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Chairman of Chester Terrace Residents Association
35 Chester Terrace
London NW1 4ND

19th June 2016

Kate Phillips
Planning Officer
Camden Council
Kate.Phillips@camden.gov.uk

Dear Ms Phillips

Objection to Planning Application No 2016/1479/P 'Restoration of historic garden' in Chester Gate
Application type: Full Planning Permission

I am writing to you both as Chair of Chester Terrace Residents Association and as a local resident who is understandable deeply concerned with the above application. My family and I have lived in Chester Terrace for just under 2 decades, and I have been Chair for over half of this period.

Below, please find a summary of my main objections:

1. TRAFFIC AND THOROUGHFARE EFFECTS:

a) Existing Rights of Passage over Chester Gate by Residents of Chester Terrace

Since around 1890, residents in Chester Terrace have exited from the Terrace into a 2-lane Chester Gate. This has been an integral right of their leasehold ownership. Unfortunately, this right will be severely & negatively impacted if Chester Gate becomes a single lane, which due to changes in traffic and town planning, will almost certainly become traffic gridlocked. The narrowing of the lane will mean additionally that lorries, vans, fire engines & other large vehicles like scaffolding lorries (regularly seen on the Terrace) may not be able to exit properly due to the confines of the turning circle for their vehicles from Chester Terrace into Chester Gate. Instead, the second lane will become a garden for the exclusive use of the applicant.

b) Increase in Pollution & Environmental Impact

Traffic gridlocking in Chester Gate will have a severe impact on the levels of air pollution in the surrounding area. This will be to the detriment of cyclists, pedestrians & residents in Chester Gate & Chester Terrace. Effects would contravene Camden's Policy DP22 relating to Promoting sustainable design & construction by reducing air pollution

c) Transport considerations

Briefly, there are 2 unknowns which will have great impact on traffic through Chester Gate. Section 70 (2) of the Town and Country Planning Act 1990 requires Camden to have regard to the 'provisions of the development plan, so far as it is material to the application, and to any other material considerations'.

The HS2 development is a material consideration as it will involve huge dislocation & a very material increase in traffic in Albany Street. At this juncture, the actual impact on traffic into Chester Gate is unknown but it is considered by the traffic consultants Motion, who have provided a separate report

for the Chester Terrace Residents Association, that it will be significantly material, severe & negative (*please see the attached report*).

The other unknown is the CS11 proposals from TfL to create a cycle superhighway through Regent's Park. This proposal entails closing four gates for 20 hours a day 7 days a week leaving only 4 gates open 24 hours a day 7 days a week – one of which is Chester Gate. This CS11 proposal is a material consideration as it will involve huge dislocation & a very material increase in traffic in Albany Street. At this juncture the actual impact on traffic into Chester Gate is unknown but it is believed by the traffic consultants Motion that it will be significantly material, severe & negative (*please see the attached report*).

The risk therefore for creating traffic gridlock is very real if Chester Gate is reduced to a single lane of traffic.

Traffic modelling has not been disclosed by TfL or by HS2 so this data is unable to be added to the above two objections. Some work has claimed to have been undertaken by TfL but no information has been released & no assumptions have been disclosed. It is clear that CS11 will create a significant, negative impact on traffic. The applicant's comments on traffic modelling are therefore not accurate & cannot be relied upon. Many thousands of people will experience huge delays in journey times if Chester Gate is reduced to one lane of gridlocked traffic. Chester Terrace residents will have great difficulty exiting the Terrace onto Chester Gate.

We believe the risk to be extreme that traffic gridlock will arise & request that Camden considers these objections & **refuses this application based upon the above three grounds or at the very least defers making any decision until the full impact of the traffic chaos that HS2 & CS11 will create is known.**

d) Safety concerns

There will be significant safety concerns for cyclists arising from the narrowing of Chester Gate to a single lane. The effect is that it will bring pedestrians & cyclists into much closer proximity to moving and parked vehicles. The planning application does not meet Camden's aim for its road hierarchy in Camden Development Policies 2010 DP21 "to improve conditions for pedestrians and cyclists" (Paragraph 21.4). Further references to the importance of cyclists & pedestrians are contained in paragraphs 21.6, 21.11 & 21.12 of the same document - <https://camden.gov.uk/ccm/content/environment/planning-and-built-environment/two/planning-policy/local-development-framework/development-policies>

e) Parking issues

The applicant states (covering letter - bottom of page 3) that there will be "no loss of permit holder space" for resident parking. This is not true.

The application document states there will be a reduction from 12 spaces to 7 spaces on Chester Gate, but the applicant's transport statement states that the existing 12 parking spaces on Chester Gate will be reduced to 4 or 5 (which is consistent with the proposed site plan). The CEPC has confirmed that there is no plan to reallocate the lost spaces.

Therefore, the parking provision for Chester Gate & Chester Terrace residents will be reduced from 12 parking spaces to 4 or 5 if planning consent is granted, which is a loss of 7 or 8 permit holder spaces to existing residents.

The applicant's letter (page 4) goes on to state that the planning application complies with Policy DP18 of the Development Policies but omits to consider Policy DP19 on 'Managing the impact on parking', which requires that the removal of parking spaces should not "cause difficulties for existing users, [including] nearby residents".

The loss of permit holder space evidently will cause considerable difficulty for existing residents of Chester Gate, Cambridge Terrace Mews & Chester Terrace. The applicant's transport statement relies on parking data compiled while the hoarding has been in place for the redevelopment of 6-10 Cambridge Terrace, during which the available parking spaces on Chester Gate have been limited to 4 or 5 spaces and so the data relating to "unoccupied spaces" is misleading and irrelevant.

2. HERITAGE CLAIMS

The historic reinstatement justification by the applicant is not accurate. There was no garden in Chester Gate in the lifetime of John Nash. Additionally there were no cars or lorries or vans in existence in the Nineteenth Century. The reinstatement argument is thus fundamentally flawed.

Please see attached *the expert report from Dr Geoffrey Tyack*.

3. PERSONAL GAIN

This is only one person who will benefit personally & financially from these 2 planning applications, at the expense & inconvenience of many thousands of people.

There is no public benefit to the community by the creation of a private garden & reducing a public highway to a single lane.

Yours sincerely

Francesca Cordeiro

Encl:

- *MOTION report*
- *Expert opinion from Dr Geoffrey Tyack*

Site: Chester Gate Gardens
Prepared by: Peter Sturgeon
Status: Final
Date: 08/06/2016

1.0 Introduction

- 1.1 Motion has been appointed by the Chester Terrace Residents Association to undertake a review of the March 2016 Transport Statement prepared by Caneparo Associates in relation to the proposal to create a garden to the immediate north of 6 – 10 Cambridge Terrace.
- 1.2 Chester Gate is a single carriageway one way road that passes from Albany Street in the east to Outer Circle in the west. The proposals result in the reconfiguration of the western end of Chester Gate from two lanes to one and will require the stopping up of public highway to implement the scheme.
- 1.3 The review identified a number of issues and concerns with the latest proposals, which can be grouped under the following headings:
- ▶ Cumulative Impact;
 - ▶ Parking; and
 - ▶ Vehicle Access.
- 1.4 These topics are considered in detail in the following sections of this report.

2.0 Cumulative Impact

- 2.1 Caneparo Associates Transport Statement gives consideration to the cumulative impact of Transport's for London's (TfL) Cycle Superhighway 11 (CS11) and High Speed Rail 2 (HS2).

Cycle Superhighway 11

- 2.2 The proposed route for CS11 passes between Swiss Cottage and the West End, via Regents Park around Outer Circle, the outer ring road around the park. The proposals seek to reduce the volume and speed of traffic around the park by restricting access for motor vehicles at four gates to between 11:00 and 15:00, seven days a week. TfL's consultation documentation forecasts increases in traffic at other points on the network but does not mention traffic conditions on Chester Gate. Caneparo Associates Transport Statement comments that;

"There is no indication that traffic on Chester Gate will increase, rather, it would be reasonable to assume it will decrease as it contributes towards what TfL believes will be "a significantly lower volume of traffic in the park.""

- 2.3 As such, the Caneparo Associates Transport Statement concludes that no assessment of cumulative impact of CS11 and the proposed garden development is necessary. However, whilst no reference is made to traffic conditions on Chester Gate by TfL, it is stated that;

"The modelling suggests traffic reassigns onto roads to the east of the park rather than to the west. However, traffic flows through Hanover Gate would increase due to access restrictions at other gates."

- 2.4 Hanover Gate is located on the west side of the park and traffic can pass from Chester Gate in the east to Hanover Gate via the northern and southern parts of Outer Circle. The proposals for CS11 will not change the ability of motorists to use this route and, given that TfL predicts the traffic flows on Hanover Gate will increase, it is considered that traffic flows on Chester Gate would materially increase.

High Speed Rail 2

- 2.5 Albany Street, which provides access to Chester Gate from the east, is proposed to be used as a construction route for HS2 traffic. Phase one HS2 works (between London and the West Midlands) would take place over a period of approximately 8 years, with train services currently anticipated to commence operation in 2026. Temporary and permanent road closures are proposed, which will affect roads within the Borough and Camden Council predicts that the junction of Albany Street with Robert Street, approximately 100 metres north of Chester Gate, could experience a significant increase in delay. Given this potential delay, it is likely that Chester Gate will see increases in traffic as a result of motorists avoiding the Albany Street/Robert Street junction by using Regent's Park Outer Circle to travel north to Gloucester Gate.
- 2.6 Caneparo Associates Transport Statement states that;
- "Although there is construction traffic impacts associated with implementing HS2 on a temporary basis which would affect highway conditions in the surrounding area, there are no evident long term cumulative impacts that would be affected by this planning application proposal. It is therefore not considered that HS2 is a material consideration in determining this application."*
- 2.7 Given potential increases in traffic on Chester Gate as a result of HS2 and CS11, it is considered that severe congestion could occur on Chester Gate for a number of years. It is not considered that Caneparo Associates Transport Statement provides adequate consideration of the cumulative impact of these schemes and the proposed garden development.

3.0 Parking

- 3.1 The creation of the proposed garden and the reduction in width of Chester Gate results in the loss of 8 out of 12 on street permit holder parking spaces. Parking permits are issued by the Highway Authority, the Crown Estates Paving Commission (CEPC), to local residents. In mitigation, Caneparo Associates Transport Statement includes a proposal to provide an additional parking space on the northern side of Chester Gate, on the approach to Outer Circle, resulting in 5 spaces being provided on this section of carriageway. Caneparo Associates Transport Statement also notes that a further 2 spaces would be made available by the applicant to the rear of 1 – 2 Chester Gate, within Cambridge Terrace Mews. It is proposed that these 7 spaces would be available for use by the 7 permit holders who are currently able to park on Chester Gate.
- 3.2 Plans showing the existing and proposed highway layout show the parking provision on the northern side of Chester Gate, on the approach to Outer Circle, increasing from one to two bays. However, the bay that was located in this area has now been removed, presumably at the time that the construction hoarding around 6 – 10 Cambridge Terrace was erected. This hoarding extends into the carriageway on Chester Gate and also reduces the available parking on the southern side of the road.
- 3.3 At present, with the hoarding in place, the western end of Chester Gate still accommodates two lanes at the stop line at the junction with Outer Circle. If the parking bay previously provided on the northern side of the road has been removed because of carriageway narrowing to accommodate the hoarding, it is questionable whether the highway authority would reinstate it, and provide an additional bay in this location, if the carriageway width were permanently reduced to accommodate the proposed garden.
- 3.4 With regard to parking within Cambridge Terrace Mews, the CEPC has advised the Residents Association that there will be no additional CEPC parking spaces created in Cambridge Terrace Mews and that Chester Gate residents would not be provided with permits to park in the Mews in any case.
- 3.5 Given that there is also doubt on the ability to provide parking spaces on the northern side of Chester Gate on the approach to Outer Circle, it is clear that the development proposals do not provide the 7 resident permit holders that can currently park on Chester Gate a suitable arrangement to continue to park close to their homes. The proposals will therefore not only effect residents of Chester Gate, who will no longer be able to park in close proximity to their homes, but also other local residents who use Chester Gate to park their vehicles. In addition these residents would all experience an increase in demand for on street parking in their areas.

4.0 Vehicle Access

- 4.1 Swept path analysis has been submitted as a part of Caneparo Associates Transport Statement to demonstrate that a 9 metre refuse vehicle and Fire Tender can manoeuvre along Chester Gate with the proposed highway arrangement in place. A copy of this analysis is attached at **Appendix A** for reference. The swept path analysis shows that space around these vehicles when manoeuvring is very limited, with negligible clearance past footways, where in reality, there would be a likelihood that vehicles could overhang the footway when manoeuvring, resulting in potential for conflict and arising safety issues with pedestrians.
- 4.2 The plans provided do not show parked cars, so it is not possible to ascertain what clearance there would be between large vehicles and parked cars, however, it appears that any clearance would be very limited.
- 4.3 Caneparo Associates Transport Statement includes a Road Safety Audit undertaken by M B Projects Limited. The audit comments on the potential for parked cars to obstruct the swept path of large vehicles, the relevant text from the audit is reproduced below.

"Two gaps in the parking restrictions on the north side of Chester Gate are shown to be retained, although now with the reduced road width vehicles parked in these locations could partly obstruct the through movement of large vehicles."

- 4.4 The Designer's Response comments that;

"It is acknowledged that vehicles parked in the on-street bays on the north side of Chester Gate would reduce the effective width of the carriageway for passing vehicles. However, a swept path analysis (refer to Transport Statement) has demonstrated that larger vehicles such as a refuse vehicle would still be capable of passing cars at the locations in question."
- 4.5 As noted, the swept path analysis in Caneparo Associates Transport Statement does not show parked cars and therefore it has not been demonstrated that cars would not obstruct large vehicles. Any analysis should also consider whether a large vehicle could pass another large vehicle stopped on Chester Gate delivering to properties in the area.
- 4.6 The Caneparo Associates Transport Statement includes the results of an Automatic Traffic Count (ATC), which provides a count of all vehicle movements on Chester Gate over the course of a week. Whilst signage at the entrance to Chester Gate advises that *"No trade or business vehicles except permit holders, taxis and for access to premises"*, the ATC data shows that a significant number of commercial vehicles use Chester Gate, with 635 two axle trucks or buses entering the street over the course of the week, 34 three or four axle rigid HGVs and 29 articulated vehicles, including 11 six axle combinations. These articulated vehicles and some of the rigid HGVs will be both longer and wider than the refuse vehicle and fire tender used in the submitted swept path analysis.
- 4.7 Whilst some of these vehicles may legitimately be accessing properties located off Chester Gate, it is likely that many are not and are accessing the street in contravention of the posted signage. However, as access by these vehicles does take place, consideration needs to be given to whether these vehicles will safely be able to negotiate their way along the street in future to ensure that the proposals would not result in the street becoming blocked or compromise the safety of existing road users and pedestrians.

5.0 Summary and Conclusion

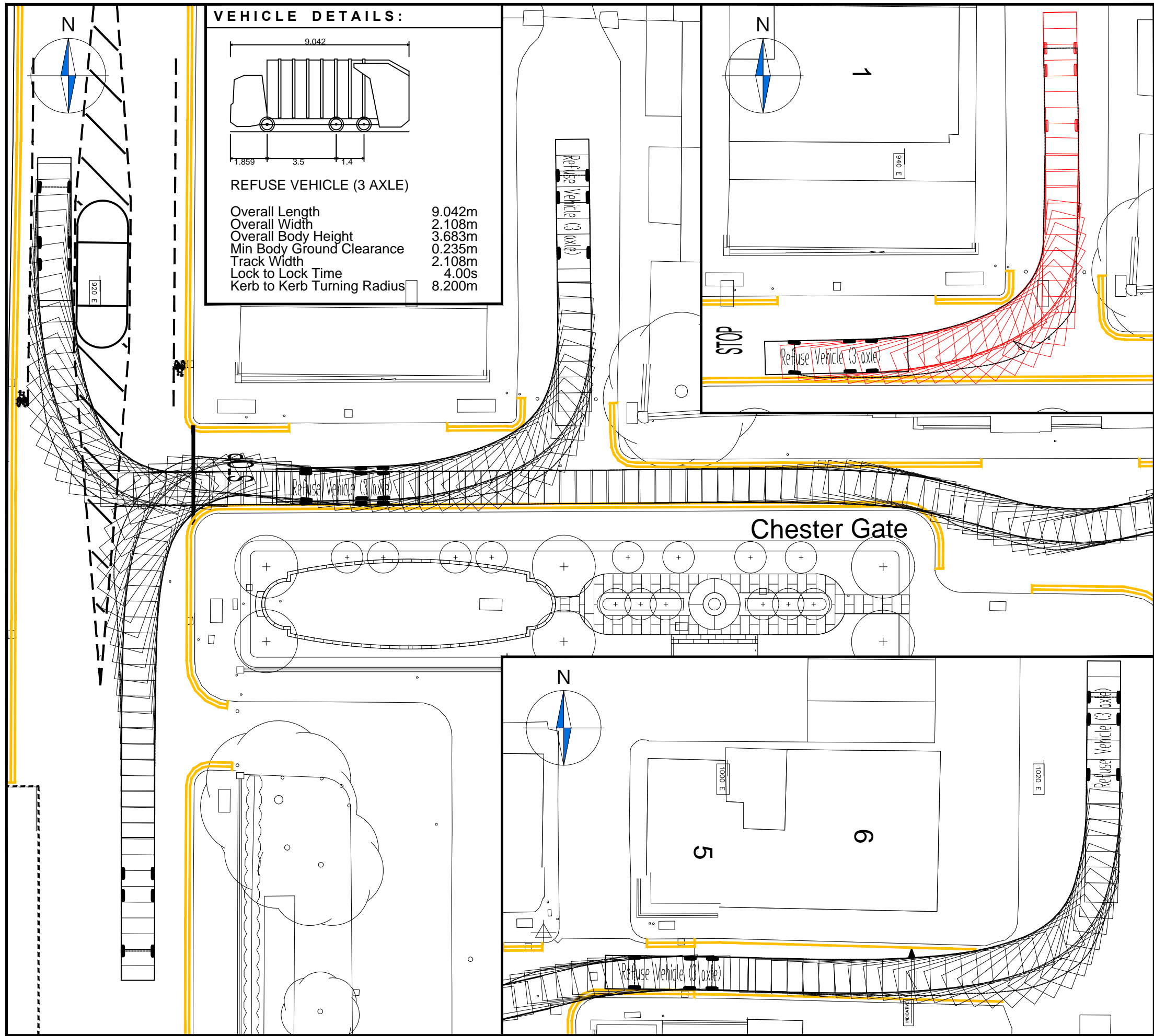
- 5.1 The note provides a review of the March 2016 Transport Statement produced by Caneparo Associates in connection with the proposal to create a garden on public highway land on Chester Gate, in the London Borough of Camden.

5.2 In summary it is considered that;

- ▶ The development proposals will reduce the carriageway width of Chester Gate and reduce the capacity of the junction with Outer Circle;
- ▶ Caneparo Associates' Transport Statement does not adequately assess the cumulative effect of the proposed development, CS11 and HS2 and no traffic modelling has been undertaken to account for these schemes;
- ▶ The proposals result in the loss of existing on street parking and do not provide suitable mitigation, to the detriment of the amenity of residents on Chester Gate and the adjoining terraces and mews; and
- ▶ Swept path analysis undertaken does not demonstrate that the proposed highway layout of Chester Gate can safely accommodate all vehicles that currently access the street.

5.3 It is therefore concluded that it has not been demonstrated that the development proposals would not result in severe cumulative impact on traffic and other factors discussed above and as such, the proposals are not considered to comply with national planning policy.

Appendix A



NOTES

- 1. Do not scale from this drawing.
- 2. This drawing to be read & printed in colour.
- 3. This drawing is for illustrative purposes only.

KEY:

	FORWARD MOVEMENTS ARE SHOWN IN BLACK (design speed for all forward movements - 5kph)
	REVERSE MOVEMENTS ARE SHOWN IN RED (design speed for all reverse movements - 2.5kph)

Rev	Details	REVISION HISTORY			Drawn	Checked	Date
Status:							
<input type="checkbox"/>	Preliminary	<input type="checkbox"/>	For Approval	<input type="checkbox"/>	For Construction		
<input checked="" type="checkbox"/>	For Information	<input type="checkbox"/>	For Tender	<input type="checkbox"/>	As Built		

Client: -

Project:

Chester Gate Garden

Drawing Title:

Swept Path Analysis Using a 9m Refuse Vehicle - Proposed

Scale:	250	Size:	A3
Drawn by:	MW	Checked by:	GS
		Date:	09.03.16

CANEPARO ASSOCIATES
Transport Planning & Highway Design
131-151 Great Titchfield Street • London • W1W 5BB • Tel. 020 3542 4840

Scheme Ref:	Drawing No:	Sheet :	Rev:
2031	TR001	1 of 1	.

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Planning Application No. 2016/1479/P

To whom it may concern:

I have been asked to comment on the potential impact of the proposed new garden in Chester Gate on the character and appearance of the surrounding Conservation Area.

Chester Gate (originally called Cambridge Place) separates two of the terraces built to the designs of John Nash on the eastern side of Regent's Park in the 1820s: Chester Terrace (1825) and Cambridge Terrace (1824-5). The street gives access to the Park from Albany Street, the service road running behind the terraces along the perimeter of the park which separated the terraces from the market and artisan area designed by Nash to the south of Cumberland Basin. The entrance from Albany Street is narrow – 5.25m from kerb to kerb – but it broadens out at its western end to provide a vista of the Park, creating a sense of release from plain brick terraces of Albany Street and supplying a first vision of the arcadian landscape that has captivated Londoners and visitors ever since it was created. The narrowing of this route at its western end, as envisaged in this application, would destroy this sense of release, while at the same time significantly encroaching on public space.

The proposals under consideration claim to reinstate 'a private garden designed by John Nash'. As I and others have already pointed out, this is a distortion of the true history of the site. A letter by Nash dated 30 June 1825 (National Archives, Cres 2/700) mentions the intention to plant the ground at the western end of Chester Gate 'with a thick plantation', and a plan by him of Cambridge Terrace and its surroundings, dated 30 June 1825 (National Archives, MPI 1/585/2), shows the ground with the words 'intended as a plantation'. The builder of the Terrace, Richard Mott, undertook on 7 February 1826 to lay out the site, and another to the south of the Terrace, with a 'Shrubbery, lawn, Ornamental Garden & Pleasure Ground' for the occupants of the end houses (National Archives, Cres 2/700). But there is no evidence that Nash designed these gardens himself, or that a detailed design was ever prepared, and the first views of the terraces, in James Elmes, *Metropolitan Improvements* (1829) and in Richard Morris's panorama of the Park and terraces, published by Rudolph Ackermann in 1831 (see Geoffrey Tyack, *Two Early Panoramas of the Regent's Park*, London Topographical Society, 2015, pp. 26-7), make it clear that the garden at the western end of Chester Gate was not created in Nash's lifetime.

A garden on the part of the site proposed had indeed been created by 1875, when the first edition of the 25 inch to the mile Ordnance Survey map was prepared, and is shown in an undated stereoscopic late 19th-century photograph reproduced by the proponents of the scheme under consideration. A 'block plan of the Chester Gate area about 1870', based on the Ordnance Survey map, was later drawn by Michael Mansbridge and included in his *John Nash, a Complete Catalogue* (1991), p. 270, but he was incorrect in implying (p. 271) that the garden was designed by Nash. It had in any case been removed by the time of the next (1895) Ordnance Survey map of the area.

What is being proposed now is not a reinstatement of a garden designed by John Nash, or even of the Victorian garden indicated in the 1875 Ordnance Survey map – which was significantly narrower than the garden now proposed – but the creation of a new private garden through the appropriation of space that has been within the public domain for all but a few of the past 190 years. Far from enhancing the appearance of Chester and Cambridge Terraces, and the eastern side of Regents Park, it would detract from it by imposing a spurious version of a garden that never existed on a historic and much-valued urban landscape that has been preserved and maintained over many generations by the Crown Estate and by the occupiers of the houses. Taken together, Regent's Park, together with its terraces, represents one of the greatest achievements of English town planning – the forerunner of urban parks and their surrounding environment throughout the world – and interference with the external appearance of the terraces and their immediate surroundings should be kept at an absolute minimum. On the grounds both of conservation and public amenity I therefore urge the rejection of these proposals in the strongest terms.

Dr Geoffrey Tyack, FSA, FRHistS,
Fellow of Kellogg College, Oxford.