

REPORT TITLE:

| | |
|------------------------------------------|-----------------------------------------|
| Meeting: | Cabinet Committee – Local issues |
| Date: | 22nd January 2025 |
| Cabinet Member (if applicable) | Councillor Munir Ahmed |
| Key Decision Eligible for Call In | Yes |

Purpose of Report: To consider an objection received to the proposed Traffic Regulation Order (TRO) – Amendment Order No 9 2024 – A629 Halifax Road, Huddersfield

Recommendations

To overrule an objection received to a section of the double yellow lines on Halifax Road, proposed between Tesco and Yew Tree Road, and advertised as Traffic Regulation Order (TRO) – Amendment Order No 9 2024 – A629 Halifax Road, Huddersfield.

Reasons for Recommendations

- The restrictions are proposed as part of the A629 Halifax Road Phase 5 Project.
- This scheme will underpin policies of supporting jobs and homes by creating the capacity infrastructure, identified in the Council’s Local Plan, to provide a more efficient transport network. The scheme is designed to improve accessibility between Huddersfield and Halifax and to the M62 by reducing congestion and improving journey times and reliability between the ring road and Ainley Top roundabout. The scheme drawing is in Appendix 1 and plans showing the advertised traffic regulation order is in Appendix 2.
- The objection received refers to a currently unrestricted diverge lane outside residential properties, close to the junction of Yew Tree Road, intended for vehicles leaving Halifax Road turning left into Yew Tree Road. The diverge lane currently has a lengthy “Keep Clear” marking within it, which will be replaced with Double Yellow lines, if the proposals go ahead.
- Shoppers and residents regularly park over the “Keep Clear” marking, thus obstructing the Yew Tree Road diverge lane and access to the pedestrian island, provided to assist pedestrians crossing Halifax Road. Drivers visiting the nearby retail units, along with residents, are parking here, and are obstructing access for drivers to the dedicated lane, so, it is proposed to change this advisory road marking to formal parking restrictions.
- Under the current proposals, the road layout between Tesco and Yew Tree Road remains unchanged.
- If the objection is not overruled, the parked vehicles from both shoppers and residents will continue to abuse the no parking arrangement at this location. This will reduce the proposed improvement in network capacity, cause obstruction to the uncontrolled pedestrian crossing, and the Yew Tree Road junction will not have the required visibility, hence impacting highway safety.

| | |
|--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-------------------|
| Resource Implications: | |
| <ul style="list-style-type: none"> This scheme is funded by the West Yorkshire Combine Authority (WYCA). Further changes because of these objections will increase design cost and delay scheme delivery. | |
| Date signed off by <u>Executive Director:</u> <u>David Shepherd</u> | 17/12/2024 |
| Director for Finance: Kevin Mulvaney | 17/12/2024 |
| Director for Legal and Commissioning (Monitoring Officer): Sam Lawton | 19/12/2024 |

Electoral wards affected: Lindley

Ward councillors consulted: Cllr Cahal Burke, Cllr Ashleigh Robinson, Cllr Anthony Smith

Public or private: Public

Has General Data Protection Regulation (GDPR) been considered: Yes

1. Executive Summary

- A629 Halifax Road Phase 5 project will see A629 Halifax Road being widened between Yew Tree Road and Ainley Top roundabout to provide two approach lanes. This improvement will cater for traffic heading north towards Halifax; west along the A643 Lindley Moor Road; and to the east along the A643 Brighouse Road.
- A left slip road will be provided, spurring from the new approach lane to cater for traffic wishing to join the M62 at junction 24 via Blackley New Road.
- The objection refers to restrictions being placed in the “layby” outside their property, however, the area of the carriageway referred to is a diverging lane from Halifax Road into Yew Tree Rd West, which is subject to “Keep Clear” markings, which are regularly abused.
- This current diverge lane of Yew Tree Road will become the beginning of the left slip lane for M62 traffic to bypass Ainley Top roundabout, and the Give Way line for Yew Tree Rd moved back to accommodate this change. Parking in this vicinity will impact on visibility from the new layout. The number of running lanes in front of 217 and 219 Halifax Road remain unchanged.
- Planning permission was approved on 11th December 2023
- The delivery of this project will underpin policies of supporting jobs and homes by creating the capacity infrastructure, identified in the Council’s Local Plan, to provide a more efficient transport network. Improve accessibility between Huddersfield and Halifax, and to the M62, by reducing congestion and improving journey times and reliability between the ring road and Ainley Top roundabout. Ainley Top Roundabout is one of the three locations within the Halifax Road Phase 5 scheme to deliver traffic capacity improvements.
- The scheme also supports delivery of the Lindley Moor West and East Enterprise Zones, housing growth in Lindley area, and in west Huddersfield generally, within the vicinity of the corridor. It will also assist with air quality for local residents by reducing congestion. The TRO was advertised between 9 August 2024 and 30 August 2024. One objection was received during this advertising period.

2. Information required to take a decision

- 2.1 A629 Halifax Rd is a classified road carrying the level of traffic appropriate to that classification.
- 2.2 It is a key route to and from Huddersfield, from the M62 (Junction 24) which is regularly congested, with traffic queuing in either or both directions, severity depending on the time of day.
- 2.3 The route was identified for funding to approve connectivity to the motorway, but also to Halifax and wider Calderdale. The current scheme is Phase 5 of the identified improvements for that route, with other being either completed, or in progress, and Local Transport funding has been secured, via West Yorkshire Combined Authority,

Halifax Road, where the resident has raised their objection, is currently made up of a single running lane inbound, a ghost island housing a pedestrian island, a single outbound running lane, and a diverging / deceleration lane from Halifax Rd, into Yew Tree Rd west (Appendix 1)
- 2.4 There is an existing “Keep Clear” marking across the private accesses to No 217 and 219 Halifax Road which was introduced to protect access into these properties from parking associated with the neighbouring retail premises. There is parking that takes place on and adjacent to the “Keep Clears”, however we understand that this parking is by the residents themselves.
- 2.5 The scheme will see this diverging / deceleration lane also act as a feeder lane into the widened A629, and a dedicated “outbound” lane to M62 at Ainley Top roundabout, so there will be 2 lanes outbound, to improve capacity approaching this major intersection.
- 2.6 It is proposed that the “give way” line at Yew Tree Rd West junction with Halifax Road will move back to accommodate the newly constructed feeder lane and parking to the right will hinder visibility of oncoming traffic for traffic manoeuvring through that arm of the junction.
- 2.6 The A629 proposals have been subject to several public consultation events, and changes were made to the scheme as a result. A planning application was submitted for this scheme and approval was secured in December 2023
- 2.7 The TRO was advertised between 9 August 2024 and 30 August 2024. One objection was received during the informal consultation for the legal order in June 2024 but was accepted as a formal objection as the issues remained unresolved at the time of advertising.

The communication received from the objector is shown in Appendix 3.

Objection

The objectors' initial concerns are:

1. This is the first time they are aware of the scheme. They purchased the property in 2022. They do not believe they have been adequately consulted regarding the proposals.
2. They are concerned that the removal of the “Keep Clear” marking will prevent them from parking in front of their property
3. They are concerned that the installation of the double yellow lines will prevent them from parking their vehicle in front of the driveway.

4. They claim they cannot park their vehicle within the driveway.

Officer response

1. The occupier purchased the property in 2022 which is within the period the planning application was being considered. Planning application 2021/48/92734/W was submitted on 5th July 2021 to the Local Authority and the consultation period was extended to 27th October 2023. The planning permission was granted on 11th December 2023. During the consultation period, the Local Authority consulted widely on the scheme proposals in accordance with the planning requirements. As part of the property purchase process, the objector's conveyancer should have carried out a Local Authority search. The conveyancer should have notified them about the proposed highway scheme. Planning notices were advertised indicating the proposals, the property purchase was completed during the consultation period.
 2. The design proposals include the replacing of an advisory "Keep Clear" marking with legally enforceable double yellow lines, to deter all vehicles parking in this area, not just non-residents, and to keep both their accesses and the diverging lane clear. The current "Keep Clear" marking runs across and adjacent to the driveways of 217 and 219 Halifax Road and ensure that pedestrians wishing to use the pedestrian island on Halifax Rd, can do so unobstructed. These proposals simply reinforce the current arrangements as parking to the frontage is not technically permitted with the existing road marking. It has been condoned, and not enforced previously but, as per Chapter 5 of the Traffic Signs Manual, and the highway code, "Keep Clear" markings indicate areas of the carriageway that should be kept clear of stationary vehicles to allow passage of vehicles to accesses. "Keep Clear" markings are not put in to reserve a parking space for residents to park on, but to indicate a space where drivers should not park to help maintain access to and from a private drive. If residents regularly park on the marking, this will show others that access isn't really needed.
The double yellow lines will also ensure that this area of the road is available as both the diverging / deceleration lane into Yew Tree Rd West, and the feeder for the additional lane being provided by this scheme, for M62.
The double yellow lines will ensure the necessary visibility from the side road can be achieved.
 3. As above
 4. The driveway to the property is the same width as a United Kingdom (UK) standard parking space. There is historic evidence indicating vehicles parked on this driveway. (Google Streetview 2023) however, if the resident is having difficulty, it remains their responsibility to find a suitable and safe place to park, that does not cause an obstruction
- 2.8 A site meeting was held with the objector and the Design team presented the potential for accommodation work. The Design Team offered to widen the gateway to the property to improve vehicular access, on the basis that the objector removed their objection to the TRO. The objector was not satisfied with the proposal and contacted Local MP on the matter. Local MP communications are in Appendix 4
- 2.9 Officers contacted the objector after they responded to the Local MP. The objector was not satisfied with the proposal as the proposal does not include widening the full length of their driveway. Therefore, the objector would not withdraw their objection.

2.10 Officers have concluded that the scheme design should remain unchanged due to the following reasons.

- the driveway access and dropped kerbing provide vehicular access to the property, as per other similar properties in the area. The driveway is the width of a standard UK Driving Space. The responsibility for ensuring the residents can access their driveways easily lies with the residents themselves.
- Their driveway was already built when they purchased the property in year 2022. The scheme will not make any alteration to the width of their access or driveway.
- The “Keep Clear Marking is to be replaced by the proposed double yellow lines. They are intended to prevent parking in this area by all vehicles, and they are legally enforceable. The “Keep Clear” Marking were provided when the residents of 217 and 219 complained that parking blocked their access. They were not intended to be parked on and were successful in deterring parking from the adjacent retail premises. As the residents now park on these markings, their usefulness is limited.
- Double yellow lines will ensure that the required visibility from Yew Tree Road West is achievable with the proposed junction layout.

3 Implications for the Council

3.1 Council Plan

This is part of the Council’s Local Plan to provide a more efficient transport network. This scheme reduces congestion and improves journey times and reliability between the ring road and Ainley Top roundabout. This reduction of congestion will also improve air quality for residents.

3.2 Financial Implications

This scheme is funded from Local Transport Plan settlement via West Yorkshire Combined Authority, including the cost of the Traffic Regulation Order.
If the TRO objection is upheld, then further design changes will require additional staff time on design, consultation and delay to scheme delivery.

3.3 Legal Implications

The Council has the legal power under the Highways Act 1984 to make changes to the highway that it sees fit, and to make a Traffic Regulation Order (TRO) under the Road Traffic Regulation Act 1984. In making a TRO it is required to follow the procedures set out in the Act and associated Regulations. The legal work to advertise and promote this order has already been done. Before making an Order, the Council must consider all objections made and not withdrawn. If the order is made, legal officer time will be required to seal and make the order operative once the lining changes have been installed, the costs for which are accounted for above. If the objection is upheld, there will be no further legal implications unless a different order is pursued

3.4 Other (e.g. Risk, Integrated Impact Assessment or Human Resources)

None.

4 Consultation

- A number of public consultations have been undertaken on the A629 Halifax Rd Phase 5 scheme, which included the highway layout and proposals advertised under this TRO.
- Additionally, the three local ward councillors were consulted specifically on the TRO on the proposal.
- The statutory consultees, residents / businesses on roads affected by the specific TRO proposals were consulted.
- After comments received from the objector, during the formal consultation period, various communication has been made with the objector, councillor and MP.

5. Options considered

- a). That the objection be overruled, and the proposals implemented as advertised.
- b). That the objection be upheld and major redesign of Yew Tree Road junction due to visibility issues will be required. The combination of additional resources required for redesign, consultation and delay may result in the scheme being abandoned due to cost.

6. Reasons for recommended option

The officer recommendation is option (a):

The proposal should be implemented as advertised. The introduction of the proposed double yellow lines is designed to maintain access and visibility for drivers turning into and those exiting Yew Tree Road, improving road safety, maintaining access and helping reduce queueing on Halifax Road.

The number of lanes immediately in front of the property remains unchanged. However, from this point the lane becomes a new feeder lane for traffic bypassing the Ainley Top roundabout see Appendix 1 for the new road layout.

The current “give way” line at the junction of Yew Tree Road will be set further back and the visibility from this junction will be affected by any cars parking at this point. For this reason, the installation of the new double yellow lines is required to maintain visibility for those leaving Yew Tree Road.

Councillor Munir (Portfolio Holder – Environment and Highways) fully supports officer recommendation.

7. Next steps and timelines

If the objections are overruled, the scheme will be put out for tender in the near future and expected to be on site in summer 2025.

If the objection is upheld, any parked vehicle within the current diverge lane will require scheme redesign and affect both cost and delivery timetables

8. Contact officer: Charles Wong Principal Engineer

Highways Service

Email: charles.wong@kirklees.gov.uk

9. Background Papers and History of Decisions

Planning Application no. 2021/48/92734/W

[Planning application details | Kirklees Council](#)

10. Appendices

Appendix 1 – Plan showing the Highway scheme proposal

Appendix 2 – Plans showing advertised traffic regulation order

Appendix 3 – Correspondence from Objector

Appendix 4 – MP letter and Officer response

11. Service Director responsible:

Katherine Armitage