

## **AGENDA ITEM**

### **REPORT TO APPEALS & COMPLAINTS COMMITTEE**

**31 MARCH 2010**

### **REPORT OF CORPORATE DIRECTOR OF DEVELOPMENT & NEIGHBOURHOOD SERVICES**

## **AVRO CLOSE, STOCKTON – 24 HOUR WAITING RESTRICTIONS**

### **1.0 SUMMARY**

The purpose of this report is to seek Members' views on unresolved objections received following the statutory advertising of a proposal to implement 24 hour waiting restrictions on Avro Close around its junction with Concorde Way (A135), Stockton.

It is not considered appropriate for the Acting Head of Technical Services to consider the objections as he would be effectively reviewing his own decision.

### **2.0 RECOMMENDATIONS**

It is recommended that:-

- (i) Members give consideration to the objections raised by Preston Farm BMW Garage employees and also to the comments of the Acting Head of Technical Services.
- (ii) The local Ward Councillors and the objectors be informed of the Committee's recommendation.

### **3.0 DETAIL**

- 3.1 The Police and local Ward Councillors have raised concerns regarding the on street parking that occurs along Avro Close, Stockton as it restricts larger vehicles such as car transporters from accessing the garage sites to load and unload. This results in the aforementioned vehicles parking on Concorde Way (A135), restricting the free flow of traffic, causing an increased risk to highway safety.
- 3.2 In February 2008 a planning application (08/0467/ful) was submitted by Inchcape Estates Ltd to redevelop the 3 existing car dealerships on Avro Close that are under their ownership. The application also aimed to resolve the current parking issues on Avro Close by proposing a revised site layout and access arrangements. In addition parking would be provided in accordance with the Council's Parking Standards to ensure that sufficient levels of parking for staff and customers could be accommodated within the site.

As part of the approval of this application, a planning condition was attached requiring the implementation of a Traffic Regulation Order to provide 24 waiting restrictions on Avro Close, with the applicant agreeing to meet the cost of implementing these restrictions.

- 3.3 The requirement for 24 hour waiting restrictions on Avro Close was considered by Stockton Officers' Traffic Group meeting on 21<sup>st</sup> May 2009 (Item no 112/99), and the proposal was subsequently approved by the Head of Technical Services in consultation with the Cabinet Member for Regeneration and Transport (Scheme of Delegation report TS.T.74.09). A location and drawing of the proposed restrictions are shown on drawing number TM5/444 in **Appendix 1**.
- 3.4 A Notice for the proposed scheme was advertised in the Evening Gazette and on site on 27<sup>th</sup> November 2009 with the objection period expiring on 18<sup>th</sup> December 2009. Following the publication of the Statutory Notices, the Director of Law and Democracy formally received fifteen letters of objection, though thirteen objectors have subsequently withdrawn. Copies of the two outstanding objections are attached as **Appendix 2**.

#### **4.0 DETAILS OF THE OBJECTIONS**

The two main reasons for objection were:

- 4.1 The implementation of 24 waiting restrictions on Avro Close would leave Preston Hall BMW employees with a lack of available parking close to the place of employment. At present the only parking provision within the site is for Loan and Demonstrator vehicles only. Many of the staff live in the surrounding towns which makes travel to work by car desirable.

"The removal of the 'parking' from Avro Close would mean that the next parking area available to the public is Moss Way. Moss Way is already used by many of the workers from the companies on the Northern side of Concorde Way, including a lot staff from the Mercedes dealership. More parked cars there will lead to worse congestion problems for that road and surrounding businesses."

##### Response

Avro Close is adopted public highway and as such no one has a specific right to park on street unless there are marked formal designated parking bays. On street parking is generally tolerated unless it is causing an obstruction to traffic flow, pedestrian movement or is creating a road safety hazard.

The planning application submitted by Inchcape Estates Ltd to redevelop the 3 existing car dealerships stated that it aimed to resolve the current parking issues on Avro Close and proposed a revised site layout, access arrangements and additional parking to help achieve this.

It was agreed that parking within the site must be provided in accordance with the Council's Parking Standards to ensure that sufficient levels of parking for staff and customers can be accommodated. Inchcape also supported the Council's proposal for a planning condition to provide 24 waiting restrictions on Avro Close.

All developments must be constructed and implemented in accordance with the planning approval granted. Non-compliance or breach of this approval could result in enforcement action being taken.

- 4.2 There are no designated crossing places on Concorde Way, which means that parking further a field on the northern side of Concorde Way would be dangerous.

"If parking on Moss Way, there are no designated safety crossings on Concorde Way. At this time of year, most of the employees in the area arrive and leave there workplace in hours of darkness. I believe this to be a serious hazard and wonder if this is a health and safety issues that needs to be addressed."

## Response

There are a number of non-signalised pedestrian crossing points on Concorde Way, including one directly adjacent to the BMW garage site. Each crossing point has dropped kerb, tactile paving and pedestrian guard railing on the central island.

### **5.0 FINANCIAL IMPLICATIONS**

The estimated cost of processing the Order and for the associated lining works is £2,000. This is to be funded by the dealerships management company Inchcape Estates Ltd. Signing is no longer necessary for enforcement of 24 hour waiting restrictions.

### **6.0 POLICY CONTENT**

The proposals will prevent parking at all times and assist with the safe and expeditious movement of traffic and pedestrians.

### **7.0 CONSULTATION**

As noted above, the Officers' Traffic Group (Item no 112/99), Ward Councillors, Acting Head of Service and Cabinet Member for Regeneration and Transport were also consulted. Statutory consultations involving advertising on site and in the local press were undertaken; this resulted in two outstanding objections being received. All objectors will be invited to the Appeals Committee.

### **8.0 CONCLUSIONS**

The restrictions were conditioned on road safety grounds in order to prevent on street parking on Avro Close and to allow access to the garage sites for larger vehicles such as car transporters to load and unload within the site.

Whilst the proposed restrictions would remove on-street parking opportunity for staff of the garage sites, increased staff and customer parking will be provided within the site as part of the approved redevelopment of the garage sites.

It is requested that the Committee recommend the objections are over-ruled and the restrictions are implemented.

#### **Corporate Director of Development and Neighbourhood Services**

**Contact Officer** : Kevin Ellison  
**Telephone** : 01642 526751  
**Email Address** : kevin.ellison@stockton.gov.uk

#### Environmental Implications

None.

#### Community Safety Implications

Addresses congestion issues and road safety concerns relating to obstructed intervisibility caused by on-street parking, as expressed by the local Ward Councillors, Police and highlighted via a planning application.

Background Papers

08/0467/FUL - Determination of Application Under Delegated Powers Report 8<sup>th</sup> June 2009  
Scheme of Delegation Reports TS.T.74.09

Education Related Item?

No

Ward(s) and Ward Councillors:

Parkfield & Oxbridge : Councillors R Rix and M Javed