

June 2012	ITEM
Delegated Decision Report	
DEVONSHIRE ROAD – REVOCATION OF 7.5T WEIGHT RESTRICTION	
Portfolio Holder: Councillor Andrew Smith – Regeneration, Highways and Transportation	
Wards and communities affected: Chafford & North Stifford, West Thurrock & South Stifford. Grays Riverside, South Chafford.	Key Decision: No
Accountable Head of Service: Andrew Millard, Head of Planning and Transportation	
Accountable Director: Graham Farrant – Chief Executive	
This report is Public	
Purpose of Report: To consider objections to a proposal to revoke the 7.5t weight restriction on Devonshire Road, Chafford Hundred.	

EXECUTIVE SUMMARY

Devonshire Road was constructed to form part of the Grays Western By Pass, designed to take industrial traffic away from London Road and the adjoining residential streets.

A recent proposal to revoke the existing 7.5t weight restriction on Devonshire Road was recently taken forward to consultation.

A petition expressing objection was received from residents of Devonshire Road. A petition was also received from supporters of the proposal, living along London Road and its adjoining roads.

A study was undertaken to fully ascertain the impact the revocation of the weight restriction would have on residents. The study showed no evidence that congestion levels would increase, or that accidents would increase on Devonshire Road as a result of the revocation.

1. RECOMMENDATIONS:

- 1.1 **It is recommended that following consideration of the objections and the benefits to be gained by this proposal, that the objections are not upheld and the weight restriction is removed from Devonshire Road. It is also recommended that a weight restriction is placed on London Road, between Gumley Road and Magnet Road.**
- 1.2 **It is further recommended that the mitigating measures described in paragraph 2.6 are implemented.**

2. INTRODUCTION AND BACKGROUND:

- 2.1 In 2009, a traffic study was undertaken in order to assess the likely traffic impacts of changing land use and potential developments in the London Road area of South Stifford.
- 2.2 The conflicting requirement of residential and industrial land uses in the area resulted in problems associated with the presence of heavy good vehicles travelling through residential streets. Thurrock Council anticipated that these problems would worsen as a result of further planned industrial development. To alleviate these problems an extension to the West Thurrock Ring Road was proposed to remove HGVs from London Road. However, by the time of the 2008 study, changing development patterns meant that most new development in this area was predicted to be residential and, in the long term, a reduction in the number of HGVs was considered more likely. However, in the short-term their presence remains a problem for residents and needs to be addressed.
- 2.3 During the 2009 study, the likely traffic impacts of new development proposals were assessed along with the introduction of five different options for schemes to alleviate the problems. These were set out in the study report and comprised various combinations of new road construction and HGV restrictions. None of the five options gained the full support of the Council.
- 2.4 In October 2011 a further study was undertaken, with the purpose of identifying a sixth option which was to be a combination of previous options.
- 2.5 The sixth option proposed the revocation of the existing weight restriction on Devonshire Road and the implementation of a weight restriction on London Road (between Gumley Road and Magnet Road). The majority of HGV traffic visits either the Askews Farm Lane industrial area to the east of Devonshire Road, Wouldham Rd to the south of London Rd or the Magnet Road industrial area to the west. Providing the restriction between these two points will eliminate the need for heavy vehicles to enter into the residential area in between.
- 2.6 Additional measures are proposed along Devonshire Road to mitigate against the possible affects of revoking the restriction. These measures include the introduction of low noise surfacing on Devonshire Road, tree planting, and improvements to the Drake Road junction with Devonshire Road. A speed limit

reduction is also to be considered. The mitigating measures are predicted to reduce noise levels on Devonshire Road by 3.5 and 13.5db.

3. ISSUES AND/OR OPTIONS:

- 3.1 The statutory consultation was carried out on the proposal to revoke the existing weight restriction on Devonshire Road between 16th March 2012 and 27th April 2012.
- 3.2 At the same time the statutory consultation commenced, a letter was delivered to all residents living adjacent to Devonshire Road and to those fronting London Road. The letter advised of the mitigating measures that were to be considered should the weight restriction be removed from Devonshire Road, and the effect that those measures would have.
- 3.3 Approximately 260 letters of objection were received to the consultation, made up of a petition style letter with approximately 200 signatories and approximately 60 individually signed identical letters that were mostly from residents of Chafford Hundred. 39 of the objectors were not residents of Chafford Hundred. 3 letters of support were received from residents of London Road.
- 3.4 In May 2011, a 500 signature petition was received from residents of London Road and adjoining roads, calling for the weight restriction to be lifted from Devonshire Road. The signatories of this petition feel that as Devonshire Road was purposely built to take the heavy goods vehicles away from London Road, that the road should be used for the purpose it was built and thus remove the heavy traffic from the residential street.
- 3.5 The nature of the objections is generally that access and egress around school times will become difficult and congestion levels will increase. Concern was also expressed that noise levels would increase. It has also been said that as residents purchased their homes in the knowledge that a restriction was in place, the restriction should not be lifted. It was also suggested that a full consultation should have been carried out with residents prior to the Cabinet decision to take the proposal forward.
- 3.6 The cost of removing the current weight restriction on Devonshire Road, the implementation of a new restriction on London Road and carrying out the low noise surfacing and other recommended measures on Devonshire Road is estimated to be £90k in total.
- 3.7 The London Rd weight restriction scheme, consisting of a new signage scheme, is considered to be a value for money option to tackle the existing problems. It is considered that this scheme could be amended or revoked if land use was to change and allow a more robust scheme to be delivered in the future.

4. CONSULTATION (including Overview and Scrutiny, if applicable)

Cllrs Morris-Cook, Healy, J Kent, Hague, Wootton, Ojetola, Key, Gerrish, Holloway and A Smith were consulted on the proposal and this report. Responses received were as follows; Cllr Healy supports the recommendation.

Cllrs Hague, Wootton, Ojetola and Key do not support the proposal or recommendations in this report. A joint response from the opposing Ward Members has been used in the preparation of this report.

The Chief Constable of Essex Police has given his support for the proposal.

5. IMPACT ON CORPORATE POLICIES, PRIORITIES, PERFORMANCE AND COMMUNITY IMPACT

5.1 These actions accord with the Council priorities to create a safer environment.

6. IMPLICATIONS

6.1 Financial

Implications verified by: F J Gardiner
Telephone and email: X2147 fgardiner@thurrock.gov.uk

A budget of £154k has been carried forward since 2010/11 for works to be carried out as a result of the South Stifford Study. (Capital code E1840 T1406). The cost of implementing the works as recommended is estimated to be £20k for the weight limit revocation/implementation and tree planting and £65k for the implementation of low noise surfacing. Should a revised speed limit be introduced, this would cost in the region of £5k. There are sufficient funds available within the current capital budget allocation to fund the mitigating measures.

A budget of £52k is also available for the additional junction upgrade works at the Drake Road/Devonshire Road junction. (Capital code E1840 T1401). The nature of the junction improvement scheme is yet to be determined. Currently it is considered that a junction improvement scheme can be provided within this budget allocation.

6.2 Legal

Implications verified by: **Remi Aremu (Planning Solicitor)**
Telephone and email: **01375 652 994 raremu@thurrock.gov.uk**

At a general level, it is important to ensure that delegated decisions are taken by the appropriate officer, and that the origin of the delegation can be readily identified in case of future challenge.

In this instance, should the weight restriction Order be revoked and a new restriction implemented on London road, it would be subject to the making of a

Traffic Regulation Order (TRO). This has followed a statutory legal process for implementing a Traffic Regulation Order.

6.3 **Diversity and Equality**

Implications verified by: Samson DeAlyn
 Telephone and email: 01375652472
 sdealyn@thurrock.gov.uk

There are no diversity and equality implications noted in this report.

6.4 **Other implications (where significant) – i.e. Section 17, Risk Assessment, Health Impact Assessment, Sustainability, IT, Environmental**

None

7. **CONCLUSION (including reasons to over-rule the objections)**

- 7.1 The majority of properties situated on London Road are facing, and are in very close proximity to the carriageway. Most properties within the Devonshire Road development are situated within cul de sacs. Those that do face Devonshire Road have a small garden area and footway/verge between them and the road, with vegetation shielding the properties in some instances.
- 7.2 It is noted that a fifth of the petitioners against the proposal are not residents of Chafford Hundred so would not therefore be directly affected by proposal to remove the weight limit from Devonshire Road. The number of petitioners in support of the proposal far outweighs the number of those against.
- 7.3 Removing the weight restriction from Devonshire Road and implementing a restriction on London Road will bring environmental improvements to the area and benefit the larger number of residents. With the addition of the mitigating measures on Devonshire Road, any adverse effects are predicted to be negligible.
- 7.4 There is no reason to believe that a change to the weight limit on Devonshire Road would cause an increase in accidents. Theoretically, routing HGV's along purpose built roads with fewer conflicting movements could in fact, encourage a reduction in accidents.
- 7.5 The peak period performance of key junctions was modelled in detail with existing and changed HGV routes. No problems of capacity, queuing or delay are expected to occur as a result of the changes.
- 7.6 Devonshire Road was originally constructed as part of the long term proposal to develop the Grays western by pass. This would have removed all heavy vehicles from London Road. Changes in land usage since the construction of Devonshire Road has resulted in the revision of the longer term plan. However, with the considerable number of residents on the London Road

estate still to benefit from the recommendations made in this report, it would be prudent to continue with the proposal to remove heavy traffic from the streets accommodating most residents.

- 7.7 The feasibility study, the number of residents in support of the proposal and the large number of residents that would benefit from the proposal have been taken into account during the consideration of the objections and used for the basis of the recommendations made in this report.

BACKGROUND PAPERS USED IN PREPARING THIS REPORT:

- Objections
- Supporting Evidence
- Feasibility Report
- Informal consultation letter
- Joint Letter of objection from South Chafford & Chafford & North Stifford Ward Members

APPENDICES TO THIS REPORT:

- None

Report Author Contact Details:

Name: Julie Nelder

Telephone: 01375 413366

E-mail: jnelder@thurrock.gov.uk