

Name of meeting: **Cabinet Committee - Local Issues**

Date: **20 October 2023**

Title of report:

Kirklees Council Traffic Regulation [No 8] Order 2023, Proposed prohibition of waiting on Dunford Road and Greave Road, Hade Edge

Purpose of report: To consider objections received

Key Decision - Is it likely to result in spending or saving £500k or more, or to have a significant effect on two or more electoral wards?	No
Key Decision - Is it in the Council's Forward Plan (key decisions and private reports?)	No
The Decision - Is it eligible for call in by Scrutiny?	Yes
Date signed off by <u>Strategic Director</u> & name	David Shepard – 28/09/2023
Is it also signed off by the Service Director Finance?	Isobel Brittain – 19/09/2023
Is it also signed off by the Service Director for Legal Governance and Commissioning?	Julie Muscroft – 28/09/2023
Cabinet member portfolio	Cllr Masood Ahmed

Electoral wards affected: Holme Valley South

Ward councillors consulted: Yes

Public or private: Public

Has GDPR been considered: Yes

1. Summary

- 1.1 The 'Bowshaw View' residential development Hade Edge was granted planning permission in in 2017. The development was subject to a Section 106 Agreement ('S106') between the Developer (Jones Homes Yorkshire Limited) and Kirklees Council, which, along with other commitments relating to affordable housing and education, provided a sum of £287,546 to Kirklees Council for "...*highway improvement works within the village of Hade Edge...*"
- 1.2 The 106 payment trigger was reached in 2020, and monies deposited with Kirklees to fulfil the Section 106 obligations. At that time the Kirklees Highway Safety Team started to develop a village-wide traffic management scheme, with the primary objective of reducing vehicle speeds, and thus the likelihood and severity of road traffic collisions occurring in and around Hade Edge Village.
- 1.3 Following initial discussions on concept design with Kirklees Ward Councillors, extensive consultation was undertaken on a proposed scheme layout during February 2023 with Ward Members, all of whom were very supportive of the scheme. This was followed by consultation with statutory consultees, and subsequently with residents, in April. This consultation with residents included posting out over 300 letters to addresses within the Village and the surrounding area, including a link to electronic versions of the plans and letters on the Kirklees Council website, with open access to all. Consultation was also undertaken took with the Parish Council, and, via them, the Hade Edge Residents Association. Additionally, an 'Open Day' was held at Hade Edge Band room in mid-May, hosted by Council Officers and Ward Members, to give everyone the opportunity to comment or ask questions face-to-face. This event was publicised via Kirklees social media and publicised via Ward Councillors, Parish Councillor and the Village Association accounts.
- 1.4 In response to the consultation, 2 letters, 8 emails, and 14 written forms (submitted at the Open Day) were received, all but one of which supported the scheme overall, although some changes were requested. The proposals were subsequently revised to adopt as many of the changes as possible, without compromising the aims of the scheme.

Revised scheme proposals are shown:

Appendix A - Plans HS-25-66709-CCLI-01 to 07.

The main elements of the scheme are summarised in **Appendix B**.

- 1.5 The scheme, as proposed, required the legal advertising of 3 elements of traffic management.
 - **Traffic calming – Dunford Rd and Greave Road, Hade Edge traffic calming.**
This order was advertised between 2 June and 23 June 2023 inclusive.
 - **Speed Limit Order – (Speed Limit) (No 118) Order 2023**
 - **No Waiting at Any Time – Kirklees (Traffic Regulation) (No 8) Order 2023**
The above 2 orders were initially advertised incorrectly, without on street notices being posted in June 2023, and so were formally and legally advertised 9 August 2023 – 6 Sept 2023, inclusive.

The plans showing the advertised order for the waiting restrictions, which are the subject of this report, are shown in **Appendix C 1-4**.

- 1.6 During advertisement of the proposals, 5 objections were received relating to the “proposed waiting restrictions” and are not specific to any one length. (Redacted copies are included at **Appendix D**).

Whilst officers were able to amend the scheme to resolve some objections during consultation, without compromising the integrity of the scheme’s aims and objectives, and without having a greater impact on other individuals, they have been unable to resolve the objections to the proposed waiting restrictions.

2. Information Required to Take a Decision

2.1 Background to Dunford Road Priority Pinch Points, and Need for Related Waiting Restrictions

- 2.1.1 The priority give way features, with the associated waiting restrictions, are intended to create physical ‘gateways’ as close to the start of the residential environment within Hade Edge as possible, intended to slow down higher speed drivers entering the Village from the rural sections to levels more appropriate for a residential road, followed by a series of vertical traffic calming features (**Appendix A2 and a3 HS-25-66709-CCLI-02 & 03**). At the southern feature, on entry to the Village the 30mph speed restriction starts a short distance in advance of the frontage properties, prior to which Dunford Road is a straight, open rural road bound by fields with no fronting development where the National 60mph limit applies. High speeds are often achieved along this rural section of Dunford Rd.

2.1.2

Historical speed surveys taken along Dunford Road within the 30mph section show drivers often maintain those high speeds regardless of having entered the Village, and a more residential environment. This poor driver behaviour was a major consideration during scheme conception and recorded speeds were not compatible with vertical traffic calming. The priority give way features, therefore, seek to emphasise the message that the environment has changed significantly, and that speeds must similarly reduce significantly.

- 2.1.3 The first feature drivers encounter in any traffic calming scheme must be placed after the speed limit change occurs, with enough distance to give drivers the opportunity to react and adjust. At the southern feature on Dunford Rd, where it reduces from 60mph to 30mph – there is a need to emphasise this need to reduce speed with something more than just traditional full-width road humps and warning signs, hence the priority pinch points and ‘*Give-way to oncoming traffic*’ requirements.

Reflecting the high speeds recorded here, the priority give way feature will be emphasised by conspicuous advanced warning signs, on approach, to ensure drivers are fully aware of the presence of this traffic calming feature.

Due to access, driveway and junction locations, the position of the southern feature, as proposed, is in the optimum position.

- 2.1.4 Whilst these “priority give way” features can, and do, operate safely without waiting restrictions, due to the specific conditions here, Highway Safety consider them to be necessary. For drivers entering the Village the required change in behaviour would be significant with vertical traffic calming in-situ. It would, therefore, be essential that drivers approaching these features have unobstructed forward views of them, particularly the southern feature as the distance between the change in speed limit and give-way requirement is relatively short and the change in speeds is significant.

If parked vehicles prevent approaching drivers from clearly seeing the give-way markings here, or a high-sided vehicle inhibits forward views to the 'Give-way to oncoming traffic' sign, approaching drivers may not be fully aware of the requirement to give-way, or of its location. This would be a dangerous situation.

- 2.1.5** Parking could also inhibit visibility between opposing drivers. Additionally, if vehicles parked along the approaches to the features and/or immediately downstream of them, the length of the 'overtaking' manoeuvre required to pass through would increase. These circumstances would make it more difficult to judge oncoming traffic, increase the length of exposure to head-on conflicts, and the likelihood of drivers feeling it necessary to travel at higher speeds to clear the features. The closer to the give-way lines that drivers get (whilst remaining within their lanes) before pulling out to pass through, the slower the manoeuvres will be. These are the reasons why the waiting restrictions are proposed along the approach sides of the features (i.e., the Green Abbey side of Dunford Road at that feature).
- 2.1.6** Another issue with parking along the western side of Dunford Road adjacent to the Green Abbey feature is that the road is relatively narrow, and based upon observations when on-street parking does occur, it generally involves encroachment onto the footway (we assume that drivers do this to minimise hindrance to through traffic). This behaviour is illegal under Highway Law and as Highway Authority we cannot condone it, as it conflicts with the free movement and safety of pedestrians on the footway.
- 2.1.7** Along the eastern side of the road in the same location, drivers would need to move out into the opposing southbound lane to pass through the feature before returning to the nearside, therefore this lane would also need to be kept clear of parked vehicles over an adequate distance, and this is why the restrictions are proposed along the eastern side of Dunford Road.
- 2.1.8** It is noted that houses within Green Abbey all have garages, and additional off-street parking areas for multiple cars, within property boundaries, and we would always encourage the use of off-street parking where possible. Notwithstanding that, when unavoidable, on-street parking within side roads and estates would always be preferable to main roads. Speeds are severely restricted by the layout of estate roads; traffic flows and potential conflicts are a fraction of those along main roads; and there are locations within the estates where visitors could park on-street without causing serious problems for visibility or residential access, particularly for short periods of time.
- 2.1.9** Furthermore, based upon site observations made on numerous occasions and observations submitted by residents, the frequency of on-street parking along this section of Dunford Road is low, therefore the inconvenience caused by displacement should be minimal.

2.2 Objections

During advertisement of the proposals, five objections were received (**Appendix D**). All 5 objections relate to the "proposed waiting restrictions" and are not specific to any one length.

Objection 1

– Proposed no waiting at any time restrictions associated with southern priority give-way pinch point (as shown **Appendix A3 HS-25-66709-CCLI-03**)

The Objector has been in correspondence with the Service since the traffic calming was legally advertising, culminating in the revised objection, as written Appendix D1. The objector is a resident of Green Abbey, who wishes to continue parking on the western side of Penistone Road, in the vicinity of the proposed buildout for the priority give way point. They state that accessing their home from a street-lit public road close to their door is imperative to them personally, as they would find accessing their home from the unlit back street via Green Abbey very stressful due to a traumatic historic event that occurred in an unlit highway environment.

The objection maintains that the “chicane” can operate safely without the implementation of waiting restrictions, as discussed in previous telephone conversations with a Highways officer.

The Objector also referenced the very poor weather that can be experienced in Hade Edge, and a photo was provided evidencing heavy lying snow to the rear of their property taken in March 2023, as one example of many. As the Council does not grit estate roads in Hade Edge, the Objector states that they would not be able to get to work without parking on the main road when such conditions occur. They point out that these conditions frequently occur in Hade Edge.

Finally, the Objector is concerned that preventing parking along Dunford Road would lead to increased parking within Green Abbey estate, and that this would cause problems for residents. They state that due to increased car ownership, there would not be adequate space within the estate for vehicles to park safely on-street if they were to be displaced from Dunford Road. In a recent discussion with neighbours, the Objector alleges that one stated he “*would not allow cars to park outside his house on the estate and people need to be very careful about the condition they may find their car in when they return to it*”. The Objector is concerned that the waiting restrictions could create animosity which could be avoided, as the scheme could still function safely without them.

The Objector requests that consideration be given, by CCLI, to maintaining the “chicane” but removing the restrictions, to enable parking to be maintained outside the property.

Response:

It is acknowledged that a priority give way chicane can operate safely without the implementation of waiting restrictions, in some locations, as evidenced by features of this nature in numerous locations across the district and discussed with the objector. However, it was also clarified that they operate safer, more effectively and more efficiently, if waiting restrictions are implemented. Given the width of Dunford Rd at this location, the proximity of any parking to Green Abbey, vehicles parking in this location will have a negative impact on the chicane, and we would discourage parking here, with or without the implementation of waiting restrictions.

Comments that support the restrictions along Dunford Rd have been received from a local resident, stating that access to and from private driveways is often made very difficult or prevented, by vehicles parking along the western side of Dunford Road.

Regarding personal security concerns relating to access here, whilst Highway Safety fully sympathise with the Objector and the effect that that the historical event had upon them, we do not feel that parking on Dunford Road is the best way to resolve this problem. All houses within Green Abbey have off-street parking areas and garages (2 cars minimum), and this allows vehicles to be driven much closer to the properties than when parking on Dunford Road (or indeed to be driven into a garage, which may then have direct access into the property). If lighting levels are considered inadequate within the off-street parking area bordering the rear of the building, this could be resolved by security lighting, which is now commonplace and can be as bright as required. With these measures in-situ, access to the rear of the property would likely cause the Objector less exposure to potential criminal behaviour than access from Dunford Road. It would also make access and egress to and from the vehicle safer as the driver would not be doing so in live traffic.

Regarding poor weather conditions, the situation of having to park on untreated estate roads in winter, and risk getting stuck, is something that is faced by large numbers of residents living on estates in Kirklees, and not unique to Hade Edge. It is not a consideration when highway safety is introducing schemes that are designed to manage traffic, and reduce risk on the network, particularly as these instances are infrequent.

Regarding problems that could be caused by displaced parking within the Green Abbey estate. Properties on Green Abbey have off street parking, including those that front onto Dunford Rd. Available space within the estate is available on a first come first served basis, assuming those vehicles are legally entitled to be on the road, and parked without causing obstruction to other road users. Although condoned, no-one has the right to park on the highway, and whilst these decisions are not taken lightly, there are occasions where there is little or no alternative but to restrict parking to ensure safe and effective use of the highway for all road users. Any threats to person, or property should be reported to the Police.

Objection 2 –

Proposed no waiting at any time restrictions throughout Hade Edge (**Appendix A1, A2, A3 and A7 HS-25-66709-CCLI-01, 02, 03 & 07**)

This objection was received from a resident of Green Abbey who believes that the waiting restrictions proposed around the Village are unnecessary, as parked vehicles would complement the traffic calming measures by making the roads more difficult to negotiate, helping to slow drivers down.

Furthermore, they are concerned that preventing parking on the main roads would lead to increased parking within estates such as Green Abbey, Abbey Court and Abbey Close, and that this would cause problems for residents. They state that in Green Abbey, this would make it more difficult to navigate to houses and significantly block visibility of any children playing in or around the roads.

Response:

Regarding parked vehicles complementing traffic calming measures. Highway Safety accept that parked vehicles can be helpful in restricting speeds in some circumstances, however uncontrolled on-street parking is not a viable alternative to the features currently being proposed. It is acknowledged that parking can encourage slower traffic, and create temporary priority give ways, but this parking can only be condoned in those locations where the vehicles are legally parked and do not cause an obstruction (including not parking on the footway) as will remain the case, with

parking available along the vast majority of the Village's roads. However, the waiting restrictions that are being proposed here are for road safety reasons such as the protection of junction visibility splays, and of pedestrian crossings, and have been kept to a minimum.

Regarding the restrictions proposed around the two priority pinch points, these are considered necessary for the safety reasons explained in **response to Objection 1**

Regarding problems that may be caused by displaced parking within estates close to the pinch points, such as Green Abbey where this Objector resides. Based upon site observations by Officers on numerous occasions (and confirmed by other residents, including **Objectors 3 & 4**), the numbers of vehicles parked on-street along this section of Dunford Road is low, with only a handful present at any time. Similarly, the numbers of parked vehicles within Green Abbey does not appear to be high, either on street or off street. There is no evidence, nor prior complaints to support the Objectors view that displaced parking will cause access, or significantly block visibility and endanger children playing on or around the estate,

Objection 3 & 4

Proposed no waiting at any time restrictions throughout Hade Edge (**Appendix A1, A2, A3 and A7 HS-25-66709-CCLI-01, 02, 03 & 07**)

Very similar objections were received from two residents of the same address on Dunford Road, located near the southern limit of the Village, about the southern priority gateway feature waiting restrictions (**Appendix A3 HS-25-66709-CCLI-03**). They both state, whilst vehicle speeds are a problem through the village, and they support the traffic calming measures, that on-street parking is not an issue and therefore the proposed waiting restrictions will cause unnecessary problems for visitors to their property. They state that "*It is rare there are ever more than one or two cars parked on the road*".

Additionally, one of the Objectors states that they feel the parking restrictions would have a negative impact on the numerous Community Events held within the Village, as the lack of buses means that cars and on-street parking are essential.

Response:

The waiting restrictions have been kept to a minimum and are being proposed for road safety reasons such as the protection of junction visibility splays, and of pedestrian crossings. Regarding the restrictions proposed around the southern priority pinch point close to the Objector's property, these are considered necessary here for the safety reasons explained in **Paragraphs 2.1 Response**.

It should be noted that parking on the western side of Dunford Road would still be permitted within 4m of the Objector's property boundary. Visitors wishing to park on-street and visit this property would not, therefore, be significantly inconvenienced.

Regarding the alleged negative effect of the proposed waiting restrictions upon Community Events. Parking in the village when there are community events taking place is now and has always been problematic, and whilst it is acknowledged there will be a reduction in the availability of on street parking in the village for these occasions, it is not felt that this detrimental occasional impact justifies compromising junction visibility, particularly given that these restrictions are primarily supporting road traffic law, and instructions in the Highway Code

Objection 5

Proposed no waiting at any time restrictions associated Bayfield Close (**Appendix A2 (HS-25-66709-CCLI-02)**)

This objection was received from a resident of Bayfield Close. The Objector states they support the scheme in general, however, that they are concerned the proposed waiting restrictions may prevent them from parking on Dunford Road during the winter, when heavy snow prevents residents from accessing Bayfield Close. The Objector states, unless Kirklees Council commit to clearing the estate of snow in the winter months, that this should be treated as an objection to the scheme.

Response:

Kirklees Council have limited resources for winter maintenance and must target main routes to keep the wider road network open. The Council cannot commit to clearing snow from estate roads such as Bayfield Close. Regardless, parking would still be permitted along the eastern side of Dunford Road at both sides of the Bayfield Close junction, as the only waiting restrictions proposed here are around the junction radii. It appears that this objection is focussed on the issue of estate snow clearing only, and therefore appears to have no ground.

3 Implications for the Council

- 3.1 **Working with people** - The proposals would significantly improve safety for residents of Hade Edge, and the waiting restrictions are essential to safe operation of the wider scheme. Extensive consultation has revealed strong support for the scheme overall, including for the waiting restrictions.
- 3.2 **Working with Partners** – Our partners in the Blue Light Services have been consulted on this scheme and have not raised any objections or concerns.
- 3.3 **Place based Working** - The Traffic Regulation Order is intended to prevent parking close to junctions, crossings, and pinch points. Implementation of the orders would improve road safety in this area.
- 3.4 **Climate Change and Air Quality** - The scheme would be likely to significantly reduce the speeds of vehicles within and around Hade Edge and should discourage all but necessary journeys through the centre of the Village. This is likely to have a positive effect upon Climate Change and Air Quality.
- 3.5 **Improving outcomes for children** - The scheme would provide new crossings and reduce vehicle speeds, reducing the future likelihood of children being injured in road traffic collisions when crossing the roads on journeys to and from Hade Edge school, particularly at the Dunford Road / Greave Road crossroads junction which lies along most local walking routes to and from the school.
- 3.6 **Other implications** (HR/Legal/Financial etc) – The scheme was originally conceived with total costs intended to be as close to the S106 funds provided by Jones Homes as possible (£287,546). However, total scheme costs have increased since that time, and are currently estimated to be £330,000. The increases are largely due to inflation in materials and other costs during scheme development over the past 18 months. The increases have been incurred after publicly committing to delivery of the scheme and are unavoidable without fundamentally changing the proposals and restarting consultation. The difference in costs would be covered by The Highway Safety 'City Regions Sustainable Transport Schemes' (CRSTS) Capital Grant Budget for the

2023-24 financial year. Irrecoverable costs have already been incurred for staff time and surveys, TRO processing, material orders, and works already completed/on-going on site (for elements of the scheme unaffected by the waiting restrictions).

4 Consultees and their opinions

Statutory consultees were approached, and no concerns were raised.

All affected residents were consulted by Highway Safety, since which time the original scheme has been revised numerous times to try and alleviate concerns raised both prior to, and after advertisement. Only one of the 300+ residents consulted has refused overall support for the proposals.

All three Holme Valley South Ward Councillors strongly support the scheme, as does the Parish Council, and Residents Association.

5 Next steps and timelines

CCLI to consider the objections as detailed above, along with the other related information provided.

If Cabinet members are minded to overrule the objections, the waiting restrictions, aimed at supporting the safer, more efficient operation of the Hade Edge traffic calming scheme, can be implemented as advertised.

If Cabinet members are minded to uphold any / all of the objections, in whole or in part, the restrictions will not be implemented, and the scheme will be monitored for effectiveness and safety over the coming months.

6 Officer recommendations and reasons

Officer recommendation: That the objections be overruled, and the waiting restrictions advertised in TRO (No 8) Order 2023, (Appendix C) be implemented, allowing the expected speed reduction and road safety benefits to be realised.

Reasons: Section 2.1 of this report highlights the rationale for the implementation of these restrictions. Highway Safety strongly believe that the proposed waiting restrictions are essential to safer operation of this scheme, and of the junctions where restrictions are proposed.

7 Cabinet portfolio holder's recommendations

Following the rigorous consultation undertaken and the large support received for the scheme, and having taken into consideration the five objections, the Portfolio Holder supports the officer recommendations to implement the scheme as designed to ensure the safety of all road users using this route.

8 Contact officer

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9 **Service Director responsible**

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