

Agenda Item No. 4(b)

DERBYSHIRE COUNTY COUNCIL

**MEETING OF CABINET MEMBER – HIGHWAYS, TRANSPORT AND
INFRASTRUCTURE**

11 April 2017

Report of the Strategic Director – Economy, Transport and Communities

**ADDITION OF DEVELOPER FUNDING CONTRIBUTION TO THE CAPITAL
PROGRAMME – MANCHESTER ROAD, CHAPEL-EN-LE-FRITH**

(1) **Purpose of Report** To inform the Cabinet Member about a financial contribution to be paid to the Council by a developer to fund a highway improvement and to add the funds to the Economy, Transport and Communities Capital Programme 2017-18.

(2) **Information and Analysis** Planning permission was granted on 23 August 2012 on appeal for a residential development by Barratt Homes on land off Manchester Road, Chapel-en-le-Frith under planning application number HPK/2011/0282. The development site is shown on the attached plan.

The County Council, in its role as Highway Authority, was consulted about the development proposals and made a number of recommendations regarding conditions and other undertakings to help mitigate the highways and transportation impact of the development related traffic. One of the mitigation measures was the commitment for the developer to pay the sum of £26,500 to the Council as a contribution towards off-site highway works to be carried out within the vicinity of the site via a formal Planning Agreement.

The trigger point for payment has now been reached and the developer has deposited the money with High Peak Borough Council. The County Council now needs to add this contribution to the Capital Works Programme 2017-18 in order that an appropriate scheme can be designed and programmed.

Some preliminary design work has already been carried out by the County Council for a proposal as shown on drawing number S10605/1. Consultation on this proposal has been carried out with all the fronting properties on this stretch of road, as well as Chapel-en-le-Frith Parish Council, the local Member, Councillor Jocelyn Street, High Peak Borough Council, the Police and other interested parties.

The Police support the proposals and no adverse comments have been received from the Parish Council, High Peak Borough Council or the local Member, Councillor Jocelyn Street.

Several comments have been received from the residents which are summarised in Appendix 1. These are varied in nature, but there is no particular common theme or issue that would preclude such a proposal from going ahead.

(3) **Financial Considerations** The developer wishes to pay the County Council the sum of £26,500 as a contribution towards highway improvement works as described above. The Council is obliged to use the contribution within 5 years after the date of receipt of the contribution. Any unused funds are to be repaid to the developer (plus interest).

(4) **Legal Considerations** The highway improvement contribution has been secured using an Agreement dated 20 March 2012 under Section 106 of the Town and Country Planning Act 1990 between the developer, the Local Planning Authority and the County Council. Pursuant to the Highway Authority's powers under Section 278 of the Highways Act 1980, the County Council is entitled to accept financial contributions from third parties towards highway improvement schemes. The scheme will subsequently be added to the Capital Programme 2017-18.

(5) **Social Value Considerations** Use of the developer contribution will enable the Council to carry out improvement works which otherwise may have fallen upon the public purse. The works will assist the safe and efficient public use of the highway following the introduction of the development. The works will be carried out by the Council's in-house operations helping to sustain the Council's services.

In preparing this report the relevance of the following factors has been considered: prevention of crime and disorder, equality and diversity, human resources, environmental, health, property and transport considerations.

(6) **Key Decision** No.

(7) **Call-In** Is it required that call-in be waived in respect of the decisions proposed in the report? No.

(8) **Background Papers** Held on file within the Economy, Transport and Communities Department. Officer contact details – Steve Alcock, extension 38176.

(9) **OFFICER'S RECOMMENDATIONS** That the Cabinet Member:

- 9.1 Notes the comments received following consultation.
- 9.2 Notes the payment of £26,500 for a developer contribution using a Section 106 Agreement towards highway improvement works needed to mitigate the effects of the above development on Manchester Road, Chapel-en-le-Frith.
- 9.3 Approves the inclusion of the funding in the Council's 2017-18 Capital Programme for the design and implementation of an appropriate scheme, subject to the terms of the Section 106 Agreement.
- 9.4 Approves the implementation of the scheme as proposed.

Mike Ashworth
Strategic Director – Economy, Transport and Communities

Appendix 1

Varied comments have been received from residents of the street following a letter drop to each property. These are summarised below with a response to each issue raised.

Comment: *“We welcome the proposals to reduce the speed of traffic in the area but have some observation that we hope you could consider in the finalised plan..... The concern is that the proposed hatching areas, which will effectively narrow the lanes, will push the traffic closer to the kerb line and increase this problem.*

My thoughts are that a mirror mounted on the lamppost directly opposite the drive would allow us to identify a break in the traffic to actually edge out safely without causing a surprise to traffic coming from the right.

We would then be able to make a final direct visual check and then safely exit the driveway.

I don't mind getting or putting up the mirror myself if i have authority to do so, regardless of the speed restriction plans, as it would be much safer for everybody.”

Response: The Department for Transport (DfT) no longer authorises the use of mirrors within the highway unless in exceptional road safety circumstances. This is because they have been found to be unreliable. They offer a distorted image which can give misleading information. Experience shows that they can often prove counter-productive as a safety measure because they can lead to an increase in the speed of emerging vehicles by drivers relying too heavily on the mirror. There is also the possibility of drivers concentrating too much on the mirror and ignoring their immediate surroundings, for example, pedestrians crossing in front of the vehicle. There can also be problems with keeping a mirror clean and with reflecting headlights at night.

However, private individuals can erect a mirror for use at their own risk on land off the public highway if they so wish.

Comment: *“Broadly the scheme depicted looks good, and I approve of any scheme designed to improve pedestrian facilities, particularly since my children walk from my house, across the B5470 to get to Chapel-en-le-Frith High School, so I am happy with the proposed improvements.....*

A number of repairs to services (gas and water) have been made in the roadway in recent years, and the repair patches have sunk in most cases,

resulting in depressions in the road which cause considerable nuisance noise from passing heavy goods vehicle..... When they hit the dents they “bounce” which causes a very loud bang/clang, and furthermore, causes a considerable dust nuisance. Since the trucks start moving at around 3 am, you can appreciate the disturbance to sleep, not to mention the layer of limestone dust that rapidly accumulates on my car, windows and driveway.”

Response: Defects in the carriageway surface is a highway maintenance responsibility and the issues that have been raised have been forwarded to the Maintenance Team for attention.

Comment: *“I just wanted to know if you were aware of the recent changes that have occurred to the use of the police station on Manchester Road. The car park has been reduced which has resulted in numerous police officers cars being parked outside the police station.....I don't think that putting in deflection arrows on the road outside the police station would be viable, as if you were to travel from the town centre and stop in-between these arrows to turn right into Orchid Drive you would be in the path of on coming traffic, which surely wouldn't be an improvement to the current situation.”*

Response: The deflection arrows shown on the drawing are already existing and form a legal requirement on the approach to a double white centre line system. As such, they cannot be omitted. Any roadside parking should comply with the Highway Code.

Comment: *“First and foremost we are in full agreement with your proposals but feel they don't go far enough.....since the development on Octavia Gardens things have become very different. This junction is very very busy and the development is only half built at the moment and is the only entrance both on and off the site. The biggest problem now is parked cars around the junction and especially in front of the Police Station (which is now fully operational). Traffic coming over the brow of the hill towards Chapel is now virtually in the middle of the road until the Frith View slip road, as a consequence visibility is seriously compromised for traffic coming and going from Orchid Way. The same may also be said about the junction at Crossings Road/Manchester Road. This has been a problem for several years due to parked cars at the junction. This is a busier junction than Orchid Way, exiting this junction, turning right towards Whaley Bridge, you have to be in the middle of the road to see traffic coming from Chapel.....We would just like to know what the chevrons on the road will mean? Is it to make the traffic single track, or can vehicles drive over them, or is it to alert traffic that there will be an obstruction on the carriageway?”*

Response: The introduction of a central refuge enables pedestrians to cross the road in two halves which improves the situation for all pedestrians. The central hatching helps to guide traffic past the central refuges whilst also

narrowing the running lanes down to help to regulate vehicle speeds. As stated in the Highway Code (Rule 130), the hatched area can be entered when necessary and when safe to do so.

Comment: *"I have great concern about the proposed changes....It has been several years now since I have been able to view all but the brightest stars in the night sky above our house and more light pollution is the last thing that I want to see.*

I can see no value in the proposed new crossing as it is positioned so close to an existing crossing.

The proposed crossing position does not have a long enough line of site (when crossing from the south to the north side of the road) to see traffic approaching from the left as the proposed position is right on the apex of the bend in the road. The left view is obscured by trees and bushes.

The hatched areas (other than the first tapered section next to the police station) do not seem to conform to any approved highways design code.

There is always traffic parked outside the police station and having this hatched area will mean that traffic approaching over the brow of the hill from Tunstead Milton direction will have no where to go.

The right turn into the new estate road does not have a long enough line of site to safely turn right due to the blind summit of the hill.

The road appearance will look like an urban primary route rather than a market town road.

The proposed crossing is too close to the bus stop and will encourage children getting off the bus to cross before the bus has departed when they can see and be seen.

It is claimed that the scheme is being considered to reduce traffic speeds as well as improve pedestrian facilities. I can see no justification for this claim. Traffic speeds surely are controlled by speed limits, traffic calming and or police enforcement cameras none of which are included in this scheme.

The right turn refuge into our slip road is not wide enough to accommodate vehicles and the hatching will encourage other drivers to believe there is room to pass on the inside when there is a vehicle waiting to turn right.

All in all it appears to me that the scheme is very poorly thought through and is not at all suitable for this location."

Response: Pedestrian/vehicle inter-visibility at the proposed refuge is excellent from both sides of the road. Visibility to the left when crossing from the south side of the road is only curtailed by the brow in the road some 200m away. However, the purpose of a refuge is to enable pedestrians to cross the road in two halves, so, a pedestrian crossing from the south side would only need to concentrate on traffic approaching from the right. Then, when crossing the remainder of the carriageway from the central refuge, the pedestrian would then be looking to the left. This eliminates any worries about overgrowing foliage.

All the road markings being proposed conform to the Traffic Signs Regulations and General Directions 2016.

Roadside parking should be in accordance with the Highway Code. This parking takes place currently, therefore, there will be no change to this situation.

The forward visibility for right turners into the new development will remain as existing.

There is already a central refuge on this section of Manchester Road and this proposal continues the theme. It is a classified road (B5470) in a built-up, street-lit, 30mph zone and not within a conservation area. It is not considered that the proposal will unduly urbanise the area.

It is not considered that the provision of a central refuge will encourage children to take less care after alighting from a bus. This risk could apply at any bus stop, but, the provision of a focal crossing point, as is being proposed, could even reduce this risk by it being far enough away from the bus stop meaning the bus will have already moved off by the time any pedestrians get to the crossing point rather than crossing the road directly in front of the bus.

Whilst a 30mph speed limit applies, the wide lanes and open nature of this section of road can lead to motorists exceeding the posted speed limit. This proposal is a traffic calming measure which offers a safer crossing option for pedestrians by enabling them to cross the road in two halves whilst simultaneously narrowing the running lanes down to help to regulate vehicle speeds and aid compliance with the speed limit.

The proposed amendment to the lining at the right turn into the service road off Manchester Road will mean that motorists will have to wait in the centre of the road as they do at present. If there is sufficient room for another vehicle to pass the waiting vehicle on the inside, there should be no road safety issues with this.

Comment: *"With regard to the Highway Improvements to a section of the B5470 in Chapel en le Frith, have you taken into account the Bus Stop on this section of Manchester Rd?"*

As it is not highlighted on the map. It is on the side of the road that is going towards Whaley Bridge. The Bus Stop is in front of 93 and 95 Manchester Rd."

Response: The presence of the bus stop has been borne in mind during the design of the proposal to ensure that any works are not detrimental to its operation.

Comment: *"I fully support any safety improvements on Manchester Road. However, i fail to see how another crossing/refuge point will slow traffic down, as it has little, or no affect further down the road by No:70. This one has become a collection point for road chippings/gravel etc, and is quite scruffy. I also fail to see how the deflection arrows will slow traffic down, is there any evidence to support this?"*

If you wanted to do something positive for Manchester road residents, what about a quite (sic) road surface."

Response: As stated, there is already a central refuge on this section of Manchester Road and this proposal continues the theme. Central refuges enable pedestrians to cross the road in two halves with a safe place to wait in the middle of the road if needs be. Wide roads tend to encourage higher speeds. The extended length of central hatching reduces the widths of the running lanes for through traffic to help to regulate its speed. The deflection arrows are part of the existing double white centre line system and are already in situ. These are merely being replaced.

Comment: *"We welcome improvements to pedestrian facilities and safety and traffic calming along this busy road.....When turning into our driveway entrance, from the direction of Whaley Bridge, it is necessary for us to pull out to the centre of the road in order for us to enter our driveway almost at right angles to the road. This sometimes requires us to pull in to the left hand side of the road, to wait and allow traffic travelling closely behind us to overtake, before we safely commence our manoeuvre. In this respect I wonder if the position of the pedestrian refuge will allow us enough space to do this?"*

There are occasions when vehicles, belonging to visitors, are parked on the road directly next to our garden wall. Delivery and trade vehicles often park temporarily outside our house. I should point out that vehicles are sometimes parked here with the wheels of one side resting on the pavement. This being done to lessen the restriction parked vehicles may present to passing traffic.

My question would be whether the proposal includes parking restrictions and whether it will still be possible for vehicles to park outside our house?"

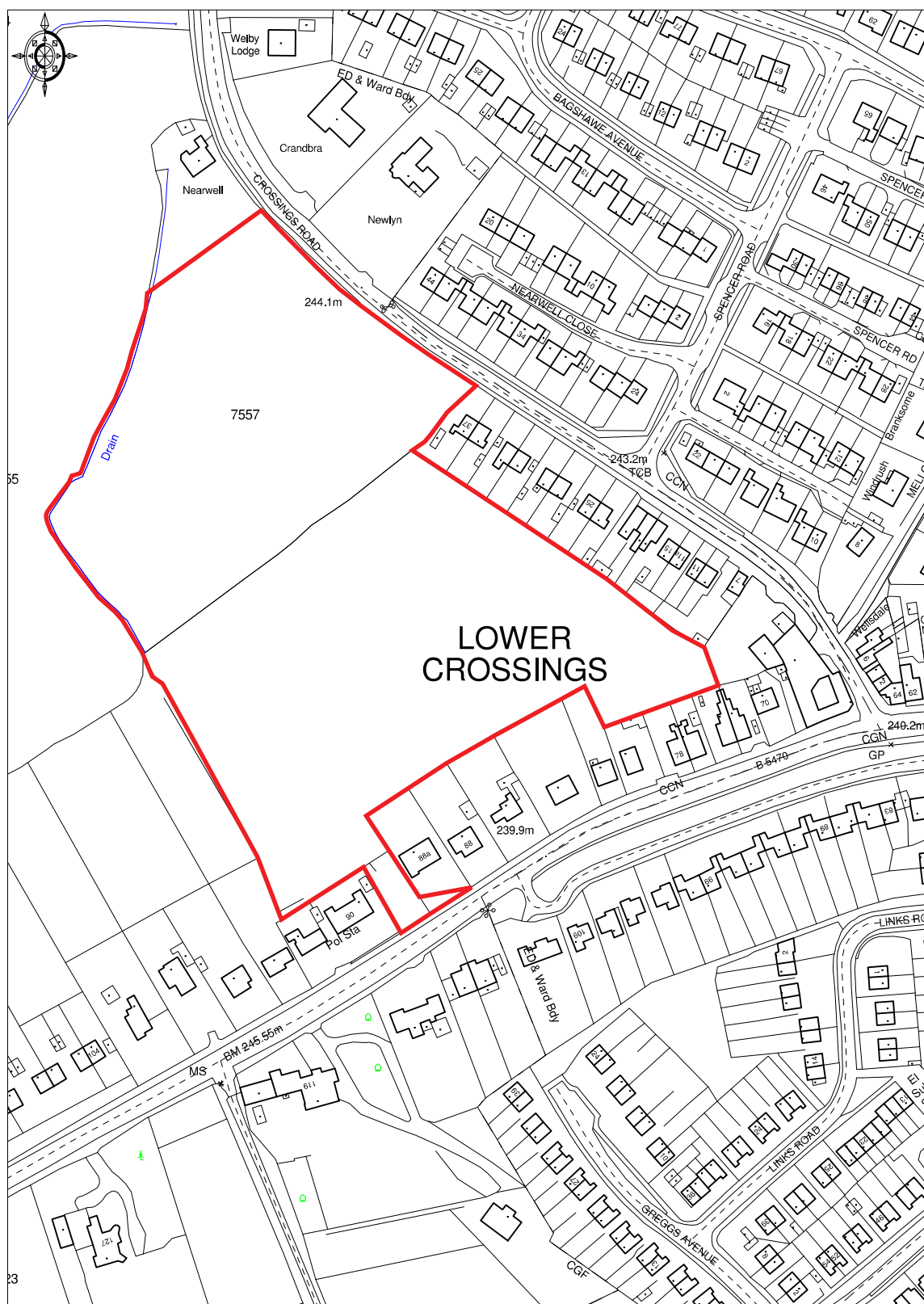
Response: There are no parking restrictions being proposed as part of this proposal. Therefore, roadside parking can take place so long as it is in accordance with the Highway Code and does not present an obstruction or any other undue hazard to other road users. The location of the proposed refuge should not unduly affect access and egress to the specific driveway mentioned.

Comment: *"I run an acupuncture business from the property and so typically have one or two cars parked on the road outside. They would not be able to do this with the proposed refuge as we get a lot of HGVs coming past and they would not fit past a nearby parked car. As many of my patients have limited mobility I would rather that they did not have to park further away and walk. I could alter the front of my property to provide more parking but this would be a very expensive solution and made more difficult if there was a refuge there."*

I appreciate I do not have the right for people to park outside my house but still you asked for opinions and it would certainly be in my interests to not have the refuge there. If the goal was to slow traffic would outside the police houses or a couple of hundred yards away (towards Whaley) at the brow of the hill not be more effective?"

Response: As with any central refuge, vehicles would not be able to park so close to it that it would obstruct the passage of vehicles. The location of the proposed refuge would prevent parking directly outside this property, but, unrestricted roadside parking would still be available either side of it, as at present. The property in question does have off-street parking facilities.

Alternative locations for the refuge have been investigated, however, a location to the east of the new development access is favoured as this would be on the pedestrian desire line for residents of the new development, particularly when walking to Chapel High School. As such, it is considered that the refuge is in the best place when taking into account the presence of accesses and side roads.



© Crown Copyright 2008. All rights reserved. Licence number 100020449. Plotted Scale - 1:2500

— Site

Drawing Title:
SITE LOCATION PLAN

Project:
**PROPOSED RESIDENTIAL
DEVELOPMENT**
Client:
BARRATT DEVELOPMENTS

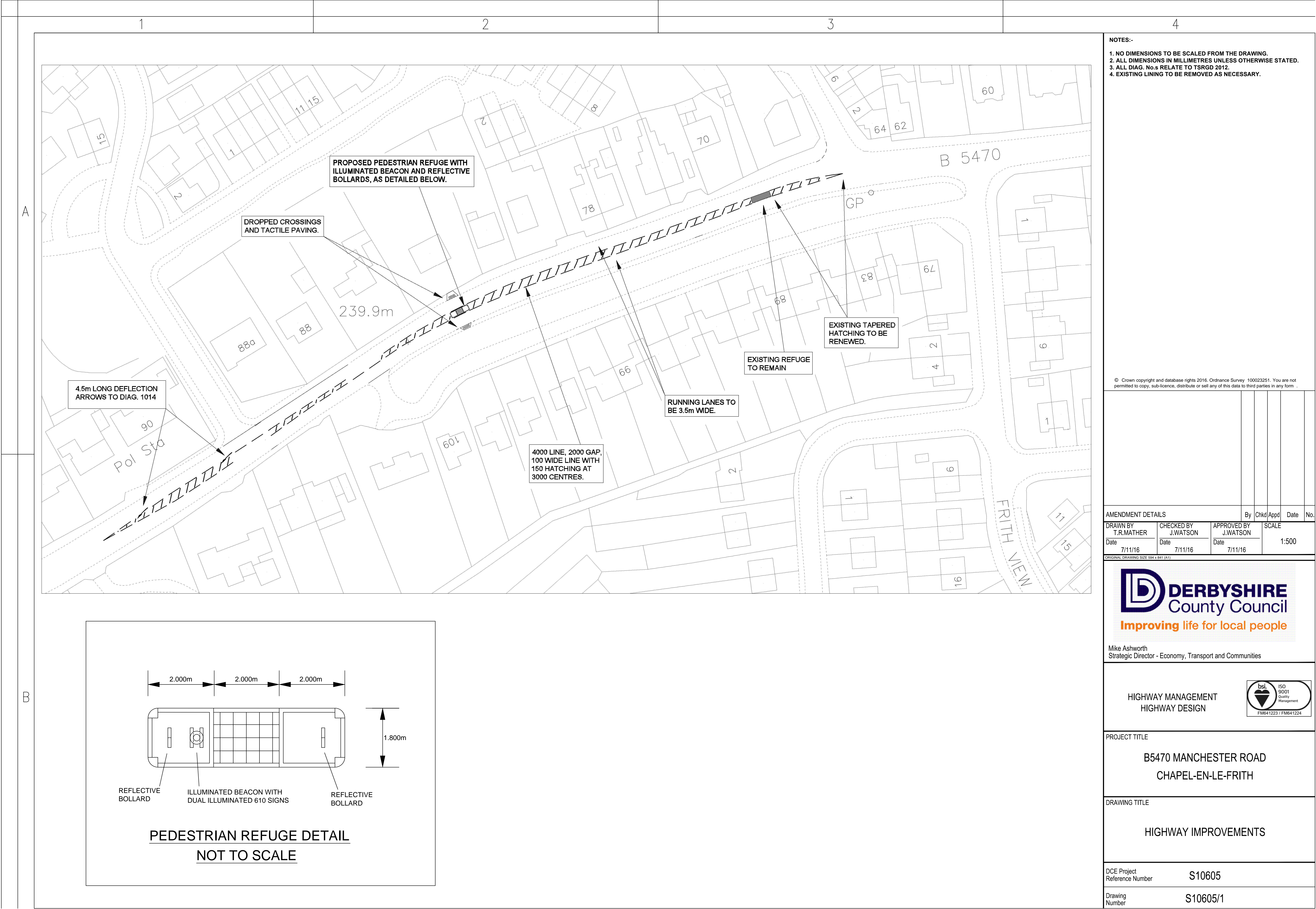
Development potential	Dwn AK	Scale 1:2500	Ckd CC	Date 23.03.2011
-----------------------	-----------	-----------------	-----------	--------------------

Dwg No. BAR197/2-001	Rev.
--------------------------------	------

JOHN ROSE ASSOCIATES
PLANNING URBAN DESIGN REGENERATION

Berkeley Court, Borough Road, Newcastle-under-Lyme, Staffs, ST5 1TT
T 01782 382275 F 01782 753415 www.johnroseassociates.co.uk





NOTES:-

1. NO DIMENSIONS TO BE SCALED FROM THE DRAWING.

2. ALL DIMENSIONS IN MILLIMETRES UNLESS OTHERWISE STATED.

3. ALL DIAG. No.s RELATE TO TSRGD 2012.

4. EXISTING LINING TO BE REMOVED AS NECESSARY.

© Crown copyright and database rights 2016. Ordnance Survey 100023251. You are not permitted to copy, sub-licence, distribute or sell any of this data to third parties in any form .

AMENDMENT DETAILS				By	Chkd	Appd	Date	No.
DRAWN BY	CHECKED BY	APPROVED BY	SCALE					
T.R.MATHER	J.WATSON	J.WATSON	1:500					
Date	Date	Date						
7/11/16	7/11/16	7/11/16						

ORIGINAL DRAWING SIZE 594 x 841 (A1)

DERBYSHIRE

County Council

Improving life for local people

Mike Ashworth

Strategic Director - Economy, Transport and Communities

HIGHWAY MANAGEMENT

HIGHWAY DESIGN

bsi

ISO 9001

Quality Management

FM641223 / FM641224

PROJECT TITLE

B5470 MANCHESTER ROAD

CHAPEL-EN-LE-FRITH

DRAWING TITLE

HIGHWAY IMPROVEMENTS

DCE Project Reference Number

S10605

Drawing Number

S10605/1

File Location: J:\Network-Management\Highways\C&C HIGHWAY DESIGN\2016-17\Scheme name and number\Chapel en le frith s10605\04 - Design\S10605.1.dwg

File Created: Tue 13-Sep-2016 - 07:06AM

Last Saved: Mon 07-Nov-2016 - 10:00AM