

# **Proposed Decision to be taken by the Portfolio Holder for Transport and Environment on or after 18 August 2017**

## **Objections to Proposed Traffic Signals at D7050 Common Lane, Kenilworth**

### **Recommendation**

That the Portfolio Holder for Transport and Environment approves the introduction of a traffic signal controlled junction with uncontrolled pedestrian facilities as advertised in accordance with the Road Traffic Regulation Act 1984, Section 23, conditional upon the necessary Highways Act 1980, Section 278 agreement being in place.

### **1.0 Key Issues**

- 1.1 A planning application (W/14/1340) was submitted to Warwick District Council for residential development of up to 93 dwellings on land north of Common Lane, Kenilworth. Planning permission was granted on 23 December 2014 and this includes the requirement on the Developer to construct a site access adjacent to the railway bridge on Common Lane. Due to highway layout restrictions, the form of access identified in the planning consent was a traffic signal controlled junction.
- 1.2 Two departures from standard have been approved in respect of the design of the traffic signal controlled junction. The first relates to the forward visibility of the nearside primary signal head on Common Lane westbound. This has been mitigated by the use of a build-out for the primary signal head and the provision of a duplicate primary signal head. The second departure from standard relates to the junction inter-visibility zone which has been mitigated by the use of the “all-red” extension detectors which are standard practice in “shuttle working” signal arrangements.
- 1.3 Public notice was given of the intention to install a traffic signal controlled junction with uncontrolled pedestrian facilities and objections were received.
- 1.4 Where a highway scheme is considered and approved as part of the planning process, the courts have made it clear that the highway / traffic authority is expected to co-operate in its implementation unless some exceptional or changed circumstances call for a different approach. The planning permission could be amended to remove the need for the traffic signal controls, but this would require a further planning application by the developer and the agreement of Warwick District Council (which would be guided, but not bound by, the advice of the highway / traffic authority).

- 1.5 The County Council intends to enter into a Section 278 agreement with the Developer to undertake the works. Under that agreement the cost of the works will be fully funded by the Developer.
- 1.6 Traffic signal controlled junctions with pedestrian facilities contribute to an integrated pedestrian network and help reduce conflict between traffic and pedestrians, encouraging feelings of safety. These factors are important in encouraging walking within a community. The design of these facilities takes into account the needs of people with physical and sensory disabilities to ensure equality of opportunity and access.

## 2.0 Consultation

- 2.1 The Road Traffic Regulation Act 1984, Section 23, requires that before establishing, altering or removing a pedestrian crossing facility, the authority shall consult with the Chief Officer of Police and give public notice of the proposal. A public notice was published on 07 June 2017 in the Warwick Courier and the Warwick Observer and notices were erected in the vicinity of the proposed traffic signal controlled junction. Details were sent to statutory consultees (including the Chief Officer of Police) and the residents directly affected. A location plan and the consultation plan can be seen in **Appendix A**.
- 2.2 During the period of the consultation (07 June to 28 June 2017) two objections were received. One was from Kenilworth Town Council and one was from a member of the public. Subsequent correspondence with residents highlighted that not all of the directly affected residents received details of the proposed traffic signals and it was decided to extend the consultation for a further period to 28 July with new letters being delivered to 75 households on Common Lane, Woodland Road and Highland Road. A further seven objections were received.

The following paragraphs summarise the points made in respect of the installation of traffic signals and gives responses. Some points were made by more than one objector.

### 2.3 **Kenilworth Town Council**

**Point 1:** Objection to the approval of a traffic signal controlled junction at this location.

**Response:** Warwick District Council gave planning approval to this development and to the installation of a traffic signal controlled junction at the site access. The planning permission could be amended to remove the need for the traffic signal controls, but this would require a further planning application by the developer and the agreement of Warwick District Council (which would be guided, but not bound by, the advice of the highway / traffic authority).

**Point 2:** The traffic signals will cause congestion and queues which may be hazardous on the hill leading to the bridge.

**Response:** The traffic signals use vehicle detectors to assess the traffic demand on each approach and dynamically alter the green time to vehicles to minimise delays and hence congestion. As the highest flow will be on Common Lane, these two approaches will receive the majority of the green time in a traffic signal cycle. Furthermore, there are specific detectors within the junction which will extend the "all red time" between the end of the green period on one approach and the start of the green period on the other approach.

**Point 3:** There does not appear to be adequate provision for cyclists and pedestrians.

**Response:** There are crossing points on Common Lane and across the new access for pedestrians. These are "uncontrolled", so pedestrians will not need to wait for a specific pedestrian indicator and can cross when there is a gap in the traffic.

For cyclists, it was not explicitly shown on the consultation plan that the traffic signals include specific microwave technology detectors which point into the junction which will also extend the "all red time" when cyclists are travelling through the junction. The traffic signal controller will work out the amount of time needed for the cycles and vehicles to clear the junction before changing to a green light. A more detailed plan can be seen in **Appendix A**.

## 2.4 **Members of the public**

**Point 1:** The traffic signals will cause a pinch point.

**Response:** In order to ensure the safe operation of the traffic signals for drivers they have been designed so that the three arms of the junction will operate independently. This means that traffic will flow in one direction only at any time. The traffic signals do include vehicle detection equipment which is used in the optimisation of the traffic signal timings to minimise delays.

**Point 2:** Congestion on Common Lane and surrounding roads will worsen.

**Response:** The planning application included a Transport Assessment on which included modelling of the impact of the traffic signals on congestion and delays on Common Lane and adjacent roads. Through the granting of planning consent the impact of the traffic signals is deemed to be acceptable.

**Point 3:** Queuing vehicles will block access to and from the side roads of Woodland Road and Highland Road and also to the houses between the bridge and the side roads. A yellow box marking should be installed.

**Response:** Traffic will have to queue at a red traffic signal and the extent of the queue will depend on the traffic volume. It is inevitable, however, that drivers wishing to turn in or out of the side roads or private driveways will be delayed if the queue extends beyond the point they are trying to reach.

It is not proposed to install a yellow box marking at the side road junctions as their use is generally limited to where both the main road and the side road are heavily trafficked causing significant delays to turning traffic. Whilst the queue lengths shown in the Transport Assessment (submitted as part of the

planning application) do not suggest significant blocking back across either Woodland Road or Highland Road in either the morning or evening peak periods, this will be monitored and a KEEP CLEAR marking could be considered if necessary.

**Point 4:** Queuing traffic will lead to an increase in air pollution.

**Response:** Common Lane is not within an existing Air Quality Management Area nor does it suffer from the canyoning effects due to high sided buildings in close proximity to the highway. An Air Quality Assessment formed part of the planning application documents.

**Point 5:** Emergency services will be affected.

**Response:** As is usually the case on the highway, road users will need to take appropriate action to allow emergency service vehicles to pass, while complying with all traffic signs (Highway Code rule 219).

**Point 6:** The narrow footpaths will mean that there will not be any room for pedestrians to wait safely to cross.

**Response:** The footways at the crossing points are a minimum of 1.6m wide and this is the existing footway width. The crossing points are uncontrolled and therefore pedestrians will be able to cross in gaps in the traffic rather than waiting for a specific time in the traffic signal cycle. As the traffic will flow through the junction in one direction at a time only it will be easier for pedestrians to safely identify a suitable gap. It is therefore unlikely that the footway will become significantly blocked with waiting pedestrians.

**Point 7:** The traffic signals will cause inconvenience and could affect property values.

**Response:** As noted above, the installation of traffic signals here is a planning condition.

If a property depreciates in value as a result of physical factors arising from the use of public development works, then it may be possible to make a claim under the Land Compensation Act 1973. 'Physical factors' are: noise; vibration; smell; fumes; smoke; artificial light; discharge onto the land of any solid or liquid substance.

**Point 8:** The traffic signals require double yellow lines which will cause inconvenience.

**Response:** Double yellow lines are required to prohibit parking on the approach to the traffic signals because of road safety and for the effective operation of the vehicle detectors. The introduction of double yellow lines is subject to a separate statutory consultation procedure and any objections received will be reported to a future meeting of the Portfolio Holder for Transport and Environment for his consideration. The advertisement of the double yellow lines commenced on 20 July and runs to 18 August.

- 2.5 Warwickshire Police have been consulted about the intention to install a traffic signal controlled junction with pedestrian facilities. Warwickshire Police do not object to these proposals.

2.6 Councillor Shilton is aware of the proposals and that these are in accordance with a planning condition.

### **3.0 Financial Implications**

3.1 The County Council intends to enter into a Section 278 agreement with the Developer to undertake the works. Under that agreement the costs will be fully funded by the Developer. Approval to add this scheme to the capital programme was given by the Portfolio Holder for Finance and Property at his decision making meeting on 17 March 2017. However, this was a decision concerning financial and operational management and does not affect the responsibility of the Portfolio Holder for Transport to consider the merits of the proposed scheme.

### **4.0 Conclusion**

4.1 The requirement for the installation of traffic signals with pedestrian facilities has been specified in a planning condition. The costs associated with the introduction of the traffic signals will be funded by the Developer. The design has been subjected to a technical review process and a Stage 2 Road Safety Audit. Two departures from standard have been approved in respect of the forward visibility to the westbound primary traffic signal head and the junction inter-visibility zone.

4.2 It is recommended that the Portfolio Holder for Transport approves the installation of the traffic signal controlled junction with pedestrian facilities and as advertised, conditional upon the Section 278 agreement with the Developer being entered into.

### **Background papers**

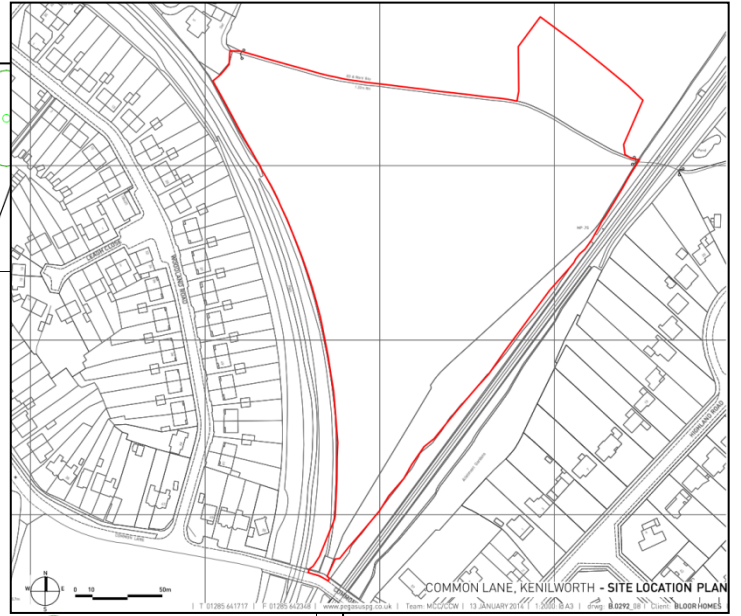
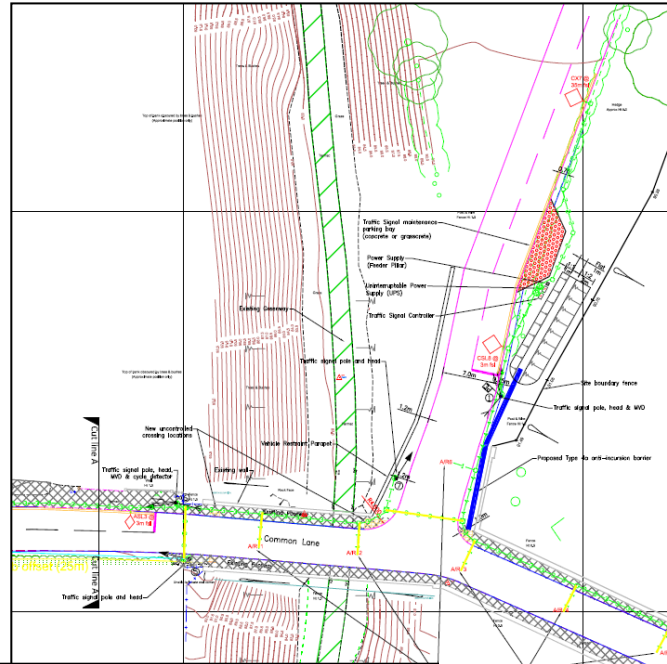
Objections to the installation of traffic signal junction with pedestrian facilities

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The report was circulated to the following members prior to publication:

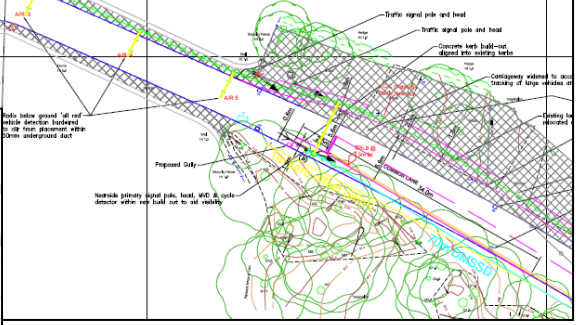
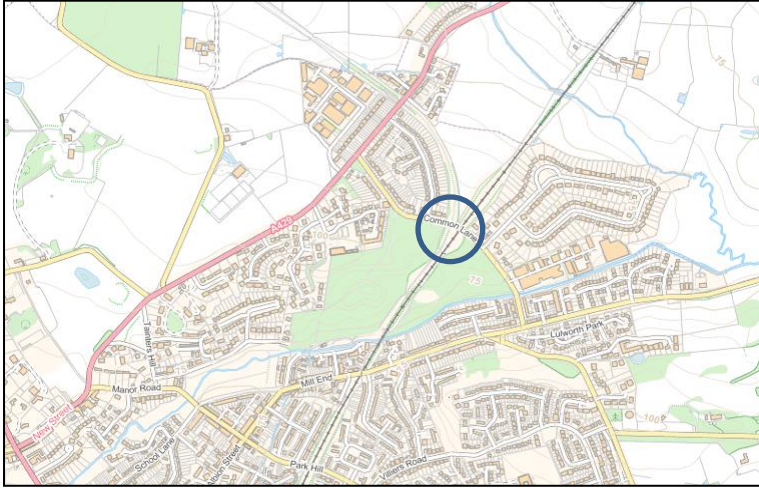
Local Member - Cllr Shilton (Kenilworth Park Hill)

Other Members –Cllr Cockburn, Cllr Fradgley, Cllr Horner, Cllr Western

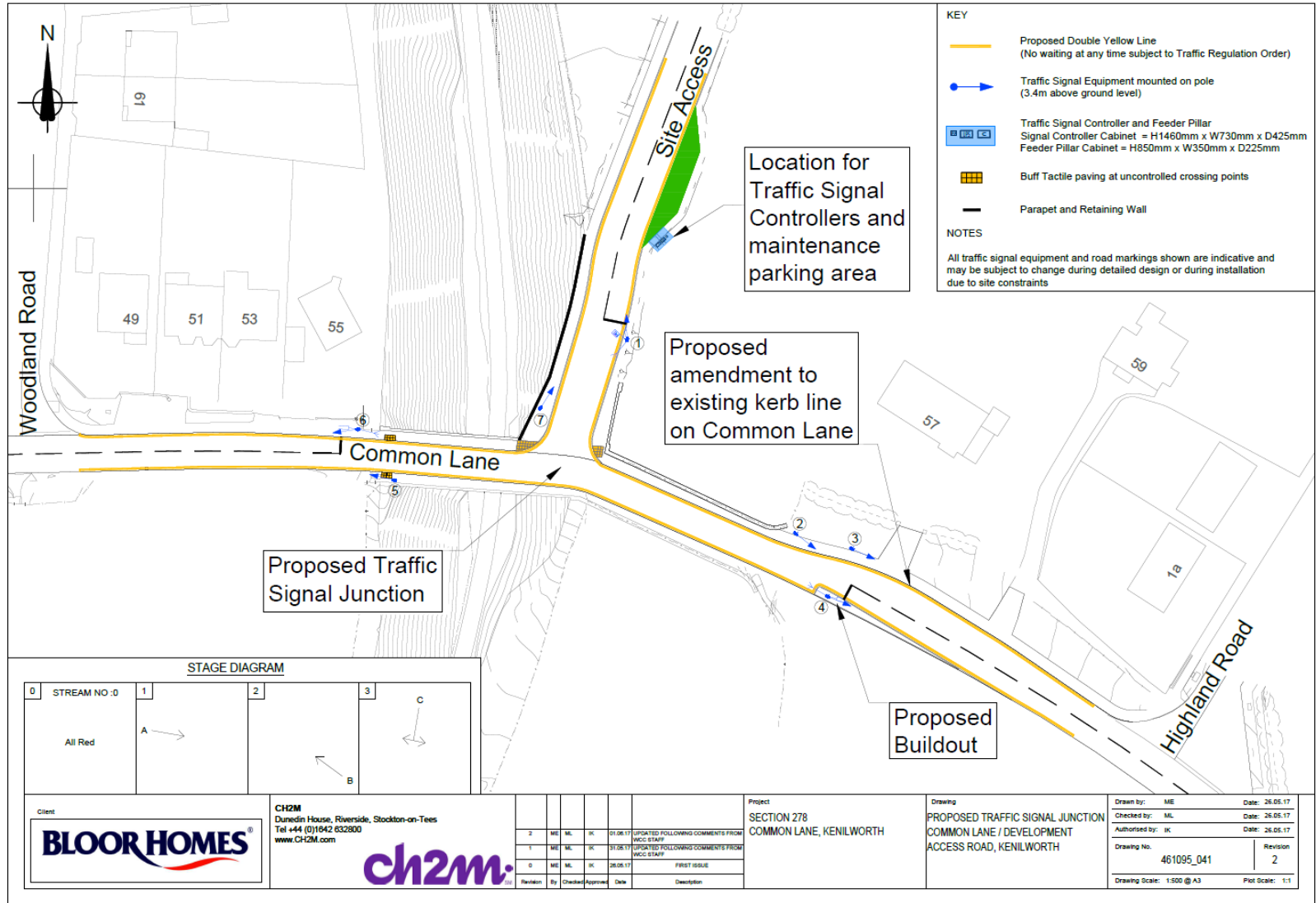


Location plan

Site plan



Detailed layout plan



Consultation plan

Common Lane, Kenilworth