

Portfolio Holder Decision – Objections to Proposed Toucan Crossing on Dencer Drive near Leyes Lane, Kenilworth.

Portfolio Holder	Portfolio Holder for Transport and Planning
Date of decision	14/07/2023
	Signed

Decision taken

The Portfolio Holder for Transport and Planning approves the introduction of a toucan crossing facility which would provide pedestrian and cycling facilities as formally advertised, conditional upon the necessary Highways Act 1980, Section 278 agreement being in place.

Reasons for decisions

A planning application (W/19/0655) was submitted to Warwick District Council for demolition of two residential properties and a collection of farm buildings, and erection of a two to three storey secondary school and sixth form building and a single storey facilities management building, with associated access and egress from Glasshouse Lane, parking spaces for cars, school buses, bicycles, internal drop-off zones, sports pitches, landscaping, and auxiliary outbuildings. Planning permission was granted on 19th December 2019.

The traffic signal junction at Leyes Lane / Dencer Drive and toucan crossings on Glasshouse Lane were advertised from 26 January 2023 to 24 February 2023. Objections and concerns were raised regarding the proposed traffic signal junction from members of the public so the traffic modelling and design was reviewed and amended. Warwickshire County Council subsequently re-advertised the proposal between 18 May 2023 and 12 June 2023 for the installation of a toucan crossing on Dencer Drive near Leyes Lane rather than the initially advertised traffic signal junction at Leyes Lane / Dencer Drive with pedestrian and cycle crossing facilities. Warwick District Council has confirmed that this would be acceptable and complies with the planning requirement. These works will be undertaken and fully funded through a Section 278 agreement with the developer.

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 toucan crossing was formally advertised on 18 May 2023 in the Leamington Courier and Observer, and details were sent to residential properties within the vicinity of the proposed toucan crossing. Details were sent to statutory consultees (including the Chief Officer of Police). The consultation plan can be seen in **Appendix A**.

During the period of the consultation (18 May to 12 June 2023) **four** representations were received from members of the public.

Pursuant to the Constitution, in cases where objections have been received (and not withdrawn) and in consultation with local member(s) the Portfolio Holder for Transport and Planning has power to determine road traffic management and accident prevention schemes and road traffic regulations. The Portfolio Holder is therefore asked to consider the objections and responses received and to approve the introduction of a toucan crossing as formally advertised, conditional upon the necessary Highways Act 1980, Section 278 agreement being in place.

Background information

The representations received and responses issued are included in **Appendix B**. A common point raised was regarding the requirement for a toucan crossing and the impact on various roads surrounding Glasshouse Lane. The need for the traffic signals including a toucan crossing was identified in the Transport Assessment which was submitted through the planning process. The Transport Assessment was reviewed and accepted by the County Council as the highway authority.

The following paragraphs summarise the representations and the Council's response to the points raised.

Vehicular queuing at the toucan crossing

Representations

- During peak hours queues of vehicle traffic will block residential property access and exits from Leyes Lane junction.

Response

There is expected to be high usage at peak times. The toucan crossing will only stop vehicle flow when it has been called, and the vehicle phase and pedestrian/cyclist phase will allow for a continued but controlled vehicular flow along the road. It will still be possible for vehicles travelling in either direction to turn into driveways or leave Leyes Lane. However, it will mean having to wait for a gap in the traffic in a similar way to the situation at many controlled crossings on residential roads..

Alternative crossings arrangements have been explored including the zebra crossing which would create more delays to general traffic and would not provide the same level of safety to school children and would not cater for cyclists.

Therefore, a signal-controlled toucan crossing is the preferred solution.

Pedestrian Environmental impact

Representations

- Pedestrian nuisance due to proposed crossing point locations.
- Crossing not at the correct location, alternatives routes to the new School.

Response

The toucan crossing will be located between the two junctions of Dencer Drive with Leyes Lane, as far as is practicable from residential access whilst retaining a safe route for schoolchildren and other pedestrians. It is expected that school children will take a number of routes to get to the new school and this particular junction links the school with other local facilities and so creates a safe crossing point at a location that is expected to be well used. A new foot/cycleway will be constructed on Leyes Lane on the opposite side to the houses which will encourage the majority of pedestrians and cyclists to be away from the houses.

Vehicle parking and student drop off

Representations

- Adjacent roads experiencing high traffic and parent parking during peak hours.

Response

The issue of parent parking in relation to the school is not for this report to deal with. The toucan crossing will include zigzag markings to prevent parking within the vicinity of the crossing in order to maintain good visibility at this point.

Financial implications

The County Council has entered into a Section 278 agreement with the Developer to undertake the works required to implement the toucan crossing as advertised. 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 18 June 2021.

That decision concerned the financial and operational management elements of the process. It remains a requirement that the Portfolio Holder for Transport and Planning consider the merits of the proposed scheme as set out in this Report.

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.

Signal-controlled toucan crossings which have 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 Jan Matecki 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 A – consultation plan Appendix B – representations received, and responses issued

Members and officers consulted and informed
Portfolio Holder – Councillor Jan Matecki
Corporate Board – Mark Ryder
Legal – Caroline Gutteridge
Finance – Andrew Felton
Equality – n/a
Democratic Services – Isabelle Moorhouse
Councillors – Warwick, Singh Birdi, Boad, Phillips and W Roberts
Local Member: Councillor Tracey Drew – Kenilworth Park Hill