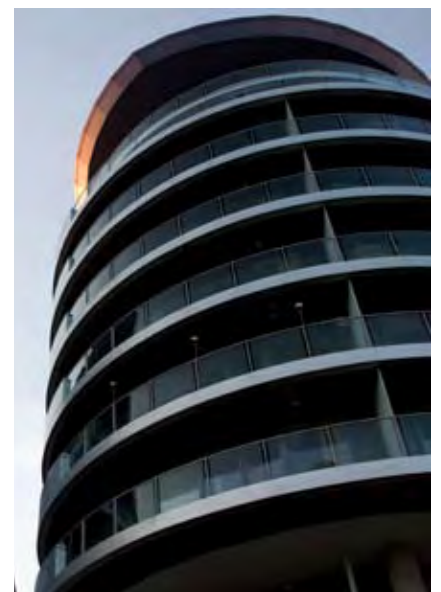
Car Parking Policy and Standards

3.1 PERMIT-FREE

3.1.1 Despite having some of the lowest levels of car ownership in the country the borough experiences very high levels of on-street residents' parking demand such that the occupancy level of spaces is at saturation levels (90% occupancy or above) in most of the borough and at most times of the day and night. The impacts of high parking demand are well known and include:

- drivers being forced to circulate around an area seeking empty spaces which causes unnecessary congestion, environmental pollution and noise disturbance;
- drivers being tempted to park in dangerous or inconvenient locations, such as close to junctions or on pedestrian crossing points;
- drivers having no choice but to park some distance from their homes causing inconvenience and more serious problems for elderly residents.

3.1.2 The whole borough is subject to one Controlled Parking Zone and therefore the parking demand generated by new residential developments will not necessarily be focused in the area surrounding the development. In order to ensure that development is not contrary to TR36 and does not add to on-street parking demand all new additional residential units will be required to be permit free. For the avoidance of doubt this includes all forms of residential development including new build, redevelopment, changes of use and conversions and for developments where off-street parking is provided.





3.1.3 The Council considers that restricting permit eligibility for new development is essential in order to reduce the impact such development has on the existing high levels of parking pressure in the borough. This approach is consistent with UDP policy TR36.

3.1.4 The Council will require applications that include new additional residential units to be accompanied by a draft permit-free Unilateral Undertaking, which will need to be in the form and containing the terms and planning obligations specified in the template at **Appendix A** (an up to date version will be maintained on the Council's website – www.rbkc.gov.uk/planning). The applicant will also be required to provide up to date office copy entries from the Land registry for all parties who have an interest in the development site, including leaseholders and freeholders and anyone who has a charge over the site. This information will be required before the application will be registered as complete. The undertaking should clearly identify which units within a development are to be permit-free if the requirement does not apply to all properties (for example where there are additional residential units being created in an existing residential use). The draft Unilateral Undertaking will then be considered by the Director of Law and Administration who will liaise with the applicant before confirming it is satisfactory and ready for signature. The unilateral undertaking will generally need to be signed and completed to the satisfaction of the Director of Law and Administration before planning permission is granted otherwise the application may be refused.

3.1.5 The policy will not be applied retrospectively to existing residential units. The swapping of permit eligibility between existing properties and new residential properties is not generally considered to be equitable or effective in achieving the aim of the policy as it will often result in an increase in on-street parking demand due to the different quality and/or size of the existing and new dwellings.

3.1.6 Similarly capping permits as an alternative to permit-free is not acceptable where this does not meet the Council's objectives of ensuring new residential development does not add to on-street parking demand. Given the relatively low level of car ownership in the borough, the level at which permit eligibility would be capped is likely to be above the level of normal demand.

3.1.7 A planning obligation will be required to ensure that:

- no applications for parking permits are made by owners or occupiers of the development;
- marketing and advertising material for the development will advise prospective owners and occupiers of the restrictions;
- covenants are included in leases of the residential units requiring owners and occupiers not to apply for parking permits.

3.1.8 The planning obligations will be registered as local land charges, so that any new purchasers of the property will be made aware of its permit-free status during conveyancing. The planning obligations will also assist in making those who rent a property aware that it has permit-free status.

3.1.9 The Royal Borough operates a Purple Badge scheme for people with disabilities living or working in the borough. Purple Badge holders are exempt from the permit-free requirements.

3.2 RESIDENTIAL PARKING LEVELS

3.2.1 Generally the provision of a large number of parking spaces in a development will result in a larger number of car trips in the peak hours in comparison to developments with more limited parking. Solo car journeys use more natural resources, contribute more to traffic congestion and are more polluting than equivalent journeys on public transport, by foot or on a bicycle. The whole borough has been designated an Air Quality Management Area and in some areas, such as around the Earl's Court One Way System, air pollution levels often exceed government-set air quality objective levels. Traffic congestion is also a problem in some parts of the borough and there is an often limited opportunity to increase road capacity to accommodate the demand generated by new developments. In response to these issues and in order to reduce car use the Council will seek levels of car parking significantly below the maximum standards set out in the UDP. The Council will also seek the provision of electric charging points in new car parking facilities.





3.2.2 The UDP was adopted in 2002 at a time when permit free planning obligations were not widely used. To ensure new developments did not increase on-street car parking demand, policy TR42 required “*new residential development to include off street parking up to the maximum standards adopted by the Council...*” In tandem with permit-free planning obligations developments with lower levels of parking than the maximum set out in the UDP are considered to be consistent with policy TR42 and its supporting text at paragraph 7.21.27. The Council will welcome development with no car parking (excepting essential parking as defined in the UDP and paragraph 3.6.1).

3.2.3 Given the existing levels of congestion on parts of the borough’s road network, the issues of poor air quality described above and the good levels of public transport accessibility that most of the borough experiences, provision of car parking to the Council’s maximum standard will not usually be consistent with TR36. Consideration of what is appropriate will be made on a case by case basis but, for the reasons set out above and to ensure that the patterns of low car use established in the borough in comparison to greater London and the UK are maintained, it is anticipated that in most cases levels of car parking greater than 66% of the UDP maximum would not be consistent with TR36.

The Council believes that it is the use of cars at peak times and for journeys that could be made by more sustainable modes that is undesirable. Therefore the Council will expect measures to be included in residential Travel Plans (see section six) that will give future residents strong incentives not to drive.

The Council will look to applicants to innovate, but as examples, the following incentives could be offered:

- the provision of travelcards;
- the provision of car club membership;
- ground floor bicycle parking;
- free grants for the purchase of bicycles;
- on-site car club bays;
- secure motorcycling bays; and

- providing locations for storage of home deliveries to reduce abortive courier trips and increase the attractiveness of home deliveries in lieu of using a private car.

3.2.4 By ensuring that developments are permit-free, have reduced parking levels and provide innovative incentives to reduce car use the traffic impact of development on the surrounding road network can be minimised, the impact of development on local air quality and global warming can be reduced, and demand for on-street parking can also be removed. This policy approach is consistent with UDP policy TR36, the Air Quality SPG, PU1 (*“To resist development which would have an unacceptable impact on air quality”*) and PU2 (*“To resist development leading to pollution that would have an unacceptable impact on amenity”*).

3.3 PARKING FOR AFFORDABLE HOUSING

3.3.1 Where development includes both affordable and market units, and where parking is to be provided, it should be allocated equitably between market and affordable units. If the level of parking proposed for affordable units is less than that proposed for market units the Council will expect the disparity to be fully justified. The justification should include reference to the views of Registered Social Landlords and the demand for parking of future residents.

3.3.2 The Council recognises that residents in social housing for rent do not have the same degree of choice over where they live as those in market units and other types of affordable housing. Where social housing for rent units are proposed with zero parking the residents may not be able to choose to live elsewhere and therefore could be unfairly disadvantaged. For this reason limited parking may be required for such housing. Some very limited parking space should be provided for essential parking in connection with emergency health access for supported housing units.

3.4 CAR CLUB

3.4.1 Although to be welcomed, the provision of Car Club vehicles does not guarantee that new development will not result in increased parking demand and therefore Car Club is not considered an alternative to permit-free.





3.5 PUBLIC CAR PARKS

3.5.1 The provision of new public car parks for the use of residents will be resisted for reasons of traffic congestion and in order to encourage the use of more sustainable non-car modes. The Council believes that the most sustainable way to address the problems of on-street car parking pressure is to reduce parking demand rather than increase supply. Therefore the Council will not support new residential development that seeks to provide additional parking for existing residents.

3.5.2 New non-residential public car parks will not be permitted due to the additional traffic they generate, contrary to UDP policy TR36.

3.6 NON-RESIDENTIAL PARKING POLICY AND STANDARDS

3.6.1 The parking standard for non-residential developments is extremely restrictive, and aims to provide for 'essential' on-site parking only. Table 13.5.1 of the UDP contains details of parking standards for all land uses. Policy TR38 of the UDP is *"To limit the number of off street parking spaces provided in non-residential development to meet essential need only, in accordance with specific standards and criteria"*. Essential need is defined in the UDP as:

- servicing vehicles essential for a site to function in its designated role, including both goods and non-goods vehicles, depending on the land use;
- site-based delivery and service vehicles;
- car parking facilities for those who cannot realistically use alternative (public) forms of transport, generally those with special mobility needs. See section 2.3 regarding motorcycle parking which sets out the Council's standards for all non-residential developments.

3.7 OFF -STREET CAR PARKING

3.7.1 The design of car parking spaces needs to allow not only for the width of the car, but also near-side clearance, the opening of the car doors and to accommodate a full range of car sizes. Therefore, single garages and hardstands must have a minimum length of 5m (16.4ft) to ensure that the entire vehicle can be accommodated and not overhang

the footway. Garages must have a minimum width of 2.7m (8.9ft) (**Appendix B**). For those with special mobility needs, additional width is required for ease of access (**Appendix B**).

3.7.2 The following minimum car parking space design standards apply to off-street car parks (see **Appendix B** for additional details):

- bay width should be at least 2.4m x 4.8m (7.8ft x 15.7ft), with additional width for parking bays reserved for disabled people;
- ramp gradient should be no steeper than 1 in 10 or 1 in 7 for smaller residential developments. Gradients of 1 in 20 or more are required for the first 5m (16.4ft) back from the back edge of the public highway. If 1 in 7 gradients are used, then 1 in 10 transition gradients for a minimum of 2m (6.6ft) are required;
- aisle width should be at least 6m (19.7ft). If the parking spaces are angled (sometimes called ‘echelon’ parking) the aisle width can be narrower as less manoeuvring space is required. Drawings showing the swept paths of the largest vehicles assumed to use the car park will be required to demonstrate the car park will operate satisfactorily;
- carriageway access width should be a minimum of 3m (9.8ft) (one-way) or 5.1m (16.7ft) (two-way) for a residential car park, and 4.8m (15.7ft) (one-way) or 5.7m (18.7ft) (two-way) for a commercial car park;
- disabled parking bays should be located close to lift cores;
- where more than 10 bays are provided, signal control of the access/egress may be required. Where more than 40 bays are provided a two way access will be required and a car lift is unlikely to be acceptable;
- headroom should be a minimum of 2.3m (7.5ft) for cars, at least 3.5m (11.5ft) for larger delivery vans and 5m (16.4ft) for refuse lorries;
- Gates and barriers on vehicle accesses should be positioned at least 5m (16.4ft) from the back edge of the footway; and
- access ramps and manoeuvring areas should be able to accommodate the largest vehicles that are likely to require regular access.

3.8 CAR STACKERS

3.8.1 Car stackers and lifts are frequently suggested as a means of maximising the space available for off-street car parking. The Council accepts the principle of stackers in new developments. However, developers should consider the following points:

- where the stacker is accessed directly from the highway, then each parking space within the stacker must be independently accessible;
- where a stacker is accessed within an off-street car park, and the spaces are not independently accessible, there must be adequate circulation space to allow vehicles to wait without blocking the free flow of traffic either within the car park or on the highway;
- the Council may impose a condition relating to the maintenance of the stacker on the grant of any planning permission.

3.8.2 To ensure consistency with policy TR36 of the UDP, car stackers that require vehicles to be manoeuvred on the highway or are likely to result in vehicles queuing on the highway will not be acceptable.

4.0

Access and Servicing

4.1 ACCESS

4.1.1 The dimensions of accesses vary according to the type of development. However, all accesses must meet safety and highway design standards, minimise disruption to pedestrians and accord with policies set out in the UDP Transportation Chapter, particularly:

- **TR40:** *“To resist the formation of new accesses on the Major Roads”;*
- **TR39:** *“To permit only small scale development ... where access is from local roads”;*
- **TR4:** *“To protect existing footpaths and encourage provision of new direct pedestrian routes and accesses when assessing development proposals”.*

4.1.2 As stated in paragraph 7.21.20 of the UDP, where a large development is considered acceptable in traffic terms, access should normally be directly from Major Roads via a junction designed in liaison with the Council. Where access is proposed by way of a priority or signal controlled junction, the design should be discussed at the earliest stage with the Department of Transportation and Highways. The proposal must be consistent with UDP policies TR40, TR39 and TR4.

4.1.3 A safety audit will be required for any proposal for a new access road linking onto a major road. This should be undertaken independently of the Transport Assessment (TA).

4.1.4 Transport for London (TfL) will also need to be consulted on proposals for accesses onto the Transport for London Road Network (TLRN) and the Strategic Road Network.



4.1.5 For single-family dwellings, access will normally be by way of a footway crossover. **Part Two** gives guidance on the assessment and design of crossovers.

4.1.6 It is important that emergency vehicles can access a development. The design of access roads for emergency vehicles is the same as that for refuse and goods vehicles.

4.1.7 Vehicles and pedestrians should be able to manoeuvre within sites safely. Where appropriate on larger sites, traffic calming measures may be required to ensure safety. **Appendix B** lists the minimum widths of carriageway within sites. Applicants are requested to provide evidence of swept paths on submitted drawings to demonstrate that proposed designs will operate successfully.

4.2 SERVICING

4.2.1 Policy TR41 of the UDP states that the Council will “normally ... require designated off-street service space for development schemes”. To ensure this off-street space is managed such that it does not impact negatively on the public highway, and therefore to ensure development is consistent with UDP policy TR36, developers must produce a Servicing Management Plan for all proposed new development with off-street servicing. This Plan should include the following and must be submitted to and approved by the Director of Transportation and Highways before planning permission is implemented:

- how delivery vehicles and servicing will be managed at the site;
- the hours of deliveries and servicing, timed to avoid peak traffic hours;
- how deliveries will be controlled to ensure the development does not adversely affect the highway;
- an explanation of the controls on the types and sizes of vehicles accessing the site to ensure they are appropriate to the local area and environmentally acceptable in terms of exhaust and noise emissions.

The plan should comply with the London Lorry Control Scheme, operated by London Councils and with any other heavy goods vehicle controls. Where no off-street servicing space is provided but where on-street servicing is likely to occur a Servicing Management Plan may still be required.



In these situations a plan showing when and where legal servicing can take place on-street should be included.

4.2.2 For developments of more than 5000m² (53,792ft²) GFA it will be necessary to provide service space for delivery by heavy goods vehicles. The type of use proposed will be considered when assessing the need for off-street servicing space and therefore this threshold should be considered as a guide.

4.2.3 Where a servicing space or access route to an off-street servicing or parking area is provided and this requires a break in the building or building line, this should be designed with pedestrian safety and security in mind, and be attractive and sensitive to the character and appearance of the building and the wider streetscape. The detailed design and impacts of any ramps, archways, gates, shutters, traffic signals or other related equipment are important and the Council will have regard to the following policies of the UDP: CD27 “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.”; CD39 “To require that the design of new and altered buildings or areas adequately takes into account the safety and security of the users of the facilities and that of neighbouring residents.”; CD50 “To permit alterations only where the external appearance of buildings or the surrounding area would not be harmed.”; TR3 and the Council’s Transport and Streetscape Policies

4.2.4 To ensure that vehicles, especially goods vehicles, do not need to reverse onto the highway - a manoeuvre that could endanger pedestrians and other road users - it may be necessary to provide a vehicle turning area. Sufficient visibility splays must be provided to enable safe manoeuvring to take place.

4.2.5 Where provided loading facilities should be designed to ensure that goods are not loaded or unloaded from the highway or across pedestrian routes within a development. Provision for motorcycle courier drop off/pick up should be made within larger developments.

4.2.6 Developers should produce swept path drawings to demonstrate that the loading will operate satisfactorily and can accommodate all those vehicles that need to access it

4.2.7 The consideration of construction traffic is set out in **Part Two**.



5.0

Transport Assessments

5.1.1 UDP policy TR35 is “to assess the impact of new development on public transport infrastructure, the highway and on the environment”. Policy TR36 states the Council’s commitment “To resist development that would result in:

- any material increase in traffic or parking, or in congestion on the roads or on public transport;
- any decrease in road safety; or,
- unacceptable environmental consequences.”

Therefore to ensure new development is consistent with TR35 and TR36, any application the Council considers might have a significant impact on traffic congestion, transportation, or parking will need to be accompanied by a Transport Assessment. These are likely to include the following scales of development but may include other types of development as necessary:

- 30 residential units or more;
- commercial developments of more than 1000m² (10,758ft²) gross floor area (GFA);
- schools of any size; and
- restaurants with more than 100 seats or more than 200m² (2152ft²) GFA.



5.1.2 Transport Assessments should be based on TfL's Transport Assessment Best Practice Guidance. In order to avoid unnecessary duplication of survey data applicants should contact the Transportation Team at an early stage. **Table 1** below, taken from TfL's Transport Assessment Best Practice Guidance gives an outline of the sort of information that will be required:

**TABLE 1:
INFORMATION REQUIRED IN TRANSPORT
ASSESSMENTS**

Land Use	Information to be Included
<p>A1 retail</p> <p>A2 financial and professional services</p> <p>A3 restaurants and cafes</p> <p>A4 pubs and wine bars</p> <p>A5 hot food takeaways</p>	<p>GFA</p> <p>Staff numbers</p> <p>Number of visitors or customers</p> <p>Hours of operation</p> <p>Peak arrival and departure times by mode</p> <p>Car and cycle parking levels, and car parking accumulation data.</p> <p>Delivery and servicing requirements and details about how this will be accommodated.</p> <p>Impact of development on the local road network, public transport and on-street parking.</p>
<p>B1 business</p> <p>B2 general industry</p> <p>B8 storage and distribution</p>	<p>See land uses (A1-4) above, plus:</p> <p>Land use type</p> <p>Shift occupation times</p>
<p>C1 hotels</p>	<p>See land uses (A1-4) above, plus:</p> <p>Number of rooms and beds</p> <p>Additional facilities e.g. conferences</p> <p>Catchment area of guests.</p>

<p>C3 residential</p>	<p>Number of units Size of units Market/affordable Peak arrival and departure times by mode Car and cycle parking demand, and car parking accumulation data. Delivery and servicing requirements and details about how this will be accommodated. Impact of development on the local road network, public transport and on-street parking.</p>
<p>D1 non-residential education</p>	<p>See land use (A1-4) above, plus: Students numbers Visitor numbers Additional facilities Catchment area</p>
<p>D1 health centres, nurseries, churches, public halls etc D2 uses</p>	<p>See land use (A1-4) above, plus: Patient/visitor numbers</p>

6.0

Travel Plans

6.1.1 A Travel Plan is a package of practical measures to reduce car travel to and from a proposed site, and to encourage the promotion of more sustainable forms of transport by increasing the awareness of travel options. Travel Plans should be submitted as part of the initial application alongside the Transport Assessment. The Travel Plan will be secured by way of a condition on the permission or a S106 planning obligation. Travel Plans should be produced in accordance with TfL's guidance on Workplace Travel Planning and Residential Travel Planning. In general Travel Plans submitted along with an initial application will be in outline form. However, where the occupant is known or where the application is for the expansion of an existing use, a full Travel Plan will be required.

6.1.2 A Travel Plan will be required for the following scales and types of development:

- those of 80 residential units or more;
- commercial developments of more than 2500m² (26,896ft²) GFA;
- retail developments of 1000m² (10,758ft²) or more;
- hotels with 50 beds or more;
- schools of any size;
- other types of development that the Council may determine from time to time.

6.1.3 All Travel Plans should include achievable and time specific targets for modal shift from private car use. Where an outline Travel Plan is submitted a timetable for implementing an iTrace (see [Glossary](#)) compatible travel





survey and a date that the full Travel Plan will be completed should be included. The outline Travel Plan should include the measures that will be in place on completion of the development to encourage sustainable modes of travel for future occupants (see paragraph 6.1.4 below).

6.1.4 All Travel Plans should include appropriate methods of monitoring and enforcement and travel surveys should be iTrace compatible. In general full Travel Plans should be submitted no later than six months after 90% occupation of the development and the Travel Plan must be updated and a travel survey submitted at three and five year periods after completion of the development. A full Travel Plan should include the roles and responsibilities of a Travel Plan coordinator.

6.1.5 The Travel Plan should contain a robust package of measures that can be implemented and monitored at certain stages of the development. The Council would look to applicants to innovate, but as examples, the following incentives could be offered:

- the provision of travelcards;
- the provision of car club membership;
- ground floor bicycle parking;
- showering and changing facilities for cyclists and walkers;
- free grants for the purchase of bicycles;
- on-site car club bays;
- electric car charging points;
- secure motorcycling bays; and
- providing locations for storage of home deliveries to reduce abortive courier trips and increase the attractiveness of home deliveries in lieu of using a private car.

A strategy for implementing specific initiatives by individual occupiers should also be established.

6.1.6 All education applications will be expected to provide an outline School Travel Plan as part of the Transport Assessment, to help reduce the potential negative impact that such developments can have on the road network.

An Access and Traffic Management Plan may also be required for new or enlarged educational uses in order to ensure that the dropping-off and picking-up of school pupils does not have an unacceptable impact on the local road network.

6.1.7 A large amount of material is available on the Council's website regarding School Travel Plans. Advice on Travel Plans is available from the Council's Travel Plan Coordinator (**Appendix C**). TfL has also produced useful guidance for the preparation of School Travel Plans. The document entitled 'What a school travel plan should contain: a step by step guide to writing your School Travel Plan Document' is available from TfL.

PART TWO: DEVELOPMENT REQUIRING OTHER CONSENTS IN ADDITION TO PLANNING PERMISSION AND OTHER GUIDELINES

7.0 Permission for Works Over, Under or on the Highway

7.1 Works on the Public
Highway

7.2 Permanent Stopping
Up or Diversion

7.3 Temporary Stopping
Up

7.4 Vertical
Clearances

7.5 Basements and
Vaults

8.0 Reducing the Impact of New Development on the Highway

8.1 Demolition, Excavation
and Construction

8.2 Network Management
Duty

9.0 Streetscape

10.0 Forecourt Parking and Vehicle Crossovers

11.0 Kerbs and Pedestrian Crossings

12.0 Tables and Chairs and Other Structures in the Highway

13.0 Refuse Storage and Collection

7.0

Permission for Works over, under or on the Highway

7.1 WORKS ON THE PUBLIC HIGHWAY

7.1.1 The developer will be required to pay for any highway works that the Council or TfL in their capacity as highway authority have the power to carry out and that are necessary as a result of new development. Payment will be secured either by means of an agreement under section 278 of the Highways Act 1980 or a Planning Obligation under section 106 of the Town and Country Planning Act 1990. Consideration may also be given to the need to adopt new works as public highway. Permission for work on the TLRN must be sought from TfL.

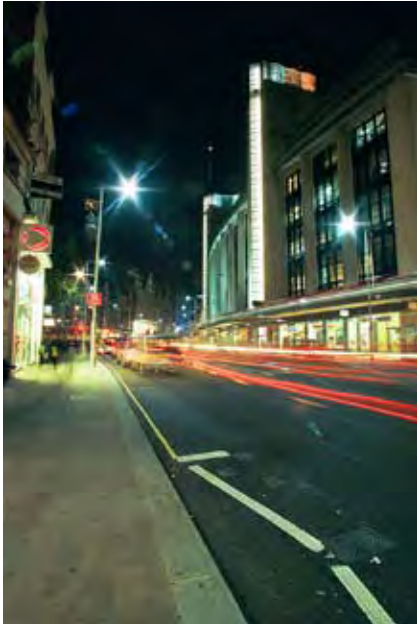
7.2 PERMANENT STOPPING UP OR DIVERSION

7.2.1 The permanent stopping up or diversion of the highway as part of a development, requires the permission of the Highway Authority in the form of a 'Stopping Up Order' under Section 247 of the Town and Country Planning Act (as amended), in addition to planning permission.

7.3 TEMPORARY STOPPING UP

7.3.1 Where a temporary stopping up is needed, for example while construction works take place, a licence is required from the Highways and Construction Department (**Appendix C**).





7.4 VERTICAL CLEARANCES

7.4.1 The minimum vertical clearance required for a new construction over, or within 1m of the carriageway is 5.3m (17.4ft). Over the rest of the footway (i.e. the part of the footway more than 1m from the carriageway), the minimum clearance is 2.3m (7.5ft) for awnings and 2.6m (8.5ft) for solid structures. Buildings and structures that overhang the public highway require a licence from the Director of Transportation and Highways.

7.5 BASEMENTS AND VAULTS

7.5.1 If a developer wishes to carry out structural works to existing vaults underneath or adjacent to the highway, or to retaining walls supporting the highway, approval must be obtained from the Highways and Construction Department (**Appendix C**).

7.5.2 The structural design must comply with the leaflet 'General Requirements for the Design and Approval of Structures Supporting the Public Highway' available from the Highways and Construction Department.

7.5.3 A developer wishing to construct a new vault underneath the highway must obtain consent from the Council, and must comply with the same structural requirements set out in the leaflet referred to above. The developer may also need to obtain planning permission and/or building consent from the Council depending on the type of works proposed. If in doubt the Planning and Borough Development Department will be able to advise on the need for planning permission or building consent. The Council will resist the installation of any new pavement lights or smoke vents in the footway, in accordance with the Council's Streetscape manual.

7.5.4 **Appendix C** lists contact details for more advice on these items.

8.0

Reducing the impact of new development on the highway

8.1 DEMOLITION, EXCAVATION AND CONSTRUCTION

8.1.1 The Council is concerned that the demolition, excavation and construction traffic generated by new development of all scales can have a serious impact on parking availability, traffic flow, road safety, residential amenity and pedestrian convenience if not properly managed. For this reason the Council will seek to ensure that all new developments that have the potential to cause disruption submit a Construction Traffic Management Plan. This Plan should include the following and must be submitted to and approved by the Director of Transportation and Highways before planning permission is implemented:

- routing of demolition, excavation and construction vehicles;
- access arrangements to the site;
- the estimated number of vehicles per day/week;
- details of the vehicle holding area;
- details of the vehicle call up procedure;
- estimates for the number and type of parking suspensions that will be required;
- details of any diversion, disruption or other abnormal use of the public highway during demolition, excavation and construction works;
- work programme and/or timescale for each phase of the demolition, excavation and construction works; and
- where works cannot be contained wholly within the site a plan should be submitted showing the site





layout on the highway including extent of hoarding, pedestrian routes, parking bay suspensions and remaining road width for vehicle movements.

8.1.2 The Council will apply a condition to the planning consent to ensure that Construction Traffic Management Plans are submitted and approved before planning permissions are implemented. The Construction Traffic Management Plan will be secured by condition or S106 agreement depending on the scale of the development.

8.1.3 It should be noted that the Council (and TfL where they are Highway Authority) will expect the construction works to be contained wholly within the curtilage of the development site. Given the high pressure on on-street parking provision, both in terms of parking demand and demand for suspensions, the Council cannot guarantee parking suspensions will be granted immediately. The length of time and the amount of spaces suspended must be kept to a minimum to avoid exacerbating parking pressure in the vicinity of the development. The developer will need to demonstrate why any parking suspensions or other use of the highway is essential.

8.1.4 In order to reduce the impact of construction on the local road network the Council will seek to ensure that where sites are located adjacent to the borough's waterways full use is made of water transport for the transport of construction and waste materials.

8.2 NETWORK MANAGEMENT DUTY

8.2.1 The Council has a duty under the Traffic Management Act 2004 to do all that is reasonably practicable to manage the road network effectively to secure the expeditious movement of traffic (both vehicular and pedestrian). Works on the highway can have a significant impact on traffic. In order to coordinate works and other activities on the highway, and to minimize disruption to the road network, developers or their contractors need to notify the Council's Network Manager (**Appendix C**) of any proposed works or events on the highway and obtain any consents or licences from the Council, TfL or the Highways Agency as necessary. Up to 3 months prior notification may be required depending on the nature of the works.

8.2.2 **Appendix C** lists contact details for more advice on these items.

9.0 Streetscape

9.1.1 Kensington and Chelsea has always exemplified high standards of street construction and maintenance. In recent years the Council has taken the initiative in recognising the importance of raising the standard of street design, and its role in carrying out this task. First the qualities of an existing streetscape are recognized then proposals are developed to bring about its improvement. The Council has produced a manual entitled 'Streetscape' which forms a reference manual of good practice for all concerned with the design and implementation of traffic schemes and the maintenance of the highway. The document is of assistance to developers and statutory undertakers by explaining the policies and standards adopted by the Council on such matters as:

- ground surfaces, materials, workmanship, treatment of paving, carriageways and kerbs, restoration of historic paving;
- street furniture, especially the aim to reduce clutter and to use only well designed equipment; and
- maintenance including stringent enforcement of existing controls.



9.1.2 Developers should study the manual and the Council's Transport and Streetscape Policies and apply the same principles to the design of forecourts, accesses, service roads and other areas that are next to the highway. Alterations to the kerb line, such as pavement build-outs, recessed parking or loading bays should be avoided. They disrupt the visual continuity of the street and the close relationship of the built form and the adjacent pavement width and line that often form subtle but nonetheless important townscape features, particularly in historic areas.

9.1.3 Where changes are proposed to the TLRN reference should be made to TfL's Streetscape guidance.

10.0

Forecourt Parking and Vehicle Crossovers

10.1.1 Under the Highways Act 1980 the Council, or TfL where a crossover is proposed on the TLRN, may grant permission for a crossover of the footway to allow vehicles to access a property, but is not obliged to do so. Crossovers and forecourt parking that:

- increase on-street parking demand (generally this will be crossovers that result in the loss of on-street residential parking without a net gain of at least two residents' parking spaces overall); or
- endanger the safety of pedestrians and other road users; or
- have a negative impact on the local townscape through the loss of boundary walls and gardens; or
- on narrow pavements would create an uneven surface for pedestrians to negotiate;

will not gain consent.

10.1.2 If forming part of a development, applications for crossovers and forecourt parking would be inconsistent with UDP policy TR44 that is *“to resist development which would result in the net loss of on-street residents' parking”*, policies TR36, TR3 and a number of design and conservation policies, including:

- CD50 (*“To permit alterations only where the external appearance of buildings or the surrounding area would not be harmed”*);
- CD51 (*“To resist unsympathetic small-scale developments which in themselves cause harm and where the cumulative effect of a number of similar proposals would be detrimental to the character of the area”*);



- CD61 (“To ensure that any development in a conservation area preserves and enhances the character or appearance of the area”); and
- CD62 (“To ensure that all development in conservation areas is to a high standard of design and is compatible with: inter alia character, scale and pattern; proportion and rhythm; materials; landscaping and boundary treatment; of surrounding development”).

10.1.2 The Council’s standards for the design and widths of vehicle crossovers in the Borough are as set out in **Table 2** below. The Council (or TfL on TLRN) will carry out the construction of the crossover and charge the cost to the developer.

**TABLE 2:
DESIGN STANDARDS FOR VEHICLE CROSSOVERS**

Footway Crossover Purpose	Width of access at back of footway	Break in kerbside parking
Individual garage or parking spaces	2.3m (7.5ft)	4.3m (14.1ft)
Double Parking Spaces	4.2m (13.8ft)	6.2m (20.3ft)
Commercial or large residential sites	Autotrack drawings should be supplied to ensure the access proposed is appropriate for the size and type of vehicles expected.	

10.1.3 Where crossovers are permitted the parking surface should be permeable in order to allow rain water to drain directly.

11.0

Kerbs and Pedestrian Crossings

11.1.1 At all designated crossing points on roads or other vehicle carriageways:

- the kerb must be ramped flush to the carriageway, with a gradient not steeper than 1:12;
- the crossing should be identifiable to visually impaired pedestrians by the use of tactile paving where appropriate;
- crossing ramps must be located directly opposite one another and preferably at a right angle to the carriageway;
- the detailed design and materials must be agreed by the Director of Transportation and Highways. The requirements of each site will be determined according to need, streetscape and road safety considerations.

11.1.2 The above requirement ensures that changes required to the highway as part of development are consistent with UDP policy TR3.



12.0

Tables and Chairs and Other Structures in the Highway

12.1 TABLES AND CHAIRS ON THE HIGHWAY

12.1.1 The placing of tables and chairs on the highway outside cafes and restaurants is a common occurrence throughout the Royal Borough.

12.1.2 Those wishing to place tables and chairs on the publicly maintained highway must apply for Planning Permission. Similarly, tables and chairs located on a private forecourt where a material change of use constitutes development also need Planning Permission.

12.1.3 A Highways Licence under Section 115E of the Highways Act 1980 is required when the tables and chairs are placed on the highway, regardless of whether or not it is publicly or privately maintained. A Highways Licence is not required to place tables and chairs on private land where the public do not have a right of way.

12.1.4 The Council is responsible for granting Section 115E licences for all highways in the Borough. This includes roads where TfL is the Highway Authority, i.e. the TLRN.



12.1.5 Policy TR3 states the Council’s intention to “*maintain and improve footways to provide a safe and attractive environment for pedestrians*”. Paragraph 7.15.2 highlights that street furniture can add to the problems pedestrians encounter and goes on to say that the Council will ensure that street furniture is kept to a minimum and its positioning does not create additional difficulties or hazards. Policy TR36 resists “*development which would result in [inter alia] any decrease in road safety*”.

Increased congestion on footways is likely to compromise the safety of pedestrians and other road users and is therefore not compatible with the aims of policy TR36. Policy S28 resists “*proposals involving pavement trading which would reduce the free passage, safety and security of pedestrians.*” Paragraph 8.6.4 highlights that safety of those using shopping centres is extremely important, both to the individual and to the commercial health of the centre. Shoppers need to be safe from harassment and safe from motor vehicles. Shopping centres need to have adequate pavements and be free of any obstructions.



Other policies within the UDP may also be relevant to the consideration of tables and chairs proposals such as policy CD40 which is “to resist proposals where the noise generated by the use or activity would cause material disturbance to occupiers of surrounding properties.”

12.1.6 The Council’s guidelines for granting Highway Licences for tables and chairs are the same standards as those set by TfL and reflect the aims of UDP policies TR3, TR36 and S28. They relate to the width of footway that must be left clear of obstacles so that pedestrians can pass without being obstructed. This ‘clear’ footway width will vary from site to site depending on the number of pedestrians using the footway. Tables and chairs will not be permitted if they take up more than a third of the footway. A minimum of 2m (6.6ft) must be left clear to allow pedestrians, prams and wheelchairs to pass without difficulty. In areas with high pedestrian flows the ‘clear’ footway will need to be more than 2m (6.6ft), see **Table 3** opposite.

**TABLE 3:
CLEAR FOOTWAY WIDTHS REQUIRED FOLLOWING THE INTRODUCTION OF TABLES
AND CHAIRS**

Footway Category	Example in RBKC	'Clear' footway width to be retained
Busy i.e. core frontage in Principal Shopping Streets*.	Kensington High Street, King's Road, Notting Hill Gate, outside major Underground Stations	4 metres (13.1ft)
Medium i.e. non-core frontage of Principal Shopping Centres and Local Shopping centres*	Holland Park Ave (near Portland Rd), parts of Westbourne Grove, Kings Road at the World's End	3 metres (9.8ft)
Light	All other locations	2 metres (6.7ft)

**Principal and Local Shopping Centres are defined in the UDP.*

12.1.7 When in use, tables and chairs will generally take up an area of at least 0.6m (2ft) from the building line. An occupied table and two chairs will generally require a minimum of 1.6m x 1m (5.3ft x 3.3ft). 'A'-boards, space heaters, barriers, umbrella stands and other related street furniture are not permitted within this area and will not be licensed or granted planning permission by the Council due to the negative impact they have on the streetscape and their potential to increase inconvenience to pedestrians.

12.1.8 The Council recognises that where significant changes to the character of an area have been made through, for example, major streetscape, regeneration or traffic management schemes, the application of the standard criteria when considering planning and highways licences applications for tables and chairs may not be appropriate. Where such areas are identified the Council will adopt revised standards through a Key Decision.

12.1.9 Planning permission and the Highways Licences granted for tables and chairs will normally be granted for a period of one year, after which applicants need to reapply for both planning permission and the Highways Licence. This allows the Council to assess the impact the tables and chairs have had on streetscape, residential amenity and pedestrian safety.

12.1.10 If a Highway Licence is granted the Council will apply conditions to control matters such as:

- the number of tables and chairs permitted;
- the hours tables and chairs are on the footway;
- the requirement to keep the area clean;
- waste collection;
- the removal of the tables and chairs. This enables the Council to maintain control of the footway in case of special events.

12.1.11 The Council carries out pre-application assessments before issuing application forms for tables and chairs thus saving the Council and applicant time and money should it prove unlikely that the Licence would be granted.

12.1.12 Detailed guidance about placing tables and chairs on the Highway is available from the Transportation Team ([Appendix C](#)).

12.2 OTHER STRUCTURES ON THE HIGHWAY

12.2.1 The clear footway width requirements set out above for tables and chairs apply to any other structures or facilities that are proposed in the highway such as payphones, bus shelters, public toilets and advertising hoardings. Such features can have negative impacts on pedestrian safety and can be harmful to the borough's streetscape by contributing to a cluttered environment.

Where such features are considered acceptable, they should generally be combined into a coordinated design, should respect the local architectural heritage, should compliment the high standards of streetscape established across the borough and should not pose a hazard to pedestrians or decrease road safety.

12.2.2 The Council seeks to remove superfluous or redundant items of street furniture and therefore additional items of street furniture, such as those set out in the proceeding paragraph, will not be normally be accepted unless there is a proven need. When such items are required they must not pose a hazard to pedestrians. To this end new items of street furniture must be located out of the main pedestrian desire line and generally at the front edge of the footway. This ensures consistency with policies TR3 and TR36 of the UDP.

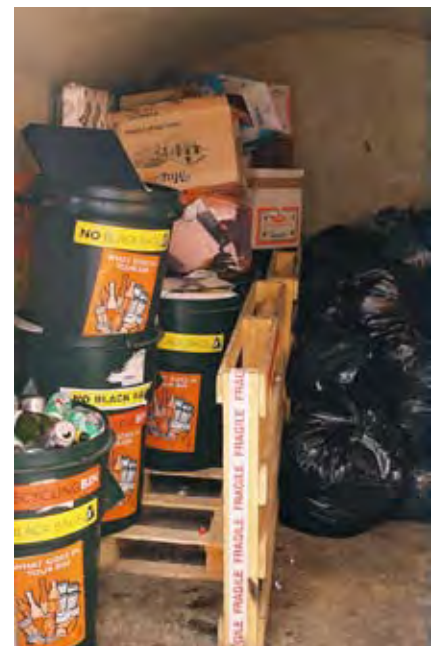


13.0

Refuse Storage and Collection

13.1.1 The Council's code of practice, available from the Director of Waste Management and Leisure, covers all aspects of refuse handling and should be consulted by developers. Developers are strongly advised to consult with the Waste Management Service on these matters before submitting proposals for both new buildings and the conversion of existing buildings (**Appendix C**).

13.1.2 Service roads should, wherever possible, allow for refuse vehicles to operate through a development without the need to reverse. Where the refuse vehicle must reverse into the development, provision at the entrance should allow for this to be done without hindering the flow of traffic on the highway. The distance that a refuse vehicle has to reverse should not generally exceed its own length. The walking distance between the collection vehicle and dustbins.





APPENDICES

APPENDIX A:

Template
unilateral undertaking for
Permit-Free Development

APPENDIX B:

Geometric Design of Parking
and Servicing Facilities

APPENDIX C:

Contacts

APPENDIX D:

Glossary

APPENDIX A: **Template unilateral undertaking for Permit-Free Development**

NB: an up-to-date version of the agreement is maintained on the Council's website at www.rbkc.gov.uk/planning

THIS UNDERTAKING executed as a Deed is given this ____ day of _____
Two Thousand and _____

BY

- (1) [OWNER] whose registered office is [insert address] (“the Owner”)
- (2) [MORTGAGEE] whose registered office is [insert address] (“the Mortgagee”)

TO

- (3) THE MAYOR AND BURGESSES OF THE ROYAL BOROUGH OF KENSINGTON AND CHELSEA of the Town Hall Hornton Street London W8 7NX (“the Council”)

WHEREAS

- A. The Council is the local planning authority for the administrative area of the Royal Borough of Kensington and Chelsea for the purposes of the Town and Country Planning Act 1990 as amended by the Planning and Compensation Act 1991 (“the Act”)
- B. The Owner is registered at HM Land Registry with freehold Title Absolute in respect of the Land
- C. The Planning Application was made to the Council
- D. The Mortgagee has the benefit of a charge dated [insert date] granted by the Owner [delete if not applicable]

NOW THIS DEED WITNESSES AS FOLLOWS:-

1 Interpretation

- 1.1 In this Undertaking the following words and expressions shall unless the context otherwise requires have the following meanings:-

WORDS AND EXPRESSIONS MEANINGS

“Development”	the development referred to in the Planning Application and described in the Schedule
“Executive Director”	the Executive Director of Planning and Borough Development and shall be deemed to mean the officer for the Council from time to time holding that appointment or (if no officer holds that appointment) carrying out the duties of that appointment
“Implementation”	the carrying out of any act pursuant to the Planning Permission which constitutes a material operation within the meaning of Section 56 of the Act and material operations shall be construed as being carried out at the earliest date on which any material operation is begun and “Implement” and “Implemented” shall be construed accordingly

“Land”	the land at [insert address] which is registered [with other land] at HM Land Registry under Title Number [] and for identification purposes only is shown [hatched black] on the Plan
“Parking Permit”	a permit issued by the Council to residents allowing the parking of a vehicle in a residents parking bay on the highway within the area of the Council but not including a disabled person’s “purple badge” issued pursuant to Section 21 Chronically Sick and Disabled Persons Act 1970
“Plan”	the Plan annexed hereto
“Planning Application”	means the application for planning permission made under the Council’s reference number PP/[]
“Planning Permission”	any planning permission which may be granted pursuant to the Planning Application
“Residential Units”	the [] residential units forming [part of] the Development identified as on [plan no.]

1.2 Words in this Undertaking importing the singular meaning shall where the context so admits include the plural meaning and vice versa

1.3 Words in this Undertaking of the masculine gender shall include the feminine and neuter genders and vice versa and words denoting natural persons shall include corporations and vice versa

1.4 References in this Undertaking to any statutes or statutory instruments shall include and refer to any statute or statutory instrument amending consolidating or replacing them respectively from time to time and for the time being in force

1.5 Covenants given hereunder if made by more than one person are given jointly and severally

2 LEGAL EFFECT

2.1 This Undertaking is given pursuant to Section 106 of the Town and Country Planning Act 1990 as amended Section 111 of the Local Government Act 1972 and all other powers so enabling

2.2 This Undertaking is a planning obligation for the purposes of the said Section 106 which is enforceable by the Council and which binds each and every part of the Land

2.3 The terms of this Undertaking come into effect on the date of this Undertaking other than Clause 3.1(a) which will come into effect upon the grant of the Planning Permission

- 2.4** Nothing contained or implied in this Undertaking shall prejudice or affect the rights, powers, duties and obligations of the Council in the exercise of their functions as Local Planning Authority and their rights, powers, duties and obligations under all public and private statutes, byelaws and regulations may be as fully and effectually exercised
- 2.5** If any provision in this Undertaking shall be held to be invalid, illegal or unenforceable the validity, legality and enforceability of the remaining provisions shall not in any way be deemed thereby to be affected or impaired
- 2.6** No waiver (whether express or implied) by the Council of any breach or default in performing or observing any of the covenants, terms or conditions of this Undertaking shall constitute a continuing waiver and no such waiver shall prevent the Council from enforcing any of the said terms or conditions or from acting upon any subsequent breach or default
- 2.7** Nothing in this Undertaking shall be construed as a grant of planning permission
- 2.8** The covenants in this Undertaking shall be enforceable without any limit of time against the Owner and any successors in title and assigns of the Owner or any person claiming title through or under the Owner to the Land or any part thereof as if that person had also been an original covenanting party in respect of the interest or estate for the time being held by that person PROVIDED THAT no person shall be liable for any breach of the covenants restrictions or obligations contained in this Undertaking occurring after he has parted with the whole of his interest in the Land or the part in respect of which such breach occurs
- 2.9** In accordance with the provisions of the Contracts (Rights of Third Parties) Act 1999 it is hereby declared that none of the terms of this Deed shall in the absence of any express provision to the contrary be construed as being enforceable by any third party

3 THE OWNER'S COVENANTS

3.1 The Owner hereby covenants with the Council as follows:-

- (a)** to observe and perform and cause to be observed and performed the undertakings covenants and restrictions contained in Schedule 2; and
- (b)** to pay on the execution hereof the Council's costs incurred in the preparation and settlement of this Undertaking

4 FURTHER TERMS

- 4.1** The Owner shall following the execution of this Undertaking give a certified copy of this Undertaking to the Council
- 4.2** The covenants in this Undertaking shall be treated and registered as local land charges for the purposes of the Local Land Charges Act 1975

4.3 The Mortgagee consents to the Owner entering into the obligations contained in this Undertaking and acknowledges that the Land shall be bound by the restrictions and obligations contained in this Undertaking PROVIDED THAT the Mortgagee shall not be liable in respect of any breach of the terms of this Undertaking unless and until he takes possession of the Land or otherwise exercises any contractual or statutory power in relation thereto [delete if not applicable]

5 NOTICE PROVISIONS

5.1 The Owner shall give to the Executive Director not less than ten (10) working days prior written notice of Implementation of the Planning Permission

5.2 The Owner shall give the Executive Director immediate written notice of any change in ownership of any of the interests in the Land and such notice shall give details of the transferee's or lessee's full name and registered office (if a company or usual address if not) [if necessary]

5.3 Any notice required under this Deed shall be in writing and shall be addressed to the Executive Director at the Town Hall Hornton Street London W8 7NX and delivered to him personally or by recorded delivery post

SCHEDULE 1

DESCRIPTION OF THE DEVELOPMENT

[Description]

RBK&C Drawing Nos: []

Applicant's Drawing Nos: []

SCHEDULE 2

OWNER'S COVENANTS

The Owner hereby covenants with the Council as follows:-

- 1.** Not to apply to the Council for a Parking Permit in respect of the Residential Units nor to knowingly permit any owner or occupier of the Residential Units to apply to the Council for a Parking Permit and if such a permit is issued in respect of any of the Residential Units it shall be surrendered to the Council within 7 days of written demand
- 2.** That all material used for advertising or marketing the Residential Units for letting or sale will notify prospective owners and occupiers that they will not be entitled to apply for a Parking Permit in respect of the Residential Units
- 3.** Not to Implement the Planning Permission unless at least 10 days notice in writing of the proposed Implementation is given to the Executive Director
- 4.** That in respect of every lease granted assigned transferred or otherwise provided in respect of any of the Residential Units the following covenant shall be imposed (or a covenant of substantially the same nature in respect of any tenancy agreement licence or other instrument entitling occupation of any of the Residential Units);

(The Owner)

-and-

THE MAYOR AND BURGESSES OF
THE ROYAL BOROUGH OF
KENSINGTON AND CHELSEA

DEED

Made pursuant to Section 106 of
the Town and Country Planning
Act 1990 (as amended by the
Planning and Compensation Act 1991)

Re: Land at [insert address]

Gifty Edila
Director of Law and Administration
The Royal Borough of Kensington and Chelsea
The Town Hall
Hornton Street
London
W8 7NX

My Ref: [insert reference]
Tel: 020 7361 [ext no.]

APPENDIX B:

Geometric Design of Parking and Servicing Facilities

APPENDIX B: Geometric Design of Parking and Servicing Facilities

Land Use	Land Use Class	Parking Bay or Hardstanding Dimension (min) (a)	Disabled Bay (b) Width (min.)	Off-street Service Bay Dims. (where required) (c)	Off-street Bay Headroom (min.)	Distance from Junction to Access (min.)	Carriageway Access Width (min.)	Ramp Gradient (min.)	Internal Circulation Dims.
Retail Development	A1-2-3	2.4x4.8m	3.6m	15 x 3.5	5.0m	12m	6.1 - 6.7m (d) (e)	1 in 10	3.5-5.1m (d) 6.1-6.7m (e)
Commercial and General Development	B1-B8	2.4x4.8m	3.6m	15 x 3.5	5.0m	12m	6.1 - 6.7m (d) (e)	1 in 10	3.5-5.1m (d) 6.1-6.7m (e)
Hotel	C1	2.4x4.8m	3.6m	12 x 3.0m (coaches) 13 x 3.5m	5.3m (h)	12m	6.1 - 6.7m (d) (e)	1 in 10	3.5-5.1m (d) 6.1-6.7m (e)
Single Family Dwelling	C3	2.4x4.8m (single garage 2.7x5m)	3.6m	n/a	2.3m	Normally 10m (exceptionally local roads 8m)	Cross-over 2.3m (2.5m maximum)	1 in 7	n/a

Purpose-built Flat	C3	2.4x4.8m (single garage 2.7x5m)	3.6m	n/a	2.3m	10m	3.0 - 5.2m (d) (e)	1 in 7	2.5-3.5m (d) 4.0-5.7m (e)
Small Residential Site	C3	2.4x4.8m (single garage 2.7x5m)	3.6m	n/a	2.3m	10m	3.0 - 5.2m (d) (e)	1 in 7	2.5-3.5m (d) 4.0-5.7m (e)
Large Residential Site	C3	2.4x4.8m (single garage 2.7x5m)	3.6m	12 x 3.5m	5.0m	12m	3.0 - 5.2m (d) (e)	1 in 10	2.5-3.5m (d) 4.0-5.7m (e)
Leisure etc.	D	2.4x4.8m	3.6m	15 x 3.5m	5.3m (h)	12m	6.1 - 6.7m (d) (e)	1 in 10	3.5-5.1m (d) 6.1-6.7m (e)
Commercial Car Park	-	2.4x4.8m	3.6m	n/a	2.5m	12m	4.8 - 5.7m (d) (e)	1 in 10	3.5-5.1m (f) 5.8-6.1m (g)

Note: (a) For single garages and hardstandings, min. dimensions of 2.7m x 5m should be provided. (b) For a single stand-alone bay. (c) For refuse and delivery vehicles. (d) One-way. (e) Two-way. (f) One-way parallel or echelon parking. (g) Two-way 90deg or end-on parking bays. (h) Where coach parking is provided.

APPENDIX C: Contacts

The Royal Borough of Kensington and Chelsea website:
www.rbkc.gov.uk

Department of Transportation and Highways

The general 'Streetline' number is 020 7361 3001

Alternatively:

- Transportation Team 020 7361 2557
- Tables and Chairs 020 7361 2688
- Travel Plan related queries 020 7361 3766
- Highways and Construction section queries 020 7341 5240
- Highway Network Manager 020 7341 5746

Department of Planning and Conservation

The general 'Planningline' number is 020 7361 3012

Department of Waste Management and Leisure

The general 'Streetline' number is 020 7361 3001

Alternatively:

- For refuse collection standards and requirements 020 7341 5120

APPENDIX D: Glossary

Car Club:

Provides an environmentally sound and financially attractive alternative to private car ownership by offering pay-as-you-go short-term vehicle hire. Vehicles are conveniently parked close to homes or work places and can be booked for as little as half an hour or up to a few weeks.

Controlled Parking Zone (CPZ):

The entire Borough has been designated as a CPZ. The scheme designates most kerbside space as residents' parking bays, pay and display bays, single yellow or double yellow lines. There are also diplomatic bays, disabled bays and doctors' bays. Only people whose main home is in the Borough qualify for a residents' parking permit, and each person is only entitled to one permit. A main home is where a resident normally spends at least four nights a week. Visitors to the Borough, including those to residents, who come by car during controlled hours must park either in pay and display bays, or off-street.

Highway:

is a way over which the public have the right to pass and re-pass. Public Highway is a highway that is maintained at public expense (i.e. by the highway authority). Highways not maintainable at public expense are nonetheless highways. A highway may also be a waterway, or a navigable river.

- Carriageway – Part of a highway over which the public have right of way for vehicles
- Footway – Part of a highway over which the public have the right of way on foot only.

Highway Authority:

This relates to powers under the Highway Act 1980. In London, the London Boroughs are the Highway Authority for all highways, whether or not maintainable at public expense, except those highways that are Greater London Authority Roads or Highways for which the minister is the Highway authority S1(3). In London, Transport for London (TfL) is the highway authority for all GLA Roads (i.e. Transport for London Road Network) (s259 Greater London Authority Act 1999).

iTrace:

iTrace is a centralised software package adopted by all London Boroughs and other authorities nationally that, inter alia, allows easier assessment of Travel Plans and monitoring of their efficacy, provides template documents and easier sharing of information between Travel Plan authors in order to encourage the spread of best practice. Legal Parking Space: Residents' bays, meter/pay and display bays, and diplomatic/disabled/doctors' bays during controlled hours with the addition of single yellow lines space, where it does not cause obstruction during uncontrolled hours.

Network Management Duty:

As part of the Traffic Management Act 2004 local authorities were given the legal responsibility for the Network Management Duty. The objectives of this duty must be to: Make sure that traffic flows freely on our road network, and help traffic on the road networks of other authorities to flow freely.

Parking Stress:

The Council uses the level of parking demand at which the legal parking spaces occupied exceeds 90% to indicate parking stress. When demand reaches this level, the number of vehicles circulating in an area looking for a parking space is of the same order as, or exceeds, the number of legal spaces available. It is at this level of parking demand that illegal parking increases. Surveys are carried out several times over one day, but concentrate on evening periods, as this is the period of greatest demand.

Permit-free:

A restriction that removes the eligibility of residents within permit-free developments to have Residents' Parking Permits.

Planning Authority:

The Authority responsible for implementing the Planning legislation, in this case, the Royal Borough of Kensington and Chelsea Council

Public Transport Accessibility Level (PTAL):

The PTAL map is based on a methodology developed by LB Hammersmith & Fulham. It is essentially a measure of public transport network density (service level and geographical distribution). It can be produced for a single location (i.e. a new development), or a grid of points evenly spaced at 100-400m intervals to cover an area of interest.

NOTES



THE ROYAL BOROUGH OF
KENSINGTON
AND CHELSEA