

Meeting of:	<b>Cabinet</b>
Date of Meeting:	<b>Thursday, 19 January 2023</b>
Relevant Scrutiny Committee:	Environment and Regeneration
Report Title:	Objection Report: Rhoose Way Rhoose – Proposed Prohibition of Waiting, Loading, and Unloading at Any Time and the Prohibition of Waiting, Loading, and Unloading Mon to Fri 8am to 9:30am and 2:30pm to 4pm Traffic Regulation Order
Purpose of Report:	To advise Cabinet of objections received and to propose an appropriate way forward.
Report Owner:	Report of the Cabinet Member for Neighbourhood and Building Services
Responsible Officer:	Miles Punter - Director of Environment and Housing
Elected Member and Officer Consultation:	Accountant Environment and Housing Services Legal Services (Committee Reports) Head of Neighbourhood Services and Transport Ward Members: Councillor S Campbell; Councillor G Bruce; Councillor William Hennessey
Policy Framework:	This Report is a matter for Executive Decision by Cabinet.
<p>Executive Summary:</p> <ul style="list-style-type: none"> <li>On 3<sup>rd</sup> September, 2021, the Planning Application No. 2020/00741/RG3 submitted to the Council was granted permission for the erection of a new school as part of the Rhoose Point housing development.</li> <li>A condition was imposed as part of the planning consent for a “Planning Parking Management Plan” to include details of a Traffic Regulation Order (TRO) to be submitted to and approved by the Local Planning Authority prior to first beneficial use of the school.</li> <li>The statutory consultation on the proposals began on 28<sup>th</sup> July, 2022 and concluded on 19<sup>th</sup> August, 2022. During that period; two formal objections to the proposal were received.</li> <li>Cabinet is required to consider the objections and it is recommended that the objections are rejected and the Prohibition of waiting, loading, and unloading at any time and the prohibition of waiting, loading, and unloading Mon to Fri 8am to 9:30am and 2:30pm to 4pm Traffic Regulation Order is implemented.</li> </ul>	

## **Recommendations**

1. The objections to the proposals be considered and rejected for the reasons contained in this Report and the proposed prohibition of waiting, loading, and unloading at any time, and a prohibition of waiting, loading, and unloading Mon to Fri 8am to 9:30am and 2:30pm to 4pm traffic regulation order on Rhoose Way (part) and Greenmeadow Way (Part) be implemented.
2. That the objectors are advised of this decision.

## **Reasons for Recommendations**

1. To allow the Traffic Regulation Order to be made and implemented.
2. To confirm the Council's position.

### **1. Background**

- 1.1 On 3rd September, 2021, the Planning Application No. 2020/00741/RG3 submitted to the Council was granted permission for the erection of a new school as part of the Rhoose Point housing development.
- 1.2 A condition was imposed as part of the planning consent for a "Planning Parking Management Plan" to include the prohibition of waiting, loading, and unloading at any time and the prohibition of waiting, loading, and unloading Mon to Fri 8am to 9:30am and 2:30pm to 4pm Traffic Regulation Order (TRO) prior to the first beneficial use of the school.
- 1.3 The Traffic Regulation Order as proposed is to deal with the safety of children on roads in the immediate vicinity of school which will experience higher levels of vehicular, pedestrian and cyclist activity during school drop-off and pick-up times which inevitably leads to congestion and other safety hazards.

These proposals will prevent the parking of vehicles along the school frontage and at key junctions within the vicinity of the school site, thereby improving safety during the prescribed days and hours whilst maintaining access for vehicles that need to access along this Cul de Sac (Rhoose Way).

- 1.4 An informal consultation on the proposals began on 1st April, 2022 and concluded on 8th April 2022. During that period; one informal objection was received and subsequently withdrawn, details of which are highlighted at Appendix B.
- 1.5 On 8th July, 2022, the Cabinet Member for Neighbourhood Services and Transport and the Head of Neighbourhood Services and Transport gave approval to give public notice of the proposal to introduce a prohibition of waiting,

loading, and unloading at any time, and prohibition of waiting, loading, and unloading Mon to Fri 8am to 9:30am and 2:30pm to 4pm Traffic Regulation Order (Appendix A refers)

- 1.6** The statutory legal public notice of the proposal was given on 28th July, 2022, inviting objections in writing, by 19th August, 2022 containing the grounds upon which any objection was made.

## **2. Key Issues for Consideration**

- 2.1** During the statutory consultation period, two objections were received, details of which can be found in Appendix C. The concerns raised and officer's responses to them are summarised below.

### **2.2 Objector 1**

#### **Concern 1:**

- 2.3** The design of the estate means that some of the side roads, specifically Greenmeadow Way in relation to this proposal, have no pavements. With the restrictions proposed there is going to be a movement of vehicles that currently park outside the school and around to the park on Rhoose Way that will now not be able to. This means that these vehicles will need to seek other parking options, some of which may be further up Rhoose Way, where others may park at various points around Greenmeadow Way. With no pavements in place, it makes these locations ultimately more dangerous for the children and residents of the estate as well as those attending the school as they will need to walk along crowded, non-pavement roads.

#### **Officer response 1:**

- 2.4** The parking restrictions proposed at Rhoose Way are specifically being progressed as part of a planning condition associated with the planning approval for new school and the legal procedures and associated works will be fully funded by the Education Department. Any consideration for additional parking restrictions will therefore need to be assessed separately and such restrictions are only implemented where there is clear evidence of a road safety issue or restricted traffic flow causing significant congestion.
- 2.5** A site visit was also carried out on 29th June 2022 and 5th July 2022, where one parked vehicle was noted on Greenmeadow Way near its junction with Rhoose Way, at the north-eastern corner of the playground during the site visit. It was also noted that motorists were able to pass by the parked vehicle without difficulty and no incidents of obstructive parking were noted. Based on the above information there is currently little evidence that the additional parking restrictions are warranted.

- 2.6** There is the possibility that the parking levels may change as pupil and staff are fully transferred from the former Llancarfan Primary School to South Point Primary School. However there is no evidence to support that this will create a problem at this time. The Council will continue to monitor any changes in parking conditions, until the South Point primary school is operating at full capacity.

**Concern 2:**

- 2.7** With the proposed plans, a large number of local residents will also be affected, approximately 15 houses and a block of flats. With the waiting and loading limitations being proposed, local residents will not be able to park outside their houses, or will need to move their vehicles, for the time restricted areas, around times when the estate will be busiest. The residents will be subject to the same restrictions as school visitors according to the plan and will therefore add to the parking issues identified in point 1 above where vehicles are displaced to other areas of the estate. The only way to limit this impact is to implement resident permits/exemptions as part of the consideration.

**Officer Response 2:**

- 2.8** The properties in question benefit from private off-street parking and therefore would not be affected by the proposed limited waiting, loading, and unloading restrictions. It should also be noted that if any vehicles were parked irresponsibly blocking residential driveways, then this would be an obstruction which South Wales Police would need to deal with.

**Concern 3:**

- 2.9** Currently, the vast majority of school visitors park responsibly in the area. The design of the road coming down Rhoose Way on the lower corner (directly outside 57 and 59 Rhoose Way), is sufficiently wide enough to allow parking and vehicles to still pass without issue. With this good design, we see no need for restrictions to be in place outside 57 and 59 Rhoose Way, which will help to alleviate the pressures identified in points 1 and 2 above.

**Officer response 3:**

- 2.10** Rule 243 of the Highway Code states that you must not stop or park opposite or within 10 metres of a junction. Removing this section of the proposed restriction would inappropriately encourage motorists to park at this location contrary to the rules and guidance provided in the Highway Code.

**2.11 Objector 2**

**Concern 1:**

- 2.12** Parking works ok as it is. The school is in the middle of a housing estate and no direct traffic passes it as it is dead end, it is a wide road with a big foot path. It is

safe for cars and pedestrians. No problems have been caused since the school opened in Feb 2022.

**Officer response 1:**

- 2.13** The parking restrictions proposed at Rhoose Way are specifically being progressed as part of a planning condition associated with the planning approval for new school and the legal procedures and associated works will be fully funded by the Education Department. As the school becomes fuller the parking levels may change and therefore there is a need to implement this measure.

**Concern 2:**

- 2.14** If the scheme is implemented it will scatter cars over the estate and will park in more dangerous places. There are very few foot paths. They may park around the play area on Greenmeadow Way. There is no foot path and the road is narrow. Parents will be opening their car doors onto traffic and children will be walking in the road. This will be more dangerous. THERE HAVE ALREADY BEEN 4 ACCIDENTS IN THIS AREA AND IS NOT A SAFE PLACE FOR YOUNG CHILDREN TO WALK.

**Officer response 2:**

- 2.15** A site visit was carried out on 29th June 2022 and 5th July 2022, to observe current parking conditions on the section of Greenmeadow Way surrounding the play area. One parked vehicle was noted on Greenmeadow Way near its junction with Rhoose Way, at the north-eastern corner of the playground during the site visit. It was also noted that motorists were able to pass by the parked vehicle without difficulty and no incidents of obstructive parking were noted.
- 2.16** There is a possibility that the parking levels may change as pupil and staff are fully transferred from the former Llancaf Primary School to South Point primary school, however, there is currently no evidence to support this. =. The Council will monitor any changes in parking conditions, until the South Point primary school is at capacity. Whilst the Council appreciate information relating to accidents to investigate such concerns, the Council's primary emphasis and statutory duty under section 39 of the 1988 Road Traffic Act to 'take steps both to reduce and prevent accidents'. Therefore by necessity Officers focuses on injury collisions validated and supplied by Welsh Government to ensure resources and budgets are directed to optimum effect.

**Concern 3:**

- 2.17** If you implement this scheme it would be advisable to include GREENMEADOW WAY (EVNS) in the restricted area so cars don't park there during the school day. There are more children on the estate that go to other schools and their parents are leaving the estate as people are trying to collect children from South Point School. Most vehicles use Greenmeadow Way to get off the estate, so it will be very dangerous for any children walking in the rd.

### **Officer response 3:**

- 2.18** The parking restrictions proposed at Rhoose Way are specifically being progressed as part of a planning condition associated with the planning approval for new school and the legal procedures and associated works will be fully funded by the Education Department. Any consideration for additional parking restrictions will therefore need to be assessed separately and such restrictions are only implemented where there is clear evidence of a road safety issue or restricted traffic flow causing significant congestion.

### **3. How do proposals evidence the Five Ways of Working and contribute to our Well-being Objectives?**

- 3.1** Long term - The proposed Order will safeguard the Council's long-term strategy regarding parking and ensure it has robust measures in place to provide a safe and secure environment for the Vale of Glamorgan's residents and visitors.
- 3.2** Integration – The introduction of the proposed Order demonstrates an integrated approach to manage the local highway network. It also balances the need to maintain good highway infrastructure whilst contributing to the longer-term policy of reducing future impact on local communities by ensuring efficient use of the local highway network by reducing road noise and pollution.
- 3.3** Involvement – The process of developing this scheme has involved communication with the local community and other stakeholders via public notice and press advert thereby contributing and delivering on the involvement agenda. Furthermore, it ensures that the Vale of Glamorgan Council's residents and visitors are involved regarding the management and safety of our local highway network.
- 3.4** Collaboration – The Proposal has involved working in collaboration with South Wales Police, local ward members, and the residents ensuring that there is a unified and majority interest in delivering the scheme benefits described within the Report.
- 3.5** Prevention - The Proposal will contribute to preventing any incidents of anti-social behaviour in respect of illegal and obstructive parking and play a fundamental role in our well-being objectives by protecting and enhancing the natural and build environment.

### **4. Climate Change and Nature Implications**

- 4.1** The contractors appointed to undertake the signing and road marking works on the Vale's local highway network will be required to contribute to the Council's Project Zero to tackle the climate emergency and contribute to reducing the Council's carbon emissions to net zero by 2030 wherever practical.

- 4.2** The waiting restrictions will prevent extraneous traffic from congesting Rhoose Way during the morning and afternoon school drop off / pick up times and reduce vehicle idling which increases the fuel consumption. This will have a positive impact on the reduction of harmful Nitrogen oxides (NOx) and carbon monoxide (CO) emissions from vehicles which are fine particles and light hydrocarbons which contribute to poor air quality. A reduction in air pollutants will therefore assist in addressing any local traffic impact on the environment and human health.
- 4.3** The reduced congestion and idling resulting from the waiting restrictions will similarly reduce Carbon dioxide (CO<sub>2</sub>) emissions from vehicles on Rhoose Way at school opening and closing times. CO<sub>2</sub> is a significant contributor to global warming, since it is the main greenhouse gas emitted by vehicles and therefore the parking restrictions will assist in some small measure to reduce the overall vehicle impact on climate change.
- 4.4** It is considered that the parking restrictions will further help to promote sustainable mobility and encourage active travel options and therefore in the future potentially assist to reduce the number of journeys by private car accessing or attending Rhoose Way during the morning and afternoon school drop off / pick up times. This would assist in an additional positive impact on climate change and nature implications as well as encouraging people to be more active improving their general health and wellbeing.

## **5. Resources and Legal Considerations**

### **Financial**

- 5.1** The costs to implement the Traffic Regulation Order, including the legal procedures and associated works will be funded by the Education Department and are estimated to be circa £10K.
- 5.2** The Council's own administrative resources will be used to progress the statutory legal process should approval be given. The proposed works will be undertaken by the Education Department's contractor, with supervision from the Council's own resources.

### **Employment**

- 5.3** Progression of the Traffic Regulation Order will be carried out by the Traffic Management team within Neighbourhood Services and Transport and the Legal Department.

### **Legal (Including Equalities)**

- 5.4** There are no Equalities implications regarding this Report.

- 5.5** The Council, as Highway Authority has a responsibility to ensure the safety of the highway user and may be found negligent if it does not meet its statutory obligations under Road Traffic Regulation Act 1984 & the Road Traffic Act 1988.

## **6. Background Papers**

Traffic Management Information File 951.

THE VALE OF GLAMORGAN COUNCIL

CABINET MEMBER FOR NEIGHBOURHOOD AND BUILDING SERVICES.

PROPOSED TRAFFIC REGULATION ORDER REPORT

**RHOOSE WAY (PART) AND GREENMEADOW WAY (PART), RHOOSE - PROPOSED PROHIBITION OF WAITING, LOADING AND UNLOADING AT ANY TIME, AND PROHIBITION OF WAITING, LOADING AND UNLOADING MON TO FRI 8AM TO 9:30AM AND 2:30PM TO 4PM TRAFFIC REGULATION ORDER.**

Purpose of Report

1. To seek the approval of the Cabinet Member for Neighbourhood and Building Services and the Head of Neighbourhood Services and Transport, to give public notice of a proposal to introduce a prohibition of waiting, loading, and unloading at any time and prohibition of waiting, loading, and unloading Mon to Fri 8am to 9:30am and 2:30pm to 4pm Traffic Regulation Order on Rhoose Way (part) and Greenmeadow Way (part), Rhoose.

Background

2. The Planning Application No. 2020/00741/RG3 submitted to the Vale of Glamorgan Council was granted permission on 3<sup>rd</sup> September 2021, for the erection of a new school as part of the Rhoose Point housing development.

Relevant Issues and Options

3. A condition was imposed as part of the planning consent to create a new Traffic Regulation Order prohibiting the waiting, loading, and unloading of vehicles along a section of Rhoose Way and Greenmeadow Way.
4. The reasons why this new Traffic Regulation Order was requested was to maintain the free flow of traffic and prevent any obstructive parking associated with the new school due to the proposed development being located within a residential cul-de-sac.
5. Details of the proposal are shown on the schedule attached with Appendix 'A' and plan reference number T/22/33/ON in Appendix 'B'.

Resource Implications (Financial and Employment)

6. The associated costs with implementing the Traffic Regulation Order, including the legal procedures and associated works will be fully funded by the Education Department.
7. The Council's own administrative resources will be used to progress the statutory legal process should approval be given. The proposed works will be undertaken by the Education Department's contractor, with supervision from the Council's own resources.

### Legal Implications (to include Human Rights Implications)

8. The Road Traffic Regulation Act 1984 allows Highway Authorities to make and vary Orders to regulate the movement of vehicular traffic and to improve the amenities of an area.
9. The Council as Highway Authority has a responsibility to improve the safety of the highway user and may be found to be negligent if it does not meet its statutory obligations under the Highways Act 1980 and the Road Traffic Regulation Act 1984.
10. The Council is responsible for enforcing parking restrictions under powers provided by the Traffic Management Act 2004.
11. There are no human rights implications.

### Crime and Disorder Implications

12. There are no crime and disorder implications associated with this proposal.

### Equal Opportunities Implications (to include Welsh Language Issues)

13. There are no equal opportunity implications.
14. Public Notices advertising the proposed Traffic Regulation Order will be published bilingually and adhere to the Council's Welsh Language Criteria.

### Corporate/Service Objectives

15. To manage and maintain a safe highway network.

### Consultations (including Ward Member Consultation)

16. The Ward Members for Rhws (Rhoose) have been consulted on the proposal and only one comment was received on 22 June 2022 from Councillor Campbell:

"I think if you're going to put double yellow lines around the school, they need to also be around the park. Cars park there already but its the main artery into rest of the development and the road is quite narrow, and it's difficult enough to pull out, and see people who want to cross the road".

The above site was visited on Wednesday 29th June and Tuesday 5th July and no incidents of obstructive parking were noted, and motorists were able to pass by parked vehicles without difficulty. The findings were shared with Cllr Campbell.

Councillor Campbell was informed of the possibility that the parking levels may change as pupil and staff are fully transferred from the former Llancarfan Primary School to South Point primary school, however, there is no evidence to support that this will create a problem at this time. Hence, the council's recommendation to implement the TRO proposals as planned and monitor for any changes in parking conditions, until the South Point primary school is in full operation.

Following the above Councillor Campbell confirmed her approval to proceed with implementing the TRO order.

17. Stakeholder consultations will take place in accordance with the Road Traffic Regulation Act 1984 when appropriate.

RECOMMENDATION(S)

- (1) Cabinet Member for Neighbourhood and Building Services and the Head of Neighbourhood Services and Transport resolve to give notice of the Vale of Glamorgan Council's intention to make a Traffic Regulation Order, the effect of which will be as detailed in Appendix A.
- (2) That in the event of no objections being received, the Order be made.

Reason(s) for Recommendation(s)

- (1) To comply with the requirements of the Road Traffic Regulation Act 1984, the Road Traffic Act 1988 and the Traffic Management Act 2004.
- (2) To allow the necessary works to be undertaken.

Background Papers

Traffic File IF 951

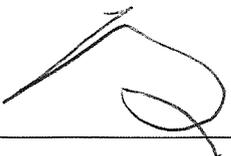
Contact Officer

Ojean Noorollahi, Traffic Engineer (Tel: 029 2067 3073)

Officers Consulted:

Operational Manager, Legal Services

Accountant, Neighbourhood Services

APPROVED	DATE
<b>Head of Neighbourhood Services and Transport</b>	
	11/7/22
<b>Cabinet Member Neighbourhood and Building Services</b>	
	

## **APPENDIX A**

### **SCHEDULE**

**Insert into map schedule AJ64**

#### **Proposed Prohibition of Waiting and Loading, and Unloading At Any Time**

##### **Rhoose Way**

On western side, from the southern junction with Greenmeadow Way in a northerly direction for a distance of 17.1m.

On the southern side, from a point 58.5m west of its junction with the north-western corner of the exit from the school car park in a westerly direction for a distance of 21.5m.

On the southwestern side, from its junction with the southeastern corner of the entrance into to the school car park in a south-easterly then in a general north westerly direction for a distance of 79.3m.

On the eastern side from a point 20.8m south of the junction with Greenmeadow Way in a southerly and then easterly direction for a distance of 39.2m.

##### **Greenmeadow Way**

On the north-western side, from its junction with Rhoose Way in a south-westerly direction for a distance of 12.2m.

On the south-eastern side, from its junction with Rhoose Way in a south-westerly direction for a distance of f 13.2m.

#### **Proposed Prohibition of Waiting, Loading and Unloading Monday to Friday 8am to 9:30am and 2:30pm to 4pm**

##### **Rhoose Way**

On the eastern side, from its junction with Greenmeadow Way in a southerly direction for a distance of 20.8m

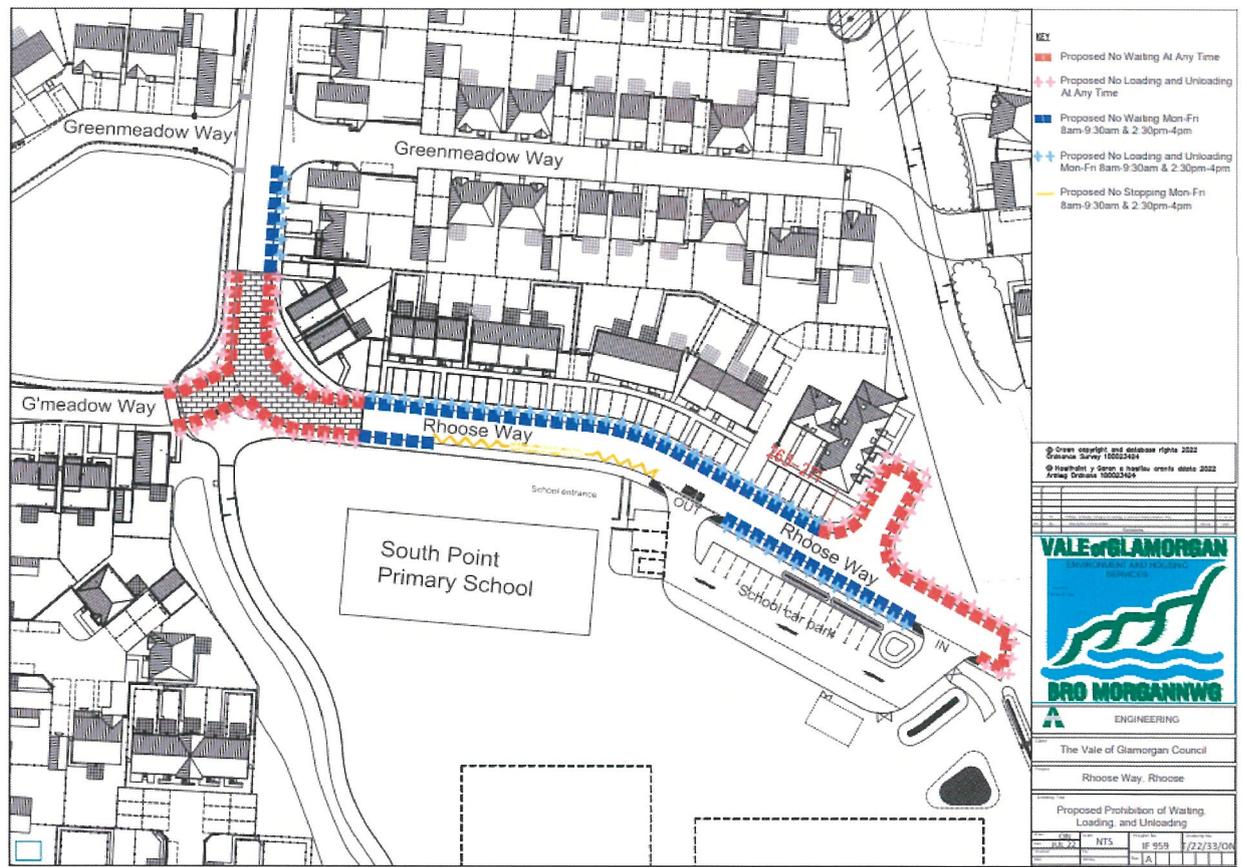
On the north-eastern side, from a point 2m northwest of front face wall of property no. 263-271 in a general north-westerly then westerly direction for a distance of 93.2m.

On the south-western side, from its junction with the north-western corner of the entrance to the school car park in a north-westerly direction for a distance of 41.4m.

On the southern side, from a point 43.9m west of its junction with the north-western corner of the exit from the school car park in a westerly direction for a distance of 14.9m.

## APPENDIX B

### RHOOSE WAY (PART) AND GREENMEADOW WAY (PART), RHOOSE - PROPOSED PROHIBITION OF WAITING, LOADING AND UNLOADING AT ANY TIME AND THE PROHIBITION OF WAITING, LOADING AND UNLOADING MONDAY TO FRIDAY 8AM TO 9:30AM AND 2:30PM TO 4PM.



Hello,

Please accept this email as our formal objections for project proposal IF951, Prohibition of Waiting and Loading on Rhoose Way, Rhoose.

1. The design of the estate means that some of the side roads, specifically Greenmeadow Way in relation to this proposal, have no pavements. With the restrictions proposed there is going to be a movement of vehicles that currently park outside the school and around to the park on Rhoose Way that will now not be able to. This means that these vehicles will need to seek other parking options, some of which may be further up Rhoose Way, where others may park at various points around Greenmeadow Way. With no pavements in place, it makes these locations ultimately more dangerous for the children and residents of the estate as well as those attending the school as they will need to walk along crowded, non-pavement roads.
2. With the proposed plans, a large number of local residents will also be affected, approximately 15 houses and a block of flats. With the waiting and loading limitations being proposed, local residents will not be able to park outside their houses, or will need to move their vehicles, for the time restricted areas, around times when the estate will be busiest. The residents will be subject to the same restrictions as school visitors according to the planned and will therefore add to the parking issues identified in point 1 above where vehicles are displaced to other areas of the estate. The only way to limit this impact is to implement resident permits/exemptions as part of the consideration.
3. Currently, the vast majority of school visitors park responsibly in the area. The design of the road coming down Rhoose Way on the lower corner (directly outside 57 and 59 Rhoose Way), is sufficiently wide enough to allow parking and vehicles to still pass without issue. With this good design, we see no need for restrictions to be in place outside 57 and 59 Rhoose Way, which will help to alleviate the pressures identified in points 1 and 2 above.

We understand the needs to ensure the safety of children in the area, however we believe that the proposed plans do not do this as it will remove the safety concerns at the school gates and instead move these issues further around the estate. By creating resident permit areas within the red and blue marked areas of concern on the supplied diagram, this will prevent movement of resident vehicles to other areas of the estate and therefore reduces the impact of the safety concerns moving to other areas of the estate.

If you'd like to discuss these concerns and objections in more detail, please don't hesitate in contacting us by reply to this email.

Kind regards



> Sent: 17 August 2022 08:52

> To: Contact OneVale <[contactonevale@valeofglamorgan.gov.uk](mailto:contactonevale@valeofglamorgan.gov.uk)>

> Subject: Ref 1F951 proposed parking for Rhoose Way outside SOUTH POINT

> SCHOOL

>

> To the DIRECTOR OF ENVIRONMENT AND HOUSING

>

> I wish to OBJECT to the proposed plans to parking outside the school. I don't think the changes are a good idea for the following reasons :

> 1. Parking works ok as it is. The school is in the middle of a housing estate and no direct traffic passes it as it is dead end, it is a wide rd with a big foot path. It is safe for cars and pedestrians. No problems have been caused since the school opened in Feb 2022.

>

> 2. If the scheme is implemented it will scatter cars over the estate and will park in more dangerous places. There are very few foot paths. They may park around the play area on Greenmeadow Way. There is no foot path and the rd is narrow. Parents will be opening their car doors onto traffic and children will be walking in the road. This will be more dangerous. THERE HAVE ALREADY BEEN 4 ACCIDENTS IN THIS AREA AND IS NOT A SAFE PLACE FOR YOUNG CHILDREN TO WALK.

>

> 3. If you implement this scheme it would be advisable to include GREENMEADOW WAY (EVENS) in the restricted area so cars don't park there during the school day.

> There are more children on the estate that go to other schools and their parents are leaving the estate as people are trying to collect children from South Point School. Most vehicles use Greenmeadow Way to get off the estate, so it will be very dangerous for any children walking in the rd.

>

> I hope council members will visit the site and see the problems it will cause. You can't see how dangerous the changes will be from looking at the map.

> I also hope if you implement these changes according to your plan you will monitor it and make necessary changes.

> The school opened in February 2022, so why are the changes being made now? Up until now the school has had very little impact on the residents and caused minimal problems with traffic etc. The children transferring from the old school at Llancarfan were promised transport to Rhoose but many were denied this so need to drive in every day. This issue needs to be considered.

>

> I hope these issues will be considered.

> I am a resident in Greenmeadow Way.