

## HAMPSHIRE COUNTY COUNCIL

### Decision Report

<b>Decision Maker:</b>	Executive Member – Environment and Transport
<b>Date:</b>	24 July 2012
<b>Title:</b>	Traffic Regulation Order: Naishes Lane Prohibition of Driving Order, Church Crookham
<b>Reference:</b>	4107
<b>Report From:</b>	Director of Economy, Transport and Environment

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### 1. Executive Summary

1.1. The purpose of this report is to seek consent to advertise a Prohibition of Driving Traffic Regulation Order (TRO) for a section of Naishes Lane in Church Crookham, Hart.

1.2. This paper seeks to

- provide background on the requirement for the TRO;
- set out Councillor Radley's concerns with the TRO and the response to those concerns; and
- set out the next steps if authorisation is granted.

### 2. Contextual information

2.1. Following the granting of planning permission in June 2011 for the development of 872 dwellings, business employment uses, local community facilities and a reserved site for a school on land formerly known as Queen Elizabeth Barracks, the developer (Taylor Wimpey) has been progressing a number of highway improvements in line with the planning permission.

2.2. Naishes Lane forms a section of one of the access routes into the site and is subject to a number of highway improvements, including traffic calming, pedestrian crossings and new footway/cycleways to reflect the additional traffic that will use this route once the development is completed.

2.3. The current junction with Sandy Lane is considered sub-standard (with inadequate visibility and capacity available) and therefore the development proposals include realignment of Naishes Lane so that a new roundabout junction approximately 150 metres west of its current priority junction with Sandy Lane can be formed with suitable visibility and capacity. A section of

the redundant part of Naishes Lane requires a Prohibition of Driving TRO to remove vehicular rights. A plan of the proposals is attached, along with a Location Plan

- 2.4. The principle of the scheme (to access the development site) has been approved at the planning stage based on the recommendations of the highway authority. This realignment and formation of a new access was an integral part of the outline planning consent granted by Hart District Council. The scheme has also been consulted on as part of the public consultation exercise undertaken by the developer for the whole site.
- 2.5. Following approval, the developer has requested that Hampshire County Council progresses the TRO. Officers began formal proceedings and consulted Councillor Radley, as the local Member, to gain her approval for the TRO to be advertised.

#### Local Member's concerns raised and response

- 2.6. Councillor Radley raised two main concerns with the proposals, one of which was regarding the potential for anti-social behaviour, which were addressed through consultation with Hart District Council's Street Scene manager. Councillor Radley's second concern is that the realigned route and the new roundabout junction in particular will remove the ability for informal on-street parking on that section of Sandy Lane which Councillor Radley suggests is used at school drop-off and pick-up times for the nearby Infant and Junior Schools.
- 2.7. Councillor Radley suggested an alternative location for car parking provision be provided. It has been explained that the County Council could not support additional parking for such small numbers and for a short period of the day, and this could not be legitimately justified for funding from the developer. The proposals do not replace any formal car parking provision. Councillor Radley is maintaining her objection, refusing to agree to the TRO being advertised.
- 2.8. This concern does not appear to relate to the TRO itself. Rather, the realignment of Naishes Lane has been accepted in principle at the planning stage, and is now for the developer to deliver with the agreement of the Highway Authority. It is therefore not considered an appropriate reason to withhold from advertising the TRO for consultation.
- 2.9. Under established County Council practice, the local County Councillor's agreement has been sought before TROs have been advertised. Since this agreement has been withheld, the decision is referred to the Executive Member for Environment and Transport.

### **3. Finance**

- 3.1. The financial implications for the County Council are neutral. All of the costs incurred by the County Council in processing the TRO are met by the developer under the terms of the Section 278 Agreement.

#### **4. Performance**

- 4.1. The County Council is the Highway Authority and as such has a duty to act reasonably in approving and permitting works on the highway which have been agreed through the planning permission. It is also established by legal precedent, that authorities may not withhold secondary consents to frustrate the implementation of an approved planning consent.

#### **5. Future direction**

- 5.1. Should approval be granted, the TRO will be formally advertised. Any objections will then be considered and, if they are deemed significant and cannot be resolved, a further decision will be required by the Executive Member for Environment and Transport.
- 5.2. When a TRO is approved, the developer can then progress with the highway works which are required prior to the occupation of 200 dwellings on the development site. This reflects the point at which the highway improvements will be necessary to accommodate the additional traffic generated from the development.

#### **6. Recommendation**

- 6.1 That authorisation be granted to advertise the proposed Traffic Regulation Order on Naishes Lane, Church Crookham.

**CORPORATE OR LEGAL INFORMATION:****Links to the Corporate Strategy**

<b>Hampshire safer and more secure for all:</b>	yes
Corporate Improvement plan link number (if appropriate):	
<b>Maximising well-being:</b>	no
Corporate Improvement plan link number (if appropriate):	
<b>Enhancing our quality of place:</b>	yes
Corporate Improvement plan link number (if appropriate):	

**Section 100 D - Local Government Act 1972 - background documents**

**The following documents discuss facts or matters on which this report, or an important part of it, is based and have been relied upon to a material extent in the preparation of this report. (NB: the list excludes published works and any documents which disclose exempt or confidential information as defined in the Act.)**

Document

Location

## **IMPACT ASSESSMENTS:**

### **1. Equalities Impact Assessment:**

- 1.1. The proposals in this report have been developed with due regard to the requirements of the Equality Act 2010, including the Public Sector Equality Duty and the Council's equality objectives. An assessment of the impacts in this service area can be found at [EQIA](#)
- 1.2. It is considered that the issues covered by this report will not have impacts requiring further specific actions by the Council above those already established in its existing policies and working procedures.

### **2. Impact on Crime and Disorder:**

- 2.1. The proposed changes to the road layout could create opportunities for fly-tipping and other forms of anti-social behaviour. The District Council's Highways Team have the necessary powers to monitor and take enforcement action against criminal behaviour should it be necessary. A meeting has taken place with the relevant officer from Hart who has confirmed that they have no immediate concerns with the proposed changes, and would monitor the situation and respond to any reports of anti-social behaviour.

### **3. Climate Change:**

- a) How does what is being proposed impact on our carbon footprint / energy consumption?

The TRO will form part of a pedestrian/cycle route to encourage carbon free transport.

- b) How does what is being proposed consider the need to adapt to climate change, and be resilient to its longer term impacts?

The TRO will enable highway improvements to proceed that meet the Highway Authority's design specification with regard to drainage and resilience (maintenance).