

11 January 2018**Agenda Item: 11****REPORT OF CORPORATE DIRECTOR, PLACE****THE NOTTINGHAMSHIRE COUNTY COUNCIL (CENTURY ROAD, GRACE ROAD, ORDSALL ROAD, NEWLANDS, OLLERTON ROAD, WEST HILL ROAD, ORDSALL, RETFORD) (PROHIBITION OF WAITING) TRAFFIC REGULATION ORDER 2017 (1200)****CONSIDERATION OF OBJECTIONS****Purpose of the Report**

1. To consider the objections received in respect of the above proposed Traffic Regulation Order and whether it should be made, as advertised with amendments as detailed in the recommendation and shown on drawing H/04078/2482/4.

Information and Advice

2. Ordsall Primary School is located in the village of Ordsall next to Retford. The school is bounded by three roads including Ordsall Road a local residential road to the north and two local distributor roads Ollerton Road and West Hill Road to the east and west respectively. In January 2017 the Children, Families and Cultural Services within the County Council submitted a planning application for an extension to the school consisting of the erection of a six-classroom block along with other site improvements. The extension would enable the school to expand from its current capacity of 530 pupils to a three-form entry school with 630 places.
3. As part of the planning process, a consultation on the application took place from 2 February to 28 February 2017 - it is noted that during the period of consultation; former County Councillor Pamela Skelding was the elected Member for the area. During the advertisement of the planning application (reference: 1/17/00209/CDM) statutory consultees, neighbours and other stakeholders informed of the proposal. Two objections to the application were received, submitted by local residents and a number of comments were received from other stakeholders. These responses were compiled into a report and considered as a delegated decision by Nottinghamshire County Council Planning Officers on 28 March 2017 who approved the application, subject to a number of conditions.
4. Condition 16 of the Decision Notice required, in the interests of highway safety, the introduction of a scheme to restrict parking at local junctions and on footways. This was to be implemented generally in accordance with details submitted on the drawing 'Draft Traffic Regulation Order' included as part planning application documentation. As a result, it is proposed to introduce 'No Waiting at Any Time' (double yellow lines) around the following junctions:

- Newlands / West Hill Road
- Ordsall Road / West Hill Road
- Ordsall Road / Ollerton Road
- Ollerton Road / Century Road
- Ollerton Road / Grace Road

The wider scheme proposals include the installation of six pairs of bollards to protect pedestrian crossing points and two bus stop clearways on West Hill Drive to ensure access to the public transport network is not obstructed by vehicle parking.

5. The statutory consultation and public advertisement of the proposals, detailed on the attached drawing H/04078/2482/1 was undertaken between 29 June and 27 July 2017.
6. Nine responses were received to the consultation; five of which made the following comments:
 - That parking for parents should be provided on the school site;
 - That the school expansion should not be permitted;
 - Concerns regarding traffic speeds on the roads surrounding the school;
 - Concerns regarding obstructive parking by parents and the habitual parking by an ice cream van opposite the school entrance;
 - Loss of on-street parking for residents.
7. County Councillor Vickers expressed concern that the school expansion would result in additional parking demand near the school and that the proposals would exacerbate the parking pressures already experienced in the area at peak times. He was also suggested that a more holistic approach was required in future between [Nottinghamshire County Council] Departments and that solutions should be worked on together. He additionally commented that residents had suggested that the school playing field should be converted to provide parking and asked if that option had been considered.
8. Councillor Vickers requested that the length of the proposed waiting restriction on the southern side of Ordsall Road (near its junction with West Hill Road) be reduced from 65m to 30m to reduce parking migration in front of residential properties. It is proposed that the scheme be amended to reflect this request, as detailed on the attached drawing H/04078/2482/4.
9. Three responses to the consultation are considered to be outstanding objections to the scheme.

Objections received

10. Objection – impact of additional traffic
One objection was received from a resident who stated that the impact of the increase in traffic had not been adequately considered at the planning stage. They stated that both current and projected traffic volumes relating to the operation of the school had a negative impact on residents and on road safety. The respondent stated that the County Council had sufficient land available to provide a dropping off/picking up area for parents and pupils and the school should utilise this rather than the proposed restrictions, to improve the situation for residents.
11. Response – impact of additional traffic

The planning process considers the requirements of both local and national policies and during the planning consultation a wide range of statutory consultees, residents and local stakeholders were contacted. This included 49 residents and a range of Nottinghamshire County Council (NCC) Officers with responsibility for areas such as Highways, Flood Risk, Nature Conservation and Road Safety who considered documents submitted as part of the application. One of these documents, is a Transport Assessment which considered both current transport patterns and the projected impact of the school expansion on movements to and from site. A further document, a Travel Plan, laid out how the school was going to promote sustainable transport choices for staff and pupils accessing the school.

The NCC Highways Development Control Team made a detailed response to the consultation; citing no objection to the proposal subject to the inclusion of conditions to require:

- the widening of the school drive with a pedestrian footway;
- restriction of parking at local junctions and footways within an agreed programme; and
- the school appointment of a Travel Plan co-ordinator responsible for the implementation, delivery, monitoring and promotion of sustainable transport.

The Transport Assessment predicts that levels of on-street parking will increase and that this will inevitably lead to further disruption and potentially a higher number of occurrences of inappropriate parking to the detriment to road safety, particularly the safety of young children. The recommendation to introduce a permanent traffic order to prevent parking immediately adjacent to local junctions and accompanied by bollards to restrict vehicle access to footways where this is a likelihood to obstruct pedestrian crossing points and visibility splays was considered suitable mitigation.

The provision of parking for parents on site is not supported by the Bassetlaw District Council's Core Strategy and Development Management Policies. The Development Plan Document was adopted in 2011 and section DM13 relates to sustainable development and states that development proposals will be expected to:

- Minimise the need to travel by private car;
- Provide linkages, or develop new, footways, cycle paths and bridleways giving access, to key local facilities (especially town centres); and
- Provide appropriate facilities to support access to high-quality public transport.

The role of "Sport England" is to protect existing sports provision and this national organisation must be consulted on any planning applications that affect playing fields in England. Sport England made no objection to the proposal, specifically referencing that the proposal "does not result in the loss of or an inability to make use of any playing pitch; a reduction in the size of the playing field area of any playing pitch; to the loss of any other sporting/ancillary facility on the site." The conversion of the school playing field to parking would not have met their Exception policy E3 and is likely to have resulted in an objection from this consultee.

National and local policy requires the promotion of sustainable transport options; the provision of on-site parking or drop-off area would be contrary to these policies. It would also result in a loss of school sport / amenity area for pupils. In line with these policies and after consideration of the Transport Assessment the proposed waiting restrictions have been determined as the most appropriate mitigation for changes in traffic patterns as a result of the school expansion.

12. Objection – loss of on-street parking availability

Two respondents objected to the loss of on-street parking in the vicinity of the Century Road / Ollerton Road junction, which they felt would result from implementation of the proposals. One respondent questioned whether a single yellow line had been considered as an alternative to the proposed double yellow lines (No Waiting at Any Time).

13. Response – loss of on-street parking availability

The proposed waiting restrictions are designed to facilitate the safe operation of junctions and wider highway network for drivers, cyclists and pedestrians. Obstructive parking in close proximity to junctions invariably impedes visibility for pedestrians when crossing and for vehicle movements into and out of the junction and, where this causes an obstruction or danger to other highway users, is already an offence.

One of the objectors has access to off-street parking provision and all objectors have access to unrestricted on-street parking which is available elsewhere on both Ollerton Road and Century Road; offering alternative on-street parking locations for additional vehicles and visitors without obstructing the junction. Furthermore, while the desire for on-street parking is noted, the purpose of the highway is to facilitate the movement of vehicles and people and there is no legal right for a householder to park on the highway near their home. It is recognised however, that demand for parking exists, particularly in residential areas with limited off-street parking. As such, the proposed scheme is considered to strike a balance between the competing demands for a finite resource by offering a balanced solution to enhance the safe operation of the junction with minimal loss of parking.

As parking is retained elsewhere on the network it is expected that parking patterns will relocate around the new restrictions rather than be removed from the area completely.

The detrimental effect of obstructive parking in close proximity to highway junctions would be present at all periods of the day as pedestrian and vehicle movements are made at these locations outside of school arrival and dispersal times. As such it is not considered appropriate to limit the duration of the waiting restrictions around the junctions from double yellow lines (in operation at all times) to single yellow lines (in operation at peak periods Monday to Friday).

Other Options Considered

14. Other options considered relate to the length of the waiting restrictions proposed, which could have been either lesser or greater. The restrictions are considered to strike a reasonable balance between the need to maintain the safe operation of the highway and recognition of the demand for on-street parking.

Comments from Local Members

15. County Councillor Vickers expressed concern regarding increased pressure on parking in the area as a result of the school expansion. He requested that the length of the proposed waiting restriction on the southern side of Ordsall Road (near its junction with West Hill Road) be reduced from 65m to 30m to reduce parking migration in front of residential properties. There is no outstanding objection from Councillor Vickers.

Reason/s for Recommendation/s

16. The proposed scheme offers a balanced solution to mitigate road safety concerns and facilitate the safe operation of the junction with minimum loss of parking availability. The measures contained in the proposals meet the requirements of the Ordsall Primary School planning conditions and are considered appropriate taking into account a balanced view of the needs of all sectors of the community, including non-drivers.

Statutory and Policy Implications

17. This report has been compiled after consideration of implications in respect of crime and disorder, data protection and information governance, finance, human resources, human rights, the public sector equality duty, safeguarding of children and adults at risk, service users, smarter working, sustainability and the environment and where such implications are material they are described below. Appropriate consultation has been undertaken and advice sought on these issues as required.

Crime and Disorder Implications

18. Nottinghamshire Police made no comments on the proposal. No additional crime or disorder implications are envisaged.

Data Protection and Information Governance

19. There are no data protection and information governance implications arising from this proposal going forward.

Financial Implications

20. The scheme is being funded by the developer, the cost of implementing the traffic order and associated works is estimated at £10,000.

Human Rights Implications

21. The implementation of the proposals within this report might be considered to have a minimal impact on human rights (such as the right to respect for private and family life and the right to peaceful enjoyment of property, for example). However, the Authority is entitled to affect these rights where it is in accordance with the law and is both necessary and proportionate to do so, in the interests of public safety, to prevent disorder and crime, to protect health, and to protect the rights and freedoms of others. The proposals within this report are considered to be within the scope of such legitimate aims.

Public Sector Equality Duty implications

22. As part of the process of making decisions and changing policy, the Council has a duty 'to advance equality of opportunity between people who share a protected characteristic and those who do not' by thinking about the need to:

- Eliminate unlawful discrimination, harassment and victimisation;
- Advance equality of opportunity between people who share protected characteristics (as defined by equalities legislation) and those who don't;
- Foster good relations between people who share protected characteristics and those who don't.

23. Disability is a protected characteristic and the Council therefore has a duty to make reasonable adjustments to proposals to ensure that disabled people are not treated unfairly. Equality Impact Assessments (EIAs) are a means by which a public authority can assess the potential impact that proposed decisions / changes to policy could have on the community and those with protected characteristics as a means of ensuring this. An EIA may also identify potential ways to reduce any impact that a decision / policy change could have, and if it is not possible to reduce the impact, the EIA can explain why. Decision makers must understand the potential implications of their decisions on people with protected characteristics.

24. An EIA has been undertaken to assess the potential impact of the proposal, the results of the consultation and any appropriate mitigation. This EIA is included as a background paper to this committee report. Decision makers must give due regard to the implications for protected groups the potential implications of their decisions on people with protected characteristics.

Safeguarding of Children and Adults at Risk Implications

25. The proposals are intended to have a positive impact on all highway users but being in close proximity to the primary school, they should also help to safeguard and promote the welfare of children.

Implications for Sustainability and the Environment

26. The proposals may, in conjunction with the implementation of the school Travel Plan, help to promote sustainable transport choices for staff and pupils accessing the school, and may thereby reduce travelling by private transport.

RECOMMENDATION/S

It is recommended that:

- 1) The Nottinghamshire County Council (Century Road, Grace Road, Ordsall Road, Newlands, Ollerton Road, West Hill Road, Ordsall, Retford) (Prohibition Of Waiting) Traffic Regulation Order 2017 (1200) is made as advertised with the following amendment and the objectors informed accordingly:
 - Implement 'No Waiting At Any Time' restrictions on Ordsall Road, Ordsall, south-east side, from its junction with West Hill Road in a north-easterly direction, for a distance of 30 metres rather than 65 metres as advertised.

Adrian Smith
Corporate Director (Place)

For any enquiries about this report please contact:
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Mike Barnett - Team Manager (Major Projects and Improvements)
Constitutional Comments (SJE – 13/09/2017)

27. This decision falls within the Terms of Reference of the Communities & Place Committee to whom responsibility for the exercise of the Authority's functions relating to the planning, management and maintenance of highways (including traffic management) has been delegated.

Financial Comments (RWK - 13/09/17)

28. The financial implications are set out in paragraph 19.

Background Papers and Published Documents

Except for previously published documents, which will be available elsewhere, the documents listed here will be available for inspection in accordance with Section 100D of the Local Government Act 1972.

- Equality Impact Assessment: Ordsall Road area, Retford - EQIA
- All relevant documents for the proposed scheme are contained within the scheme file which can be found in the Major Projects and Improvements section at Trent Bridge House, Fox Road, West Bridgford, Nottingham.

Electoral Division(s) and Member(s) Affected

- Retford East ED Councillor Steve Vickers