

COM 603, 604: Statement of Case: Tim Evans

Abbreviations and references

Application documents

PS	Planning Statement
DAS	Design and Access Statement
TS	Transport Statement (Original Transport Statement and Travel Plan, LBH Folder 5 Tab 40)
TP	Travel Plan (Original Transport Statement and Travel Plan, LBH Folder 5 Tab 40)
TSA	Transport Statement Addendum, April 2015 (LBH Folder 5 Tab 41)
RTP	Revised Travel Plan, April 2015

Supporting documents

LBH Events (2013) *Have your say: Proposed plans for public entertainment events on Hackney Marshes: Informal Public Consultation 26 February to 23 April 2013* [brochure]. LBH, Feb 2013. PJ50694.

LBH Radiol Weekend Factsheet

LBH/GLL Car Park Management Plan 2013

PTAL and TIM assessments for sites

TfL *Assessing Transport Connectivity*, April 2015

TfL Travel Planning Guidance November 2013

LBH 'Neighbourhood consultation' April 2015 letter

LBH 'Bridge' letter 6 May 2011

LBH letter withdrawing east marsh application Sept 2013

Emails about the north pavilion

Supporting documents not attached:

Clayden P (2007) *Our common land: the law and history of common land and village greens*. Open Spaces Society.

TLP 2015 *The London Plan 2015*.

Scope and identity

1. This document examines the application for the East Marsh car park and in particular the Transport Statement and Travel Plan.
2. Some of the observations also apply to the North Marsh proposals.
3. I have lived in the neighbourhood of Clapton in the LB of Hackney near Hackney Marshes since 1988 and have used the marshes constantly since then. I have been involved in the Hackney Marshes Users Group for over a decade and was one of the members asked to submit an objection. Currently I am acting chair of the group. I am involved in local tree care volunteering, the Hackney Community Tree Nursery, and Sustainable Hackney. I have helped to plant and care for a great many trees on Hackney Marshes. I have fundraised for and taken part in educational activities on the Marsh.

4. I have also long been interested in sustainable transport and have been active in the London Cycling Campaign, which has about 1000 members in Hackney and a constructive consultative relationship with the council. I have worked as a qualified BikeAbility teacher and have taken school groups and individual learners to cycle on the marshes. In the course of this I have introduced several school teachers to the educational possibilities of the Marshes.

History of proposal

5. The proposal for this car park was first made public in 2005-2007 when LBH conceived and consulted on ideas for improvements on the marsh under the rubric 'Improving Hackney Marshes' (IHM) also known as the 'Remaking the Marshes Programme' (RMP). That programme has mutated over the succeeding period: the Marsh Centre was built quite differently from the original vision, and a proposed extra bridge over the old River Lea was dropped. Most significantly for this proposal, reinstated East Marsh changing rooms, to replace those demolished to make way for the Olympic land bridge, were dropped. These are all visible on the proposals map in the Improving Hackney Marshes consultation leaflet. So the programme is not sacrosanct and there is no intrinsic reason why LBH should persist with this car park just because it appeared among those early ideas.
6. IHM was drawn up before 2007 and there have since been changes in LBH policy in favour of sustainable transport, and in the sustainable transport situation on the ground, as well as in public attitudes to transport modes.
7. A version of this application was submitted in 2013 to LBH as the local planning authority, as LBH application 2013/1788. The application related only to the East Marsh car park. It was agenda'd for the monthly LBH Planning Sub Committee meeting of Monday 9 September 2013. On the morning of Friday 6 September HMUG circulated a briefing note to all members of the sub-committee. That afternoon the application was withdrawn.
8. The Transport Statement submitted in 2013 has been revised for the present submission.
9. The proposal as presented now has also been submitted to LBH as planning authority, ref 2014/2582. The comments deadline was 10 October 2014. Currently another 'neighbourhood consultation' on the proposal seems to have been launched (letter attached).

History of parking at Hackney Marshes

10. Before 2004 there were three places to park on the marshes, the main site on the south and satellites at the north and east, all serving changing rooms.
11. In 2004, Cow Bridge was ruled unsafe for motor traffic and the north marsh parking was unused from 2004 to 2013, when Cow Bridge was rebuilt and reopened. By that time, the old 200-space car park had been removed to make space for cricket pitches.
12. In May 2011, East Marsh was closed to the public for temporary use as an Olympic coach park ('spectator transport mall') (LBH Main statement 4.7). The parking remains closed to the present, April 2015.
13. When Cow Bridge was closed, south marsh was still served by the old changing rooms seen on the application map, with car park. In 2011, the new Marsh Centre was built on green space, and the car park expanded.
14. Thus since 2004 – over a decade – the marshes have been served by two car parks, and in 2011-2013 were served

by just one, the Marsh Centre. For a month in June 2012, the Marsh Centre car park was also closed to the public while a pop festival was set up and dismantled, leaving no on-marsh parking at all.

15. The marshes continued to be used in all this time.

Where are the lessons of history?

16. From 2004 there were just two car parks serving the marshes and in 2011-2013 there was just one. During this period people continued to use the marshes and all the needs described in the Transport Statement were met. It would make financial and environmental sense to analyse what worked during this period and build on it. This proposal is a return to business as usual.

17. It is curious that there is no information presented about how users coped with the years of reduction in car parking. Evidently their needs were being met somehow. The applicant had a whole decade to study the situation and draw conclusions and ideas about sustainable transport access, yet seems to have learned nothing.

18. Since it is stated that two thirds of users don't arrive by car, it is not clear why private car provision promotes access. And historically, private car use was seen as the transport planning priority. Now, sustainability is the priority and as stated in the mayor's plan, over-provision for private cars militates against sustainability

19. An illuminating counter-example is the closure of the City of London to motor traffic after the Bishopsgate bombing. The lesson learned was that the City was better off with fewer vehicles, and that lesson has formed part of the current revolution in London's transport modes. Until then, it was 'common sense' that unrestricted vehicle use was essential to the City. The closure of the north vehicle entrance at Cow Bridge in 2004 could have been the Bishopsgate moment for the marshes. The opportunity has not entirely passed.

Planning law and policy

Common Land status ignored

20. The application as first formulated gave no attention to the effects of common land status. In particular, the Planning Statement Section 6 'Planning Policy Considerations', which at 6.1 lists documentation which has been considered, does not mention any law relating to commons. At 6.2 it describes the site as a regional park and MOL but not as a common. It devotes 11 paragraphs to Impact on MOL (Section 6 (ii)) (paras 6.18-6.28) but not one word to impact on common land.

21. The Design and Access Statement mentions common land status in the first paragraph (1.0 Introduction, unnumbered para 1) but does not refer to this anywhere else.

22. So it appears that the applicant originally did not take account of law relating to commons as distinct from MOL. They have now rewritten their material to repair this, but the omission at earlier crucial planning stages is significant.

23. In *AG v Southampton Corporation* (1969) for example it was ruled that a car park on common land when occupied by vehicles does obstruct access for exercise and air (see Clayden (2007) p75).

Hackney council policy

24. Since 2007, LBH has adopted a new Local Development Framework and Core Strategy – its fundamental planning policy document – which contain new and strong commitments to sustainable transport especially in connection with the council's public facilities. Relevant passages include:

“2.9 Over the next 15 years, climate change will become an increasingly critical challenge for Hackney. Tackling climate change and bringing down our carbon emissions will require a comprehensive range of interventions across housing developments, infrastructure including energy supplies, transport, town centres, employment and open spaces.

“Vision and objectives ...

Shape Hackney’s environment to promote healthy and active lifestyles by improving health facilities, encouraging a shift from car usage to public transport, walking and cycling” (LDF section 3)

“4.42 Growth and new development has the potential to increase traffic and congestion, adds to parking pressure and impacts negatively on road safety, air quality and climate change. To ensure this does not occur, new development will need to discourage car use through initiatives that favour safe and sustainable modes of travel.”

25. Core Strategy Policy 6 (Transport and Land Use) calls for demand management of motor vehicle use (e.g. para 9.67, and elsewhere).

"4.22 ... The Council will aim to improve the quality of an area and the way it functions in transport terms by: [...]

- Managing travel demand by car"

4.27 Hackney is committed to prioritising sustainable transport, walking and cycling over private car use, and providing safe and convenient access to rail and bus travel"

GLA/TfL Policy

Excessive car parking

26. The London Plan Policy 6.13 is entitled 'Parking'. Its first 'Strategic' article says:

“The Mayor wishes to see an appropriate balance being struck between promoting new developments and preventing excessive car parking provision that can undermine cycling, walking and public transport use.”

27. The discussion of the policy says

London is a diverse city that requires a flexible approach to identifying appropriate levels of car parking provision across boundaries. This means ensuring a level of accessibility by private car consistent with the overall balance of the transport system at the local level. ... Transport assessments and travel plans for major developments should give details of proposed measures to improve non-car based access, reduce parking and mitigate adverse transport impacts. (para 6.42)

PTALs

Public Transport Accessibility Levels (PTALs) are used by TfL to produce a consistent London wide public transport access mapping facility to help boroughs with locational planning and assessment of appropriate parking provision by measuring broad public transport accessibility levels. There is evidence that car use reduces as access to public transport (as measured by PTALs) increases. Given the need to avoid over-provision, **car parking should reduce as public transport accessibility increases**. (London Plan chapter 6 Transport, 6.43, my emphasis)

Olympic Legacy

28. The London Plan Policy 4 is entitled "The 2012 Games And Their Legacy". It says:

[Legacy development] ... should reflect and develop ... the need for a planned approach to regeneration and change; to embed exemplary design and environmental quality including attention to the response to climate change ...

It should plan for Stratford's development as a ... strategic transport hub ...

It should also consider social, community and cultural infrastructure requirements; set out how the areas around the Queen Elizabeth Olympic Park can benefit from, be accessible from and be fully integrated with the retained venues and legacy proposals and ensure that new development within and surrounding the Queen Elizabeth Olympic Park will facilitate accessible and affordable sport and recreation and maximise opportunities for all to increase physical activity and reduce health inequalities. ...

C Through the LLDC and more widely, the Mayor will and boroughs should: ...

g support the on-going, accessible use of the new permanent facilities and venues within the Queen Elizabeth Olympic Park to meet London's elite and recreational sports needs.

- TLP 2015 Chapter 2: London's Places, p57-8, box

Claimed reasons for East Marsh car park

29. It is hard to find a place in the documents where the applicant's arguments for East Marsh car park are clearly tabulated or summarised.

30. From TS 3.4-3.13 one can derive a partial list:

"The benefits of retaining a car park on the East Marsh include: providing easier access to the East Marsh with disabled parking spaces; ease congestion at the HMC; cycle parking to encourage 'green travel'; provide easy access to pitches for emergency vehicles; reinstate a facility that was originally well used and it does not increase the number of car parking spaces originally on the marshes." - TS 3.6

3.8 The car park entrance to East Marsh aligns with the new footpath network installed for London 2012, linking the marsh to Leyton Underground station and bus network, additionally the new entrance for the car park is closer to the existing bus stop and therefore makes travel by public transport more appealing" – TS 3.8

3.9 [...] Players visiting the site by car currently park along residential streets in the vicinity of the marshes, the reinstatement of the car park is expected to relieve on-street parking. - TS 3.9

31. The arguments seem to be:

1. disabled parking spaces
2. cycle parking
3. emergency vehicle access
4. historic use ('re-instatement')
5. no increase in parking spaces
6. take parking off residential streets

7. sited so as to encourage walking and public transport use

8. ease congestion at HMC

32. The TS Summary and Conclusion (TS 6.5, 6.6) omits some of these arguments and throws in a new one:

6.5 The inclusion of team travel facilities provides an improved sustainable offer to users of the East Marsh

33. The PINS Application, Appendix B Q 13 tells us:

"The facility is designed to meet the needs of the Borough's residents, as well as any other visitors, who wish to use the Marsh for education or recreational purposes."

34. The DAS repeats this verbatim at 5.2, only omitting the phrase 'as well as any other visitors' and thereby restricting users to Hackney residents (how, and why?). This claim doesn't appear in the current version of the Transport Statement. We suggest that this is because after September 2013 the applicant understood that it is indefensible.

35. This disjointedness reflects the hasty revisions following the withdrawal of the Sept 2013 proposals.

36. But one can add these arguments:

9. coach and minibus provision

10. education and recreation of local people

37. In addition, the introduction to the Travel Plan says:

"The location of the marsh with limited public transport does little to dissuade habitual car users. Secondly, by far the largest group of users are weekend sports people – it is rare to find a rugby or football player who is interested in cycling to their game, to play 80/90 minutes of vigorous sport, to then cycle home." TP 1.4

38. Perhaps this could be tabulated as:

11. Cultural bias to car use by sports users

39. In the PINS Application, Appendix B (LBH bundle folder 2 tab4) we are told:

"The car park is being retained ... to prevent vehicles being parked on the grass around the pitches"

40. But this reason doesn't seem to crop up anywhere else.

'Educational or recreational purposes of Hackney residents'

41. The applicant claims that:

"The facility is designed to meet the needs of the Borough's residents, as well as any other visitors, who wish to use the Marsh for education or recreational purposes."

PINS Application, Q13

"The car park is an ancillary service to the range of education and recreational activities that are hosted on the East Marsh. The elements of design for the car park are based on the demand regularly generated by users of the Marsh (as detailed in the Transport Statement submitted as part of the planning application)." - DAS 5.2

42. But it is clearly stated in the Transport Statement (TS 3.12 – 3.13, 6.8) that use of the East Marsh car park will be restricted to booked users of the pitches and Marshes Centre.

"In essence the car parking will be free for Marsh Users in conjunction with a formal booking to use the green space. It is proposed that GLL [Greenwich Leisure Limited] and Park Rangers will control the use of the East Marsh car park including a gated access, linked to the booking system." (TS 6.8)

43. It is therefore not true that it will meet the needs of residents using the marsh for any other education or recreation. The TS doesn't in fact refer to any such activities.
44. What are 'the range of education and recreational activities that are hosted on the East Marsh'? Other than sport, people use the marsh for rambling, dog-walking, natural history study of the habitats placed there in mitigation of the habitat sites lost to the Olympics, and no doubt many other things such as foraging, flying kites and learning to cycle. None of these require a formal booking. One educational activity is nature walks, which are organised by Hackney Marshes User Group; tree planting is organised by local volunteer group, The Tree Musketeers: these do not involve a formal booking. None of these users would therefore qualify to use the car park; and the general educational and recreational uses of LBH residents therefore do not justify the car park as the applicant claims.
45. Moreover, the car park is on the easternmost boundary of the marsh and of LB Hackney, not well sited for the borough's residents. Hackney residents are surely more likely to use the HMC car park which is nearer and also serves East Marsh. East Marsh seems more likely to be used by residents of more easterly boroughs. They are legitimate users of the marsh but we question the argument on the basis of LBH residents' need.
46. It is surely significant that the DAS refers to detail in the TS which isn't there. It is a symptom of the lack of transport strategy for the marshes and hence the somewhat cobbled-together air of the supporting evidence for the car park .

Disability access?

47. The parking will only be available 'in conjunction with a formal booking to use the green space' with 'gated access'. (TS 3.12-3.13). It is therefore not a general facility for users with disabilities.
48. Spaces for users with disabilities are provided at the Marsh Centre and it isn't suggested in the TS that these are insufficient.
49. Limited-mobility access to East Marsh has been improved post-Olympics by a new path from White House Bridge (the bridge linking South Marsh to East Marsh): this is the first surfaced path across East Marsh. Access has also been improved by the Olympic land bridge which provides a continuous hard surface from disability parking in the QE2 Olympic Park to East Marsh.
50. But this car park isn't sited to connect with these surfaces. To reach them, a wheelchair user would have to leave East Marsh and travel on the street pavement the whole length of this edge of East Marsh. So it doesn't seem that thought has been given to the practical needs of users with limited mobility.
51. Of course if the car park is approved then it should include disability provision: but that is not an argument for providing a car park at this location, and of this size.

Cycle parking

52. One hopes that cyclists will be able to use the stands without a formal booking.
53. There is no mention of how cyclists will get to the stands when the gates are locked, which will be most of the time. Dismount and push, presumably. This inattention to detail is suggestive of a poorly thought-out proposal.
54. Provision of secure cycle parking is always welcome. If it is to be provided on East Marsh then one wonders whether this is the best site for it. The car park would open off the multi-lane Eastway / Ruckholt Road. Cyclists are surely more likely to approach east Marsh over the QE2 land bridge (from the east) or over White House Bridge from south marsh (from the west). Cycling from Stratford Station to the east it is easy to come through the QE2 park and over the land bridge.
55. So, if you were thinking seriously about provision for cyclists, you would not provide stands in this car park as sited. Those cycling from the west could reasonably park their cycles at the Marsh Centre where there are ample & underused Sheffield stands. Those cycling from the east could be provided for nearer to the cycle path.

Emergency vehicle access

56. No information is given on how often this is needed. Clearly there are sports injuries which need it from time to time but equally clearly this car park isn't needed for it. A dedicated bay on the Eastway/Ruckholt Road footway might be a suitable approach. It could be where the car park entrance is now.

Take parking off residential streets

"Players visiting the site by car currently park along residential streets in the vicinity of the marshes, the reinstatement of the car park is expected to relieve on-street parking." - TS 6.6

57. There simply are no residential streets in the vicinity of East Marsh. The only residential area is St Theresa's Close, a Travellers' site on Homerton Road to the east of the HMC, which is walled and gated. The description of the surrounding area at TP 3.13 acknowledges this, only mentioning residential areas to the west of the marshes.
58. Contrast LBH's words when promoting the use of the marshes for music events :
- Although there are residential areas adjacent to the Marsh, they are some distance from the area used for the R1HW as they are set back and separated by the Lea Navigation canal and a belt of trees and vegetation. (*LBH Events 2013*)
59. Either the applicant's claim is intended to mislead, or the document author was too careless to familiarise themselves with the actual situation.
60. In any case, car park use will be restricted only to those marsh users booked with GLL. So other marsh users will have to park wherever they park now, either on Homerton Rd, or in the Centre car park.

Sited so as to encourage walking and public transport use

61. This argument (TS 3.8) is so evidently bizarre as to be hard to comment on, and in any case based on out of date information. Yes, there is a bus stop for East Marsh on Ruckholt Road (Eastway). It is sited under the land bridge, and not near the car park. I think it used to be nearer the car park.
62. The East Marsh edge abutting Ruckholt Road surely isn't long enough for the siting of the entrance to be especially

significant (compare the south Marsh's long edge along Homerton Road). If anything, one might argue that placing the car park so that it is the first (or last) aspect of East Marsh that the bus-borne user encounters, is a discouragement: both aesthetically, and practically in that the raised edge to the car park makes it inconvenient for anyone with a child buggy or a small child on a cycle.

63. Note the argument here that it links the marsh to Leyton Underground station. The most significant feature of the local public transport network, post-Olympics, is the major transport interchange at Stratford, and this is ignored.

Coach and minibus provision

64. Clearly since this parking provision is exclusively for sports users, if approved it must provide for parking of team vehicles and encourage their use. Again, this is not an argument for providing a car park on East Marsh: it is just a requirement if a car park is permitted.

65. The argument is undermined by the applicant's statement:

“The main reason for coach and minibus parking provision is for weekday use for school trips. Therefore, it is unlikely that they will be used at the weekend.” (TS 5.36)

66. In that case there is no reason to provide overspill for them on East Marsh. They can use the Marsh Centre car park, since the LBH view is that East Marsh users are fully served by the Marsh Centre.

Historic use: East Marsh changing rooms no longer exist

67. This car park was an element of a bundle of proposals mooted in 2007 under the rubric 'Improving Hackney Marshes'. The consultation leaflet is at LBH bundle Folder 2 tab 15. At that time there was a changing room building on East Marsh and it was proposed to reinstate it. The old changing room building is shown on an aerial photo in the LBH submission and the parking is clearly associated with that. The reinstated building is visible on the proposals map in the leaflet.

68. Since then, LBH has decided not to have a changing building on East Marsh, and has said that the service is now provided by the Marshes Centre:

All formal sporting activity on East Marsh will be served by the new Hackney Marshes Centre, with those utilising these changing rooms crossing the Lea at White House Bridge

LBH letter 6 May 2011: East Marsh Bridge - planning application 2010/3070

“No changing rooms exist on East Marsh” - TP 3.12

69. At several points the application asserts that 'the council has always intended to reinstate the car park' as if this were a reason for doing so. But the IHM programme has changed since 2007, and not only in respect of the changing rooms. A bridge, shown in consultation material, was not built. The consultation shows the 'Hub' (now Marshes Centre) as an earthship type building less intrusive on the landscape than what was eventually built. So the 2007 programme is not sacrosanct, but flexible.

70. Similarly the results of the 2007 IHM consultation survey do not seem to be regarded as definitive. Since 2007 the council has consulted again on specific aspects of the proposals. In April 2015 LBH initiated a 'Neighbourhood consultation' on these very proposals. We have asked but not yet been informed how this fits into the planning process.

71. So, we can note that LBH takes the view that the HMC provides adequate facilities for players on East Marsh. That is, it is reasonable to expect anyone using East Marsh to access it via the HMC. The HMC is not, for example, too far away from East Marsh, in LBH's view: it is reasonable to expect players and supporters to come via White House Bridge.

72. The argument from historic use is therefore questionable. In the absence of the changing rooms, what argument is there at all for a car park on East Marsh? The only argument left is to 'ease congestion at HMC'.

'Ease congestion at HMC'

73. The application argues for the East marsh car park as an overflow from the Hackney Marshes Centre car park. (Note that while the HMC car park is open free to Marsh Centre and sports field users, other marsh users are charged, and the east marsh car park is only open to booked users of the sports facilities.)

74. There evidently is over-parking at HMC for perhaps 3 hours on Sundays in the football season.

75. LBH records, however, that a significant amount – 44% - of legal parking space on Homerton Road is not used (Transport Proof 4.11), and it speculates that sports users prefer to over-park at the HMC. Again, we seem to have a problem with the attitudes of car drivers, and LBH's reluctance to address them. Enforcement of the car park capacity would presumably result in full use of the Homerton Road space; and if drivers find this uncongenial, it might persuade them towards car-sharing if not to more sustainable modes.

76. We argue that the over-parking reflects the failure by LBH to embark on planning and managing for sustainable modes as far back as 2007. The contradictions between its various statements on the adequacy of public transport at the marsh show that it has never taken a consistent reasoned and evidence-based view on transport connectivity. It is only under pressure from TfL that it has adopted even the present targets for modal change. We will expand this argument below under 'Public and other sustainable transport' and 'Is the Travel Plan adequate?'.

77. Based on this, we argue that if this were a proposal for a new car park, it would not be considered; especially in view of the London Plan Policy 6.13:

preventing excessive car parking provision that can undermine cycling, walking and public transport use

Public and other sustainable transport

78. The applicant bases their case for car parks on a claim of poor public and other sustainable transport. We question this.

LBH has previously said 'The Marsh is well served by public transport'

79. The applicant has asserted in the past that public transport to the marshes is good enough to run major events there, such as large pop concerts. These involve bringing to the marshes many more people than come to play sport every weekend.

80. Radio 1 Hackney Weekend 2012 (R1HW) was a music festival catering for 50,000 spectators a day over the weekend 23-24 June 2012. (LBH enclosed more than ten per cent of the common without PINS permission.) There was a mix of local residents (allocated free tickets) and those from farther afield, a mix which may

resemble the mix of local and visiting teams who come to play sports. No parking was provided. Evidently in this case LBH believed that it was feasible for large numbers to reach the marsh without needing parking. In fact as noted in the attached leaflet to local people,

“The Hackney Marshes Centre car park will be closed to the public from 9 June to 6 July [2012].”

81. Recall that at this time the East Marsh nor the North Marsh car parks were in use: it was perfectly acceptable to LBH to have no public car parking for a whole month.

82. This suggests, by the way, that there is no pressure on parking space outside the football season, so the East Marsh car park could lie unused all summer with no inconvenience to car-based users. There are no cricket pitches on East Marsh, so there would presumably be no or very few formal summer bookings, and those there were could, in the absence of football users, be accommodated in the Marsh Centre car park.

83. LBH followed R1HW up with a consultation which envisaged applying for PINS permission to stage up to three such events on the marshes every summer. The resistance from all users of the marshes was such that the proposal was withdrawn and never submitted to PINS.

84. In its public consultation brochure LBH wrote:

- The Marsh is well served by public transport with bus routes along Homerton Road, Leyton underground and Hackney Wick and Homerton overground stations all within 15-minutes' walking distance. Access will further improve in May 2013 when connections through the Queen Elizabeth Olympic Park re-open, providing bus, walking and cycling links to Stratford regional and international stations.

- LBH Major Events proposal brochure (2013)

85. So: when it suits LBH, the marsh is well served by public transport. For some reason, LBH has now forgotten that it ever said this.

86. In the Hackney Marshes Management Plan (2011, updated 2015, see LBH bundle), the council says:

“The site is well served by buses”

Management Plan p20 'Physical Access'

87. So, in its long-term planning for the marshes, the council hasn't considered transport a question than needs addressing. One wonders why it didn't find out the PTAL for the marshes as a basis for planning back in 2005-2007. If the council had identified transport connectivity as an issue, it might have taken steps to address it, such as talking to TfL about improvements.

88. The management plan fails to refer to the Remaking the Marshes consultation surveys which found that connectivity (then called access) to the marshes was a significant perceived obstacle to use among local people, while car parking was hardly raised as an obstacle (LBH folder 2 tab 15 : Improving Hackney Marshes: feedback form analysis. Table under Q3, bundle p 250).

89. So in 2007, LBH knew that transport connectivity might be problem; in 2015, it has not acted on this and is resorting to car parks.

Reliance on PTALs (Public Transport Access Levels)

90. The application relies heavily on PTALs (Public Transport Access Level¹) to show poor public transport at the marsh.

91. PTAL was originally devised for assessing transport at housing and economic developments, not for green spaces. It is also intended for assessment at borough wide level and above. This is from Transport for London's document on using PTALs, *Assessing Transport Connectivity in London* (which may be downloaded from the TfL website):

The London Plan uses PTAL as one of the key factors in determining the density of housing that is desired in different parts of London. This is based on the idea that areas with good public transport service are more suitable for intense development. This is demonstrated in figure 2.1, which is taken from the London Plan.

PTAL is also used in the London Plan to recommend how much parking should be provided for residential developments across London. ...

As part of the policy to designate certain areas for high-intensity land use, the London Plan also monitors the proportion of business and commercial activities which are in areas with PTAL five or above. The plan includes a key performance indicator to maintain a high proportion of workplaces in areas of high PTAL.

PTAL is regularly used in strategic studies focusing on more specific areas. Figure 2.3 shows an example from the Upper Lee Valley Opportunity Area Planning Framework. The two maps show the levels of connectivity at the time of the study and in a future forecast, reflecting the likely impacts of the transport interventions proposed in that study, such as new bus routes and increased rail frequencies.

PTAL is often used for studies at the geographical level of a single borough. ... A London-wide PTAL map can also be produced ...

These examples demonstrate the strengths of PTAL as a highly informative, yet simple, measure of connectivity. Like all measures of connectivity, however, **there are some limitations to the PTAL methodology**. For example, the measure differentiates between the nine PTAL categories, but not within each category, where there can be some significant differences. ...

It is therefore important to use professional judgement when analysing PTAL outputs and **to interpret any result in the relevant context**. It may also be helpful to supplement PTAL analysis with travel time mapping, as described in the next chapter.

- TfL Assessing Transport Connectivity subchapter 7.3 p7-10 (my emphases)

92. None of the examples of appropriate use of PTAL is at more local level than borough. And note the warning about limitations, and the requirement for professional judgement and context. One of these limitations is this:

PTAL does not take into account the destinations you can travel to from each location or the ease of interchange.

- TfL Assessing Transport Connectivity in London, section 2.2, p7

93. TfL has recently changed the way it presents PTAL maps, so that 100m squares are distinguished. Its comment suggests one way in which judgement and context are important:

"It enables us to show a map of PTAL values surrounding the selected point instead of a single value. This provides useful context to the PTAL value of a development site in a quick and user friendly way." (p11)

"Example B shows a specific case where the point of interest is very close to where PTAL

1 Formerly called Public Transport Accessibility Level but changed to avoid confusion with disability accessibility. TfL now uses 'connectivity' to discuss ease of travel to a place. This change isn't reflected in the application.

squares change colour. In such cases, wherever the exact point falls, places with a different PTAL are less than a one minute walk away. It is worth being aware that the point of interest is very close to the boundary between PTAL values.” (p13)

94. These points all arise in assessing the real public transport situation at Hackney Marshes.

Transport statement inaccurate on public transport

95. In the TS as first presented, the summary of bus services at East Marsh (TS 2.32, table 2.2) gives the situation before the 2012 Olympics. Since 2013, the 308 no longer connects to Leyton Underground as claimed at TS 2.36. It now runs in 9 minutes from Ruckholt Road to Stratford Station. I live very near the north marsh and I can testify that the re-routing of the 308 bus to Stratford has resulted in my going there far more than I used to: it is quick and direct.

96. Stratford Station is a major transport interchange giving access to bus, underground, overground, Docklands Light Railway and suburban rail services London-wide.

97. The 308 bus's western terminus is no longer in the back streets at Clapton Park as claimed: the route has been extended to Lea Bridge Roundabout, an A-roads junction. Here it connects to buses running in all directions and to Clapton rail station.

98. Curiously, in 2013 LBH said (as above):

Access will further improve in May 2013 when connections through the Queen Elizabeth Olympic Park re-open, providing bus, walking and cycling links to Stratford regional and international stations.

- LBH Major Events brochure (2013)

99. Yet the present application hardly mentions the Stratford connection. Again we have to ask, is this intended to mislead, or was the writer unfamiliar with the situation on the ground?

100. The TS Addendum just made available (April 2015) does update the tables of bus routes and timetables (TSA 3.19-21, tables 3.2, 3.3). Note that in table 3.2 the 308 Northeast route is garbled: the relevant stop, Quarter Mile Lane / Ruckholt Road, should be shown between Lea Bridge Road and Stratford Station. This (presumably careless rather than malicious) error obscures the important fact that Stratford Station is the next significant stop after East Marsh. This error is repeated in the Proof of Evidence and in the Revised TP.

101. These tables also omit the W15 bus northeast direction and the error is repeated in the proof of evidence and RTP. We mention this as an example of inattentiveness by the author to the actual content of the information presented.

102. When it comes to rail services, the original TS ignores East Marsh (TS 2.33-36) and the TS Addendum corrects this (TSA 3.22, table 3.4), listing Stratford, Hackney Wick, Homerton and Leyton. It rules them out as significant factors because the PTAL assessments only consider a walking radius of 960m. Yet compare this (as already quoted):

- The Marsh is well served by public transport with bus routes along Homerton Road, Leyton underground and Hackney Wick and Homerton overground stations all within 15-minutes' walking distance. Access will further improve in May 2013 when connections through the Queen Elizabeth Olympic Park re-open, providing bus, walking and cycling links to Stratford regional

and international stations. - *LBH Events (2013)*

103. The problem is that the PTAL method rules out any way of getting to a station other than walking. This has little to do with real life. Obviously one can get to a station by bus, or one can cycle with a view to putting the bike on a train. TfL admits:

PTAL does not take into account the destinations you can travel to from each location or the ease of interchange. - *Assessing Transport Connectivity in London, TfL April 2015, section 2.2, p7*

104. TfL travel times to Stratford and Homerton stations are:

	Bus route(s)	Bus journey time	Walk time to + from bus stop, minutes	Cycling distance km	Cycling time (moderate speed)	Walking distance km	Walking time (moderate speed)
East Marsh – Stratford	308	9 mins	0 + 3	2.8	12	2.1	32
Marsh Centre – Stratford	308	9 mins	1 + 3	3.0	13	2.1	32
East Marsh – Homerton	308 W15	7 minutes	5 + 5	2.3	11	2.0	30
Marsh Centre – Homerton	308 W15	3-7 mins	1 + 5	2.2	10	1.7	25

Source: TfL Journey Planner. Searches made 23 April 2015.

The East Marsh bus stop is called “Quarter Mile Lane / Ruckholt Road” at the TfL Journey Planner website, and 'Ruckholt Road Bridge' at the stop itself.

The Marsh Centre bus stop is called “Olympic Park North”

105. The applicant quotes a PTAL for East Marsh of 1b (TS para 2.45). In the TPPE they (finally) update this to the post Olympic situation and again quote PTAL 1b:

“a revised PTL assessment has been undertaken using the online TfL PTAL calculator <http://webptals.org.uk>”

106. I checked this rating at the same site and find that the PTAL at the East Marsh bus stops, under the land bridge, is 1b. But at the entrance to the car park, the PTAL is 2. Among TfL's advised precautions in using PTALs is the interpretation of such borderlines.
107. This year TfL has introduced a new online PTAL calculator, WebCat. Using WebCat, we get a PTAL of 2 at both the bus stops and the car park (see reports appended). Again this suggests that one should not take the PTAL at face value.
108. A little way up the road north from the east marsh car park, at the bus stop outside Spitalfields Market, the PTAL is 4 (with no transitional value of 3). Again, we should remember TfL's caution about PTAL borderline zones.

109. Webcat² shows the PTAL at the precise location of the Marsh Centre as 1b. Just inside the HMC car park entrance, and across all the marsh fronting Homerton Road, the PTAL is 2. Across Marsh Gate Bridge on Homerton Road, the PTAL becomes 3 and then 4.
110. The base year for this PTAL calculation is 2011. It is not clear to what extent this reflects subsequent improvements, but the bus frequency seems to be current, not pre-Olympic.
111. A PTAL of 2 might be low for a housing development, with regular commuter and shopping travel needs, or for a business park, but is it low for a green space with a car use spike for a couple of hours on Sunday? And is it a 2a or a 2b? The method can't distinguish, as TfL admits.
112. The Webcat PTAL report says that both an underground and a national rail station can be reached on foot in 12 minutes. This clashes with the times provided by TfL's Journey Planner website, above. The PTAL report for north marsh locates a tube station in 12 minutes' walking distance. This is eyebrow-raisingly untrue. Note also that moving a few yards off the north marsh takes you from a PTAL of 1b to a PTAL of 2. The PTAL is evidently a crude instrument which must not be allowed to override observation on the ground, and local knowledge.
113. TfL admits on the relevant web page:
- PTAL and TIM are approximated. They represent the best estimate of connectivity based on the information available to us at the time of calculation³.
114. The important point is that the PTAL is indicative, not definitive. It is a tool for making a rule-of-thumb assessment. Like all such systems it tries to translate human judgement into numbers, and it can only go so far. It is similar to the systems for assigning a numerical rank to a risk in risk assessment documents: the number can draw your attention to a situation, and after that human judgement must come into play. There is little point in battling assessments back and forth: you have to go and see the situation on the ground.
115. This explains the contradiction between LBH's assessment of transport at the marsh in 2013 and here. The 2013 document was evidently written by a council worker who may not have known what a PTAL is, but who knew the situation on the ground in practical terms. This TS and TSA are written by a consultant applying the usual indicative planning assessment formulas, but one wonders if they have ridden a bus from the marsh to Stratford station and to what extent the professional judgement about context which TfL recommends above may not have been applied.
116. TfL also offers at the same web page a tool called Time Mapping (TIM): "a new measure, looking at how far you can travel in a given journey time". Attached are its reports on travel time catchment areas for the Marsh Centre. East Marsh is practically identical. This shows that less than an hour's journey will get you to or from places as far away as Barking, Romford, Ilford, Hainault, Walthamstow, Wood Green, Crouch End, Lambeth and Poplar. See sample TIM report for HMC attached. (The 30 minutes zone can be read in conjunction with LBH's 2015 survey findings about travel times.)

2 <https://www.tfl.gov.uk/info-for/urban-planning-and-construction/planning-with-webcat/webcat>

3 <https://www.tfl.gov.uk/info-for/urban-planning-and-construction/planning-with-webcat>

Drivers: an affluent minority?

117. The data shows that despite the claimed poor connectivity, almost half of users come by foot or public transport, and only a third by car:

The HMC Travel Plan, year one survey shows that only 33% of people drive to the site, with 47% of people walking and taking public transport, therefore it is considered that many of the visitors will live in close proximity to the site.

Transport Statement 2.46

118. This is not unexpected since private car owning households are in a minority in Hackney and have diminished in this century. Hackney residents have the highest rates of cycling in London (and the flat topography of the Marsh is very conducive to cycle access). (See RTP 2.30.) In the 2011 census, despite a huge population increase of around 44,000 people, the percentage of car-owning households fell to 35.6% and there were around 3,000 fewer cars in the borough.

119. RTP also opines that:

low income levels in Hackney contribute to low rates of car ownership in the borough. Many people's places of work are within 10km of their Hackney home, which also make [sic] public transport a realistic and attractive alternative to the significant cost of car ownership.

RTP 2.30

120. So: if car owners are an affluent minority in Hackney, why are they being given such priority?

121. Note also the rule-of-thumb statement that a 10km radius is reasonable for public transport: PTALs seem to have been forgotten at this point.

Walking and cycling connectivity improved

122. There are descriptions of the current state of walking and cycling connections (e.g. TS 2.42-44, RTP 3.35-3.42) but it is not described how much these have improved since 2007 as part of the Olympic legacy, as a result of a pre-Olympic programme of 'cycling and walking enhancements' to encourage cycle and foot travel to the Olympics. The Legacy includes a new path west-east across the main marsh connecting to Whitehouse Bridge; and the land bridge connection to the QE Park thereby to Stratford. The Lee Navigation towpaths were resurfaced (or surfaced for the first time) and in many places widened.

123. These are important changes since IHM was drafted in 2007, and they should be taken into account.

124. There is a reference to cycling transport planning advice under the London Plan:

"PPG13 (para 78) advises that cycling has potential to substitute for short car trips, particularly those under 5 km. A 5km cycle catchment would extend to Islington, Finsbury Park, Leyton, Hackney, Bethnal Green and Shoreditch.'

TS 2.42

125. This list glaringly ignores Stratford, where a cyclist could connect to rail, overground, underground and Docklands Light Railway.

126. A 2km walking catchment area is used (TS2.37) and it is mentioned that Clapton and Homerton stations fall in this. It is interesting that here the writer ignores the PTAL walking radius of 600m. We agree with this contextual

judgement and ask why it isn't applied elsewhere. Note that it is not mentioned that Stratford station is within 2km of both the HMC and East Marsh. The writer does note, writing in June 2014, that the land bridge is due to open in summer 2013 (TS 2.41): again we suggest that this carelessness suggests failure to appreciate the importance of the Stratford public transport connection.

Is the Travel Plan adequate?

127. These comments were first drafted about the 'original' Travel Plan of June 2014. I have tried to reconcile them with the Revised Travel Plan of April 2015 and the transport Proof of Evidence. There is much repetition between these.
128. The (original) Travel Plan claims to conform to TfL guidance issued in 2008 (TP 1.12). The current version of TfL guidance was issued in November 2013 and it was previously updated in January 2012. The submitted TP was first signed off on 3 April 2013 and the final revision was signed off on 17 June 2014 (see Report Control data, back of TP title page). It was therefore referring to obsolete requirements when first drafted, and even more so when submitted to the planning process. RTP drops this reference to TfL guidance.
129. The revisions TP to RTP seem to be mainly in the Introduction; and in the addition of targets required by TfL.
130. TfL guidance says:
- “The following elements are essential for a policy compliant Full Travel Plan: [...]”
- Identify the type of travel plan (Full Travel Plan, Framework Travel Plan or Travel Plan Statement).
(TfL Guidance 2013 section 3; unnumbered pages & paragraphs)
131. The TP/RTP does not do so, at least not in paras RTP 1.7-1.10 (TP 1.8-1.12) 'Introduction: This Document', where you would expect to find it.
132. The RTP drops a sentence from the introduction:
- “It is rare to find a rugby or football player who is interested in cycling to their game, to play 80/90 minutes of vigorous sport, to then cycle home.” *TP 1.4*
133. This is a peculiar statement in what is supposed to be an evidence-based document. It has vanished from the RTP but is worth examining because it shows the attitude with which this application was undertaken. Has a survey been done to support it? I personally know footballers who cycle to and from their games. One is a woman. I know sports rowers who cycle to and from sessions at the Lea rowing club. My 17 year old nephew is happy to go for a strenuous cycle club run, and then cycle home. In the 1950s and 1960s – supposedly the glory days of marsh football – one imagines that a large number of marsh footballers arrived and left by bike. Yes, attitudes about transport modes have changed since then and during the following few decades you had to be poor or eccentric to prefer getting around by bike. Now attitudes – and policies – are changing again in favour of sustainable modes. But whoever wrote this doesn't seem to be keeping up. It suggests that the towel has been thrown in right at the start. The dropping of this passage suggests that TfL's imposition of a target of 23% parking reduction (RTP 4.13) has concentrated the mind.
134. Indeed the TS and TP are overtly written
- to support a planning application for the East Marsh car park and for the Hackney Marshes

135. Surely the assessment of the situation should have preceded the decision to provide a car park.

Travel Plan: no data on journey origins

The following elements are essential for a policy compliant Full Travel Plan: [...]

Details of associated travel including: numbers of users expected on site, shift patterns, opening times, postcodes of existing staff/visitors where appropriate. [...]

Details of any travel surveys (e.g. iTRACE/TRAVL) undertaken, if there are existing site users (including method, date, response rate and key findings).

- TfL (TPG 2013)

136. There are several surveys of modal splits but hardly any data gathered about where visitors come from or leave to go to. This is surely important data when dealing with a very constant group of visitors such as sports teams: the pattern would be regular over time even if individual members of local teams changed. And it would surely be easy to gather: you simply give every team coach or captain a clipboard with a postcode questionnaire. That data would then enable one to make realistic proposals for sustainable modes. TP/RTP 7 Monitoring and Review refers only to modal split, not to journey origin.
137. In the 2015 survey (see Transport Proof of Evidence 4.6 & RTP 3.50) it was found that 36% of respondents started from inside Hackney and 64% from outside. This seems to be the only data gathered on journey origins, very late in the planning process. Since the site is on the very eastern edge of the borough, the crude breakdown by Hackney/others isn't very helpful. Many parts of Waltham Forest and Newham are closer to the marshes than the further parts of Hackney. One has to ask why postcode surveys have not been done. These could have started back in 2005 when Improving the Marshes was under design, and the data could have guided thinking about transport. There was a survey in 2006 (TP 3.48) but journey origin data are not presented.

Eliminating barriers to sustainable modes? Management and restraint

TfL guidance advises:

Clarify details of how car parking will be managed and restrained e.g. permits or charging.

- TfL TP guidance 2013 – Essential elements, 7.Measures

138. Note the active verbs: 'manage' and 'restrain', and the assumption that permits and charges are reasonable standard methods.
139. Figures in the Transport Statement suggest an improvement in car sharing in 2011-12 at the Marsh Centre. This is attributed to 'good management' (TP 3.51-52, RTP 3.43-44).
140. No consideration seems to have been given to the possibility that it was the reduction in private parking spaces across the marsh, due to closure of both north and east marsh car parks, that led to changes in behaviour. If this was in fact the cause, then providing more spaces will remove the pressure for future behavioural improvement or even for the present level of mode switching . The Mayor of London supports this line of thought:
- “ excessive car parking provision [...] can undermine cycling, walking and public transport use.”

London Plan Policy 6.13

141. The 2015 survey (Transport Proof of Evidence 4.5; RTP 3.49) shows no improvement, in fact a decline, in share of sustainable modes. Drivers are up from 33% to 37%, and Public Transport use down from 35% to 21%, which seems a disastrous decline. This likewise undermines the claim that 'good management' has affected modal split. The existing TP measures are apparently making no impression.
142. RTP claims to establish a
strategy for eliminating the barriers keeping visitors and employees from using sustainable modes
- RTP 1.10
143. But it never says what it thinks these barriers are, so how can it work on a strategy for eliminating what it has not identified?
144. Practical TP action as at August 2013 is detailed in TP/RTP 4 Objectives and Targets, 5 Travel Plan Strategy and 6 Measures and Initiatives. There are a number of administrative and passive measures such as allocation of staff responsibility and a biennial survey. The only active measures seem to be: standing agenda items (6.2); email footers (who reads those?) (6.2); information packs given once to new teams registering, and a noticeboard (TP 5.10 – 5.11); and some mentions of car-sharing. This is not an energetic programme. Moreover, there is no serious difference between the original and the revised TP, despite the introduction to the latter of the 23% reduction target which surely requires more impressive and imaginative measures.
145. Enforcement of car park capacity is one management measure which might produce some serious behavioural change. As the council's photos of peak over-parking at HMC show, it is not a measure currently employed. Why not?
146. The question of charging sports users as a restraint measure is never raised, despite TfL guidance quoted above. The massive increase in cycle commuting into central London following the Congestion Charge is one of many examples of the behavioural effect of charging drivers a fraction of the environmental, medical and social cost of private car use. Why is it taken for granted that private car parking on the common land of the marsh should be free? Would it not be possible, for example, to adjust pitch charges to reward those teams arriving by minibus? Just providing coach/bus parking spaces is surely not an incentive, as the applicant represents it.
147. But sports users are, it seems, the only outdoor marsh user group exempt from car park charging; together with (ironically for a green space) indoor users of the Marsh Centre. Marsh users not booked to use pitches or HMC are charged £5 a day (see photo of gate notice). This casts a curious light on the council's intermittent claims to value non-sporting uses, and to be aiming to diversify uses of the marsh ('more people doing more activities' – TP 1.4). What is it that would lead the council to exempt sports users uniquely from paying for parking, when a naturalist or a kite flyer has to pay? Even volunteers at the Community Tree Nursery -- a project located next to the car park which the council claims to value and support and which depends entirely on volunteer organisation and effort – are charged.
148. Charges are, however, not levied on Sundays. Sundays are the time when over-parking occurs at HMC. Evidently the charging is not being used to restrain car parking as TfL proposes. What, then, is its purpose?
149. It's also curious, by the way, that bike loans are not offered to staff: this is an obvious easy measure to

any employer seriously interested in promoting sustainable staff travel. (TP 6.4-6.6) It would not make a major impact on the site footprint but the travel behaviour of staff might influence users and its absence is perhaps indicative of the level of commitment to sustainable travel by GLL.

London Plan and Olympic Legacy

150. There are three car parks a few minutes' walk away in the QE Olympic Park. They are all part of the Olympic legacy:
151. Lee Valley Hockey and Tennis Centre – about 145 spaces excluding disability parking; about 80 in the main cp and 65 in an overspill. This is just the other side of Eastway (Ruckholt Road). Walking time to East Marsh: 5 minutes?
152. Lee Valley Velo Park – 140 spaces excluding disability. Walking time to East Marsh (Park map): 6-7 minutes
153. Multistorey car park – I don't know how many spaces, but presumably a lot. This is designed to serve the 'Copper Box' which is run by GLL, who also run the Marsh Centre. Why can't it also serve GLL's facilities on the marsh? It will also serve the business park next door where the main demand would be weekday, leaving weekend spaces. Walking time to Marshes Centre (Park map): 5 minutes.
154. LBH rejects these on the grounds that they don't control them. The London Plan calls for synergy between legacy facilities and nearby spaces: this must surely be predicated on using facilities that are controlled by other authorities. We suggest that LBH has failed to act to take up these possibilities. The only evidence presented about potential use of the MCP, for example, is a photo of the site notice. There is no evidence that LBH has ever considered or made an approach about using it. Yet there was a period not long ago when uses were being sought for the MCP.

Landscape

155. A significant area of the East Marsh has already been hard surfaced for the land bridge to QE Park. This should be taken in account when assessing the overall landscape impact and loss of green space. Proof of evidence: Planning Statement 8.17 admits an increase in hard standing, but claims a net gain of open space. This disregards the loss of green space to hard standing on the land bridge.
156. The car park is highly visible as one enters East Marsh along the land bridge (photo attached). This is now a major point of entry to the marshes, which wasn't the case in 2007.
157. The line of mature trees, which used to green the view looking eastwards from within East Marsh, has been breached and the losses will not be replanted if the car park goes ahead.
158. The gate is visible in this view. The fact that the marsh edge railings are low is true but has nothing to do with the car park (Application Q19).