

Division: West Central Oxford
-------------------------------

## **CABINET MEMBER FOR TRANSPORT – 2 JUNE 2011**

### **PROPOSED EXCLUSION FROM ELIGIBILITY FOR RESIDENTS AND VISITORS PERMITS OF 45 HILL VIEW ROAD, WEST OXFORD**

**Report by Deputy Director of Environment & Economy - Highways & Transport**

#### **Introduction**

1. This report considers an objection received to a formal advertisement and statutory consultation on varying the Traffic Regulation Order (TRO) for the West Oxford Controlled Parking Zone (CPZ) in Oxford to exclude a property from eligibility for residents and visitors parking permits. These proposals arise out of a planning permission granted by Oxford City Council where consent was conditional upon removal of permit eligibility.

#### **Background**

2. Oxford City Council, as the local planning authority, seeks to remove entitlement to residents' and visitors' parking permits for certain properties within CPZs in connection with the granting of planning permission. Such permissions may be for the conversion of single dwellings into multiple residential units, homes in multiple occupancy, extensions, or infill developments. The reason for the planning condition is generally to ensure that new developments do not generate a level of vehicular parking which would be prejudicial to highway safety or contribute towards parking problems in the immediate locality. In some cases the exclusion is contained within an agreement made under Section 106 of the Town and Country Planning Act 1990.

#### **Public Consultation**

3. Consultation was carried out between 17 November and 10 December 2010 on proposals to implement planning conditions for a number of developments in various CPZs. Notices were placed outside the affected properties and letters sent to the respective dwellings, informing them of the proposed changes to the existing TROs. In addition, the proposals were advertised in the local newspaper and information sent to local Councillors. The documents were placed on public deposit at County Hall. A copy of the Notice is available in the Members' Resource Centre.
4. Two objections were received in response to the advertised proposals to remove the eligibility of residents of 45 Hill View Road (in the West Oxford CPZ) in line with the conditions of the planning consent to convert this property into a House in Multiple Occupation (HMO). Copies of both objections are on deposit in the Members' Resource Centre.

5. One response was from a resident at 45 Hill View Road, West Oxford who advised that the landlord had appealed against the decision of the City Council in respect of the planning condition excluding the property from eligibility for residents' and visitors' permits. The resident did not believe the change would generate a higher level of on-street parking since the CPZ limits the number of permits to two per dwelling and there are 2 residents here. The other response came from the owner of 45 Hill View Road to confirm that he had appealed against the planning condition. In view of this no further action was taken pending the results of the Appeal.
7. The Planning Inspectorate's report and decision was received in February 2011. The Inspector found that "the change of use would result in additional parking demand that would be detrimental to highway safety and add to parking stress in the area." He concluded that the planning condition "was necessary and reasonable in removing the opportunity for tenants of the HMO to be issued with parking permits" and the Appeal was dismissed.

## **Conclusion**

6. Whilst it is acknowledged that the removal of permit eligibility may cause difficulties for those residents directly affected, it is also important to recognise the undertakings given to the local community by the local planning authority during consideration of planning applications. As a result, and in line with previous cases, it is recommended that the objections be over-ruled and that the exclusion takes place. This will mean that once any existing permits expire the residents at these properties will no longer be eligible for resident or visitor permits.
7. However, to allow existing residents time to adjust to their exclusion, it is proposed that any residents with current permits (resident or visitor permits or both) be allowed to apply for renewal for one more year before the exclusion is implemented. This is in line with previous practice.

## **How the Project Supports LTP2 Objectives**

8. The reduction in parking described in this report complies with the LTP2 objectives of tackling congestion (encouraging development that minimises congestion) and improving the street environment (better management of parking).

## **Financial Implications (including Revenue)**

9. Funding for the costs of advertising the TRO is available from Section 106 agreement monies held by the County Council.

## **RECOMMENDATION**

- 10. The Cabinet Member for Transport is RECOMMENDED to agree to the implementation of the proposed revision to the West Oxford Traffic Regulation Order as advertised.**

STEVE HOWELL

Head of Highways & Transport  
Environment & Economy

Background papers:            Planning consents issued by Oxford City Council  
Copies of Public Notice and correspondence are  
available in the Members' Resource room.

Contact Officer:                Mike Ruse Tel 01865 815978

March 2011