

AGENDA ITEM 4

REPORT TO APPEALS & COMPLAINTS COMMITTEE

6 SEPTEMBER 2007

REPORT OF CORPORATE DIRECTOR OF DEVELOPMENT & NEIGHBOURHOOD SERVICES

GREEN'S LANE, HARTBURN – PROPOSED 24 HOUR WAITING RESTRICTIONS

1.0 SUMMARY

The purpose of this report is to seek Members' views on 55 objections and a 17 name petition received formally by the Legal Section following statutory advertising of proposed 24 hour waiting restrictions on a length of Green's Lane, Hartburn.

It is not considered appropriate for the Head of Technical Services to consider the objections as he would be effectively reviewing his own decision.

2.0 RECOMMENDATIONS

It is recommended that:-

- (i) Members give consideration to the objections raised and also to the comments of the Head of Technical Services to determine whether the objections outweigh the need for the Order.
- (ii) The local Ward Councillors and the objectors be informed of the Committee's recommendation.

3.0 DETAIL

- 3.1 At the Planning Committee meeting on 21 February 2007, a planning application for a residential development at nos. 69/71 Green's Lane, was approved. The Head of Technical Services had no significant road safety/traffic management concerns with respect to the proposed development. As part of the approval of this application, a planning condition was attached requiring the implementation of a traffic regulation Order to ensure an unobstructed visibility splay of 4.5m x 90m from the proposed access before development commences. The development cannot therefore be commenced until the Order is implemented.
- 3.2 The requirement for 24 hour waiting restrictions between Adelaide Grove and Green's Beck Grove was confirmed by a Stockton Officers' Traffic Group site meeting on 21 March (see **Drawing No TM2/36** in **Appendix 1**), and the proposal was subsequently approved by the Head of Technical Services in consultation with the Cabinet Member for Regeneration and Transport.
- 3.3 During the statutory advertising of the restrictions, 55 objections and a petition were received.

4.0 DETAILS OF THE OBJECTIONS

- 4.1 A map showing the location of the objectors in the vicinity of the proposals is shown in **Appendix 2**. 32 objections from 26 addresses were received from properties accessed (either directly or via a side road) off the south side of Green's Lane. 10 objections were submitted from properties accessed off the north side. 10 objections from 9 addresses were from residents outside of the immediate vicinity of the proposals, though the address of one objector could not be determined. Councillors Lupton and Laing (Hartburn) and Councillor Cockerill (Grangefield) have formally objected to the proposed restrictions. A petition signed by 17 residents from Queensland Grove was also received (no address supplied by one signatory).
- 4.2 A list of the objectors addresses and concerns is given in **Appendix 3**.
- 4.3 The objections received are summarised below together with the Head of Technical Services responses.

- A Migration of parental parking will affect local residential roads, causing problems for residents with respect to obstruction and further compromising access for emergency vehicles. Road safety hazards and congestion on the affected roads will be increased.

Response

On-street parking space for only around 15 vehicles will be lost if the proposed restrictions proceed. Those roads in the immediate vicinity of the school where the majority of pedestrian activity takes place are already covered by school time waiting restrictions or 'school keep clear' markings. The need for additional school time waiting restrictions has not been identified via the School Travel Plan.

The emergency services have been consulted with respect to the proposed restrictions and no objections were received.

Should the restrictions be progressed the situation with regard to displaced parking will be monitored. Alternative parking is available (see I below).

- B Further parental parking will take place in the Methodist Church, the restrictions will adversely affect services and other activities here and at the Church Community Centre.

Response

The Methodist Church should manage parking within their own property, restricting unauthorised parking by parents if they consider this to be appropriate. Parking will still be available on the south side of Green's Lane along the Church frontage.

No one has specific parking rights on the adopted highway, although it is generally tolerated unless it is causing an obstruction or danger, as in this case. The restrictions are being proposed for safety reasons, which must take precedence.

- C The removal of on-street parking will increase vehicular speeds on Green's Lane, compromising road safety and the safe operation of the School Crossing Patrol.

Response

The implementation of the waiting restrictions should not cause any significant road safety concerns. Green's Lane is subject to a 30mph speed limit. The School Crossing Patrol location on Green's Lane (to the west of Adelaide Grove) is long established, with no history of accident or drive-through problems. The removal of parked vehicles will increase visibility between the patroller, pedestrians and drivers. Again, if the restrictions are progressed the operation of the School Crossing Patrol, and pedestrians in general, will be monitored.

- D The proposed development will itself encourage on-street parking.

Response

There is sufficient in-situ parking contained within the proposed development, on-street parking associated with the development is not anticipated.

- E Residents only parking should be introduced on roads in the vicinity of the school.

Response

Areas outside of schools are not considered for the Council's residents parking scheme waiting list. Priority is given to areas adjacent to major establishments where patrons park on-street all day to avoid parking charges, such as near hospitals or town centres. It is worth noting that a residents parking scheme would reduce on-street parking capacity in areas with narrow streets.

- F Loss of on-street parking opportunity for Green's Lane frontagers.

Response

Residents on the south side of Green's Lane (nos 2-14 even) are not directly affected by the proposed restrictions. Parking outside of no. 63 on the north side of Green's Lane is effectively already restricted by the presence of the pedestrian/cycle refuge. All frontagers have some off-street parking available. As stated previously the restrictions are being proposed on road safety grounds, which must dominate loss of on-street parking opportunity concerns.

- G The proposed restrictions will receive inadequate enforcement attention to be effective.

Response

The proposed restrictions are supported by the Council's Car Parking and Enforcement Sections, who have indicated that adequate enforcement attention will be provided. There are existing 'No Waiting at Anytime' restrictions in the local area which are generally well respected.

- H Existing condition of Highfield Crescent is already a problem which will be exacerbated by increased parental parking.

Response

This concern will be passed to Network Management for investigation. The small number of vehicles displaced will have no effect on the condition of neighbouring carriageways.

- I Lack of suitable alternative parking for parents.

Response

Alternative parking for parents is available at the Council owned car parks at Hartburn shopping parade. This allows parents to drive within easy walking distance of the school, escort their children into the school grounds then continue to their place of work if need be.

- J The proposed restrictions will adversely affect elderly and disabled drivers, and children, attending the Church.

Response

Disabled drivers will be able to park on the restrictions for a period of up to 3 hours. A management regime for parking within the Church should assist their elderly and young patrons.

- K Children should walk to school.

Response

It is hoped that the proposed restrictions will have the beneficial effect of reducing the number of children travelling to school by car and increase the number of children walking or cycling to school. This would reduce congestion, develop the road safety awareness of the children, with associated health benefits.

- L Concern about movement to and from the proposed development.

Response

The Planning Inspectorate has ruled on a previous planning application on which the current permission was based, and was satisfied that the traffic generated by the development and presence of adequate on-site parking to meet the Council's requirements, would be unlikely to have any significant impact on traffic conditions on Green's Lane whilst the visibility requirements along Green's Lane could be achieved.

- M Restrictions are only necessary due to the proposed development.

Response

The restrictions are necessary to ensure adequate visibility from the proposed development access on road safety grounds. It is not within the remit of this Committee to go behind the decision of the Planning Committee as to whether the development should have been approved. There were no

planning or highway reasons to refuse the planning application as the concern regarding the inadequate sightlines could be overcome by the condition referred to above and the making of this Order. The means of access to the development was approved by Planning Committee and was supported by the Head of Technical Services as being suitable. The only matter to be determined by the Committee is whether there are adequate highway reasons to outweigh the making of the Order.

- N School time waiting restrictions should be placed on one side of nearby residential roads in the area.

Response

The effect of displaced parking and any resulting road safety issues will be monitored if the proposals are implemented. However, there is expected to be no significant impact.

- O Affected residents should be compensated.

Response

The Council is unaware of any circumstances of residents being compensated as a result of waiting restrictions being implemented on the adopted highway. Residents have no enforceable right to park on the highway therefore suffer no compensatable loss.

- P Blue badge holders will still be able to park on the restrictions compromising visibility from the proposed development access.

Response

The level of parking by blue badge holders is not expected to be significant, it is unlikely that visibility from the proposed development access will be compromised.

- Q The restrictions will discourage children to walk and cycle to school.

Response

Although the Hartburn Primary School Travel Plan showed 35.3% of children travel to school by car (below the National average of 39%), many children are travelling to school by car who are within walking distance. Only 7.8% of children indicated that car was their preferred method of travel to school. The aim of the Travel Plan is to actively encourage alternatives to the car and promote healthy lifestyles and road safety.

It is hoped that the proposed restrictions will have the beneficial effect of reducing the number of children travelling to school by car and increase the number of children walking or cycling to school. This would reduce congestion, develop the road safety awareness of the children, with associated health benefits.

R Planning issues.

Response

Planning issues have been dealt with and recorded for public scrutiny separately via Planning Committee. The planning merits of the development cannot be reconsidered by this Committee.

5.0 FINANCIAL AND LEGAL IMPLICATIONS

The estimated cost of processing the necessary traffic regulation Order and for associated lining works is £1,600, and would be funded by the housing developer.

6.0 POLICY CONTENT

The proposals will prevent parking at all times and assist with the safe and expeditious movement of pedestrians and traffic.

7.0 CONSULTATION

The Officers' Traffic Group have confirmed the need for the restrictions given the proposed housing development access.

Councillor Cockerill has formally objected to the restrictions, as have Councillors Lupton and Laing from the neighbouring Hartburn Ward. Councillor Broughton has not formally objected, but has indicated that he does not support provision of the restrictions on the grounds that parking will migrate to surrounding streets. The Ward Councillors comments are included as **Appendix 4**.

A public consultation exercise prior to statutory advertising was suggested, however, given the level of opposition to the proposed development and hence the restrictions, this was not considered appropriate.

Statutory consultation involving advertising of the proposed restrictions on site and in the local press has resulted in 55 objections and a petition being received. The objectors and lead petitioner have all been invited to attend the Committee.

It is also worth noting that the developers Consultant Engineer, Jacobs, have supplied the Council with a Technical Report in support of the proposed waiting restrictions. The report concludes that the traffic regulation Order associated with the development is necessary to prevent occasional obstructions to visibility from the proposed access.

8.0 CONCLUSIONS

The restrictions were conditioned on road safety grounds to maintain visibility from a proposed access as part of a planning application for a housing development at 69/71 Green's Lane, Hartburn. The Head of Technical Services shared the view of the Planning Inspectorate that the development would have no significant traffic/road safety implications whilst visibility from the access was maintained.

Whilst the proposed restrictions would remove on-street parking opportunity for around 15 vehicles, again the effect of migration of parental parking is unlikely to be significant. This would be monitored by the School Travel Plan process. The proposed restrictions may adversely affect visitor parking for frontagers onto Green Lane. However, road safety factors must dominate. Traffic speeds and road safety on Green's Lane would also continue to be monitored if the restrictions are implemented. It is expected that drivers will continue to travel at appropriate speeds, particularly at school start and finish times, if the

calming effect of the parked vehicles on the school side of Green's Lane is removed. The benefits of improved visibility between drivers, pedestrians and the School Crossing Patrol, and the potential that the restrictions may in fact encourage more sustainable methods of travel to / from school, should more than outweigh any possible disbenefits.

The Car Parking and Enforcement teams support provision of the restrictions, and have indicated that an appropriate level of enforcement would be given.

The proposed development at 69/71 Green's Lane has received planning permission therefore the principle of the development has been accepted as being appropriate in this location. That principle cannot be reconsidered by this Committee. The Head of Technical Services did not object to the development but did wish to protect the safety of traffic leaving the site, and that of the users of Green's Lane, by imposing this traffic Order to improve the sightlines from the development. The remit of this Committee therefore is only to determine whether the objections to the Order are sufficient to warrant rejecting the proposed road traffic regulation Order.

It is requested that the Committee recommend the objections are over-ruled and the restrictions are implemented.

Corporate Director of Development and Neighbourhood Services

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Environmental Implications

None.

Community Safety Implications

Traffic including pedestrians accessing Hartburn Primary School will not be obstructed by parked vehicles. Addresses road concerns highlighted via a planning application.

Background Papers

Report to Planning Committee 21 February 2007
Scheme of Delegation Report SD.T.420

Education Related Item?

No.

Ward(s) and Ward Councillors:

Grangefield : Councillors P Broughton and A Cockerill

Appendix 3

Address	Objection
4 Green's Lane	A
7 Stonecrop Close	A
8 Greenwood Road	A, B
5 Highfield Crescent	A, C
8 Highfield Crescent	A, C, D, E
22 Highfield Crescent	A
24 Highfield Crescent	A, C
5 Stonecrop Close	A
2 Stonecrop Close	A, B
11 Greenwood Road x 5	A, C
2 Greenwood Road	A
4 Stonecrop Close	A
3 Greenwood Road	C
1 Stonecrop Close x 2	A, B
Green Lane Methodist Church	B, F
15 Greenwood Road	A, C
10 Green's Lane	A, C
14 Green's Lane	R, C, A, F, B, G
14 Highfield Crescent	A, C
9 Green's Lane	A, C, F
10 Highfield Crescent	A, H
12 Green's Lane	A, C, I, R
12 Greenwood Road	B, J, A, C, G
8 Green's Lane	C, A, F
6 Highfield Crescent	A, C
14 Green's Lane	A

Address	Objection
12 Highfield Crescent	A, C
17 Highfield Crescent	C
8 Queensland Grove (17 petition signatories)	A
22 Adelaide Grove	A, G, R
26 Adelaide Grove	A, C
71 Greensbeck Road	A
39 Brisbane Grove	A
4 Queen Anne Terrace	A
50 Brisbane Grove	A, G
4 Greensbeck Road	A, C
13 Queensland Grove	A, K
16 Adelaide Grove	A
63 Green's Lane	F, C, L
Unknown	F
21 Marske Lane	C, F, G
11 Aindleby Grove	A, F, B, C
40 Darlington Road	C, R
28 Dunedin Avenue	A, F, G
28 Duncan Avenue	M, A, C, N, G, O, B, P
64 Harlsey Road	C, Q, A
Cllr Lupton	M, G, A, R
Cllr Laing	A, I, C
17 Woodside Grove	F, C
37 Green's Valley Drive	A, C
13 Jesmond Grove	A, B, C, R
Cllr Cockerill	A, F