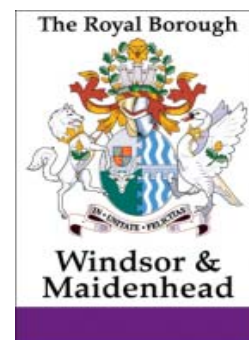


Appendix A

PLANNING AND DEVELOPMENT

TRANSPORT POLICY AND IMPLEMENTATION GROUP



PLANNING DEVELOPMENT CONTROL PRACTICE NOTE					
PREPARED FOR		Planning Development Control Officers Highways Development Control Officers			
PREPARED BY		Gail Kenyon – Group Manager Graham Brewster – Highways Development Control Team Leader		DATE:	23 rd December 2008
SUBJECT:		SECTION 1: RESIDENTS PARKING SECTION 2: COMMERCIAL DEVELOPMENT (Windsor) – PARKING IMPLICATIONS			

SECTION 1: Residents and Business Parking Practice Note

Residential

On certain roads within the Royal Borough of Windsor and Maidenhead, Residents Parking Zones are in operation. Within these zones residents are eligible for Residents Parking Permits. The permits are for the use of the resident of a property, at their home address if they do not have other parking facilities e.g. garage, driveway or hard-standing. Obtaining a Parking Permit does not guarantee a parking space but it does allow residents to park in the relevant Residential Zone. The Permits are not transferable and cannot be used on other cars or in different zones. Each residence is limited to a maximum of two permits. Demand for permits, particularly in Central Windsor, exceed the availability of spaces and this along with other parking pressures has led to the development of the Windsor Parking Strategy 2008.

Currently there are anomalies between the Borough's Parking Strategy (May 2004), the Windsor Parking Strategy 2008 and the eligibility for parking permits. This practice note sets out the current position of the Council and should be taken into consideration by Planning Development Control and Highways Development Control Officers when considering planning applications.

The principle areas to be addressed are those planning applications proposing zero (or below 1 space per unit created) parking; those involving a sub-division of a property or those where existing off-street parking (eg. garages) are to be converted for non-parking use.

Where this is the case the applicant will be required to enter into a legal agreement under Section 106 of the Planning Act 1990 that withdraws the right to be eligible for the issue of residents and visitor parking permits. Sample wording for inclusion in the Section 106 agreement is attached at **Appendix 1**. The roads within Windsor where this is applicable are listed in Table 1 and Table 1A.

Table 2 sets out other roads within the Royal Borough where resident parking schemes exist and consideration should be given to the principles set out above.

Business

Business Permits are issued to certain businesses depending on the road/area of which they are located. For this purpose Windsor is split into an inner and an outer zone. Businesses which are in certain roads are eligible to apply for a Windsor Inner Zone permit. The roads where this is applicable are listed in Table 3. They entitle the business to park in certain Business Permit Areas for a maximum of 4 hours in any day. Only 1 permit is allowed per business.

Businesses which are in certain roads are eligible to apply for Windsor Outer Zone permits. The permit is valid in the Business Permit Areas below and are not restricted by length of stay. The maximum number of permits is 3. The roads where this is applicable are listed in Table 4.

SECTION 2: Commercial Development (Windsor) – Parking Implications

The proposed Windsor parking Strategy (2008) has identified an increasing demand for travel to / from Windsor in future years and sets out a strategic aim ‘...**to manage the predicted demand to support the vitality of the town for residents, business and visitors...**’

It is proposed that the predicted demand will be managed by:

- Maximising use of existing parking stock
- Increasing capacity
- Promoting alternative travel choices

A combination of these measures will assist in ensuring that strategic aims are delivered.

One potential solution is to identify private business car parks facilities and secure agreement for their use on a shared private / public basis.

Where the Borough receives a planning application, we will encourage and work with the developer and subsequent successors in title through a S106 Agreement under the Town and Country Planning Act 1990, to release parking provided within the development for public use outside normal business hours (predominantly evening, weekends and bank holidays).

TABLE 1 – RESIDENTIAL PARKING PERMITS

Adelaide Square	Dagmar Road	Sheet Street (Separate Scheme)
Albany Road	Devereux Road	Spinners Walk
Albert Street	Dorset Road	Stovell Road
Alexandra Road	Duke Street	St Albans Street
Alma Road	Farmyard	St Leonards Avenue
Arthur Road (Not Odds 19 - 87)	Frances Road	St Leonards Road
Arthur Road (Odds 19 - 87 Separate Scheme)	Grove Road	St Marks Place
Barry Avenue	Helena Road	St Marks Road
Bachelors Acre	High Street	Temple Road

Beaumont Road	Kings Road	Thames Avenue
Bolton Avenue	Lammas Court	Thames Side
Bexley Street	Madeira Walk	Thames Street
Bridgewater Terrace (Separate Scheme)	Market Street	The Courtyard
Brook Street	Oxford Road	Trinity Place
Castle Hill	Oxford Road East (Separate Scheme)	Vansittart Road
Charles Street (Separate Scheme)	Park Street (Separate Scheme)	Victoria Street
Church Street	Peascod Street	William Street
Claremont Road	Prince Consort Cottages	
Clarence Crescent	Queens Road	
Clarence Road	River Street	
Clewer Fields	Russell Street	

TABLE 1A – RESIDENTIAL PARKING PERMITS (Separate security zone)

Please note that certain roads in Windsor are in a separate zone due to security reasons (Bridgewater Terrace; Sheet Street; Arthur Road (Town End); Park Street and Charles Street Service Road). Normal Green Residents Permits are not valid in these streets.

Arthur Road (Odds 19 - 87	Charles Street	Park Street
Bridgewater Terrace	Oxford Road East	Sheet Street

TABLE 2 – RESIDENTIAL PARKING PERMITS – MAIDENHEAD, BRAY, ETON & DATCHET

Maidenhead

Albert Street	East Road	Grenfell Place	Princess Street
Bell Street	Grenfell Avenue	High Town Road	South Road
Courtlands			

Bray

Church Lane	Old Mill Lane
Ferry End	The Terrace

Eton

Atherton Court	Eton Court	Kingstable Street	Tangier Lane
Brocas Terrace	Eton Square	Meadow Lane	Turks Head Court
Emlyn Buildings	High Street	Sunbury Road	

Datchet

The Avenue	London Road	The Green
Hall Court	Montague Road	Windsor Road
Horton Road	Queensmead	

TABLE 3 – BUSINESS PARKING PERMITS – WINDSOR INNER ZONE

ELIGIBLE ROADS - WINDSOR INNER ZONE

Any business premises which is used as a non-residential property located in the following streets:

Acre Passage	Madeira Walk
Bachelors Acre	Market Street
Barry Avenue	Oxford Road East
Bridgewater Terrace	Park Street
Castle Hill	Peascod Street
Charles Street	River Street
Church Lane	St Albans Street
Church Street	St Leonard's Road (Odds 1-113, Evens 2-130, not 110)
Clarence Road (between St Leonards Road and Charles Street)	Sheet Street
Datchet Road	Thames Avenue
Farm Yard	Thames Side
Goswell Hill	Thames Street
High Street	Victoria Street
James Street	William Street

Businesses which are in certain roads are eligible to apply for Windsor Inner Zone permits. The permit is valid in the Pay and Display areas of the following roads for a maximum period of 4 hours per day. Maximum number of permits is 1.

Business Permit Areas:

- Datchet Road
- Farm Yard
- Park Street
- Sheet Street
- St. Leonards Road
- Thames Street
- Victoria Street

TABLE 4 – BUSINESS PARKING PERMITS – WINDSOR OUTER ZONE

ELIGIBLE ROADS - WINDSOR OUTER ZONE

Any business premises which is used as a non-residential property located in the following streets:

Acre Passage	Madeira Walk
Alexandra Road	Market Street
Bachelors Acre	Oxford Road East
Bridgewater Terrace	Park Street
Castle Hill	Peascod Street

Charles Street	River Street
Church Lane	St Albans Street
Church Street	St Leonard's Road (Odds 1-113, Evens 2-130, not 110)
Clarence Road (between St Leonards Road and Charles Street)	Sheet Street
Datchet Road	Thames Avenue
Farm Yard	Thames Side
Goswell Hill	Thames Street
High Street	Victoria Street
James Street	William Street

Businesses which are in certain roads are eligible to apply for Windsor Outer Zone permits. The permit is valid in the Business Permit Areas of the following roads and are not restricted by length of stay. Maximum number of permits is 3.

Business Permit Areas:

- Alma Road (between its junctions with Claremont Road and Osborne Road)
- Clarence Road (between its junctions with Vansittart Road and Goslar Way)
- Frances Road (between its junctions with Grove Road and Alexandra Road)

APPENDIX 1

SAMPLE WORDING FOR THE SECTION 106 AGREEMENT

1.0 The following definitions shall be added so as to be incorporated in the First Schedule of the Principle Agreement:

A **'Resident'** shall be defined as any person who occupies a Dwelling permitted by this planning permission.

'Residents Parking Permit' A Parking Permit issued by the Council in exercise of its powers under Sections 1, 2, 4, 5, 32, 35, 45(2), 124 (1) (d) and Part IV of Schedule 9 of the Road Traffic Regulation Act 1984 as amended and the Road Traffic Act 1991 and of all other enabling powers for the use of designated residents in the locality.

'Visitors Parking Permit' A Parking Permit issued by the Council under Section 1, 2, 4, 5, 32, 35, 45(2), 124(1) (d) and Part IV of Schedule 9 of the Road Traffic Regulation Act 1984 as amended and the Road Traffic Act 1991 and of all other enabling powers for the use of visitors in the locality.

'Owner' is a person interested in the Land as Freehold Owner.

2.0 The following provisions shall be added so as to be incorporated in the Agreement as an additional Schedule.

The Owner covenants and undertakes for itself and its successors in title with the intention of binding the Land to:

- (i) In writing, inform each Resident that he or she will not be entitled to a Residents Parking Permit or Visitors Parking Permit to allow the parking of a motor car within the Controlled Parking Zone (CPZ) operating in the locality within which the Land is situated save that if he or she is (or subsequent to occupation becomes) entitled to be a holder of a Disabled Persons Badge issued pursuant to Section 21 of the Chronically Sick and Disabled Persons Act 1970, a right which would require satisfactory proof by the Council, then he or she shall be entitled to a Resident's Parking Permit; and
- (ii) Ensure that there shall be procured in any licence transfer lease or tenancy agreement with the Owner in respect of a Dwelling a notification informing each Resident that he or she will not be entitled to a Residents Parking Permit or Visitors Parking Permit to allow the parking of a motor car within the Controlled Parking Zone (CPZ) operating in the locality within which the Land is situated save that if he or she is (or subsequent to occupation becomes) entitled to be a holder of a Disabled Persons Badge issued pursuant to Section 21 of the Chronically Sick and Disabled Persons Act 1970, a right which would require satisfactory proof by the Council, then he or she shall be entitled to a Resident's Parking Permit; and
- (iii) Certify on notice in writing to the Council the date/s upon which clauses (i) and (ii) have been complied with in respect of the initial release and occupation of the Dwellings.

- 2.1 The Owner covenants with the Council that neither it nor any Resident will apply for a Residents or Visitors Parking Permit (save as provided for in clauses (i) and (ii) in respect of disabled persons) and if issued with such Parking Permit to surrender it to the Council within 7 working days of receiving it.
- 2.2 Where clause (i) is breached by a Resident, then that clause shall only be enforceable against that particular Resident and not against the Owner or any previous Resident.
- 2.3 For the avoidance of doubt covenants (i) and (ii) have to be complied with regarding each and every new and subsequent Resident as well as in respect of every initial Resident.