

APPENDIX 2

Assessment of the Consultation Responses

Representation	Highway Authority Comment
<p>Residents wish to object that under Section 1 of The Road Traffic Regulation Act 1984 – for the following reasons –</p> <p>a) For avoiding danger to people or other traffic using the road, or preventing danger arising.</p> <p>There have been no recorded accidents or incidents in the last 10 years that would be alleviated or addressed by the introduction these Double Yellow Lines.</p> <p>It is notable that some County authorities will not accept or proceed with an application for lines to be introduced unless it addresses a known road safety issue in the road. Kent County Council for example when considering road improvements, including signs and lines, state:</p> <p>'We will only consider improvements if crash history indicates that there have been incidents within the last 3 years involving personal injury, and has been validated by Kent Police</p>	<p>The policy of Kent County Council is noted. However, it is not the norm of most highway authorities to stipulate a period within which a personal injury has occurred as a criteria for accepting a TRO request and that is not a requirement of the Isle of Wight Council.</p>

records. Visit crash map to check. If there have been no incidents at the location you are concerned about, then we can not consider your request so please don't contact us. If there have been incidents reported at the location, please go to step 2.'

CrashMap.co.uk (info based on Police records) indicates there have been NO accidents, either Slight, Serious or Fatal recorded in the last 10 years in Hope Road.

Not only is there no substantive existing evidence of a need to introduce the Double Yellow Lines but Isle of Wight Council is also aware that there is no possibility of such a future need which would otherwise arise if the conditional planning permission given for Westridge Farm, Hope Road of 80 properties were taken to development. The Isle of Wight Council is aware Westridge Farm/Hope Road 80 properties conditional planning permission cannot proceed to development

Noted.

Comment is noted. However, the Council as Local Planning Authority has taken a legitimate decision based upon its adopted local planning policies and national planning guidance to approve the development referred to. The decision has been lawfully made and falls outside of any period of challenge.

because of the following.

It would be unreasonable for the Council to agree to or defend the implementation of the additional 'No Waiting At Any Time' restrictions as the Isle of Wight Council is already aware of:

The unmade lane part of Hope Road is the only means of access to the conditionally agreed development site. The unmade lane part of Hope Road is not adopted highway and is unregistered land, and it is not owned by the owners of land known as Westridge Farm, the 80 properties planning permission applicant, or developers Captiva Homes Ltd.

The IW Council is aware the development can only proceed beyond receipt of conditional planning permission if the developers or owners of the possible development site first enter into an agreement with every one of the property owners fronting the unmade lane part of Hope Road with regard to each of those property's existing Right of Way. Both the IW Council and the developers Captiva Homes Ltd

Noted. However, this proposed Traffic Order relates to an adopted highway and has been correctly advertised. The fact that a separate part of Hope Road is not adopted does not prejudice the council confirming this order.

This is a civil matter which does not prejudice the making of a Traffic Order on that part of Hope Road that is adopted.

have been informed of these Rights of Way which exist in deed and will be defended in law.

The Right of Way of each property fronting the unmade lane part of Hope Road is over the whole width of the lane from in front their property up to the tarmacked adopted part of Hope Road. This is to enable them to legally get to and from their property.

The owners of properties fronting the unmade lane part of Hope Road have written to both IW Council and the Captiva Homes Ltd informing that they do not wish their existing Right of Way to be altered, interfered with or amended in any manner or form whatsoever.

The conditionally agreed planning permission for 80 properties Westridge Farm/Hope Road therefore will not be taken to development, and the need identified by Island Roads in the planning application process for the Double Yellow Lines should the development proceed, will not occur.

Noted.

Noted. The point cannot be categorically stated that the permission will not be implemented. The permission includes a standard 3 year commencement condition. If such agreements cannot be achieved the permission would expire at which point the Traffic Order could be revoked.

WENDY PERERA, the IW Council Head of Place (Planning), in one of the Planning Meetings earlier this year informed County Planning Committee Councillors when asked about the Right of Way, said that the applicant would be expected to enter into an agreement with the owner of the Right of Way before any development would be able to start. At the time only one Right of Way was known to exist, but it has now been found that all houses on the unmade lane part of Hope Road each have the same Right of Way in deed. (42)

b) For preventing damage to the road or to any building on or near the road.

Island Roads did not in the planning application for the possible 80 properties on Westridge Farm, request or justify the need for Double Yellow Lines on the basis of preventing damage to the road or to any building on or near the road.

This is noted. The comment by the Head of Place correctly summarises the position in respect of commencement of development.

This part of Section 1 would not be used to justify the making of the order.

Double Yellow Lines in the two places specified will not address any possible issues of poor maintenance of the road, or control the type of vehicle that may use the road. There is no known risk to existing buildings. (42)

c) For facilitating the passage on the road or any other road of any class of traffic (including pedestrians)

Neither Island Roads or the planning applicants for the recent conditional Westridge Farm planning permission indicated there was any passage problem in the road. In fact the planning application indicated that the road and its junctions could easily accommodate yet more traffic than it currently experiences. (42)

d) For preventing the use of the road by vehicular traffic where that use is unsuitable bearing in mind the existing character of the road or adjoining property

Noted, but this is not the reason for the making of an order.

This part of the section of the Act is not of relevance to the reasons for this proposed order.

The introduction of these Double Yellow Lines will not prevent the use of the road by vehicular traffic should that use be unsuitable bearing in mind the existing character of the road or adjoining property.

Hope Road is the access road to Westridge Farm, and the farm has been in existence for centuries and pre-dates other buildings in the road. A variety of vehicular traffic both large and small have continually made use of Hope Road over the years without accident. (42)

e) For preserving the character of the road in a case where it is especially suitable for use by walkers or horse riders

Other than the expected pedestrians accessing properties in Hope Road the road is not used by walkers or horse riders. Westridge Farm at the end of Hope Road is a private property. There are no stables, bridleway or footpath accessed from the Road. (42)

This section of the Act is not of relevance to the reasons for this proposed order.

<p>f) For preserving or improving the amenities of the area through which the road runs</p> <p>The introduction of the Double Yellow Lines will not improve or preserve amenities of the area. The loss of existing on-road parking will have a negative impact on the ability of vehicles to park in the area and to visit local amenities such as the church, laundrette, pub, hairdresser & shops. (42)</p>	<p>This section of the Act is not of relevance to the reasons for this proposed order.</p>
<p>g) For conserving and enhancing the natural beauty of an area, or affording better opportunities for the public to enjoy the amenities of the area, for recreation or nature study.</p> <p>The reduction of available local parking in Hope Road, where there is already existing lack of on-road parking for residents and visitors of the road, will not afford better opportunities for the public to enjoy the amenities of the area, for recreation or nature study.</p>	<p>This section of the act is not of relevance to the reasons for this proposed order.</p>

<p>Double Yellow Lines will not conserve and enhance the natural beauty of the area. Westridge Farm at the end of Hope Road is the most dominant factor in the area's natural beauty and the farm has continued to trade successfully and conduct its business for decades, even centuries, without incident or the need for the introduction of more parking restrictions.</p> <p>This Double Yellow Lines application is being presented and considered because they are a planning condition of a possible property development which if undertaken would result in the loss of existing undeveloped land of natural beauty through the building of properties with over two hundred additional vehicles in the area indicated. (42)</p>	<p>The loss of locally undeveloped land is not of relevance to the determination of a proposed Traffic Order.</p>
<p>There will be a strain on local residents trying to find somewhere to park as over the years the DYL have increased (4)</p>	<p>The DYL lines to the west are actually over two driveways therefore there is no loss to the available on-street parking. The DYL to the east are on the approach to the entrance of the new development therefore for safety reasons would be required.</p>
<p>Local businesses in Marlborough Road and their customers will have nowhere to park (3)</p>	<p>The DYL lines to the west are actually over two driveways therefore there is no loss to the available on-street parking for the local residents or those visiting the area.</p>

<p>The traffic in Hope Road was defined as light by Island Roads, this has no changed (1)</p>	<p>This is not material to the decision. The TRO is required as a condition of a legally valid planning permission.</p>
<p>There are natural passing places already and no need for these restrictions (2)</p>	<p>This proposal is designed for formalise passing places as it cannot be assumed that natural passing places will not be used for parking.</p>
<p>This proposal will not enhance the local amenities (1)</p>	<p>The proposals are designed to ensure the safe and expedient movement of traffic.</p>
<p>This proposal is only being made in order to comply with a planning condition made the Authority (1)</p>	<p>This is not considered to be a legitimate objection.</p>
<p>These restrictions will have a negative impact on the surrounding roads (2)</p>	<p>There is no evidence presented to support this comment.</p>
<p>Would it be possible to wait until the development has been completed to see if these restrictions are actually required (1)</p>	<p>The requirement for the restriction was deemed to be necessary by Island Roads acting as a consultee on the application and the need for a TRO is a pre-commencement condition on the planning permission</p>
<p>The restrictions will make the road and surrounding roads even more congested and therefore more dangerous especially to pedestrians and children walking to the local school (1)</p>	<p>It is unclear how such restriction will increase congestion as it will not lead to the generation of additional traffic movements.</p>

<p>The development of 80 homes will increase traffic down roads that are not suitable for extra use (1)</p>	<p>This is not a legitimate objection to the proposed order as planning permission has been legally granted.</p>
<p>The majority of the residents in Hope Road and surrounding roads are elderly and to remove parking is not fair on them especially if they have to carry items from their car to their home (1)</p>	<p>The proposed restrictions have been placed to minimise the impact of reduced parking with the lines to the west being across private driveways. The lines to the east are on the approach to the new estate and parking in his location would not be recommended. Whilst the surrounding area is urban in nature the properties are typical of many areas of Ryde. There are no specific properties that provide specialist accommodation for the elderly in the area affected by the proposals.</p>
<p>The road surface is thin and has many areas that require attention. If these lines are to be installed, then consideration to the road surface should be considered first (1)</p>	<p>Noted. However, this comment is not of direct relevance to the decision to be taken.</p>