

Portfolio Holder Decision – Objections to Proposed Traffic Signals at A47 The Long Shoot / Callendar Farm, Nuneaton

Portfolio Holder	Portfolio Holder for Transport and Planning
Date of decision	11 December 2020
	Signed

Decision taken

The Portfolio Holder approves the introduction of traffic signals with pedestrian and cycling 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.

Reasons for decisions

A planning application (034615) was submitted to Nuneaton and Bedworth Borough Council for a residential development of up to 850 dwellings, a primary school and a mixed-use local centre at Callendar Farm. Planning permission was granted on 29 August 2019 and this requires the Developer to implement a traffic signal-controlled junction with pedestrian / cycling facilities at the access which is between properties 160 and 162 The Long Shoot.

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 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 works will be fully funded by the Developer.

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. This traffic signal-controlled junction includes pedestrian crossing facilities. A public notice was published on 16 October 2020 in the Nuneaton News and at www.warwickshire.gov.uk/trafficsignals 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 42 directly affected properties between 140 and 182 and between 141 and 195 The Long Shoot, although due to a delay with postal arrangements letters addressed to the residents were not received until 02 November. The consultation plan can be seen in **Appendix 1**.

During the period of the consultation (16 October to 16 November 2020) three representations specifically regarding the proposed traffic signals were received from members of the public. Other comments were received during that period and subsequently regarding traffic levels and the number of development sites along The Long Shoot. These have not been reported here as they are outside of the scope of the consultation but have been responded to separately.

The Portfolio Holder for Transport and Environment has the authority via the Constitution of the County Council to determine, in consultation with local member(s), road traffic management and accident prevention schemes and road traffic regulation where representations have been received. The statutory criteria which he should consider are included as **Appendix 5**.

Background information

The representations received are included as **Appendices 2 to 4**. A common point raised was regarding the requirement for the traffic signals and the impact on The Long Shoot. The need for the traffic signals was identified following modelling of the potential effects of the traffic flow as a result of the development and an assessment of the potential effects of highway safety for pedestrians and drivers. The Transport Assessment was reviewed and accepted by the County Council as the highway authority and the planning consent includes a condition that no more than 10 dwellings should be occupied until the traffic signal junction has been completed.

The following paragraphs summarise the other representations and gives responses to the points raised.

Vehicle access to residential properties

Representations

- No right turn northbound to properties 159-177
- Difficult to enter or exit the driveways at 163 and 165
- No access protection markings for properties 159-177

Response

It will still be possible for vehicles travelling in either direction on The Long Shoot to turn into driveways. However, it will mean having to wait for a gap in the traffic in a similar way to the situation at many traffic signal junctions on residential roads. In the case of the driveways within the junction, the tracking of vehicles has been checked on the design to ensure that all movements can be made and that the positioning of traffic signal poles or lighting columns will not impede these.

It is not proposed to include any keep clear markings on either the northbound or southbound approaches to the traffic signals. It would be expected that gaps will form through the courtesy of drivers to allow residents to enter and exit their driveways.

Environmental impact

Representation

- There will be an increase in vehicle emissions and noise pollution
- There will be an impact of lighting on residential homes

Response

The Long Shoot 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 Environmental Statement formed part of the planning application documents and showed that the additional traffic generated by the development will lead to negligible increases in particulate matter and nitrogen dioxide concentrations on The Long Shoot.

The Long Shoot already has a system of street lighting. The traffic signal heads will be positioned to face the approaching traffic. They will be visible but will not shine into adjacent properties.

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 was given by the Portfolio Holder for Finance and Property at his decision-making meeting on 15 March 2019. 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.

Environmental implications

The environmental impacts of developer-funded highway schemes are considered through the planning approval process to ensure that the developments are consistent with the principles of sustainability.

Traffic signal-controlled junctions with pedestrian and cycling facilities contribute to an integrated pedestrian and cycling network and help reduce conflict between traffic, cyclists and pedestrians, encouraging feelings of safety. These factors are important in encouraging walking and cycling 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.

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Assistant Director	Scott Tompkins – Assistant Director (Environmental Services)
Lead Director	Mark Ryder - Strategic Director for Communities
Lead Member	Councillor Jeff Clarke - Portfolio Holder for Transport and Planning

Urgent matter?	No
Confidential or exempt?	No
Is the decision contrary to the budget and policy framework?	No

List of background papers

Appendix 1 – consultation plan
Appendices 2 to 4 – representations received
Appendix 5 – statutory criteria for decisions on pedestrian crossings

Members and officers consulted and informed

Portfolio Holder – Councillor Jeff Clarke

Corporate Board – Mark Ryder

Legal – Ian Marriott

Finance – Andrew Felton

Equality – Keira Rounsley

Democratic Services – Isabelle Moorhouse

Local Member: Councillor Jeff Clarke – Nuneaton East