

TRANSPORT DECISIONS COMMITTEE – 11 FEBRUARY 2010

EXCLUSION OF RESIDENTIAL PROPERTIES FROM SUMMERTOWN CONTROLLED PARKING ZONE ORDER, OXFORD

Report by Head of Transport

Introduction

1. The purpose of this report is to consider comments and objections received to a formal advertisement and statutory consultation on varying the Traffic Regulation Order (TRO) for the Summertown Controlled Parking Zone (CPZ) in Oxford to exclude a number of residential properties from eligibility for resident and visitor parking permits. These proposals arise out of a planning permission that has been 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 resident 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, extensions or for infill developments. The reason for planning conditions 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 11 November and 4 December 2009 on proposals to implement a planning condition for 1 development covering 4 dwellings. A Notice was placed outside the affected properties and letters sent to all the respective dwellings, informing them of the proposed change to the existing TRO. In addition, the proposal was advertised in the local newspaper and information sent to local Councillors and other consultees. A copy of the public notice is attached at Annex 1.
4. In total, 1 e-mail was received in response to the advertised proposal. A copy of this communication is on deposit in the Members' Resource Centre and attached at Annex 2 with the reply.
5. This response is from a resident in Lucerne Road, Summertown, who does not believe that a parking problem exists in the road and therefore believes that he should be entitled to the usual permit allocation. He also believes that

he will be penalised by the proposed exclusion although he pays the same Council Tax as other residents. This resident has also requested that a previously agreed change from a limited time parking bay to No Parking at Any Time (approved by TDC 03/09/09) should not go ahead outside his home and instead a Private Access Protection Marking (PAPM) should be installed so that the resident and various visitors could park across the drive.

Conclusion

6. Whilst it is acknowledged that the lack 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. The Planning Permission at this address provided provision for two off-street parking places. As part of the previously agreed parking changes provision will be made for limited time parking further down the road. Those residents who are included in the permit scheme are required to pay for permits over and above their normal Council Tax. As a result, and in line with previous cases, it is recommended that the objection be over-ruled and that the exclusion takes place.

How the Project Supports LTP2 Objectives

7. 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)

8. Funding for the costs of advertising the TRO is available from Section 106 and other agreements held by the County Council.

RECOMMENDATION

9. **The Committee is RECOMMENDED to agree implementation of proposed revisions to the Summertown Traffic Regulation Order as advertised.**

STEVE HOWELL
Head of Transport
Environment & Economy

Background papers: Planning consents issued by Oxford City Council or the Planning Inspectorate.
Copies of the correspondence are available in the Members' Resource Centre.

Contact Officer: Mike Ruse Tel 01865 815978

January 2010



OXFORDSHIRE COUNTY COUNCIL

**OXFORDSHIRE COUNTY COUNCIL
(NORTH OXFORD) (CONTROLLED PARKING ZONE AND VARIOUS RESTRICTIONS)
(VARIATION No.4) ORDER 20****

**OXFORDSHIRE COUNTY COUNCIL
(SUMMERTOWN) (CONTROLLED PARKING ZONE AND VARIOUS RESTRICTIONS)
(VARIATION No.9*) ORDER 20****

NOTICE IS HEREBY GIVEN that Oxfordshire County Council proposes to make the above mentioned Order under Sections 32, 35, 45 & 46 and Parts III & IV of Schedule 9 to the Road Traffic Regulation Act 1984 and all other enabling powers.

The effect of the proposed Order will be to amend the replace Schedule 4, Part A in each of the following base Orders;

1. The Oxfordshire County Council (North Oxford) (Controlled Parking Zone and Various Restrictions) Order 2004, as amended;
2. The Oxfordshire County Council (Summertown) Controlled Parking Zone and Various Restrictions) Order 2004, as amended.

The effect of the Orders is to exclude the following properties from eligibility for residents and visitors permits:

1. No.101 Bainton Road, North Oxford;
2. Lucerne Road - No.1B (Chestnut House), 1C (Willow House), 1D (Waterside) and 1E (Birch House) in Summertown.

Documents giving more detailed particulars of the proposed Orders are available for public inspection at County Hall, New Road, Oxford OX1 1ND from 9.00 am to 4.30 pm Monday to Friday.

Objections to the proposal, specifying the grounds on which they are made, and any other representations, should be sent in writing to the Director for Environment and Economy (ref. MJR/TRO) at the address given below, no later than the 4th December 2009. The County Council will consider objections and representations received in response to this Notice. They may be disseminated widely for these purposes and made available to the public.

Dated: 11th November 2009

Huw Jones
Director for Environment and Economy
Oxfordshire County Council
Speedwell House
Speedwell Street, Oxford, OX1 1NE.

From:

Sent: 02 December 2009 23:14

To: Ruse, Mike - Environment & Economy

Subject: re parking permits, xx Lucerne Road

Dear Mr Ruse,

I have just (last Friday!) moved into xx Lucerne Road, and received your letter dated November 11, 2009, soliciting comments on the proposal to remove eligibility for parking permits from my house.

I understand that the planning for these properties was contested, and that the proposed parking restrictions date from that time. In a sense, I feel an innocent bystander to these issues. Looking forward, I have moved into a house in Lucerne Road, and although I presume I will pay similar Council Tax to that of my neighbours I will have lesser amenities in being unable to park on Lucerne Road, or in allowing visitors to my house to park there.

Although I have just moved in, I had occasion to visit the property on several occasions over the last three months, and on all these occasions, there were many vacant parking spaces in the "residents only" areas. I have spoken to several others who have been based here much longer and they too attest to the fact that there are always ample vacant spaces in the "residents only" designated parking spots. Can I ask what data you have which suggests that there is a shortage of these spaces for local residents, so requiring that new residents should not be allowed to park there? I completely understand that residents' parking spaces have been lost through the recent development, but if the existing spaces are underused, and all the evidence I have strongly suggests they are, then I don't quite see the reason for the proposed restrictions, and I would ask that they not be implemented.

Whatever the outcome of my general request that the restrictions not be implemented, I have a specific request. I would ask that the space across my driveway is marked with what is (I think) called a T-bar or T-box, rather than double yellow lines. If this were to be the case, then clearly nobody else could park there, as it would restrict my access, so I would ask that I be allowed to permission to park across my own driveway, or for my visitors to do so. This would impose no restrictions on any other local residents, and as the space was previously marked for parking, I also presume that it cannot involve and adverse road-safety considerations.

I would be grateful if you could confirm safe receipt of this correspondence.

With many thanks for your consideration.

xx

TDC11

From: Ruse, Mike - Environment & Economy
Sent: 16 December 2009 11:48
To:

Subject: FW: re parking permits, xx Lucerne Road

Attachments: SUMMERTOWN CPZ PROPOSED CHANGES TO PARKING LAYOUT (LUCERNE ROAD).pdf

Dear xx

I am now able to respond to your comments on the Formal Consultation concerning the proposal to exclude No's 1B, 1C, 1D, & 1E Lucerne Road from eligibility for residents' and visitors' permits. As you can see, the proposal covers all the new development.

Our Development Control team advise me that "Oxfordshire County Council (OCC) as 'the Local Highway Authority' (LHA) is a statutory consultee in the planning process. The development was recommended for exclusion from the Controlled Parking Zone (CPZ) by the LHA because two off-street parking spaces were proposed per residential unit.

In this location, a short walk from a Transport District Area (TDA) defined in the Oxford Local Plan 2001-2016 as *'areas of Oxford easily accessible by non-car modes of transport, provide a good range of shops and services nearby, and are under significant development pressure. In the TDAs, the City Council will seek low levels of parking provision...'* additional vehicular parking provision would not have been considered necessary or appropriate. This recommendation is also in line with current national and regional sustainability policies aimed at reducing the need to travel by private car.

With regard to visitors; most zones contain visitor bays and 3 hour bays are due to be installed along Lucerne Road in the near future. Combined with the accessibility of the site, visitor permits are not considered necessary."

The exclusion of the property from the CPZ is a condition of the planning permission for the development granted by Oxford City Council. You may submit a planning application to vary this condition, but for the reasons described above the LHA may not support the proposal. The City Council as the local planning authority make the final decision.

Changes to the parking restrictions in Lucerne Road were agreed by the Transport Decisions Committee (TDC) last September and I attach a plan. The new markings should be implemented in January/ February 2010. If OCC were to allow a white protection marking in front of your drive instead, this would effectively give you another place to park which would conflict with the planning condition.

I will, of course, make sure your comments are considered by the TDC meeting on Thursday 11th February 2010 when the final decision will be made.

Mike Ruse
Traffic Regulation Officer (DPPP)
01865 815978