

REGULATORY COMMITTEE

23rd JULY 2003

**ROUNDWAY/DEVIZES: BYWAY 18, GREEN LANE -
PROHIBITION OF DRIVING ORDER (2003)**

Purpose of Report

1. To consider an objection to a proposed Prohibition of Driving Order.

Background

2. The former Roundway Hospital is being redeveloped for housing, outline planning consent being granted back in 1997. It lies in the south of Devizes with part being in Roundway parish, and was served off Pans Lane/Wick Lane. A recently completed housing development to the east, Wayside Farm, is served via Marshall Road, off Nursteed Road, A342. The site and adjoining roads are shown on the plan at **Appendix 1**.
3. When the development proposals were being considered representations were made by local residents regarding the possibility of through traffic between A342 and the town centre via Pans Lane being encouraged by the proposed highway layout. The concerns were considered by the Planning and Rights of Way Sub-Committee at its meeting on 18th September and, following a site visit, 16th October 1996, it was resolved that all vehicular access be taken off Nursteed Road with no vehicular traffic being allowed access through to Green Lane and Pans Lane other than emergency vehicles and buses via a bus-gate.
4. The District Council's resolution to grant planning permission led to a planning Agreement incorporating a requirement to preclude general through traffic from the development site. The layout submitted for detailed planning permission includes the necessary bus-gate. The layout also includes for a closure of Green Lane to through vehicular traffic.
5. The Order has been advertised, as shown on the plan attached at **Appendix 2**, resulting in one objection from Mr. D. Wyatt, of the Green Lane Association, who requests vehicular use of Green Lane be preserved. A copy of his letter is attached at **Appendix 3**. A letter of support from the developer's agent is attached at **Appendix 4**.

Main Considerations for the Council

6. Marshall Road has been extended to serve the development site as a pre-requisite to house building starting. Green Lane is currently subject to a temporary closure to enable groundworks to be undertaken.

7. The prevention of through traffic stems from a resolution of the County Council and a condition of planning consent, and is included in the consequent Section 106 Agreement. The proposed Order fully accords with those requirements. To not proceed with the formal Order to back the closure works could leave the authority vulnerable to a legal challenge in relation to the obligations under the planning Agreement.
8. Green Lane south of the new junction with Marshall Road will still be available to maintain the route to the south that has been enjoyed by the objector. For users from the north and east access to Green Lane via Marshall Road will be more convenient than previously available. The Distributor Road (Windsor Road extension) to the east of Devizes, as shown on the plan at **Appendix 1**, will open to through traffic shortly rendering it even more convenient.
9. The objector's suggestion that an unmade vehicular route be provided alongside the surfaced length for pedestrians, equestrians and cyclists would not preclude general through traffic movements.

Environmental Impact of the Proposal

10. The potential adverse impact on the environment of Wicks Lane/Pans Lane as a result of a through route being available will be removed by the closure and the resulting alternative routes will generally be more direct and convenient.

Risk Assessment

11. The potential increase in traffic on Green Lane could be high with the resultant increase in risk to users of a route that is predominantly used for leisure and local access.
12. The costs to the County Council of a legal challenge in relation to the obligations under the Planning Agreement if the Order is not confirmed are referred to in paragraph 7.

Financial Implications

13. All costs associated with the Order and its implementation will be borne by the Developer.

Options Considered

14. Implement the Order as published.
15. Do not implement the closure, which could result in a legal challenge referred to in paragraphs 7 and 12.

Reason for Recommendation

16. The implementation of the Prohibition of Driving Order is considered the appropriate action.

Recommendation

17. That:-

- (i) The Prohibition of Driving Order on Green Lane be introduced as advertised;
- (ii) The objector and the developer be informed accordingly.

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The following unpublished documents have been relied upon in the preparation of this report:

Letters of objection and support