



Oldham
Council

Delegated Decision

Decision Maker:	Emma Barton, Executive Director for Place & Economic Growth
Portfolio area:	Cllr J Stretton – Portfolio Holder for Neighbourhoods
Date of Decision:	28 June 2022
Subject:	Proposed Prohibition of Waiting – Shaw Hall Bank Road and Round Meadow Close, Greenfield and allocation of Section 106 resources from DB 423 - (PA/342222) to the scheme
Report Author:	Andy Cowell, Traffic Team Ext. 4577
Contact Officer:	Gordon Anderson, Head of Highways and Engineering
Ward(s) Affected:	Saddleworth South

Purpose of Report

Planning permission for the development at (PA/342222) was granted subject to the developer first entering into a Section 106 planning obligation, which included a payment of £4,500 towards the implementation of a traffic regulation order intended to introduce waiting restrictions on each side of the proposed build outs on Shaw Hall Bank Road, Greenfield to further facilitate visibility for vehicles emerging from the development site.

Recommendation

It is recommended to approve the allocation of £ 4,500.00 section 106 resources from DB 423 - (PA/342222) towards the introduction of prohibition of waiting restrictions in accordance with the plan and schedule at the end of this report.

Proposed Prohibition of Waiting – Shaw Hall Bank Road and Round Meadow Close, Greenfield and allocation of Section 106 resources from DB 423 - (PA/342222) to the scheme

1 Background

- 1.1 Planning permission for the development at (PA/342222) was granted subject to the developer first entering into a Section 106 planning obligation. This obligation was signed on 26/06/2019, whereby the developer, Wiggett Homes Ltd, agreed to The Planning Obligation requires the landowner to pay to the Council £150,000 towards the provision of or improvement to existing public open space in the vicinity of the Site, specifically improvements to Churchill playing fields, Saddleworth, the provision of trim trail exercise equipment and surface improvements and to pay £4,500 towards the implementation of a traffic regulation order intended to introduce waiting restrictions on each side of the proposed build outs on Shaw Hall Bank Road, Greenfield to further facilitate visibility for vehicles emerging from the Site.
- 1.2 Both sums were paid on the 1st December 2021 and there is no expiry on the length of time the Council has to use the developer contributions. This report is seeking approval to allocate the £4.500 to the implementation of the Traffic regulation Order.
- 1.3. Shaw Hall Bank Road is a classified road (B6175) located on the north side of Greenfield. There are a number of properties that front onto the road which generate parking on both sides. The road forms part of a bus route. A new housing development is being constructed on land to the south of the road, which will be accessed directly from Shaw Hall Bank Road. The road within the development has been named Round Meadow Close.
- 1.4 There is a planning condition relating to the development to construct new build-outs on Shaw Hall Bank Road at each side of the new access road in order to protect the visibility splay. A further planning condition is to promote new restrictions alongside these build-outs to add a further level of protection. The S106 obligation attached to the planning permission secured a commuted sum towards the implementation of these restrictions. It is intended to use the whole of this contribution for this scheme.
- 1.5 Additional restrictions will be promoted opposite the build-outs and along the access road itself, to maintain two-way traffic flow along Shaw Hall Bank Road and to ease vehicular movements into and out of the new access respectively.
- 1.6 There have been a number of complaints about vehicles parking close to the unnamed access road located to the west of Shaw Hall Close. New restrictions will also be promoted at this location as part of the same proposal.
- 1.7 The proposed restrictions will improve visibility at two junctions on the south side of Shaw Hall Bank Road. The restrictions will also prevent parking on both sides of the road at these two points thereby improving traffic flows. Historically there

have been complaints about vehicles parking on both sides of the road preventing the two-way flow of traffic. Restrictions on the entry into the housing development will improve access and egress from the development.

2 Options/Alternatives

2.1 Option 1: Do nothing and leave as the status quo. This is not desirable as the restrictions are required on highway safety grounds as well as meeting the terms of the planning permission and S106 obligation. If the scheme is not implemented, the developer could request their contribution be returned.

2.2 Option 2: To approve the recommendations and implement the scheme as required by the planning permission and the S106 Obligation

3 Preferred Option

3.1 The preferred option is Option 2.

4 Justification

4.1 The proposal will improve visibility at two junctions along Shaw Hall Bank Road and improve traffic flows along the route and into and out of the development.

5 Consultations

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

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

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

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

6 Comments of Saddleworth South Ward Councillors

6.1 The Ward Councillors have been consulted and Councillor Woodvine supports the proposal. Councillor Sheldon stated that 'I expect the traffic management alterations to be absorbed by the developer at any location.'

6.2 Section 106 should be used to benefit the surrounding area for recreational and general public use'. In response, it should be noted that the inclusion of a fee for the TRO was agreed by the Planning Committee.

7 Financial Implications

7.1 The cost of introducing the Order is shown below.

	£
Advertisement of Order	1,200
Introduction of Road Markings	500
Fee for processing the Order	2,800
TOTAL	<u>4,500</u>
Annual Maintenance Cost covered by existing budget (calculated April 2021)	<u>100</u>

7.2 The advertising, road marking expenditure and processing fees of £4,500 will be funded from the Section 106 resource DB 423 (PA/342222).

7.3 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)

8 Legal Services Comments

8.1 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.

8.2 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)

9 **Co-operative Agenda**

9.1 In respect of this proposal there are no Co-operative issues or opportunities arising and the proposals are in line with the Council's Ethical Framework

10 **Human Resources Comments**

10.1 None.

11 **Risk Assessments**

11.1 None.

12 **IT Implications**

12.1 None.

13 **Property Implications**

13.1 None.

14 **Procurement Implications**

14.1 None.

15 **Environmental and Health & Safety Implications**

15.1 Energy – Nil.

15.2 Transport – The proposal will improve access along the highway.

15.3 Pollution – Nil.

15.4 Consumption and Use of Resources – Nil.

15.5 Built Environment – Nil.

15.6 Natural Environment – Nil.

15.7 Health and Safety – The proposal will improve safety for road users.

16 **Equality, community cohesion and crime implications**

16.1 Nil.

17 **Equality Impact Assessment Completed?**

17.1 No.

18 **Key Decision**

18.1 No.

19 **Key Decision Reference**

19.1 Not applicable.

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:	Andy Cowell
	Gordon Anderson
Date:	21 June 2022

Approved by:

Signature: 

Date: 23 June 2022

Emma Barton, Executive Director for Place and Economic Growth

In consultation with

Signature: 

Date: 1st August 2022

Cllr Jean Stretton, Portfolio Holder for Neighbourhoods

Proposal

It is proposed that a Traffic Regulation Order be introduced in accordance with the following schedule and drawing number.

Schedule

Drawing Number 47/A4/1648/1

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

Column 1	Column 2	Column 3	Column 4	Column 5
Item No	Length of Road	Duration	Exemptions	No Loading
	<p><u>Shaw Hall Bank Road, Greenfield</u> North West Side</p> <p>From a point 136 metres south-west of its junction with Oldham Road for a distance of 242 metres in a south westerly direction</p>	At Any Time		
	<p><u>Shaw Hall Bank Road, Greenfield</u> South East Side</p> <p>From its junction with Chew Valley Road for a distance of 12 metres in a south westerly direction</p>	At Any Time		
	<p><u>Shaw Hall Bank Road, Greenfield</u> South East Side</p> <p>From a point 155 metres south-west of its junction with Chew Valley Road for a distance of 33 metres in a south westerly direction</p>	At Any Time		

	<p><u>Shaw Hall Bank Road, Greenfield</u> South East Side</p> <p>From a point 10 metres north-east of its junction with Round Meadow Close to a point 10 metres south-west of its junction with Round Meadow Close</p>	At Any Time		
	<p><u>Shaw Hall Bank Road, Greenfield</u> South East Side</p> <p>From a point 70 metres south-west of its junction with Shaw Hall Close for a distance of 25 metres in a south westerly direction</p>	At Any Time		
	<p><u>Round Meadow Close, Greenfield</u> Both sides</p> <p>From its junction with Shaw Hall Bank Road for a distance of 38 metres in a general southerly direction</p>	At Any Time		

