

**CABINET MEMBER FOR TRANSPORT, WASTE, STREET SCENE & FLOODING –
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HIGHWAYS AND TRANSPORT

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REFERENCE: HTW-21-22

ROAD TRAFFIC REGULATION ACT 1984

**THE COUNTY OF WILTSHIRE (NORTH CHIPPENHAM LINK ROAD, CHIPPENHAM)
(50 MPH SPEED LIMIT) ORDER 2022**

Purpose of Report

1. To consider 35 objections in connection with the proposed introduction of a 50-mph speed limit on the new North Chippenham Link Road extending from the A350 Malmesbury Road roundabout to the B4069 (see **Appendix 2**). This is being constructed as part of the Birds Marsh View (BMV) development and provides highway access to this estate via two interim junctions on this road. There were no responses in support of the 50-mph limit as advertised.

Relevance to the Council's Business Plan

2. To encourage resilient communities by facilitating improved safety on the public highway for all users.

Background

3. The 'North Chippenham Link Road' (NCLR) is being delivered as part of the Birds Marsh View (BMV) development and will provide a strategic highway link connecting the A350 and the B4069. The application submitted to the Council bearing reference number **N/12/00560/OUT**, and duly approved on 12 February 2016, granted outline planning permission for the redevelopment of the site (Birds Marsh View) for 'A Mixed Use Scheme Comprising up to 750 Dwellings (C3) up to 12,710 sqm Employment Development (B1,B2,B8), a Local Centre (A1, D1, D2), a Primary School, a New Link Road and Other Highway Access, Public Open Space, Landscaping and Other Associated Infrastructure Works'. The said Link Road is required to provide essential highway access to the new housing development and, when open to 'through traffic', will relieve traffic using Hill Corner Road to the south of the development area. This existing road is narrow and unsuitable for significant traffic usage, whilst it is also used by HGV traffic routing between Parsonage Way and the A350. Whilst there will be two BMV junction connections with Hill Corner Road, these will cater for bus only access and emergency access only.
4. The new road is a 7.3 metre wide single carriageway road designed at the outset for a 50-mph (70kph) design speed. There are four interim junction connections along it, two of these catering for the main 'spine road' loop (Gaineys Gardens) through the new residential area to the south. It has no direct frontage access to properties other than a minor access serving three properties (Barrow Cottage, Barrow Farmhouse and Barrow Barn) at the eastern end of the route. The purpose of the Traffic Regulation Order (TRO) as advertised is to formally introduce the 50-mph limit originally conceived to regulate and enforce vehicle speeds along this new road in the interests of highway safety.

Main Considerations for the Council

5. 35 objections have been received to this speed limit proposal (**Appendix 2**). None of these representations object to the imposition of a speed limit on this road in principle, but all consider that a 50-mph speed limit is too high. Some objectors argue that the speed limit on the link should be as low as 30-mph due to the proximity of dwellings and pedestrian crossing movements between the new housing and the open area (BMW) to the north of the road. It is argued that high speeds and the absence of controlled crossing points along the length of the road will make crossing hazardous for pedestrians and so create a severance barrier between the built development area and the adjoining green space. Other objectors state that a 40-mph limit would be acceptable but should be considered a 'top' limit. It is generally considered that setting a 50-mph limit is too focused and biased towards vehicle users and the strategic (traffic) function of the new link road, and so fails to consider residents and non-motorised users.
6. In determining the appropriate speed for the NCLR (notwithstanding its original design specification), due regard has been made to **Circular 01/2013 'Setting Local Speed Limits'**. This Circular is used by the Council (Highways) to apply a consistent approach in determining whether a new speed limit is appropriate for a given location. Factors include the nature of the road, i.e. rural/urban and the amount of frontage development (particularly with direct access). The potential difficulty with the North Chippenham Link Road is whether it should be properly classified or defined as urban or rural given its edge location to Chippenham and the virtual absence of any direct frontage access to properties.
7. Within the Circular, Table 1 provides recommendations on appropriate speed limits for urban roads. It states that the use of a 30-mph limit should apply in built-up areas (where motor vehicle movement is deemed more important) and critically where there is development on both sides of the road. This would certainly preclude the NCLR as it has no direct frontage access to properties other than a single access track serving three dwellings. A 40-mph speed limit in an urban setting is deemed to apply, or be more appropriate, on "higher quality suburban roads or those on the outskirts of urban areas where there is little development, with few cyclists, pedestrians or equestrians" and "On roads with good width and layout, parking and waiting restrictions in operation, and buildings set back from the road". However, the Circular further states that "In exceptional circumstances a 50-mph limit may also be used on higher-quality roads where there is little or no roadside development, and such speeds can be achieved safely. The roads most suited to these higher urban limits are special roads or those with segregated junctions and pedestrian facilities, such as primary distributors". As the road has been designed at the outset for a speed of 50-mph it can reasonably be concluded that these driver speeds can be achieved safely. Furthermore, it has little direct roadside development and does provide a primary distributor function in linking the main A350 orbital route with the B4069 radial route into Chippenham. It will also connect the Parsonage Way industrial area with the A350, so removing traffic from Hill Corner Road and deal more appropriately with HGV movements.
8. It is clear from the wording in the Circular that an argument can be made for the 50-mph speed limit as advertised due to the strategic function of the new link. However, it is equally possible to infer that a speed limit of 40-mph may be more applicable in the circumstances as the link would equally fit the Circular criterion of a higher quality suburban road or one on the outskirts of the urban area where there is little development, with few cyclists, pedestrians or equestrians. Looking at the representations made it is considered that, on reflection, there is a greater case for imposing a 40-mph speed limit on this Link Road. Whilst it is recognised that there are aspirations for the construction of further lengths of road to the east around the outskirts

of Chippenham over time, such that this Link Road would form part of a strategic ring route, that is not the case now.

Safeguarding Implications

9. Not applicable.

Public Health Implications

10. Not applicable.

Corporate Procurement Implications

11. Not applicable.

Environmental and Climate Change Considerations

12. None.

Equalities Impact of the Proposal

13. None.

Risk Assessment

14. Not applicable.

Financial Implications

15. None. Payment of the TRO preparation/advertising cost and the subsequent installation of signing is an obligation of the developer under provisions in the s106 Agreement, where Schedule 6 to this agreement contains the s278 requirements.

Legal Implications

16. There are none.

Options Considered

17. To:
- (i) Implement the proposals as advertised.
 - (ii) Not implement the proposals.
 - (iii) Implement the proposals with amendments

Reason for Proposal

18. To preserve and/or improve the amenities of the area through which the road runs by regulating vehicle speeds along this new road in the interests of highway safety. The North Chippenham Link Road, which will be delivered as part of the Birds Marsh View development, will provide a strategic highway link connecting the A350 with the B4069. However, despite its 'urban edge' location there is a need to ensure that speed management measures respect the needs of all road users and deliver actual vehicle speeds that are safe and appropriate for the road and its surroundings. The length of

the Link Road has been designed for a speed of 50-mph in terms of layout geometry and sightlines, with this design speed conceived at planning. However, without setting any limit there would be potential for excess driver speeds beyond this. The A350 roundabout at its western end and the part of the B4069 to which it connects at the eastern end are both subject to existing speed limits of 50mph, so the aim was to harmonise the speed limit of the interconnecting Link Road to align with these.

19. However, objections made to the advertised Order listed in **Appendix 2** have been considered. Whilst an argument can be made for the 50-mph speed limit as advertised due to the strategic function of the new link, it is equally possible to infer from DfT Circular 01/2013 that a speed limit of 40-mph may be more applicable in the circumstances as the link would equally fit the criterion of a higher quality suburban road or one on the outskirts of the urban area where there is little development. Looking at the representations made it is considered that, on reflection, there is a greater case for imposing a 40-mph speed limit on this Link Road. Whilst it is recognised that there are aspirations for the construction of further lengths of road to the east around the outskirts of Chippenham over time, such that this Link Road would form part of a strategic ring route, that is not the case now.

Proposal

20. That the proposal to introduce the 50-mph speed limit over the length of the North Chippenham Link Road between the A350 and the B4069 should be amended to introduce a 40-mph speed limit over the same extents.
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The following unpublished documents have been relied on in the preparation of this Report:

None