

Special Highways Committee

13 March 2013

Whitworth Park School, Spennymoor Waiting Restrictions



Report of Terry Collins, Corporate Director Neighbourhood Services

Councillor Bob Young, Cabinet Portfolio Holder for Strategic Environment

Purpose of the Report

- 1 To advise Committee of representations and objections received to the proposed introduction of waiting restrictions around the vicinity of Whitworth Park School, Spennymoor
- 2 Following a report presented to the Council's Highways Committee on Thursday 17th January 2013, the Committee deferred matters to enable a site visit to take place and for a revised scheme to be submitted for consideration. Minutes from the aforementioned Highways Committee Meeting are attached in Appendix 4.
- 3 It is recommended that this Special Highways Committee endorse the proposal having considered representations made at the Highways Committee on 17th January 2013, together with the additional information provided within this report and proceed with the implementation of the advertised waiting restrictions as per the plan in Appendix 2

Background

- 4 Following the merger of Spennymoor Comprehensive and Tudhoe Comprehensive Schools (now known as Whitworth Park School) planning conditions were imposed that would introduce a traffic management plan around the vicinity of the Whitworth Park School.
- 5 The planning conditions can be summarised as follows:

"Condition 14, Prior to the opening of the new Whitworth Park School and 6th Form College in the Autumn Term of 2012 the uncontrolled access into the garage/car sales site at the existing signalised Whitworth Road/Grayson Road junction must be closed and replaced with a footway construction in accordance with details to be submitted to and approved in writing by the Local Planning Authority". This condition has been discharged and the access has been closed.

“Condition 15, Prior to the end of the Autumn Term of 2012 a pedestrian crossing phase shall be introduced at the existing signalised Whitworth Road/Grayson Road junction in accordance with details to be submitted to and approved in writing by the Local Planning Authority”.

- 6 As part of the Planning Application, Consultants commissioned by the County Council completed a Transport Assessment Report which identified a need for a two lane approach to the traffic lights from both the Grayson Road and Clyde Terrace directions to alleviate congestion. This second lane approach to the traffic signals is necessary for traffic turning right whilst allowing the free flow of traffic to either carry straight on or turn left. (See Appendix 3)
- 7 As part of the scheme, it is proposed to introduce a pedestrian phase to the existing traffic light system as a means of improving road safety for pupils at the crossroads, as well as increasing overall road safety for pedestrians throughout the day.
- 8 Within the past 4 years there has been 5 personal injury accidents in the vicinity of the traffic signals. In September 2011 a pupil from the school was hit by a vehicle whilst trying to cross Whitworth Road. This led to a health and safety investigation which directed the Council towards considering further the aforementioned pedestrian phase at the traffic signals.

Proposals:

- 9 The proposed scheme includes the introduction of various waiting restrictions on Whitworth Road to help deter school gate parking problems which otherwise would lead to congestion and access problems for school buses wishing to use the main school entrance.
- 10 Waiting restrictions are necessary on Clyde Terrace and Grayson Road to prevent parked cars from obstructing the proposed two lane approach to the traffic signals in order to meet the requirements described in paragraph 6 above.
- 11 The proposal will include the introduction of a pedestrian phase to the existing traffic light system allowing school pupils and pedestrians safe crossing points across all four legs of the signalised crossroads.
- 12 Following the Highways Committee on the 17th January 2013, revised scheme options have been considered as described in paragraph 2 above. The options can be summarised as follows:
 - I. The original proposal of providing a pedestrian phase on all four legs of the junction along with No Waiting at Any Time (double yellow lines) restrictions on Clyde Terrace being the minimum length of restriction required to ensure suitable visibility of the light head and free flow of traffic through the traffic signals.
 - II. To provide a pedestrian phase on all four legs of the junction along with a limited waiting (single yellow line) restriction on Clyde Terrace restricting parking for the main part of the school day, but enabling on-street parking outside of the peak traffic flow period.

- III. To provide a pedestrian phase on only three legs (omitting the Clyde Terrace leg) of the junction along with a limited waiting (single yellow line) restriction on Clyde Terrace restricting parking for the main part of the school day but enabling on-street parking outside of the peak traffic flow period.

The revised scheme options mentioned above are detailed in Appendix 5 showing a summary of key features for each option, benefits and dis-benefits together with Road Safety Audit recommendations.

Consultation:

- 13 An informal consultation was undertaken with the affected residents from the 18th July 2012 to the 7th September 2012.
- 14 In addition, the principal contractor for the re-development of the school invited highway engineers to a public meeting on 15th August 2012 allowing residents to attend and make recommendations / suggestions as part of the informal consultation.
- 15 A number of views expressed during this meeting on 15th August were taken into consideration prior to the release of the statutory Traffic Regulation Order consultation which took place from the 17th August 2012 to the 14th September 2012.
- 16 Of the 69 initial consultation letters sent to properties directly affected by the proposals a total of 38 responses were received. Of the 38 responses, 4 were in favour of the proposals and 34 were against. The remaining consultees who did not respond are deemed to have no preference. A number of amendments were made following the initial comments received and, as it stands, based on the proposal put forward 8 are in favour of the proposals and 12 remain against.
- 17 During the initial consultations a petition containing 40 signatures was received from residents of Clyde Terrace / Whitworth Terrace opposing to the waiting restrictions on the Clyde Terrace approach to the traffic signals.

Objections and Responses:

- 18 Objection 1

The proposal will remove parking from outside of residential properties, making parking difficult. (9 objectors stated this reason)

Response: The principal purpose of a highway is to facilitate the passage and re-passage of road users. As car ownership has increased, parking on-street is often tolerated having become the norm countrywide on the principle of first come, first served providing the manner of parking does not cause obstruction to other road users including pedestrians. As such, residents are not guaranteed parking in the vicinity of their homes as there is no legal right for any person to be able to park outside of their property.

19 Objection 2

We do not feel there is a requirement for a two lane approach to the traffic signals. (5 objectors stated this reason)

Response: A Transport Assessment Report completed by consultants forming part of the planning application process identified a need for two lane approaches to the traffic signals from Grayson Road and Clyde Terrace to aid vehicular movement through the traffic signals therefore helping to avoid congestion. This view is supported by traffic signal specialists from the County Council's Traffic Signals Team

20 Objection 3

We do not feel a pedestrian phase is required as the school crossing patrol is adequate. (1 objector stated this reason)

Response: In September 2011 a child was hit by a vehicle whilst trying to cross Whitworth Road. The school crossing patrol can only operate safely at one location (Grayson Road) and there are four possible places for pedestrians to cross. The pedestrian phase will also be of benefit to other pedestrians when crossing the road during the hours when the school crossing patrol is not in operation.

21 Objection 4

A 'rat run' will be created to the rear of Clyde Terrace, with drivers attempting to jump the lights. (4 objectors stated this reason)

Response: The rear of Clyde Terrace is subject to an existing 'Prohibition of Motor Vehicles, Except for Access' restriction. The issue of 'rat running' to avoid the traffic signals has been reported to Durham Constabulary who will carryout enforcement as and when resources are available. The introduction of a two lane approach to the traffic signals from the Clyde Terrace direction will assist the free flow of traffic through the signals thus reducing congestion.

22 Objection 5

Durham County Council should compensate residents whom will lose parking outside of there properties, as the market value of there properties will be affected. (2 objectors stated this reason)

Response: There is no legal right for any person to be able to park outside of their property. The area outside of these properties is public highway and does not form part of the adjacent dwellings. There is no obligation on a Highway Authority to provide parking on the public highway for residents.

23 Objection 6

A 20mph speed limit should be introduced from the junction with Osbourne Road / Clyde Terrace up to the commencement of the 40mph speed limit at Middlestone Moor. (2 objectors stated this reason)

Response: There is no evidence to suggest that a 20mph zone incorporating the traffic signals would improve pedestrian safety. The traffic signals make it a mandatory requirement for motorists to stop on the red phases. It is further recognised that a 20mph zone would likely increase congestion as there is currently a requirement to physically traffic calm 20mph zones.

24 Objection 7

As part of the school development a parent drop off / pick up point should be created within the curtilage of the school grounds. (5 objectors stated this reason)

Response: The Council's policy is not to provide such a facility within school grounds. The Policy promotes the use of alternative modes of transport, such as public transport, walking and cycling to and from school.

There is also an element of a safe guarding where third party vehicles would be allowed into school grounds, staff have far less capacity to be able to identify parents/carers to the relevant child if they are in a car and potentially jeopardising the safety of the children.

25 Objection 8

Why were resident's not made aware of the intended waiting restrictions on Clyde Terrace during the planning consultation period? (3 Objectors stated this reason)

Response: As with any new development or re-development project of this size, a Traffic Assessment Report is typically required to support the Planning Application. The Transport Assessment Report was not submitted to the Highway Authority until the 25th June 2012 which didn't provide adequate time to undertake such a consultation prior to or during the planning stage. The deadline to submit the documents to the planning committee was the 27th June 2012. Typical of all planning applications, the Traffic Assessment Report is a disclosure document which was available for public viewing online via the planning portal website along with the other relevant planning application documents relating to the schools re-development.

26 Objection 9

Could a parking area be created on the land adjacent to the Masters Garage, to the rear of the bus stop. (2 objectors stated this reason)

Response: This land is not owned by Durham County Council and we are unable to provide a parking area within private land.

Responses to Comments made at the Highways Committee Meeting on 17th January 2013

- 27 Delivery vehicles, heavy goods vehicles and cars using the garage opposite Clyde Terrace would create major congestion and was an issue that had been overlooked.

Response: Delivery vehicles, heavy goods vehicles and cars have used the garage historically with minimum disruption to traffic flow.

Currently there is sufficient carriageway width for three traffic lanes. With vehicles parked fronting Clyde Terrace there remains two carriageway running lanes.

The proposal would retain the three traffic lanes, but instead of parked vehicles occupying one of the lanes this would become a running lane allowing for a two lane approach to the traffic lights reducing congestion at the traffic signals.

- 28 There were 3 bus-stops at the junction with 12 buses per hour in three different directions. Buses stopping on West Terrace would have to pull out from behind parked cars.

Response: A loop detection system will be provided on the approaches to the traffic signals, with loop detection being provided within the bus stop to detect when a bus is stationary. This will help alleviate the scenario that a bus will be stationary in the bus stop at the same time vehicles are attempting to pass.

- 29 Traffic signals could be set to ensure free-flow of traffic.

Response: Calculations to optimise the traffic signal timings and operation were a part of the design process which resulted in the proposed traffic signal scheme. The traffic signals are optimised in a way which keeps delays to a minimum on all approaches and provides sufficient capacity to accommodate future traffic growth. The timings and layout also take into account the expected changes to traffic volumes and movements at the junction as a result of the school merger as well as the effect of stopping traffic to provide a pedestrian crossing phase in the traffic signals.

Once a new or modified junction is switched on it is then standard practice to further optimise the traffic signal timings to reflect actual traffic flows and patterns throughout the day and ensure that the traffic signals operate as efficiently as possible at all times.

- 30 If the scheme went ahead, cars would be forced to use the rear lane of Clyde Terrace which has no footpath and is a maximum of 4 metres wide which would potentially obstruct emergency vehicles, endangering both life and property.

Response: If the scheme was to be progressed, residents should be encouraged to park a vehicle within the curtilage of their properties to the rear where the majority of the properties have a facility available.

If the scheme was to be progressed we would also monitor the area, and should parking problems be raised as a future concern by the residents the Council could consider the provision of 'Keep Clear' road markings or

undertake a further consultation on the possibility of introducing 'No Waiting at Any Time' restrictions within the rear lane to prevent obstructive parking.

- 31 Removal of parking spaces would severely affect the quality of life for residents.

Response: There is no obligation on the Highway Authority to provide parking for residents upon the public Highway. Instead it remains the resident's responsibility to source a suitable place to park their vehicle.

The majority of the properties on Clyde Terrace affected by the proposals have a facility available to park a vehicle within the curtilage of the property, or would be required to make alternative arrangements, this being the case elsewhere in the County at locations where waiting restrictions are present.

- 32 Traffic would be travelling inches from the properties.

Response: This situation would not be to dissimilar to many other terraced streets throughout the County and indeed nationally where there is a footpath and front garden / patio area separating vehicles using the carriageway from the properties.

- 33 There was already competition for available parking spaces which has already resulted into neighbour disputes which would only be exacerbated.

Response: Residents should be encouraged to utilise the facility available within the curtilage to the rear of their property for parking.

- 34 Vehicle crime and damage was already a problem.

Response: There is no suggestion that this proposal would exacerbate nor alleviate this situation; vehicle crime is an issue which would have to be dealt with by the police as and when it arises. Vehicles parked within the secure curtilage of a property maybe less likely to receive damage.

- 35 The local garage was used 24 hours a day.

Response: It is appreciated that many garages do operate 24 hours a day offering a breakdown service; however we don't anticipate that the garage would generate additional traffic issues outside of the opening hours (08.30 to 17.00).

- 36 Noise and pollution, the health and wellbeing of people had not been taken into account.

Response: There is no evidence to suggest that the proposals would increase noise and pollution. The current traffic signals arrangement requires vehicles to start and stop as the traffic signal sequencing requires. It could be argued that noise and pollution would actually decrease as the proposals would reduce congestion due to a two lane approach to the traffic signals. Providing a pedestrian phase to the traffic signals would help improve road safety for all concerned therefore promoting the health and wellbeing of people.

37 Questionable traffic flow timings and peak/off-peak times.

Response: Refer to paragraph 29 above with the addition of:

Traffic surveys were carried out at the junction in 2012 to establish current traffic flows and patterns and these figures, together with expected traffic flows generated by the school merger, were used in the school planning application's Transport Assessment which proposed the traffic signal scheme.

38 Property prices would plummet.

Response: There is no evidence that parking restrictions on the highway have a direct impact upon the price of property, and should not therefore be a determining factor in considering the proposed parking restrictions.

39 There was no real traffic data available, no student data and no detail of any form of travel plan.

Response: Predicting traffic flows generated by new developments is always theoretical but is based on sound and accepted principles. The data provided by the developers consultant in the form of the Traffic Assessment prepared for the school planning application, was accepted by the Council's Highways Development Control officers; this included modelling the impact on the traffic signals and the effectiveness of proposed mitigation measures. A school travel plan was submitted as part of the planning application in 2012 being a disclosure document open to public scrutiny throughout the planning process.

40 A secondary set of traffic signals on the road would resolve any issue of parked vehicles restricting the view of the traffic signals.

Response: A secondary set of traffic signal light heads already exist, with the main traffic light head situated within the build out fronting Clyde Terrace and the secondary traffic light head situated diagonally to the right near to the telephone box.

41 The Town Council and local councillors had all objected.

Response: The Town Council did not respond to the initial statutory consultation, but did at a later date offer an objection to the advertisement of the traffic order. Both local members were consulted with only one offering a response.

42 No data had been made available about free school buses.

Response: A free bus service will be provided from the former Tudhoe Moor School for the first year, after which the provision of the service will be reviewed. Should the free bus service subsequently be withdrawn it is inevitable that pedestrian footfall would increase with increased numbers of pupils arriving by other means of transport.

- 43 No regard for safety of the children and those residents living in the affected properties on Clyde Terrace.

Response: Should the scheme be implemented, a period of monitoring will be undertaken. Should the residents raise this as an issue we could consider the installation of pedestrian guardrail along the kerb line. This affords the advantage of creating a safety zone, but with the disadvantage of making it more difficult to load and unload a vehicle.

- 44 The allowance for parking and unloading of vehicles was impractical.

Response: No Waiting at Any Time restrictions allow loading / unloading of a vehicle. Comments were received during highways committee that parents arriving home with a number of young children in the vehicle would have problems unloading and getting the children into the property requiring them to be left for unacceptable periods of time. This situation is replicated at many locations throughout the country where there is no parking provision within the immediate vicinity of the property. The solution to this scenario would be to utilise the facility to the rear of the properties where off road parking is available.

- 45 Vehicles would have great difficulty manoeuvring in the back street.

Response: If the scheme was to be progressed we would monitor the area, and should it be raised as a concern by residents we could consider the provision of 'Keep Clear' road markings. Alternatively, a further consultation could be considered to create a No Waiting at Any Time restriction within the rear lane to alleviate obstructive parking.

- 46 Queried the responses provided by the emergency services.

Response: Both the Police and Ambulance Service have offered their full support to the scheme.

- 47 Photographs taken by residents of Clyde Terrace were shown to the Committee which aimed to support their concerns and provide Members with an idea of the layout of the area and traffic conditions.

Response: We believe these photos were shown to the committee to present the case that traffic was moving freely without problems at the school opening time. This is potentially misleading because the main school entrance from Whitworth Lane is currently closed due to ongoing construction works and pupils / staff etc are accessing the site from alternative accesses. However in September the main access will be re-opened and the majority of school traffic, school transport and pupil movement will be accessing the school via this junction leading on to Whitworth Lane.

Statutory Representations

- 48 The Statutory Notice for the implementation of the waiting restrictions was advertised on site and in the local press between the 22nd September 2012 and the 15th October 2012.

- 49 Durham Constabulary and the North East Ambulance Service responded to the consultation giving their full support of the proposals.
- 50 Spennymoor Town Council have expressed their concerns regarding the loss of on-street parking outside of the residential properties on Clyde Terrace should the restrictions be imposed.

Local Member Consultation

- 51 Both local Members, Councillors Ben Ord and Kevin Thompson have expressed their reservations during the consultation exercise regarding the loss of on-street parking outside of the residential properties on Clyde Terrace should the waiting restrictions be imposed.

Recommendations and reasons

- 52 As recommended at the Highways Committee meeting on 17th January 2013, a site visit for committee members has been arranged and revised scheme options have been considered.
- 53 The revised scheme options summarised in paragraph 12 and Appendix 5 of this report have been fully appraised, recommending that Option 1 be supported, as it offers considerable benefits in overall road safety and is the only option supported by the Council's Road Safety Auditors.
- 54 The Council are committed towards discharging the planning conditions referred to in paragraph 5 of this report, enabling the introduction of a scheme that will reduce congestion and improve road safety in the vicinity of Whitworth Park School, Spennymoor.
- 55 It is **RECOMMENDED** that the Committee endorse the proposal initially tabled at the Highways Committee Meeting on 17th January 2013, having considered the objections and additional information provided in this report and to proceed with the implementation of the waiting restrictions as per the plan in Appendix 2.

Background papers

- 56 Correspondence on Office File

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Appendix 1: Implications

Finance – The ‘Building Schools for the Future’ team are funding the project including the highway / traffic management works.

Staffing – None.

Risk – If the scheme was not to proceed there is a risk that road safety would be compromised and the planning approval conditions would not be discharged by the Authority.

Equality and Diversity / Public Sector Equality Duty – None.

Accommodation – None.

Crime and Disorder – None.

Human Rights – None.

Consultation – As described in the report.

Procurement – Works to be delivered by Highway Operations.

Disability Issues – A creation of a pedestrian phase on the lights, will improve crossing facilities within this area.

Legal Implications – The measures are being introduced in accordance with the current legislation.