

**Decision Session – Executive Member for  
Transport**

**17 January 2020**

Report of the Assistant Director of Transport, Highways & Environment

**Consideration of Objection received to proposed revocation of a R30  
Resident Parking Bay on Layerthorpe**

**Summary**

1. We have received one objection to an advertised proposal to revoke a Resident Parking Bay. The report asks the Executive Member to consider the proposal along with the objections received and make a decision from the options given.

**Recommendations**

2. The Executive Member is asked to:

(I) Over-rule the objection and implement as advertised.

**Reason:** To meet the requirement of the planning decision to allow a dropped kerb access at 119 Layerthorpe. There are no highway safety grounds to deny the property owner from providing an off-street parking amenity.

3. Planning Application 19/00428/FUL refers. The resident of 119 Layerthorpe applied for planning permission to install a dropped kerb access to provide an off street parking provision at this property. A plan of the location is provided as Annex A and a plan of the approved drawing is provided as Annex B.
4. The access is to be formed on a busy highway and close to a traffic controlled junction. The driveway access as approved is laid out to provide parking for two cars with a turning area to allow for access and egress in a forward gear.

5. A condition in the planning approval stated:  
“The development hereby permitted shall not come into use until the following highway works .... have been carried out ...  
Measures to amend the Resident Parking Zone R30  
Reason: In the interests of residential amenity and highway safety.

### **Objection Received**

6. I wish to oppose the introduction of "No Waiting at any time" on the road directly outside our home. This will reduce the amount of parking available to the homes numbers 119 to 127 to just 5 spaces, 2 of which are in permanent use by the home owners without private parking and the R30 zone allows cars to be parked here from a much larger area. We are 2 single people who share the property so we have frequent family and friends visiting. We use our own drive for our 2 vehicles. These traditional homes are being impacted on all sides by proposed developments which seem to have priority over long standing residents. It seems that to give number 119 driveway access it is depriving others of 3 spaces, surely 2 would have been adequate.

### **Officer Comments**

7. The proposed bay for revocation is 13m in length which is only suitable for two vehicles to park comfortably. The location plan (Annex A) identifies properties on this stretch of road which have an off street parking amenity.
8. We have undertaken a current permit analysis for this stretch of road between 119 and 145 Layerthorpe. There are two household permits issued with one additional authorisation card and space for 6 vehicles adjacent to these properties. The proposal will remove 2 spaces with space for 4 vehicles remaining. This is adequate for the number of permits issued.

### **Consultation**

9. Notices were placed on street and in The Press (local newspaper). Details were delivered to adjacent properties. Emergency Services and haulier associations are sent details in accordance with Highway Regulations

## Options

10. Options available are:

- I. Recommended Option:  
Over-rule the objections and implement as advertised.

Reason: This is the recommended option because it meets the requirement of the planning decision for installation of dropped kerb access at 119 Layerthorpe.

- II. Uphold the objection and take no further action.

Reason: This is not the recommended option because there are no highway safety grounds to deny the property owner from providing an off-street parking amenity.

## Analysis

11. **Option One:**

This is the recommended option because:

- a) Removal of the parking bay meets the requirement of the planning process. The position of the drive access and removal of the resident parking bay were considered as part of the planning process as a requirement to enable safe access and egress when in use.
- b) Most of the properties in this area have an off-street parking amenity (identified in Annex A).
- c) There are no identified highway reasons to deny the owner of the property an off street parking amenity in line with other residents of the area.
- d) Currently, parking arrangements for the property are located on the private access road to the side. Access to the rear of the property and parking at this location will be rescinded in the near future by the land owners. The owner of 119 Layerthorpe is seeking to replace the parking amenity to the front of the property.
- e) The parking spaces have the benefit of a safe access and turning area. Once the property is occupied, vehicles will be able to park off street and not add to the pressure for parking space within the R30 zone.
- f) Considering the zone as a whole, an analysis in 2018 concluded 124 permits were issued against estimated space for 151 vehicles to

park. Consequently, there is space capacity for visitors to park within the zone after the loss of the two spaces.

- g) Although the adjacent property would prefer to keep the resident parking amenity for their visitors, removal will improve the visibility of oncoming vehicles when leaving their property.

## 12. Option Two

This is not the recommended option because:

- a) It would deny the owner of the property the right to have an off-street parking amenity in line with that enjoyed by his neighbours.
- b) Highway safety issues have already been considered within the planning application process and the current proposal meets the requirement of highway development officers.
- c) Implementation will remove space for two vehicles from the R30 zone, but potentially provide an off street parking amenity for two vehicles which otherwise would have to use the R30 provision.
- d) There is capacity in the R30 zone to lose the space allocation. Although it should be noted that Resident Parking schemes do not guarantee a space is available.
- e) Consideration of space within a zone should be considered as a “whole” and not concentrated on a particular area.

## Council Plan

### 13. An open and effective Council

A consultation exercise has been carried out to give local residents an opportunity to engage with the process and have their say. Resident opinions and requests for changes to the proposals have been recorded, and considered within the report.

## Implications

14. **Financial:** The property owner is financing the legal work to amend the Traffic Regulation Order. There are no financial implications for the Council.

15. **Human Resources (HR):** None identified

16. **Equalities:** None identified

17. **Legal:** The proposals require amendments 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;  
Section 73 of the Town and Country Planning Act 1990 is relevant for the planning process

18. **Crime and Disorder:** None identified
19. **Information Technology (IT):** None identified
20. **Property:** None identified
21. **Risk Management:** There is an acceptable level of risk associated with the recommended option

### Contact Details

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**Chief Officer Responsible for the report:**

**James Gilchrist**  
Assistant Director Transport, Highways and Environment

**Report**      **Date** 07.01.20  
**Approved**      ✓

**Wards Affected: Guildhall**

**For further information please contact the author of the report**

**Background Papers:**

Planning Application 19/00248/FUL

<https://planningaccess.york.gov.uk/online-applications/simpleSearchResults.do?action=firstPage>

**Annexes**

Annex A: Location Plan

Annex B: Drawing of the proposed off street parking/dropped kerb access