

North West Locality Committee

6:30pm, Wednesday, 30 January 2019

Objections to Traffic Regulation Order TRO/18/83 Proposed Parking Restrictions – Cramond Glebe Road, Whitehouse Road and School Brae

Item number	8.8
Report number	
Executive/routine	
Wards	1 Almond
Council Commitments	

Executive Summary

The Cramond and Barnton Community Council have noted the issue of restrictive parking on Cramond Glebe Road for a number of years. During busy periods, especially when the Cramond Car park is full, drivers often park on Cramond Glebe Road. Due to this known obstruction general and emergency services access has been affected.

In December 2015 planning permission was granted for the demolition of the existing dwelling and construction of new care home and associated car parking at No 18 Whitehouse Road under application 15/05434/FUL. Consent was granted with specific conditions.

The proposed Traffic Regulation Order (TRO) affects the upper section of Cramond Glebe Road and the School Brae/Whitehouse Road junction, it also includes supplementary prohibitions to satisfy a condition from the Planning Consent noted above.

Objections to Traffic Regulation Order TRO/18/83 Proposed Parking Restrictions – Cramond Glebe Road, Whitehouse Road and School Brae

1. Recommendations

- 1.1 It is recommended that the Committee:
 - 1.1.1 notes the context of the proposed TRO relating to Waiting Restrictions and a Loading/Unloading prohibition.
 - 1.1.2 notes the number and scope of objections received
 - 1.1.3 under the terms of The Local Authorities' Traffic Orders (Procedure) (Scotland) Regulations 1999 refers the matter to the Scottish Ministers to undertake a Public Hearing

2. Background

- 2.1 The Cramond and Barnton Community Council have noted the issue of restrictive parking on Cramond Glebe Road over many years. During busy periods, especially when the Cramond Car Park is full, drivers often park on Cramond Glebe Road. Due to this known obstruction general and emergency services access has been affected.
- 2.2 An overall plan of general waiting restrictions on Cramond Glebe Road and School Brae/Whitehouse Road junction was prepared in conjunction with the Cramond and Barnton Community Council. These proposals were developed to mitigate general access issues in the area during busy periods and maintain critical access for emergency services.
- 2.3 The supplementary element of this proposed TRO relates to Planning Permission that was granted in November 2016 for the demolition of the existing dwelling and the construction of new care home and associated car parking at No 18 Whitehouse Road (under application 15/05434/FUL). Additional Loading and Unloading prohibitions have been proposed adjacent to the entrance (School Brae) and exit (Cramond Glebe Road) of the proposed Care Home site to satisfy a specific Condition noted in the Consent.

- 2.4 A previous TRO (TRO/15/50) was promoted to introduce waiting restrictions to the lower (Northern) half of Cramond Glebe Road. These restrictions were laid during the Summer of 2018.

3. Main report

- 3.1 The proposed TRO is intended to improve local access issues noted by the Cramond and Barnton Community Council and address a Planning Condition noted in Item 2.3.
- 3.2 The overall principals of this proposed TRO have been discussed with representatives from the Cramond and Barnton Community Council. In Autumn 2018 the Community Council promoted and supported the introduction of general waiting restrictions in the Cramond Village area (these proposals did not including the supplementary specific Loading /Unloading prohibitions required under the noted Planning Consent).
- 3.3 As part of the Planning Consent granted for the proposed Care Home at 18 Whitehouse Road a particular condition was applied that related to the implementation of Waiting and Loading (including Unloading) restrictions:
“The occupation of the development hereby approved shall not commence until the waiting and loading restrictions on Whitehouse Road, Cramond Glebe Road and School Brae (as necessary), which are required to be progressed through a suitable traffic order, have been implemented in full.”
Reason: To ensure adequate visibility is afforded to drivers.
- 3.4 A representative for the Developer approached the North West Locality Transport team to facilitate the promotion of a Traffic Regulation Order (TRO). Following discussions regarding the Planning Consent conditions, Waiting Restrictions and Loading (including Unloading) prohibitions were agreed.
- 3.5 The first stage of the consultation consisted of advisory letters being sent to statutory bodies representing persons likely to be affected by the proposals, including the Barnton and Cramond Community Council, emergency services, etc. The TRO to make the necessary restrictions was advertised from 11th December 2018 until 4th January 2019. Details of the TRO were also published on the Council and Scottish Government websites. These proposals have been advertised in the local media, in accordance with the relevant legislation and Local Ward Councillors informed.
- 3.6 This report notes objections to Traffic Regulation Order TRO/18/83 which would introduce Waiting restrictions and Loading/Unloading prohibitions on Whitehouse Road, School Brae and Cramond Glebe Road. It informs Committee of 188 objections received following the public advertising stage.

- 3.7 The Local Authorities' Traffic Orders (Procedure) (Scotland) Regulations 1999 (extract provided below) states that the Authority shall hold a hearing before making an Order if certain conditions are met, namely that the proposed Order includes a Prohibition element, and objections have been received. As such this report recommends that the Scottish Ministers are approached and a Reporter appointed to consider the proposed Traffic Regulation Order under the terms of The Local Authorities' Traffic Orders (Procedure) (Scotland) Regulations 1999.

Extract:

Hearing

8.—(1) Before making any order to which these Regulations apply the authority may hold a hearing in connection with that order and the authority shall hold such a hearing before making an order in the following cases:—

(a) where the order is—

(i) an order under section 1, 37 or 45 of the Act which contains a provision which prohibits, or has the effect of prohibiting, the loading or unloading of vehicles in any road either at all times or for any period of time unless such period falls wholly between 0700 hours and 1000 hours or between 1600 hours and 1900 hours in any day, or

(ii) an order under section 9 of the Act which contains a provision such as is mentioned in head (i) of this sub-paragraph and which is proposed to be made within 6 months of the date on which a previous order under section 9 of the Act containing a similar provision as respects that road ceased to be in force,

and an objection to that provision in the order is made by any person in accordance with regulation 7 above and is not withdrawn;

- 3.8 It must be stressed the context of these proposed restrictions relate specifically to improving access and providing adequate visibility on the public road, this proposed TRO does not relate to the interface of vehicles immediately leaving a private or commercial access. Waiting restrictions and Loading prohibitions may only restrict or prohibit vehicles parking or loading at the kerbside and would offer a mechanism to provide adequate on-street visibility at the locations suggested on the attached plan.
- 3.9 It is not possible for any Waiting restrictions or Loading/Unloading Prohibitions to improve geometry or visibility as drivers immediately leave a private or commercial access. The proposed restrictions and prohibition may only provide appropriate visibility once a driver is on the road side. The context of this report relates only to the proposed TRO and not a historical Planning decision.

Objection Details

3.10 188 letters of objections have been received. Objections mainly relate to:

- Public safety
- Risk if future accidents
- Clarity of information advertised
- Competence of the Traffic Regulation Order
- Loss of amenity
- Aesthetics (Cramond Conservation Status)
- Relocation of parking congestion
- School Brae is a private road

The Council's response to each group of objections are set out in Appendix 1.

3.11 The proposed Waiting restrictions are considered reasonable to restrict parking, provide safe access and improve visibility on the main access route down to the Cramond Car Park and at the junction of Whitehouse Road. The restrictions also include a supplementary loading/unloading prohibition at the entrance and exit of the proposed Care Home to provide adequate on-street visibility.

3.12 Concern was raised that the restrictions have been promoted on School Brae which is a private road. Under the terms of the Road (Scotland) Act 1984 the Roads Local Authority may introduce loading prohibitions and/or waiting restrictions on a private road in the interests of public safety.

3.13 A number of objections made reference to a Hearing and asked to be advised of such an arrangement. As noted in 3.7 above this is recommended. Hearings shall be conducted by an independent person (referred to as "*the reporter*") appointed by the Authority from a list of persons compiled by the Scottish Ministers.

3.14 At present there are no restrictions along the majority of Cramond Glebe Road (with the exception of its junction of Whitehouse Road). During busy periods when the Cramond Car Park in full it is common that visitors to the area will park along the length of Cramond Glebe Road. This creates a single lane for traffic, reduces visibility, often causes congestion and frustration.

4. Measures of success

4.1 The introduction of waiting restrictions and loading/unloading prohibitions at the locations described would improve vehicle access on Cramond Glebe Road during busy periods, especially for emergency vehicle access (Coast Guard access is often required due to issues on Cramond Island).

- 4.2 The introduction of waiting restrictions and loading/unloading prohibitions at the proposed Care Home entrance and exit points would prohibit vehicles from parking over or close to the access or egress locations, and would provide adequate on-street visibility.

5. Financial impact

- 5.1 The costs of undertaking the necessary Hearing is yet to be established and agreed with the Developer.
- 5.2 The costs of introducing any future waiting restrictions or loading prohibitions shall be met by the Authority and the Developer as appropriate.

6. Risk, policy, compliance and governance impact

- 6.1 It is considered that there are no known policy, compliance or governance impacts arising from this report.
- 6.2 If appropriate waiting restrictions and loading/unloading prohibitions are not provided on Cramond Glebe Road or the School Brae/Whitehouse Road junction emergency service access could be restricted during busy periods. Implementation of an appropriate TRO would reduce the impact of local congestion, during holiday and busy periods, and provide adequate on-street visibility.

7. Equalities impact

- 7.1 Consideration has been given to the relevance of the Equalities Act 2010 and there will be no negative impact on those covered by the Protected Characteristics.

8. Sustainability impact

- 8.1 The recommendations within this report do not have any adverse impact on carbon impacts, adaptation to climate change or sustainable development.

9. Consultation and engagement

- 9.1 These TRO proposals have been discussed with the Cramond and Barnton Community Council and shared with the Cramond Action Group prior to advertising the suggested Order.
- 9.2 These proposals have been advertised in the local media and through on-street public notices, in accordance with the relevant legislation.
- 9.3 Statutory bodies representing those the proposals could affect, including Community Councils, the emergency services, and local Ward Councillors have

received advisory letters. Details were also published on the Council and Scottish Government websites.

10. Background reading/external references

- 10.1 The Local Authorities' Traffic Orders (Procedure) (Scotland) Regulations 1999
<http://www.legislation.gov.uk/uksi/1999/614/made>

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11. Appendices

Appendix 1 – Representations/Objections Summary / Response

Appendix 2 - Plans of restrictions

Appendix 1 – Representations/Objections Summary / Response

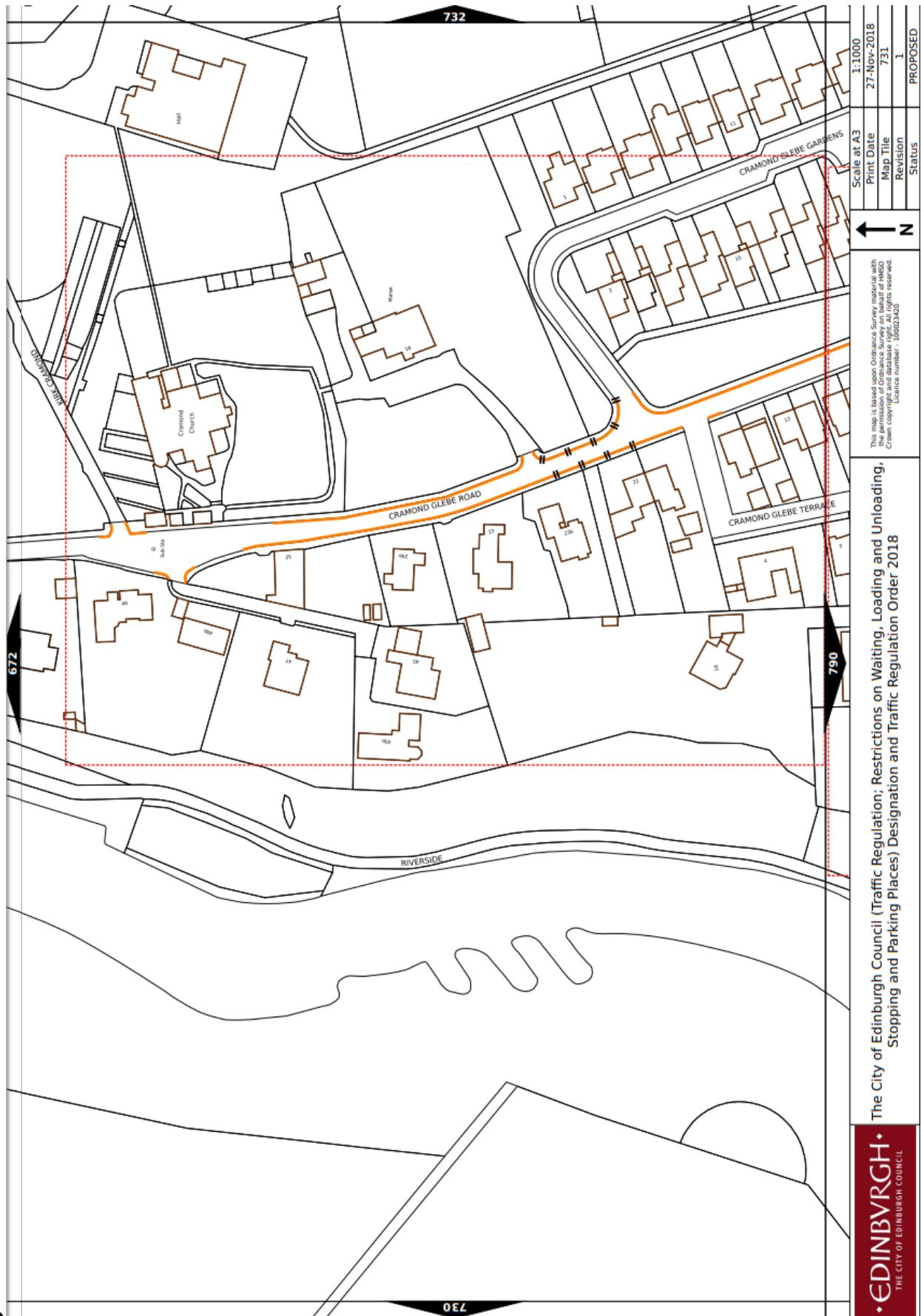
Objections to Proposed Introduction of Waiting Restrictions – Cramond Glebe Road, Whitehouse Road and School Brae

	Location/Objection	No of objectors and initial response
	Cramond Glebe Road General Waiting Restrictions:	
	Increased road safety risk on Cramond Glebe Road, School Brae & Whitehouse Road due to increased vehicle speeds.	154 – It is possible that driver behaviour may change if on-street parking is reduced. This issue can be monitored and considered following the implementation of any TRO. The Community Council contact the Council if driver behaviour was observed to be dangerous following the implementation of a TRO. Additional traffic signs or roadmarkings could be considered.
	Displacement of parking form Cramond Glebe Road, Whitehouse Road & School Brae	156 – During busy periods it is possible that drivers may park elsewhere in the Cramond area. As Cramond Glebe Road is the main route in to the Cramond Village it is deemed reasonable to restrict parking and improve general and emergency access.
	Aesthetics, Conservation Area	149 – Narrow yellow lines can be laid in conservation areas.
	Loss of parking at the Kirk and Hall for events and funerals. Especially for elderly and disabled people	4 – Acknowledged, the restrictions allow parking immediately outside the Kirk entrance. Blue Badge parking and loading/unloading is still allowed in the area if appropriate.
	Cramond Glebe Road and School Brae / Whitehouse Road Junction – Loading/Unloading Prohibition	
	The TRO does not take account of the Designing Streets Guidance i.e. the geometry of the exit point onto Cramond Glebe Road	152 – Not deemed a valid objection The proposed TRO relates to on-street restrictions and not the design of a proposed commercial access.
	TRO/18/83 for the benefit of the Care Home and not for residents	151 – Not deemed a valid objection The supplementary loading/unloading restrictions have been included to provide adequate on-street visibility at the entrance and exit of the proposed Care Home. The introduction of prohibitions at these locations will improve visibility for Care Home traffic, residents and visitors to the area.
	Increased risk at egress point of the Care Home onto Cramond Glebe Road	156 – Not deemed a valid objection The introduction of a loading and unloading prohibition is not a measure that will affect the immediate visibility at the proposed Care Home exit (ie a vehicle crossing the footpath). This prohibition can only be considered as a measure to provide adequate on-street visibility.

	Safety at nursery (parents having to park further away)	2 – Acknowledged, however, drivers should not park close to junctions.
	Concern regarding emergency vehicle access (to Cramond Village and into/out of the proposed care home)	3 – The Waiting restrictions requested and agreed with the C&BCC have been designed to improve emergency service vehicle access on Cramond Glebe Road. The supplementary loading and unloading prohibitions adjacent to the proposed care home entrance and exit have been designed to provide adequate on-street visibility, they do not affect the geometry.
	Request for a public inquiry	147 - The Authority shall hold a Hearing
	School Brae is a private road	1 – Noted The Council has the authority to implement restrictions or prohibitions on a private road in the interests of safety
	Plan difficult to read	2 – Only two comments noted, improvements to future TRO plans can be made
	Plan is marked as “draft”	2 – Future plans should be noted as PROPOSED
	Planning application is flawed, the traffic study is misleading	1 – Not deemed a valid objection. The proposed TRO relates to the introduction of on-street Waiting restrictions and Loading/Unloading prohibitions, the Planning decision has been made.

Total number of objections received:- **188**

Appendix 2 - Plans of the restrictions



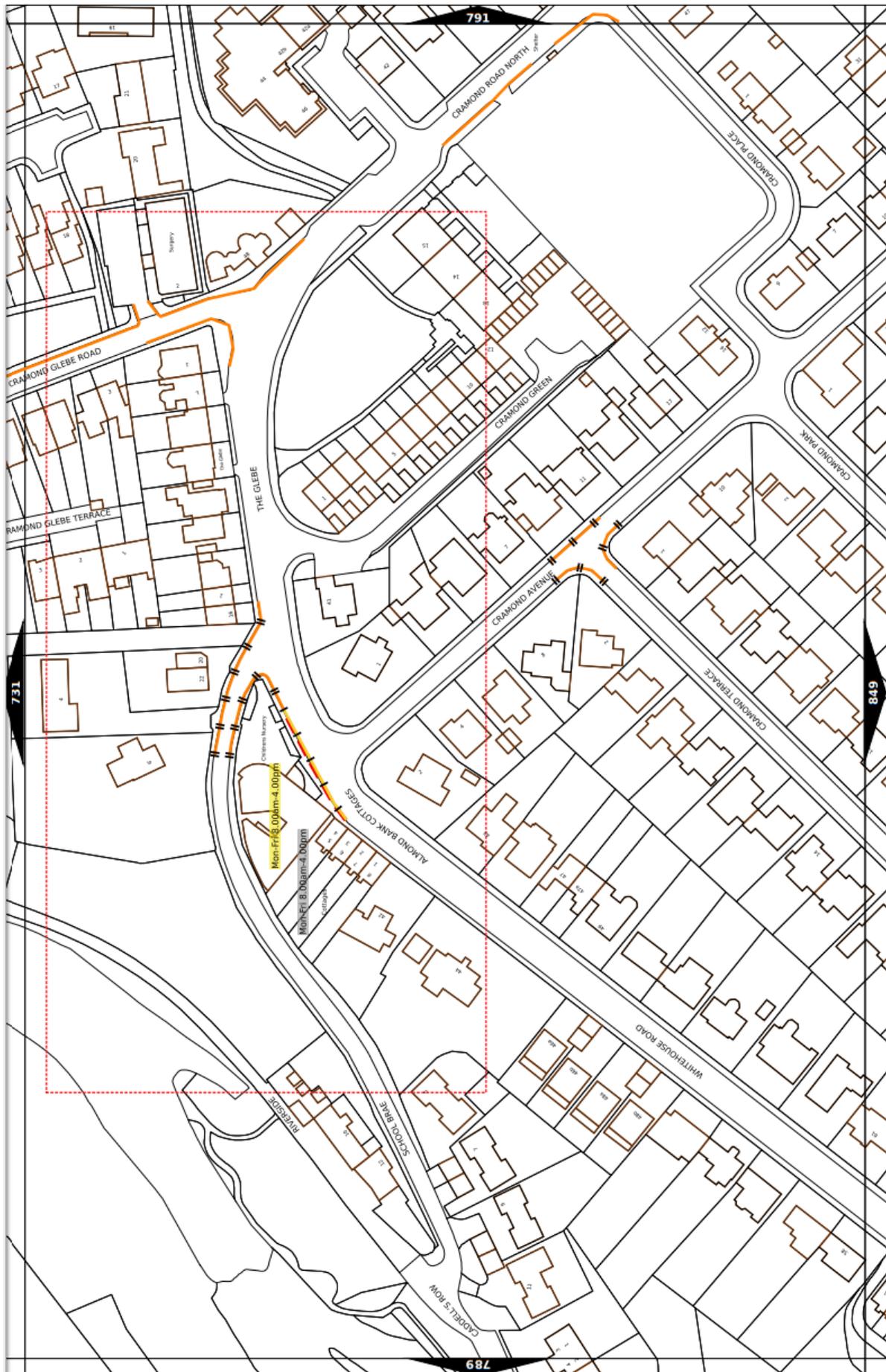
Scale at A3	1:1000
Print Date	27-Nov-2018
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The City of Edinburgh Council (Traffic Regulation; Restrictions on Waiting, Loading and Unloading, Stopping and Parking Places) Designation and Traffic Regulation Order 2018





Scale at A3	1:1000
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