

**PLANNING COMMITTEE:** 5<sup>th</sup> April 2011

**DIRECTORATE:** Planning and Regeneration

**HEAD OF PLANNING:** Susan Bridge

**REPORT TITLE:** LA/2006/0007, 166-169 St Andrews Road: Deed of Variation to S106 agreement

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## **1. RECOMMENDATION**

1.1 That the committee agree to the variation of the section 106 agreement as set out in this report.

## **2. BACKGROUND**

2.1 Under the terms of a Section 106 Agreement dated 5th September 2006 the developer (Derwent Housing Association) has contributed a sum of £40,000 in respect of Highway Improvement Works along St Andrews Road. This sum is to be expended by Northamptonshire County Council for this purpose.

2.2 Highway Improvement works are specifically defined within the agreement as; "The construction of a new pelican crossing point and associated works on St Andrews Road, Northampton in the vicinity of the Development".

2.3 Following scoping work carried out on the site by the County Council Highways Partners MGWSP it has been identified that a new pelican crossing is not feasible in this area for the following reasons;

2.3.1 "Two pedestrian counts have been carried out along the length of St Andrews Road to try and establish the best location for a crossing. Unfortunately the crossing movements are fairly sporadic and not enough justification of usage can be placed in one location for a crossing."

2.3.2 "Due to the width of the road and the resurfacing that is required for the antiskid treatment, the budget allocated would not cover the cost of a crossing."

## **3. PROPOSED VARIATION**

3.1 As the crossing movements in St Andrews Road are so scattered, MGWSP have made a recommendation to construct 3 no pedestrian refuge islands along the length of the road in lieu of the single pelican crossing. This would provide a choice of crossing points for all users and can be constructed within the S106 budget.

3.2 The County Council have contacted Derwent Housing Association, who paid the contribution for the site, to ask for their agreement in varying the agreement to enable provision of the pedestrian refuge islands and they have given their consent.

3.3 As the enforcing authority consent to vary the agreement is also required from the Borough Council.

#### **4. CONCLUSION**

4.1 The original requirement for a pelican crossing near the site is not deemed feasible or practical, however, the proposal of pedestrian refuges would achieve a similar objective and enable pedestrians to make use of a number of crossing sites, other than just one. This would be safer for all road users as the staggered nature of the refuges would act to reduce traffic speed and would enable pedestrians a better choice of safer crossing points along the road, thus the Highway Improvement Works Contribution will still offer community benefit and enhanced safety near the site.

#### **5. LEGAL IMPLICATIONS**

5.1 As set out in the report.

#### **6. SUMMARY AND LINKS TO CORPORATE PLAN**

6.1 In reaching the attached recommendations regard has been given to securing the objectives, visions and priorities outlined in the Corporate Plan together with those of associated Frameworks and Strategies.

<b>Position:</b> Compliance Officer	<b>Name/Signature:</b>	<b>Date:</b>
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