

<b>DECISION-MAKER:</b>	CABINET
<b>SUBJECT:</b>	PROPOSED PERMIT PARKING SCHEME IN THE VICINITY OF PORTSWOOD RESIDENTS GARDENS
<b>DATE OF DECISION:</b>	21 NOVEMBER 2011
<b>REPORT OF:</b>	HEAD OF NEIGHBOURHOOD SERVICES
<b>STATEMENT OF CONFIDENTIALITY</b>	
None	

### **BRIEF SUMMARY**

A Traffic Regulation Order proposing an extension of the “University” permit parking scheme in the locality of Portswood Resident’s Gardens was advertised on 28<sup>th</sup> March. Following consultation there are sustained objections to the proposals that are now following due process in being brought to the Cabinet to be decided. The objections are primarily focused around, the need for the scheme, the impact of displacement to neighbouring roads, the loss of parking for people working in the locality and the inadequacy of any preliminary analysis or consultation. There are also more specific objections concerning short lengths of proposed restrictions in Church Lane and Brookvale Road.

### **RECOMMENDATIONS:**

- (i) To approve the implementation of the Proposed Permit Parking Scheme in the vicinity of Portswood Residents Gardens subject to (ii) and (iii) below
- (ii) To approve the amended proposal for no waiting at any time restrictions outside 2 Church Lane as set out in appendix 4
- (iii) To approve a reduction in the length of No Waiting at Any Time proposed outside 30 Brookvale Road as set out in appendix 4
- (iv) To review the operation of the scheme after 12 months from the date of implementation and, following such a review, to delegate authority to the Executive Director of Environment following consultation with the Cabinet Member for Environment and Transport, to consult upon and advertise any further proposed changes to the Scheme arising out of the review.

### **REASONS FOR REPORT RECOMMENDATIONS**

1. Council policy in residential areas is to focus on ensuring that residents do not experience problems resulting from commuter parking, or from parking generated by major attractors (such as hospitals, education establishments, leisure venues, etc). It has been Council practice in Highfield and Bassett to extend the “University” permit parking zones to address this issue, where requested by residents.
2. The property owner for 2 Church Lane requested no waiting at any time restrictions across its frontage on safety grounds, and given its proximity to a junction and limited visibility to off-road parking, this would be appropriate. Otherwise given the contention over the existing proposals, further restrictions would not be recommended without experience of the scheme in operation and the necessary public consultation. The reduction in the length of restriction opposite 30 Brookvale Road will assist the operation of the

Brookvale Advisory Centre.

**DETAIL (Including consultation carried out)**

3. A local residents group requested permit parking restrictions in Abbotts Way and Russell Place based on a survey of residents in Abbotts Way and Russell Place (52 properties) undertaken in the autumn of 2010. From 35 replies received (67%), 29 (83%) responded positively to the question *“I/We support/do not support the proposal to introduce a Permit Parking Scheme in Abbotts Way and Russell Place”*. In Brookvale Road the Traffic Management team also received individual requests for parking restrictions from five of the property holders and two property holders in Church Lane. There were also requests from local resident associations for additional no waiting at any time restrictions to address access and safety concerns on sections of Brookvale Road and at the junction of Woodstock Drive and Blenheim Avenue. Prior to the formal notice local resident associations were advised by letter on 26/11/10 of the issues highlighted by residents since the previous parking restrictions were introduced in Brookvale Road, together with the outline proposals to which they were invited to add any further areas of concern. The proposals were then finalised and advertised in the Daily Echo and on Street Notices (see Appendix 1) on 28/3/2011. The scheme was proposed on the basis of the Council policies of promoting sustainable transport and address problems of commuter parking in residential roads.
4. On April 11<sup>th</sup> 2011 Cabinet approved the Conservation Area Appraisal and Management Plan (CAAMP) for the Portswood Residents Garden Conservation. Within the Cabinet Report reference was made to a letter from the residents association highlighting *“that by far the biggest issues of concern for residents of the Conservation Area are traffic and parking. It is widely feared that the current situation, already seen by many as intolerable, will become even worse once the new Sainsbury superstore is opened nearby. As you know, a Resident Permit Parking Scheme is currently being proposed which we hope will help with the parking problems, if approved”*
5. The sustained objections to these proposals are presented in the attached appendices, with a Traffic Management view outlined below.

**Impact on local businesses and people working in the area (see Appendix 2)**

6. A number of respondents to the Public Notice expressed views that the Council should support the Portswood District Centre, by making adequate parking provision for customers and staff. Whilst most felt that this should not be on residential roads, a number of objectors have highlighted that the proposals should not be approved on the basis of the loss of parking in particular to people working in the area and the potential impact on businesses during a period of difficult economic pressures.

**Traffic Management view**

7. Given the provision for limited waiting within these proposals we would not see any significant impact on customers of the district centre of Portswood. There are also retained sections of unrestricted parking, in Brookvale Road and Russell Place, which will continue to accommodate long-stay parking. Otherwise it is accepted that there will be some impact on people working in the area, though most of this parking is likely to be displaced, rather than removed (which is a concern to other objectors).

Whilst Council policy recognises the importance of district centres, the Local Transport Plan (LTP) 2006-11 emphasises that:

*“Town and District Centres fulfil an important function in the City, acting in a complementary role to the City Centre and meeting many of the day-to-day needs of local residents. To enable them to continue to function in this way, the Council will work to retain their viability by improving walking and cycling routes to them, by enhancing safety and by ensuring that good public transport links to surrounding residential areas are provided. The LTP also states that within the City, town and district centres, the emphasis will be on maintaining the approach which requires users of parking facilities to pay a rate that reflects the value of the facility provided, and which also acts as an incentive to consider the use of other modes of travel”*

### **Displacement to neighbouring roads / areas (see Appendix 2)**

8. A number of objectors have objected to the displacement of parking into neighbouring roads/areas. This has been questioned in terms of its immediate impact on available on-street parking, road safety and access. Within the Oakmount Triangle area, there are also significant concerns that any increase in on-street parking will lead to the removal of front-garden walls and planting that would damage the special character of the area on which its Conservation Area status is based. There is also concern that at the practice of extending permit parking restrictions without due consideration of the impact from displacement and consultation with a wider community of residents that may be affected.

### **Traffic Management Viewpoint**

9. Where schemes have been introduced (i.e. around the City Centre, the General Hospital and the University) it has been Council practice to propose (where requested by resident groups) permit parking restrictions to areas affected by the displacement of existing or new non-resident parking.

The difficulty with displacement is that whilst it is possible to estimate the level of vehicles that may displace, it can be difficult to predict the areas of displacement, particularly in these circumstances where non-resident parking is converging from the university, the city centre and the district centre. Taking into account the remaining capacity in Russell Place and Brookvale Road, we would estimate that up to 35 vehicles could be displaced from these proposals. Some of these may be entitled to Business Permits and some may opt for other travel options (e.g. car sharing/public transport). Of those that remain, our best assumption is that university-related parking will either displace in the Oakmount Triangle or the Grosvenor Road locality. Any overflow retail parking displace south of Portswood Road or into the initial sections of Winn Road and Westwood Road.

Whilst the Cabinet may wish to consider any particular issues around the impact on the Oakmount Triangle Area proposals given its Conservation Area status, from a Traffic Management view the current proposals align with Council policy and practice. In order to assist this report has been shared with Kevin White (Historic Environment) who provide the following information:-

*The Oakmount Triangle Conservation Area Appraisal and Management Plan is covered by an Article 4 Direction removing certain permitted development rights. This means that small-scale proposals that would not normally require planning permission now require consent. Included in the rights removed are the rights to build a hard-standing, and the right to remove or build walls, gates, fences or other means of enclosure. These restrictions apply to and works that front or face a highway, watercourse or public open space. The Management Plan contains policies relating to the retention of vehicular access, protecting existing trees, retention of front gardens and walls, and removal of existing gates or gateposts.*

*Consideration of appropriate traffic calming measures is referred to as a specific enhancement opportunity.*

**The need for a permit parking restrictions in the PRG locality (see Appendix 2)**

10. A number of objectors have questioned the need for a permit parking scheme in Abbotts Way and Russell Place given the comparatively high level of off-street parking available and the higher road width, and that Traffic Management have not established that there are significant safety, parking or traffic-related issues in the locality.

**Traffic Management View**

11. It is the case that under the previous Hampshire County Council guidelines that these roads would not have qualified for permit parking restrictions, on the basis of the level of off-road parking.

However in 1999 it was agreed following a traffic and parking study, that this guideline would not be applied to the University scheme and zones 9 (Glen-Eyre), 10 (Flowers Estate), 11 (Hampton Park) & 12 (Battle Roads) were introduced following due process in 2000. With increasing concerns over climate change from 2001 onwards, priority was given to promoting sustainable transport and this is reflected in the Local Transport Plan 2006-11. The scheme was therefore proposed on the basis of the Council policies of promoting sustainable transport and to address problems of commuter parking in residential roads. The extension of the university schemes and growth of the Uni-Link bus service since from 1m to 4m passengers is indicative that this approach has been effective.

**The Adequacy of Consultation and Investigation (see Appendix 2)**

12. A number of objectors have questioned the scope of the initial consultation and analysis of the impact on traffic and parking in the wider area.

**Traffic Management View**

13. Whilst new zones are subject to traffic and parking studies, it has not been Council practice to undertake detailed studies for smaller scale extensions to existing zones. In our view the traffic movements of around 60-70 vehicles would not significantly impact on local traffic patterns or speeds. It is also not clear that any detailed parking study would add any further information to the outline displacement estimate above. Prior to this consultation residents of Winn Road and Westwood Road have requested no waiting at any time restrictions to address parking in the proximity to their accesses. A

prospective design for this has been drafted

Following the introduction of the permit parking restrictions in a section of Brookvale Road (around 230m) in 2008, the Traffic Management team the the view that the impact of these restrictions was localised. Displacement primarily occurred over a short distance along Brookvale Road and Abbotts Way. There was also a corresponding shift in the area of traffic congestion, together with the sections of higher density parking. The team also registered all correspondence and calls from people related to these proposals or parking in neighbouring roads. These views were then used in part to draft the current proposals.

Whilst the Traffic Management team have sought to include a wider community through local resident association engagement, our view remains that the formal public consultation process is the most effective method, as it is open to any member of the public and has an associated decision-making process.

**The cost of the scheme (see Appendix 2)**

14. A number of objectors highlighted that the cost of the scheme to the Council taxpayer would not be a worthwhile, given the limited benefit to the wider community.

**Traffic Management view**

15. Whilst any low level of permit issue may be offset by lower administration costs, and enforcement may be self-funding, it is possible that the implementation costs of £7K may not be recovered, if the scheme were approved. This value of this expenditure would be a matter for Cabinet to decide taking into account points raised in this report.

**Effectiveness and Enforcement (see Appendix 2)**

16. Objectors have raised the question as to whether this would be a productive investment if there is inadequate enforcement and the scheme therefore proves ineffective.

**Traffic Management team**

17. From our observations, correspondence received and discussions with residents there is a high level of self-compliance and current patrolling levels have proven to be an effective deterrent around the University scheme. We would therefore expect the restrictions to be effective.

**The Scheme should not proceed until the Sainsbury's development is completed (see Appendix 2)**

18. An objector has highlighted, given the high level of concern over the impact of the Sainsbury's development, that the scheme should not proceed until the impact is audited, rather than on the basis of presumption.

**Traffic Management View**

19. Generally, in our view it is better, where possible, to introduce restrictions in advance of new developments in order that people can make informed travel and transport decisions.

**There has been no substantive change since restrictions in Abbotts Way and Russell Place were not progressed in 2008 (see Appendix 2)**

20. Objectors have highlighted that since previous draft proposals for restrictions in Abbotts Way and Russell Place were not progressed in 2008 and in the absence of substantive change, a proper review and examination on surrounding areas there is no basis for the current proposals to proceed

**Traffic Management View**

21. The previous draft proposals for Abbotts Way and Russell Place were not progressed by Traffic Management team on the basis that there appeared to be conflicting views from residents of these roads as to what restrictions would be appropriate to address the problem of non-resident parking. In our view there is now a consensus within the area of the scheme in favour of permit parking restrictions and the current scheme was then proposed in line with Council policies of promoting sustainable transport and to address problems of commuter parking in residential roads.

**Other objections (see Appendix 2)**

22. There are a range of other objections related to non-highway related matters. These include the timing of the Public Notice in relation to the local elections, the competency of Councillors to consider these matters and the potential subordination of traffic issues to maintaining good relations with residents of Portswood Resident's Gardens.

**Traffic Management View**

23. These objections are a matter for Cabinet to consider and decide upon.

**Restrictions outside 2 Church Lane (see Appendix 3/4)**

24. In response to the original Public Notice, we received a request from the property owner of 2 Church Lane to introduce no waiting at any time in place of permit parking restrictions outside the property. This was argued on the basis that:-
- The resident has made long standing requests for no waiting at any time restrictions outside this property
  - The danger for the vehicles exiting the property given the volume of traffic and limited visibility northward caused by parked vehicles
  - That vehicle traffic has been increasing and will increase with the Sainsbury's development and includes taxi's travelling at speed at all hours.
  - That no waiting at any time restrictions would reduce congestion around Highfield School and for events at Highfield Church
  - increase safety for the high level of vulnerable pedestrian movements (esp. Students and schoolchildren).

The Traffic Management team agreed with this minor amendment to the scheme design and advised residents that might be affected, accordingly. Two objections were received from other residents concerned over the loss of parking and questioning the safety benefits.

### **Traffic Management View**

25. Given that this property is located near to a junction and opposite a school, we would, on balance, continue to support the amended proposal to introduce No Waiting at Any Time parking restrictions outside 2 Church Lane. The property would however then be outside of the permit scheme and permit entitlement.

### **Restrictions outside 30 Brookvale Road (see Appendix 3)**

26. The Brookvale Advisory Centre (BAS) has objected on the basis of the impact of the proposed No Waiting at Any time restrictions outside 30 Brookvale Road (both sides) on their staff and clients. It is recommended that the length of restriction is reduced to assist the operation of BAS pending a future review of whether a Limited Waiting provision in this locality may benefit a number of service providers.

### **Traffic Management View**

27. We would not recommend changing the current lengths of No Waiting at Any Time restriction proposed, as these are intended to avoid vehicles reversing due to congestion in this section of Brookvale Road.

### **Restriction outside 49 Brookvale Road (see Appendix 3)**

28. There is an objection to the loss of parking outside 49 Brookvale Road with the proposed No Waiting at Any Time parking restrictions based on accessibility to the owners property.

### **Traffic Management View**

29. The property boundaries on Brookvale Road of number 49 are within 10m of the junction of De Grouchy Lane and this restriction is intended to provide improve access and visibility for these residents. It is also intended to provide a passing place to help reduce the need for vehicles to reverse due to congestion. A serious accident injury occurred in 2006 from a vehicle reversing in this locality and this remains a concern. Vehicles can also load/unload and pick/up drop-off passengers on these restrictions.

### **Additional 2 Hour Limited Waiting between Winn Road and Westwood Road (see Appendix 3)**

30. A resident requested that an additional 2 Hour Limited Waiting restriction on the south-west side of Brookvale Road between Winn Road and Westwood Road, in order to improve access for buses and to properties on the north-east side.

### **Traffic Management View**

31. We received a number of requests from residents in response to the initial public notice to further restrict the available long-stay parking in the locality. We remain of the view that this would not be appropriate given the level of contention to the existing proposals and that these should be decided upon first. Any additional proposals would also require further public consultation.

## **ALTERNATIVE OPTIONS CONSIDERED AND REJECTED**

32. Not proposing a scheme was rejected on the basis that we would not be following Council policy and practice.

## **RESOURCE IMPLICATIONS**

### **Capital/Revenue**

33. The consultation costs are estimated to be around £4K, including the Cabinet process. These costs can be contained within the existing approved E&T Portfolio estimates.
34. The implementation costs (if approved) are estimated to be around £7K. These costs can be contained within the existing approved E&T Portfolio estimates.
35. As there is a high level of self-enforcement with these restrictions it is estimated that the cost of administration and enforcement will be met through permit charges and any penalty notices that may be issued.

### **Property/Other**

- 36 N/A

## **LEGAL IMPLICATIONS**

### **Statutory Power to undertake the proposals in the report:**

- 37 The Road Traffic Regulation Act 1984 permits the introduction of the parking restrictions as set out in this report in accordance with a statutory consultation procedure set down in the Act and associated secondary legislation

### **Other Legal Implications:**

- 38 In preparing and determining the proposals set out in this report the Council is required to have regard to the provisions of Equalities legislation, the Human Rights Act 1988 and s.17 Crime and Disorder Act 1998 (the duty to have regard to the need to remove or reduce crime and disorder in the area). Parking is not in and of itself a property right any change to on street parking arrangements does not therefore constitute an undue interference with the property rights protected by the Human Rights Act 1998 however it is recognised that the availability of parking can have an indirect impact on property rights. The proposals in this report, and any interference with any individuals expectations in relation to parking or how that may affect their properties, are considered necessary in order to meet the wider needs of the community in relation to reducing parking and vehicle congestion and environmental impacts of such, promoting sustainable transport methods, balancing the needs of visitors to the area with that of residents and to improve road safety. It is considered that the proposals set out in this report are proportionate having regard to the wider needs of the area.

## **POLICY FRAMEWORK IMPLICATIONS**

- 39 Paragraph 7 above includes transport policy statements from the Local Transport Plan relating to District Centres



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### SUPPORTING DOCUMENTATION

**Non-confidential appendices are in the Members' Rooms and can be accessed on-line**

#### Appendices

1.	Map showing the advertised permit parking scheme for the locality of Portswood Residents Gardens
2.	General Sustained Objections to the PRG Parking Scheme Proposals
3.	Sustained objections to specific parking restriction proposals and/or requests for specific parking restrictions
4.	Map showing the location of individual restrictions subject to objection

#### Documents In Members' Rooms

1.	Portswood Residents' Gardens Conservation Area Appraisal and Management Plan
2.	Oakmount Triangle Conservation Area Character Appraisal and Management Plan

#### Integrated Impact Assessment

Do the implications/subject/recommendations in the report require an Integrated Impact Assessment to be carried out.	No
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#### Other Background Documents

Title of Background Paper(s)	Relevant Paragraph of the Access to Information Procedure Rules / Schedule 12A allowing document to be Exempt/Confidential (if applicable)
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1.	None
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**Integrated Impact Assessment and Other Background documents available for inspection at:**

<b>WARDS/COMMUNITIES AFFECTED:</b>	Portswood
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