

**Committee:** Cabinet Member Report

**Date:** 13<sup>th</sup> March 2024

**Agenda item:** N/A

**Wards:** Abbey

**Subject:** Station Road- Proposed waiting restrictions - statutory consultation

**Lead officer:** Dan Jones, Executive Director Environment, Civic Pride and Climate department.

**Lead member:** Councillor Stephen Alambritis, Cabinet Member for Transport

**Forward Plan reference number:** N/A

Contact Officer: Paul Atie [paul.atie@merton.gov.uk](mailto:paul.atie@merton.gov.uk)

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## **Recommendations:**

That the Cabinet Member considers the issues detailed in this report and:

- A) Notes the result of the statutory consultation carried out between 14 December 2023 and 12 January 2024 on the proposals to Introduce 'At any time' waiting restrictions in Station Road.
- B) Notes and considers the representations received in respect of the proposals as detailed in section 4.3 of this report.
- C) Agrees to proceed with the making of the relevant Traffic Management Orders (TMOs) and the implementation of the proposed measures as shown in Drawing Nos. Z27-696-10 (see Appendix 1)
- D) Agrees to exercise his discretion not to hold a public inquiry on the consultation process.

## **1. PURPOSE OF REPORT AND EXECUTIVE SUMMARY**

- 1.1 This report details the outcome of the statutory consultation on the Council's proposals to introduce 'at any time' waiting restrictions in Station Road.
- 1.2 It seeks approval to progress with the above recommendations.

## **2.0 DETAILS**

- 2.1 Officers regularly receive complaints and concerns regarding obstructive and dangerous parking from emergency services, the Council's refuse collection company, local ward members, local residents and other road users. In response, the site is assessed, and a statutory consultation is programmed.

## **3. CONSULTATION**

- 3.1 The statutory consultation on the Council's proposal to introduce waiting restrictions in Station Road was carried out between 14 December 2023 and 12 January 2024. The consultation included the erection of street Notices on lamp columns within the vicinity of the proposals and the publication of the Council's intentions in Wimbledon and Wandsworth Times and the London Gazette. The information was also available on the Council's website and at the Civic Centre. A newsletter was also delivered to all properties along Station Road.

- 3.4 The statutory consultation resulted in 5 representations against but requesting that the yellow lines be moved to the other side of the road. All the representations are detailed in section 4.3 below.
- 3.5 The Local Ward Members were informed of the proposed restrictions and the statutory consultation.
- 3.6 Waiting restrictions are applied to areas where safety and access concerns have been received. The Council makes every attempt to minimise the extent of any parking restriction thereby minimise loss of kerbside parking and strike a balance of ensuring safety and maintaining unobstructed access for all road users whilst being mindful of the local resident's parking needs.

#### 4.0 PROPOSALS

- 4.1 As part of the development of the site known as Abbey Wall Works, which is located opposite the residential properties in Station Road, to ensure access at all times, a proposal was put forward to introduce double yellow lines along the road. The road width is 6.5m and therefore too narrow to allow parking on both sides and therefore necessitating the introduction of double yellow lines on one side of the road. Additionally, the footway width is 1.5m and therefore, not wide enough to legally allow footway parking and therefore all footway parking would need to be prevented. This manner of parking is also preventing pedestrians, wheelchair users and parents with buggies from using the footway. Site assessment also concluded that when parked across crossovers, there were vehicles overhanging neighbouring crossovers. The proposed restrictions will address all these obstructive and safety concerns.
- 4.2 The minimum road width for vehicular access should be 3.2m, although emergency services ask for clear carriageway width of 3.5 - 4.0m. Additionally, where possible a footway width of between 1.8 to 2.4m should be maintained to facilitate wheelchair users, mobility scooters and those with pushchairs. Footway parking in London is illegal unless there is an Exemption Order and parking on grass verge is not permitted under any circumstance.

#### 4.3 Representations

As owners of \* Station Road we should like to register our objection to the new proposals for Double Yellow Lines along the north side of Station Road for the following reasons. There are currently existing double yellow lines along the south side of Station Road that serve the exact same function as those in the new proposal. These also will serve to ensure the new flats being completed on the opposite side of the road to original terraced family housing remain parking free as per the council's planning conditions for the approved flats scheme. Changing double yellow lines to the north side of Station Road will adversely affect the existing property owners' current ability to take deliveries and provide visitor parking while it would allow the future flat occupants to gain the use of these new parking spaces instead, and which would be another infringement of existing property owners' current facilities.

I have lived here since 1996 in relative peace and quiet and that is in spite of the new apartments going up opposite known as Abbey Wall Works.  
 We know that from sometime next year the council in their wisdom have agreed to double yellow lines on both sides of the road. There will be a few spaces opposite for electric charging points and the odd Parking Bay. Everyone on my side has a car and although officially the apartments are not supposed to have cars of course they undoubtedly will. I am 76 and my children frequently come to visit with my grandchildren. Two of my grandchildren live in France and come over here to stay with me in the holidays. As well as that I have a grandson who is disabled. All this is putting me under great stress as I wonder if I might have to widen and lengthen my drive getting rid of a flower bed to allow two cars on. I shouldn't be expected to worry about such things at my age but with this Labour Council it is all about making life as difficult as possible and getting more cash. If this goes ahead it will mean I will not be able to nip back to the house

for something and always having to put the car on the drive. It is outrageous of the council to think this is a suitable policy. Our surrounding roads ie Dane and Meadow Road do not have double yellow lines. Merton Council just do not care. It is very wrong for you to stop us parking outside our own house. I was not aware of double yellow lines during the planning stage being discussed. This road is a cul de sac, you have chosen to put 66 apartments opposite charging £400 to £700 this is not affordable housing and in this market it is no wonder only a handful have been reserved, which at the last count was about ten. Instead of worrying about double yellow lines could you please clean up Station Road, there is so much litter that has been dropped especially near the Sainsburys end. Also the end of the road floods so when there has been heavy rain we have to cross the road by Abbey Mills to get to Sainsburys, this is extremely unsatisfactorily. The Tarmac is also breaking up on the road. As I get older I want less hassle not more, please don't tell me there will be Parking Bays, they will be extremely limited. We as residents will all have visitors from time to time and if I have to widen and lengthen my drive it will cost in the region of ten thousand pounds. What am I paying my Council Tax for as I am not getting a service from this Council. Please will you think again about this policy, I don't mind paying for a parking permit for the family but not to allow any parking in the road apart from a few parking bays is BIG BROTHER controlling us. I have written to Cllr Paul Kohler.

Your proposals for double yellow lines in Station Road are draconian and, in my view, excessive. I object to one part of them; question whether due consultation process has been followed on the overall principle; and make one suggestion for some easement of parking pressures in the road.

I object to double yellow lines on both sides of the road in the section bordering Nos 12-18 on the grounds that no justification for this is given in your consultation letter which appears to rely on an argument that the road – happily restriction free for over 100 years - is wide enough for parking on one side but not two. On the matter of process, I am not aware that there was any earlier consultation or information given to residents when the Council agreed the principle of imposing double yellow lines at Abbey Walls planning application stage a few years back. Apologies if I am mistaken here, but I would have thought it a matter of due and proper consultation process for residents to have been at least notified if not actually consulted. I accept that the influx of new residents in the Abbey Wall development means that some restrictions will be desirable and that options are limited. A resident permit parking system is presumably not an option in a situation such as Station Road where there will not be enough parking places to go round. But there may be other options.

In the event of double yellow lines along the full length of the Terrace row (Nos 2- 38) side of Station Road, as currently proposed, I suggest that the Council think about offering to facilitate more or better dropped curves for residents. This would enable them (if they so wish) to use their front garden for parking as some of us already do. This would not solve the parking issues in Station Road, but it might reduce pressure and be something positive to offer rate-paying residents.

I am writing to submit my objections to the proposed waiting restrictions on Station Road SW19, ref: **ES/StationRd**. There are already double yellow lines, the full length of the road, on the South Side, although the plan does not show this. It makes more sense for the restrictions to stay that side of the road, where the residents of the flats are not supposed to have cars, rather than stopping the existing residents on the North side from being able to park in front of their own homes. We have had to put up with a lot of disruption from the building opposite our house. We are no longer able to see any sky or trees from our living room - as an extra floor to the flats was added to the agreed height, during lockdown, which meant we were not able to protest. So stopping us, or guests, or delivery drivers from being able to park in front of our house is unacceptable. In the event of double yellow lines along the full length of the Terrace row (Nos 2- 38) side of Station Road, as currently proposed, I suggest that the Council think about offering to facilitate more or better dropped curves for residents. This would enable them (if they so wish) to use their front garden for parking as some of us already do. This would not solve the parking issues in Station Road, but it might reduce pressure and be something positive to offer rate-paying residents.

In response to the proposed waiting restrictions on Station Road SW19, I wish you to reconsider. To start with the diagram provided on the notice is incorrect as it doesn't show that there are already double yellow lines running the full length of the Abbey Wall development on the south side of Station Road- why are these not shown? You seem to be proposing removing these existing lines, at cost, and putting new ones on the north side in front of the existing residents properties. The current arrangement means the road is not blocked, allows the free flow of traffic, access and safety of the road for all users, it doesn't need to change. This will only create a negative impact on the current residents, meaning we will not be able to have deliveries made directly outside of our homes, have visitors park outside or even be able to pull up outside of our own homes.

The majority of properties have dropped curbs to allow access and means unwanted parking rarely happens anyway. By opening up the other side of the road you are penalising the current residents and effectively creating more parking spaces on Station Road. This will allow anyone to use Station Road as free parking and presumably mean that the new residents of the 'car free' Abbey Wall development will think they can in fact own a car- you will be increasing the volume of traffic on the road. It will also make it harder for residents to enter and exit their own driveways if there is a wall of cars directly opposite. There is no need for a change in the current road layout and I hope you realise what a waste of time and money it will be, as well as angering the current residents who have already had to put up with years of noise, dust and dirt and the blocking of light to our homes. After the disappointing and frankly farcical way this development was approved, with the concerns of the local population disregarded I would hope that you would give our voices more consideration this time, rather than the developers.

#### 4.4 Officers Comment

##### 4.1 In response to the above representations, please note the following:

As per all planning application process, the Council considers various aspects of a planning proposal and its implications on the public highway and transport related matters. Any change and improvement that is identified as part of the planning process is set out within the planning report. The delivery of these improvements are then subject to the appropriate Traffic and Highway legislation and appropriate statutory consultation which is a different process to that of planning.

The existing double yellow on the development side of the road that objectors are referring to were introduced on a temporary basis to facilitate construction of the development site. The temporary Traffic Management Order (TMO) that introduced the yellow lines has now expired and the yellow lines are due to be removed except for a stretch of yellow lines opposite properties Nos 12 to 18 Station Road as set out within the consultation leaflet distributed to residents during this statutory consultation. This will restore approximately 16 kerb side parking places for residents and their visitors to utilise.

The road width in Station Road is 6.5m and the footway is 1.5m. The minimum road width for vehicular access should be 3.2m, although emergency services ask for a clear carriageway width of 3.5 – 4.0m. Additionally, where possible a footway width of between 1.8 to 2.4m should be maintained to facilitate wheelchair users, mobility scooters and those with pushchairs. Footway parking in London is illegal unless there is an Exemption Order and this cannot be achieved along Station Road. Due to safety and access implications, allowing obstructive parking is not an option the Council can consider or permit.

The statutory consultation to introduce the proposed restrictions has been carried out as per adopted practice and in line with legislation; and although for a statutory consultation, a newsletter is not required, due to the extent of the proposed restrictions, the Council did inform all the residents via a newsletter.

The newsletter detailing the statutory consultation and proposed restrictions were delivered to 28 properties in Station Road. The consultation resulted in 5 objections from Station Road, with a request to place the proposed yellow lines on the other side of the road. However, by placing the double yellow lines on the other side of the road, would mean loss of approximately 16 parking spaces. Although it is appreciated that some residents may wish to park across their crossovers, it has been noted that many of the crossovers are not wide enough to accommodate a parked vehicle without overhanging neighbouring crossover. Also, the loss of 16 parking spaces is not considered to be the best use of available kerbside space.

With regards to crossovers, it is for residents to apply for a crossover or for an extension to their existing crossover.

The proposed double yellow lines prevent parking but loading and unload is permitted as long as the activity is observed.

In the absence of a CPZ, there is no provisions to prioritise parking for the residents; however, if the residents petition the Council supporting a CPZ, the parking bays that will be created would be prioritised for the of existing Station Road residents and their visitors. This, however, would be subject to a separate consultation.

Parking on the footway is illegal unless exempt through a Traffic management Order which can only be made if the footway is of sufficient width and appropriate construction. However, in general in the absence of any complaints, the Council does not undertake any enforcement; however, as per legislation and adopted practice, where the footway is too narrow, footway parking cannot be legally permitted.

The Council has a statutory responsibility to ensure safety and access are maintained at all times for all road users and following our assessment, the Council has no alternative but to take the appropriate action which in this case would be to maintain clear footway and carriageway whilst creating safe kerbside parking space.

## **5.0 Officer's recommendations**

- 5.1 The objective of any parking management including the proposed restrictions is to ensure clear access is maintained on the public highway (carriageway and footway) more specifically along narrow roads / footways; at bends, junctions, turning heads etc. The Council also makes every attempt to minimise loss of parking.
- 5.2 The proposed restrictions ensure clear sightlines, access and maneuverability for all road users especially for pedestrians, service vehicles and emergency services. Although it is acknowledged that loss of parking provision across their crossovers would be unacceptable to some residents, it is not for the Council to facilitate the parking needs of residents and visitors and obstructive parking must be discouraged if not fully prevented. The Council's statutory duty is to ensure access and safety are maintained at all times. Once the Council is aware of obstructive parking, lack of mitigating action could put the Council at risk. The Council could be accused of not acting responsibly in discharging its statutory duties.
- 5.3 The proposed restrictions will maintain access for all whilst providing safe kerbside parking spaces. It is, therefore, recommended that the proposed restrictions are implemented.

## **6 TIMETABLE**

- 6.1 If agreed, the Traffic Management Orders could be made six weeks after the made decision. This will include the erection of the Notices on lamp columns in the area, the publication of the made Orders in Wimbledon & Wandsworth Times and the London Gazette. The documents will also be made available on the Council's website. The measures will be introduced soon after.

## **7. ALTERNATIVE OPTIONS**

- 7.1 Not to implement the proposed parking restrictions. This would not resolve the dangerous and obstructive parking that is currently taking place. It will hinder access by emergency services particularly the fire brigade and will do nothing to facilitate service vehicles / waste collection requirements. In the event of an incident, lack of action could put the Council at risk.
- 7.2 To place the double yellow lines on the other side of the road. This however would mean the loss of 16 parking spaces which is considered unreasonable and not the best use of kerbside space which in the future could be utilised within a CPZ; be allocated to cycle hire bay; car club bay and / or EV bay.

## **8 FINANCIAL RESOURCE AND PROPERTY IMPLICATIONS**

- 8.1 To introduce the proposed restrictions will cost approximately £3.5k. This includes the making of The Traffic Management Orders. This will be funded from the funds made available through S106 by the developer.

## **9 LEGAL AND STATUTORY IMPLICATIONS**

- 9.1 The Traffic Management Orders would be made under Section 6 of the Road Traffic Regulation Act 1984 (as amended). The Council is required by the Local Authorities Traffic Order (Procedure) (England and Wales) Regulations 1996 to give notice of its intention to make a Traffic Order (by publishing a draft traffic order). These regulations also require the Council to consider any representations received as a result of publishing the draft order.
- 9.2 The Council has discretion as to whether or not to hold a public inquiry before deciding whether or not to make a Traffic Management Order or to modify the published draft Order. A public inquiry should be held where it would provide further information, which would assist the Cabinet Member in reaching a decision.

## **10 HUMAN RIGHTS, EQUALITIES AND COMMUNITY COHESION IMPLICATIONS**

- 10.1 The Council carries out careful consultation to ensure that all road users are given a fair opportunity to air their views and express their needs. The parking needs of the residents and visitors are given consideration but it is considered that maintaining safe access must take priority.
- 10.2 Bodies representing motorists, including commuters are included in the statutory consultation required for draft traffic management and similar orders.
- 10.3 The implementation of waiting restrictions affects all sections of the community especially the young and the elderly and assists in improving safety for all road users as well as achieving the transport planning policies of the government, the Mayor for London and the borough.

- 10.4 By maintaining clear access points, visibility will improve thereby improving the safety at junctions; bends and along narrow sections of a road and subsequently reducing potential accidents.
- 10.5 Regulating and formulating the flow of traffic will ensure the safety of all road users and improved access throughout the day.

## **11 RISK MANAGEMENT IMPLICATIONS**

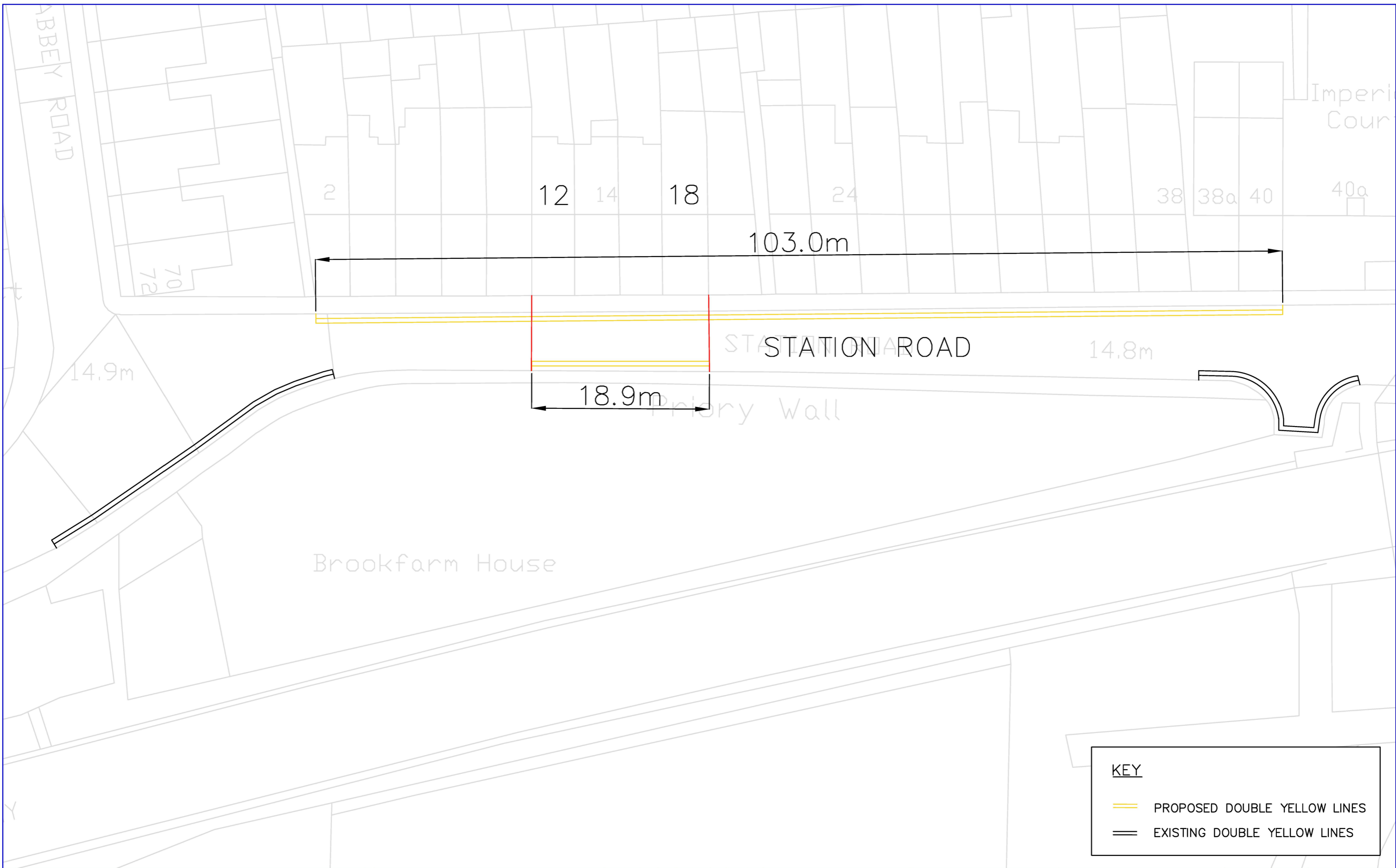
- 11.1 The risk in not introducing the proposed restrictions would be the potential risk to all road users and in the case of an emergency to all the residents / properties within station Road; and access difficulties will not be addressed.
- 11.2 The risk of introducing the proposed restrictions could lead to possible extra pressure. However, many of the residents have off street parking and others could apply for a crossover. Also the proposal will provide safe parking spaces that can be utilised. The benefits of the proposals outweigh the possible increase in demand.

## **12 APPENDICES**

- 12.1 The following documents are to be published with this report and form part of the report.
  - Appendix 1 – plan of proposed restrictions
  - Appendix 2 – Statutory consultation Newsletter







**KEY**

- PROPOSED DOUBLE YELLOW LINES
- EXISTING DOUBLE YELLOW LINES

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# Proposed waiting restrictions (double yellow lines) Station Road SW19



Statutory consultation  
December 2023

Cllr Stephen Alambritis MBE  
Cabinet Member for Transport



Dear Occupant,

I am writing to inform you that as part of planning condition of redevelopment of Abbey Walls planning application, to address safety and access, double yellow lines were agreed during the planning stage. The road width is not of sufficient width to allow parking on both sides and the footway is not wide enough to allow footway parking.

To ensure safety and access for all road users, the Council is now progressing with the required parking restrictions which involves double yellow lines as shown on the plan (see overleaf)

## WHAT HAPPENS NEXT

A Notice of the Council's intention to introduce the proposed double yellow lines will be published in a local newspaper (Wimbledon and Wandsworth Times), London Gazette and posted on lamp columns in the vicinity.

Representations against the proposals described in this Notice must be made no later than **12 January 2024** quoting reference **ES/StationRd**. Objections must relate only to the elements of the scheme that are subject to this statutory consultation by emailing [trafficandhighways@merton.gov.uk](mailto:trafficandhighways@merton.gov.uk) or to Environment, Civic Pride and Climate department, future Merton, Merton Civic Centre, London Road, Morden, Surrey, SM4 5DX. This information is also available on Merton Council's website <https://www.merton.gov.uk/wr2023b1>

Please ensure that your representation is made directly to the Council.

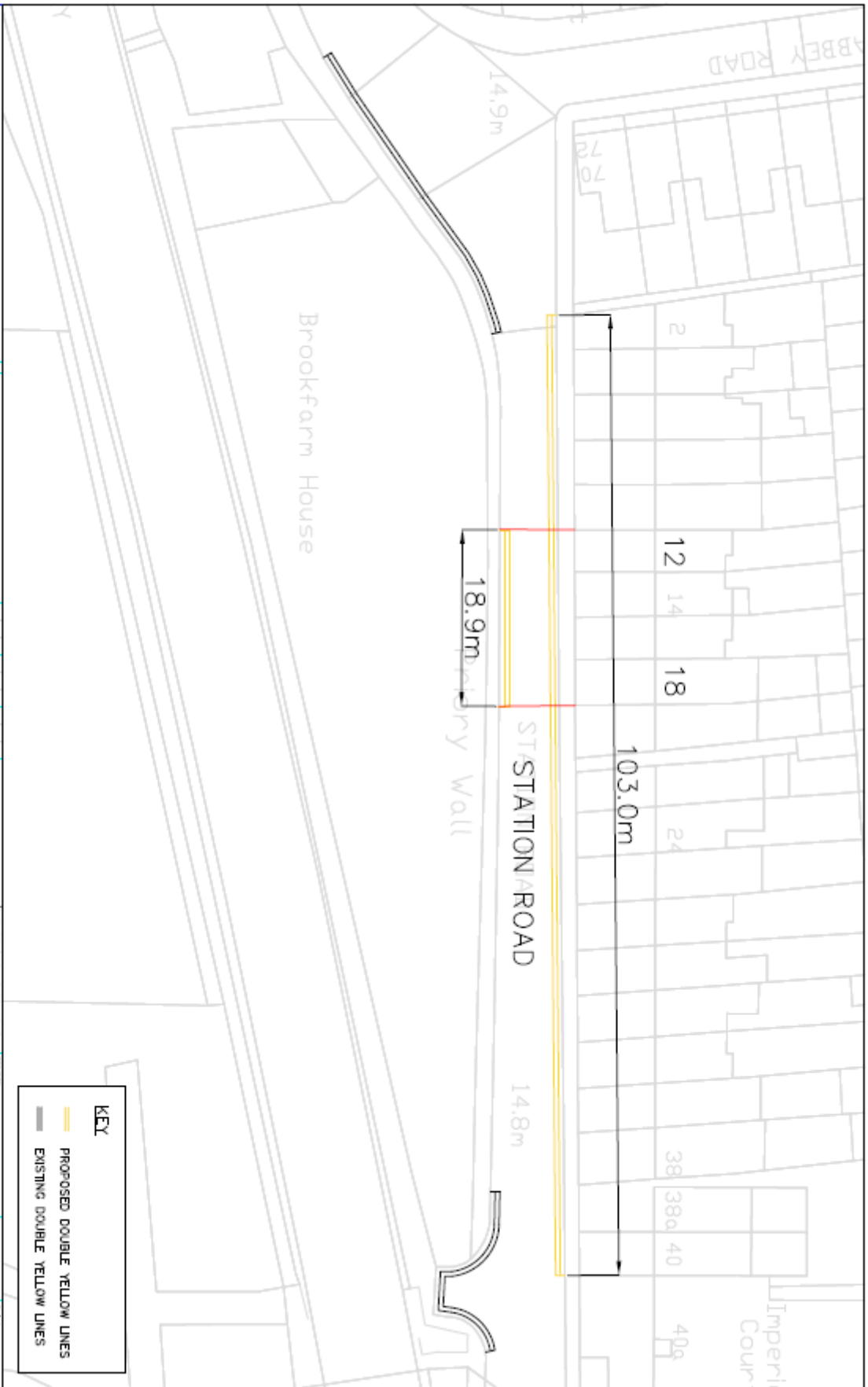
All representations along with officers' comments and recommendations will be presented in a report to the Cabinet Member for Transport. Please note that responses to any representations received will not be made until a final decision is made by the Cabinet Member.

### Abbey Ward Councillors

*(Contact details of Ward Councillors are provided for information purposes only)*

Cllr John Braithwaite	<a href="mailto:john.braithwaite@merton.gov.uk">john.braithwaite@merton.gov.uk</a>
Cllr Mike Brunt	<a href="mailto:mike.brunt@merton.gov.uk">mike.brunt@merton.gov.uk</a>
Cllr Klaar Dresselaers	<a href="mailto:klaar.dresselaers@merton.gov.uk">klaar.dresselaers@merton.gov.uk</a>

Cllr Stephen Alambritis MBE, Cabinet Member for Transport



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NO.	DATE	BY	REV.	DESCRIPTION

ENVIRONMENT  
 CIVIC PRIDE & CLIMATE  
 DEPARTMENT  
 FUTURE MERTON

PROJECT  
 WAITING RESTRICTIONS  
 (Z27)  
 TITLE  
 STATION ROAD  
 SOUTH WIMBLEDON (SW19)

MERTON  
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