

Westbourne Park Garage, Great Western Road

in the London Borough of

planning application no. 12/04534/FULL**Strategic planning application stage 1 referral (new powers)**

Town & Country Planning Act 1990 (as amended); Greater London Authority Acts 1999 and 2007; Town & Country Planning (Mayor of London) Order 2008

The proposal

Construction of an elevated bus deck as an extension to the existing Westbourne Park Bus Garage to provide bus parking, screened bus washing and refuelling facilities together with external lighting and CCTV.

The applicant

The applicant is Crossrail Limited.

Strategic issues

The strategic issues related to these proposals are **urban design, transport** and **climate change**.

Recommendation

That City of Westminster Council be advised that the application complies with the London Plan, for the reasons set out in paragraph 38 of this report.

Context

1 On 8 June 2012 the Mayor of London received documents from City of Westminster Council notifying him of a planning application of potential strategic importance to develop the above site for the above uses. Under the provisions of The Town & Country Planning (Mayor of London) Order 2008 the Mayor has until 19 July 2012 to provide the Council with a statement setting out whether he considers that the application complies with the London Plan, and his reasons for taking that view. The Mayor may also provide other comments. This report sets out information for the Mayor's use in deciding what decision to make.

2 The application is referable under Category 2C(3) of the Schedule to the Order 2008: *"Development for a use which includes the keeping or storage of buses or coaches where –*

(a) it is proposed to store 70 or more buses or coaches or buses and coaches; or

(b) the part of the development that is to be used for keeping or storing buses or coaches or buses and coaches occupies more than 0.7 hectares"

3 Once the City of Westminster Council has resolved to determine the application, it is required to refer it back to the Mayor for his decision as to whether to direct refusal; take it over for his own determination; or allow the Council to determine it itself.

4 The Mayor of London's statement on this case will be made available on the GLA website www.london.gov.uk.

Site description

5 The site is within the City of Westminster located at Paddington New Yard, on Great Western Road, but lies close to the western administrative boundary between City of Westminster and the Royal Borough of Kensington & Chelsea that runs along the road. The irregular shaped site is bounded by Great Western Road to the west, the elevated A40 Westway above and to the north, the Grand Union Canal to the north, the Great Western mainline railway to the south, and the Crossrail Royal Oak Portal worksite to the east. The application site is 0.99ha in size.

6 Buses access the site via the existing garage from Great Western Road. Construction vehicles will access the site from the ramp adjacent to the southern wall of the bus garage that leads down to ground level. Access can also be gained from the east via Alfred Road.

7 The application site forms part of a larger 6.98ha site known as Paddington New Yard that was originally used as a goods siding known as the Marcon Sidings until the permanent way was removed prior to the Crossrail enabling works on site. The goods platform and a number of retaining walls remain. Until recently, Great Western Studios occupied a warehouse in the centre of the site, however this was demolished in October 2011 as part of the enabling works for Crossrail. The larger site is currently comprised of the Westbourne Park Bus Garage in the north west, the Tarmac Concrete Batching Plant in the south west, the elevated A40 Westway over the northern part of the site and the Crossrail Royal Oak Portal worksite over the remaining central and eastern part of the site.

8 The sites immediate context is dominated by transport infrastructure, however to the north of the site separated by the Grand Union Canal is the Lockbridge Court residential development and to the south of the site separated by the railway line, is the Brunel Estate.

Details of the proposal

9 Historically, Centrewest London Buses have used the Westbourne Park site to park, wash and refuel buses. The buses were relocated to a temporary parking facility at Atlas Road in Ealing to provide a clear worksite to enable the construction of the Crossrail Western Running Tunnels and a facility for reversing Crossrail trains.

10 The proposal is for a replacement bus parking facility via the construction of an elevated bus deck as an extension to the existing Westbourne Park Bus Garage to provide bus parking, screened bus washing and refuelling facilities together with external lighting and CCTV. The deck will be accessed via Great Western Road, through new openings in the rear wall of the existing garage. It is proposed that the primary means of access to the site at ground level will remain as described in paragraph 6.

11 The proposed deck is constructed as an independent reinforced concrete superstructure that accommodates parking for 97 buses on the top of the deck, 53 buses below the deck and parking for 70 staff cars in the existing ground-level car park underneath the garage. Including the parking for 88 buses that were maintained on site, provision is made for the parking 238 buses in total. The refuelling and washing facilities will also be housed on the deck.

Strategic planning issues and relevant policies and guidance

12 The relevant issues and corresponding policies are as follows:

- Urban design *London Plan;*
- Access *London Plan; Accessible London: achieving an inclusive environment SPG; Planning and Access for Disabled People: a good practice guide (ODPM)*
- Sustainable development *London Plan; Sustainable Design and Construction SPG; Mayor's Climate Change Adaptation Strategy; Mayor's Climate Change Mitigation and Energy Strategy; Mayor's Water Strategy*
- Transport *London Plan; the Mayor's Transport Strategy; Land for Transport Functions SPG, draft Land for Industry and Transport SPG*

13 For the purposes of Section 38(6) of the Planning and Compulsory Purchase Act 2004, the development plan in force for the area is the City of Westminster Core Strategy 2011, the saved policies in the 2007 Unitary Development Plan and the 2011 London Plan.

14 The following are also relevant material considerations:

- The National Planning Policy Framework and Technical Guide to the National Planning Policy Framework
- Paddington New Yard & Adjoining Land Planning Brief – adopted as SPD 2009

Principle of Development

15 Schedule 1 of the Crossrail Act grants deemed planning permission for the construction of a bus deck for the relocation of parking facilities on the proposed site. The current application is required as the revised proposals that seek to address the operational and structural constraints of the original design, fall outside of the 'Limits of Deviation' of the Crossrail Act. The revisions seek to address the issues surrounding bus movement from upper to lower decks via an external turn-back ramp and concerns regarding the replacement of the existing embankment and low retaining wall at the northern boundary of the site that adjoined the Grand Union Canal. Engineering concerns were raised with regards to the stability of the embankment and the risk of a canal breach resulting in serious flooding of the area.

16 The revised proposals are mainly comprised of alternate parking arrangements in the area previously known as the 'mini compound' to the east of the main garage and the removal of the turn-back ramp. Parking arrangements within the existing garage and the Route Master compound to the north west of the garage remain the same. As a result, the footprint of the deck has increased to accommodate the required parking capacity and now extends a further 25-30 metres south towards the mainline rail tracks. The washing and refuelling facilities remain on deck as per the previous proposals. The principle of providing an extension to the existing bus garage via an elevated bus deck therefore remains unchanged and is supported by the deemed permission.

17 The London Plan recognises that buses are, and are likely to remain the dominant mode of public transport and by ensuring the needs of buses are catered for will aid the delivery of improved journeys for bus passengers. Policy 6.7 addresses this objective and states that "*The Mayor will work with TfL and boroughs to implement Londonwide improvements to the quality of bus, bus transit and tram services.*" As discussed, the proposals represent the re-provision of the prior use of the site for bus parking, washing and refuelling that was temporarily relocated to allow

Crossrail enabling works. The permanent loss of this capacity would have significant detrimental impact on the London Bus network in Central and West London and therefore the proposals are supported in strategic policy terms.

18 With regards to LDF preparation Policy 6.7 part B(e) states that *“DPDs should promote bus, bus transit and tram networks including ensuring standing, garaging and driver’s facilities are provided where needed”*. The principle of development is also supported by the Paddington New Yard & Adjoining Land Planning Brief that was adopted as Supplementary Planning Guidance by the City of Westminster in 2009 and is therefore considered generally acceptable in both borough and London Plan policy terms.

Urban design

19 Good design is central to all objectives of the London Plan (2011) and is specifically promoted by the policies contained within chapter seven which address both general design principles and specific design issues. London Plan Policy 7.1 sets out a series of overarching design principles for development in London. Other design policies in this chapter and elsewhere in the London Plan include specific design requirements relating to maximising the potential of sites, the quality of new housing provision, tall and large-scale buildings, built heritage and World Heritage Sites, views, the public realm and the Blue Ribbon Network. New development is also required to have regard to its context, and make a positive contribution to local character within its neighbourhood (policy 7.4).

20 The proposal is located further south than the scheme considered under the Crossrail Act, thus bringing the deck closer to the residential Brunel Estate. Whilst the most prominent views of the deck are from the top level flats and gallery access on the estate, they view the bus deck in the context of the railway corridor in its immediate foreground with the elevated A40 Westway immediately behind. Given that the surrounding area of the proposed bus deck is dominated by transport infrastructure and the views into the site from Lockbridge Court to the north are limited, the proposals raise no strategic design issues.

Climate Change

21 The type of structure proposed has very limited energy requirements (e.g. lighting). Given the applicant's commitment to using energy efficient lighting, it is accepted that a full energy strategy is not required in this instance and is therefore considered acceptable.

Transport

Land for Transport

22 The re-provision of a bus parking facility is required to ensure the replacement of long term bus garage capacity temporarily lost due to Crossrail construction activities. Westbourne Park garage is one of a limited number of such facilities located within Central London, and is of long term strategic importance to the bus network. As the potential loss of this capacity would have significant adverse cost, operational and environmental implications for the bus network serving central and west London, the principle of redevelopment is fully supported in line with London Plan policy 6.2, 6.7 and the Land for Transport SPG which is currently being revised under the draft consultation Land for Industry and Transport SPG.

Access and Parking

23 Access to the site will broadly remain as existing, with a consolidated primary entry/exit point from the A4207 and the closure of the access ramp to Paddington New Yard, which is supported from a road safety aspect.

24 Details of parking provision are set out in the Transport Statement and no additional car parking for staff is proposed on site, which is also welcomed. Being a replacement facility, no additional bus parking is proposed from that which currently remains on site and is temporarily displaced to Atlas Road.

Transport Impact

25 Given the nature of the proposals as replacement for a previous facility, it is accepted that the development will not have any negative impact on either the highway or public transport network.

Walking and Cycling

26 Information on existing cycle parking provision on site has been included in the Transport Statement, though in a limited form, which notes that shower and changing facilities are provided at the existing depot to encourage walking and cycling. It was previously recommended to the applicant that consideration should be given to an opportunity for potentially providing additional and/or improved facilities for staff in line with London Plan policy 6.9 'Cycling.' Nevertheless, it is accepted that the main existing building is not affected by this specific application, and that the number of staff will remain the same on site.

27 Information on existing cycling and pedestrian facilities in the neighbourhood is presented in a limited form in the Transport Statement. It was also suggested at pre-application stage, that the inclusion of a pedestrian audit of the area would have proven useful if included as part of the assessment, in line with London Plan policy 6.10 'Walking.' However, for the reason stated above, this is accepted.

Travel Demand Management

28 As advised at pre-application stage, consideration of travel planning measures with the submission documents would have also been supported. The applicant was encouraged to assess whether there is an existing travel plan for the site and consider its revision or introduction in order to manage travel demand in accordance with London Plan policy 6.3 'Assessing effects of development on transport capacity'. The production of a framework travel plan could then have been secured, monitored and included within the s106 agreement. For justified reasons including that drivers have limited options for alternative travel choices particularly at the beginning of the early and end of the late shifts, the Transport Assessment concludes that the current mode share represents a realistic maximum achievable for sustainable modes, which is accepted.

29 A Construction Logistics Plan (CLP) has not been included as part of the submission despite encouragement at pre-application stage. The production of such a plan is particularly relevant given the on-going activities on site with the Crossrail project and in order to minimise the impact of construction on the network. Notwithstanding this, reference to the Crossrail Construction Code has nevertheless been included and agreed by the applicant, which is ultimately accepted.

30 In summary the proposal will provide an important replacement transport facility and is in general accordance with the London Plan.

Community Infrastructure Levy

31 The Mayor has introduced a London-wide Community Infrastructure Levy (CIL) to help implement the London Plan, particularly policies 6.5 and 8.3. The Mayoral CIL formally came into effect on 1 April 2012, and it will be paid on commencement of most new development in Greater London that was granted planning permission on or after that date. The Mayor's CIL will contribute towards the funding of Crossrail

32 The Mayor has arranged boroughs into three charging bands. The rate for the City of Westminster is £50/sq.m. The required CIL should be confirmed by the applicant and council once the components of the development or phase thereof have themselves been finalised. See the 2010 regulations: <http://www.legislation.gov.uk/ukdsi/2010/9780111492390/contents> as amended by the 2011 regulations: <http://www.legislation.gov.uk/uksi/2011/987/made>

33 London borough councils are also able to introduce CIL charges which are payable **in addition** to the Mayor's CIL. The City of Westminster has yet to adopt a scheme. See the council's website for more details.

34 Given the specific nature of this development, the Council as collecting authority should decide whether the proposals are liable for a CIL payment.

Local planning authority's position

35 The local planning authority position is unknown at the time of writing this report.

Legal considerations

36 Under the arrangements set out in Article 4 of the Town and Country Planning (Mayor of London) Order 2008 the Mayor is required to provide the local planning authority with a statement setting out whether he considers that the application complies with the London Plan, and his reasons for taking that view. Unless notified otherwise by the Mayor, the Council must consult the Mayor again under Article 5 of the Order if it subsequently resolves to make a draft decision on the application, in order that the Mayor may decide whether to allow the draft decision to proceed unchanged, or direct the Council under Article 6 of the Order to refuse the application, or issue a direction under Article 7 of the Order that he is to act as the local planning authority for the purpose of determining the application and any connected application. There is no obligation at this present stage for the Mayor to indicate his intentions regarding a possible direction, and no such decision should be inferred from the Mayor's statement and comments.

Financial considerations

37 There are no financial considerations at this stage.

Conclusion

38 London Plan policies on Urban Design, Inclusive Design, Transport and Energy are relevant to this application. In general, the application complies with these policies, for the following reasons:

- **Land use:** The proposals are for the reversion of the previous use of the site for bus parking, washing and refuelling that was temporarily relocated to allow Crossrail enabling works and is therefore considered acceptable.

- **Urban Design:** The design raises no strategic issues due to the limited views into the site and dominance of its immediate context by existing transport infrastructure.
- **Inclusive Design:**
- **Climate Change:** The applicant has committed to using energy efficient lighting where it is required and due to the overall limited energy requirements of the structure it is accepted that a full energy strategy is not necessary and therefore considered acceptable.
- **Transport:** The principle of a replacement transport facility is strongly supported in London Plan transport policy terms. Whilst the provision of information regarding existing cycling and pedestrian facilities both onsite and in the surrounding neighbourhood is limited and a Construction Logistics Plan has not been submitted despite early encouragement at the pre-application stage, it is ultimately accepted for the reasons stated.

39 Whilst it is considered that the application generally complies with the London Plan, it is still required that Westminster City Council refer the case back after they have resolved to determine the application.

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