

THE LONDON BOROUGH OF WALTHAM FOREST

(STOPPING UP OF PRIVATE MEANS OF ACCESS TO PREMISES AT FOREST ROAD)

ORDER 2007

STATEMENT OF REASONS

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1 INTRODUCTION

1.1 The London Borough of Waltham Forest ("the Council") made the above Order ("the Order") on 23 January 2007 and if there are any objections to it, will be submitting it to the Secretary of State for Transport for confirmation.

1.2 Under the Section 124 of the Highways Act 1980 ("the 1980 Act") the Council being a local highway authority may, where it considers that any private means of access may (inter alia) cause danger to traffic on the highway, make an order to stop up that means of access.

1.3 The Council has made the Order in respect of 2 separate accesses from Forest Road being:

1.3.1 The access into the commuter car park owned by London Underground Limited and located on Forest Road, London E17 and approximately 100 metres to the west of its junction with Blackhorse Lane and

1.3.2 The access into units 1,2,3 and 4 of the Forest Works Industrial Units, Forest Road, London E17 and adjacent access road and parking areas also located on Forest Road, London E17 and approximately 52 metres to the west of its junction with Blackhorse Lane.

2 THE NEW ROAD

2.1 The Council intends to construct a new access and road to serve the commuter car park and the Forest Works units, in lieu of the accesses to be stopped up. The new road would start from approximately 162 metres west of the junction of Forest Road (A503), Blackhorse Road (A1006) and Blackhorse Lane (B179) ("the Royal Standard Junction") and continue in a northerly direction to the northern boundary of the commuter car park owned by London Underground Limited on the

north side of Forest Road. This section would be an 8 metre wide carriageway approximately 72 metres in length, flanked by two 2 metre wide footways and would have street lighting and highway drainage. It would then sweep round in an easterly direction to front the Forest Works industrial units which are situated to the north of Forest Road (A503) and to the north-west of the Royal Standard Junction.

2.2 This easterly section would be an 8 metre wide carriageway approximately 123 metres in length, with one 2 metre wide footway to the north, which would have a continuous dropped kerb that affords vehicular access to the forecourts of the commercial units. Part of this section would have street lighting and highway drainage. To the south of this section, 12 longitudinal car parking spaces would be provided adjacent to the northern boundary of the commuter car park. At the eastern end of this section of road a turning area would be provided to accommodate the turning of a large rigid vehicle such as a refuse freighter or fire tender at the terminal point of the road. The bend taking the road to the front of the commercial units would be wider than the bend on the existing access road at the western end of the units. The new bend would allow two 15.5 metre long articulated vehicles to pass without having to encroach over the centre line.

2.3 If the Order is confirmed by the Secretary of State it will not implement the Order and stop up existing accesses until this alternative means of access has been provided and is ready for use.

3 THE AUTHORITY'S PURPOSE IN SEEKING TO STOP UP THE EXISTING PRIVATE MEANS OF ACCESS

3.1 The Council's purpose in making the Order and reproviding access further to the west is to improve road safety.

3.2 Baseline data indicates that the section of Forest Road between the Royal Standard junction and Wickford Way experiences a high number of personal injury accidents.

3.3 The 339-space commuter car park is located immediately to the north of this stretch of Forest Road, and to the north of this, the Forest Works units. The Forest Works units provide on-site employment for some 200 people as well accommodating visitors, and the site is regularly accessed by long articulated vehicles. The current arrangement generates a significant number of uncontrolled traffic movements through two closely spaced private accesses in close proximity

to the Royal Standard Junction. These movements are a major contributory factor to the poor accident record of this stretch of Forest Road.

3.4 Due in part to the location of the Blackhorse Road underground station, a significant number of pedestrians cross this section of Forest Road. This, coupled with the existing uncontrolled accesses, contributes to the unsatisfactory situation on Forest Road between Wickford Way and the Royal Standard junction.

3.5 The new road, with the closure of the existing accesses, is required to address the poor accident record on this stretch of Forest Road (west) between Wickford Way and the Royal Standard Junction. Reducing the number of uncontrolled access points onto Forest Road that are in close proximity to the Royal Standard Junction would have a positive impact in reducing accidents and improving overall safety for users of the highway

4 FUNDING AND IMPLEMENTATION

4.1 Funding for this road project has been secured through allocation under the Borough Spending Plan and Growth Area Funding. This funding is available now and will be committed by March 2008 to enable prompt implementation of the scheme.

4.2 The Council is and will remain committed to seeking agreement for the proposed stopping up of these accesses by negotiation. However, there is uncertainty as to whether all necessary private treaties can be concluded in the near future, and therefore the Council considers that powers conferred under the Order are essential to achieve the objective.

5 IMPACT AND MITIGATION

5.1 Whilst the existing accesses would be lost, the new single access, located further to the west of the Royal Standard junction, would have the safety advantages described above. The existing access road to the Forest Works units would be replaced by a new publicly maintained highway, constructed to adoptable standards. The proposed new road would accommodate traffic for the commuter car park and the Forest Road units with no loss in terms of convenience

6 PLANNING CONSIDERATIONS

6.1 The Council has recently submitted a planning application for detailed consent (reference 2006/1503), for the new access road. It has undertaken a consultation

exercise with relevant owners and other stakeholders and, subject to final determination, is satisfied that the proposals accord with the IPPF for Blackhorse Lane and relevant national and more local policies. It is important to read the IPPF, as well as any policy framework coming forward as complementary to the Waltham Forest Unitary Development Plan (March 2006), while transitional arrangements exist.

7 ENVIRONMENTAL CONSIDERATIONS

7.1 There are no environmental considerations to consider, except insofar as the proposals would improve safety at the Royal Standard junction and relieve the current burden on existing highways infrastructure as described above.

8 HUMAN RIGHTS CONSIDERATIONS

8.1 The Convention rights applicable to the making of the Order are Article 8 and Article 1 of the First Protocol. Article 8 states that:

“Everyone has the right to respect for his private and family life, his home and his correspondence”. Interference is justified, however, if it is in accordance with the law and is necessary in a democratic society in the interests of national security, public safety or the economic well being of the country, for its prevention of disorder or crime, for the protection of health or morals, or for the protection of the rights and freedoms of others.”

8.2 Article 1 of the First Protocol states that

“Every natural or legal person is entitled to peaceful enjoyment of his possessions” and “[n]o one shall be deprived of his possessions except in the public interest and subject to the conditions provided for by law and by the general principles of international law....”

8.3 The Order is required to enable the Council to improve road safety in the location of these private accesses. Whilst those occupiers and owners who are currently served by the existing accesses would be affected by their loss and re-provision, this would be done in accordance with law - the Order being made under section 214 of the Highways Act 1980. It is also being done in the public interest as required by Article 8 and Article 1 of the First Protocol for the reasons explained in paragraph 4 above. In any event, such loss would be mitigated by the provision of a new access road.

8.4 Article 6 of the Protocol provides that

"In determining his civil rights and obligations...everyone is entitled to a fair and public hearing within a reasonable time by an independent and impartial tribunal established by law."

The proposals have been extensively publicised and affected owners would have the right to make representations to the Inspector and the Secretary of State at the public inquiry, should an inquiry be necessary.

9 **ASSOCIATED ORDERS**

9.1 The Council is promoting in parallel with this Order a compulsory purchase order (the London Borough of Waltham Forest (Forest Road Access Improvement) Order 2007) in order to assemble the land and rights necessary to construct, inter alia, the new access road to serve the premises currently served by the two private access ways which are the subject of this Order.

10 **DOCUMENTS**

A list of the documents, maps and plans which relate to the Order is attached to this Statement. These can be inspected in the following location:

Waltham Forest Town Hall
Forest Road
Walthamstow
London E17 4JF

11 **OBJECTIONS AND FURTHER INFORMATION**

11.1 Statutory notice has been served on affected owners and will appear in the Waltham Forest Guardian, inviting objections to the Order. These should be sent to the Council at Environmental Services, Engineering Group, Room 109, Chingford Municipal Offices, 16 The Ridgeway, London E4 6PS not later than 26 February 2007.

11.2 Should anyone require further information on this project generally, or on the Order proposals specifically, then they may wish to contact

Ms J Carlson
Regeneration Manager
London Borough of Waltham Forest
Waltham Forest Town Hall
Walthamstow
London E17 4JF

LONDON BOROUGH OF WALTHAM FOREST

23 January 2007

The London Borough of Waltham Forest (Stopping Up of Private Means of Access to premises at Forest Road) Order 2007;

Statement of Reasons for the above;

The London Borough of Waltham Forest (Forest Road Access Improvement) Order 2007 and the Map referred to therein;

A Statement of Reasons for making the above;

Blackhorse lane Regeneration: Station Hub Project Compulsory Purchase of Land Report to Cabinet 21st November 2006

London Borough of Waltham Forest Minutes of the Meeting of Cabinet Tuesday 21 November 2006

Copy of the planning application for the scheme and supporting documents;

Waltham Forest Unitary Development Plan (March 2006)

Waltham Forest Local Implementation Plan (Draft 2006)

Waltham Forest Working Together. Community Strategy 2012

Waltham Forest Regeneration and Investment Strategy (October 2004)

Blackhorse Lane – Fulfilling the Potential. Interim Planning Policy Framework – (September 2006)

Station Hub and Waterfront Planning and Design Brief - final consultation draft

Blackhorse Lane Area Action Plan – Transport and Access Infrastructure Study Final Report and Appendices May 2005 (JMP)

Waltham Forest Local Development Scheme (2005)

Department for Transport/ODPM Guidance - including RPG9, PPG3 and PPS3, PPG4 and PPG13

London Plan

Mayors Transport Strategy and Waltham Forest's Local Implementation Plan

North London has a sub-regional development framework

A list of further documents which the Council may wish to refer to in evidence will be supplied in due course.