

TRO Panel

Decision Maker:	Director of Environment, Nasir Dad
Date of Decision:	18 July 2023
Subject:	Proposed Prohibition of Waiting – Middleton Road, Chadderton
Report Author:	Mark Woodhead, Traffic Engineer
Ward (s):	Chadderton North

Reason for the decision:

A report recommending the introduction of double yellow lines on Middleton Road at the access/egress between residential properties 900 to 902 Chadderton was approved under delegated powers on 02 January 2023.

During the advertisement of the proposed orders, over 90 representations were received. The vast majority of which objected to the proposals.

The main reasons for the being:-

- Loss of on street parking and impact on neighbouring properties due to displacement of vehicles.
- Increased distances required to access the Dental Surgery and increased probability of having to move surgeries.
- Alterations to the car park layout within the residential flats, contributing to the access/egress issues
- Planning permission being awarded to extend the Dental Surgery and the impact loss of parking will have on this future development
- Proposals not being consistent with other mitigation measures introduced on Middleton Road
- Loss of parking impacting on patients' accessibility to the Surgery.

- There is no road traffic incident data to support the proposals.

A copy of the approved report is provided within Appendix A and a copy of the main objection is provided within Appendix D. Supporting emails were also submitted to the Council during the advertisement period an example of which is contained within Appendix E

Summary:

In response to the objections: Any business or residential property needs to take into consideration that on street parking within the highway is not guaranteed, when purchasing or redeveloping a property.

Objections suggesting displaced traffic and inability to park are not supported by Officers. There are parking spaces available. Blue badges are available for motorists who have mobility issues and are unable to walk long distances.

The proposed parking restrictions would improve intervisibility. Using parking restrictions to improve intervisibility are a cost effective measure that address concerns raised.

The reduction in access/egress junctions from the residential properties has contributed to the issues being experienced. If the access/egress from the flats had not been removed, alternative parking restriction options would be available.

The purpose of this report is to consider the representations received to the introduction of prohibition of waiting restrictions and alternative options.

What are the alternative option(s) to be considered? Please give the reason(s) for recommendation(s)

- Option 1: Introduce the proposed restrictions as advertised
- Option 2: Reduce the extent of the restrictions and provide give way and formal parking bay markings
- Option 3: Do not introduce the proposed restrictions

Consultation: including any conflict of interest declared by relevant Cabinet Member consulted

Ward Members have been consulted and Councillor B Brownridge has no objection to the revision.

Councillor C McLaren has commented, *thank you for your email of 06/07/23 concerning the above. I am happy to support option 2 as follows:*

It is recognised that there is a problem relating to exiting (vehicles) from the car park around the flats, especially when seeking to turn right onto Middleton Road. At the same time, it is important to recognise the need to retain parking spaces in front of the dental surgery to allow ease of access for patients. Option 2 is the best compromise and will also ensure that the dental practice can expand, knowing that parking will still be available.

The situation would be improved further by allowing to and from the car park at the entry alongside 898, Middleton Road. This could be gated and remain secure when not in use. The fencing to the rear of the flats would need to be removed. It would relieve some of the pressure on the access point alongside the dental surgery.

Councillor B Brownridge has commented, in response to Cllr McLarens email stating , *Sorry I do not agree with the second part of this . That access serves the terraced houses on Middleton Rd so I do not think it would be practical to install gates at the entrance as they are likely to be left open which would allow the problems that led to their installation to be reactivated.*

In response to the comments raised by Councillors, there is no intention for Officers to consider a proposal raised by Cllr McLaren to provide gated access between 898 Middleton Road and the Flats.

Recommendation(s):

It is recommended Option 2 be progressed and the length of the yellow lines reduced in accordance with the revised Schedule provided in Appendix B and Drawing 47/A4/1683/1 Rev B provided in Appendix C. Option 2 is consistent with existing restrictions that have been introduced along Middleton Road

Implications:

*What are the **financial** implications?*

These were dealt with in the previous report (refer to Appendix A)

<i>What are the legal implications?</i>	These were dealt with in the previous report (refer to Appendix A)
What are the procurement implications?	None
<i>What are the Human Resources implications?</i>	None
Equality and Diversity Impact Assessment attached or not required because (please give reason)	Not required because the measures proposed are aimed at improving road safety
<i>What are the property implications</i>	None, the work is being undertaken on the public highway which is under the control of the Highway Authority. (Rosalyn Smith)
Risks:	None
Co-operative agenda	These were dealt with in the previous report (refer to Appendix A)

Has the relevant Legal Officer confirmed that the recommendations within this report are lawful and comply with the Council's Constitution? Yes

Has the relevant Finance Officer confirmed that any expenditure referred to within this report is consistent with the Council's budget? Yes

Are any of the recommendations within this report contrary to the Policy Framework of the Council? No

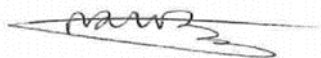
There are no background papers for this report

Report Author Sign-off:	
Mark Woodhead	
Date: 12 July 2023	

Please list and attach any appendices:-

Appendix number or letter	Description
A	Approved Mod Gov Report
B	Revised Schedule
C	Revised Plan
D	Copy of Main Objection and Supporting report
E	Example of Supporting Email

In consultation with Director of Environment



Signed :

Date: 18.07.2023

APPENDIX A

APPROVED MOD GOV REPORT



Delegated Officer Report (Non Key and Contracts up to a value of £100k)

Decision Maker: Nasir Dad, Director of Environment
Date of Decision: 16 December 2022
Subject: Proposed Prohibition of Waiting – Middleton Road, Chadderton
Report Author: Mark Woodhead, Traffic Engineer
Ward (s): Chadderton North

Reason for the decision: Middleton Road forms part of the A669 strategic route connecting Oldham with Middleton, Manchester. Residential properties 900 to 922 consists of two buildings which front directly onto Middleton Road and have access to off street parking provision. This access/egress is provided between the two residential buildings via a gated private access road. Firwood Dentist is sited at no 918 Middleton Road and has access to two off street parking spaces which share the access road.

The Highways Department of the Council recently received report of difficulties for residents of the flats who use the off-street parking space to access Middleton Road, Chadderton. The difficulties are caused by two parked vehicles either side of the access road restricting visibility.

Officers have inspected the location and support the introduction of new restrictions to reduce on street parking at the access road and improve visibility for motorists joining the busy A669.

It is proposed to promote a prohibition of waiting restriction to the north side of Middleton Road as detailed on plan 47/A4/1683/1 for a distance of 40 metres.

Summary: The purpose of this report is to consider the introduction of a prohibition of waiting restriction on Middleton Road, Chadderton to improve visibility at the access road.

What are the alternative option(s) to be considered? Please give the reason(s) for recommendation(s): The alternative option is to continue to permit on street parking and do nothing.

The recommendation to provide 'No Waiting Restrictions' will remove parking that restricts visibility and improve safety for road users on Middleton Road and motorists using the off street parking spaces.

Justification: If approved, the proposal will:

- increase visibility and improve road safety;
- provide clear carriageway space to assist vehicle movements from the residential access.

Consultation: including any conflict of interest declared by relevant Cabinet Member consulted The Ward Members have been consulted and just a note to confirm that the Chadderton Central Ward Elected Members are happy to support the proposed prohibition of waiting in order to improve visibility of oncoming traffic while seeking to exit from the flats (900-922) on Middleton Road. It is, perhaps, worth mentioning that this side of Middleton Road is in Chadderton North Ward until the boundary changes come into effect in May 2023

G.M.P. View - The Chief Constable has been consulted and has no objection to this proposal.

T.f.G.M. View - The Director General has been consulted and has no comment on this proposal.

G.M. Fire Service View - The County Fire Officer has been consulted and has no comment on this proposal.

N.W. Ambulance Service View - The County Ambulance Officer has been consulted and has no comment on this proposal.

Recommendation(s): It is recommended that the prohibition of waiting restrictions are introduced in accordance with the plan and schedule at the end of this report

Implications:

What are the financial implications?

The cost of introducing the Order is shown below:-

	£
Advertisement of Order	1200
Introduction of Road Markings	500
TOTAL	1700
Annual Maintenance Cost	100

The advertising & road marking expenditure of £1,700 will be funded from the Highways TRO budget.

The annual maintenance costs estimated at £100 per annum will be met from the Highways Operations budget. If there are pressures in this area as the financial year progresses, the Directorate will have to manage its resources to ensure that there is no adverse overall variance at the financial year end.
(John Edisbury)

What are the legal implications?

The Council must be satisfied that it is expedient to make the Traffic Regulation Order in order to avoid danger to persons or other traffic using the road or any other road or for preventing the likelihood of any such danger arising, or for preventing damage to the road or to any building on or near the road, or for facilitating the passage on the road or any other road of any class of traffic, including pedestrians, or for preventing the use of the road by vehicular traffic of a kind which, or its use by vehicular traffic in a manner which, is unsuitable having regard to the existing character of the road or adjoining property or for preserving or improving the amenities of the area through which the road runs.

In addition to the above, under section 122 of the Road Traffic Regulation Act 1984, it shall be the duty of the Council so to exercise the functions conferred on them by the Act as to secure the expeditious, convenient and safe movement of vehicular and other traffic (including pedestrians) and the provision of suitable and adequate parking facilities on and off the highway. Regard must also be had to the desirability of securing and maintaining reasonable access to premises, the effect on the amenities of any locality affected and the importance of regulating and restricting

the use of roads by heavy commercial vehicles so as to preserve or improve the amenities of the areas through which the roads run, the strategy produced under section 80 Environmental Protection Act 1990 (the national air quality strategy), the importance of facilitating the passage of public service vehicles and of securing the safety and convenience of persons using or desiring to use such vehicles and any other matters appearing to the Council to be relevant. (A Evans)

What are the **procurement** implications?

None

What are the **Human Resources** implications?

None

Equality and Diversity Impact Assessment attached or not required because (please give reason)

Not required because the measures proposed are aimed at improving highway conditions

What are the **property** implications

None, the work is being undertaken on the public highway which is under the control of the Highway Authority. (Rosalyn Smith)

Risks:

None

Co-operative agenda

It is recommended to introduce restrictions that reduce parking and improve road visibility on Middleton Road for motorists and residents, as this restriction will address the difficulties experienced by residents, enable them to have better sight of the access road for safe access. (Mahmuda Khanom, Policy Support Officer)

Has the relevant Legal Officer confirmed that the recommendations within this report are lawful and comply with the Council's Constitution?

Yes

Has the relevant Finance Officer confirmed that any expenditure referred to within this report is consistent with the Council's budget?

Yes

Are any of the recommendations within this report contrary to the Policy Framework of the Council?

No

Add to the Oldham Borough Council (Chadderton Area) Consolidation Order 2003

Part I Schedule 1

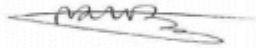
Item No	Length of Road	Duration	Exemptions	No Loading
	<u>Middleton Road, Chadderton</u> <u>(North East side)</u> From a point 101 metres south east of its junction with Thurland Street for a distance of 41 metres in a south easterly direction	At any time		

There are no background papers for this report

Report Author Sign-off:	
Mark Woodhead	
Date: 16 December 2022	

In consultation with Director of Environment

Signed :



Date: 02.01.2023



Client OMBC		Proposed Prohibition of Waiting Restriction	
Project TMS - 1102 Middleton Road, Chadderton		Drawing No. 47/A4/1683/1	
Drawn by	Date	Purpose of issue Consultation	Scale at A4 size 1:500
Checked by	Date	Scale at A1 size	
Approved by	Date		
 HIGHWAYS & ENGINEERING Herthase House, Chesapeake, Oldham OL1 1NY			
Rev.	Revision details	By	Date

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APPENDIX B

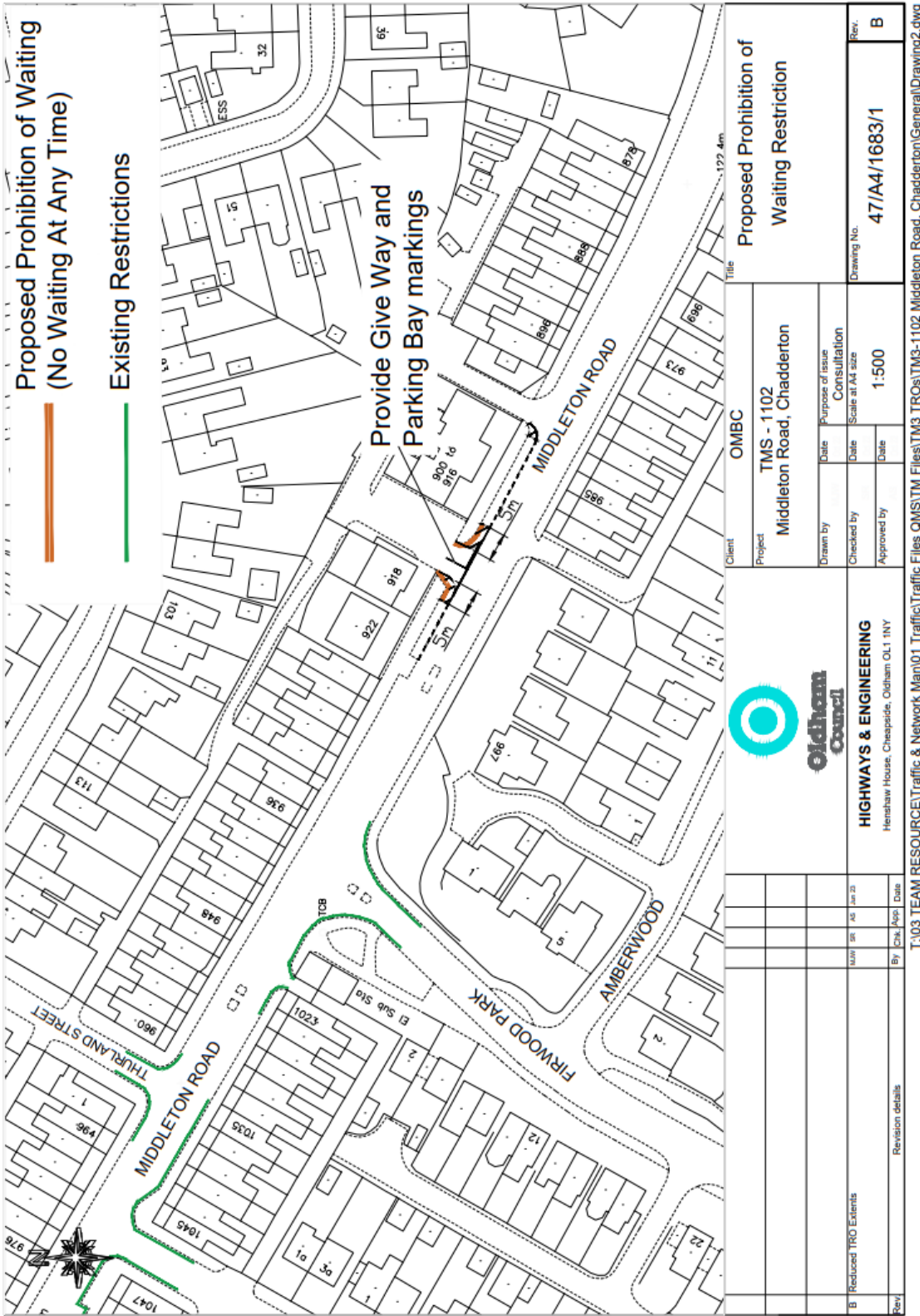
ADD TO THE OLDHAM BOROUGH COUNCIL (CHADDERTON AREA)
CONSOLIDATION ORDER 2003

Part I Schedule 1

Item No	Length of Road	Duration	Exemptions	No Loading
	<u>Middleton Road, Chadderton</u> <u>(North East side)</u> From a point 116 metres south east of its junction with Thurland Street for a distance of 16 metres in a south easterly direction	At any time		

APPENDIX C

OPTION 2 – REVISED PLAN



 <p>Oldham Council HIGHWAYS & ENGINEERING Henshaw House, Chesapeake, Oldham OL1 1NY</p>		<p>Client: OMBC</p> <p>Project: TMS - 1102 Middleton Road, Chadderton</p>	<p>Proposed Prohibition of Waiting Restriction</p>										
<p>Drawn by: [Blank]</p> <p>Checked by: [Blank]</p> <p>Approved by: [Blank]</p>	<p>Date: [Blank]</p> <p>Date: [Blank]</p> <p>Date: [Blank]</p>	<p>Purpose of issue: Consultation</p> <p>Scale at A4 size: 1:500</p>	<p>Drawing No.: 47/A4/1683/1</p> <p>Rev.: B</p>										
<p>Revision details</p> <table border="1"> <thead> <tr> <th>Rev</th> <th>By</th> <th>Chk</th> <th>App</th> <th>Date</th> </tr> </thead> <tbody> <tr> <td>B</td> <td>Reduced TRO Extents</td> <td></td> <td></td> <td></td> </tr> </tbody> </table>				Rev	By	Chk	App	Date	B	Reduced TRO Extents			
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APPENDIX D

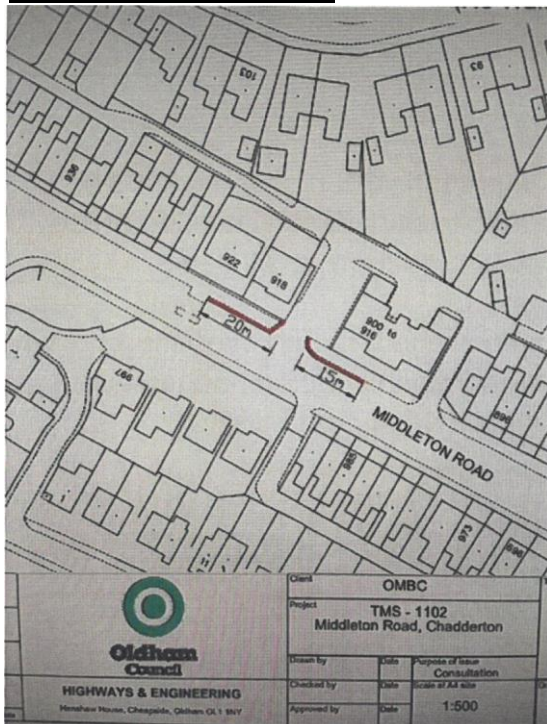
COPY OF REPRESENTATIONS

Objection to

PROPOSED TRAFFIC REGULATION ORDER

THE OLDHAM MIDDLETON ROAD CHADDERTON PROHIBITION OF WAITING ORDER 2023

Ref: LJWT023/4 VF21924



Objection made by ++++++

1.0 Introduction

- 1.1 I write to object to the proposed introduction of a prohibition of waiting restriction on Middleton Road, Chadderton.
- 1.2 The TRO has been proposed to "to improve visibility at the access road" due to "report of difficulties for residents of the flats" due to "two parked vehicles either side of the access road restricting visibility".
- 1.3 Whilst I am in favour of improving road safety the proposed solution is illconceived and is detrimental to the safety of patients using Firwood Dental Practice.
- 1.4 I have sought to engage the Highways Department to discuss alternative potential solutions that do not put the safety of our patients and the viability of our business at risk. Unfortunately I have not received any meaningful response to date.
- 1.5 This proposed TRO is contrary to Oldham planning policies that seek to promote economic prosperity (Policy 1 of the Local Plan) and the health and wellbeing of Oldham's residents (Policy 2 of the Local Plan). Indeed, the proposals threaten access to both NHS and private dental provision in Chadderton.

- 1.6 Firwood Dental Practice is currently one of the most accessible Dental surgeries in Oldham due to its current single floor configuration/ no step access. The proposed TRO will create a significant barrier to accessibility of the practice.
- 2.0 Patient Safety
 - 2.1 The proposed TRO will detrimentally impact the 2000 patients of Firwood Dental Practice who will no longer be able to park directly outside of the property, something they have been able to do for over 40 years.
 - 2.2 The practice has over 400 patients that are aged 65 and over, many of whom have mobility issues but are not registered disabled/ blue badge holders. The practice also has over 250 patients that are aged 5 and under.
 - 2.3 Firwood Dental Practice does not have any off street car parking (the Council's report with reasons for the proposed TRO (appendix 2) wrongly states the Practice has two off street spaces).
 - 2.4 Whilst it is understood that no right exists to provision of on street parking, the proposed TRO will simply displace patient parking to adjacent areas of Middleton Road. My concern is that patients will be displaced on the opposite side of the road and also outside neighbouring residential properties.
 - 2.5 The proposed TRO will force patients to park further away from the Dental Practice and/or potentially cross the busy road, putting them at greater risk of harm and injury.
- 3.0 The Council has not provided any evidence of an existing safety issue
 - 3.1 The proposed TRO is based on "report of difficulties for residents of the flats" accessing off street car parking through the entrance between Firwood Dental Practice and the flats.
 - 3.2 The Council has provided no evidence of existing road safety issues at this location is their rationale for proposing the restrictions (appendix 2). Road traffic accident information was requested via email on 20th February 2023 by Mr Lawrence Milner but has remained unanswered.
 - 3.3 Crashmap.co.uk shows no evidence of road accidents at this location (see appendix 1 p3)
- 4.0 Access to flats 900 — 916 materially changed by removing/ fencing up East entrance.
 - 4.1 The flats were completed around 20 years ago and designed with 2 private access roads to the East and West (location of proposed TRO) of the building. See illustration 1.

Illustration 1

Illustration 1



- 4.2 In 2019 the flats introduced a gate to the West access. More significantly they fenced off the East access preventing traffic entering and exiting the site from this side. See illustration 2.

Illustration 2



- 4.3 The access to the flats has been materially changed from the original planning permission granted. It has intensified use of the West access point and means that all traffic now flows from the west access location. It is material to residents of the flats now requesting this proposed TRO.
- 4.4 The reinstatement of the East entrance would prevent the necessity for this proposed TRO, allowing alternative options to be considered by providing a more suitable access to the flat development that would not detrimentally impact the Dental Practice.
- 4.5 Given access arrangements to a busy "A" road have materially changed from the original planning permission granted, this change should have been subject to planning considerations so that it could have been properly assessed.
- 4.6 Local Councillor/s provided public funds to the flat owners to contribute to the costs and installation of the gates and railings. It is regretful that tax payers money has been used in a way that has contributed to the safety concerns of flat residents leading to the proposal of the TRO at this west access site, and if implemented in the current form,

will put patient safety at risk, make accessibility difficult and jeopardise the future viability of the practice.

5.0 Alternative Options

- 5.1 The Council's rationale for proposing these restrictions suggests the alternative option is to continue to permit on street parking and do nothing.
- 5.2 Multiple alternative options are available to the Council that could alleviate concerns of flat residents whilst not jeopardising the safety of patients of the dental practice.
- 5.3 Some of these solutions are set out in the report by ++++++ (Appendix 1) Examples already in operation on Middleton Road include;
 - 5.3.1 Extending out give way road markings per Gainsborough Road/ Middleton Road junction
 - 5.3.2 Reduced pavement width allowing parking bays to be set back. The pavement at this junction is unnecessarily wide at 2.6 m plus an additional 65 cm hard standing. A 2 m pavement is generally accepted as sufficient for 2 wheelchairs to pass one another comfortably.
 - 5.3.3 Or reinstating the East entrance to Flats providing an alternative access route in accordance with the planning permission granted for the development and placement of yellow lines around the east access point.
- 5.4 It is regretful that I have asked the Council's Highway Engineer to consider alternative solutions but unfortunately, at the time of writing he has not provided any alternative solutions that do not impact on patient safety or the operation of the Dental Practice.

6.0 Technical concerns regarding the proposed TRO

- 6.1 The Council's report for the proposed TRO (appendix 2) is factually incorrect with the following inaccuracies
 - 6.1.1 It wrongly notes the practice has two off street spaces; the spaces belong to the flats not the dental practice.
 - 6.1.2 It incorrectly notes the access/egress is provided between two residential buildings which is not the case as Fir-wood Dental Practice is a business.
- 6.2 The Dental practice was granted planning permission for a rear extension in October 2022 but the Highway Engineer was unaware of this and it is not mentioned in the council's report (appendix 2).
- 6.3 The above points show that the Highways Engineer has not truly understood the site for which he has proposed this TRO.
- 6.4 The description used in the notice to describe the location would mean it is not easily identifiable to a layperson without viewing the accompany location plan undermining a fair process.

- 6.5 The reasons for the proposed TRO were originally to be viewed in person only at the council. This made it very difficult to access the reasons and thus provided another barrier to laypeople wanting to understand the reasons for the proposals.
- 6.6 No councillors have declared an interest in this proposed TRO. I would like to understand why given they helped secure public funds to part fund the gate and fences of the flats (900-916).
- 6.7 The report notes that no other options are available. As demonstrated under 5.0, I would dispute this as alternate options could mitigate safety concerns of the residents of the flats and provide a safe parking solution for patients of the dental practice.
- 6.8 The above undermine the consultation process undertaken for this proposed TRO.

7.0 Business concerns

- 7.1 As well as safety concerns this proposal is also of detriment to the access of dental provision for residents of Oldham. One of the main benefits for our patients is accessibility and ease of parking. The surgery may lose patients due to this proposed TRO, making parking more difficult.
- 7.2 If people cannot park easily this is of concern for the potential future expansion the business. Proposed additional facilities and extra dental provision for residents will be foregone at a time when there is significant access issues to dentistry in the Borough. The extension would have created additional investment in the economy and new job opportunities.
- 7.3 Per point 1.5 the proposal is contrary to the Local Plan
- 7.4 Firwood Dental Practice is a socially responsible business that has provided multiple work experience placements, and supported local foodbanks and charities. We recycle and are always looking for ways to reduce our carbon footprint. It is unfortunate that the actions of Oldham Council are not supportive of local business that invest in the area.

8.0 Conclusion

- 8.1 This proposed TRO is based on a small number of residents concerns with a single solution suggested by a Highway Engineer that has not fully appreciated the site or the impact that this proposal will have on the patients of Fimood Dental practice. The Council's report (appendix 2) outlining the reasons for this proposed TRO is factually incorrect.
- 8.2 I am aware that there is strong opposition from residents and support for not proceeding with this proposed TRO. A number of our patients have voiced their concerns to us.

8.3 It cannot be democratically right that if this proposed TRO is implemented the opinions and concerns of a small minority, negatively impact thousands of local residents/patients.

8.4 It is unfortunate that the Highway Engineer did not feel it beneficial to consult with the dental practice or the neighbouring dwelling (+++++ to work together to propose a solution that worked for all parties.

8.5 I am keen to work with the Council for a proposed solution but unfortunately the Council has not yet responded in terms of potential alternate solutions.

8.6 In its current form this TRO proposal threatens the ability for the practice to continue to provide a vital health service to local residents.

Attached

Appendix 1 — +++++ — professional report

Appendix 2 — Council report with reasons for proposed TRO— Oldham Council

Appendix 1

Alan Evans
Group Solicitor (Environment)
Oldham Council
Civic Centre
West Street
Oldham
OLI IUL

6th March 2023

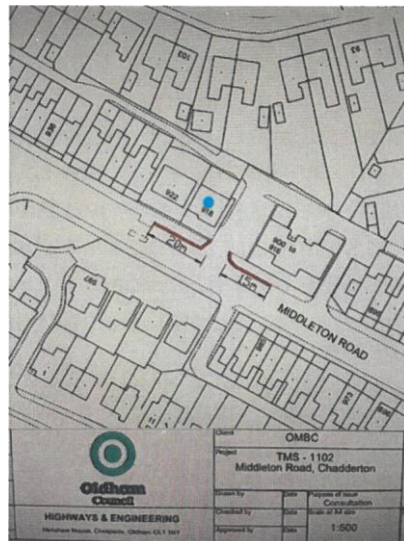
Your Ref: UM/T023/4 VF21924
My Ref: CT1156

Dear Mr Evans

OBJECTION PROPOSED TRAFFIC REGULATION ORDER THE OLDHAM MIDDLETON ROAD CHADDEVERTON PROHIBITION OF WAITING ORDER 2023

1.1 I represent Firwood Dental Practice in the above matter and have been instructed to provide advice on the proposed Traffic Regulation Order (TRO).

1.2 Firwood Dental Practice is located at No. 918 Middleton Road, as shown by the blue dot on the image below.



1.3 As the image shows, the proposed TRO extends across the full frontage of the dental surgery as well as across half of the frontage of the residential property to the north west and approximately half way along the frontage of the development of flats to the south east. The TRO, if implemented, will result in the loss of 8 car parking spaces.

1.4 The Council's reasoning for the decision to implement the prohibition of waiting restriction has been given as follows:-

"Residential properties 900 to 922 consists of two buildings which front directly onto Middleton Road and have access to off street parking provision. This access/egress is provided between the two residential buildings via a gated

private access road. Firwood Dentist is sited at No. 918 Middleton Road and has access to two off street parking spaces which share the access road.

The Highways Department of the Council recently received report of difficulties for residents of the flats who use the off-street parking space to access Middleton Road, Chadderton. The difficulties are caused by two parked vehicles either side of the access road restricting visibility. "

1.5 The loss of the parking spaces will have a severe detrimental impact upon the operation of the dental practice, which serves around 2000 patients within the area.

1.6 During their assessment the Council have referred to the dental practice having the use of two off street parking spaces within the car park of the flats. This is incorrect. Whilst the dental practice may have been verbally offered the use of two parking spaces there is no formal arrangement in place and as the parking spaces are on private land the dental practice does not have any control over them or a right to use them.

1.7 Patients visiting the dental practice make use of the convenient parking spaces located on Middleton Road outside the building. This has been the case for decades. The spaces are ideally located and are particularly well used by elderly patients, those who are less mobile and those with small children and pushchairs as they are a short distance to walk to and from and avoids people having to cross the busy main road. Removing these parking spaces will cause significant stress for a proportion of the practice's patients and reduce the level of safe accessibility to the practice.

1.8 Planning permission for an extension to the dental surgery was approved by the Council in October 2022 (FUL/349602/22). The purpose of the extension is to provide additional floor space to cater for the demand from both existing patients and future patients that could be taken on if another surgery room, office space, store and an accessible W.C. are provided. The planning officer noted in the delegated report that: -

"Policy 1 of Oldham Local Plan provides that the Council will promote economic prosperity and meet the needs of existing and new businesses while Policy 2 of the plan

1 2

provides that the Council will support improvements in the health and well-being of Oldham's residents.

Similarly, para 81 of the NPPF provides that planning policies and decisions should help create the conditions in which businesses can invest, expand and adapt while in relation to health and well-being, para 92 of the NPPF requires planning authorities to aim to achieve healthy places which enable and support healthy lifestyles.

The proposed expansion of the dental surgery would not only help to retain and possibly create additional job opportunities and thereby enhancing the local economy but also enhance the health and well-being of the users of the facility. "

1.9 The implementation of the no waiting restrictions will severely undermine the above benefits as the dental surgery will need to reconsider whether to invest in the expansion of the practice if patients are unable to use the parking outside the surgery and access the surgery safely.

1.10 The presence of parking bays or unrestricted on-street parking is prevalent along long stretches of Middleton Road. The road is wide and able to provide full width parking spaces, in many cases to both sides of the road, and still leave two comfortably sized lanes for traffic. The predominant house type along Middleton Road is two storey red brick terraces which front up to the back edge of the pavement with a small garden area. The houses typically do not have off-street parking spaces and as such the on-street parking is used by residents and visitors. This has been the case for many years and is part of the character of the street scene. The owner of the dental surgery is not aware of any accidents attributable to the junction of the proposed TRO. Checks with CrashMap have not shown any road traffic accidents in the past five years at this location.



Extract from CrashMap.co.uk shows section of road being discussed.

1.11 The development of flats was completed around 20 years ago following the granting of planning permission (PA/041838/01). Unrestricted on-street parking along Middleton Road was taking place at the time that the planning application was assessed and nothing has changed. The approved scheme showed a site layout that incorporated two access points — one between the flats and the dental surgery and one to the east between the flats and No. 898 Middleton Road. Details of the treatment of the access roads were required to be submitted in response to a pre-development condition.

1.12 Condition No. 8 of the approval reads: -

g No development shall take place unless and until full details of the improvements to the unmade easterly and westerly side roads and the northerly rear access' to provide a hard surfaced and drained accpets ' to the site have been submitted to and approved by the Local Planning Authority. I'hexeaiter such works shall be implemented in accordance with the approved scheme before any dwelling is occupied.

Reason - 'fro ensure adequate access arrangements are made to the site

1.13 The development was assessed by the planning department, including the Council's highway engineer, on the basis of the availability of two vehicular access points from Middleton Road. However, three or four years ago the management company of the flats installed gates to the westerly access point and also a section of fence to the rear of the car park to permanently block off vehicular access from the site onto the easterly side street resulting in only one access and egress to the development of flats.

1.14 Whilst planning permission for the gates and fencing may not have been required it is considered that their installation has led to a change in the way that traffic circulates though the site as all vehicles now have no option but to enter and leave the car park to the flats via the access point adjacent to the dental surgery. This has intensified the use of this access point and potentially led to residents of the flats requesting the TRO.

1.15 As the site layout has altered and no longer reflects the approved scheme it is considered necessary for the appropriate consent to be sought from the Council so that the impact of closing the easterly access point can be properly assessed.

1.16 If the access is reinstated as per the approved site layout then the proposed TRO could be proposed for the section of car parking bays further along Middleton Road in front of the eastern most half of the flats and along the front of the properties of No's 898 to 888. This arrangement would achieve the desired visibility splays, and give residents and visitors of the flats two options to choose from when entering and leaving the site, but not have an adverse impact on the day-to-day operation of the dental surgery; a valuable local health service for the community. It is requested that this revised option be considered by the Council and the current proposal abandoned.

1 4

1.17 The Council only put forward one alternative option to the proposed TRO and that is stated as 'continue to permit on street parking and do nothing'. This is unsatisfactory as other options are available.

1.18 In addition to the above proposal of reinstating the easterly access point to the flats and moving the no waiting restrictions further along Middleton Road to the east there is another feasible option that should be fully considered.

1.19 The first is to reduce the width of the pavement to either side of the gated entrance and set the parking bays further in to increase visibility for drivers of vehicles leaving the car park. The pavement at this point on Middleton Road is unnecessarily wide — 2.6 metres plus an additional 65cm of hard surfacing behind concrete edging.



1.20 The Disability Discrimination Act recommends that a minimum of 1200mm width of footway should be kept free of obstructions. It is generally accepted that 2000mm is needed to enable two people in wheelchairs to pass each other comfortably. There is sufficient space available to reduce the width of the pavement along the lengths of highway indicated within the proposed TRO to enable the parking bays to be set further in.

1.21 Another option is to extend the give way road markings at the junction of the car park access road with the highway further outwards to increase visibility. This has been successfully implemented further along Middleton Road to the west at its junction with Gainsborough Road.



Junction of Gainsborough Road with Middleton Road



1.22 This arrangement has enabled the on-street parking to remain whilst maximising visibility in both directions along the highway and would work well in the location of the proposed TRO to enable the on-street parking within the vicinity of the dental surgery to continue to be used by patients.

1.23 Alternatively, a combination of reducing the width of the pavement and setting the parking bays in with bringing forward the give way road markings is also a feasible option if the Council considered this to be a better solution.

1.24 For the reasons stated above it is strongly requested that the Council does not implement the Order as currently proposed and that it considers these alternative options to

address the concerns raised by a small number of residents of the flats in order to safeguard the operation of the dental surgery and the safety and accessibility of the patients.

1.25 Firwood Dental Practice would be happy to engage with the Council with regard to any of the above points.

Yours sincerely

Appendix 2

Further to your request I have copied below the Council's reasons for proposing the restrictions. Please forward objections or representations to env.traffic@oldham.gov.uk

Reason for the decision:

Middleton Road forms part of the A669 strategic route connecting Oldham with Middleton, Manchester. Residential properties 900 to 922 consists of two buildings which front directly onto Middleton Road and have access to off street parking provision. This access/egress is provided between the two residential buildings via a gated private access road. Firwood Dentist is sited at no 918 Middleton Road and has access to two off street parking spaces which share the access road.

The Highways Department of the Council recently received report of difficulties for residents of the flats who use the off-street parking space to access Middleton Road, Chadderton. The difficulties are caused by two parked vehicles either side of the access road restricting visibility.

Officers have inspected the location and support the introduction of new restrictions to reduce on street parking at the access road and improve visibility for motorists joining the busy A669.

It is proposed to promote a prohibition of waiting restriction to the north side of Middleton Road as detailed on plan 47/A4/1683/1 for a distance of 40 metres.

Summary:

The purpose of this report is to consider the introduction of a prohibition of waiting restriction on Middleton Road, Chadderton to improve visibility at the access road.

What are the alternative option(s) to be considered? Please give the reason(s) for recommendation(s):

The alternative option is to continue to permit on street parking and do nothing.

The recommendation to provide 'No Waiting Restrictions' will remove parking that restricts visibility and improve safety for road users on Middleton Road and motorists using the off street parking spaces.

Justification:

If approved, the proposal will:

- increase visibility and improve road safety;
- provide clear carriageway space to assist vehicle movements from the residential access.

Consultation: including any conflict of interest declared by relevant Cabinet Member consulted

The Ward Members have been consulted and just a note to confirm that the Chadderton Central Ward Elected Members are happy to support the proposed prohibition of waiting in order to improve visibility of oncoming traffic while seeking to exit from the flats (900-922) on Middleton Road. It is, perhaps, worth mentioning that this side of Middleton Road is in Chadderton North Ward until the boundary changes come into effect in May

2023

G.M.P. View - The Chief Constable has been consulted and has no objection to this proposal.

T.f.G.M. View - The Director General has been consulted and has no comment on this proposal.

~~G.M. Fire Service View - The County Fire~~ Officer has been consulted and has no comment on this proposal.

N.W. Ambulance Service View - The County Ambulance Officer has been consulted and has no comment on this proposal.

Recommendation(s):

It is recommended that the prohibition of waiting restrictions are introduced In accordance with the plan and ~~in accordance with the plan and~~ schedule at the end of this report

APPENDIX E

Supporting Email

Subject: LJM/TO23/4 VF21924

Dear sirs,

We live in the apartments 900 - 916 Middleton Road, Chadderton.

Our apartment number is +++++

Exiting our carpark/road is most challenging to say the least.

When vehicles are parked either side of our exit, visibility of on coming traffic from either side, Middleton or Oldham bound is very difficult, in fact dangerous.

In order to right turn out of our exit, we have to encroach into the live traffic lane in order to take the manoeuvre. This is met with abuse and sounding of horns.

We would welcome and traffic order measures that would improve vehicle safety.

We certainly believe that your proposed order would vastly improve safety and driver confidence to enable safe exit onto Middleton Road.

We know that this proposal would reduce on road parking but consider safety outweighs parking.

Kind regards,