

The case for a Permanent Traffic Regulation Order (TRO) based on a Weight Restriction Order for Langford, Langford Road, Newton St. Cyres, Exeter, EX5 5AG.

This document consists of:

1. Background

2. Proposal

3. The purpose of TROs and assessment of Langford's case for being subject to a TRO.

4. Conclusion

Annexe 1 – supplementary evidence

1. Background

The hamlet of Langford, Newton St. Cyres, has 23 permanent dwellings plus a nursing home and caravan park. A number of the dwellings are situated immediately adjacent to the road. More than a third of the residents have lived in their current properties for more than 10 years, several 20+ years. Three significant sections of the road are single track one of which contains a blind corner at which point the road width is just 4m. Beyond Langford northbound are the small hamlets of Shute, Efford and beyond that Cheriton Fitzpaine. As a consequence, historically there has been very little through-traffic. Some farming occurs in the fields immediately surrounding the dwellings in the hamlet which is integral to the rural nature of the setting and is welcomed by residents. Standard farming practice also occurs in the fields beyond Langford, however this land can equally be accessed from the lane network in the boundary area of Mid-Devon/East Devon.

In the last 2 years, businesses of commercial/industrial nature have established in locations north of Langford resulting in dangerous and inappropriate use of Langford Road by HGVs. Prior to this time, the hamlet was peaceful with little traffic. One business is a distribution depot which has had two Certificates of Lawful Use rejected by Mid-Devon Council within the last 18 months. The consequence of this business operating has been up to 30 - 50+ HGVs, frequently articulated lorries, passing through Langford daily, with more on occasions. The significant impact of this activity is wide-ranging, including serious safety concerns, destruction of the road surface and verges (their tyres effectively cut through the verges), noise, pollution and inconvenience to other road-users. Based on their objections to this unsuitable traffic passing through Langford and the evidence produced, these CLUs have been rejected.

There is a current planning application for a digestive lagoon, approx 2km NE of Langford, which is linked to an existing business operating out of Clyst St. Mary but with some current business activity north of Langford. Tractors pulling heavy trailers with waste again are seen daily making multiple trips through Langford, often with little regard for the speed limit or narrow nature of the road, frequently mounting and compressing the banks. Although it is a tractor/trailer rather than a lorry, this is in no way related to day-to-day farming but is an industrial activity, and for the purposes below

is included in the 'HGV' category of vehicles. The existing level of activity is a matter of huge concern in Langford, whilst objectors argue that this heavy, unsuitable traffic will inevitably increase should the application be approved.

It is as a consequence of the radically changing nature of traffic down Langford Road in the last 2 years that prompts this call for a TRO. The planning applications above consistently find that Langford Road is unsuitable for HGV traffic but as yet the planning authorities have been unable to protect Langford from these numerous and inappropriate vehicles. As such, a Permanent TRO is necessary without delay if Langford is to be protected.

2. Proposal

Based on active objections to the HGV traffic impact of the businesses outlined above, the residents of Langford request a Permanent Traffic Regulation Order (TRO) to be imposed. This will prevent the current HGV passages and protect Langford from any future HGV increase.

For these purposes, Langford is defined as the residential hamlet starting at the 'Langford' sign approximately 20m north of Newbridge and ending at the 'Langford' sign, situated at Langford Bridge, immediately to the north of Langford Bridge Caravan Park. This TRO should be based on a Weight Restriction Order, determining that the maximum weight of any through-traffic is 7.5T. Through-traffic is defined as:

1. vehicles entering Langford with the intention of passing directly through from A377 to a destination beyond Langford to the north, or
2. vehicles entering Langford from the north with the intention of passing directly through Langford to the A377.

A vehicle whose purpose in entering Langford is to provide an occasional service as requested by a resident in the hamlet (as defined above) should be exempt as this would not be through-traffic (e.g. a domestic oil delivery vehicle delivering to a property in Langford), whilst the limited public/school transport provision which serves Langford should also be exempt.

3. The purpose of TROs and assessment of Langford's case for being subject to a TRO.

The House of Commons Briefing Paper of June 2020 quotes:

Section 1(1) of the 1984 Act states that local traffic authorities in England and Wales (outside London)² may make permanent orders for the following purposes:

1. *To avoid danger to persons or other traffic using the road or any other road or to prevent the likelihood of any such danger arising;*
2. *To prevent damage to the road or to any building on or near the road;*

3. *To facilitate the passage on the road or any other road of any class of traffic (including pedestrians);*
4. *To prevent 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;*
5. *To preserve the character of the road in a case where it is specially suitable for use by persons on horseback or on foot;*
6. *To preserve or improve the amenities of the area through which the road runs; or*
7. *To preserve or improve local air quality.*

The case for Langford not only meets the criteria for some of the points above, but all of them.

1. HGVs have presented serious safety concerns for residents for the last 2 years. Examples of these can be found in the representations from Langford residents opposing planning application 19/01208/CLU on the Mid-Devon Planning portal. The key points raised are:
 - i. Langford Road is a recognized cycle route and therefore cyclists are frequent users of the road. A cyclist broke his collar bone, was badly bruised and hit his head (although fortunately was wearing a helmet) in January 2020. The erosion caused by HGVs mounting the verge and damage to the road surface was the direct cause of this accident. Similar accidents in future seem inevitable if the HGV traffic is allowed to continue.
 - ii. Walkers and horse-riders frequently use the road. Two horses are walked daily through the hamlet on leading reins. The frequent passage of HGVs is highly likely to result in an accident involving walkers/riders on this narrow road.
 - iii. There is a blind bend close to Halse Park which measures just 4m wide. It seems inevitable that at some point there will be a serious accident here involving HGVs which fill the width of the road, given their width is 2.55m.
 - iv. the speed these HGVs travel (frequently in excess of the 30mph limit), given their weight is dangerous on a road such as Langford Road.
2. The road and verges have been seriously damaged by current HGV traffic.
 - i. Verges and the roadside have been eroded to expand the road width in several sections, resulting in damage to banks tended by residents and drainage issues, which in places threaten to result in flooding to properties (see images in Annexe 1)
 - ii. The road surface either side of Newbridge just to the south of Langford has been compressed where the weight of the HGVs 'bounces' on the approach to the peak of the arch. As a Listed bridge, this potentially on-going and increasing HGV traffic will undoubtedly be resulting in long-term damage.

- iii. There are at least two culverts running underneath Langford Road – one between Brownlea and Greenlands Cottages and one between Halse Park and Leep. The first of these has collapsed within the last 20 years. Given the frequency and weight of the current and potentially increasing HGV traffic, it seems highly likely that these culverts are being further damaged.
3. The road in Langford is frequently single-track. The commercial HGVs currently frequently passing through Langford Road fill the width of the road rendering it impassible by pedestrians, cyclists, horse-riders or other vehicles. As there are few passing-points, the result is grid-lock, followed by HGVs often reversing onto verges and banks. (see images Annex 1)
4. Langford Road is a narrow, rural residential hamlet in which several inhabitants horse-ride, walk and cycle. A number of the houses and structures along the road are of historical interest and are immediately adjacent to the road. On occasion in the past, sheep would be driven from one field to another up the road. The character of the road is that of a quiet and safe Devon hamlet, not a thoroughfare for commercial HGVs. Properties immediately next to the road shake as these vehicles pass, which is often from 6am or as late as 9pm, disturbing residents and potentially damaging cottages, some of which date back to the 17th and 18th centuries. Some of these are constructed from cob, with no foundations, this will undoubtedly be causing structural damage to private properties. At least one resident has noted a crack to their property on the road-side which has only appeared in the last 2 years.
5. There are no pavements in Langford, resulting in pedestrians being immediately in danger. Given the current application to expand Langford Park Nursing Home, if passed, it is likely that increased numbers of staff will be walking from the bus top on the A377 along Langford Road, so increasing the likelihood of pedestrian usage. In the past, residents were seen being taken for walks by staff and relatives, however this is now rarely witnessed undoubtedly due to the increase in HGV traffic. Many residents have dogs and used to enjoy walking along this previously quiet road, however given the HGV traffic, they are discouraged to do so on safety grounds. Several horses are kept along Langford Road and are ridden on it, however riders are known to be anxious regarding the increasing numbers of HGVs and the safety implications.
6. There are a number of footpaths and bridle paths off Langford which should be enjoyed by residents and visitors to the hamlet, however the safe access to these is compromised by the intense commercial HGV traffic. Langford Bridge Caravan Park attracts visitors to the area due to its rural location, whilst residents in Langford were all drawn to the location based on the quiet road which should have minimal through-traffic, based on the few

hamlets beyond. Many Langford Park Nursing Home staff rely on being able to use public transport and then walk up Langford Road. Frequent HGV traffic is a hazard and may well discourage care-workers from taking up post in this location.

7. HGVs (including the large tractors/trailers associated with the digestate business, which is largely based the other side of Exeter) are undoubtedly causing both air-pollution and noise pollution. The majority of the properties in Langford have gardens on the road boundary which are infiltrated by both the fumes and often loud noise generated by the HGVs, which is at odds with the otherwise peaceful and clean rural setting, including drivers on occasion shouting abuse at residents and other road-users. The noise of HGV reversing signals can also frequently be heard as these vehicles attempt to pass each other.

4. Conclusion

Based on the detrimental impact of HGVs passing through Langford in the last 2 years, a Permanent TRO is necessary. One serious accident has already occurred, whilst the road itself is being destroyed by HGVs. The character of this residential rural hamlet and its local environment has been under attack for the last 2 years. The issues raised above demonstrate that not just one, but **all 7** of the possible criteria for a local authority to implement a TRO are met in the case for Langford. Given the comments of both DCC Highways and District Planning Authorities below, it would be inconsistent and contradictory for a TRO not to be implemented in this case. A TRO will provide the required protection and should be implemented without delay.

Annexe 1 - Supplementary evidence

Evidence extracted from Planning Application documentation in relation to HGV use of Langford.

DCC Highways – Highway Consultation reply August 2019 in response to 19/01208/CLU, MDDC:

“The site is located on highways which are substandard in terms of width alignment and visibility and not a location the Highway Authority would consider suitable for commercial use”

DCC Highways – Comment – 09 Sept 2020 in response to 20/1517/FUL - EDDC

“The roads giving access to the site are by reason of their inadequate width and condition unsuitable to accommodate the form of traffic likely to be contrary to paragraph 32 of the National Planning Policy Framework.”

MDDC Planners in their Officer Report in respect of 19/01208/CLU list the following in the Representations section which have relevance to the traffic in Langford, which influenced their decision to reject the CLU:

17 letters of objection have been received at the time of writing the report and a general comment. The objections are summarised as follows:

- There has been a significant increase in traffic in the last year which has been dramatic impacting on neighbouring amenity and resulting in damage of land adjacent to the highway
- Since last summer, there have been scores of CMC lorries every day. Before this it was not noticed and seems to have coincided with conversion of buildings.
- Dramatic increase in HGV traffic over the last 18 months.
- Aware of CMC lorries using Langford Road since autumn 2018.
- Neighbouring residents advising that they have lived in area from 1999/2000 and had not noticed anything until autumn 2018.
- From summer 2018, residents have suddenly plagued by lorries with evidence of 20-30 movements per day.
- A resident has lived at their property for 42 years, noting changes at end of summer 2018 but did not remember CMC lorries before then.
- One resident has lived in area since 1985 and only noted that in early 2019 very large lorries using lane.
- With regards to there being a significant traffic increase from the end of 2018, objectors refer to tyre tracks and screeching brakes.
- A photograph was submitted of damage to a verge outside of a property.

Stuart Partners Ltd – applicant for digestive storage lagoon, current application - Planning Statement, 17 July 2020 - 20/1517/FUL , EDDC.

“Currently, all agricultural vehicles servicing the farmland on behalf of the applicant in the vicinity of Upton Pyne go to and from the Clyst St Mary facility at all times including peak travel times in order to spread the digestate when required using tractors and tankers.”

Stuart Partners Ltd – applicant for digestive storage lagoon, current application - Transport Technical Note 5 November 2020 - 20/1517/FUL , EDDC. Lists the objections to the application submitted by objectors:

- Increase in trips – some comments have been made which state that the application will result in a significant increase to vehicle numbers on the local roads and on roads already congested through Exeter;
- Transport assessment – a number of the comments state that the application has not been supported by a transport statement and that the application does not provide enough information on the number of vehicle trips to be generated by the application. Reference is also made to the application to vary planning Condition 7 of the Enfield AD Plant

permission, namely that the current application should be considered as a standalone application, supported by its own assessment rather than relying on the previous information included with application 17/0650/VAR;

- Road safety – A number of objectors make reference to the impact of the HGVs on road safety, with the lack of footways cited and the potential for conflict between cyclists/pedestrians/horse riders and HGVs raised as a concern;
- Impact to villages – comments make reference to the likely impact of HGVs on the village of Upton Pyne, to the properties on Langford Lane and to properties around the Shute crossroads junction; and
- Unsuitable roads for HGVs – the majority of objections identify that the roads leading to the application site are not suitable to accommodate HGVs. The narrow nature of the roads are not suitable for the larger heavier HGVs where there are limited passing places. In addition, it is stated that the poor condition of the roads will be further impacted by the increased number of HGVs.

Photographic evidence:



Langford Road – potholes and erosion of verge in evidence. Horse being led down the road in background.



Recent erosion of roadside – December 2020



Example of HGV filling a single track section of Langford Road – note that the reversing lights are on.



Lorry meeting one of the tractor/trailers on a single track section of Langford Road – the lorry was forced to reverse back downhill approx. 100m.