

UNITED KINGDOM HOLOCAUST MEMORIAL AND LEARNING CENTRE

APPLICANT RESPONSE TO TFL LETTER DATED 2 OCTOBER 2020

**CIL REGULATION 122 RESPONSE TO TFL'S REQUEST FOR £1m
TOWARDS LAMBETH BRIDGE WORKS**

& OTHER MATTERS

1. INTRODUCTION AND BACKGROUND

- 1.1 Transport for London (TfL) have been consulted as part of the application process to seek planning permission for the proposed United Kingdom Holocaust Memorial and Learning Centre (UKHMLC) to be located within Victoria Tower Gardens (VTG) in Westminster.
- 1.2 In their initial consultation response to Westminster City Council (WCC) dated 8th February 2019, TfL requested an unspecified amount of funding towards their proposed Lambeth Bridge upgrade scheme, stating *'TfL have proposals to transform Lambeth Bridge creating signalised crossroads to create a safer environment for cycling and walking. S106 contributions will be required for these works'*. Importantly the need for a contribution was not referred to or requested in the GLA Stage 1 statutory referral report of 4th March 2019 (CD5.14) despite TfL/GLA having full knowledge of the UKHMLC scheme proposals. TfL then followed up their initial consultation response to WCC with a further response on 25th September which highlighted a request for the contribution, stating *'The suggested conclusion is that the proposals don't significantly alter how pedestrians interact with Millbank and the existing infrastructure creates a healthy environment for all users. However, the increase in footfall associated with the development must be accommodated for. The Lambeth Bridge Safer Junction programme will enhance the area and a s106 contribution of £1m will be expected'*.
- 1.3 The WCC sub-committee report dated 11th February 2020 (CD5.11) refers to TfL's request for a s106 contribution of £1m towards the Lambeth Bridge TfL upgrade scheme. As far as we are aware there has been no further dialogue between WCC and TfL since the committee report in respect of the request. The fact that WCC officers did not require the contribution as an obligation for planning approval in their recommendations suggest that they did not believe the contribution was required.
- 1.4 Despite this, TfL are only now in their recent letter of 2nd October seeking to justify the £1m contribution by stating 'As it stands, TfL are of the view that the Development does not sufficiently mitigate its impact on the surrounding area. It is unacceptable for high trip attracting site, of national and international significance, in a high-profile location, to fail to mitigate the pedestrian impact and not conform with London Plan Policy 6.10 Walking and Intend to Publish London Plan Policy T2. The letter goes on to suggest in its justification that the reduction in the Healthy Streets score caused by the additional footfall visiting the UKHMLC would be deemed unacceptable without the Lambeth Bridge TfL scheme, 'which would make it acceptable'. This claim has not been previously made in earlier TfL correspondence, the GLA Stage 1 report (CD5.14) or the WCC committee report and does seem opportunistic given the timing at this stage of proceedings.

- 1.5 From a technical and planning policy perspective it is considered that it is not necessary, appropriate or proportionate in accordance with CIL Regulations (as amended 2020) for this contribution to be made as part of the UKHMLC scheme. The reasons for this are set out in more detail in this statement by reference to both technical and planning matters.
- 1.6 It should be noted that TfL's letter of 2nd October makes reference to a number of other issues in relation to highway operation and coach management, and concludes that these are already satisfactorily resolved through planning conditions, with the majority of these discussed at length and agreed with TfL and WCC during pre and post application discussions around the Transport Assessment (TA) (CD6.40).

2. TfL LAMBETH BRIDGE PROPOSALS

- 2.1 TfL have been consulting for a number of years, since 2012, on a proposed scheme to modify the junctions at either end of Lambeth Bridge. All documents are included on the TfL website, most recently the consultation report (March 2020). At the northern end it is proposed to convert the existing roundabout at the intersection of Horseferry Road / Millbank / Lambeth Bridge into a signal controlled intersection. Certain turning movements would be restricted to various categories of vehicle. The scheme has been put forward as a cycle safety scheme to provide capacity and safety to cycle journeys together with improved crossing facilities through signalisation of the two roundabouts. In any event the scheme was put forward before the UKHMLC proposals to provide wider strategic improvements for cyclists and not to mitigate the UKHMLC proposal. It has never been related to the UKHMLC.
- 2.2 We have been seeking an update from TfL on the status of the Lambeth Bridge scheme which has not progressed very far in the last few years and has recently been paused for a number of months while TfL addresses its chronic funding issues. As we understand the situation, their portfolio of Healthy Streets schemes is now subject to financial support from government through the Comprehensive Spending Review and there is no clear time frame for commitment or delivery of the scheme.
- 2.3 In terms of the vehicle movements of greatest relevance to the UKHMLC transport strategy, the TfL proposals will retain access for all vehicles turning left from Millbank (north) onto Lambeth Bridge and also proceeding straight ahead from Millbank (north) to Millbank (south). The Lambeth Bridge scheme will not therefore benefit the UKMLC or mitigate any vehicular transport impacts in respect of vehicular movements, since the vehicle movements of greatest relevance to the UKHMLC are accommodated by the existing junction.

3. UKHMLC TRANSPORT IMPACTS

- 3.1 The assessment in the TA was based on the "worst-case" scenario that the site would attract an estimated one million visitors a year to either view the memorial from the outside or to pay to enter the UKHMLC. The majority of visitors to the UKHMLC would arrive and depart on foot, and the majority would also approach from the north i.e. from the direction of Parliament Square and not from the direction of London Bridge, since this is the site of the closest Underground station (Westminster) and several other tourist attractions which people may choose to visit as part of the same trip. These impacts have been robustly assessed in the TA and have previously been accepted by TfL and WCC officers, subject to planning conditions and s106 obligations.

4. GENERAL ARRIVALS AT THE UKHMLC AND PEDESTRIAN DEMAND

- 4.1 The vast majority of general admission visitors will reach the Westminster area using public transport, and then access VTG on foot. No car parking is being provided as part of the scheme, and the only visitors expected to arrive by car are blue badge

holders. On the busiest day it is projected that 31 visitors would arrive by car and a further 6 by taxi.

- 4.2 Visitors arriving by car are likely to park or be dropped off along the side streets to the west of Millbank where a number of blue badge parking bays are present, or alternatively along Millbank if arriving by taxi. Visitors arriving by car or taxi may also be visiting other destinations in central London and thus may not need to cross the Horseferry Road / Millbank / Lambeth Bridge junction; or, if so, only in one direction i.e. not on both inbound and outbound journeys. A robust assumption would therefore be that the proposed development would generate up to 37 additional car movements across the junction on the busiest day. This also assumes that one vehicle carries one visitor whereas, in reality, rides are likely to be shared and so a smaller number of vehicle trips are required to carry those visitor numbers. Therefore, impacts on the junction due to vehicular traffic will be negligible.
- 4.3 The UKHMLC does not reduce any footway widths, but is expected to lead to increased footfall along certain sections of footway, notably along the eastern side of Abingdon north of VTG Gate 1 as well as alongside the coach drop-off / pick-up location on Millbank. Mitigation measures have been discussed including a small modification to the HVM barrier outside Gate 1 to relieve a potential pinch-point. No pedestrian congestion issues have been identified in the vicinity of Lambeth Bridge.
- 4.4 The vast majority of pedestrians are expected to approach the UKHMLC from the direction of Parliament Square and would therefore not walk across or around the Horseferry Road / Millbank / Lambeth Bridge junction. A small proportion of casual visitors might choose to combine with their visit with another nearby attraction to the south (for example, the Tate Britain). The Transport Assessment (paragraph 8.5.25) assumed that all of the ticketed visitors would arrive and depart via VTG Gate 1, and in addition assumed that 90% of additional visitors (i.e. those entering VTG but not entering the Memorial) would arrive and depart via VTG Gate 1. This assumption was accepted by TfL.
- 4.5 A robust assessment would therefore be that 10% of the additional visitors might arrive or depart from the south, and thus walk across or around the Horseferry Road / Millbank / Lambeth Bridge junction. A weekday pedestrian count of existing usage recorded 4,698 pedestrian movements across the Lambeth Bridge arm and 3,432 pedestrian movements across the Millbank (north) arm. On the very busiest days, an additional 1,340 pedestrian movements would be generated across or around the junction. The Transport Assessment (paragraph 9.2.9) sets out additional assumptions made regarding the directional distribution of these pedestrians, including those who would walk across the northern footway of Lambeth Bridge and thus not use the crossings. The impact of the additional footfall generated by UKHMLC on any of the crossings at the junction would be small. It is further noted that UKHMLC visitors would be predominantly concentrated in the middle hours of the day, meaning that there would be a negligible increase in additional footfall during peak hours for vehicular traffic using the junction.
- 4.6 We have calculated the busiest day ('worst case') for UKHMLC by taking the highest estimate for the total number of additional visitors (6,700 people) who view the Memorial from inside the park without a ticket. Existing footfall at the junction is highest on weekdays and so the assessment considers a weekday as opposed to weekends. It should be noted that the numbers of daily visitors without tickets will vary significantly across the year. This assessment considers a day with the greatest number of visitors (6,700), which might be during school holidays and with favourable weather. Outside of holiday periods and/or on days with poor weather, the number of people without tickets walking to view the Memorial from the outside will be considerably lower, and consequently the % increase in footfall across the Lambeth Bridge junction arms will be considerably lower. This is seen as particularly robust because we have taken the upper end of a potential wide range of daily visitors, and

as such the pedestrian demand from the UKHMLC will be much lower on the majority of days.

- 4.7 It can be seen that the pavements are notably large/wide on the corner of Lambeth Bridge and Millbank (north) and able to cope comfortably with the additional demand. Many pedestrians would walk around the northeastern corner of the junction in order to walk across Lambeth Bridge without placing any additional demand on the crossings. The assessment has also taken a robust approach with regard to the distribution of pedestrians across the different arms of the junction. For example, all pedestrians walking to and from Millbank (south) would walk across the Lambeth Bridge arm as opposed to being split evenly across the western and eastern sides of the road.
- 4.8 Once all of the above factors are taken into account, it can be seen that the pedestrian demand generated by the UKHMLC would have a negligible impact on the performance of the Horseferry Road / Millbank / Lambeth Bridge junction.

5. GENERAL CYCLING DEMAND

- 5.1 The projected number of visitors approaching the site by bicycle is expected to be negligible (3 per day). This figure is based on surveys held within the TRICS database, an industry recognised survey and measure of future impacts based on specific land uses. The impact of the UKHMLC on the volume of bicycles using the surrounding network, including Lambeth Bridge and its associated junctions, would therefore be negligible.

6. HEALTHY STREETS ASSESSMENT

- 6.1 TfL has referenced the Healthy Streets assessment which was prepared in the TA which identifies that there is a reduction in the Healthy Streets scores for a number of categories in some areas. Whilst this is acknowledged, it does not in itself mean that the UKHMLC should be considered unacceptable or contrary to policy, as the Healthy Streets assessment is best practice rather than an assessment of appropriateness or acceptability, and therefore not material in the assessment of development impact. In fact, TfL accepted the results of the Healthy Streets Assessment (see page 74 of the WCC sub-committee report).
- 6.2 It is our view that the results can be explained principally by an increase in kerbside activity on Millbank adjacent to VTG, with related potential impacts on cyclists along this section of Millbank in the absence of any mitigation. However, the TA and Travel Plan have already set out the mitigation for such potential negative effects, including selecting kerbside arrangements which impose tight restrictions on stopping duration, thereby maximising the amount of time when the full width of the carriageway is available for cyclists.
- 6.3 It should be noted that the reduction in Healthy Streets scores arises principally from the kerbside drop-off and pick-up activity as opposed to the movement of coaches; indeed the uplift in vehicle movements is minimal compared to the existing flows, with two TfL bus routes generating several hundred bus movements per day past the site. Consequently the proposed development would have a negligible impact on the safety and amenity experienced by pedestrians and cyclists using the Horseferry Road / Millbank / Lambeth Bridge junction, whether in the form of the existing roundabout or the proposed signalised junction.

7. SUMMARY ACCORDANCE WITH TESTS IN REGULATION 122 OF THE COMMUNITY INFRASTRUCTURE LEVY REGULATIONS 2010

- 7.1 The tests in Regulation 122 of the CIL Regs are as follows:
- 7.1.1 Necessary to make the development acceptable in planning terms

7.1.2 Directly related to the development

7.1.3 Fairly and reasonably related in scale and kind to the development

Necessary to make the development acceptable in planning terms

7.2 The majority of visitors to the UKHMLC will come from the north of the Application Site due to the proximity to Parliament Square and Westminster Underground Station. In this regard the current pedestrian environment at Lambeth Bridge without the TfL scheme is sufficient to meet the demands of the development, as demonstrated by the TA, which demonstrates that the Millbank footway south of Gate 4 would retain a Pedestrian Comfort Level (PCL) of at least level A even during peak periods. The footways around Lambeth Bridge are wider still and consequently have even greater capacity to comfortably cater for this demand.

7.3 The TfL scheme is a cycle safety and better junction scheme and as such has been designed to provide a strategic improvement to cycling and cycle safety in London. It has not been proposed to address any specific demands resulting from the UKHMLC and as such is not required or necessary to mitigate the UKHMLC scheme.

7.4 Therefore, it cannot be said that a contribution towards it is necessary to make the development acceptable in planning terms.

Directly related to the development

7.5 The TfL Lambeth Bridge scheme is a scheme which is funded by TfL (estimated cost £14.3m) but is not yet committed and the detailed costs are not in the public domain (and subject to government funding support). The TfL scheme was initially put forward by TfL prior to the UKHMLC application being submitted. The UKHMLC is only related to the TfL scheme by virtue of its location to the north of the Lambeth Bridge scheme location, but not by any identified impacts. The UKHMLC development could be implemented and operated without negatively impacting on the highway or transport network even if the TfL scheme was not to come forward. Therefore, a contribution towards the scheme cannot be said to be directly related to the development nor indeed necessary to make the development acceptable in planning terms in addition to the points already made above.

Fairly and reasonably related in scale and kind to the development

7.6 The traffic counts within the TA identified around 6,000 daily cyclists using Millbank and the TA assessed that only 3 cyclists would visit the Application Site on a daily basis, representing 0.0005% of the total cycle demand in the area. Therefore, and leaving aside the above issues of principle which have demonstrated that the contribution is not directly related to the development nor necessary to make the development acceptable in planning terms, a contribution of £1,000,000 (i.e. 1/14 of the anticipated costs of the scheme) is not reasonably related in scale and kind to the development.

8. OTHER MATTERS - THREAT AND VULNERABILITY RISK ASSESSMENT (TVRA)

8.1 TfL has requested a full TVRA be required to be submitted through the s278 agreement and s106 agreement. We will provide a Security Management Plan, as secured in the s106 Agreement, and have prepared a confidential TVRA for some parts of the site boundary.

9. OTHER MATTERS - COACHES

9.1 TfL has suggested in their letter that coaches visiting the UKHMLC will cause a safety risk to pedestrians using the roundabout. We fundamentally disagree with this and have already agreed through a number of meetings and discussions with TfL that a

Coach Management Plan will be used to manage the arrival and departure of coaches in a safe manner and this position was accepted by TfL during earlier discussions and was accepted by WCC in the committee report. TfL has never raised the issue of any safety risk arising from coaches visiting the UKHMLC.

- 9.2 Up to 11 managed coach parties per day will visit the UKHMLC, carrying a combination of school and special interest groups. It is proposed that the road markings on the eastern (southbound) side of Millbank adjacent to VTG will be altered to provide a stretch of double yellow lines, along which coaches will be permitted to stop solely for the time required to load or unload passengers.
- 9.3 Once they have unloaded their passengers, the coaches will not be permitted to wait outside VTG and will therefore travel to a coach parking location. The Coach Parking Management Strategy, submitted as Appendix C to the Transport Assessment, identified the following convenient coach parking locations within proximity to the HMLC:
 - 9.3.1 Horseferry Road (3 bays)
 - 9.3.2 Millbank, south of Lambeth Bridge (5 bays)
 - 9.3.3 Albert Embankment (9 bays)
- 9.4 Coaches would park in a coach bay before returning to Millbank later in the day to load passengers.
- 9.5 Given that coaches must approach the UKHMLC from the north, in order to load on the eastern (southbound) side of the road, it is unlikely that coaches would travel through the Lambeth Bridge junction when going towards the UKHMLC, since it would be more convenient to approach from the north. As a robust estimate, no more than 22 coach movements per day through the Horseferry Road / Millbank / Lambeth Bridge junction would be generated by the proposed UKHMLC. This is a small number compared to several hundred TfL buses which pass through the junction each day. The additional impact on pedestrian safety of the coach movements generated by the UKHMLC is therefore negligible.

10. CONCLUSION

- 10.1 In conclusion, the proposed UKHMLC is expected to generate only a negligible increase in pedestrian, cyclist and vehicular traffic using the Horseferry Road / Millbank / Lambeth Bridge junction. Therefore, while the junction is adjacent to VTG, the UKHMLC's impact on it will be negligible at worst.
- 10.2 Therefore it is not considered reasonable, directly related in scale or appropriate, and therefore not CIL compliant for a £1 million contribution to be requested by TfL towards the Lambeth Bridge scheme.
- 10.3 The UKHMLC is not reliant on the Lambeth Bridge scheme to deliver any of the transport strategy or mitigation for potential highway impacts. Pertinently, the TfL Lambeth Bridge scheme was planned in advance of any knowledge of the UKHMLC scheme and was not developed to mitigate the UKHMLC's potential impacts but instead as a general cycle safety and capacity scheme for London which also includes pedestrian crossing facilities. These crossing facilities will be used by some UKHMLC visitors but since the majority of UKHMLC visitors will come from the north, they will not in most cases need to use the new crossing facilities to access the UKHMLC site.
- 10.4 All other issues identified in the TfL letter are already adequately addressed through the use of planning conditions and obligations in the s106 agreement, including works to be agreed within the s278 agreement which is itself to be secured in the s106 agreement.

- 10.5 Security measures are being dealt with separately, again to be secured in the s106 agreement, and adequate measures will be put in place to protect visitors to the UKHMLC.

10 November 2020