

**Matter 2: Parking Standards
Responses to Questions****Just Space (P107)****a. Do the Mayor's proposed alterations (with regard to Parking Standards) appropriately reflect the national advice referred to in the introductory paragraph?**

In respect of the Written Ministerial Statement of 25th March 2015, in particular, that "LPAs should only impose local parking standards... where there is clear and compelling justification that it is necessary to manage the local road network", Just Space comments as follows. At the EiP for the Further Alterations to the London Plan (FALP), Session 8 on Transport, Thursday 11 September 2014, Transport for London officer, Lucinda Turner, spoke as part of the Mayoral team, towards the concluding/summing up end of the session making these points on the Inspector's question and round table debate on Question 8e, "Are the standards for car parking spaces justified, supported by evidence and appropriate for the whole of London". She reasserted that the existing London Plan Policy 6.13 had sufficient flexibility to deal with 'low PTAL' areas; that transport planning – having earlier referenced that the London Plan and Mayoral Transport Strategy would be reviewed together – will bring forward improved accessibility*; that whilst Outer London experienced office and retail competition (from locations beyond the GLA boundary with their more 'generous' parking standards), this was less pronounced for residential development; that there was a need to consider network impact having calculated that more generous parking standards for Outer London would generate unacceptable and unmanageable impacts, such as increased congestion, unreliability, travel time etc. and that this would not just impact locally but adversely impact the strategic network, adding that, in Inner London, 40% of those who drive to work come from Outer London; and that there was a clear relationship between more parking, more cars and more car trips. She also cited the Traffic Management Act 2004 (<http://www.legislation.gov.uk/ukpga/2004/18/contents>), and its Section 16 'network management duty' and the responsibilities that came with it to ensure the expeditious movement of traffic, more efficient use of the network, avoidance...of road congestion... .[See note at end of submission repeating Section 16].

A year ago the expert witness for the Mayor argued strongly against relaxing Outer London parking standards because of expected additional traffic generation adding significantly to traffic congestion so adversely impacting the network. These relaxations are now being sought despite this recent testimony with its clear and compelling justification that the present parking standards are necessary to manage the local road network. The Written Ministerial Statement of 25th March 2015 is not being followed in this respect.

That being said, Just Space has concerns over the status of the Written Ministerial Statement given in the wide ranging judgment of Holgate J

in R (oao West Berkshire District Council and Reading Borough Council v. Secretary of State for Communities and Local Government) [2015] EWHC 2222 (Admin) handed down on 31 July. The High Court accepted a declaration that the policies in the Ministerial Statement concerned (namely, affordable housing contributions... for housing proposals for ten dwellings or fewer) must not be treated as a material consideration in development management and development plan procedures and decisions or in the exercise of powers and duties under the Planning Acts more generally. Just Space, as a community-led network of community groups, does not have access to legal resources that could clarify the consequences of this judgement for other Ministerial Statements, but believes the extent of what constitutes national policy in respect of parking should be clear and unambiguous to all parties at the EiP. This is particularly so since the debate has been framed by the Inspector's introductory 'background' which includes a reference to the Written Ministerial Statement of 25th March 2015.

*'accessibility' in this context may be more appropriately read as 'connectivity' – see comments below on PTAL.

b. Has the Mayor achieved the correct balance between car parking provision and sustainable means of movement?

NPPF paragraph 29 unequivocally places the balance in favour of sustainable transport modes. As revealed in the response to Question a above, expert testimony was made a year ago that there is a clear relationship between parking, more cars and more car trips. This would be contrary to the trend revealed at the Technical Seminar of decline in car person trips from 9.6million in 2011 (as shown in the slide show – slide "High Level Modelling of Traffic Impacts-Context") to 9.4million in 2013 (as shown on only some of the circulated print outs of the slides). This decline achieved through the promotion of sustainable transport modes is predicted to be reversed with 9.7million car person trips by 2031 as a result of the proposed alterations.

Existing London Plan policy and supporting text is consistent with national policy and, with the principle of general conformity, LPAs can use the present flexibility with justifications to respond to local circumstances.

Just Space wants all the proposed alterations on parking to be struck out as there is no merit to their advancement by the Mayor and there is sufficient flexibility in the development plan.

c. Is the evidence in the Integrated Impact Assessment Report on Parking Standards (IIA) sufficiently robust? Are any of the minor negative impacts referred to in the IIA of significance in the overall balance of issues?

Just Space has previously addressed aspects of this question. For the sake of convenience to readers, to have in one place, that part of Just Space's representations on the MALP consultation is repeated here below. The Supreme Court judgement found that the Government is in breach of Article 13 of the EU Air Quality Directive R (on the application of ClientEarth) (Appellant) v Secretary of State for the Environment, Food and Rural Affairs (Respondent) [2015] UKSC 28 On appeal from [2012] EWCA Civ 897 <https://www.supremecourt.uk/cases/uksc-2012-0179.html> . There is no discretion or leeway in this matter and Just Space contends that any negative impacts on the consequences for air quality by the proposed parking alterations are not acceptable given this judgement. No further modelling or assessment has been undertaken by the London Plan team since this judgement to ascertain the bearing that this judgement has on the proposed alterations.

Response to consultation: `The Integrated Impact Assessment (IIA) for MALP reveals trends that are likely to result which are contrary to the general direction that London through its Plan should be progressing. Namely, that there will be additional car journeys and less walking and cycling to an uncertain extent with minor negative effects on, among other matters, health & wellbeing, flood risk, climate change adaptation & mitigation and air quality.

It is pertinent to note that this may be an under reporting of the impact. During the scrutinising of the Further Alterations to the London Plan (FALP), the policy change to allow a more `flexible approach` to be taken with respect to car parking in Outer London was assessed by the FALP IIA.

The conclusion was that it would have a `minor negative effect` on air quality, being likely to encourage travel by private petrol & diesel vehicles and that, in turn, traffic emissions will increase (p46). This was duly reported.

When further investigation was made it was found that Appendix D of the FALP IIA -with its Table D1 Key Challenges for Health and Wellbeing in London - derived from a report `Fair London, Healthy London?` which had a fuller assessment on the transport policy changes.. It concluded that `It is not clear that the changes to the above policies are wholly supportive of health and wellbeing. Indeed, there may be **adverse effects** on health`. MALP's IIA omits to drill down to the same level of detail and does not reveal the adverse impacts that the proposals in the draft MALP would be likely to generate.

Further on air quality is the need to review the implications of the recent Supreme Court case. This found public bodies need policies and procedures that will meet EU standards on air quality in a shorter time period and new policies should be produced by the end of the year. However, the alterations to the parking standards would seem to head in the opposite direction - they will lead to more cars, emissions will rise and air quality worsen, thereby increasing the time period before

compliance with the EU standards is achieved.

In a nutshell, the alterations imply a relaxation of sustainable transport targets when what is really needed is alterations that improve the availability and accessibility of public transport in outer London.

d. Is the reliance on the public transport accessibility levels (PTALS) justified?

Circa April 2015 Transport for London (TfL) announced that PTAL stands for Public Transport Access Level and that 'connectivity' is preferred to the use of 'accessibility' as this can be confused with accessibility for users of different needs. This is set out here:

<https://tfl.gov.uk/info-for/urban-planning-and-construction/transport-assessment-guide/transport-assessment-inputs/accessibility-analysis> . This website page explains that information on how PTAL is calculated and presented is in TfL's full connectivity assessment guide, available on the [Planning with WebCAT page](https://tfl.gov.uk/info-for/urban-planning-and-construction/planning-with-webcat) or <https://tfl.gov.uk/info-for/urban-planning-and-construction/planning-with-webcat> . This webpage has a link to the 'Transport connectivity assessment guide', a document which is published entitled 'Assessing transport connectivity in London' TfL April 2015. On print page 10 it observes that:

"PTAL values are based on the frequency of services during the morning weekday peak, which is useful in indicating the overall level of service. In some cases, for example around a shopping centre, it may be helpful to look at the level of connectivity at other times of the day or during the weekend. Issues such as station and train capacity, reliability, services to new destinations and step-free access are not part of the PTAL measure, but they remain important issues for the broader assessment."

Just Space quotes this to draw attention to some of PTAL's limitations and that there are qualifications and cautions that should accompany reliance on the use of PTALs. For example, there is a discrepancy between the London Plan's Glossary Definition stating that reliability is reflected whereas the technical guide states that reliability is not part of the PTAL measure. Walking from origin to destination and cycling are also not part of the PTAL measure, but these are important and growing sustainable modes of travel promoted through national planning policy, Mayoral and local policy and programmes.

e. Is the proposed addition to policy 6.13 C sufficiently robust – what is meant by 'generally' in relation to PTALs 0-1? Should other PTAL levels fall within the definition of a 'low' PTAL?

'Generally' is also used in alteration Policy 6.13Ee. This proposed new part to Policy 6.13 is not clearly set out using a criteria based approach

as presently used by Policy 6.13Ed. The use of generally coupled with the lack of criteria results in unacceptable level of ambiguity and a lack of clarity and certainty.

f. How would the 'limited parts of areas within PTAL 2' be defined (6.42j)?

Should reference also be made to appropriate parts of areas within PTAL3? Is the advice in this paragraph sufficiently robust and is it appropriate to refer to forthcoming publications in paragraph 6.42j?

Just Space contests the reference to developments being car dependent. Such developments are unlikely to be sustainable development and should not be permitted. At a recent Chartered Institution of Highways and Transportation Conference, UCL, 24 September 2015, Professor Peter Jones, UCL and Kris Beuret OBE of Social Research Associates Ltd reviewed national trends in travel and changing patterns of demand. Their research reveals that people are 'attached' (for reasons of sentiment, affection, habit, hobby, status) to their cars rather than dependent on them for travel, and that the younger generations are not taking up driving or car ownership to the same extent as middle aged/older generations. Attitudes are changing and there is evidence that past policy initiatives have influenced this change in attitudes. The proposed alterations would be contrary to this change.

Referring to Parts of PTAL 2 in the supporting text rather than in the Policy Box compounds the ambiguity and lack of clarity and certainty that follows on from the use of 'generally' and absence of criteria as explained above for question e. It constitutes the making of policy outside of the Policy Box.

Dependence on forthcoming publications is at the least problematical because of the uncertainty that comes with this. But in the case of the draft Housing SPG this has already proved to be a mistaken approach because of its errors. A member organisation of Just Space made these comments on the car parking sections of the draft when it was out for public consultation.

"Car Parking: Design Standard 3.3.1: before para 2.3.12: This refers on to Annex 3 (which misquotes Policy 6.13). Within 3.3.1 there is a misquote of Table 6.2 of the London Plan 2015 as published. The London Plan says in the Notes to Table 6.2 "All developments in areas of good public transport accessibility should aim for significantly less than 1 space per unit", whereas the draft SPG says "no more than one space per dwelling". Whilst on this matter, it is a matter of regret that the proposed alteration in the draft FALP January 2014 which added "...and towards zero/car-free in the areas of highest accessibility" was never incorporated into London Plan as published March 2015.

Annex 3 Car Parking Provision Guidance: Para A3 on Policy 6.13C quotes London Plan 2011/REMA 2013 version and not the

current London Plan 2015 (FALP). To misquote current Policy is a serious error for guidance and undermines the credibility of the document. Para A5 refers to the London Plan Table 6.2 as having a footnote that this "SPG will include a table setting out a matrix of residential parking standards that reflect PTAL levels". The published London Plan 2015 does not have this footnote. Para A5 goes on to say "that 2 complementary illustrations... set out below". It does not do this. But this is probably because para A5 is referring to the "illustrations" that appear on p269 of the London Plan 2015. If so, then furthermore the London Plan does not state that these matrices are only indicative, but that they are "standards". Given these apparent errors in conveying what exactly appears in the current London Plan, this Annex should be rewritten in order that sense can be made of it. "

- g. Is the reference to 'minima' in paragraph 6.42i justified? How would 'higher levels of provision' be determined?**
- h. How would decision-makers assess how much weight to place on 'the extent to which public transport might be provided in the future' (paragraph 6.42k)?**
- i. How would CPZs contribute to reducing the potential for overspill parking and congestion and improve safety and amenity (paragraph 6.42k)?**
- j. Is there any evidence that the Mayor's approach to parking standards would lead to:**
 - (i) a negative impact on the number of new dwellings delivered;**
 - (ii) a lower quality of urban design;**
 - (iii) a decline in air quality;**
 - (iv) a reduction in physical activity levels and/or the widening of health inequalities; or**

 - (v) an increase in car ownership which may have consequences for inner London Boroughs?**

If such evidence exists, how would the Mayor address these issues?

Note to Parking Question a:

Traffic Management Act 2004 Part 2 Network management by local traffic authorities

General duties relating to network management

Section 16 The network management duty

(1) It is the duty of a local traffic authority to manage their road network with a view to achieving, so far as may be reasonably practicable having regard to their other obligations, policies and objectives, the following objectives—

(a) securing the expeditious movement of traffic on the authority's road network; and

(b) facilitating the expeditious movement of traffic on road networks for which another authority is the traffic authority.

(2) The action which the authority may take in performing that duty includes, in particular, any action which they consider will contribute to securing—

(a) the more efficient use of their road network; or

(b) the avoidance, elimination or reduction of road congestion or other disruption to the movement of traffic on their road network or a road network for which another authority is the traffic authority;

and may involve the exercise of any power to regulate or co-ordinate the uses made of any road (or part of a road) in the road network (whether or not the power was conferred on them in their capacity as a traffic authority).

(3) In this Part “network management duty”, in relation to a local traffic authority, means their duty under this section.