
Meeting: Traffic Management Meeting
Date: 28 February 2017
Subject: Green Lane, Kensworth – Consider Objections to Proposed Disabled Parking Space
Report of: Paul Mason, Assistant Director Highways
Summary: This report seeks the approval of the Executive Member for Community Services for the introduction of a disabled parking space in Green Lane, Kensworth

RECOMMENDATION:-

That the proposal to provide a disabled parking space in Green Lane, Kensworth be implemented as published.

Contact Officer: Gary Baldwin
gary.baldwin@centralbedfordshire.gov.uk
Public/Exempt: Public
Wards Affected: Caddington
Function of: Council

CORPORATE IMPLICATIONS

Council Priorities:

The proposal will improve parking provision for disabled drivers.

Financial:

The works are being funded from LAMP budget for the provision of disabled parking bays.

Legal:

None from this report.

Risk Management:

None from this report.

Staffing (including Trades Unions):

None from this report.

Equalities/Human Rights:

None from this report.

Community Safety:

None from this report.

Sustainability:

None from this report.

Budget and Delivery:	
Estimated cost: £10,000	Budget: Disabled parking bays
Expected delivery: May 2017	

Background and Information

1. The Council proposes to install a disabled parking space in Green Lane, Kensworth. This was in response to a request from a resident who is a blue badge holder and experiences difficulties parking close to her home. The applicant has use of a garage, but is unable to use it. The property has no direct vehicular access to the road, so it is impossible to identify a suitable location immediately outside the applicant's home, which would have been the preferred option.
2. A possible location for a disabled space was previously identified in Poplar Close, but objections were received to that proposal, which were considered at the Traffic Management Meeting on 4 February 2016. The decision was "Poplar Road, Kensworth be not implemented and Officers consider alternative placement options."
3. Officers engaged in discussions with the applicant and carried out a site meeting to discuss possible locations for a disabled bay. The length of Green Lane to the front of her home is a short cul-de-sac, with a number of dropped kerb accesses and a turning head. Given the required dimensions of a disabled parking space, it was not possible to identify a suitable place for one. Other locations were considered, but these were either too distant and/or involved negotiating gradients unsuitable for wheelchair use. There is an area of grass to the front of the applicant's home and it was felt that part of it could be converted to a disabled parking space. The planning department advised that this would require planning consent, which was applied for and granted in November 2016.
4. Although planning consent was granted, it is still necessary to promote a traffic regulation order to reserve the space for blue badge holders only. The proposal was formally advertised by public notice in December 2016. Consultations were carried out with the emergency services and other statutory bodies, Kensworth Parish Council and the Ward Members. Residents located in the areas where restrictions are proposed were individually consulted by letter and notices were posted on street.

Representations and Officer Responses

5. A total of 3 representations were received in response to the proposals. These were an outright objection from Kensworth Parish Council and concerns expressed by both Ward Members. These are included in Appendix C and the main points raised are as follows:-
 - a) Loss of amenity land that is used by children, which would set a precedent.
 - b) Questions about the use of the space if the disabled person moves home.
 - c) A space should be identified on the road without using the grassed area.
6. Officer response:-
 - a) The disabled parking space would take up about a quarter of the grassed area, so space would remain for amenity use. It is felt that the area in question is not particularly appealing as a play area. This is unlikely to set a precedent as the conversion of green space for parking is very rare as in most cases disabled spaces are provided on-street. In addition, applications for disabled spaces in villages are relatively uncommon with most request being received from larger towns where there are more pressures on parking.
 - b) The applicant did put her home on the property market several months ago, but it was not sold and has been taken off the market. She has given assurances that she does not intend to move. If the disabled space is provided it would be for any blue badge holder, not just the applicant. If it was no longer needed as a disabled space, it could be re-allocated for general use.
 - c) As explained in the report, a number of alternative locations have been considered, but deemed to be unsuitable.
7. A representation has been received from the applicant setting out the difficulties experienced in finding a parking space close to her home and reports of alleged anti-social behaviour. This is included in Appendix D.
8. It is felt that the proposed disabled parking space will assist the applicant in parking close to her home. Ideally a dedicated space would have been identified on-street, but this not possible in this case.

Appendices:

- Appendix A – Public notice of proposals
- Appendix B – Drawing of proposals
- Appendix C – Representations
- Appendix D – Representation from applicant

PUBLIC NOTICE



CENTRAL BEDFORDSHIRE COUNCIL PROPOSES TO INTRODUCE A DISABLED PARKING SPACE IN GREEN LANE, KENSWORTH

Reason for proposal: The disabled parking space would provide a dedicated place for blue badge holders to park. On-street parking is heavy in this part of Green Lane and disabled drivers experience difficulties finding convenient parking. Planning permission has been granted to convert the grassed area identified below into hardstanding for one disabled parking space.

Effect of the Order:

To introduce Parking for Disabled badge holders only on the following area:-

Green Lane, Kensworth, covering an area of approximately 5 metres long and 3 metres wide on the existing grassed area between the frontages of property nos.9 and 10 Green Lane.

Further Details may be examined during normal office hours at the address shown below, viewed online at www.centralbedfordshire.gov.uk/publicstatutorynotices or tel. 0300 300 5003.

Comments should be sent in writing to the Traffic Management team at the address below or e-mail traffic.consultation@centralbedfordshire.gov.uk by 6 January 2016. Any objections must state the grounds on which they are made.

Order Title: If made will be "Central Bedfordshire Council (Bedfordshire County Council (District of South Bedfordshire) (Civil Enforcement Area and Special Enforcement Area) (Waiting Restrictions and Street Parking Places) (Consolidation) Order 2008) (Variation No.*) Order 201**"

Central Bedfordshire Council
Priory House
Chicksands
Shefford SG17 5TQ

Marcel Coiffait
Director of Community Services

8 December 2016

Appendix B



Appendix C

At the Kensworth Parish Council meeting held on 8th December, it was agreed to object to the construction of hardstanding and dropped kerb on grass amenity land to provide a disabled parking space on the amenity land r/o 9-11 Green Lane, Kensworth, Dunstable, LU6 3RP

The parish council **OBJECT** on grounds of loss of amenity land where children currently play and concerned will set a precedence for vehicles parking on amenity land. Questions also raised what will happen once disabled badge holder moves?

Dear Gary,

I know that you have already received comments from Cllr Stay and Kensworth Parish Council; I wish to add my own. I sat on the Development Management Committee which passed the planning permission for this space, so the arguments for and against have already been well rehearsed.

I acknowledge that this disabled space would not be allocated or restricted to specific named disabled parkers but the reality is that it is being provided in response to representations from one specific Kensworth resident. Whilst I have every sympathy with that resident's needs, it is a matter of fact that their property is being advertised for sale and the resident is apparently looking to move away. If that happens, then this disabled space (which was opposed by the Parish and other residents) will serve little to no purpose.

Can I therefore ask that a suitable pause for reflection is undertaken before any works are actually carried out? I appreciate that scheduling of works can be complex and often dependant on other works in the area and resources etc. but the public (understandably) take a much simpler view. If CBC is relatively prompt to deliver an opposed piece of highways works in contrast to often being slow to deliver works requested and supported by the community, then I feel the people of Kensworth have every right to question our priorities.

If the resident chooses to remain in Kensworth then they can have the space to make their life easier, but please don't rush to deliver a space which is redundant before the paint is even dry!

Regards,
Kevin
Councillor Kevin Collins

Gary

Happy either way, in summary my objections are loss of verge, inappropriate location & loss of amenity to the wider community

A solution for a disability parking bay could be found on the existing highway without extending into the grass verge.

Kind regards

Richard

Councillor Richard Stay

Appendix D

On Tuesday 27.12.16 I had returned to my property and had to park my car outside numbers 2 / 4 Green Lane with 2 wheels on the pavement as there was nowhere else within walking distance for me to park. The car was at least 1.5 feet at either end from a dropped kerb and there was enough room on the pavement for a single pushchair to pass. I had been advised by Xxxxx Xxxxx (Anti-Social Behaviour Officer) when she visited me to discuss the threatening behaviour of the residents at numbers 15 / 16 / 17 Poplar Road that this was acceptable due to the narrow roads.

On Wednesday 28.12.16 at about 11am I was wiping my car windows getting ready to drive over to care for my partner when the resident from no xx Poplar Road started shouting at me and threatening me about my car. He said that I am not disabled and am not entitled to a blue badge. I have reported this to the Police - Crime Reference JD/53310/2016 and will be giving a full statement to the Police at my property on 30.12.16. I will be pushing for action to be taken against this man who I have never met or seen before and will copy this email to the Anti-Social Behaviour Team as this behaviour against me is unacceptable.

I applied to the Council shortly after moving to xx Green Lane Kensworth in April 2014 for a disabled parking space and the Council agreed to provide one.

The residents in Green Lane and Poplar Road have treated me with aggression for parking my car legally and considerately and I have been threatened and had my car damaged.

Last Christmas day my 97 year old mother was harassed when my daughter parked her car in Green Lane and my partner's car which was displaying a blue badge was covered with mud and rubbish (photos available).

The original site proposed by the Council to site the disabled bay was on the road between numbers 15 and 17 Poplar Road, but objections were made - mainly that my car would cause an obstruction at this point in the road. When I did park my car here the residents from numbers 15 / 16 and 17 Poplar Road all threatened and harassed me - notes were left on my car (these have been kept and can be seen) and my car was scratched and the bumper cracked. My car used to be boxed in by vehicles from numbers 15 and 16 so that I could not use it. X. Xxxxx the builder at no.xx threatened to hit my car. The space between numbers 15 and 17 is used mostly by commercial vehicles from number xx and this area is congested by vehicles from numbers xx / xx and xx who all park here even when their driveways have space for vehicles to park on them.

I think that if the Council accepted that 1 car would cause an obstruction in this area then all parking should have be prohibited.

I use a mobility scooter which can be loaded into my car, was in a wheelchair from August to September and now use a walking frame, I have been abused by dog walkers using the grass outside my house as a dog toilet, and told that I can walk and should go out of my back garden gate (at the time I couldn't even get out of my back door and down the steps) and this same couple were abusive when they had to walk round my partner who had collapsed on the pavement outside my house as he was in their way.

I no longer invite anyone to visit or help me due to the aggressive behaviour of the neighbours who think they own the roads, which means that I have no carer even though I cannot bath myself.

I will not be spending Christmas at my home as this would mean that I would be alone - due to the parking problems - it would be unfair to invite anyone here knowing that their cars would probably be damaged even on Christmas day as has previously happened.

I wish that I had known that the residents of Kensworth were so prejudice against disabled people before I bought this house. Before I retired I worked as a Building Inspector for the London Borough of Hillingdon and one of my duties was visiting tenants to agree proposed sites for disabled parking bays. Even though some of the sites were on the Government's Decent Estates (ie not very popular areas to live) there was never any opposition to disabled parking bays and disabled residents were not shown hatred by their neighbours as I have been shown.

The area where the proposed disabled parking bay dropped kerb is to be sited is presently used by number xx Green Lane to park his large van - even though he wouldn't let my daughter park her Corsa there, or by builders and visitors to number xx Green Lane who block the pavement so that I cannot get by with my walking frame.

I would be grateful if the disabled parking bay could be provided as trying to park here and struggle to get to my house using a walking frame is very distressing, and causing further complications with my mobility.