

## **PLANNING AND TRANSPORTATION PORTFOLIO HOLDER DECISION**

### **CHANGES TO THE DISTRICT OF NEW FOREST (OFF STREET PARKING PLACES) ORDER 2005 - ST JOHN'S STREET CAR PARK HYTHE – DE-LISTING OF CAR PARK**

#### **1. BACKGROUND**

- 1.1. The Council's car parks are subject to the above mentioned Parking Order which sets out the regulations under which car parks can be used. From time to time it becomes necessary to make an Amendment Order so that alterations to the regulations can be made to reflect changing circumstances. An Amendment Order is subject to a legal process which includes a statutory consultation process.
- 1.2. On 13 September 2017 the Council's Planning Development Control Committee resolved to grant planning permission for the development of the car park as a Lidl food store (Class A.1), parking, associated landscaping, access works, demolition of existing, subject to the prior completion of an s106 Agreement and the grant of planning permission would be subject to conditions.
- 1.3. The Council has entered into a conditional contract with Lidl U.K. GmbH relating to the sale of the car park.

#### **2. ITEM FOR DECISION**

- 2.1. That an amendment to the District of New Forest (Off-Street Car Parking Places) Order 2005 be advertised to the effect that St John's Street Car Park be de-listed from the Schedule to the Order.
- 2.2. That the car park be de-listed from the Schedule to the Order.

#### **3. CURRENT ARRANGEMENTS**

- 3.1. The existing car parking capacity in the car park is 160 spaces. Surveys undertaken by the Council prior to its decision to sell the car park indicated that, on average, occupation during the period of the survey was less than half its capacity.
- 3.2. The total public car park capacity in the village is around 511 spaces. After the development of the new store, the total car parking capacity in the village will be around 451 spaces (including those provided by the store). Spot checks on parking utilisation in 2004 and 2010 showed that at the time the counts were undertaken parking occupation for all car parks in the village was 410 and 318 respectively.
- 3.3. The planning application submitted by Lidl proposed 104 spaces as part of the development, including adequate disabled parking provision and adequate parking areas for cyclists.
- 3.4. The Council decided on 7 December 2015 to declare the car park surplus to requirements.

#### **4. CONSULTATION**

- 4.1. Prior to the proposed Amendment Order coming into force, a statutory consultation process has to be undertaken and the consent of the Highways Authority sought.

#### **5. FINANCIAL IMPLICATIONS**

- 5.1. The Council will receive a significant consideration for the sale of the car park as set out in the report to Cabinet dated 4 November 2015.

#### **6. ENVIRONMENTAL IMPLICATIONS**

- 6.1. There are no direct Environmental Implications arising from this report.

#### **7. CRIME AND DISORDER IMPLICATIONS**

- 7.1. There are no Crime and disorder implications arising from this report.

#### **8. EQUALITY AND DIVERSITY IMPLICATIONS**

- 8.1. Concerns were raised to the Planning Development and Control Committee by the Waterside Cancer Support Centre and the Parish Council that the proposal would result in the loss of a car parking facility for visitors to the Centre. This is a well-used facility (over 1000 visits in the first seven months of this year), with visitors currently being able to use 6 free disabled car parking spaces within the existing car park which are sited close to the Centre entrance. There is a concern that access for frail and elderly people using the Centre will be made more difficult as a result of this application and concerns have additionally been raised in relation to the Equality Act 2010, noting that the Council has a Public Sector Equality Duty (PSED). Visitors to the Centre access a variety of befriending, counselling and complementary therapies including aromatherapy, yoga, reflexology and Reiki.
- 8.2. The car park for the supermarket would entail the provision of 6 disabled car parking spaces for shoppers within their car park adjacent to the new building. However these spaces and the other car parking spaces on the development site would not be available for long stay use by people visiting the Waterside Cancer Support Centre. Therefore, the proposal would be unfortunate to those with protected characteristics under the Equality Act 2010 in that it would force longer stay visitors to the Centre to park further away and thereby increase their walking distance/time to the Centre (the new car park is not specifically intended to allow short-stay use for non-shoppers either, but in practice it is likely the car park could still be used for short term visits to the Cancer Centre).
- 8.3. In this case there are alternative parking facilities in the locality both at nearby public car parks and on some nearby local roads. These alternative parking facilities would potentially be up to 5 – 10 minutes additional walking distance away from the Cancer Support Centre but routes between these alternative parking areas and the Centre would be accessible to the affected group. There is an alternative public car park at New Road which is in a similar close proximity to St John's Church at New Road which provides some 142 spaces including free parking for those validly displaying a Blue Disabled Parking Badge and 12 allocated disabled spaces. There are 4

disabled car parking spaces available on the road a short distance up St Johns Street and 3 additional disabled parking spaces were provided on The Promenade in 2016 and there are a further 3 disabled parking spaces on the Promenade.

- 8.4. Whilst the proposed development would undoubtedly affect some users of the Cancer Support Centre (mainly those who are visiting the Centre for more than 2 hours) it is not felt the proposal would unduly compromise people's ability to use the Centre. It is felt that alternative parking facilities within the locality, whilst not as convenient as the existing car park, would be adequate in minimising the impact on people using the Cancer Support Centre. Furthermore it is of note that the ability to drop off people directly outside the Centre would remain. In considering the scheme's impact on people using the Waterside Cancer Centre, there is also a need to balance this impact against the significant benefits the development would bring to the wider community. It is believed these significant benefits would outweigh the consequences arising from the loss of a long term parking facility quite so close to the Waterside Cancer Centre, having regard to the alternative facilities and arrangements that would be available.
- 8.5. Increasing the retail offer in the village centre will provide more choice to those local residents with reduced mobility or those residents where access to private motor vehicles or public transport may be limited.

## **9. RECOMMENDATION**

- 9.1. That a draft amendment to the District of New Forest (Off-Street Parking Places) Order 2005 be advertised to the effect that St John's Street car park be de-listed from the Schedule to the Order;
- 9.2. To authorise the de-listing of the car park from the Schedule to the Order

## **10. PORTFOLIO HOLDER'S DECISION**

I agree the advertising of a draft Amendment Order which reflects the changes as set out in the recommendations set out in this report.

Signed *EJ HERON*

Dated 21 September 2017

Date on which notice given of this Decision - 25 September 2017

Last date for call-in - 2 October 2017