



28 September 2015

The Traffic Management Team,  
Bath and North East Somerset Council,  
Dear Sirs,

**PEV 11187/AC – ‘Various Roads, North West Outer Area, Bath... Variation No. 1 Order...’.**

I wish to object to the above draft Order in relation to its proposals affecting Cork Place, Upper Bristol Road, and Cork Street. My grounds of objection are founded on the need to retain at least the existing amount of on-street parking as close to, and on the same side of the road as, the row of shops 5-8 Cork Place, both now, during the next year or two (when there will be an extensive highway occupation with hoardings along the entire frontage of the Lark Place development site), and subsequently. Otherwise our businesses will not survive, and our livelihoods will be lost, with serious consequences for us and others.

**Grounds of objection:**

(1) The proposals are not in accordance with condition 5 of the grant of planning permission for the erection of five houses, etc., on land between Lark Place and Cork Place (Decision Notice 13/02098/FUL, dated 25 Mar 2014). This requires that ‘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...’. The approved layout plan shows a greater length of on-street parking to what is now proposed, indicating three spaces extending eastwards along the site frontage from the entrance markings to partly in front of 2 Lark Place. The question of what is meant by ‘alternative parking’ under this condition is set out in my second ground of objection, below

(2) The present proposals do not conform with the considerations before the Development Control Committee, and following a site visit, and at the suggestion of the Deputy Chairman, Cllr. Kew, that alternative parking should be provided where the double yellow lines now are at the bottom of Cork Street, along the side of 5 Cork Place. (See Development Control Committee, 25 Sep 2013, Site Visit Decisions). These double yellow lines were considered to serve no purpose, and no objection to this view was expressed by the responsible officer(s) present at that meeting, nor, I understand, at the site visit, nor subsequently. I do not consider that it would be right for the Council to now say that what was acceptable in 2013 is not in 2015, or to allow officers’ subsequent, and different, opinion to seek to overturn a previous decision of Members in Committee.

*Note: What is now proposed in the draft Order is materially different to what was before the Committee at the time that planning permission was granted. So if the draft Order were to be confirmed as it stands, it would then appear to be necessary to inform the developer that: (i) a TRO cannot be successfully delivered in the terms envisaged in the grant of planning permission, (ii) hence that no section 106 agreement can be entered into, and (iii) that development cannot therefore proceed under the terms of that permission.*

(3) A further ground of objection arises from what would immediately result from the commencement of development if a section 106 agreement were to be eventually reached in accordance with the present draft Order’s proposals for on-street parking. I understand that the Highways’ Inspector requires a site hoarding to be provided extending the entire length of the frontage of the Lark Place site, and well out into the carriageway, with double doors and ramps at each end. This will be in place for the whole construction period of at least one to two years. The parking space outside 8 Cork Place will be obstructed by the ramp and access to the doors, and the spaces further east will be totally unusable, being behind the hoarding. There would therefore be effectively an immediate loss of three spaces, fatally affecting our businesses.

(4) The reduction of 1.4m in the length of on street parking space immediately in front of 8 Cork Place and the position of 7.2m of entrance markings do not appear to take into account the details of the listed building consent 13/04571/LBA, of 5 March 2014, for the relocation of the mile-marker and associated works. I cannot see any reason why on-street parking should not extend across the whole frontage of 8 Cork Place. This would also provide added protection to the listed mile marker and its flanking walls.

(5) I object to the reduction in overall length of on-street limited parking. This is not one of 'minimal impact' but critical. At present there is, on the Council's figures, 36.52m available along the frontage of the shops and towards Lark Place. In practice this provides for a maximum of 7 vehicles, often less.

- (i) During the construction period, the hoardings would in effect reduce this to 18.59 m, sufficient for 3 vehicles and inadequate for 4. To this you would add 1 space on the far side of Cork Street, making a total of 4 to 5 spaces only for the next one to two years. (It is relevant to note that the number available in the Upper Bristol Road was increased from 5 to 7 because of demand several years ago). Only 4 to 5 spaces for any period is clearly quite inadequate, let alone for a period of years ahead.

- (ii) At the end of the construction period, after the site hoardings are removed, the 9.33m east of the access would only then become available, making 27.92 m. along the Upper Bristol Road on the same side as the shops. This would be sufficient for 3 to 4 vehicles in front of the shops (or 4 if extended across the whole frontage of 8 Cork Place), and an optimistic 2 across the access to the new development, a total of 5 to 6 vehicles. To this would be added 1 space on the far side of Cork Street, making 6 to 7.

It would be better to revert to the previous Committee decision, and amend the draft Order accordingly, to provide on-street limited parking spaces where the double yellow lines now are in Cork Street at the side of 5 Cork Place. Thus a total length sufficient for a minimum of 7 vehicles or more could be made available immediately in Cork Street and the Upper Bristol Road. This could be reviewed after the spaces become available east of the access, on completion of the Lark Place development, in a few years time.

**Requested amendments to the draft Order; and content of s.106 Agreement:**

I ask that the draft Order should be amended to include on-street parking for at least 7 vehicles: (i) to replace the double yellow lines at the bottom of Cork Street, along the side of 5 Cork Place; (ii) to extend across the whole frontage of 8 Cork Place, and (iii) for this provision to be in place before development of land adjoining Lark Place is commenced. I also ask that the section 106 agreement should require two stages of work: first, to provide for these amended proposals; and second, for the provision of on-street parking for two or three spaces, in front of the development site and Lark Place, immediately following the removal of the site hoardings in the concluding stages of the development.

I understand that my objections and suggested amendments to the draft Order will go before the Executive Member for Transportation for his consideration. I am sure that he will understand how essential it is to have parking as close to, and on the same side of the road as my business, because of the significant number of my customers who are elderly, disabled or have walking difficulties. The present arrangements often cause difficulties because of the impossibility of constant enforcement.

If the draft Order is approved as presently proposed, and particularly if on-street parking nearby is critically reduced during the construction period next door, there is no doubt I will lose my business and livelihood.

Please help me, and the other traders, in Cork Place.

Yours sincerely,

