

Phil Norrey
Chief Executive

To: The Chairman and Members of
the Mid Devon Highways and
Traffic Orders Committee

County Hall
Topsham Road
Exeter
Devon
EX2 4QD

(See below)

Your ref :
Our ref :

Date : 21 June 2016
Please ask for : Wendy Simpson, 01392 384383

Email: wendy.simpson@devon.gov.uk

MID DEVON HIGHWAYS AND TRAFFIC ORDERS COMMITTEE

Wednesday, 29th June, 2016

A meeting of the Mid Devon Highways and Traffic Orders Committee is to be held on the above date at 10.30 am in the Mayoralty Room, Town Hall, Tiverton to consider the following matters.

(Please note: The meeting of the Mid Devon Locality (County) Committee which was scheduled to follow the HATOC has been cancelled)

P NORREY
Chief Executive

AGENDA

PART I - OPEN COMMITTEE

- 1 Apologies for Absence
- 2 Election of Chairman and Vice-Chairman
(N.B. In accordance with the County Council's Constitution, the Chairman and Vice-Chairman must be County Councillors)
- 3 Minutes (Pages 1 - 4)
Minutes of the meeting held on 15 March 2016, attached.
- 4 Items Requiring Urgent Attention
Items which in the opinion of the Chairman should be considered at the meeting as matters of urgency.

MATTERS FOR DECISION

- 5 Crediton Link Road Impact on Traffic and Air Quality (Pages 5 - 12)
Report of the Head of Planning, Transportation and Environment (PTE/16/17), attached.

Electoral Divisions(s): Crediton Rural; Newton St Cyres and Sandford

- 6 Proposed Prohibition of Vehicles, Washfield Lane (Farleigh Meadows), Tiverton (Pages 13 - 22)
Report of the Head of Planning, Transportation and Environment (PTE/16/18), attached.

Electoral Divisions(s): Tiverton West

STANDING ITEMS

- 7 Petitions/Parking Policy Reviews
[An item to be taken under s18 of the Traffic Management Act 2004 relating to any reviews of parking policy sought in line with the Council's Petition Scheme (<https://new.devon.gov.uk/democracy/guide/constitutionparts2-4/part-4-section-7-petition-scheme/>).

MATTERS FOR INFORMATION

- 8 Highways Safety Policy (Cabinet Minute *27/11 May 2016)
To note the following reference from Cabinet for information. Report HCW/16/39 can be found at <http://democracy.devon.gov.uk/ieListDocuments.aspx?CId=133&MId=160&Ver=4>

“(a) that the Highway Safety Policy set out in Appendix A to Report HCW/16/39 be approved and the Head of Highways, Capital Development & Waste be authorised, in consultation with the County Solicitor and the Cabinet Member for Highway Management and Flood Prevention, to approve further minor amendments to the Highway Safety Inspection Policy prior to the next full review in September 2018;

(b) that Highways & Traffic Order Committees be made aware of the revised operational policy.”

- 9 Dates for Future HATOC Meetings
The following dates have been agreed:

Tuesday 11 October 2016 in the Exe Room, Phoenix House, Tiverton and Monday 6 March 2017 at the Town Hall, Tiverton.

Please use link below for County Council Calendar of Meetings:

<http://democracy.devon.gov.uk/ieListMeetings.aspx?CId=167&Year=0>

PART II - ITEMS WHICH MAY BE TAKEN IN THE ABSENCE OF THE PUBLIC AND PRESS ON THE GROUNDS THAT EXEMPT INFORMATION MAY BE DISCLOSED
Nil

MEMBERS ARE REQUESTED TO SIGN THE ATTENDANCE REGISTER

Part II Reports
<i>Members are reminded that Part II reports contain exempt information and should therefore be treated accordingly. They should not be disclosed or passed on to any other person(s). Members are also reminded of the need to dispose of such reports carefully and are therefore invited to return them to the Democratic Services Officer at the conclusion of the meeting for disposal.</i>
Agenda Items and Attendance of District & Town/Parish Councillors
<i>Under the provisions of Standing Order 23, any member of the HATOC (including the District Council representatives) may put an item on the Agenda for the HATOC relevant to the</i>

functions of the Committee, subject to them giving notice in writing to the Chief Executive of the matter to be discussed by 9.00am on the eighth working day before the meeting. Any member of the District Council for the area covered by the HATOC who is not a member of the Committee, or a Town or Parish Councillor within the area covered by the HATOC, may, after giving 24 hours' notice in writing to the Chief Executive, attend and speak to any item on the Agenda with the consent of the Committee.
For further information please contact Wendy Simpson on 01392 384383.

Membership

County Councillors

Councillors J Berry, P Colthorpe, D Hannon, R Radford (Chairman), M Squires and N Way

Mid Devon District Council

Councillors R Chesterton, D Coren and L Cruwys

Declaration of Interests

Members are reminded that they must declare any interest they may have in any item to be considered at this meeting, prior to any discussion taking place on that item.

Access to Information

Any person wishing to inspect any minutes, reports or lists of background papers relating to any item on this agenda should contact Gerry Rufolo on 01392 382299.

Agenda and minutes of the Committee are published on the Council's Website

Webcasting, Recording or Reporting of Meetings and Proceedings

The proceedings of this meeting may be recorded for broadcasting live on the internet via the 'Democracy Centre' on the County Council's website. The whole of the meeting may be broadcast apart from any confidential items which may need to be considered in the absence of the press and public. For more information go to: <http://www.devoncc.public-i.tv/core/>

In addition, anyone wishing to film part or all of the proceedings may do so unless the press and public are excluded for that part of the meeting or there is good reason not to do so, as directed by the Chairman. Any filming must be done as unobtrusively as possible from a single fixed position without the use of any additional lighting; focusing only on those actively participating in the meeting and having regard also to the wishes of any member of the public present who may not wish to be filmed.

As a matter of courtesy, anyone wishing to film proceedings is asked to advise the Chairman or the Democratic Services Officer in attendance so that all those present may be made aware that is happening.

Members of the public may also use Facebook and Twitter or other forms of social media to report on proceedings at this meeting. An open, publicly available Wi-Fi network (i.e. DCC) is normally available for meetings held in the Committee Suite at County Hall. For information on Wi-Fi availability at other locations, please contact the Officer identified above.

Public Participation

Any member of the public resident in the administrative area of the County of Devon may make a presentation on any proposed traffic order being considered by the Committee. Any request to make a presentation must be given to the Chief Executive's Directorate, County Hall, Exeter by 12 noon on the third working day before the relevant meeting.

For further information please contact Wendy Simpson on 01392 384383

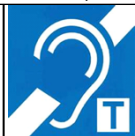
Emergencies

In the event of the fire alarm sounding leave the building immediately by the nearest available exit, following the fire exit signs. If doors fail to unlock press the Green break glass next to the door. Do not stop to collect personal belongings, do not use the lifts, do not re-enter the building until told to do so.

Mobile Phones

Please switch off all mobile phones before entering the Committee Room or Council Chamber

If you need a copy of this Agenda and/or a Report in another format (e.g. large print, audio tape, Braille or other languages), please contact the Information Centre on 01392 380101 or email to: centre@devon.gov.uk or write to the Democratic and Scrutiny Secretariat at County Hall, Exeter, EX2 4QD.



Induction loop system available

MID DEVON HIGHWAYS AND TRAFFIC ORDERS COMMITTEE

15 March 2016

Present:-

Devon County Council:-

Councillors Radford, Colthorpe, Squires and Way

Mid Devon District Council:-

Councillors Chesterton and Coren

Apologies:-

Councillors Hannon and Berry.

*51 Minutes

RESOLVED that the minutes of the meeting held on 19 October 2015 be signed as a correct record.

*52 Devon Highways update

The Committee received a presentation from the Neighbourhood Highway Group Manager on Devon Highways issues covering, inter alia:

(a) The Incentive Fund: this was Government 'Top Up' funding to the needs based highway maintenance capital allocation designed to encourage highway authorities to adopt good practice with an emphasis on collaboration with suppliers and other authorities. There were three bands of funding over 6 years from 2015/16 (with maximum funding in Band 3). The County Council was currently on course for Band 2 in 2016/17 and striving for Band 3 with its planned changes working with other local authorities and other efficiency savings and service improvements.

(b) Drainage Maintenance Strategy: relating to measures to mitigate drainage issues in respect of the highway and the role and responsibilities of adjacent landowners, the programmed works for rural and urban gullies for example and budgetary constraints and challenges and the work of the County Council with its contractor to develop valid data sources and information to better target limited resources.

(c) Footway Maintenance Programme: the programme to maintain a condition which was safe and commensurate with use with analysis of survey condition and budget allocations.

(d) Community Road Warden Update: relating to the number of approved Road Warden Agreements, those pending, numbers trained to 'Chapter 8' level and booked for or awaiting training. A county-wide Project Officer had been engaged (on secondment) to promote the Scheme and develop a roll out plan. A trial pothole repair pilot using new materials for repairs was also being carried out under the Warden Scheme involving 4 Parishes, the results of which would inform future developments and plans.

(e) Community Payback Scheme: the extent of the work in communities across Devon and the positive feedback received from Towns and Parishes and the benefits for the Service Users under the Scheme under the supervision of probation staff working with neighbourhood officers. Future plans included additional training for the probation service

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supervisors to facilitate 'Chapter 8' work on the highway. An example of the variety of work carried out across the County was also presented. Members commended the success of the scheme and the benefits for the local communities and Service Users.

***53** Annual Local Waiting Restrictions Programme

The Committee considered the Report of the Head of Highways, Capital Development and Waste ([HCW/16/18](#)) setting out proposals for the delivery of an annual local Waiting Restrictions Programme.

Members noted that the County Council regularly received requests for waiting restrictions to be introduced or amended which could be difficult to deliver due to resource and funding pressures which, in turn, could have a negative impact on the County Council's relationship with local communities.

A managed process had now been developed whereby existing requests from Local Members and local communities had been collated and a prioritisation tool developed.

It was **MOVED** by Councillor Colthorpe, **SECONDED** by Councillor Way and

RESOLVED

(a) that work to date on the annual waiting restrictions programme and the prioritisation process applied be noted;

(b) that waiting restriction schemes be progressed through advertising and sealing of subsequent Orders in priority order as presented in Appendix 1 to the Report of the Head of Highways, Capital Development and Waste ([HCW/16/18](#)), with the inclusion of two additional locations at Bewsley Hill, Coplestone and at Willand, subject to funding being agreed by Cabinet;

(c) that the detail of individual schemes be developed with the relevant local County Councillor prior to advertising.

***54** Higher Road at Barnstaple Cross, near Crediton

In line with the spirit of the Council's Public Participation rules and at the invitation of the Committee, Mr and Mrs Moore spoke to this item making representations over safety concerns at Higher Road, Barnstaple Cross, Crediton.

The Committee also received the Report of the Head of Highways, Capital Development and Waste ([HCW/16/19](#)) addressing safety concerns for both pedestrians and motorists at Higher Road, Barnstaple Cross, Crediton.

The Head of Service advised that the County Council and Devon and Cornwall Constabulary had developed a joint procedure, called Speed Compliance Action Review Forum (SCARF), to enable concerns to be addressed in a consistent manner. Once a site had been accepted for SCARF, the collision history could be considered and covert speed data for the site obtained.

Following further discussion it was noted, in particular, that:

- the lack of a speed limit at the location meant that the 60mph national speed limit applied;
- there was no Highway signage at the location indicating a narrowing of the road or otherwise;
- there was a lack of available funding for pavements;

- there was increased traffic flow following the construction of the Crediton Link Road and new homes in Copplestone;
- there was a disappointing absence of data on the impact of the Crediton Link Road on surrounding roads and air quality; a report thereon would be submitted to the next meeting.

It was **MOVED** by Councillor Way, **SECONDED** by Councillor Squire and

RESOLVED that the Head of Service comments be noted and this location be referred to the Speed Compliance Action Review Forum process and the outcome be discussed with the relevant local County Councillors.

***55** **Delegated Powers**

The Committee received the report of the Head of Highways, Capital Development and Waste ([HCW/16/20](#)) on action taken by him in consultation with the Chairman and Local Members.

***56** **Petitions/Parking Policy Reviews**

[An item to be taken under s18 of the Traffic Management Act 2004 relating to any reviews of parking policy sought in line with the Council's Petition Scheme] (<https://new.devon.gov.uk/democracy/guide/constitutionparts2-4/part-4-section-7-petition-scheme/>).

There was no current petition for a parking review from a member of the public relating to Mid Devon.

***DENOTES DELEGATED MATTER WITH POWER TO ACT**

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MID DEVON HIGHWAYS AND TRAFFIC ORDERS COMMITTEE

23/6/15

The meeting started at 10.30am and finished at 12.30pm

The Minutes of this Committee are published on the County Council's Website at:

<http://www.devon.gov.uk/dcc/committee/minutes.html>

PTE/16/17

Mid Devon Highways and Traffic Orders Committee
29 June 2016

Crediton Link Road impacts on traffic and air quality

Report of the Head of Planning, Transportation and Environment

Please note that the following recommendation is subject to consideration and determination by the Committee before taking effect.

Recommendation: It is recommended that the impacts on of the Crediton Link Road on traffic flows and air quality are noted.

1. Introduction

At the Mid Devon Highways and Traffic Order Committee on 15 March, in the item regarding safety concerns at Barnstaple Cross on Higher Road near Crediton, it was noted that there has been a lack of data provided on the impact of the new Crediton link road on traffic and air quality on the surrounding roads and that a report addressing this should be submitted to the next meeting.

This report is to update the Committee on the changes to traffic flow and air quality on the roads in the surrounding area.

2. Background

The Crediton Link Road was opened in October 2014. The construction of the 760-metre single carriageway between the A377 and Lords Meadow Industrial Estate started in July 2013 and it cost approximately £8.5m. The road provides a direct route to the Lords Meadow industrial estate from the Wellparks roundabout on the A377, and also includes a shared cycleway and footway.

A377 Exeter Road was a pinch point and affected traffic flows between Exeter and Crediton. The bendy and narrow street topography created a pinch point on Exeter Road, affecting traffic flows between Exeter and Crediton. The insufficient width and alignment of the road prevented heavy goods vehicles (HGVs), in particular, from passing and impacted not only on business trips but also commuters and people travelling by bus. The congestion and impacts of slow moving, larger vehicles contributed to exceedances of the statutory UK Nitrogen Dioxide (NO₂) objective and particulate matter (PM₁₀).

Crediton is a designated Air Quality Management Area. The link road forms a key part of Mid Devon District Council's air quality action plan, aiming to help alleviate congestion and improve air quality along the narrow stretch of Exeter Road, with benefits also to traffic movements on Charlotte Street, East Street and Mill Street.

The link road will also support the economy of the town by improving access to Lords Meadow and enabling further residential growth in the area.

3. Traffic Impacts

There was a Manual Classified Count (MCC) undertaken at the Tesco Junction on Tuesday 25 May 2010 prior to the link road being constructed to record the baseline daily traffic flows. This survey was then repeated on Thursday 21 May 2015, following the delivery of the new

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road. Table 1 shows a comparison of MCC data collected at the Tesco junction on the A377, which provides an early indication of the impact of the scheme post completion. This is shown diagrammatically in Appendix I.

Table 1: 12hr 2-way traffic flow comparisons

Arm of roundabout	2010	2015	Difference
A377 (West of Jct)	11,220	9,790	-1,430
A377 (East of Jct)	10,010	11,180	+1,170
Tesco Access	3,680	6,160	+2,480
Ind Est Link Road	N/A	4,660	+4,660

There were nearly 4,700 vehicles using the new link road over a 12 hour period in May 2015. Most recent automatic traffic counts show that this 12 hour figure has since risen to approximately 5,000 vehicles a day which is comparable to the County Council's modelling predictions used to justify the link road scheme.

The construction of the link road has resulted in a reduction in the level of traffic using the narrow section of Exeter Road with consequent benefits in air quality and noise reduction to residents of the area (see section 4 for more details). The figures show the development of the link road has removed traffic from the A377 Exeter Road west of the Tesco roundabout; however, there has been a significant increase in the total traffic travelling to/from Crediton as a whole (demonstrated by the 1,170 vehicle increase east of the junction).

There has been a significant increase of 2,500 daily two traffic movements from the Tesco development over the 5 year monitoring period. Excluding the Tesco arm approach to the roundabout, there has been an increase in total traffic approaching from the town direction, increasing by 30% from 5,790 in 2010 to 7,460 in 2015. The link road has therefore facilitated an increase in the number of vehicles travelling towards Exeter whilst decreasing the traffic flows along the constrained section of the A377.

Elsewhere on the Crediton highway network (see Appendix II), there has been a reduction of approximately 1,100 (-30%) two-way daily vehicle movements on East Street and more than 2,300 vehicles (-29%) reduction on Mill Street. This includes a 44% and 67% reduction in goods vehicles respectively on East Street and Mill Street.

The volume of traffic on Commercial Road on the Industrial Estate (section up to Exhibition Road) has increased by just over 2,300 vehicles per day (+49%) as increased traffic from the town is using the link road to access the A377. However, goods vehicle movements on this stretch of road have more than halved, demonstrating the preference of HGV movements between the industrial estate and Exeter/A377 being via the link road.

4. Air Quality Impacts

The Crediton Air Quality Management Area (AQMA) was designated in 2004 for exceedances of the statutory UK Nitrogen Dioxide (NO₂) objective in the High Street and Exeter Road (A377). It was also designated for exceedances of the statutory objective for Particulate Matter (PM₁₀) in Exeter Road only. Road transport, including cars, light commercial and HGVs are a major source of this air pollution. Therefore one of the objectives of the Crediton Link Road scheme was to improve air quality along these stretches of road by redistributing traffic away from these areas.

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The relevant UK air quality objectives are:

Pollutant	UK air quality objective
Nitrogen dioxide (NO ₂)	40 ug.m ³ measured as an annual mean
Particulate Matter (PM ₁₀)	40 ug.m ³ measured as an annual mean; <i>and</i> Less than 35 days per year greater than 50 ug.m ³

As the local air quality authority, Mid Devon District Council currently undertakes monitoring at a number of points across Crediton. This includes a real-time continuous air quality monitoring station measuring NO₂ and PM₁₀ (MS2) and three NO_x tubes (14-16) providing monthly NO₂ averages all of which have been in place for a number of years. The location of these monitoring points is shown in Appendix III.

A brief analysis to show the early air quality impact of the link road has been completed for the following time periods:

- **2009-2013** (five years average before the Link Road was open)
- **2014** (one year average including the Link Road being open for three-months October – December)
- **2015** (first full one year average with the Link Road being open)

Nitrogen Dioxide (NO₂)

Monitoring Location	Road not open Average 2009-2013 Annual mean ug.m ³	Road open for 3-months 2014 Annual mean ug.m ³	Road open wholly 2015 Annual mean ug.m ³
NO _x tube 14	44	36	33
NO _x tube 15	40	38	32
NO _x tube 16	44	38	29
Monitoring station MS2	60	67	55

In respect of NO₂, the data above indicates that concentrations have fallen significantly at all Exeter Road monitoring locations since the Link Road has opened. For the first full year in 2015, this is a reduction of between 8-34% against the preceding five-year average.

All monitoring locations where there is actual exposure by residents are now currently below the NO₂ air objective set out above. Levels at the continuous monitoring station (MS2) continue to remain above the objective but without any relevant long-term exposure by the public.

Particulate Matter (PM₁₀)

Monitoring Location	Road not open Average 2009-2013 Annual mean ug.m ³	Road open for 3-months 2014 Annual mean ug.m ³	Road open wholly 2015 Annual mean ug.m ³
Monitoring station MS2	35	29	26

Monitoring Location	Road not open Average 2009-2013 No. of days >50 ug.m ³	Road open for 3--months 2014 No. of days >50 ug.m ³	Road open wholly 2015 No. of days >50 ug.m ³
Monitoring station MS2	54	18	11

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In respect of PM₁₀, the data above indicates that concentrations have also continued to fall at the Exeter Road monitoring station location since the Link Road has opened. This now equates to a reduction of 26% for the annual mean and a much larger reduction of around 80% for the number of days greater than 50 ug.m³ in respect of the 2015 results against the preceding five-year average.

5. Financial Considerations

There are no significant financial considerations attributed to this proposal.

6. Environmental/Public Health Impact Considerations

Air pollution can have negative impacts on human health and the environment; however, there is evidence to suggest that the link road has improved air quality and is therefore likely to have helped reduce the likelihood of respiratory-related admissions to hospital.

7. Equality Considerations

Certain groups of society are at increased risk of health problems and may therefore be more adversely affected by poor air quality. This includes children, older adults, and people with chronic health problems. As described in section 6, the link road is likely to have improved conditions for these vulnerable groups.

8. Legal Considerations

There are no specific legal considerations at this time.

9. Risk Management Considerations

No risks have been identified.

10. Summary

Early traffic data shows traffic flows using the road are close to modelled predictions of approximately 5,000 vehicles a day. A significant proportion of HGVs and other traffic previously using Exeter Road to access the Lords Meadow Industrial Estate are now using the Link Road.

Since the link road opened, the reduction in traffic volumes and proportion of HGVs using the narrow section of A377 Exeter Road has resulted in significant reductions in concentrations of both Nitrogen Dioxide (NO₂) and Particular Matter (PM₁₀). All concentrations at areas of relevant exposure were below the air quality objective values in 2015 for the first time since monitoring began.

Dave Black
Head of Planning, Transportation and Environment

Electoral Divisions: Crediton Rural; Newton St Cyres & Sandford

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Local Government Act 1972: List of Background Papers

Contact for enquiries: Rory Millar

Room No: AB2 Lucombe House, Topsham Road, Exeter, EX2

Tel No: 01392 382681

Background Paper	Date	File Ref.
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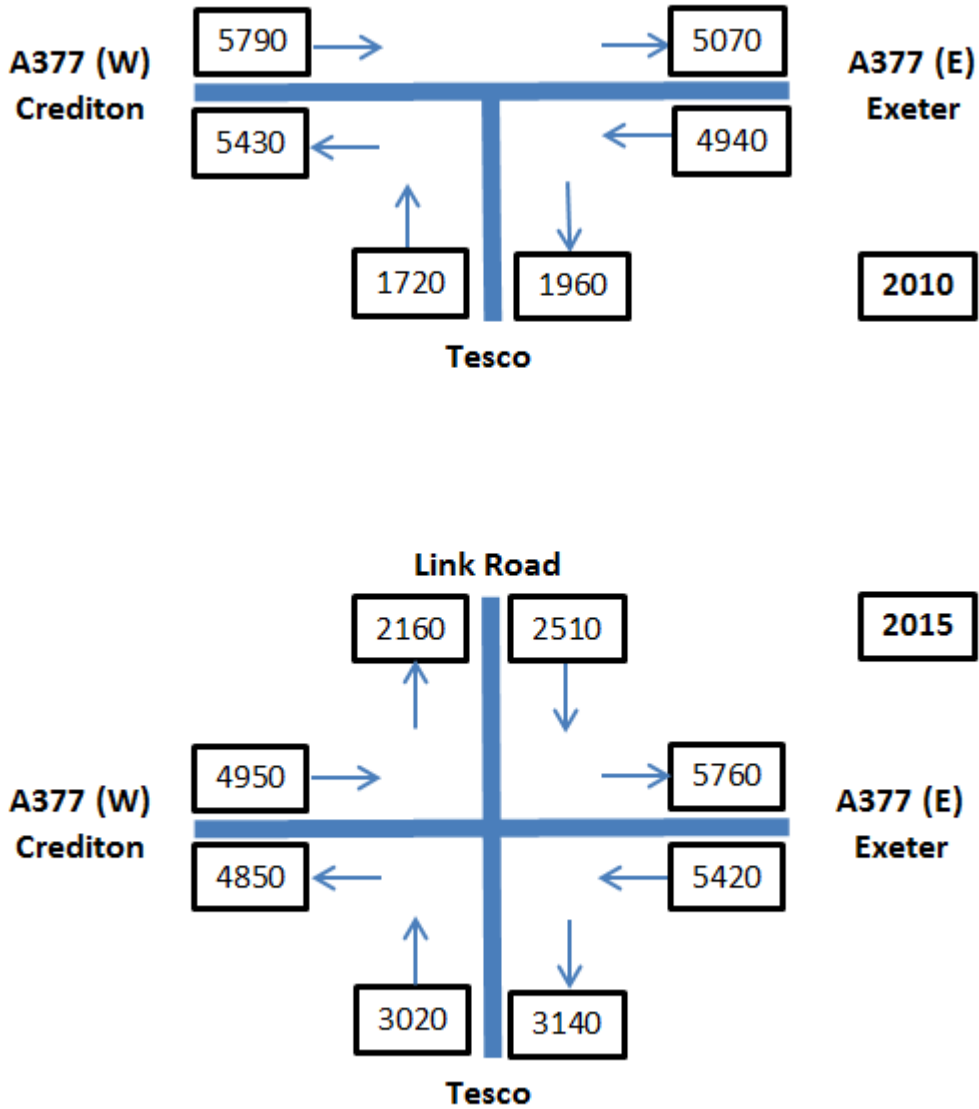
Nil		
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sc/cr/crediton link road impact on traffic air quality
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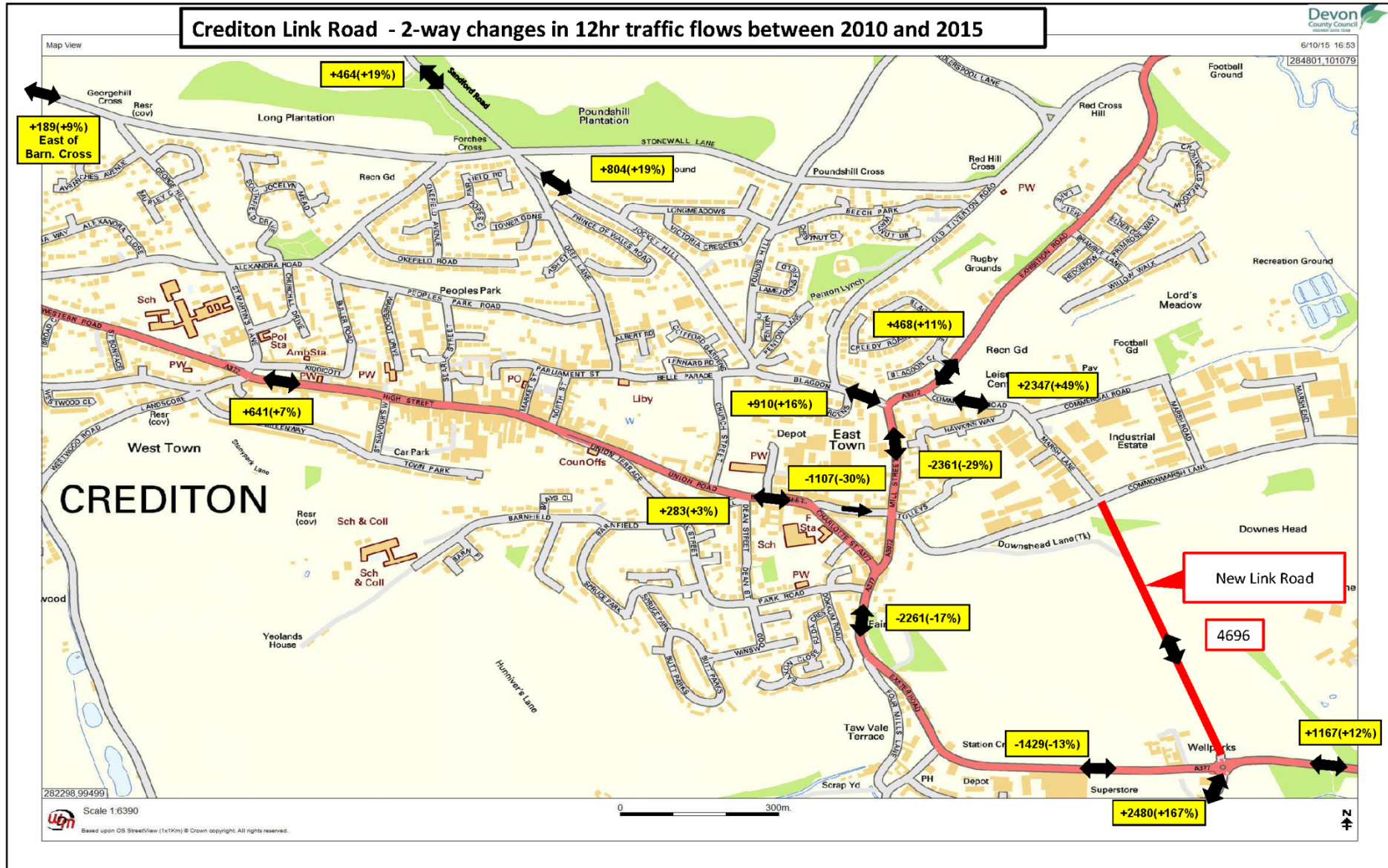
Agenda Item 5

Appendix I
To PTE/16/17

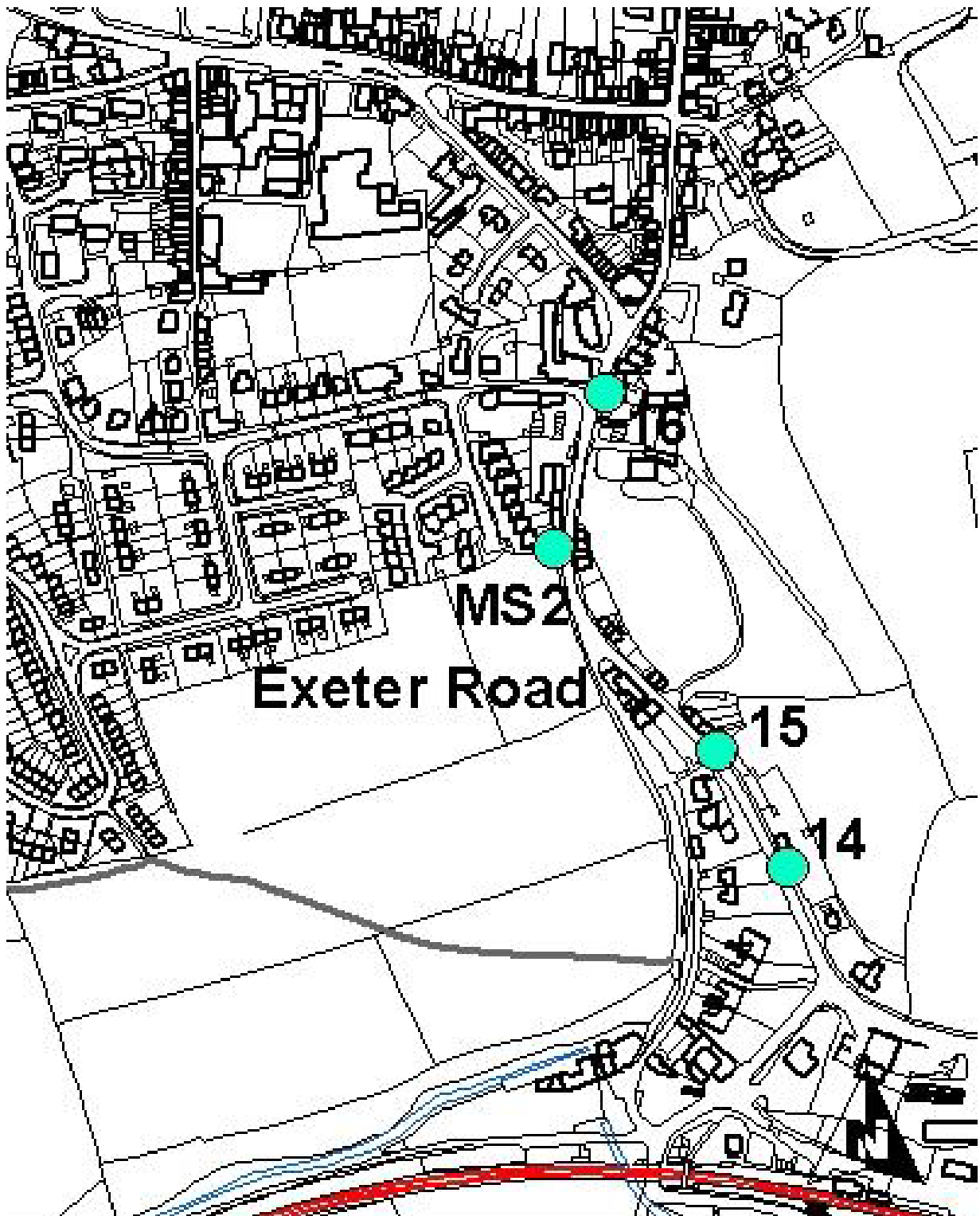
A377/Crediton Link Road Roundabout Daily Traffic Flows



Wider Network Change in Two-Way Traffic Flows between 2010 and 2015



Location of Air Quality Monitoring Sites



PTE/16/18

Mid Devon Highways and Traffic Orders Committee
29 June 2016

Proposed Prohibition of Vehicles, Washfield Lane (Farleigh Meadows), Tiverton

Report of the Head of Planning, Transport and Environment

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 advertised Traffic Regulation Order be noted;**
- (b) that approval is given to make and seal the Traffic Regulation Order as advertised.**

1. Summary

This report is to consider the representations received during the proposed prohibition of vehicle Traffic Regulation Order (TRO) consultation the proposals form part of planning application 14/01047MARM granted by Mid Devon District Council (MDDC) for the junction realignment of Washfield Lane in association with the residential development at Farleigh Meadows, Tiverton.

2. Background

Farleigh Meadows residential development was subject to outline planning consent in 2012 which was granted subject to a section 106 legal agreement, part of which was the approved access arrangements at Washfield Lane. The site was resubmitted for reserve matters consent through planning Application 14/01047MARM. The design of Washfield Lane junction changed very little from the original design. The Local Planning Authority granted consent and the works were approved as part of the section 278 legal agreement under the Highways Act.

In both applications the existing section of Washfield Lane, which is very narrow and only allows passage of a single vehicle was to be retained as a footpath and would require the necessary TRO to prevent vehicle access. Works have commenced on site and the TRO is required to allow the developer to complete the approved design.

3. Proposal

As part of the scheme it is planned to provide a new junction from the residential development onto Rackenford Road which realigns the northwest junction of Washfield Lane with Rackenford Road and gives vehicle priority to the residential development over that of Washfield Lane. The redundant section of Washfield Lane will be reconstructed as a footpath with bollards to prevent vehicle access, but will remain as public highway. Therefore it was proposed to advertise a TRO for a prohibition of vehicles order on the redundant section of Washfield Lane. The extent of the prohibition is shown on drawing number ENV5542/1 (A) in Appendix I.

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4. Consultations/Representations/Technical Data

A statutory consultation was undertaken in May 2016 and 7 representations were received to the proposed prohibition of vehicles order. A summary of the representations is shown in Appendix II to this report.

The use of the existing lane in conjunction with a new access to the development was considered by the Highway Authority to be unacceptable in operational and safety terms and this consideration was backed up by the developer's designs. The proposal provides for an improved highway and safer junction arrangement than that of the existing at its junction with Rackenford Road.

After consideration of the comments received it is recommended that the TRO is made and sealed as advertised.

5. Financial Considerations

There are no financial implications to the proposal as all works associated with the TRO are to be borne by the developer.

6. Sustainability Considerations

This scheme will enable the developer to deliver a safe housing development to meet the needs of MDDC 5 year land supply and provide jobs through the construction process of the development.

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's 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, to secure the expeditious, convenient and safe movement of traffic having regard, amongst other things, to the desirability of securing reasonable access to premises. It is considered that the proposal complies with Section 122 of the Act as it secures safe and convenient movement to the new development and to users of Washfield Lane and the safe movement of pedestrians by prohibiting through traffic by vehicles and it also delivers reasonable access to the development through the consented design.

9. Risk Management Considerations

An independent Road Safety Audit has been undertaken by the developer which has considered a road layout giving priority to Washfield Lane and the consented scheme with priority to the residential development and concluded a preference to the consented design subject to minor amendments. These have been included as part of the revised scheme. Further stage 3 and stage 4 Safety Audits will be undertaken as part of the section 278 legal agreements.

10. Public Health Impact

It is considered that there is no public health impact as a result of the recommendation.

11. Options/Alternatives

No Acceptable alternatives.

12. Reason for Recommendation/Conclusion

The TRO regularises the designed restriction subject to planning approvals granted by the Local planning Authority.

Dave Black
Head of Planning, Transport and Environment

Electoral Division: Tiverton West

Local Government Act 1972: List of Background Papers

Contact for enquiries: Ian Sorenson

Room No. AB2 Lucombe House, County Hall, Exeter

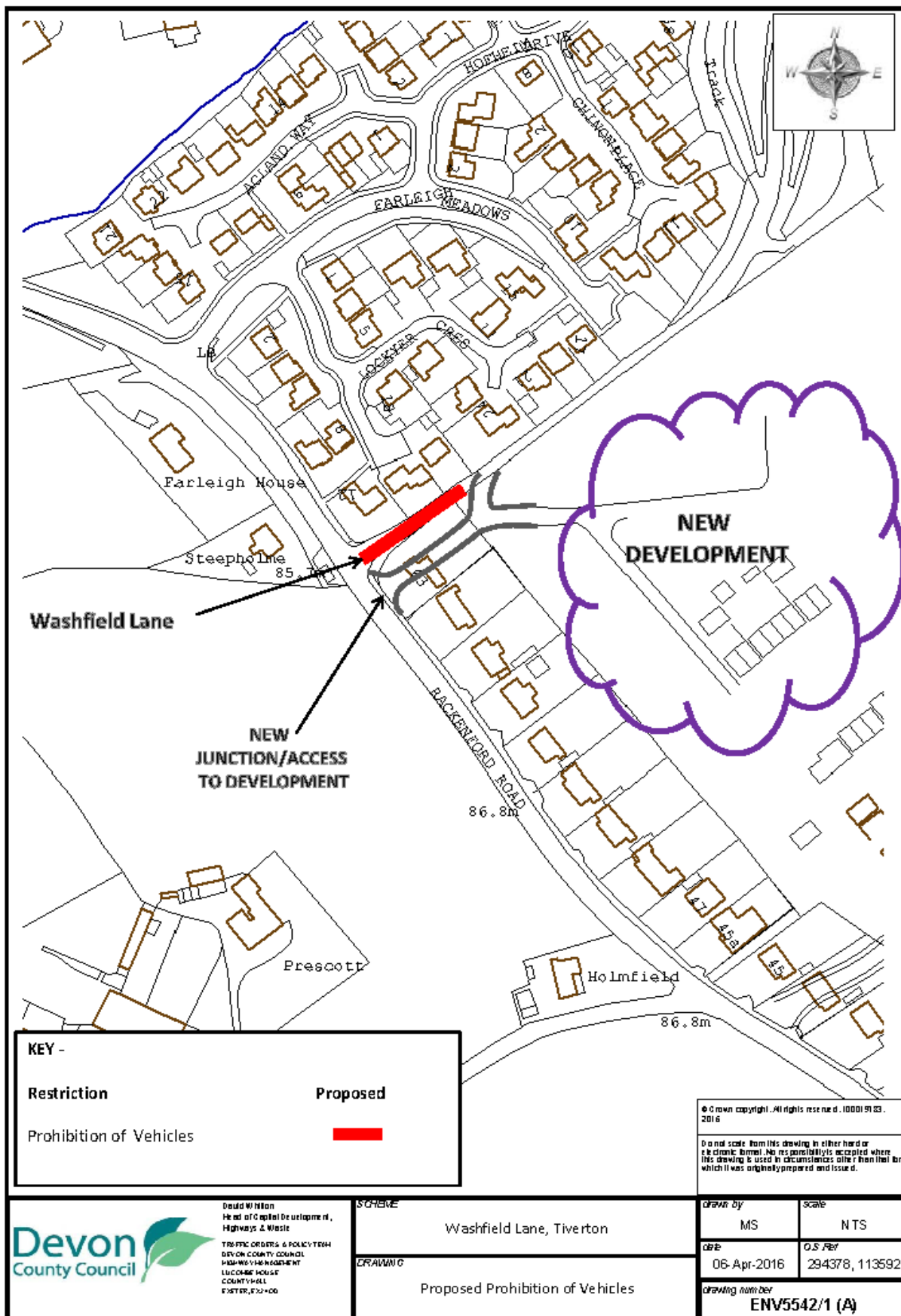
Tel No: (01392) 381301

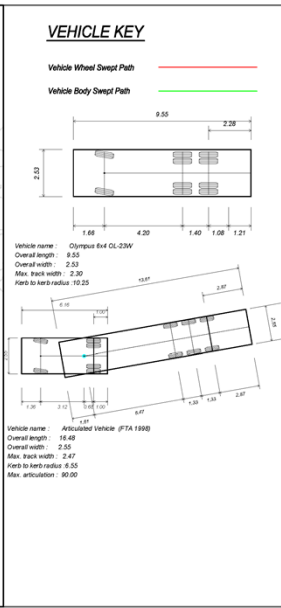
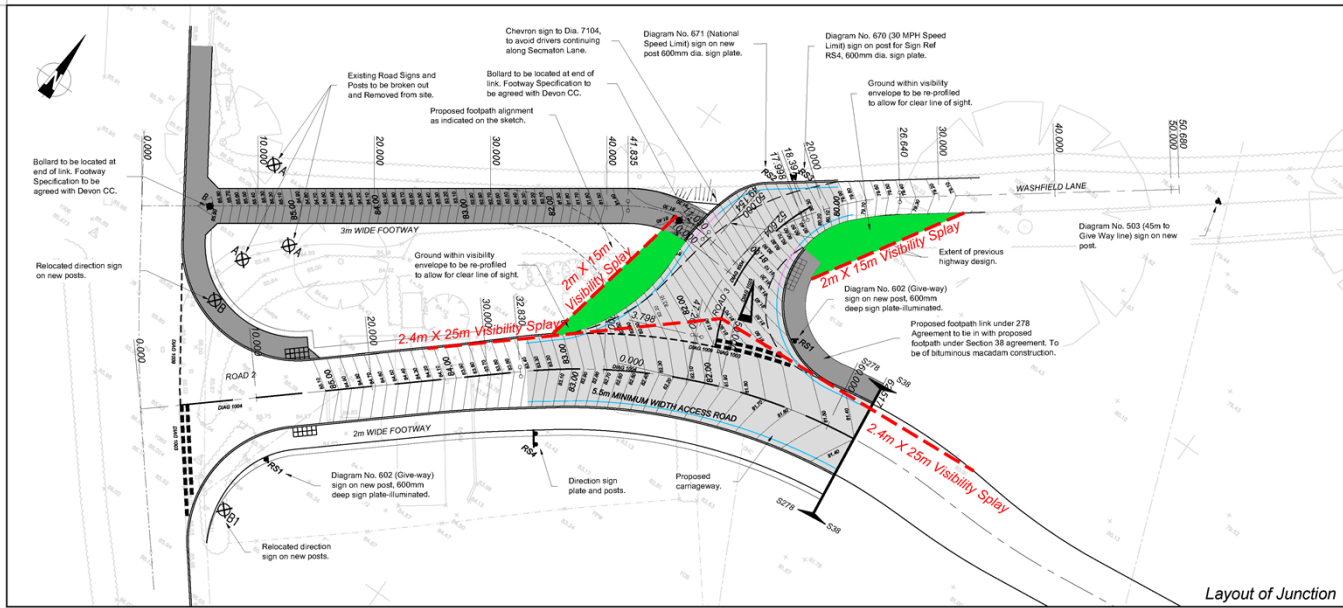
Background Paper	Date	File Reference
1. Drawing 16002/001 Revision B	February 2016	MD/450

is310516mdh
sc/cr/ prohibition vehicles washfield lane tiverton
02 200616

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Appendix I
To PTE/16/18





GENERAL NOTES

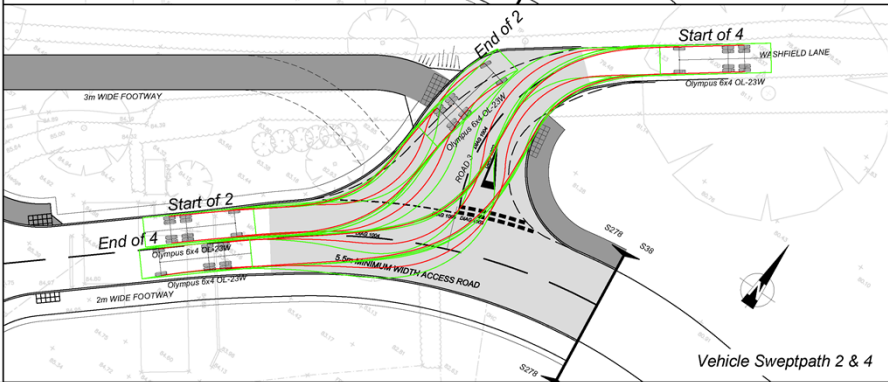
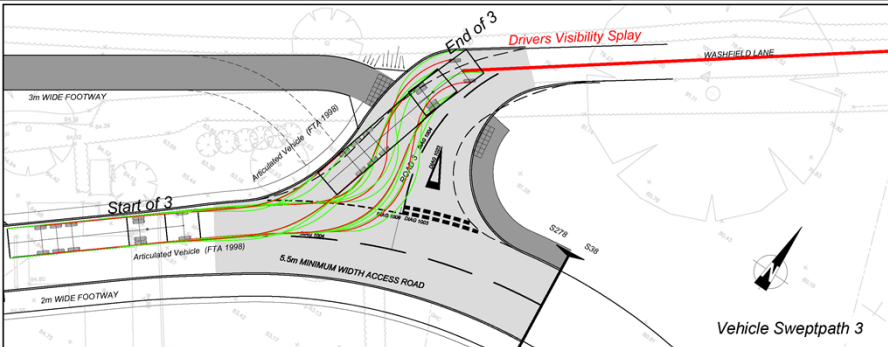
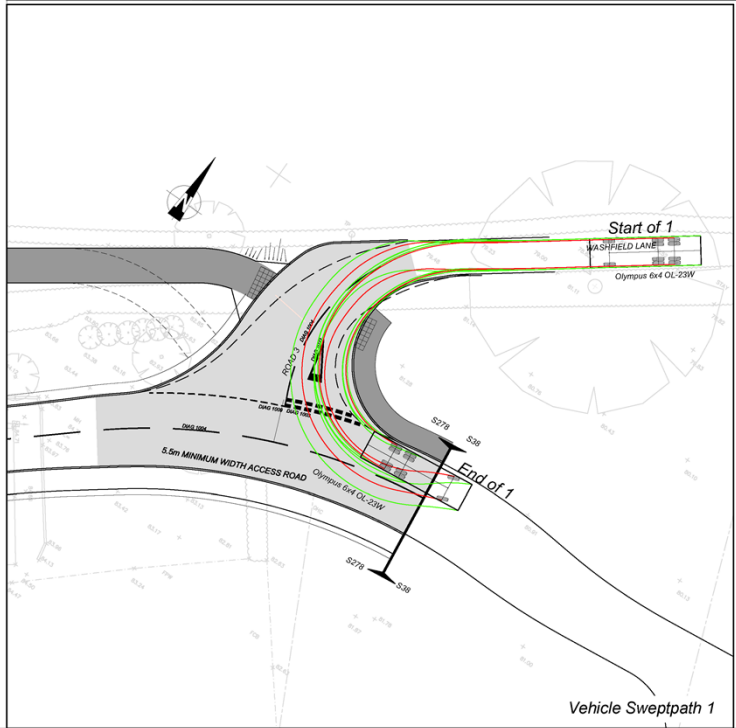
- This drawing is to be read in conjunction with all other relevant Architects, Engineers & Specialist drawings, details and the relevant Health and Safety Plan (as appropriate).
- DO NOT SCALE FROM THIS DRAWING. Use figured dimensions only.

NOTES

- This drawing relates to approval of widening of the Cole Easedon Washfield Road junction design as required by Devon County Council for Articulated Lorry tracking.
- This drawing is based on previous design drawings by Cole Easedon Consultants. Please refer to all Cole Easedon Consultants S278 Junction Site Access drawings. Drawing numbers 4112150 to 158.
- All carriageway longsections remain as designed by Cole Easedon Consultants. Longsection of the footpath adjusted in length, maintaining same principles as initial design. Long sections are shown for reference on drawing 16002-003 Highway Long Sections.
- Drainage design will need to be checked for the additional area

KEY

- BN Kerb with 0mm upstand
- HB2 Kerb with 125mm upstand
- Area within visibility envelope to be clear of obstructions to height of 600mm above the re-profiled ground



B	04.03.2016	VSP ADDED	
A	25.02.2016	Issued for COMMENTS	
REV	DATE	ISSUED FOR	DETAILS
<p>THE GRIST MILL BUILDING, COLDBARBOUR MILL UFFCULME, CULLOMPTON, DEVON EX15 3EE Email: office@infadesign.co.uk</p>			
FAIRLEIGH MEADOWS TIVERTON			
WASHFIELD LANE JUNCTION LAYOUT & VEHICULAR TRACKING			
Scale 1:200 @ A1			
DRAWING NUMBER 16002/001			REVISION B
Drawn by JTM	Check by WP	Date Feb 2016	Date Feb 2016
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Appendix II
To PTE/16/18

**5542 – Devon County Council
(Washfield Lane, Tiverton)
(Prohibition of Vehicles)**

Summary of Representations

Comment	Devon County Council (DCC) Response
First Respondent: Cycling UK	
Requests that the proposed order be modified to Prohibition of Motor Vehicles' so that cycles are not prohibited from using Washfield Lane.	Comment noted. The provision of allowing cycles on the footway at this location does not link in with any strategic cycle network. However this will be reviewed in the future if the need arises.
Second Respondent: Resident of Washfield	
Disagrees with the proposal to ban vehicles from the top of Washfield Lane onto Rackenford Road.	Comment noted.
The new road currently under construction, will not be suitable for the amount of traffic using Washfield Lane. This road has little viable vision for vehicles as they leave the new estate and re-join Washfield Lane. This will undoubtedly cause many problems in the future (especially when meeting large vehicles such as lorries and tractors and trailers).	The detail design was subject to both outline planning application and reserve matters application and given consent by Mid Devon District Council as the Local Planning Authority with the redundant section of carriageway on Washfield Lane being retained as a footpath.
Closing off the top of Washfield Lane is unnecessary and, when problems for users of the new road become apparent (as they will) the existing piece of Washfield Lane will need to be re-instated in order to calm traffic (and drivers tempers) as they become more and more frustrated with the lack of insight used from the beginning of this project.	The realignment of the junction is required to provide safer access to the residential development and to cater for the increase usage.
The Parish Council in Washfield have had meetings with Taylor Wimpey and Devon County Council Highways and pleaded with them to reconsider this unworkable move to push traffic from the Washfield Road through the estate but to no avail.	The road construction layout has been subject to a transport assessment and independent road safety audits and has taken into consideration the concerns of the Parish Council. Visibility splays have been included and improved as well as road width and alignment altered to take into consideration the recommendations of the independent safety officer.
To close off the top of Washfield Lane is not necessary and should not be an option.	See above comments.

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Comment	Devon County Council (DCC) Response
Third Respondent: Resident of Washfield	
<p>Currently when entering either end of the stretch of Washfield Lane between Rackenford Road and Worth Lodge we have a clear line of vision from both ends and space to wait, out of the way of traffic coming from the other direction, until the lane is clear before committing to travelling along it. The traffic to and from Washfield can vary from pedestrians, bicycles and horses, through cars to extremely large commercial vehicles and large tractors with towed/attached machinery.</p>	<p>The road construction layout has been subject to a transport assessment and independent road safety audits and has taken into consideration the concerns of the Parish Council. Visibility splays have been included and improved as well as road width and alignment altered to take into consideration the recommendations of the independent safety officer.</p>
<p>The proposal to close the top 44 metres and introduce a dog-leg giving priority to the estate traffic will cause a significant hazard particularly as large vehicles leaving the village are forced to negotiate the dog-leg in the road as well as having to give way twice in less than 50 metres without clear vision and provision for oncoming traffic.</p>	<p>See above comments.</p>
<p>Traffic coming into the village needs to have space to wait out of the way of oncoming traffic, i.e. where the new road meets the existing lane, to allow clear sight of any traffic coming from the village on the existing lane. To see and be seen.</p>	<p>See above comments.</p>
Fourth Respondent: Resident of Washfield	
<p>Objects to the closing of the above road. Lives in a very rural area, with large egg collection lorries, milk tankers also large tractors with very large implements, silage combines etc.</p>	<p>Comment noted.</p>
<p>No one is listening to the Parish Council, speaking on behalf of the local people.</p>	<p>Parish Council has been listened to and developer has gone to the expense of designing additional junction alignments and arranged for independent audit of the designs. They have also redesigned the consented design to improve the alignment and visibility splays which have been cause of concern to the Parish. Such amendments do not require a full planning application and the Local Planning Authority are content that they represent a minor amendment to the proposal.</p>

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Comment	Devon County Council (DCC) Response
Fifth Respondent: Resident of Washfield	
Concerned that the views of the Parish Councillors who have had long experience of using the lane have not been listened to and we wish to add our own voice to theirs.	The road construction layout has been subject to a transport assessment and independent road safety audits and has taken into consideration the concerns of the Parish Council. Visibility splays have been included and improved as well as road width and alignment altered to take into consideration the recommendations of the independent safety officer.
At present vehicles wishing to drive to Washfield/Stoodleigh can see, as they turn into the lane from Rackenford Road, anybody using this stretch and wait at the top end for a clear way. Under the new layout, visibility is restricted until turning the bend. Large lorries and modern agricultural vehicles with trailers that use the lane will have to reverse back around the bend to make way.	See above comments.
Coming in the reverse direction, these long vehicles will have a very sharp bend to navigate apparently with kerb edging.	See above comments.
Consider that there is room for improving the layout by starting the connection at a longer, gentler angle or by removal one or both large trees.	The larger trees were a specific concern to the Local Planning Committee and were required to be retained. Their removal would be subject to a new application which would have incurred an expense to the developer which is an unreasonable request given the scheme has been consented through two planning application. See additional comments above.
Sixth Respondent: Chairman of Washfield Parish Council	
Strongly opposes plans to close this section of road.	Comment noted.
The very dangerous safety aspect of plan is the complete lack of visibility, the very steep elevation of our new junction both being very bad for cars but doubly dangerous for the lots of larger vehicles [articulated lorries and tractors and trailers] that use this very busy main road to Washfield.	The road construction layout has been subject to a transport assessment and independent road safety audits and has taken into consideration the concerns of the Parish Council. Visibility splays have been included and improved as well as road width and alignment altered to take into consideration the recommendations of the independent safety officer.

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Comment	Devon County Council (DCC) Response
<p>The way that the plans originally discussed and passed [£250,000 being given to DCC] without the Parish Council and parishioners being made aware or consulted.</p> <p>We became aware at a very late stage, the Parish Council made strong objections and proposed alternatives which were discussed with Highways at a site meeting where we were led to believe were a better plan, only to be told eventually that they were all too late to change.</p>	<p>Consultation of the applications is a matter for the Local Planning authority and the monies referred to are contributions sought by DCC to the junction 27 improvements scheme.</p>
<p>Seventh Respondent: Washfield Parish Council</p>	
<p>Washfield Parish Council objects to the prohibition of vehicles proposal for Washfield Lane.</p>	<p>Comment noted.</p>
<p>The Council is very disappointed that, despite a site meeting with Highways Development Management (Mid Devon District), and several emails, their concerns about the changes to this junction have not been fully addressed. Residents of Washfield will now find their access onto Rackenford Road more difficult.</p>	<p>The detail design was subject to both outline planning application and reserve matters application and given consent by Mid Devon District Council as the Local Planning Authority with the redundant section of carriageway on Washfield Lane being retained as a footpath.</p> <p>The road construction layout has been subject to a transport assessment and independent road safety audits and has taken into consideration the concerns of the Parish Council.</p>

