


Decision Record – Objections to Proposed Traffic Signals with Pedestrian Crossing Facilities at C11 Higham Lane, Nuneaton

Cabinet Portfolio Holder taking the decision	Cllr Jeff Clarke Transport and Planning
Date of Decision (not before: 15 March 2019)	15/3/2019
	

Decision Taken

That the Portfolio Holder for Transport and Planning approves the installation of pedestrian crossings as part of a traffic signal controlled junction at Higham Lane / Development Access, Nuneaton, as advertised pursuant to Section 23 of the Road Traffic Regulation Act 1984, conditional upon the necessary Highways Act 1980, Section 278 agreement being in place.

Reasons for Decisions

Where objections are received to a road traffic order the Portfolio Holder must decide on the matter.

Background Information

A planning application (034076) was submitted to Nuneaton and Bedworth Borough Council for the development of a site off C11 Higham Lane, Nuneaton, for the erection of up to 453 dwellings and associated infrastructure. Planning permission was granted on 10 August 2018. The permitted scheme requires the Developer to install a traffic signal junction at the site access on Higham Lane.

Public notice was given of the intention to install a traffic signal controlled junction here and objections have been received to the proposal.

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. There is a procedure for seeking to vary a planning permission so as to remove requirements imposed by conditions, and it is possible to seek a new planning permission entirely, but this would require a further planning application by the developer and approval from Nuneaton and Bedworth Borough Council (which would be guided but not bound by the advice of the highway / traffic authority).

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 traffic signal controlled junction and associated works will be fully funded by the Developer.

Traffic signal controlled junctions with pedestrian and cycling facilities contribute to an integrated pedestrian and cycling network and help to reduce conflict between traffic, pedestrians and cyclist, 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.

The site of the proposed traffic signal controlled junction at Higham Lane / Development Access is indicated on the plan in Appendix A of the published report. Higham Lane connects A47 Hinckley Road to A5 Watling Street. The development site is to the north of Milby Drive and to the south of the A5.

The design has been subjected to a Stage 2 Road Safety Audit. No departures from standard have been identified.

Financial Implications

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 has been recommended to the Deputy Leader (Finance and Property) for his decision making meeting on 15 March 2019. However, this is a decision concerning financial and operational management and does not affect the responsibility of the Portfolio Holder for Transport and Planning to consider the merits of the proposed scheme.

Report Author	Shirley Reynolds
Assistant Director	Stuart Jackson
Joint Managing Director	Mark Ryder
Portfolio Holder	Councillor Jeff Clarke

Checklist

Urgent matter?	No
Confidential or Exempt?(State the category of exempt information)	No
Is the decision contrary to the budget and policy framework?	No

List of Reports considered

Link to published proposed decision report:

<https://democratic.warwickshire.gov.uk/cm5/Calendarofmeetings/tabid/73/ctl/ViewMeetingPublic/mid/410/Meeting/4409/Committee/593/Default.aspx>

List of Background Papers

N/A

Members and officers consulted or informed

Portfolio Holder – Councillor Jeff Clarke
 Corporate Board
 Legal – Ian Marriott
 Finance – Virginia Rennie
 Equality – Keira Rounsley
 Democratic Services – Paul Williams

Local Members:

Cllr Kondakor - Weddington

Other Members:

Cllr Chattaway; Cllr Chilvers; Cllr Cockburn; Cllr Fradgley; Cllr Phillips; Cllr Roodhouse; Cllr Shilton