

## Document opposing planning permission requests 22/00284/FUL and 22/00285/ADV – submitted by Appleton Ward councillors Eddie Jones and Angela Teeling

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Comments		Search Again	
First	Previous	Page 1 of 1	Next Last
<b>Details</b>		<b>Documents</b>	
Case No:	22/00284/FUL	Officer name:	Glen Henry
Applicants name:	Savills (UK) Limited	Applicants Address:	C/o Agent
Agents name:	Mr Brad Wiseman	Agents Address:	Savills (UK) Limited Belvedere 12 Booth Street Manchester M2 4AW
Details of proposal:	Retrospective application for planning consent for the installation of a car park management system on existing car park comprising 4 no. pole mounted automatic number plate recognition (ANPR) cameras and 6 no. park and display machines at Green Oaks Centre Green Oaks Way Widnes Cheshire WA8 6UD		
Ward:	Appleton		
Status:	Pending Consideration	Date Received	27 May 2022
Date Valid:	27 May 2022	Comment Between	27 May 2022 and 30 June 2022 <a href="#">Comment Now</a>
Target Date	22 July 2022	Decision Date	Not Available
Record: 1 of 1			

If no noise had been raised regarding the installations would the above application had been submitted or would they have chanced it, until the time had lapsed whereby they could no longer be challenged: why is this a retrospective application?

### 22/00284/FUL reasons for objection:-

**Not in line with local policies:-** To uphold the application regarding the installation of APNR cameras, subsequently charging to park in the Green Oaks car park, does not fall in line with local and council policies. HBC promote free parking within the Borough.

<https://councillors.halton.gov.uk/documents/s65439/Widnes%20Market%20Update.pdf> The above link takes you to a document, point 3.35 supports the Council decision to keep parking free as it *“is a big draw for the shoppers, as no other local town centre offers this in the area.”*

Free parking has been the historic custom and practice for that site and was an expectation at its inception. As was its valuable role in essential community engagement use ,such as Health screening etc. one example is that he space was recently used as a COVID testing site.

**Indirect discrimination -** The installation of a car parking management system by the erection of the poles carrying the APNR cameras, subsequently to charge for parking has an impact on the people who qualify to park in the disabled parking bays and who wish to access the market and close shops. Although parking charges apply to all, it is indirect discrimination to force people who, not from choice, cannot park further away in the free parking areas due to mobility issues they or their passenger have. The parking bays closest to the market and Green Oaks will fall within this area for

charging. Thus, the passing of this planning application will be indirect discrimination toward people with disabilities.

To park close to the enabled toilets in the market, people who require the use of these will now have to pay to park. This means disabled people are at a disadvantage to park closer to the amenities they need where people without disabilities have the option to pay to park or not, as they can walk to the amenities they need to use.

**Detriment impact on neighbouring amenities - Amenities – “the quality or character of an area and elements that contribute to the overall enjoyment of an area”**

One such amenity is the HBC run market. Parking management systems are having a detriment effect on the wider aspect of Widnes’ town centre in particular the market, this can be supported by our market traders: less people are visiting the local market, the amenity, because of the parking management system – the APNR cameras and subsequent charges.

The charges are putting people off visiting the amenity. The knock-on effect is that the enjoyment of visiting Widnes Shopping centre has been affected due to the installation of the parking management system, charges to park exist on Green Oaks and there are now time limits on all other car parks within the area, the detriment affect here is that it negatively affects the enjoyment of the amenities in this areas as shoppers are always conscious of time constraints, the pleasure and enjoyment of browsing and having a drink in a local café has been negatively affected.

Another detriment to amenities is that the time constraints in surrounding car parks, as a knock – on effect of the parking management system in Green Oaks, is affecting the footfall of all shops thereby the worth of their business should they wish to sell it.

This decreased footfall is causing shops to close down in the already struggling town shopping centre.

The change to charging policy has obviously inflicted unexpected hardship on employees and immediate businesses. Deals allied to free parking that would encourage footfall have now become the opposite. So, this reversal of historic precedent is detrimental to businesses, employees, customers ,neighbours , local residents and the community generally. If that in itself is not a planning reason what is the point of the system?

**Highways -** There has been a generation of excess traffic because of the installation of the parking management system; the erection of APNR cameras a subsequent charges raised to park on the car park. Traffic and parking issues now exist in the residential streets closest to the shopping centre as shoppers and workers are parking here free of charge to avoid the car park. This has only happened since the installation of the car park management system. If the application to install a car parking management system, is agreed, this will exacerbate this issue as people who work in the area are now expected to pay to park all day and because of the knock-on effects

mentioned previously, they can no longer park in other car parks due to time constraints on those car parks which have been introduced since the installation of the car parking management system.

**Safety** - As referenced under highways, the neighbouring streets are overcrowded with vehicles, this impacts the safety of pedestrians. This is a direct impact of the installation of the parking management system at Green Oaks.

**Additional information** - A retail unit has been established separately on the car park (we buy any car) . This change recklessly destabilises and poses risk to an already fragile local retail economy: the market and individual retail units. This was space HBC frequently used for health screening. How can a Council knowingly condone such actions?

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Page 1 of 1

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<b>Agents name:</b>	Mr Brad Wiseman	<b>Agents Address:</b>	Savills (UK) Limited Belvedere 12 Booth Street Manchester M2 4AW
<b>Details of proposal:</b>	Retrospective application for advertising consent for the installation of 41 no. pole mounted non illuminated signs for car park management system on existing car park at Green Oaks Centre Green Oaks Way Widnes Cheshire WA8 6UD		
<b>Ward:</b>	Appleton		
<b>Status:</b>	Pending Consideration	<b>Date Received</b>	27 May 2022
<b>Date Valid:</b>	27 May 2022	<b>Comment Between</b>	27 May 2022 and 30 June 2022 <a href="#">Comment Now</a>
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Record: 1 of 1

## 22/00285/ADV reasons for objection:-

Quite simply, this application cannot be agreed or passed by the HBC development committee: It is illegal - you cannot retrospectively apply for planning in relation to advertising boards/signs. HBC planners are aware of this, confirmed in an email to Cllr Teeling.

The Town and Country regulations 1995 make it clear that all applications for advertising boards and signs have to be submitted prior to their installation. This is a retrospective application, therefore it cannot be agreed or passed in any positive manner toward the applicant.

We should also consider the law, in so much that 'no-one should profit from unlawful conduct'. The signs are illegally there, as stated retrospective planning cannot be agreed or passed, they advertise charges for parking on these signs and how payment should be paid: people have followed these instructions and made the payments creating profit for the business. If this retrospective application is agreed/passed then HBC would be condoning the 'profits by unlawful conduct'.

## **SUMMARY**

As the signs have been placed prior to the application to install them was submitted, which explained above cannot happen, the signs must now be removed or covered up.

The governance for parking management systems prohibits the running of such systems if parking signage does not exist, and is clearly visible to read, advertising the system is in place and to explain how they pay etc.

Therefore, as the signs must be removed or covered, the parking system cannot run and should be shut down.