

Bath & North East Somerset Council

DECISION MAKER:	Cllr Anthony Clarke, Cabinet Member for Transport	
DECISION DATE:	On or after 1st November 2015	EXECUTIVE FORWARD PLAN REFERENCE:
		E 2796
TITLE:	Entrance to site adjacent to 1 Lark Place, Bath Objection to Advertised Traffic Regulation Order	
WARD:	Kingsmead	
AN OPEN PUBLIC ITEM		
<p>List of attachments to this report:</p> <p>Appendix 1 - LP/TRO/01 “Existing and Proposed MBTRO Information”</p> <p>Appendix 2 - “Equality Impact Assessment / Equality Analysis”</p> <p>Appendix 3 - “Objection letter”</p> <p>Appendix 4 - Drawing no. 3000 “Site Plan As Proposed”</p> <p>Appendix 5 - “Tracking Information along Upper Bristol Road”</p> <p>Appendix 6 - “Notification of Decision”</p> <p>Appendix 7 - “FORMAL Consultation Response Details”</p>		

1.0 THE ISSUE

- 1.1 Whether the Council should continue and seal Order PEV11187/AC ‘(Various Roads, North West Outer Area, Bath (Prohibition and Restriction of Parking and loading) (No Stopping on Entrance Markings) (Authorised and Designated Parking Places) (Variation No. 1) Order 201- ‘ in association with the development adjacent to 1 Lark Place, Bath.

2.0 RECOMMENDATION

- 2.1 We should continue and seal Order PEV11187/AC ‘(Various Roads, North West Outer Area, Bath (Prohibition and Restriction of Parking and loading) (No Stopping on Entrance Markings) (Authorised and Designated Parking Places) (Variation No. 1) Order 201- ‘ as advertised. For a detailed plan of the proposal, see **Appendix 1**.

3.0 RESOURCE IMPLICATIONS (FINANCE, PROPERTY, PEOPLE)

- 3.1 These works are funded by a contribution from the developer of the site, obtained under Section 106 of the Town and Country Planning Act 1990.

4.0 STATUTORY CONSIDERATIONS AND BASIS FOR PROPOSAL

- 4.1 An Equalities Impact Assessment / Equality Analysis has been carried out. No discriminatory factors have been identified. The Equalities Impact Assessment is included as **Appendix 2**.
- 4.2 This Order is being proposed in accordance with Section 1 of the Road Traffic Act 1984 to “facilitate the passage on the road or any other road of any class or traffic (including pedestrians)”.

5.0 THE REPORT

- 5.1 Statutory Notification has been given to the proposal to relocate some on-street parking as a consequence of this housing development and one objector has responded, outlining several reasons for their objection (see **Appendix 3**) as detailed below.
- 5.2.1 Point 1 states that the proposal is not in accordance with condition 5 of the planning permission – “no development shall commence until on-street parking along the site frontage has been revised in accordance with the details shown on the approved layout plan; or until alternative parking has been provided in adjacent roads”. They state that the approved layout plan shows a greater length of on-street parking than what is proposed.

Technical response

Drawing No. 3000 (see **Appendix 4**) shows an additional 7 metre length of parking to be added to the eastern end of the existing parking bay, outside of 1 Lark Place.

Further investigation by tracking an articulated vehicle and a coach along the proposed layout have shown that the addition of the extra 7 metres of parking bay if occupied (which in effect would only be one parking space), would force these vehicles into the oncoming traffic lane (see **Appendix 5**). Given the fact that the westbound lane queues back past this point at busy times, leading to vehicles being stationary right up next to the white lines, this is seen as an unacceptable risk to the public.

Plan LP/TRO/01 (**Appendix 1**) shows that we propose to replace the parking lost when making room for the entrance to the site with a new length of parking on the entrance of Cork Street. This location was chosen as it is as close to the original site as possible, while also being safe to use.

- 5.2.2 Point 2 is that “The present proposals do not conform with the considerations before the Development Control Committee”.

Technical response

The Development Control Committee considered the issue of replacement parking, and in the Notification of Decision (see **Appendix 6**, condition 5) stated that alternative parking could be provided “in accord with the details shown on the approved layout plan, or until alternative parking has been provided in adjacent roads with the agreement of the Local Planning Authority”. For practical traffic management reasons, the replacement parking space is proposed to be sited in Cork Street nearby, on its western side on the end of existing parking. Hence, it is contended that the Committee’s considerations have been complied with.

The additional 6 metres of parking on Cork St was added to the western side of the carriageway due to the existing parking bays being on this side of the carriageway. If a parking bay was added to the eastern side, near the shops, this would effectively block the road and would make it difficult to negotiate the junction if both bays were in use.

- 5.2.3 Point 3 refers to how the works are to be carried out on the highway. An objection is made to the Highways’ Inspector requiring a site hoarding to run the length of site, affecting the loss of three spaces during the construction period, and fatally affecting his business.

Technical response

This point is not relevant to this proposal. The objection is to do with the requirements of the Highway Inspector during the construction phase, and not the positive or negative outcome of the proposed TRO as a permanent feature.

- 5.2.4 Point 4 refers to the 1.4 metre length of on street parking which is to be lost directly outside of 8 Cork Place, and how this doesn’t appear to take into account the details of the listed building consent 13/0457/LBA, dated 5th March 2014, in respect of the mile-marker in the vicinity. The complaint is that the parking should be available across the whole of the frontage, providing added protection to the listed mile marker and its flanking walls.

Technical response

The length of parking that is due to be lost outside of 8 Cork Place is required in order to allow safe turning in and out of the new site. The visibility of vehicles pulling out of the site would be severely compromised if the parking was allowed to be extended up to the boundary of the site.

In relation to the mile marker, the entrance to the site should be constructed as shown on approved drawing No. 3000 (see **Appendix 4**), which shows the marker post being moved to a safer location to the east of the new site entrance.

- 5.2.5 Finally, point 5 is an objection to the length of overall parking in the vicinity of the works. The argument discusses the loss of parking during the construction phase, and the overall effect once the works have finished.

Technical response

As previously mentioned in point 5.2.1, further investigations have shown that the originally proposed addition of 7 metres of parking bay to the east of the site would force vehicles into the opposite lane if occupied (see **Appendix 5**), which is seen as an unacceptable risk to the public.

The bay on Cork Street was added to the western side of the carriageway, as opposed to the side closer to the shops, because the existing Zone 12 parking spaces would make it difficult to negotiate the junction if both bays were in use on two sides of the road opposite each other.

The replacing of 7.2 metres of parking on Upper Bristol Road with 6.0 metres on Cork Street does not equate to losing a parking space, as the 1.2 metres that are lost would not fit even a very small car. The new bay on Cork Street is large enough to accommodate one vehicle easily.

As mentioned in point 5.2.3, the loss of parking during construction is an issue for the Highways Inspector, and is not a relevant objection to the positive or negative outcome of the proposed TRO if installed.

6.0 RATIONALE

- 6.1 The rationale for either accepting or rejecting each point that was raised has been explained in Section 5 of this report.

7.0 OTHER OPTIONS CONSIDERED

- 7.1 None.

8.0 CONSULTATION

- 8.1 Ward Members; Internal transport colleagues; Other B&NES Services; Local Residents; Emergency Services.
- 8.2 Consultation was carried out by e-mailing internal and external contacts. Notices were also advertised in the local press and erected on site for a 21 day period from 10th September to 1st October 2015. All affected people had the opportunity to participate in the TRO consultation process, and to make their opinions known.
- 8.3 A responses breakdown to the formal consultation is included as **Appendix 7**.
- 8.4 The Council's Monitoring Officer and Section 151 Officer have had the opportunity to input to this report and have cleared it for publication.

9.0 RISK MANAGEMENT

9.1 A risk assessment related to the issue and recommendations has been undertaken, in compliance with the Council's decision making risk management guidance.

Contact person	<i>Andrew Coles - 01225 394208</i>
Background papers	
Please contact the report author if you need to access this report in an alternative format	