



Our Ref: 18/3436
Your Ref: 2018/4239/P

Transport for London
Borough Planning

Camden Council Planning Committee
c/o
Jonathan McClue
Planning Officer
By email only

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19th October 2018

Dear Cllrs,

Re: 100 Avenue Road NW3 3HF

Thank you for reconsulting TfL on this non-referable planning application for a Construction Management Plan (CMP) in relation to the redevelopment of the above referenced site.

Please note the following comments represent the views of TfL officers and are made on a “without prejudice” basis. They should not be taken to represent an indication of any subsequent Mayoral decision in relation to a planning application based on the proposed CMP. These comments also do not necessarily represent the views of the GLA. The comments are given in good faith and relate solely to transport issues.

At the previous Planning Committee on 19 July 2018 I understand TfL’s position and preferred outcome was explained to you by both the local planning authority case officer Jon McClue and the applicant’s representatives, but approval of the Construction Management Plan (CMP) was nonetheless deferred. I look forward to attending the next Planning Committee on 15 November 2018 to represent TfL. However, in case it is useful, I have summarised TfL’s position on this matter below.

Firstly, TfL acknowledges and appreciates your concerns about this case and the construction impacts involved. It is also important to emphasise that all involved parties, including the Council, Camden residents, visitors to Swiss Cottage, the travelling public, and TfL, seem to share a joint set of over-arching objectives.

All of us are clearly keen to minimise disruption caused by the construction of 100 Avenue Road, which will potentially take place at the same time as Cycle Superhighway 11 (CS11). And to ensure that the essential transport networks and local environments we share and manage together can continue to work well, supporting journeys which are essential to both Camden and London’s economies and diverse communities.

In that spirit, our efforts in relation to this case have throughout been focused on compromise and working collaboratively. Our objective has been and remains to agree a shared solution which, despite some unavoidable negative impacts in need of careful management and mitigation, represents the most sensible and workable choice for moving forward from a range of carefully assessed alternative options.

We expect all developers to undertake thorough analysis of potential construction access options and demonstrate that impacts such as on-carriageway pit lanes or bus stop closures can be appropriately mitigated in partnership with us, appointed contractors and sub-contractors, and the relevant local authority. Once again I wish to reassure the Council that in this case, extensive



engagement between TfL and the applicant's representatives has taken place to consider and identify various workable and appropriate options for construction access at the site.

As a result, in our role as the strategic authority for London's walking, cycling, public transport and highway networks, we are currently comfortable and confident that construction of the 100 Avenue Road development can proceed safely based on the latest submitted CMP. Our support is contingent on continued positive engagement with TfL, and on the most important commitment given in the proposed CMP - for all construction vehicle movements to take place between 9.30 and 4.30pm, outside periods of peak travel congestion.

Scheduling all construction traffic movements outside of network peaks will minimise disruption to local bus passengers, cyclists passing through Swiss Cottage junction and London Underground (LU) passengers using Swiss Cottage station to commute in and out of central London. It should also be noted that TfL will retain powers to temporarily or permanently suspend the pit lane if we deem it necessary. Formal written approval by TfL will also be required for all temporary and permanent works proposed on the Transport for London Road Network (TLRN) and on or immediately adjacent to LU land and infrastructure.

As a result our position is that overall, on balance, the construction impacts now proposed are reasonable. Since the first Committee, TfL has been formally re-consulted by Camden Council and asked to address the following:

- 1) A proposed hoarding line that would close an entrance of Swiss Cottage station
- 2) 'Base' and 'Hybrid' CMP proposals; 'Base' uses Winchester Road for construction access throughout, and 'Hybrid' uses Winchester Road only during the demolition phase
- 3) 'CS11' and 'No CS11' scenarios, due to the recent Judicial Review

In relation to these issues I submit the following comments:

1) TfL does not support the proposed hoarding line. It would directly conflict with (i.e. use and block off) part of the TLRN, and a tube station entrance. The inconvenience this would cause to LU passengers and the potential for the hoarding line to prevent future delivery of CS11 or an alternative Swiss Cottage highway improvement scheme are unacceptable.

2) All comments here supplement rather than replace my previous comments on this case. In particular I wish to draw attention to my previous justification for suggesting that Winchester Road should be consented at least as a back-up construction access throughout the build; the potential for bus delays and traffic stacking on Avenue Road, which is a strategic route critical to London's highway network.

I would also like to reiterate that Winchester Road was the sole construction access route consented in the original planning permission. As I stated in my previous response, 'At that stage, no construction access impacts were proposed on the TLRN. Had exclusive or close to exclusive use of the TLRN been proposed at that time, it is likely that TfL would have objected to the planning application and/or requested mitigation to minimise the expected impact on London's strategic highway network, and our CS11 project.'

I acknowledge the Mayoral statement on 21 June that 'TfL has no objection to all lorries using the pit lane so long as the bus lane and traffic lanes are not blocked.' In response the applicant has since argued this would extend the construction programme significantly, by 2 years, and in advance of the previous Committee, the applicant's representatives emphasised TfL support for access from Winchester Road.

Extending the programme would negatively impact all of the stakeholders involved in the determination of this planning application in different ways for a longer period of time, and



should be avoided if possible. It would clearly be detrimental to local Camden residents and visitors to the Swiss Cottage area. In addition to transport impacts, noise, vibration and visual pollution would continue for longer. TfL would be particularly unhappy about unnecessary extended disruption to London's strategic walking, cycling, public transport and highway networks.

In my view, allowing limited use of Winchester Road, with Council and TfL sign-off, would give both authorities sufficient flexibility to manage safety and traffic management issues as and when they arise across the life of the build. It would therefore represent appropriate mitigation for the significant change to construction access which has emerged since the application received planning permission. I therefore suggest that the CMP is edited to state that use of Winchester Road is permitted throughout the build programme with approval in writing from Camden Council and TfL, and that such use will be 'minimised as far as is practicable'.

The negative impacts which may occur in Winchester Road as a result are no worse than those experienced by thousands of residents close to construction sites elsewhere in London on a daily basis. A maximum of 7 – 14 vehicle movements are proposed on Winchester Road throughout the construction programme, which based on traffic surveys carried out Essential Living would represent around 1.4% of total daily traffic flow.¹ As a result, the potential negative impacts of construction vehicles using Winchester Road at the levels proposed do not on balance seem unreasonable to TfL in planning terms.

The Pit Lane proposed on Avenue Road, which is part of the TLRN, would have sufficient capacity for just 2 articulated lorries due to local trees, bus stops and the tube station entrance, which limit available space. To mitigate this and minimise use of Winchester Road, TfL also advises that off-site holding areas should be identified that can be used for lorries coming to site when the pit lane is full, with call-up by logistics management staff at the development. Whilst this would not be necessary to make the CMP acceptable in planning terms, and it is subject to the capacity and availability of appropriate HS2 holding areas, it could further mitigate the negative impacts of construction expected.

TfL will be happy to investigate whether any HS2 holding areas can support this, and advise the applicant further on holding areas prior to construction commencing. However at present, due to the CMP not having been approved, no main contractor has been appointed for the build, and therefore the correct stakeholder for such discussions has not been identified yet.

3) TfL is currently considering the outcome of the recent Judicial Review on Cycle Superhighway 11 (CS11). We nonetheless remain committed to improving safety for pedestrians and cyclists at Swiss Cottage as soon as possible.

The 'No CS11 scenario' CMP arrangements submitted by the applicant are not materially different to the previous CMP. They are acceptable in principle to TfL as impacts on the A41 would be broadly similar.

It should also be noted that as TfL stated following the Judicial Review, Swiss Cottage junction is one of London's most intimidating. It is therefore highly unlikely that TfL will not carry out highway works to improve safety there in the next 3-5 years when the

¹ That percentage is based on 7040 vehicles having been surveyed using Winchester Road in a 7 day week, which I have divided by 7 to get the number of vehicles on average per day, 1005. 14 construction vehicles would represent 1.4% of that figure. Furthermore, as the calculation made includes weekends, and traffic flow on weekdays when most of the construction vehicles proposed would use Winchester Road is actually often 1300 or above, the proportion of vehicles associated with this development likely to be on Winchester Road if the 'Base' CMP receives approval is approximately 1-2%. It will regularly be under 1% of total traffic.

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construction of the redevelopment of 100 Avenue Road will be taking place. As a result, even if CS11 experiences further delays, TfL is still likely to need access to the TLRN highway in front of 100 Avenue Road.

Finally, in relation to bus disruption, for at least 30 months, Swiss Cottage Bus Stop D may be suspended with bus passengers instead using an enhanced Bus Stop B (225m to the north of the Bus Stop D). This would impact the 13, 113, 187, 268, C11 and N113 services.

If the stop is temporarily relocated to Adelaide Road, our Asset Operations team will need to arrange for the physical stop infrastructure to be moved and a Traffic Order will be needed to legally permit buses to stop at the new temporary stop location. A new bus 'cage' will need to be marked out in the carriageway and the bus stop flag and shelter will also need to be moved.

All of these bus impacts cannot be funded by TfL and must be funded by the applicant via a Section 278 (278) agreement with TfL. Compensation for bus delays based on an agreed benchmark will also need to be agreed with TfL Buses and paid by the applicant prior to commencement of construction. As usual, the detailed design of all proposed temporary and permanent works will be safety audited as part of the S278 process by either TfL or auditor(s) approved by TfL in writing.

I hope these comments are helpful and make our position clear. Please do not hesitate to contact me if you would like any clarifications on the issues raised above prior to the Committee meeting in November.

Thanks and kind regards,
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