



The Ordnance Survey map data included within this publication is provided by Colchester Borough Council of Rowan House, 33 Sheepen Road, Colchester CO3 3WG under licence from the Ordnance Survey in order to fulfil its public function to act as a planning authority. Persons viewing this mapping should contact Ordnance Survey copyright for advice where they wish to licence Ordnance Survey map data for their own use. This map is reproduced from Ordnance Survey Material with the permission of Ordnance Survey on behalf of the Controller Of Her Majesty's Stationery Office © Crown Copyright. Unauthorised reproduction infringes Crown Copyright and may lead to prosecution or civil proceedings. Crown Copyright 100023706 2017

## **Agenda Item 10**

**Application:** 162302

**Location:** Land Adjacent, Axial Way, Colchester

**Ward:** Mile End

**Officer:** Sue Jackson

14 June 2018

<b>Report of</b>	Assistant Director – Policy & Corporate	<b>Author</b>	Sue Jackson ☎ 01206 282450
<b>Title</b>	Amendments to section 106 Agreement in respect of the Highway provisions relating to the approved Persimmon Homes Development to the south of the Flakt Woods ref:162302		
<b>Wards affected</b>	Mile End		

**This report concerns a change to the requirements of the County Highway Authority in respect of application 162302 land at Axial Way**

## 1.0 Decision(s) Required

- 1.1 Members are requested to endorse the proposal to remove the requirement for a traffic island upgrade from the section 106 agreement.

## 2.0 Reasons for Decision(s)

- 2.1 The s278 works agreed between Essex County Highways and the applicant's technical team after the completion of the s.106 does not include an upgrade to a traffic island as included in the section 106 agreement. The agreement therefore has to be amended to take account of this change to remove this requirement.
- 2.2 Other minor changes to the Agreement include the relocation of a dropped kerb on Severalls Lane and providing a 2.5 metre wide sealed surface for pedestrians and cyclists and a 2.5 metre wide type 1 hoggins surface for horses. The Agreement currently requires a 3 metre wide sealed surface for pedestrians and cyclists and a 2 metre wide type 1 hoggins surface for horses

### Alternative Options

The alternative is not to agree to the removal of the traffic island upgrade which would conflict with the requirements of ECC Highways.

## 3.0 Supporting Information

- 3.1 The Essex County Highways have provided the following supporting information.
- Axial Way was built around 2009. At that time pedestrian movements would have been considered as part of the overall design and for any future 'parcel' development.
  - Turning vehicular traffic had been provided for by the provision of widened road space and right turn lanes.
  - As part of the original Axial Way layout in the area of the now Persimmon Development a Pegasus Crossing is located at its western boundary for access to the west, to the park and on toward the Northern Gateway.
  - The pedestrian island on the east side of the developments vehicular access will provide access to the westbound bus stop, permeability into the existing development on the south side of Axial Way and further access towards Severalls Lane.

- The existing development on the south side of Axial Way is currently served by two access points from Axial Way only.
- Considering the existing pedestrian facilities that are already in place and the construction difficulties posed by the alteration of the existing splitter island and adjacent kerb lines it is our recommendation that the pedestrian island should no longer be a condition of the planning approval for the Persimmon Development on Axial Way
- The existing traffic island would not easily be converted to a pedestrian crossing island because of the following:-Insufficient width of island, to increase width of island traffic running lanes would need to be widened; and to adjust the existing kerb lines is complicated further by the fact they are drainage kerbs.

#### **4.0 Strategic Plan References**

4.1 The Strategic Plan seeks to provide opportunities to increase the number of homes available. The amendment to the legal agreement will ensure the development is delivered in a timely manner.

#### **5.0 Consultation**

5.1 The amendments have been agreed with Essex County Highways prior to this request to amend the legal agreement.

#### **6.0 Publicity Considerations**

6.1 None directly arising from this report.

#### **7.0 Financial Implications**

7.1 None directly arising from this report.

#### **8.0 Equality, Diversity and Human Rights Implications**

8.1 None directly arising from this report.

#### **9.0 Community Safety Implications**

9.1 Essex County Highways supports this amendment and does not consider there are any safety Implications.

#### **10.0 Health and Safety Implications**

10.1 Essex County Highways supports this amendment and does not consider there are any health and safety implications.

#### **11.0 Risk Management Implications**

11.1 None directly arising from this report

#### **12.0 Background Papers**

Planning application reference 162302

Planning committee report

Section 106 agreement.