
**Decision Session Executive Member for
Transport and Planning**

9 February 2017

Report of the Corporate Director of Economy and Place

Consideration of Objections received to the proposed amendments to the York Parking, Stopping and Waiting Traffic Regulation Order 2014: Proposed no waiting at any time restrictions (double yellow lines) on Opus Avenue, White Rose Way and White Rose Close

Summary

1. An amendment to the York, Stopping Parking and Waiting Traffic Regulation Order (TRO) is required to introduce waiting restrictions (yellow lines) to enable larger vehicles (car transporters) to access a development site on York Business Park. The development consists of a car showroom, car hire and car storage. It will store 700+ vehicles on site with approximately 5+ car transporters requiring access daily. The location and size of the development is clarified within the plan at Annex B of this report.

Recommendation

2. Implement the proposal as advertised.

Reason: To remove the obstruction caused by parked vehicles and enable better access for car transporters and other HGV.

Background

3. Condition 29 of Planning Decision Notice 15/01307 states:

The development hereby permitted shall not come into use until the following highway works (which definition shall include works associated with any Traffic Regulation Order required as a result of the development, signing, lighting, drainage and other related works) have been carried out in accordance with details which shall have been previously submitted to and approved in writing by the Local Planning Authority, or arrangements entered into which ensure the same.

4. Planning Decision 16/01297/FUL refers to adjacent land accessed from the turning head area. Additional restrictions are required to ensure vehicle access, protect the turning head area and entrance to the electricity sub-station.

5. Arnold Clark expressed a wish to keep the customer vehicle entrance on Great North Way separate from the servicing of the business – hence the requirement for transporter access via Opus Avenue.

Proposed Waiting Restrictions are outlined on Annex A.

Details of Representations received

6. We have received 8 objections to these proposals from adjacent businesses and two representations in support.
7. All representations in objection are similar in nature and wording and raise the following points:
 - I. All businesses have insufficient parking amenity for the number of staff, visitors and clients. Staff have to park on the public highway and will continue to do so.
 - II. There are usually 50 – 70 cars parked on the public roads subject to the proposed restrictions between 9am to 5pm, Monday to Friday. There is nowhere else for these vehicles to park. This level of parking has caused no problem whatsoever to the public at large or the businesses on the estate for the last 5 years.
 - III. It is evident that the proposals are made purely for the benefit of Arnold Clark. These restrictions will cause substantial and permanent inconvenience to the 10 businesses on Tudor Court to accommodate delivery vehicles to the car dealership. One assumes there are unlikely to be more than one or two such deliveries each working day.
 - IV. Arnold Clark has the largest site in the vicinity and an entrance off Great North Way – why is this entrance not being used? Why has the Council accepted the proposed entrance via White Rose Way and Opus Avenue – narrower roads with two mini roundabouts? There is habitually no parking on Great North Way at all.
 - V. York Business Park is not served by public transport. Nearest bus stop is half a mile away and train station 2 miles away in Upper Poppleton. The York Business Park is only readily accessible by car. There are no practical alternatives for medium distant, non car sharing viable journeys.
 - VI. If imposed, the problem will not be solved but displaced elsewhere on the estate. Should the Council propose No Waiting Restrictions to the whole estate, workers will be unable to park and employees will seek employment elsewhere. This will make the businesses unviable in the long term.
 - VII. There is therefore no need for such parking restrictions, whether for the benefit of the public or otherwise. The only conceivable benefit will be to one business but with substantial inconvenience to the remaining businesses on the estate.

- VIII. If Arnold Clark has objected to the current parking they should provide an alternative parking area for the businesses affected. Unless there is going to be a car park provided for the business park employees use, then surely you cannot propose to go ahead with these restrictions.
- IX. One objector proposed that the delivery times are limited as is the case for a number of businesses in the city centre. If deliveries were limited to before 8.30am and after 5.30pm (for example) there would be minimal disruption to existing businesses and resolve this matter.
8. We have received two representations in support of the restrictions:
- I. (From a business outlet on the estate). I would like to support the proposed restrictions. There has been a problem for some while with vehicles parked in the road and on the pavements. These cause an obstruction and are a safety concern as they obscure vision for vehicles turning into and out of the buildings. I am pleased that the council are now proposing to take action.
 - II. (From Unwin Jones Partnership on behalf of Arnold Clark)
As a gesture of goodwill and as new neighbours to adjacent businesses, Arnold Clark are offering to provide some mitigation to the proceedings by providing a temporary car park on their land for an interim period for one of the businesses in Opus Avenue.

Options

9. A) Implement the proposal as advertised

This is the recommended option because it will provide an unobstructed access to the development as required and approved within the planning process.

B) Implement a proposal of a lesser restriction as outlined in Annex C to provide one small additional area of commuter parking (for 3 vehicles) for the business outlets.

This is not the recommended option because allowing the additional parking compromises the effectiveness of the turning head area.

- C) Take no further action and withdraw the proposal

This is not the recommended option because drivers will continue to park inconsiderately and obstruct the free passage of larger vehicles. The developer would have to make a further application to planning to seek discharge of planning condition 29 of 15/01307

Analysis

10. This is a large development (see Annex B); large car transporters will require access to the site via Opus Avenue on a daily basis.

The level of on-street parking on Opus Avenue is high. The proposal will displace vehicles further into the estate roads and create similar problems elsewhere. If the proposal is implemented it is likely that further proposals to remove obstructive parking elsewhere on the estate will follow in due course.

Currently, parking is taking place partially on the footway as well as across dropped kerbs, close to junctions and around the roundabout area.

Public Transport facilities are poor to the York Business Park. The Business Park is not on a bus route and the nearest bus stop (number 10 and 20) is on Millfield Lane.

Consequently, the majority of workers and visitors to the area travel by private car. The off-street parking amenity for many of the businesses is inadequate for their needs. Many streets, especially Opus Avenue, Ings Lane and White Rose Way attract a high number of commuter cars parked both sides of the street during the working week.

We are unable to place the total amount of waiting restrictions identified through the planning process because 27 metres of carriageway (see Annex A) is private land and not under the control of the Highway Authority. The developer has been unable to supply a written request and authorisation from the landowner to enable us to include this area within the proposal for Civil Enforcement. The developer has indicated they will initiate their own arrangements to ensure parking on unadopted highway does not impede access to their development.

The City of York Council, acting as Local Highway Authority have a statutory duty to maintain Highway Rights which are for “pass and re-pass”.

Consultation

11. The proposal was advertised in “The Press”; notices placed on street and all adjacent properties received details. North Yorkshire Police, Fire and Rescue Service, Ambulance Service, Freight Association and Haulier Association receive details of all proposed amendments to the Traffic Regulation Order.

Council Plan

12. The process confirms the commitment to providing an environment where local businesses can thrive and residents have good quality jobs, housing and opportunities; creating jobs and growing the economy.

Implications

13. None

Financial

14. Legal Order and Implementation of proposals will be financed by funding earmarked in the planning process through a section 106 agreement.

Human Resources

15. None identified

Equalities

16. We have not identified any detrimental impact to a specific group within the community.

Legal

17. The proposal requires an amendment to the York Parking, Stopping and Waiting Traffic Regulation Order 2014:

Road Traffic Regulation Act 1984 & the Local Authorities Traffic Orders (procedure) (England & Wales) Regulations 1996 apply.

Crime and Disorder

18. None identified

Information Technology

19. None identified

Land

20. None Identified

Other

21. None identified

Risk Management

22. There is an acceptable level of risk associated with the recommended option.

Contact Details

Author:

Sue Gill
Traffic Project Officer
(01904) 551497

Chief Officer Responsible for the report:

Neil Ferris
Corporate Director – Economy and Place

Date:

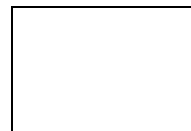
23.01.17

Specialist Implications Officer(s)

None

Ward Affected:

Rural West



For further information please contact the author of the report.

Annexes

Annex A: Proposed No Waiting at any Time Restrictions

Annex B: Extent of development

Annex C: Possible reduction of waiting restrictions (option B)