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**Decision Session: Executive Member for Transport and Planning  
11 August 2016**

**Report of the Director of City and Environmental Services**

**Consideration of the Objection received to a proposed amendment to the  
York Parking, Stopping and Waiting Traffic Regulation Order 2014:**

**R16: St Benedict's Road, Residents' Priority Parking on Clement Street**

**Summary**

1. Amendments to the York, Stopping Parking and Waiting Traffic Regulation Order (TRO) are required to facilitate changes to the R16 Residents' Priority Parking zone (Respark) to allow vehicle access to private parking area to rear of 113 Nunnery Lane accessed from Clement Street.

The requested change requires the removal of a 9 metre parking area (space for 2 vehicles). To mitigate the loss of parking within the zone we have identified alternative locations to provide additional parking for 3 vehicles.

**Recommendations**

2. Implement the proposal as advertised.

Reason: To facilitate legitimate vehicle access from the public highway onto private land.

**Background**

3. The owners of 113 Nunnery Lane purchased from City of York Council (CYC), land to the rear of their property. They purchased the land for the expressed purpose of providing a private parking area for business use. Vehicle access, historically, has been possible from Spencer Street to the rear of 107-111 Nunnery Lane. CYC sold the land to the rear of 107-111 Nunnery Lane for development. Planning permission 15/01454/FUL for two semi-detached residential houses refers. The associated delegated report highlighted vehicle access to land to the rear of 113 Nunnery Lane would be removed and noted future access required removal of a resident parking amenity on Clement Street. Building works are now ongoing, leaving the owners of 113 Nunnery Lane without vehicle access.

There are two resident parking bays on Clement Street, both operational between 8am and 6pm, 7 days a week with a 60 minute allowance for non-permit holders within this time period. Between 6pm and 8am the space is available for all on a first come, first served basis.

The footpath adjacent to the Respark bay on the west side of the carriageway is not adopted highway but land owned by CYC, under the remit of Housing Services. Housing Services have granted permission to the owner of 113 Nunnery Lane to drop the kerbs to make parking available for 4 to 5 vehicles. No planning permission is required to facilitate this.

The owner has applied to Network Management for an amendment to the TRO. They intend to mitigate the loss of residential parking amenity by providing two spaces for neighbouring residents on their land by private arrangement. This is not an arrangement we can guarantee will continue on a permanent basis.

We are proposing to extend the resident parking bay on the east side of the carriageway by 4m and change the Resident Parking operational times to a full-time basis to ensure the space can only be used by permit holders overnight.

The proposal for Clement Street is:

- I. To revoke the 9m bay on the west side of the carriageway and replace with no waiting at any time to facilitate vehicle access to the private parking area to the rear of 113 Nunnery Lane.
- II. To extend the parking bay on the east side of the carriageway by 4m.
- III. To amend the hours of operation for the parking bay on the east side of the carriageway to operate 24 hours, 7 days a week.
- IV. To amend the current waiting restriction in the remaining turning head area, currently operational between 8am and 6pm to no waiting at any time.

Location plan with details is included as Annex A

#### 4. **St Benedict's Road and Custance Walk**

The R16 Respark area is under pressure for space. We have identified two areas to add spaces without severely impacting on other road users. This will mitigate the loss of spaces on Clement Street.

- I. St Benedict's Road, revocation of 5m no waiting at any time restrictions and replacement with a Respark bay for one vehicle
- II. Custance Walk, revocation of 10m of no waiting at any time restrictions and replacement with a Respark bay for two vehicles.

Location plan with details is included as Annex B

### **Objection Details**

5. We have received one objection to the loss of parking amenity on Clement Street.

Parking in the area is already very difficult. I struggle to see how removing parking bays will improve the parking amenity. There are a number of cars that compete to park on Clement Street overnight, most, if not all of which, have R16 permits. So a 24 hour 'no waiting at any time' will quite probably not improve this. Also, if this proposal was primarily concerned with improving residents parking, the obvious solution would be to not remove parking bays and introduce 24 hour no waiting time to the layout as it currently exists. An alternative solution would be to issue a new permit zone for Clement Street and issue a number of permits equal to the number of available parking spaces.

Has a professional study of the area been undertaken to verify the effectiveness of the proposed changes considering the cars with permits that are regularly attempting to park in the area? Has the effectiveness of increasing the length of the south east bay on Clement Street been assessed? If so are the results available? I would be uncomfortable if the proposed benefits are not based on some tangible evidence.

I understand that the owners of the land that is currently protected by bollards, that is now inaccessible from Spencer Street, would like access to their land. But this appears to be going forward as proposed to the detriment of others in the area. I bought my house on the not unreasonable assumption that I would be able to park nearby. I would not have bought a piece of land on the assumption that the local parking arrangements will change to allow me access as appears to be the case with the bollard protected land. It appears to me that the most reasonable course of action would be one that does not affect the parking opportunities for the people who have not made decisions based on the assumption that parking arrangements will be changed. I have no intention of objecting about a person or persons gaining access to their land, however I do not think this current solution is fair to others.

### **Options**

6. a) Implement the proposal as advertised.

This is the recommended option because it will facilitate legitimate vehicle access from the public highway onto private land

b) Uphold the objection and leave the residents parking amenity on Clement Street unaltered

This is not the recommended option because permission has already been given to drop the kerb to allow legitimate access.

### **Analysis**

7. The carriageway width on Clement Street is under 6m wide. This is insufficient for vehicles to park on both sides of the street and larger vehicles to pass. Parking on both sides of the carriageway has only been successful on Clement Street because it is a small cul-de-sac with no vehicle access leading from it.

Vehicle access for parking and deliveries will be improved with one sided parking.

### **Pressure for space**

8. The R16 zone is under pressure for space. We cannot guarantee a space is available for any permit holder in any of our Respark areas. We would consider the whole zone when estimating the number of parking spaces against the number of permits issued. Investigations in 2014 concluded there were 245 full time permits issued across the whole zone for an estimated 269 spaces.

We are proposing to extend the resident parking bay on the south side of the carriageway by 4m from 13.5m to 17.5m in length. A 13.5m bay will comfortably accommodate two vehicles; a bay of 17.5m will accommodate three vehicles of average size. This will remove the turning head area, but the owners of the land to the rear of 113 Nunnery Lane are willing to allow vehicles to turn in the newly created dropped kerb area. The amendment to change a single yellow line to a double yellow line will remove further obstruction to vehicles parked on Clement Street and allow them to turn more easily.

To mitigate the loss of parking spaces we have identified areas on St Benedict's Road and Custance Walk for 3 spaces. Details of these are included as Annex B. We have not received any objections to this part of the proposal.

## **Consultation**

9. The proposal was advertised in “The Press”, notices placed on street and adjacent properties within the R16 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**

10. The process confirms we are a council that listens to residents and works in partnership with local communities.

## **Implications**

11. None

## **Financial**

12. Implementation of the changes on Clement Street will be invoiced to the applicant. The additional spaces to be provided on St Benedict’s Road and Custance Walk will be financed from the 2016 Resident Parking budget allocation.

## **Human Resources**

13. None identified

## **Equalities**

14. None identified during the consultation period

## **Legal**

15. 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**

16. None identified

## **Information Technology**

17. None identified

## Land

18. None Identified

## Other

19. None identified

## Risk Management

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

## Contact Details

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### Chief Officer Responsible for the report:

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Services

**Report**  
**Approved**



**Date** 28 July 2016

### Specialist Implications Officer(s)

There are no specialist implications.

### Wards Affected:

Micklegate

For further information please contact the author of the report.

## Annexes

Annex A: Proposed changes on Clement Street

Annex B: Proposed changes on St Benedict's Road and Custance Walk

## Abbreviations

TRO: The York Parking, Stopping and Waiting Traffic Regulation Order 2014

CYC: City of York Council

IT: Information Technology

HR: Human Resources

Respark: Residents' Priority Parking