

Appendix A – Statutory Consultation responses (WCC and Thames Water)

Westminster City Council

Pending Applications
Westminster City Hall
PO Box 1
Redhill

westminster.gov.uk



Brent London Borough Council
Brent Civic Centre,
Engineers Way,
Wembley,
HA9 0FJ

John Walker
Director of Planning
Growth Planning & Housing
Please reply to: Jeffrey Perkins
Direct Line: (020) 7641 2642
Email: jperkins@westminster.gov.uk

Your ref: TO/23/024/NP
My ref: DP/HP/JRP/201707065
Date: 21 July 2017

Dear Sir,

The un-named road in Brent between Kilburn Lane and Salusbury Road, situated between 313 and 341 Kilburn Lane, London, W9 ("the un-named road")

I refer to your statutory notice dated 5 July 2017, of an order your authority proposes to make under section 247 of the Town and Country Planning Act 1990; to authorise the stopping up of the un-named Road. I have consulted the relevant groups within Westminster City Council and the Council's response is as follows:

Westminster City Council does not object to the proposed order being made. However, the Council would like to make the following comments, which are concerned with performing the duty under the Road Traffic Regulation Act 1984 to secure free flowing traffic and that of section 41 of the Highways Act 1980 not to allow a highway to become dangerous:

1. Presently the road junction of Kilburn Lane, Salusbury Road and Carton Vale as well as providing vehicular feeds between those three roads, the junction also avails a route into and out of Fernhead Road; and a dedicated carriageway directing vehicles between Salusbury Road and Fernhead Road.
2. The proposed order applies to the un-named road. Your authority proposes to control traffic movement at the junction of Kilburn Lane, Salusbury Road and Carton Vale, as an alternative to the present gyratory system, of which the un-named road is a part. My concern is that, with the extinguishment of the un-named road and not accounting for Fernhead Road in the proposed control of vehicular movement between Kilburn Lane, Salusbury Road and Carton Vale, vehicular movement into and out of Fernhead Road at this junction will be impaired, even causing congestion at times when vehicles attempt to turn from or into Fernhead Road. Kilburn Lane and Carton Vale are local distributor roads (arcs of the distributor road network) and Salusbury Road in practice would fall into that category of a vehicular route. Vehicular flow at that junction would at times of the day be a high rate of flow. That infers an importance of those roads. Attempts for vehicular ingress and egress at the Fernhead Road junction would give rise to difficult even hazardous manoeuvres at that junction; at minimum giving rise to temporary congestion into an out of Fernhead Road, that does not presently exist.
3. To avoid the difficulties in 2 above, the controlled and phased vehicular movement between Kilburn Lane, Salusbury Road and Carton Vale, as well pedestrian crossings at


that junction, must include a phase in each cycle for vehicular movement into and out of Fernhead Road.

4. I also understand that the proposed public realm space (footway) is to provide a route for vehicular servicing of the adjacent premises. I have a concern that those vehicles will need to enter and exit that space and it's probable that egress from the footway would be via Kilburn Lane. The location of the public realm footway is to be nearer to the proposed controlled junction, than the un-named road. That will cause difficulties for both vehicles proceeding in Kilburn Lane and those exiting the public realm footway. I presume that the frequency of that manoeuvre will be low, servicing a finite number of premises. But if it's for servicing then it's likely there will be a period daily when a number of vehicles make that manoeuvre. I understand that the alternative of parking remotely would be unacceptable to users and the public, but I ask that some strategy be put in place to ensure or attempt to avail a means by which that manoeuvre will be carried out without causing congestion or other difficulties in any of the adjacent roads. A similar difficulty would exist if vehicles entered from Kilburn Lane and exited via Salisbury Road. By either route, a right turn across on-coming traffic would be required.

5. Applying the guidance of the Planning Inspectorate, the question must be do the socio-economic benefits to be afforded to the district by the proposed permitted development outweigh the loss to the highway network? That loss would be the difficulty created at the above road junction which does not exist in the present gyratory system. The socio-economic benefits to be afforded to the district include the creation of substantial affordable and private housing, in place of a car park and redundant light industrial premises, and additionally would create a place of public resort where members of the public may congregate. The public realm space would also provide a commodious pedestrian route between Kilburn Lane and the Queen's Park parish and Queen's Park railway station, in place of a narrower urban footway.

6. Westminster City Council could object to the order being made unless assurances were given that the traffic control measure at the junction would avail a phase for Fernhead Road ;that is proportionate to the traffic flow at its junction with Carlton Vale. Indeed, for the purposes of section 116 of the Highways Act 1980 that need might cause the un-named road to be necessary contrary to an argument for stopping it up, unless Fernhead Road were to be included in the traffic control measure.

7. The socio-economic benefits that the permitted development would afford to the district are substantial and that development requires statutory authority for the stopping up of the un-named road, for it to be carried out. The possible loss to the highway network may be deleted by accounting for Fernhead Road in the control of the Kilburn Lane, Salisbury Road and Carlton Vale carriageway junction. Therefore the socio-economic benefits to the district outweigh the possible loss to the highway network, and so Westminster City Council does not object to the proposed order; to authorise the stopping up of the highway in the un-named road to enable permitted development to be carried out, being made under section 247 of the Town and Country Planning Act 1990.

Yours faithfully, 
For John Walker, Director of Planning



11 July 2017

STOPPING UP: PREMIER CORNER

Dear Sir,

Thank you for your recent correspondence with regards to the above location.

Our records show that Thames Water has apparatus in the area you are proposing to carry out your works.

We may be willing to rely on the rights preserved in the Order under Section 261 (4) of the Town and Country Planning Act in respect of apparatus in the land. However, before we can determine this could you please confirm that our apparatus will not be affected by the proposed works, that our rights of access will not be impeded and that there are no proposals to build over or close to our apparatus.

If we are satisfied with your assurances, we will not raise any objection to the proposed Order.

Your Sincerely

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