

Bath & North East Somerset Council

DECISION MAKER:	Cllr Roger Symonds, Cabinet Member for Customer Services	
DECISION DATE:	On or after 20th August 2011	
TITLE:	Proposed Puffin Crossing A367 Wellsway (Longfellow Ave/Devonshire Bldgs)	EXECUTIVE FORWARD PLAN REFERENCE: E 2230
WARD:	Lyncombe ward	
AN OPEN PUBLIC ITEM		
List of attachments to this report: Appendix A - Objections received to the advertised Order. Appendix B - Location plan Drawing No.TP2011/400/PED1 rev. B		

1 THE ISSUE

- 1.1 To consider objections received to the implementation of a Puffin crossing and waiting restrictions to the north of the junction with Hatfield Road Wellsway, Bath (near Longfellow Avenue/Devonshire Buildings).

2 RECOMMENDATION

The decision maker is asked to agree that:

- 2.1 The Puffin crossing should be implemented at the proposed location. The crossing shall have the facility to accommodate bus detection equipment when introduced. The crossing shall emit an audible warning only between the hours of 7am and 11pm.
- 2.2 The associated waiting restrictions should be implemented as proposed.

3 FINANCIAL IMPLICATIONS

- 3.1 Implementation of this scheme will be undertaken by the developers of the new retail development, at no cost to the Council.
- 3.2 With reference to item 6.2, there is a risk of claims for compensation by the developer if the scheme is not implemented.

4 CORPORATE PRIORITIES

- Improving pedestrian facilities.

5 THE REPORT

- 5.1 The proposals were advertised on 3rd February 2011 and the objection period terminated on 24th February 2011.
- 5.2 Written objections from 9 local residents were received.
- 5.3 The objections related to:
- waiting restrictions;
 - Puffin crossing;
 - vehicle access;
 - delivery arrangements; and
 - congestion.

5.4 Objections

The grounds for objection and other objections received are included in Appendix A attached to this report.

5.5 Planning Inspectorate's Appeal Decision report

5.6 The report is included in Appendix B.

5.7 The report states:

"1. I allow the appeal, and grant planning permission for change of use from Class B1 (business) to Class A1 (retail) at 50-52 Wellsway, Bear Flat, Bath BA2 4SA in accordance with the terms of the application, Ref 09/02806/FUL, dated 6 August 2009, and the plans submitted with it, subject to the attached schedule of conditions."

"38. Otherwise than as set out in this decision and conditions, it is necessary that the development shall be carried out in accordance with the approved plans, for the avoidance of doubt and in the interests of proper planning."

"Annex A 1) The development hereby permitted shall be carried out in accordance with the following approved plans: Drawing Numbers 09599/AD20A, AD21A, AD22 & AD23."

“Annex A 7) A scheme of highway works for the provision of a Puffin crossing, incorporating a footway build-out, parking restrictions, and provision for the loading and unloading of delivery vehicles along Wellsway shall be submitted to and approved in writing by the local planning authority. The scheme shall be in general accordance with Transport Planning Associates Drawing ‘Appendix SCG/H’. The approved scheme shall be implemented, completed and operational before the opening to the public of the retail store hereby approved.”

6 RISK MANAGEMENT

- 6.1 The report author and Cabinet member have fully reviewed the risk assessment related to the issue and recommendations, in compliance with the Council's decision making risk management guidance.
- 6.2 The risk assessment for this project has indicated that there is a significant risk that if the scheme was not implemented, Bath and North East Somerset Council would fail to meet its obligations under the Planning Inspectorate's Appeal Decision. Such a failure carries with it the risk of claims for compensation by the developer if the scheme is not implemented.

7 EQUALITIES

- 7.1 The proposed crossing facilities will be an improvement for all users.

8 RATIONALE

- 8.1 A proposal to introduce a Puffin crossing and waiting restrictions in Wellsway is to improve pedestrian facilities and improve safety for all who use Wellsway.
- 8.2 The scheme improves road safety for all road users and therefore meets the requirements of the Council's overall road safety, traffic calming and community safety priorities for urban areas.

9 OTHER OPTIONS CONSIDERED

- 9.1 No other options have been considered, with reference to paragraph 38 of the Appeal Decision (referred to above in section 5.7).

10 CONSULTATION

- 10.1 Ward Councillors; Cabinet member; Other B&NES Services; Service Users; Local Residents; Other Public Sector Bodies; Section 151 Finance Officer; Monitoring Officer.

11 ISSUES TO CONSIDER IN REACHING THE DECISION

11.1 Customer Focus; Sustainability.

12 ADVICE SOUGHT

12.1 The Council's Monitoring Officer (Council Solicitor) and Section 151 Officer (Divisional Director - Finance) have had the opportunity to input to this report and have cleared it for publication.

Contact person	Trevor Johnson, tel: 01225 394216
Background papers	<i>None</i>
Please contact the report author if you need to access this report in an alternative format	

