

## **PLANNING AND INFRASTRUCTURE PORTFOLIO HOLDER DECISION**

### **DRAFT DISTRICT OF NEW FOREST (OFF- STREET PARKING PLACES) (AMENDMENT) ORDER 2017 - ST JOHN'S STREET CAR PARK HYTHE – DE-LISTING OF CAR PARK**

#### **1. ITEM FOR DECISION**

- 1.1 To consider the representations received as a result of the publication of a notice advertising the Council's intention to amend the District of New Forest (Off-Street Car Parking Places) Order 2005 to de-list St John's Street car park from the Schedule to the Order. In the light of that consideration, to determine whether or not to de-list St John's Street car park from the Schedule to the Order.

#### **2 REPRESENTATIONS RECEIVED AND COMMENT**

- 2.1 The only representations received were from Hythe & Dibden Parish Council, which are set out and dealt with in this report.

#### **3. REPRESENTATION FROM HYTHE & DIBDEN PARISH COUNCIL**

- 3.1 The representations received from the Parish Council are set out below:-
- 3.1.1 "If the New Forest District Council is mindful to allow this change of use then we would wish to see the available space at the top of the New Road Car Park made available for additional parking. The additional parking should be constructed and be available for public use before the St John's Street Car Park becomes unavailable for public use.
- 3.1.2 We believe that the two hour free parking proposed by Lidl is not long enough to promote the ongoing viability of the Village Centre.
- 3.1.3 The loss of the public parking will seriously affect the users of St. John's Church both congregation and attendees for christenings, weddings and funerals. The pedestrian infrastructure between New Road car park and St. John's Church is unsafe especially for visitors to the Church with mobility problems who will have to park in New Road car park to access the Church. We would like to see a redesigned crossing point near to the church to make it easier and safer for pedestrians to cross New Road.
- 3.1.4 The loss of the car park will affect some users of the Wessex Cancer Centre who are visiting the centre for more than two hours, we note your comments that visitors can be dropped off outside of the centre however the road layout in this location is opposite one of the entrances to the proposed store car park and is situated on a busy route to the centre of the village. It is felt that this option will inconvenience other road users.

3.1.5 The parking utilisation survey data of 2004 and 2010 is out of date and does not reflect current usage of the car park especially, on a Tuesday now that the market has moved to the Village Centre and attracts more vehicles to the centre of Hythe.

In closing, the Council would like to see the above matters addressed prior to the removal of the Car Park Order.”

#### **4. COMMENT ON REPRESENTATIONS FROM HYTHE & DIBDEN PARISH COUNCIL**

- 4.1 Highway and Transportation issues were considered in detail as part of the planning application by Lidl UK GmbH (number 17/10943) for planning permission as a Lidl food store (use class A1); parking; associated landscaping; access work; demolition of existing which was approved by the Planning Development Control Committee of The District Council of New Forest on 13 September 2017. The report to the Planning Development Control Committee confirmed that there is typically spare capacity at both the St John’s Street car park and the nearby New Road car park, and that the typical number of vehicles currently parking at St John’s Street could be satisfactorily accommodated within the nearby New Road car park. It was noted in the report that the Highway Authority confirmed that the loss of the St John’s Street car park as a public car park would not be detrimental to highway safety and that the redistribution of car parking within Hythe is unlikely to significantly impact on the capacity, safety or operation of the local highway network.
- 4.2 The Council undertook its own assessment of car parking within Hythe before making a decision to dispose of the St John’s Street car park. 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.
- 4.3 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.
- 4.4 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.
- 4.5 The Council decided on 7th December 2015 to declare the car park surplus to requirements.
- 4.6 In response to the Parish Council comments set out in paragraph 3.1.1, there is sufficient capacity within the village’s other car parks as described in paragraphs 4.1 and 4.2 above. Laying out additional car parking in the manner described would be costly and cannot at present be justified.
- 4.7 In response to the Parish Council comments set out in paragraph 3.1.2, the Lidl store car park will form part of the mix of parking opportunity within the village. As described above there is sufficient car parking capacity within the village provided by nearby public car parks, including for longer stays. The

report also concluded that the likelihood was that a discount food store would have a positive rather than a negative impact on Hythe, one that would bring significant benefits to the vitality of Hythe town centre, as well as bringing significant economic benefits through the provision of significant new employment opportunities.

- 4.8 In response to the Parish Council comments set out in paragraph 3.1.3, as noted at paragraph 4.1 above, the loss of the St John's street car park as a public car park would not be detrimental to highway safety. Furthermore, the Highway Authority has confirmed that the redistribution of car parking within Hythe is unlikely to significantly impact on the capacity, safety or operation of the local highway network. As noted in paragraph 6.1 below, Hampshire County Council as a statutory consultee has given its consent to the proposal.
- 4.9 In response to the Parish Council's comments set out in paragraph 3.1.4, as noted in paragraphs 4.1 and 4.8 above the Highway Authority has confirmed that the loss of the St John's Street car park as a public car park would not be detrimental to highway safety.
- 4.10 In response to the Parish Council's comments set out in paragraph 3.1.5, as mentioned in paragraph 4.2 above the Council undertook its own surveys of car parking in Hythe shortly before the decision to sell the car park which confirmed that there will be sufficient car parking capacity within Hythe following the development. There was no evidence of increased parking demand generally or on market day that could not be accommodated.

## **5. OPERATIONAL IMPLICATIONS**

- 5.1 As noted in paragraphs 4.1 and 4.2 above, there will be sufficient car parking capacity within the village provided by public car parking following the development and the development will not be detrimental to highway safety. There are not expected to be any operational implications arising directly as a result of this decision.

## **6. STATUTORY CONSULTEES**

- 6.1 No objection has been received from the statutory consultees and the County Council have given their consent.

## **7. FINANCIAL IMPLICATIONS**

- 7.1 There are not expected to be any budgetary implications and no additional income as a result of the proposal has been budgeted for.

## **8. ENVIRONMENTAL, CRIME & DISORDER AND EQUALITY & DIVERSITY IMPLICATIONS**

- 8.1 There are no environmental or crime and disorder implications arising directly as a result of this decision.
- 8.2 The decision to advertise the Council's intention to amend the District of New Forest (Off-Street Car Parking Places) Order 2005 to de-list St John's Street car park from the Schedule to the Order considered the equality and diversity implications arising from the loss of St John's Street car park as a public car

park. No additional equality and diversity implications have arisen as a result of the representations set out in paragraph 3 above.

## **9. CONCLUSION**

- 9.1 The representations have been received and have been considered. The key concerns relating to car parking capacity and highways safety have been considered in detail and there is typically spare capacity at both the St John's Street car park and the nearby New Road car park so that the typical number of vehicles currently parking at St John's Street could be satisfactorily accommodated within the nearby New Road car park; that the loss of the St John's Street car park as a public car park would not be detrimental to highway safety; and that the redistribution of car parking within Hythe is unlikely to significantly impact on the capacity, safety or operation of the local highway network.
- 9.2 The draft Order should therefore be made and the revised provisions should take effect, on a date to be set, to coincide with completion of the sale of the car park to Lidl. The date that the draft Order will take effect should not be earlier than 1<sup>st</sup> March 2018.

## **10. RECOMMENDATIONS**

- 10.1 That the draft District of New Forest (Off Street Parking Places) (Amendment) Order 2017, to amend the District of New Forest (Off-Street Car Parking Places) Order 2005 to de-list St John's Street car park from the Schedule to the Order be made, subject to the date on which it comes into effect being not earlier than 1<sup>st</sup> March 2018, to coincide with completion of the sale of the car park to Lidl.

## **11. PORTFOLIO HOLDER ENDORSEMENT**

- 11.1 I agree to the recommendation above.

Signed: CLLR E J HERON

Dated: 30 November 2017

Date notice of decision given: 6 December 2017

Last day for call-in: 13 December 2017

### **For Further Information please contact:**

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No. 2 OF 2017  
**DISTRICT COUNCIL OF NEW FOREST**  
District of New Forest (Off Street Parking Places) (Amendment) Order 2017  
**DISTRICT OF NEW FOREST (OFF STREET PARKING PLACES) (AMENDMENT)**

**No. 2 OF 2017**

The District Council of New Forest, in exercise of its powers under Sections 32 and 35 and Part IV of the Road Traffic Regulation Act 1984 (“the Act”) and all other enabling powers, and with the consent of the County Council of Hampshire in accordance with s.39 (3) of the Act, and after consulting the Chief Officer of Police in accordance with Part III of Schedule 9 of the Act, hereby makes the following Order:

**1. Commencement and Citation**

This Order will come into effect on the [ ] day of [ ] 20[ ], and may be cited as the District of New Forest (Off Street parking Places) Amendment Order No. 2 of 2017.

**2. Interpretation**

Interpretation of this Order shall be provided in Article 3 of the District of New Forest (Off Street Parking Places) Order 2005 (“the Principal Order”).

**3. Amendments**

The Principal Order shall be amended as follows:

- (i) In Article 15 (4), by deleting the words “Hythe St John’s Street”.
- (ii) In the Schedule, Part II, by the deletion of the entry relating to St John’s Street Car Park, Hythe.
- (iii) In the Drawings contained in the Car Park Plans in the Principal Order, by deleting drawing 11655/49.

Dated:

Authorised signatory.....