

**TRAFFIC REGULATION ORDER OBJECTIONS ASSOCIATED WITH THE
PROPOSED WAITING RESTRICTIONS ON VICTORIA STREET, CAMBRIDGE**

To: Cambridge Joint Area Committee

Meeting Date: 9th June 2020

From: Executive Director Place & Economy Directorate

Electoral division(s): Market (County and City)

Forward Plan ref: N/A **Key decision:** N/A

Purpose: To determine objections received in response to the publication of proposed waiting restrictions on Victoria Street, Cambridge.

Recommendation: The Committee is recommended to:

- a) Implement the proposals on Victoria Street as originally published; and
- b) Inform the objectors accordingly.

<i>Officer contact:</i>		<i>Member contacts:</i>	
Name:	Sonia Hansen	Names:	Councillor Richard Robertson
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1. BACKGROUND

- 1.1 Victoria Street is an unclassified road comprising of mainly residential properties. Victoria Street is located in central Cambridge running north-west to south-east from its junction with Emmanuel Road to its junction with Clarendon Street. It is located in the Electoral Division of Market. A plan showing the location of Victoria Street can be found at **Appendix 1**.
- 1.2 It has been proposed to install no waiting at any time on Victoria Street on its north east side from a point 23.5 metres south east of its junction with Emmanuel Road in a south easterly direction for 1.9 metres. A 1.9m length of the existing section of residents parking bay (9am – 8pm) will be revoked to accommodate the proposed no waiting at any time restriction. A plan showing the extent of the proposed restrictions can be found at **Appendix 2**.
- 1.3 These proposals are being made following the submission of a third party funded Traffic Regulation Order (TRO) application by the owner of 1a Victoria Street, Cambridge. The request for the TRO has been submitted to enable access and egress to the garage at 1a Victoria Street.
- 1.4 The residents parking bay on northern side of Victoria Street previously terminated at the south eastern boundary wall of 1a Victoria Street. The resident parking bay was extended by 1.9 metres to its existing position outside of 1a Victoria Street by The City of Cambridge (Civil Enforcement Area) (Waiting Restrictions And Street Parking Places) Order 2013 (Amendment No. 2) Order 2013 which reviewed the Kite Area Residents Parking Scheme introducing new restrictions to increase both the number and type of residents parking bays within the Kite Area. The previous north western boundary of the resident parking bay outside of 1a Victoria Street and its existing boundary can be seen on the 2012 and 2015 Google Street View images shown in **Appendix 3**. A photo of the garage in use by the applicants' vehicle can be found at **Appendix 4**.

2. MAIN ISSUES

- 2.1 The Traffic Regulation Order (TRO) procedure is a statutory consultation process that requires the Highway Authority to advertise in the local press and on-street, a public notice stating the proposal and the reasons for it. The public notice invites the public to formally support or object to the proposals in writing within a twenty one day notice period.
- 2.2 The notice for the proposed TRO was advertised in the Cambridge News on the 11th December 2019. The statutory consultation period ran from the 11th December 2019 to the 10th January 2020.
- 2.3 The statutory consultation resulted in 3 objections. These have been summarised in the table in **Appendix 5**. The officer responses to the objections and statements of support are also given in the table. The applicants response to the objections raised can be found at **Appendix 6**.

3. ALIGNMENT WITH CORPORATE PRIORITIES

3.1 A good quality of life for everyone

There are no significant implications for this priority.

3.2 Thriving places for people to live

There are no significant implications for this priority.

3.3 The best start for Cambridgeshire's children

There are no significant implications for this priority.

3.4 Net zero carbon emissions for Cambridgeshire by 2050

There are no significant implications for this priority.

4. SIGNIFICANT IMPLICATIONS

4.1 Resource Implications

The necessary staff resources and funding have been secured via a third party funded TRO application.

4.2 Procurement/Contractual/Council Contract Procedure Rules Implications

There are no significant implications for this priority.

4.3 Statutory, Legal and Risk Implications

There are no significant implications for this priority.

4.4 Equality and Diversity Implications

There are no significant implications for this priority.

4.5 Engagement and Communications Implications

The statutory consultees have been engaged including the County and District Councillors, the Police and the Emergency Services. The Police offered no objections and no comments were received from the other emergency services.

Notices were placed in the local press and were also displayed on site. The proposal was made available for viewing in the reception area of Shire Hall, Castle Street, Cambridge, CB3 0AJ and online at <http://bit.ly/cambridgeshiretro>

4.6 Localism and Local Member Involvement

County Councillor Nichola Harrison and City Councillors Tim Bick, Anthony Martinelli and Katie Porrer were consulted. County Councillor Nichola Harrison objects to the proposal.

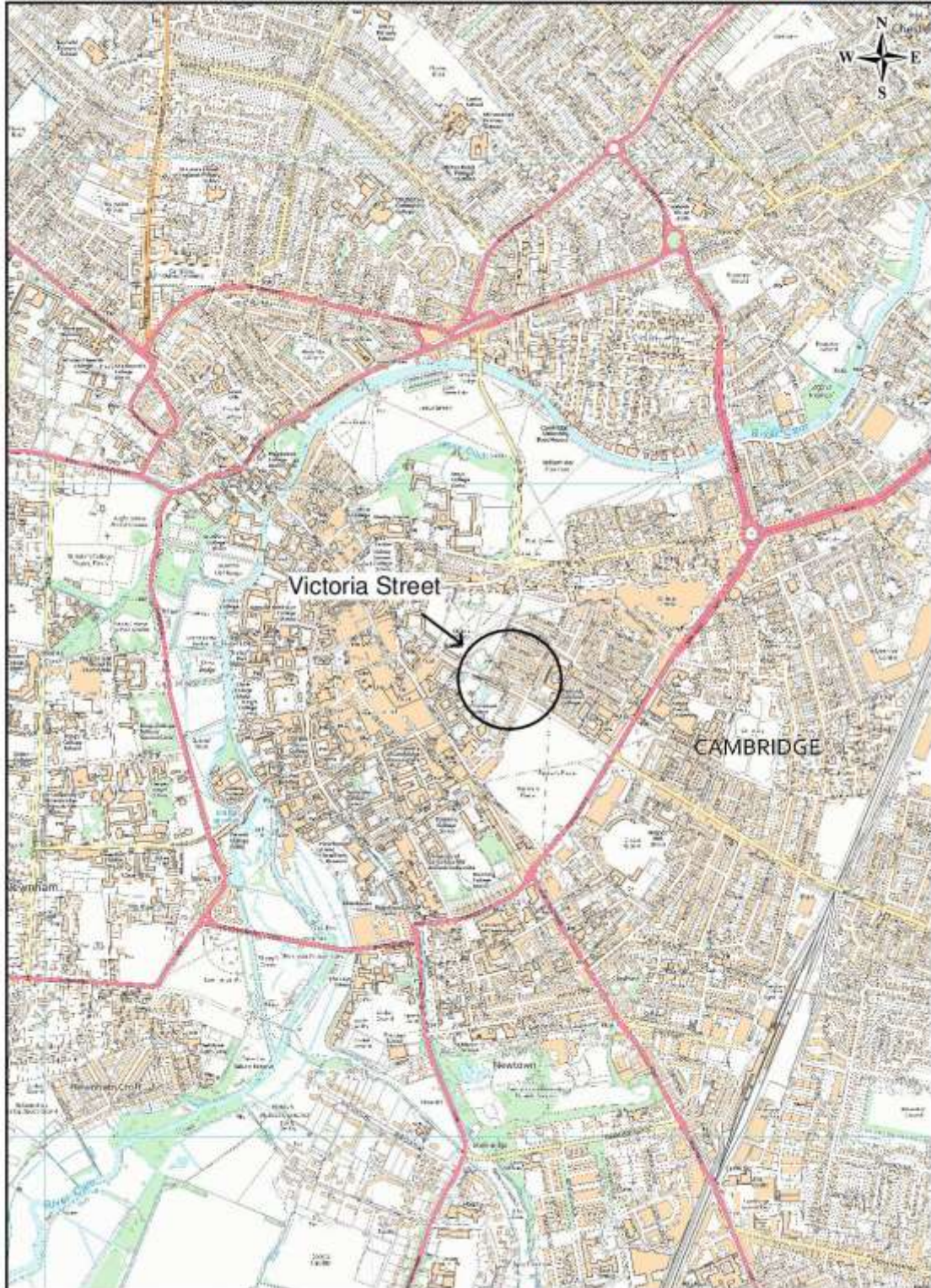
4.7 Public Health Implications

There are no significant implications for this priority.

Implications	Officer Clearance
Have the resource implications been cleared by Finance?	Yes Name of Financial Officer: Sarah Heywood
Have the procurement/contractual/ Council Contract Procedure Rules implications been cleared by the LGSS Head of Procurement?	Yes Name of Officer: Gus De Silva
Has the impact on statutory, legal and risk implications been cleared by the Council's Monitoring Officer or LGSS Law?	Yes Name of Legal Officer: Fiona McMillan
Have the equality and diversity implications been cleared by your Service Contact?	Yes Name of Officer: Elsa Evans
Have any engagement and communication implications been cleared by Communications?	Yes Name of Officer: Sarah Silk
Have any localism and Local Member involvement issues been cleared by your Service Contact?	Yes Name of Officer: Richard Lumley
Have any Public Health implications been cleared by Public Health	No Name of Officer: Tess Campbell

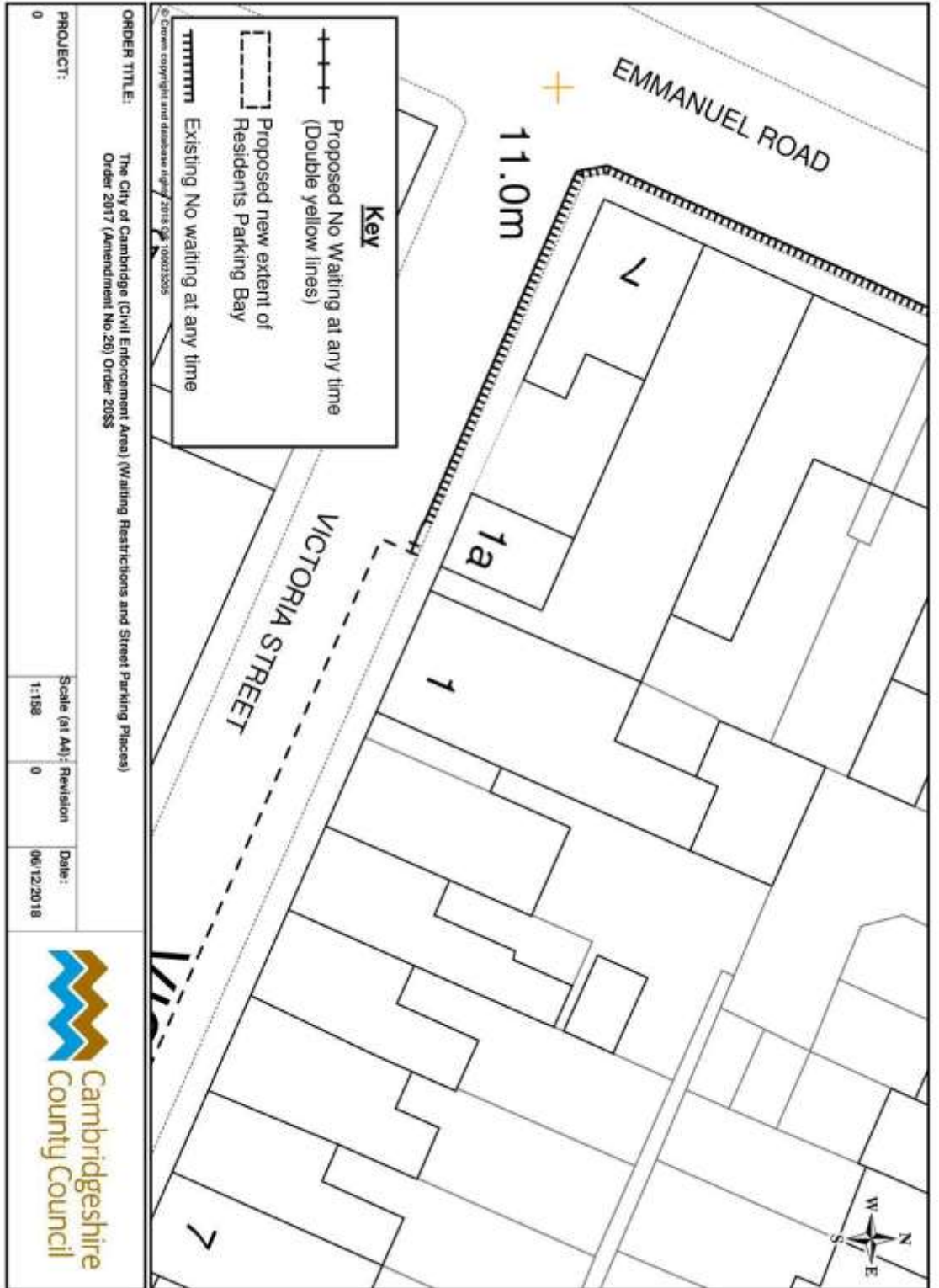
Source Documents	Location
Scheme Plans Consultation Documents Consultation Responses	Vantage House Vantage Park Washingley Road Huntingdon PE29 6SR

Cambridgeshire County Council



Scale (at A4): 1:15000 Centred at: 545300,258501 Date:06/02/2020 © Crown copyright and database rights 2020 OS 100023205

Appendix 2



2012 Google Street View image



2015 Google Street View image





No.	Consultation Responses	Officer's Comments
1	<p>Objection stating: I object to this application for the following reasons and request that it is referred for decision by the Cambridge Joint Area Committee (CJAC):</p> <p>1) The loss of 1.9metres of residents parking bay would be harmful to the interests of other residents in the Kite residents parking zone, who already experience a severe shortage of on-street parking provision. By shortage of parking I mean that there are more residents parking permits in issue than there are parking spaces on the ground. This makes it difficult for residents not only to park their own cars, but to accommodate visitors and tradespeople. Every metre of residents parking bay is valuable in this situation and local residents feel strongly about what amounts, in a case like this, to the effective privatisation of a much-needed public asset.</p> <p>On this basis, I believe the council should not agree to reduce residents parking provision without clear justification. In my view, the applicants have not provided such justification, but would have the opportunity to try to do so if the application is referred to the Cambridge Joint Area Committee (CJAC).</p> <p>2) 1a Victoria Street is a small two storey house, which to my knowledge was let to tenants some years ago, but currently and for some considerable time has been unoccupied. As of earlier today, there was mail on the doorstep dating from prior to the 12th December general election. During</p>	<p>I acknowledge that there is a high demand for on street parking places by residents in the kite Area. The applicant of this third party funded Traffic Regulation Order (TRO) has submitted this request because they are now residing in the property known as 1a Victoria Street, Cambridge and require access to the garage at the ground floor of the property from the public highway. Although it is acknowledged that the proposal would be reducing the existing residents parking bay on the northern side of the carriageway by 1.9 metres it is likely that the vehicle used by the owner of 1a Victoria Street would be parked in the garage within the property and therefore not being parked in the residents parking bay.</p> <p>It should be noted that until 2013/14 the residents parking bay on northern side of Victoria Street previously terminated at the south eastern boundary wall of 1a Victoria Street. The residents parking bay was extended by 1.9 metres to its existing position outside of 1a Victoria Street by The City of Cambridge (Civil Enforcement Area) (Waiting Restrictions And Street Parking Places) Order 2013 (Amendment No. 2) Order 2013 which reviewed the Kite Area Residents Parking Scheme introducing new restrictions to increase both the number and type of residents parking bays within the Kite Area.</p> <p>The applicant of this TRO has supplied evidence that they are residing at the property, having produced a copy of a letter dated 15th August 2019 from Cambridge City Council confirming their addition to the electoral register for the property 1a Victoria Street. The resident has stated that they intent to use of the garage for their vehicle or their Mothers vehicle when she is visiting. A photo showing</p>

	<p>many visits to the property over the last 18 months or more since this issue first arose, I have never found any sign of occupation, including in the evenings. Nearby residents confirm that the house has been unoccupied for a long time. In the circumstances, I am not convinced that the applicant is residing at the property and can demonstrate an actual need or intention to use the proposed vehicle access, and I believe the application should not be granted until and unless an actual need and intention is established. The applicant would, if they actually take up residence in the house, be entitled to apply for a residents parking permit whilst any future TRO process is underway. Again, consideration of the application by CJAC would allow the applicant to present their case to councillors.</p> <p>3) If approved, the application would enable a vehicle to enter part of the ground floor (the rest being a lobby and staircase) - a room used previously as a sitting room. A lightweight door and partition separate this room from the staircase and upper floor. I am concerned that, given the residential use upstairs, fire and health risks make it impractical for this space to be used for garaging a vehicle. I appreciate that the council may not have direct responsibility for personal safety on private property, but I believe it does have a duty to consider the practicality and feasibility of the proposed vehicle access. If not, then - as local residents have put it to me - what is to stop every other property owner from applying to remove public parking rights in front of their house, even if vehicle access into the building is patently impractical. Referral to CJAC would allow</p>	<p>the garage at 1a Victoria Street being used by the applicants' car has been supplied and is attached (see appendix 4).</p> <p>The applicant has provided copies of the planning permission granted by Cambridge City Council as Local Planning Authority dated 15th August 1984 to grant permission to convert the premises adjacent to 1 Victoria Street from a garage and storage building to a residential flat and garage. Any matters regarding the suitability to use the property for the use it has been approved for would be a matter to raise with the Local Planning Authority (in this case Cambridge City Council).</p> <p>If residents are planning to install a dropped kerb access to their property and their property is within a residents parking scheme they can apply to Cambridgeshire County Council as Highway Authority to change the extent of the residents parking bay to accommodate a dropped kerb access however the resident would need to meet the cost of the requisite TRO and any works required to change the lining and signing. The applicant would also need to apply to the County Council for permission for the dropped kerb access and pay for any associated</p>
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	<p>officers to advise councillors about these issues and for councillors to decide what is right in this case.</p> <p>4) If the council/CJAC is minded to approve the application, I would ask that the dwelling at 1a Victoria Street be withdrawn from entitlement to apply for residents parking permits. What is already a very small house would become, once the sitting room is removed, a truly tiny residence that cannot possibly require more than one parking space. The occupant would still be entitled to visitor permits.</p>	<p>works. Depending on the classification of the road the property owner may also need to apply to relevant District Council for planning permission.</p> <p>Cambridgeshire County Council's Residents' Parking Scheme Policy does not stipulate that properties within the scheme area that have access to off street parking be prohibited from applying for residents parking permits and therefore any change to this would require the Policy to be amended.</p>
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<p>2</p>	<p>Objection stating: I wish to raise an objection to the proposal to reduce the number of parking bays in Victoria Street. As a resident of the Kite, there are very limited resident's parking bays available and often, with building works taking place, there are times when parking in the Kite area, is severely limited. I note that the reason for the reduction of the section of parking is to allow access for the garage of 1A Victoria Street. It should be noted that although 1A has the external appearance of a garage, this is not actually used as a garage and cars are never parked inside the building. If this bay is reduced, I would urge that the Council open up alternative parking spaces for use for residents in the Kite</p>	<p>I acknowledge that there is a high demand for on street parking places by residents in the kite Area. The applicant of this third party funded Traffic Regulation Order (TRO) has submitted this request because they are now residing in the property known as 1a Victoria Street, Cambridge and require access to the garage on the ground floor of the property from the public highway. The applicant has stated that they intent to use of the garage for their vehicle or their Mothers vehicle when she is visiting. The applicant has provided photographic evidence of the garage at 1a Victoria Street in use by their vehicle (a copy of which is attached), the applicant has stressed that access to the garage in the vehicle was only possible because the residents parking bay in front of their garage was not in use at the time.</p> <p>Although it is acknowledged that the proposal would be reducing the existing residents parking bay on the northern side of the carriageway by 1.9 metres it is likely that the vehicle used by the owner of 1a Victoria Street would be parked in the garage within the property and therefore not being parked in the residents parking bay.</p> <p>It should be noted that until 2013/14 the residents parking bay on northern side of Victoria Street previously terminated at the south eastern boundary wall of 1a Victoria Street. The residents parking bay was extended by 1.9 metres to its existing position outside of 1a Victoria Street by The City of Cambridge (Civil Enforcement Area) (Waiting Restrictions And Street Parking Places) Order 2013 (Amendment No. 2) Order 2013 which reviewed the Kite Area Residents Parking Scheme introducing new restrictions to increase both the number and type of residents parking bays within the Kite Area</p> <p>It is beyond the scope of this Traffic Regulation Order (TRO) to provide alternative resident parking spaces within the Kite Area. The public highway is an area of land which the public have the right to use for passing and repassing without let or hindrance.</p>
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		<p>Although residents and other road users have no automatic parking entitlements, residents' parking is generally allowed where it does not: Impinge on the movement of traffic; Create a safety hazard or obstruct access for other highway users including cyclists and pedestrians; or cause damage to the fabric of the highway. If local residents feel that a review of the Kite Area local residents parking scheme is needed this should be raised initially with your local Councillor.</p>
3	<p>Objection stating: I wish to raise an objection to the proposal to reduce the number for parking bays in Victoria Street. This seems a very odd decision.</p> <p>As a resident of the Kite, there are very very limited resident's parking bays available and often (when building works are taking place), there are times when parking in the Kite area, is severely limited or even impossible. I have at times had to pay for off street parking and very very often have to ensure I remember to move my car before 9am if I am forced to park on a yellow line.</p> <p>I note that the reason for the reduction of the section of parking is to allow access for the garage of 1A Victoria Street. It should be noted that although 1A has the external appearance of a garage, I don't think it is actually used as a garage. I believe the property is in fact completely domestic and cars are never parked inside the building. If this bay is reduced, I would urge that the Council open up an alternative parking space for use for residents in the Kite.</p> <p>It is quite expensive to pay for residents parking, off street parking and the occasional fine through lack of parking, although, I suspect, very lucrative for the Council. Please provide a balance with is both safe and fair for all concerned.</p>	<p>Response as with objection 2 above.</p>

Comments on Summary of Objections

TRO Application Robert Peel House 1A Victoria Street Cambridge

I, [REDACTED], am the owner of the property at Robert Peel House, 1A Victoria Street, Cambridge. ("the Property")

I have made the application to reduce the length of the resident's parking bay in front of the garage doors at the Property in order to enable access in and out of the garage that comprises the ground floor of the Property.

These are my comments on the objections:-

1. I am attaching a photograph marked Photo 1 showing the original markings on the road demonstrating what needs to be possible (as was the case prior to 2017) to access the garage. Photo 2 shows the extent of the resident's parking bay now in front of the Property.
2. The fact that there are more residents' parking permits issued than there are parking spaces on the ground is not a matter for me.
3. The justification for requesting the reduction in the residents' parking zone immediately outside the full garage doors giving access to the garage on the ground floor of the Property is that I now reside at the property (please see evidence attached that I am on the electoral roll for this address). My family has owned the Property through 5 generations. I wish to use the garage for the purposes of garaging a car and there is therefore an actual need to access the garage. As well as myself I also wish to allow my grandmother – [REDACTED] and born and bred in Cambridge - to use the garage when she is driven to visit me by her carer.

4. The permitted use of the ground floor of the Property for planning purposes is as a garage— see planning permission attached. Please note that the design of the garage doors was stipulated by the Planners as being in keeping with the historic design of the original doors to this building. The ground floor is not used for residential purposes. It is empty and awaiting the physical ability for a car to gain entry to the garage through the garage doors as is visible on Photo 2. The facts as set out in this statement demonstrate the intention to do so.

5. I would also like to make the point that on 15 August 2018 [REDACTED] Assistant Engineer Highway Projects and Road Safety advised by email (copy attached) “I have also had a look in to reducing the parking bay that is currently outside Robert Peel House. We are going to include this within the Victoria Street LHI works and reduce the bay back to its original location.

I hope that this relocation is satisfactory to yourself and will allow for you to access your garage more easily.”

I expected that this was an end to the matter.

We were then advised that this was an error and the residents’ bay could not be restored to its former extent without a formal TRO application.

We were then referred to the TRO procedure.

We did draw attention to paragraph 44.7 of Cambridgeshire County Council’s Resident Parking Scheme Policy which provides that the County Council must consider “access and safety requirements” and furthermore in the FAQs there is a question as follows:-

“How will the scheme affect the use of my private driveway?”

The response is as follows:-

“You do not need a permit to park on your driveway or any other private areas of land *if you have a constructed access with dropped kerbs we will not mark a bay across it*” .

Please note that the Property **does** have dropped kerbs in front of it and the resident's bay **has** been marked across it. It is appreciated that there has been a period of time when vehicular access to the garage was not required but as explained above this is no longer the case now that I reside at the Property.

6. With regard to the objectors comment that there is currently insufficient residents parking within the kite area, please see attached photos 3, 4, 5, 6, 7, 8, 9, 10, 11 and 12 which show other empty resident's bays within the kite area on the morning of Tuesday 28 January, proving there is more than sufficient space for residents to park.
7. With regard to the fourth paragraph of Objection 1 the applicant does not believe that the Cambridge City Joint Area Committee is concerned with health and safety issues but for the purposes of this statement please be aware that all necessary planning permissions and building regulations consents were obtained by the Applicant's family in 1984 to convert the Property to a residential flat with ground floor garage. No change of planning use has been applied for by the Applicant or his family since 1984 nor has any planning enforcement notice been served by the Council alleging any unauthorised planning use. Therefore, there is no legal requirement on the Applicant to apply for any further planning or building regulation consents in order to continue the lawful use of the ground floor as a garage.