

TRANSPORT FOR LONDON (TFL)

TOWN AND COUNTRY PLANNING ACT 1990 (as amended)

TOWN AND COUNTRY PLANNING (INQUIRIES PROCEDURE) (ENGLAND) RULES  
2000

**PROOF OF EVIDENCE of Lucinda Turner**

On behalf of the Mayor of London

**Appeal by:** Notting Hill Gate KCS Limited

**Site:** 43/44 Notting Hill Gate, 39/41 Notting Hill Gate and 161 – 237 Kensington Church and 161-237 Kensington Kensington Church Street (ODD), London

**Local Planning Authority:** The Mayor of London (the Mayor/the GLA)

**London Borough:** The Royal Borough of Kensington & Chelsea (RBKC)

**Borough Reference:** PP/17/05782

**Greater London Authority Reference:** GLA/3109a

**PINS Reference:** APP/G6100/V/19/3225884

**Date:** 8 October 2019

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## I Qualifications and Experience

1. My name is Lucinda Turner. I have a background in public policy, transport and planning and have worked for Transport for London for the last 13 years.
2. My role at Transport for London is Director of Spatial Planning. In this role I am responsible for:
  - a. TfL's role in planning applications referable to the Mayor under the Town and Country Planning (Mayor of London) Order 2008 "the 2008 Order") and advising the Mayor and Deputy Mayors on transport matters;
  - b. TfL's work on non-referable planning applications – working with applicants and boroughs to assess and manage transport impacts;
  - c. The administration of the Mayoral CIL, and s106 agreements involving TfL; and TfL's programme of s278 agreements and works;
  - d. Leading TfL's input into planning policy development including the London Plan and local plans and representing TfL at Examinations in Public;
  - e. Promoting the role of transport projects in supporting housing and wider economic growth and leading on economic and socio-economic aspects in the consenting process of major projects;
  - f. Leading TfL's work on Opportunity Areas and master-planning of major growth areas and town centres and managing the £500+m TfL Growth Fund;
  - g. Leading TfL's bids to the Housing Infrastructure Fund;
  - h. Working on a range of station improvement schemes linked to development proposals across London including Paddington, Elephant & Castle, Walthamstow, Colindale and Thameside West.
3. I have over 20 years' experience in public policy, strategy and planning. I joined TfL in 2006 as Policy Manager of Congestion Charging and led the policy and consultation work around both the implementation and removal of the Western Extension Zone, as well as the CO2 charge proposed by the Mayor Ken Livingstone. I was subsequently TfL's Head of Strategy & Policy, and during that time developed the new Mayor's Transport Strategy, led TfL's work on air quality

and the London Plan, managed TfL's work on Opportunity Areas across London, and introduced the s106 policy for Crossrail.

4. I was previously Head of Planning & Infrastructure at the CBI, which included working with business and Government to shape planning legislation and regulations. I was a member of the Ministerial Advisory Group on Planning Obligations and involved in the development of the 2004 Planning and Compulsory Purchase Act. Prior to that I was Head of London Policy at the CBI and Policy Manager at the Millennium Commission, overseeing the distribution of Lottery funding.
5. I hold a BA Honours Degree in Social & Political Science from Cambridge; an MSc (Distinction) in Comparative Politics and Public Policy from London School of Economics and a Masters (Distinction) in Spatial Planning that I obtained at Bartlett School of Planning, UCL and I did a Postgraduate course in Economics at Birkbeck College, London.

## **II. Scope of Evidence and Structure of Proof**

6. I will assess the extent to which the current proposal will assist in achieving the key transport policies and goals of the Mayor's Transport Strategy and London Plan, in particular the delivery of an accessible transport network. It should be noted that I am representing Transport for London (TfL) and its subsidiary body London Underground Limited (LUL).

## **III. Transport Policy context**

7. The current administrative framework has been in place in London since 2000 when the Greater London Authority was created. The GLA Act 1999 requires a London Plan and Transport Strategy to be in place.

The overarching theme of transport policy reflected at all levels is to promote high quality, sustainable and accessible transport options.

National

8. Paragraph 102 of the NPPF (CD/7.1, page 30) states "transport issues should be considered from the earliest stages of plan-making and development proposals, so that b) opportunities from existing or proposed transport infrastructure, and changing transport technology and usage, are realised – for example in relation to the scale, location or density of development that can be accommodated and; c) opportunities to promote walking, cycling and public transport use are identified and pursued. Paragraph 103 goes on to say "The planning system should actively manage patterns of growth in support of these objectives. Significant development should be focused on locations which are or can be made sustainable, through limiting the need to travel and offering a genuine choice of transport modes. This can help to reduce congestion and emissions, and improve air quality and public health."

London

9. The current version of the London Plan (CD/6.1), was adopted in 2016 and is consolidated with alterations to the London Plan since 2011. The plan sets out the spatial development strategy for London. The London Plan 2016 adopted policies relevant to the consideration of the appeal application were listed at paragraph 48 of the GLA's Stage III Report (CD/3.12). Policy 7.2 of the London

Plan (An Inclusive Environment), requires all new development in London to achieve the highest standards of accessible and inclusive design.

10. London Plan Policy 6.1 sets out the approach to encourage the closer integration of transport and development which is crucial to effective and sustainable spatial development and applies these principles within the strategic approach for transport in London. Part j of Policy 6.1 A specifically sets out that this should include: 'seeking to ensure that all parts of the public transport network can be used safely, easily and with dignity by all Londoners, including by securing step-free access where this is appropriate and practicable'. Other relevant strategic transport policies in this case include:

- a. Providing public transport capacity and safeguarding land for transport (Policy 6.2);
- b. Assessing effects of development on transport capacity (Policy 6.3); Enhancing London's transport connectivity (Policy 6.4);
- c. Better streets and surface transport (Policy 6.7);
- d. Cycling (Policy 6.9);
- e. Walking (Policy 6.10);
- f. Smoothing traffic flow and tackling congestion (Policy 6.11);
- g. Road network capacity (Policy 6.12);
- h. Parking (Policy 6.13);
- i. The Mayor's priorities for planning obligations (Policy 8.2);
- j. Mayoral Community Infrastructure Levy (Policy 8.3).

11. The weight to be given to these policies is addressed in the proof of evidence of Mr Richard Green.

12. The draft New London Plan (CD/9.1), was published on 29 November 2017, and updated in July 2019 with consolidated suggested changes. It sets out an integrated economic, environmental, transport and social framework for the development of London over the next 20-25 years. It is to be taken into account when determining applications for planning permission. The weight to be given to

the draft London Plan's policies is explained in the evidence of Mr Richard Green. The relevant transport policies are contained in Chapter 10 of the draft New London Plan and these include:

- a. strategic approach to transport (T1),
- b. healthy streets (T2),
- c. transport capacity, connectivity and safeguarding (T3),
- d. assessing and mitigating transport impacts (T4),
- e. cycling (T5),
- f. car parking (T6),
- g. funding transport infrastructure through planning (T9).

13. A number of the policies contained in draft London Plan Chapter 1 (Planning London's Future – Good Growth Policies) are also relevant, including: making the best use of land (GG2) and creating a healthy city (GG3).

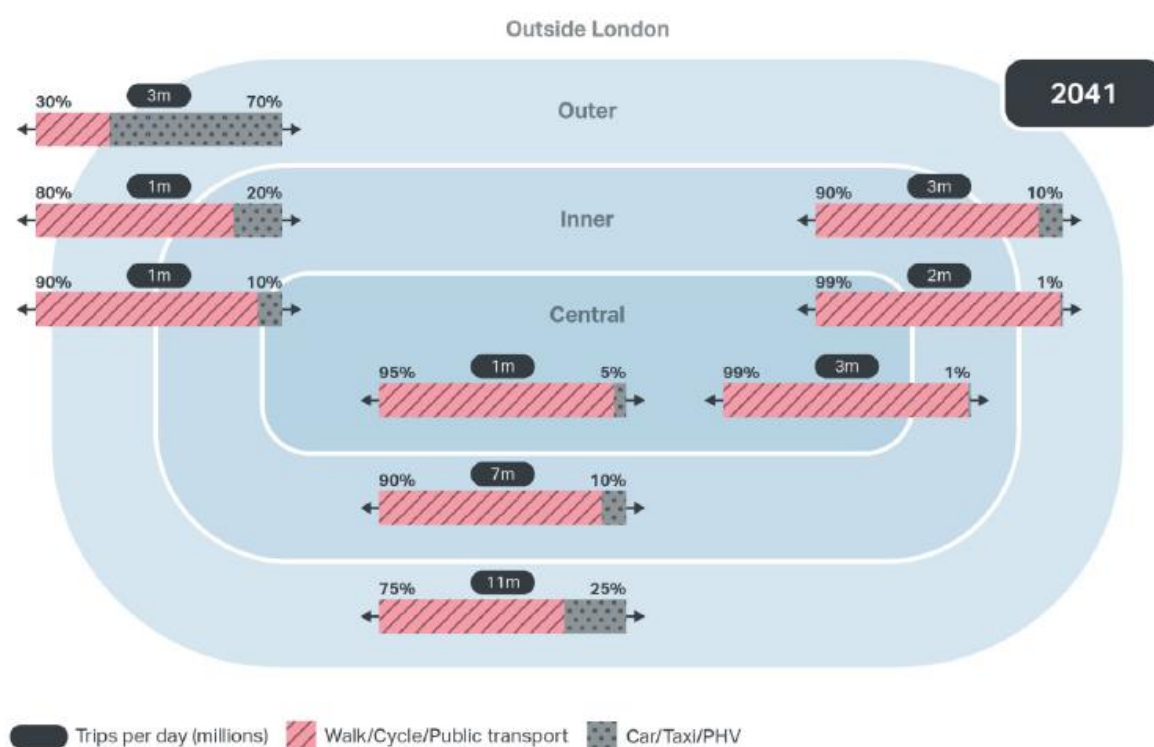
14. Chapter 3 of the draft London Plan (Design) also includes policy D3 which requires development proposals to achieve the highest standards of accessible and inclusive design.

15. The Mayor's Transport Strategy 2018 (MTS) (CD/6.4), is the statutory document that sets out the Mayor of London's Policies and Proposals for 'the promotion and encouragement of a safe, integrated, efficient and economic transport facilities and services to, from and within Greater London'. The 2018 MTS has been developed following extensive research, evidence and consultation collected to identify the challenges and opportunities facing London's transport network over the period to 2041. This document is also a material consideration to be taken into account when determining applications for planning permission in London. The weight to be given to it is addressed in the proof of evidence of Mr Richard Green.

16. The MTS looks to put people's health and quality of life at the very heart of planning the city's transport with an aim that by 2041, 80% of all Londoners' trips will be made on foot, by cycle or by public transport. The MTS seeks to impose high expectations on developers to deliver transport solutions that will promote

sustainable mode shift, reduce road congestion, improve air quality and assist in the development of attractive, healthy and active places. It will also seek to restrict car parking provision within new developments, with those locations more accessible to public transport expected to be car free or car-light.

17. The aspirations of the MTS are embedded in the policies of the draft London Plan particularly the policy approaches such as 'Healthy Streets', 'Good Growth' and the Mayoral mode share targets. Draft London Plan Policy T1 sets the Mayor's strategic target of 80 per cent of all trips to be made by foot, cycle or public transport by 2041, as shown in the below Figure 1. Draft London Plan Policy T2 seeks to ensure that development proposals deliver patterns of land use that facilitate residents making shorter, regular trips by walking or cycling. Draft London Plan Policies T3-T6 seek to enable the achievement of the Mayor's strategic target.



Source: Figure 57, Mayor's Transport Strategy (2018)

Figure 1.



18. Also of particular relevance to this application is Policy 14 of the MTS which states that the Mayor, through TfL and the boroughs, and working with stakeholders, will seek to enhance London's streets and public transport network to enable disabled and older people to more easily travel spontaneously and independently, making the transport system navigable and accessible to all and reducing the additional journey time that disabled and older users can experience.
19. Proposal 55 of the MTS (page 149) goes on to set out that the Mayor, through TfL and working with other stakeholders will make the transport network more accessible and inclusive by providing step-free access at selected rail and Underground stations and on all new infrastructure, with an aim to halve the additional journey time required by those using the step-free network only, so that journey times on the step-free network become comparable to those on the wider public transport network.
20. Proposal 80 of the MTS (page 219) sets out that the Mayor, through TfL and the boroughs will:
- Impose high expectations on developers to deliver transport solutions that will promote a shift to active, efficient and sustainable modes, reduce road congestion, improve air quality and assist in the development of attractive, healthy and active places.
21. The Mayor's Inclusive London Strategy (May 2018, Chapter 4 'Getting Around') (extracts at CD/6.9) sets out that public transport should not prevent any Londoner or visitor from enjoying all the city has to offer and that the Mayor will explore opportunities to promote inclusive, accessible design in developments.

#### Local

22. Kensington and Chelsea Local Plan (CD/5.1) Policy CT1 states that the Council will, as an alternative to car use, ensure that it is easier and more attractive to walk, cycle and use public transport and by managing traffic congestion and the supply of car parking. Policy CT1(k) specifically requires new developments to contribute towards step-free access at rail and underground stations in the Borough where there is a redevelopment opportunity. Policies CT2 and CR7 of the Local Plan and the Transport and Streets SPD (2016) (CD/5.5) are also relevant.

23. The Notting Hill Gate SPD (2015) (CD/5.3) also sets out support for delivery of step-free access at this location through redevelopment.
24. A full Council objective was agreed on 27 January 2016 to work with TfL, developers and local residents to achieve accessible transport, including at Notting Hill Gate station. The associated report of the Director of Transport and Highways is appended to this Proof of Evidence (GLA/LT/03).

### **III Why the proposed development meets transport policy**

#### **Achieving an accessible network**

25. As stated above, several policy documents support the expansion of an accessible transport network.
26. London Plan Policy 3.1 makes clear that expanding opportunities and meeting the needs of all Londoners is essential to confronting inequality across London. To achieve this, Policy 3.1 underlines the importance of addressing the barriers to meeting the needs of specific groups and communities, including persons with mobility problems. Fourteen per cent of Londoners consider themselves to have a disability that affects their day-to-day activities 'a lot' or 'a little'.
27. In addressing equality and inclusiveness as it relates to transport infrastructure, London Plan Policy 6.1 encourages the provision of step-free access as part of an integrated approach to development and transport. The draft London Plan GGI states that in building strong and inclusive communities the movement of all Londoners, including older people, disabled people and people with young children should be supported by those involved in planning and development. This should be done by creating a welcoming environment that everyone can use confidently, independently, and with choice and dignity, avoiding separation or segregation. Table 10.1 – Indicative list of transport schemes, under draft London Plan Policy T3, includes step-free London Underground stations.
28. In addition, Kensington and Chelsea CLP Policy CT1(k) aims to ensure that, through collaboration with partners, step-free access is delivered at Underground and rail stations in the borough.

29. Notting Hill Gate (NHG) London Underground station serves the District, Circle and Central Lines. It forms a strategically important interchange both between the Underground lines and with local bus services at street level, and the station is heavily used, with a typical weekday in 2018 recording over 21,000 entries and a similar number of exits. However, there is no SFA at this station.
30. At present, users with reduced mobility requiring a step-free journey in the south/eastbound direction on the District and Circle lines would have to take the 328 bus from Notting Hill Gate to Earl's Court station (which affords step-free access to both District and Piccadilly lines). Alternatively, customers could take the 52 bus to Victoria (step-free to District, Circle and Victoria lines) or the 94 bus to Bond Street (step-free to Jubilee and Central lines). However, these options represent considerable additional journey times and interchanges for passengers.
31. This is illustrated by the tables below for sample journeys currently to Westminster LU station. *Note that these do not include the waiting times for trains or buses:*

<b>From</b>	<b>To</b>	<b>Route</b>	<b>Mins</b>
Notting Hill Gate	Westminster	via bus (328) to Earl's Court and then District line to Westminster	44 (31+13)
Notting Hill Gate	Westminster	via bus (94) to Bond Street and then Jubilee line to Westminster	33 (29+4)
Notting Hill Gate	Westminster	via bus (52) to Victoria and then District line to Westminster	41 (38+3)
<b>COMPARATOR JOURNEY TIMES FOR THOSE NOT REQUIRING SFA</b>			
Notting Hill Gate	Westminster	via Circle line (inner rail)	15
Notting Hill Gate	Westminster	via Central line to Bond Street and then Jubilee line to Westminster	15

32. This issue is also highlighted through the journey time differential mapping that TfL uses, with Notting Hill Gate being in one of the areas with the greatest

differences between the networks, as shown in the map below (Figure 2). The map shows the difference in the time it takes to make a journey without any step-free requirements in the quickest way possible and the same journey with step-free requirements. As shown by the darker orange colour at Notting Hill Gate, the additional journey time is high as the area is not currently served by any step-free stations. The delivery of SFA would therefore have considerable benefits for passengers requiring a step-free journey.

### Step free JT differential

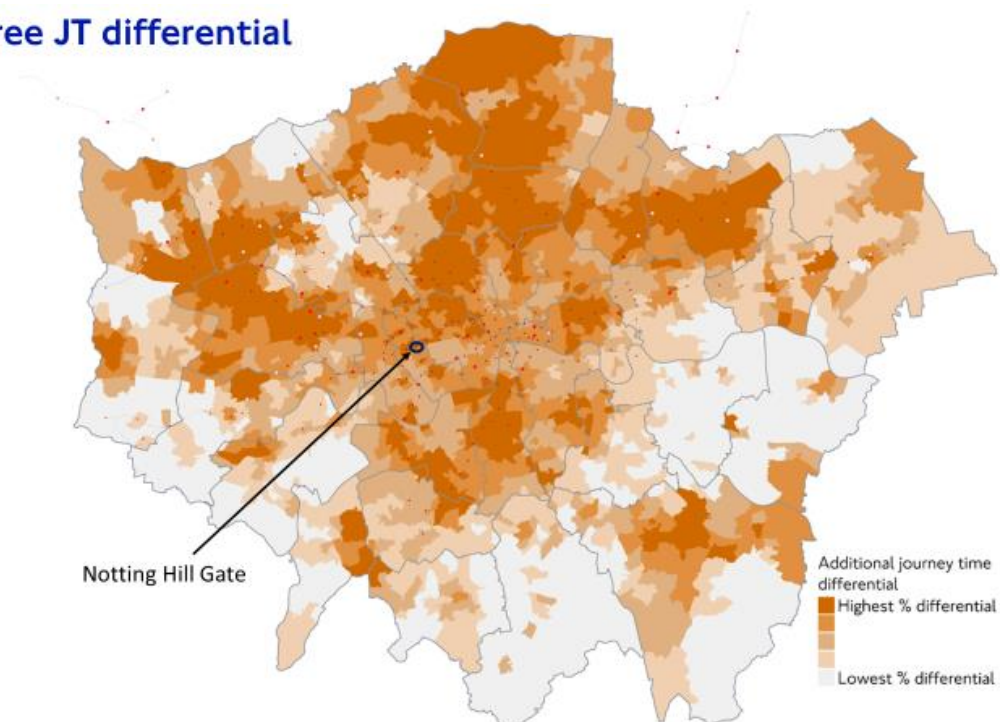


Figure 2 – Source: TfL Railplan model 2016

33. The proposed development includes the provision of (partial) SFA at the adjacent Notting Hill Gate London Underground station. Fully funded by the applicant, this SFA would be delivered from street level to the southbound/eastbound platform of the Circle Line and District Line, through two new lifts and walkways. The latest statistics show that 44,599 customers use this eastbound/southbound platform weekly.

34. The installation of these facilities would open up the opportunities for step-free journeys to a variety of destinations either directly (e.g. Victoria, Westminster) or indirectly (e.g. Heathrow via Earl's Court). This would significantly reduce the travel time disadvantages highlighted in paragraphs 31 and 32. It is estimated that circa 125 journeys per day would be made using the new lift for entry/exit movements, based on TfL's standard percentages of use by relevant groups of persons with reduced mobility for an inner suburban station.
35. The escalators at Notting Hill Gate directly serve the Central Line platforms. So in addition, the proposed development would also provide stair-free access to the Central Line through the provision of a lift from street to ticket hall level. This would benefit many people with mobility difficulties or with prams/buggies or luggage who struggle to use stairs but can use escalators, and would provide them with a direct link to all the Central Line stations which are either step or stair-free from Greenford in the west to Epping in the east.
36. This station is also served by a significant number of bus routes. All buses in London are step-free, so provision of SFA at the station would enable bus-rail interchange as well as use by passengers arriving or departing the station by other modes.
37. This would reduce travel time dis-benefits and improve journey experience for those in the local community with reduced mobility. It would also help make access to this important area of London more inclusive for more visitors to be able to enjoy it.
38. I also note that the delivery of step free and stair free access would particularly benefit individuals that share protected characteristics as set out in the Equality Act 2010 ("Equalities Groups") such as the elderly, disabled and women. I note that there are four nurseries and two retirement homes within a 400m radius of the station. Women are more likely than men to be travelling with buggies and/or shopping, and children, and this can affect transport choices. The TfL report 'Travel in London: Understanding our diverse communities 2019' highlights that forty-eight per cent of women travelling with children plan their journey with access to a lift in mind. TfL has a legal duty (as set out in s. 149 of that Act) to have regard to the needs of these groups.

39. This is further highlighted in the Mayor's Inclusive London Strategy (Inclusive London, 2018) (CD/6.9) that sets out that disabled and older Londoners and parents (particularly mothers) experience physical barriers to accessing the transport network, impacting their ability to get to work or participate in city life – with the additional journey times and changes as illustrated in paragraphs 31 and 32.
40. This is a unique opportunity which is not possible without the redevelopment of Newcombe House. There is no foreseeable, viable alternative means of achieving SFA for the southbound/eastbound platform of the Circle Line and District Line in the absence of securing this as part of the redevelopment of Newcombe House. The step free route from the ticket hall level to Circle and District lines would pass through the basement of the proposed development and therefore, SFA can only be delivered as part of the site's comprehensive redevelopment. Meaning that TfL/LU will not in practice be able to deliver it outside the development opportunity at this site.
41. While I acknowledge that the step free access that would be delivered as part of this development only includes the southbound/eastbound platform of the Circle Line and District Line and thus does not achieve the full benefits of full step-free access, I note that:
- a) This element of the redevelopment of Newcombe House would still, in itself, provide significant benefits as set out above.
  - b) The stair free access would be to both central line platforms so benefitting anyone wanting to access / egress this line at the station who struggles with stairs but is able to use escalators such as older people with mobility challenges; people with buggies or luggage.
  - c) This provides the foundation for SFA to be subsequently provided to the other platform of the Circle and District lines - without these works as part of this development this opportunity would be foreclosed and the delivery of SFA here would be a very remote possibility.

42. With regard to subsequent further improvements, there is the possibility of the provision of SFA to the northbound/westbound platform coming forward as part of any future development on the adjacent David Game House site.
43. While it is not certain that a future development will come forward that will complete the provision of SFA nor when that might be achieved, securing delivery of the proposed improvements as part of the Newcombe House development provides the prospect of being able to secure completion of the improvements to the other platform. This also sends a clear signal to developers here and elsewhere in the Capital as to what will be expected in terms of future delivery of SFA. In my view this makes securing future improvements more likely.
44. In my view this development presents a unique opportunity to deliver SFA and stair free access at this location and contribute towards key MTS targets to improve accessibility at rail and LU stations for those with mobility issues. Even on their own, the proposed improvements would enable a wide range of people with mobility difficulties, including those who are physically or visually disabled, parents / carers with young children (especially in a buggy or pram) and those with heavy and awkward luggage, to use the Underground more safely and conveniently.
45. Delivery of SFA through this development would demonstrate a commitment to achieving the aforementioned policy objectives, also sending an important signal more widely to developers across London.
46. The delivery of the SFA works is to be secured through the section 106 which TfL and LU will be a signatory to. The section 106 agreement restricts occupation of the development until the works have been completed. It is intended that the section 106 will append the Heads of Terms of the associated Development Agreement between the developer and LU which will detail the programme and specification of the works – I confirm the development agreement heads of terms are agreed and negotiations between the parties are at an advanced stage. This supports London Plan policy 6.1 and draft New London Plan policies T3 and T4. Also RBKC policies CT1 (j) and (k).

#### **IV Other transport benefits**

47. In addition to the aforementioned SFA, the scheme will also deliver the following other transport benefits:

- a. Public square – providing improved permeability through the site and active frontages. It is intended that permanent pedestrian and cycle access will be secured in the S106 agreement.
- b. Cycling infrastructure – land and funding for a new cycle hire docking station alongside long and short stay cycle parking for occupiers of and visitors to the site; alongside the new link through the proposed public square.

48. In so concluding, I consider this proposal in accordance with the transport policies set before it. As set out in the evidence presented here, the proposal supports delivery of several key transport policy objectives contained in the adopted and draft London Plans, the Mayor's Transport Strategy and RBKC Local Plan. As indicated above, I am in support of this unique opportunity to implement Step Free and stair free accesses at this station, as well as the additional other transport benefits this proposal provides.

## **V Declaration**

The Evidence which I have prepared and provide for this appeal reference APP/G6100/V/19/3225884 is true and I confirm that the opinions expressed are my true and professional opinions.