

**CABINET – 23 NOVEMBER 2016****LAND OFF GRANGE ROAD, HUGGLESCOTE – OBJECTION TO
TRAFFIC REGULATION ORDER****REPORT OF THE DIRECTOR OF
ENVIRONMENT AND TRANSPORT****PART A****Purpose of the Report**

1. The purpose of this report is to seek approval for the implementation of a developer funded traffic regulation order (TRO), as required by the planning approval for Taylor Wimpey East Midlands, Land off Grange Road, Hugglescote (North West Leicestershire).

Recommendation

2. It is recommended that the TRO associated with the Land off Grange Road, Hugglescote development, as shown on drawing no.TM4362/2/2016 attached as Appendix A to this report, be approved for implementation.

Reason for Recommendation

3. The proposed TRO is required to facilitate the construction of the agreed site access for the Taylor Wimpey development off Grange Road, Hugglescote. The new site access road will be constructed from the development to Grange Road through an existing lay-by which is being removed and replaced in part by a shared use footway/cycleway. The implementation of the TRO is to manage highway safety along the proposed shared use footway/cycleway by extinguishing existing motor vehicle rights.

Timetable for Decisions (including Scrutiny)

4. Subject to the Cabinet's approval, the making and implementation of the TRO will be made within the next few months.

Policy Framework and Previous Decisions

5. The scheme contributes to the delivery of Local Transport Plan 3 (LTP3) and the priorities of safety and quality of life.
6. Approval of minor transport schemes such as this is delegated to the Director of Environment and Transport, following consultation with the Cabinet Lead Member and subject to the support of the relevant Local Members.

7. As the local Member for Coalville, Dr T. Eynon CC has indicated that she cannot support the proposal the matter has been referred to the Cabinet for determination.

Resource Implications

8. None arising from this report. The estimated cost of processing the TRO is £5,000, which is being funded by the developer in full. If the TRO works exceed £5,000 the Developer will be required to fund any additional costs.
9. The Director of Corporate Resources has been consulted on the content of this report.

Legal Implications

10. The Council's power to make TROs is derived from the Road Traffic Regulation Act 1984. Section 122 of the Act places a duty on the Council to exercise the functions conferred by the Act to secure the expeditious convenient and safe movement of traffic. The proposals in this report are intended to improve highway visibility and safety in accordance with this requirement.
11. In making the TRO, the Council will comply with prescribed statutory process.
12. The Director of Law and Governance has been consulted on the proposals.

Circulation under the Local Issues Alert Procedure

Dr T. Eynon CC

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PART B

Background

13. In April 2014 a planning application (application no.14/00354/OUTM) was made to North West Leicestershire District Council for the development of 105 dwellings and associated works. The application was permitted by the District Council as the local planning authority on 1 April 2015.
14. The planning permission for this development was granted subject to conditions. Condition 18 states "None of the dwellings hereby permitted shall be occupied until such time as the Grange Road site access junction and all associated works within the public highway as shown on drawing no. TM4362/2/2016 have been provided in full and are available for use."
15. As part of the planning conditions, a new site access road is to be constructed into the development off Grange Road. This new site access bisects an existing lay-by off Grange Road and the lay-by is being removed and replaced in part by a shared use footway/cycle-way as shown in the plan attached as Appendix B.
16. A prohibition of motor vehicles traffic regulation order is required to formally extinguish vehicle rights on what will be the new shared use footway/cycleway which follows the alignment of the old lay-by to prevent motor vehicles accessing the facility and causing a danger to pedestrians.
17. Details of the proposed permanent TRO are shown on Drawing No. TM4362/2/2016 attached at Appendix A.

Consultations

18. The public consultation was undertaken on the proposed TRO on 19th February 2016 for a period of 3 weeks.
19. The scheme was advertised in the local press and on Leicestershire County Council's website. A copy of the proposal was made available for inspection at North West Leicestershire District Council offices for the consultation period.

20. The following responses were received:

Consultee	Response	
Formal consultations with a letter and drawing sent to:	General agreement with the proposals/no adverse comments received	Do not support the proposals
NWL District Council Hugglescote and Donington-le-Heath Parish Council Leicestershire Constabulary Ambulance Service Fire Service Road Haulage Association Freight Transport Association Local Residents	1 1 1 1 1 1	1 19
TOTAL	6	20

21. The Parish Council objected to the scheme as this could result in a loss of car parking spaces within the lay-by which provides overspill parking for patients visiting the Surgery.
22. Local residents and patients visiting the doctors surgery objected as this could result in a loss of car parking spaces as the lay-by is used as an overspill for parking. The Baptist Church objected due to vehicles requiring access to maintain the church grounds. Other local residents objected on the basis of vehicles parking on Grange Road which could result in safety issues due to concerns of speeding on Grange Road.
23. To investigate concerns raised during the consultation process a survey was carried out in August 2016. The results showed that the existing lay-by is predominantly used by non-residents for parking whilst visiting the local Doctors Surgery, Pharmacy and Baptist Church. The survey results showed that within the 12 hours surveyed parking was predominantly in a short two hour spell between 0930 -1130 in which time an average of 4 vehicles were parked (in each 15 minute survey period). The maximum number of vehicles parked at any one time was between the hours of 10:30am – 10:45am which showed 8 vehicles parked in the layby. The rest of the day there was only one or two vehicles parked.
24. The presence of on-street parking on Grange Road is likely to contribute to effective speed management as vehicles are required to slow/stop and give way to on-coming traffic. Overall vehicle speeds on this section of Grange Road could reduce.

25. In response to the concerns of the Baptist Church, the developer will provide new bollards (shown in the plan at Appendix B) to ensure that the Church's access is not compromised.
26. In exercise of the Director's Delegated Powers for implementing Traffic Regulation Orders, the local Member Dr T Eynon CC was asked to indicate whether she would support the implementation of the proposals. On considering the objection from Hugglescote and Donington-le-Heath Parish Council, Dr T Eynon indicated that she did not support the scheme and requested that the matter be referred to Cabinet for determination.

Conclusions

27. The proposed TRO is in accordance with the published planning condition and the appropriate time for representations to have been made regarding the removal of the lay-by was during the planning process. To facilitate the implementation of the planning permission it is considered necessary on highway safety grounds to process a TRO to prevent vehicles driving on the new shared use footway/cycleway and to enable a new access to the Taylor Wimpey Development Site.

Equality and Human Rights Implications

28. None arising from this report.

Background Papers

Local Transport Planning in Leicestershire 2011-2016: Leicestershire Local Transport Plan 3 Link:

http://www.leics.gov.uk/index/highways/transport_plans_policies/ltp/current_transport_plans.htm

Appendices

Appendix A - Drawing no.TM4362/2/2016

Appendix B - Section 278 works General Arrangement Plan by Taylor Wimpey.

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