

## **The Vale of Glamorgan Council**

### **Cabinet Meeting: 7 March, 2016**

#### **Report of the Cabinet Member for Visible and Leisure Services**

#### **Esplanade (Beach Cliff Development), Penarth – Proposed Parking Restrictions – Objection Report and Consideration of an Alternative Scheme**

##### **Purpose of the Report**

1. To advise Members of an objection received relating to the proposed alterations to the parking restrictions on the Esplanade, Penarth.

##### **Recommendations**

1. That Members note the contents of the report and that the objector is advised accordingly.
2. That for the reasons given, Members reject the objection and approval be given to progress with the proposed Order, a plan and schedule of which is included in Appendices '[C](#)' and '[D](#)'.

##### **Reasons for the Recommendations**

1. To confirm the Cabinet's position.
2. To enable the Order to be made.

##### **Background**

2. On the 23rd June 2014 the then Cabinet Member for the Environment and Visible Services and Director of Visible Services and Housing gave approval to issue public notice of a proposed limited waiting scheme for parking bays (10am to 7pm) 2 hours, no return within 2 hours and revocation of a length of no waiting at any time along the Esplanade (part), Penarth. A copy of the report is reproduced in full at [Appendix 'A'](#).
3. The proposed amendments to existing parking restrictions were required to comply with the approved planning consent for the new Beach Cliff development, which includes a mix of residential and commercial use.
4. Accordingly, public notice of the proposals was given on the 26th June 2014, with objections being invited in writing by the 18th July 2014.
5. The previous highway configuration featured a 'build out', which was reserved for restaurant seating. This area has now been liberated, which will permit a further

approximate thirteen echelon parking bays for visitors to Penarth Esplanade, the overall length of which is reproduced in [Appendix 'D'](#).

## Relevant Issues and Options

6. The consent notice for the development's most recent planning permission contains a condition that a new Traffic Regulation Order, which includes the formal laying out of parking spaces on the public highway outside the site, must be in place before the development comes into beneficial use.
7. The planning report on the original application for this development also indicated that "whilst these parking bays would not be reserved exclusively for residents, they would add to the overall provision of public parking in the area, and may also provide additional overnight parking for residents or visitors after a specified time". The report goes on to say that "it is also considered that the proposed development would be served by alternative means of transport that would offer alternatives to residents than the private motor car alone".
8. One objection was received by email from the developer, a copy of which is attached in [Appendix 'B'](#). The reason for the objection is highlighted below, together with the traffic officer response.
  - Objector A
9. Concern 1:

"It was confirmed by way of e-mails dated 21st December 2012 from the Vale of Glamorgan Council that 5 parking spaces would be allocated to the development. This was a pre-requisite condition of our funder, The Principality, without which the development would not have commenced".
10. Officer response 1:

It was not confirmed that spaces would be authorised and allocated solely for residents of the Beach Cliff development, although this was the developers wish. It was however confirmed that the principle of designating a small number of space into a resident parking scheme would be considered as part of the development. Such a principle has been considered and the detail of that consideration is included in this report. Furthermore, if any residents scheme were to be introduced it would be for all residents of the Esplanade to apply, not solely for the Beach Cliff development.
11. Concern 2:

"Planning permission 2014/00070/FUL included as its application drawing 131-AP300, which identifies the requirement for 6 number allocated car parking spaces to the development".
12. Officer response 2:

The drawing was received and acknowledged, although this was never approved as being a final and agreed plan. The loss of further public parking should not be favoured over the potential benefits in providing additional parking for tourists and visitors to the area.
13. Concern 3:

"We were mindful of the car parking and within the planning application removed the area of decking within the highway to implement additional car parking spaces. In doing so, we actually devalued the commercial unit".

14. Officer response 3:

The decking would have had to be removed, regardless of any reserved spaces. The removal of the decking was required to revoke the existing double yellow lines and to replace with an echelon limited waiting parking arrangement, which would run contiguous with the rest of the Esplanade's existing parking arrangements and in doing so increases the opportunities for visitor parking by a further thirteen bays.

15. There is significant demand for parking on the Esplanade which is particularly high during the summer season. Whilst the requirement for designated residents' parking to service the new Beachcliff development is recognised after due consideration and deliberation, it is considered that the demand for visitor parking should take precedent. Also, due to the timing of the restrictions proposed residents or visitors will be able to park from 5:00 p.m on any one day until before 12 midday the following day.

### **Resource Implications (Financial and Employment)**

16. The cost of making the Traffic Regulation Order is in the region of £3,000, which has been funded by the developer.
17. The developer has also been advised that they will be required to fund any additional costs incurred, including changes to road markings and traffic signs once the Order has been made.
18. The Council will utilise its own administrative resources for the legal procedures.

### **Sustainability and Climate Change Implications**

19. Providing additional on-street parking places perpetuates reliance on the motor vehicle and further increases vehicle emissions.
20. Promoting the use of the nearby Cliff Parade car park as opposed to increasing on-street parking would encourage walking and healthier lifestyles.

### **Legal Implications (to Include Human Rights Implications)**

21. The Road Traffic Regulation Act 1984 allows Highway Authorities to make and vary Traffic Regulation Orders to regulate the movement of vehicular traffic, restrict or prohibit certain classes of vehicle and to improve the amenities in an area.
22. The Council is responsible for enforcing parking restrictions under powers provided by the Traffic Management Act 2004.
23. There are no human rights implications.

### **Crime and Disorder Implications**

24. There are no crime and disorder implications.

### **Equal Opportunities Implications (to include Welsh Language issues)**

25. The proposals will benefit accessibility for all sections of the community.
26. All associated traffic signs and road markings forming part of the scheme will all be in accordance with the Council's Welsh Language Policy.
27. Public Notices advertising the proposed intention to create a new Order will be published bilingually and any signage associated with this project will adhere to the Council's Welsh Language Scheme.

## **Corporate/Service Objectives**

28. To maintain and develop a safe and effective highway.

## **Policy Framework and Budget**

29. This is a matter for Executive decision.

## **Consultation (including Ward Member Consultation)**

30. Ward Members were consulted and were in favour of the proposal.

31. Stakeholder consultations will take place in accordance with the Road Traffic Regulation Act 1984.

## **Relevant Scrutiny Committee**

32. Economy and Environment.

## **Background Papers**

Traffic Management Information File 733

## **Contact Officer**

Mark Simpson, Senior Traffic Engineer

## **Officers Consulted**

Operational Manager - Legal Services  
Operational Manager - Accountancy

## **Responsible Officer:**

Miles Punter - Director of Environment and Housing Services