



16th March 2017

Agenda Item: 9

REPORT OF SERVICE DIRECTOR, HIGHWAYS

THE NOTTINGHAMSHIRE COUNTY COUNCIL (A6007 ILKESTON ROAD AND MELBOURNE ROAD, STAPLEFORD) (PROHIBITION OF WAITING) TRAFFIC REGULATION ORDER 2017 (5218)

CONSIDERATION OF OBJECTIONS

Purpose of the Report

1. To consider the objections received in respect of the above Traffic Regulation Order and whether it should be made as advertised.

Information and Advice

2. Ilkeston Road is a local distributor road on the northern edge of Stapleford, the road is currently developed on the southern side only and comprises a mixture of residential properties; flats and detached houses. On the part of Ilkeston Road between Melbourne Road and Pasture Lane, all the houses and around half of the flats have provision for off-street parking. Melbourne Road leads directly off Ilkeston Road and is the main spine road through a large 1960s housing estate. There are currently no parking restrictions along either road.
3. On 4 November 2014 outline planning approval was granted by Broxtowe Borough Council for a residential development for up to 450 dwellings on the northern side of Ilkeston Road (application reference 11/00758/OUT). The outline approval included the access arrangements for the site, whilst other matters, such as the detailed housing design remained a reserved matter, to be decided upon as part of the full planning application.
4. The full planning application submission was subsequently refused in April 2016 by Broxtowe Borough Council due to concerns with the housing design. The applicant appealed to the Secretary of State with the decision published on 13th February 2017, which found for the applicant and over-turned the refusal decision made by Broxtowe Borough Council.
5. The approved outline planning decision notice stated that the development will be accessed from Ilkeston Road, via a new junction. To accommodate this new access, alterations to Ilkeston Road are required; including two new ghost island right-turn lanes, roundabout improvements (Ilkeston Road / Trowell Road / Pasture Road) a new footway and pedestrian crossing refuge. The layout of this road and the number and location of the crossing points all formed part of the approved plans for the development.

6. The proposed alterations to Ilkeston Road were subject to detailed design approval by the Planning Authority working in partnership with the Local Highway Authority (Nottinghamshire County Council). This process included a safety audit of the proposed design; which highlighted that the presence of parked vehicles restricted visibility at junctions and would cause conflict between drivers overtaking parked vehicles and those entering the right turn lanes. The safety audit recommended that parking restrictions should be included either side of the junction to reduce the visibility obstruction and improve side road visibility. Further discussions were held with the developer and road safety representatives regarding likely parking migration and its effect in obstructing vehicle flow around the pedestrian refuges, the safe operation of the right-turn ghost island into Melbourne Road and the efficient and safe operation of the Melbourne Road / Ilkeston Road junction. As a result waiting restrictions were proposed for the northern side of Ilkeston Road and a short distance into Melbourne Road.
7. The proposed scheme comprises “No Waiting At Any Time” (Double Yellow Lines) on Ilkeston Road from its junction with Trowell Road / Pasture Road; on its northern side for approximately 188m and approximately 253m along the southern side. “No Waiting At Any Time” (Double Yellow Lines) are also proposed for Melbourne Road, for a distance on average 22m from its junction with Ilkeston Road. The proposed restrictions will facilitate the safe operation of the junctions, the two ghost-island right-turn lanes and facilitate the free-flow of traffic around the pedestrian refuge. The scheme layout is shown on the attached drawing number H/04078/2191/01.
8. The initial consultation was carried out between 29th January 2016 and 29th February 2016. Six responses were received; including one from Stapleford Town Council and District Councillor MacRea. Of the responses received, one was a comment and the other five were objections to the scheme. A range of comments were received from all respondents; these include:
 - That residents and their visitors would have nowhere to park;
 - Why should residents have to pay for vehicle dropped kerbs to their properties;
 - Questioned the number and location of the pedestrian refuges;
 - That the proposals will displace parked vehicles onto the pavements at the Ilkeston Road / Trowell Road / Pasture Road junction;
 - Suggesting that a daytime waiting restriction (single yellow line) on the southern side of Ilkeston Road would be more appropriate.
9. The comments and objections were all considered and responded to. However, no material change to the proposal could be achieved to mitigate the objections and the proposal was statutorily advertised unchanged.
10. The statutory consultation and advertising were carried out between 30th March 2016 and 30th April 2016. The document packages were held at Stapleford Library and County Hall with copies of the notice erected at a number of locations in the area.

Objections Received

11. There were no additional responses during the advertisement period; the initial five objections are considered to be outstanding.

12. Objection – Stapleford Town Council

Stapleford Town Council made various comments regarding the proposal and requested changes. They were concerned that residents and their visitors would have nowhere to park, as some did not have off-street car parking or the opportunity to create it. They questioned why residents were required to pay for vehicle dropped kerbs to their properties and the need for two crossing points. Additionally, the Town Council suggested that the waiting restrictions on the southern side of Ilkeston Road should be a daytime only restriction.

13. Objection – Loss of on-street parking for residents

All objections, including that from District Councillor MacRea, related to the loss of on-street parking.

14. Objection – Position of western pedestrian refuge

One objector also stated that the pedestrian refuge would obstruct access to their driveway.

15. Response – Loss of on-street parking for residents

The demand for on-street parking is understood, however the provision of this facility must be secondary to maintaining the safe and efficient movement of traffic and pedestrians on the Highway. There is always a balance to be struck between competing demands for a finite resource; it is recognised that the loss of on-street parking on this section of Ilkeston Road will inconvenience some residents. However, unrestricted on-street parking is available along Melbourne Road. It should be noted that loading is permitted on double yellow lines, so deliveries to residents' homes are unaffected. This includes private vehicles stopping to load and unload, so residents will still be able to briefly park outside their premises while they are loading or unloading (such as bringing in their shopping from the car) or picking up goods or passengers. The waiting restrictions will prohibit parking on the footway at the Ilkeston Road / Trowell Road / Pasture Road junction.

16. Response – Charges for Vehicle dropped kerb access

It is illegal for a vehicle to drive over the pavement where a vehicle access is not in place, this is to prevent damage to the pavement and/or verge and protect underground pipes and cables. Dropped kerbs must be properly constructed and not represent a safety hazard on the highway. A resident requesting a dropped kerb outside their property must obtain the approval of the Local Highway Authority and in some case, planning permission from the District Council. The County Council will advise applicants on their proposal and provide a quote for the work.

The installation of a vehicle dropped kerb of this nature benefits only the individual property that it serves, not the wider highway network. Therefore, it is County Council policy that all private vehicle accesses are subject to approval from NCC and must be undertaken at the applicant's own expense, either by a private approved contractor or by the County Council.

17. Response – Pedestrian crossing points

There is one pedestrian refuge and one pair of dropped kerbs in the area covered by the proposed Order. The crossing points are located where the new footway on the northern side of Ilkeston Road terminates and provide a safe facility for pedestrians to cross Ilkeston Road to the existing footway on the southern side. The location and number of crossing points were included within the planning consent and considered appropriate.

18. Response – Requirement for ‘At All Times’ waiting restriction

The finding of the safety audit and subsequent consideration regarding the design recognised that the presence of parked vehicles restricted the safe operation of the junctions, would cause conflict between drivers overtaking parked vehicles and those entering the right turn lanes and would obstruct vehicle flow around the pedestrian refuge. These hazards would be present at all times of day and so the restrictions are proposed to operate ‘At All Times’.

19. Response – Position of western pedestrian refuge

The objector does not have a lawful vehicle access (dropped kerb) and illegally drives their vehicle over the footway to park it on the frontage to the property. The position of the crossing points was included within the planning consent for the development.

Other Options Considered

20. Other options considered relate to the length of the waiting restrictions proposed, which could have been either lesser or greater. However as discussed the demand for on-street parking is recognised and it is considered that the proposals are a reasonable balance between the need to ensure the safe operation of the highway and on-street parking provision.

Comments from Local Members

21. County Councillors Jacky Williams and Stan Heptinstall MBE did not comment on the proposals.

Reason for Recommendation

22. The recommendations represent the most appropriate action to reduce / prevent danger to highway users, and for facilitating the safe passage of traffic, incorporating the majority view and having had regard to all feedback received.

Statutory and Policy Implications

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

Financial Implications

24. The Traffic Regulation Order process will cost £4,200 and is funded by the developer, who will also deliver the highway works at their own expense.

Crime and Disorder Implications

25. Nottinghamshire Police has raised no objection to the proposals.

RECOMMENDATION/S

It is **recommended** that:

- 1) The Nottinghamshire County Council (A6007 Ilkeston Road and Melbourne Road, Stapleford) (Prohibition Of Waiting) Traffic Regulation Order 2017 (5218) is made as advertised and objectors notified accordingly.

Adrian Smith
Corporate Director, Place

Name and Title of Report Author
Mike Barnett - Team Manager (Major Projects and Improvements)

Constitutional Comments (SJE – 23/05/2016)

26. This decision falls within the Terms of Reference of the Transport & Highways Committee to whom responsibility for the exercise of the Authority's functions relating to traffic management have been delegated.

Financial Comments (RWK 19/05/2016)

27. The financial implications are set out in paragraph 24 of the report.

Background Papers

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.

All relevant documents for the proposed scheme are contained within the scheme file which can be found in the Major Projects and Improvements Team at Trent Bridge House, Fox Road, West Bridgford, Nottingham, NG2 6BJ.

Electoral Division(s) and Member(s) Affected

Stapleford and Bramcote ED	County Councillor Jacky Williams
Stapleford and Bramcote ED	County Councillor Stan Heptinstall MBE