

**The Devon County Council (Nadder Lane & South Street, South Molton) (30mph Speed Limit & Restricted Road and 40mph Speed Limit Revocation) Order**

Report of the Acting Chief Officer, Highways, Infrastructure Development and Waste

***Please note that the following recommendations are subject to consideration and determination by the Committee before taking effect.***

**Recommendation:** It is recommended that:

- (a) the responses to the proposed Traffic Order are noted;**
- (b) the Traffic Order as advertised, be made, sealed and implemented in respect of the 30mph Speed Limit Extensions;**
- (c) the remaining 40mph Transitional Speed Limit on Nadder Lane be left in place temporarily;**
- (d) in response to representations received and subject to a “Departure from Policy” being agreed, an amendment to the Traffic Order is advertised to provide an extended minimum Transitional 40mph speed limit on Nadder Lane.**

**1. Background/Introduction**

The purpose of this report is to consider the submissions received during the South Molton, Nadder Lane & South Street Traffic Regulation Orders and Traffic Calming consultation; in particular the submissions received to the proposed 30mph speed limit extension at Nadder Lane and the revocation of the 40mph speed limit.

**2. Proposal**

As part of a new residential development scheme at Honeymead Meadow at South Molton, it is proposed to extend the 30mph Speed Limit along Nadder Lane, incorporating the new roundabout into the new Honeymead Meadow development. The proposed extension to the speed limit will include the extent of the new street lighting installed as part of the development.

The location of the new 30mph Speed Limit terminal has been chosen to coincide with the existing Welcome to South Molton Sign. This location has ample verge width available and provides in excess of 150 metres forward visibility to the terminal point.

Extension of the 30mph limit into an existing transitional 40mph speed limit will reduce the 40mph section to 236 metres on a rural section of road with only 1 property access along its length. This is a very short length of road and is well below the 400m minimum length of speed limit recommended by the Department for Transport. It was therefore proposed that the remaining section of 40mph should revert to National Speed Limit.

The proposals can be seen on drawing number ENV5577/1 (A) in Appendix I.

In addition at South Street as part of the new Church of England Primary school development it is proposed to extend the 30mph speed limit past the new access to the school with additional features such as speed cushions and a zebra crossing.

### **3. Options/Alternatives**

- Consideration has been given to extending the 30mph Speed Limit on Nadder Lane to cover the remaining length of the existing 40mph Speed Limit. Devon County Council minimum criteria for extension of a 30mph limit is 3 frontages over a 100m length of road. As the remaining 236m of 40mph limit has only 1 property access along its length this option is not supported.
- Consideration was also given to an extension of the 40mph limit to meet the 400m minimum recommended. DCC Policy is that 40mph speed limits should only be installed in response to a recognised personal injury collision issue. There have been no reported personal injury collisions within the 40mph limit on Nadder Lane for at least 6 years. There would therefore be no case to justify extending the current 40mph limit into the National Speed Limit so that a minimum transitional limit could be installed

As with all Traffic Orders relying on signing, dimensions have been chosen carefully to allow the required signing to be installed safely in locations where the signs will be clearly visible to approaching drivers.

### **4. Consultations & Representations**

Following approval by the local County Councillor and the Vice Chair of North Devon Highways and Traffic Orders Committee formal consultation on the proposed traffic regulation orders began on 27 April until 19 May 2017. During the consultation period, eight submissions were received in total. One submission relates to the traffic calming on South Street outside of the new primary school and the other submissions relate to the 30mph speed extension and 40mph speed limit revocation at on the B3227, Nadder Lane.

The submissions call for either the 30mph speed limit on Nadder Lane to be extended further out than originally proposed or to retain the 40mph Transitional speed limit.

In response to the submissions received it is proposed that a “Departure from Policy” is applied for to enable a Transitional 40mph Speed Limit to be advertised to cover all remaining residential development on Nadder Lane. The proposal can be seen in Appendix III to this report.

A summary of the submissions and the County Council’s responses can be seen in Appendix II.

### **5. Financial Considerations**

The funding for this traffic regulation order is being met from a contribution received by the developer.

### **6. Environmental Impact Considerations**

The objective of the proposals is to reduce speed adjacent to the Honeymead Meadow Housing development on the approach into South Molton and therefore the environmental effects of the scheme are positive.

### **7. Equality Considerations**

There are no equality issues relevant to the proposal.

## 8. Legal Considerations

The lawful implications and consequences of the proposal have been considered and taken into account in the preparation of this report.

When making a Traffic Regulation Order it is the County Council responsibility to ensure that all relevant legislation is complied with. This includes Section 122 of the Road Traffic Regulation Act 1984 that states that it is the duty of a local authority, so far as practicable, secures the expeditious, convenient and safe movement of traffic and provision of parking facilities.

## 9. Risk Management Considerations

This proposal has been assessed and all necessary safeguards or action have been taken/included to safeguard the Council's position.

## 10. Conclusions for Recommendations

The recommendation is to proceed with the sealing of the order as advertised on drawing number ENV5577/1 (A), subject to a departure from Policy to be agreed with respect to the 40mph Transitional Speed Limit in response to representations received. The proposal reflects the need to stay within DCC policy and national guidance with respect to the length of speed limits and density of development on the road as well as the practical considerations involved installing the required regulatory signing.

Meg Booth  
Acting Chief Officer, Highways, Infrastructure Development and Waste

### Electoral Division: South Molton

Local Government Act 1972: List of Background Papers

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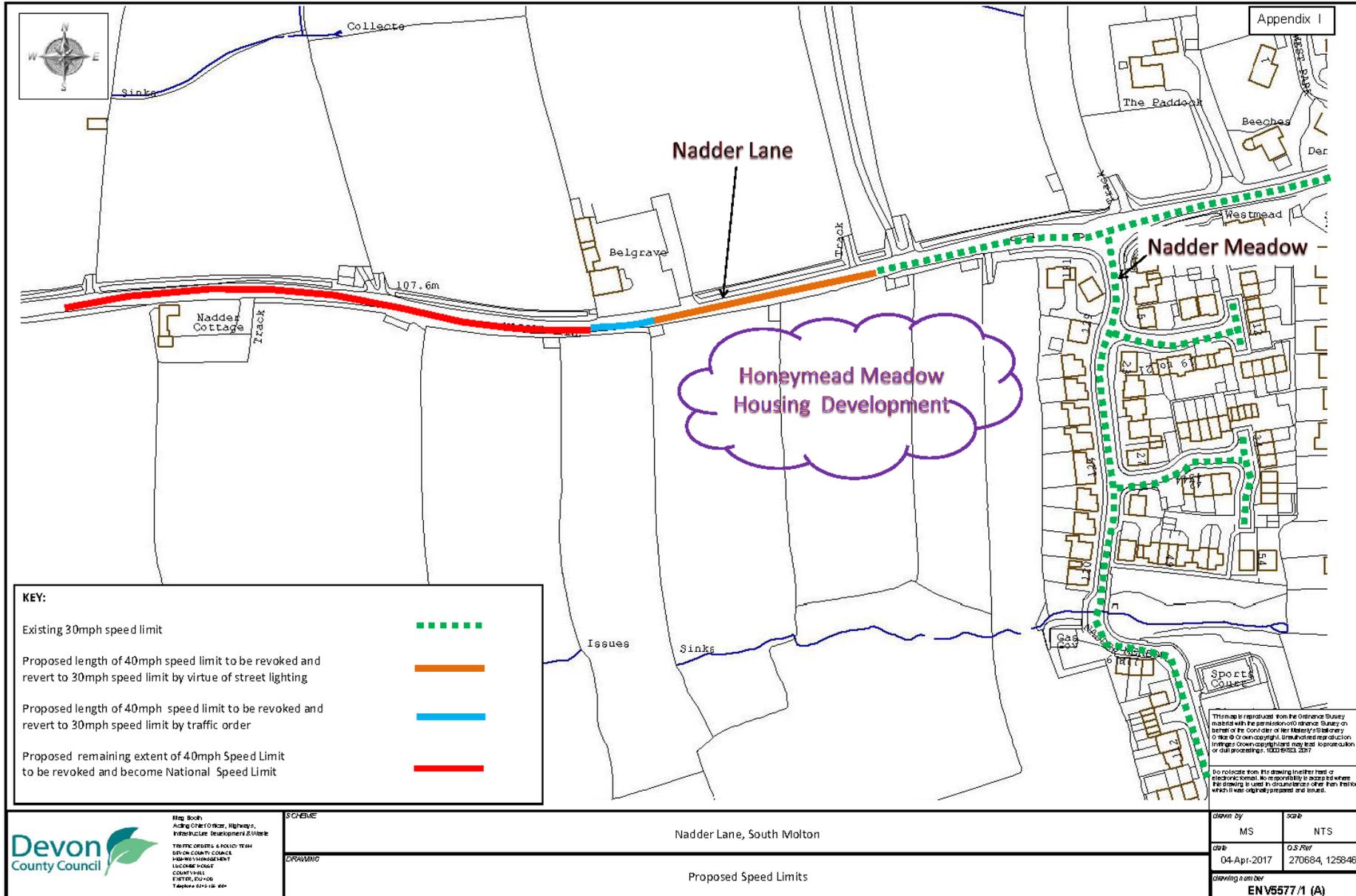
Tel No: 01392 383000

Background Paper	Date	File Ref.
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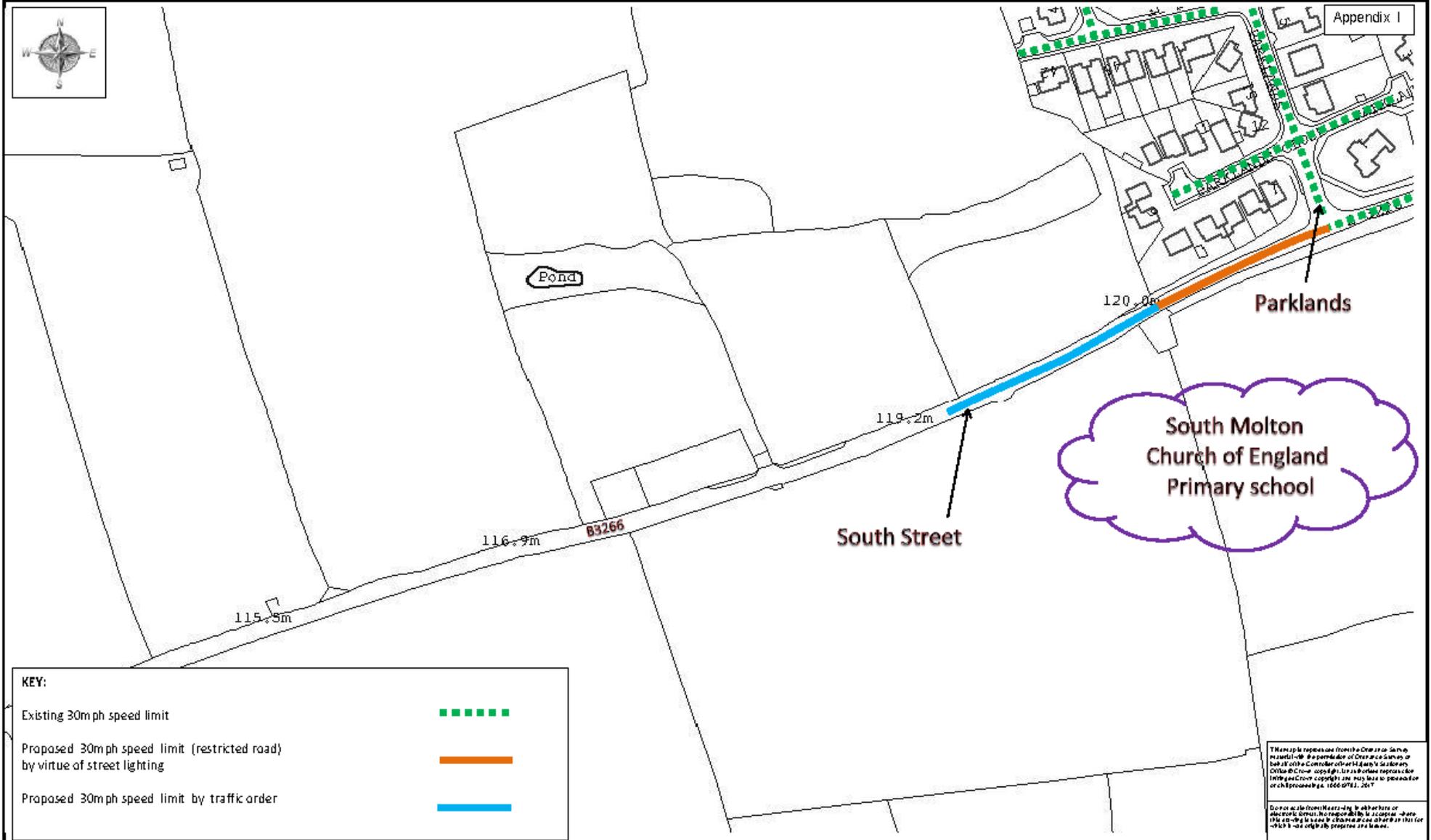
None

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sc/cr/nadder lane south street south molton 30mph 40mph  
02 220617

**Appendix I  
To HIW/17/46**



Highways  
Planning  
Traffic Orders & Road Works  
LUCAS ROAD MANAGEMENT  
COUNTY HILL  
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**KEY:**

Existing 30mph speed limit	
Proposed 30mph speed limit (restricted road) by virtue of street lighting	
Proposed 30mph speed limit by traffic order	



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SERVICIAN SOUTH STREET, SOUTH MALTON DATE: 04-APR-2017 DRAWING NUMBER: ENV5577/2 (A)	SOUTH STREET, SOUTH MALTON Proposed 30mph Speed Limit Extension
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Drawn by	MS	NTS
Date	04-APR-2017	210584, 125546
Drawing number	ENV5577/2 (A)	

5577 Devon County Council  
(Nadder Lane & South Street, South Molton Traffic Regulation Orders and Traffic Calming

Summary of Submissions

Comment	Devon County Council Response
<b>First Respondent: South Molton Town Council</b>	
Councillors resolved to agree the 30mph speed restriction on the B3226 South Street but there were concerns expressed that lorries were unable to manoeuvre between the two traffic calming bollards if two lorries were in that area at the same time.	Support for the speed limit extension is welcomed. Good inter-visibility between the 2 traffic calming features should ensure that drivers of larger vehicles wait in turn to negotiate the features.
Regarding the revocation of the 40mph speed limit on the B3227 Nadder Lane this was unanimously rejected by Councillors.	Objection is noted.
i) The original 40mph speed limit was imposed for a reason, this being that there would be a transition between length of roadway subject to the national speed limit and the 30mph limit in the town. The Department of Transport states six benefits for local speed limit which are all relevant to the original 40mph section.	Department for Transport advice is that “the use of such transitional limits should be restricted to sections of road where immediate speed reduction would cause risks or is likely to be less effective.” In this case the excellent forward visibility to the new terminal, the lack of development and rural nature of the road do not support extension of the 40mph Speed Limit.
ii) Due to increased pedestrian activity because of the westward extension of South Molton it would appear logical to slow traffic down and not to increase it.	Introduction of a signed speed limit of a rural section of road with limited development is not guaranteed to have any effect on vehicle speeds. DCC has no speed data for Nadder Lane but will be arranging for counts to be undertaken in the near future.
iii) The 40mph limit is in keeping with the criteria in that Nadder Lane has closely spaced intermittent areas with frontage development. Residents with frontages only wish to keep a reasonable speed limit in front of their properties.	DCC would not consider that 2 frontages in the 750m between Belgrave and Kingsland Cross constitutes closely spaced frontage development.
The Council therefore requests that the 30mph limit be extended to past Nadder Cottage and that a further 40mph limit be introduced to past the junction heading up to Hill Village.	In the light of representations received DCC proposes, subject to HATOC approval to seek a departure from policy to allow extension of the 40mph transitional Speed Limit to the west of the property known as Lynhayes. This will cover all residential properties on Nadder Lane outside of the 30mph Speed Limit.

Comment	Devon County Council Response
<b>Second Respondent: Police - Road Casual Reduction Officer</b>	
<p>Asks that consideration be given to extending the 40mph transitional speed limit to achieve the 400m minimum requirement. Also comments that there is no signing proposed warning of the roundabout and suggests that speed data should be taken to better understand the issues.</p>	<p>Agreed.</p>
<b>Third Respondent: Resident of South Molton</b>	
<p>Believe the published plan reference ENV5577/1 (A) is misleading because it does not show the highway as currently exist nor as they will exist when the proposed development to the north of Nadder Lane takes place. The plans are historic and do not afford a true representation of what is propose, anyone looking at the plan who did not know the layout would not fully appreciate.</p>	<p>No Ordnance Survey Plans are yet available of the new road layout as it is still under construction. The plans show the lengths of road involved and are not intended to be misleading.</p>
<p>There appears to be no good reason for increasing the speed limits on the approach to the town particularly in the context of the significant development taking place and envisaged.</p>	<p>The proposals comply with DCC Policy and National Guidance. National Speed Limit does not indicate that drivers should attempt to achieve a maximum of 60mph rather that they should drive at speeds appropriate to the road conditions.</p>
<p>The statement of reasons whilst it deals with the small section of 40mph speed limit which would result from the extension of the street lit area, does not deal specifically with longer section of 40mph speed limit to be revoked, a distance of 235 metres.</p>	<p>The Notice contains the following paragraph: "However, by extending the 30mph speed limit this will leave a substandard 40mph speed limit which would not meet the current Devon County Council policy on speed limits and therefore it is proposed to revoke the remaining short section of 40mph and return it back to national speed limit."</p>
<p>Clients fully support the proposed changes to implement 30mph speed limit adjacent to the new roundabout but object to the defacto increase in speed limits. What you fail to address is that that the 40mph speed was imposed for a reason. The reason being primarily to afford a transition between length of roadway subject to the national speed limit and the 30mph limit in town.</p>	<p>Department for Transport advice is that "the use of such transitional limits should be restricted to sections of road where immediate speed reduction would cause risks or is likely to be less effective." In this case the excellent forward visibility to the new terminal, the lack of development and rural nature of the road do not support extension of the 40mph Speed Limit.</p>

<b>Comment</b>	<b>Devon County Council Response</b>
<p>Department of Transport Circular 1/93 states 6 benefits for local speed limits, all of which are applicable to the whole of the original 40mph section:</p> <p>Accident Savings: Belgrave property is residential and also a bed and breakfast business. This use generates additional traffic and the entrance onto the roadway is not ideal. Vehicles have to pull out onto the carriageway to turn to the left and visibility to the right with the sweeping bend down through Nadder Lane is not ideal. Any reduction of the speed of approaching vehicles will be a significant improvement and is likely to result in a meeting the criteria of accident savings.</p> <p>Vehicles turning into the property from the west already have to slow down significantly to complete the manoeuvre, a general slowing down of traffic in the areas would be beneficial for these manoeuvres to be accomplished safely. As an indication, the Post Office refused to deliver mail to property because it considers the roadway adjacent to Belgrave even currently to be unsafe.</p>	<p>DCC does not agree that the 6 benefits referred to are all applicable to this rural section of road but has agreed, subject to HATOC approval, to pursue a departure from policy to enable the transitional 40mph speed limit to be extended to cover all remaining residential development on Nadder Lane.</p>
<p>Reduced Emissions and Improvement to the Environment: There will inevitably be an increase of traffic as a consequence of the development to the north and south of Nadder Lane and slowing down of vehicles in a more structured way will result in a decrease in emissions.</p>	<p>Introduction of a signed speed limit of a rural section of road with limited development is not guaranteed to have any effect on vehicle speeds.</p>
<p>Improvement in Amenities: The westward extension of South Molton would logically suggest that speed of traffic approaching the town should be slowed and not increased. It is inevitable that there will be more pedestrian activity in Nadder Lane and it is likely that the residents of Nadder Lane will also seek to walk or cycle in a westerly direction. No provision is being included in the development for pedestrian improvements along Nadder lane notwithstanding the increase in population and retaining the lower speed limit will represent a considerable improvement in the amenities for the new residents.</p>	<p>The issue of local amenities is outside of the scope of this report. DCC has agreed, subject to HATOC approval to pursue a departure from policy to enable the transitional 40mph speed limit to be extended to cover all remaining residential development on Nadder Lane.</p>

<b>Comment</b>	<b>Devon County Council Response</b>
<p>Reduction in Public Anxiety and Improve Facilities: those people who use Nadder Lane on a regular basis will already consider the traffic flow to be increasing significantly and as previously mentioned the potential hazards to pedestrians and road users are increasing rather than diminishing. Nadder Lane is subject to significant peaks and troughs in usage. The nearby Norbord factory draws many of its employees from South Molton. The effect of the Norbord shift pattern is that there are significant peaks in traffic along Nadder Lane, many of those working at the factory will have worked twelve hour night shifts and even those on the day shifts are often 'keen' to get home at the end of the working day. It is therefore important to encourage these users to approach the residential areas in a much more measured way and the existing speed limits have this effect in practice. Lowering speed limits encourages cyclists to use the roadways.</p>	<p>Introduction of a signed speed limit of a rural section of road with limited development is not guaranteed to have any effect on vehicle speeds.</p>
<p>Dealing with disbenefits, it would appear that none of these are particularly relevant to this stretch of road. There is unlikely to be a significant delay in traffic. There would be little or no additional cost of signing nor engineering measures required by the Highways Authority. Cost of enforcement should not change.</p>	<p>Agreed.</p>
<p>It would seem that that retention of a 40mph speed limit would fit in with Devon County's criteria in that the section of Nadder Lane has closely spaced intermittent areas with frontage development and it is those frontagers who are seeking to keep a reasonable speed limit in front of their homes.</p>	<p>DCC would not consider that 2 frontages in the 750m between Belgrave and Kingsland Cross constitutes closely spaced frontage development.</p>

<b>Comment</b>	<b>Devon County Council Response</b>
<p>In summary, the proposed changes might appear to follow the policy guidelines but in our view do not actually fit those guidelines. Your guidelines seem to suggest that 30mph should be the norm in communities which may give argument that the existing 40mph along Nadder Lane should be reduced to 30mph. To increase the speed limit to 60mph would appear to be completely contrary to the Policy; variation of the existing speed limit of 30mph over the whole length would be much more appropriate and would seem to sit well with Department of Transport guidance and provide actual improvements for the local inhabitants at minimum cost to the public purse.</p>	<p>Extension of a 30mph limit along a rural road with limited frontage development is not supported by DCC policy or national guidance. Providing Gateways into settlements where the driver can relate directly to the road environment is effective. Installing gateways where there is little or no visible development is usually ineffective and deprives the community of an effective and relevant gateway.</p>
<b>Fourth Respondent: Resident of South Molton</b>	
<p>Currently SW roads have erected a 'sleeping policeman' (humped crossing) outside the new South Molton Middle School the current height of the crossing is 160mm in height and by law this should be 100mm.</p>	<p>Accepted. The developer undertaken remedial works to ensure that the traffic calming features are constructed as advertised.</p>
<p>There are two temporary signs SLOW and HUMP and with the Country clamping down on diesel vehicles accelerating from a sleeping policeman (humped crossing) this crossing should be made more in keeping with level of noise and pollution currently under discussion.</p>	<p>See above.</p>
<p>If is felt necessary to have a children's crossing attendant plus a traffic control then why not a simple crossing (similar to the one a little further along) from this one) which is currently used by the South Molton Community College.</p>	<p>Whilst beyond the scope of this report, the Zebra Crossing formed part of the overall plan for the school and future-proof's any increase in pedestrian footfall from further development in the area.</p>
<p>A number of vehicles have already had damage done to their vehicles (only have to look at the marks on the crossing and on the road) and I do not want to be one of those vehicle owners.</p>	<p>See above.</p>
<b>Fifth Respondent: Resident of South Molton</b>	
<p>Writing to express my concern about the possibility of the instatement of a revised speed limit outlined in proposal CMT/B14013.</p>	<p>Comment noted.</p>

<b>Comment</b>	<b>Devon County Council Response</b>
<p>This would involve the revocation of a 40mph speed limit to a 60mph limit for the section of B227 outside the Honeymead Meadows development to just west of Nadder Cottage going into South Molton. Belgrave B&amp;B would be very much affected with their entrance on this stretch. Although I now live in central South Molton I have stayed in Belgrave from time to time when visiting the area. It is already dangerous enough coming out onto this road but to raise the speed limit would make it doubly so.... an accident waiting to happen in my opinion. Please consider the consequences of any such decision.</p>	<p>See previous responses.</p>
<b>Sixth Respondent: Resident of South Molton</b>	
<p>The plan for the proposed changes along Nadder Lane is exceedingly misleading as it does not show the new road layout (e.g. the roundabout) or the extent of the Honeymead Meadow development.</p>	<p>See Previous Responses.</p>
<p>The planned new pavement along the south of Nadder Lane, with associated pedestrian and cycle access to the western edge of the development is only a couple of meters away from the proposed site of the 30mph boundary. Traffic leaving the town will speed up as soon as the derestricted sign is spotted. This could cause safety issues as this traffic may well come into conflict with cycle traffic entering and leaving the Honeymead Meadow development.</p>	<p>See Previous Responses.</p>
<p>From the west, the proposed site of the new 30mph sign on the north of Nadder Lane is on a blind bend mere meters away from the new proposed and even closer to the entrance to Belgrave. Traffic won't slow down for several seconds after passing the 30mph sign. This will create a real hazard for traffic entering and exiting Belgrave and is likely to cause problems on the new roundabout as well.</p>	<p>See Previous Responses.</p>

<b>Comment</b>	<b>Devon County Council Response</b>
<p>In short the proposed 30mph limit should extend the full length of the existing 40mph zone. Ideally the 40mph zone should also be extended to slightly westward of the junction at Kinglands Barton thus facilitating sustainable modes of transport to the chipboard factory at Hill. This will provide a greater degree of safety, will encourage sustainable modes of transport and will reduce noise pollution for adjacent properties.</p>	<p>See Previous Responses.</p>
<p>Additional questions and comments:</p> <ol style="list-style-type: none"> <li>1. Why does the 'old' email notification system for TROs seem to have vanished?</li> <li>2. Why is it so difficult to find out where to comment on TROs? Whilst the url in your advert does, eventually, lead to the appropriate web page it is still inordinately difficult to navigate to the appropriate order in order to make comments.</li> <li>3. Why is there no plan associated with the order on your website? There should be.</li> <li>4. Why is there no scale on the plan associated with the order?</li> <li>5. Why is there no email address to which comments/objections can be made?</li> <li>6. Why have the speed calming measures in South Street been introduced in advance of the TRO?</li> </ol>	<p>Instructions on how to respond to TRO advertisements are provided in the press and on site notices. Improvements to the online notification and consultation process are currently being considered. It is hoped to be able to include plans in these improvements.</p> <p>The Traffic Calming was installed by the Developer in error. Observations on the construction have been passed to the developer who has undertaken remedial works. No objections to the actual proposals and advertised dimensions of the traffic calming have been received.</p>
<b>Seventh Respondent: Resident of South Molton</b>	
<p>Wishes to register my objection to the above named order, specifically the revocation of a length of 40mph speed limit on the B3227 Nadder Lane reverting to the national speed limit.</p>	<p>Comment noted.</p>
<p>Whilst this section of road does not appear to be associated with a poor personal injury accident rate, raising the speed limit will increase the impact/likelihood of accident involving vehicles entering the road from within the existing restricted zone.</p>	<p>See Previous Responses.</p>
<p>There appears to be no evidence of any base data being collated for a speed limit review for this section of road, and is based solely on the policy for the introduction of "new" 40mph restrictions.</p>	<p>See Previous Responses.</p>
<p>Arrangements exist for similar 40mph speed limits elsewhere in South Molton, namely Station Road.</p>	<p>Noted.</p>

<b>Comment</b>	<b>Devon County Council Response</b>
At times the speed of road users in the area already present difficulty for vehicles exiting properties onto this section of road.	Noted.
There will be an adverse environmental impact from vehicle emissions containing pollutants, which research demonstrates increase as a result of speed. (DfT 2009) Additionally air displacement, engine noise and rolling (tyre) noise also increase as a function of speed. (Inrets 2005). All the above will have adverse impact on the quality of life of residents adjacent to this stretch of road.	Introduction of a signed speed limit of a rural section of road with limited development is not guaranteed to have any effect on vehicle speeds.
This proposal does not accord with Devon County's policy document for speed limits which appears to reference only the reduction of speed limits. No policy seems to exist for increases in speed.	See Previous Responses.
The changes to the existing road layout at the entrance to Honeymead Meadows have had no material effect on the characteristics of the road to which the current 40 mph restriction applies. This would re-enforce the view that the original reasons and conditions for imposing the existing speed restrictions are still current and valid.	See Previous Responses.

Appendix III  
To HIW/17/46

