



Report to Darlington Borough Council

by Kevin Ward BA (Hons) MRTPI

an Inspector appointed by Darlington Borough Council

Date 26 April 2022

Road Traffic Regulation Act 1984

Darlington Borough Council Road Traffic Restrictions (Amendment No.8) Order 2021

Inquiry held on 30 March 2022

Ref: DPI/N1350/22/1

Contents

Case details 3

Preamble 3

Description of the highways affected and the surrounding area 4

The case for the Order Making Authority 5

The case for objectors 7

Inspector's conclusions 8

Recommendation 9

Appendix A - Appearances at the Inquiry 10

Appendix B - Documents submitted in advance of the Inquiry 11

Appendix C - Documents submitted at the Inquiry 12

Case details

The Darlington Borough Council Road Traffic Restrictions (Amendment No.8) Order 2021

- This Order is proposed under Sections 1, 2, 4, 32, 35, 45, 46, 47, 49, 51, 53 and 84 of the Road Traffic Regulation Act 1984.
- The Order proposes to amend:
 - a) The Darlington Borough Council (Prohibition and Restriction of Waiting and Loading) Consolidation Order 2019 (as amended);
 - b) The Darlington Borough Council (On Street Parking Places) Consolidation Order 2019 (as amended); and
 - c) The Darlington Borough Council (Moving Traffic) Consolidation Order 2019 (as amended)
- The Order would affect Duke Street, Outram Street, Larchfield Street, Barnard Street and Raby Terrace in Darlington.
- It would amend no waiting and no loading/unloading restrictions, the provision of disabled parking places, loading bays and pay and display parking places.
- It would make Duke Street one way eastwards from its junction with Stanhope Road North to its junction with Raby Terrace and introduce no right turns and no left turns from Larchfield Street and Raby Terrace into Duke Street.
- It would prohibit all vehicles from the southern end of Outram Street at the junction of Duke Street and would extend the 20mph speed limit to the entire length of Duke Street.

Summary of Recommendation: That the Order be made subject to modifications.

Preamble

1. I have been appointed by the Order Making Authority, Darlington Borough Council (the Council) to hold an Inquiry into the proposed Order, to consider objections to and representations in support of the Order and to submit a report to the Council with my recommendation.
2. The Inquiry was held on 30 March 2022 at the Dolphin Centre, Darlington. I carried out unaccompanied visits to the highways affected by the Order and the surrounding area on 25 March 2022 and after the close of the Inquiry on 30 March 2022. Statutory requirements in relation to the publication and notification of the Order and consultation on it have been complied with. The requirement for notification of the Inquiry was also complied with.
3. There were three objections to the Order. One of these, from **NAME REMOVED** was withdrawn by email on the morning of the Inquiry. I was provided with a

Report to Darlington Borough Council on the Darlington Borough Council Road Traffic Restrictions (Amendment No.8) Order 2021 – DPI/N1350/22/1

copy of the email at the Inquiry. Following the notification of the Inquiry, three additional objections were received.

4. One of those who objected following the notification of the Inquiry, **NAME REMOVED**, spoke at the Inquiry, as did **NAME REMOVED**, who had not submitted a written objection.
5. Prior to the Inquiry, the Council put forward a modification to address some of the concerns of objectors. This would provide for short stay and disabled parking places at the southern end of Outram Street¹. The Council also put forward a modification to clarify the operation of the no left turn and no right turn from Larchfield Street and Raby Terrace. In the interests of consistency and clarity, the need for a similar modification relating to a no right turn heading south from Barnard Street into Duke Street was also discussed at the Inquiry. I deal with these modifications in more detail below.
6. As part of Covid-19 social distancing measures a temporary 20mph speed limit, one way operation and widened northern footway along Duke Street were introduced in 2020. These were active at the time of the Inquiry with signage in place and temporary barriers used to widen the northern footway.
7. This report sets out a brief description of the highways affected and the surrounding area, a summary of the cases for the Order Making Authority and objectors (those who spoke at the Inquiry and those who relied on written submissions), my conclusions and recommendation. Lists of those who spoke at the Inquiry and relevant documents are appended.

Description of the highways affected and the surrounding area

8. Duke Street is a commercial street with a range of businesses including shops, restaurants, cafes, takeaways, estate agents, hairdressers, legal and other business services. It is well used by pedestrians and provides a link from the Queen Elizabeth Sixth Form College and residential areas into the Town Centre. As noted above it has been subject to temporary measures since 2020 as a response to the need for social distancing due to Covid-19. On-street short stay parking is available in unmarked bays for much of the southern side of Duke Street, there are loading bays and some disabled parking places. There is a small privately owned pay and display car park with access off Duke Street.
9. Outram Street runs between Duke Street and Woodland Road to the north. It is closed to vehicular traffic at the junction with Woodland Road and at a point

¹ There is a typographical error in the modification document submitted by the Council in that it refers to Outram Street rather than Duke Street in part b). I have corrected that in my recommendation.

Report to Darlington Borough Council on the Darlington Borough Council Road Traffic Restrictions (Amendment No.8) Order 2021 – DPI/N1350/22/1

approximately halfway along its length. There are a small number of commercial properties at the junction with Duke Street but otherwise it is a residential street. Larchfield Street runs north/south and crosses Duke Street. It contains a mix of residential, commercial and community uses. Barnard Street is a short street which runs north from Duke Street providing access to commercial and community uses and the Council owned car parks at Winston Street. Raby Terrace runs north/south and crosses Duke Street. It contains some commercial uses, access to rear service yards and access to the car parks at Winston Street.

10. To the north, south and west of Duke Street, the area is largely made up of residential streets of terraced housing. Stanhope Park and the Queen Elizabeth Sixth Form College sit to the west and to the east Skinnergate marks the start of the Town Centre.

The case for the Order Making Authority

11. The Order will help to promote and facilitate cycling and walking. It is consistent with the Government's commitment to a radical change in the provision of cycling and walking infrastructure set out in "Gear Change – A bold vision for cycling and walking" published by the Department for Transport. It has been designed in line with guidance set out in Local Transport Note 1/20 "Cycle Infrastructure Design", also produced by the Department for Transport.
12. One of the key themes and investment packages of the Strategic Transport Plan for the Tees Valley is to "make cycling and walking the natural choice for shorter journeys". To achieve this the Tees Valley Combined Authority and five local authorities (including Darlington Borough Council) have developed a Local Cycling and Walking Infrastructure Plan. In Darlington the first priority is to complete the cycling and walking route from the north-west urban fringe to Darlington Town Centre. The Order will facilitate the route nearest to the Town Centre, connecting the Woodland Road/Hollyhurst Road junction to the Town Centre via Woodland Road, Outram Street and Duke Street.
13. The Council has carried out extensive consultation, taken into account comments received and amended the proposals to accommodate the views of local residents and businesses.
14. The Order is part of the Council's ongoing duty under Section 122 of the Road Traffic Regulation Act 1984 Act to secure the expeditious, convenient, and safe movement of vehicular and other traffic (including pedestrians) and provide suitable and adequate parking facilities on and off the highway.
15. The Order achieves three of the qualifying purposes under Section 1(1) of the Road Traffic Regulation Act 1984.

Qualifying purpose a) - for avoiding danger to persons or other traffic using the road or any other road or for preventing the likelihood of any such danger arising

16. The design of the scheme has taken account of a road safety audit and the Road Safety Assessment Report for the Duke Street/Larchfield Street junction. The 20mph limit for the whole of Duke Street will reduce traffic speeds and conflict between vehicles and between persons and vehicles. Raised speed tables, including one at the junction of Duke Street and Larchfield Street will help to enforce the speed limit.
17. There will be priority pedestrian crossings over all side roads and crossing points on Duke Street will be identified with tactile surfacing. There will be a contraflow, segregated cycle lane. The junction at Larchfield Street will be more conspicuous through the use of the raised speed table, coloured surfacing, lines and signage and the pedestrian guardrail will be retained.

Qualifying purpose c) - for facilitating the passage on the road or any other road of any class of traffic (including pedestrians)

18. The scheme has been designed to ensure that all traffic is able to access Duke Street. Pedestrians and cyclists have been prioritised with a contraflow cycle lane, widened northern footway and pedestrian crossing points. Specific locations for loading and parking are provided so that the carriageway is not obstructed. The loading and parking places will be well located in relation to businesses on Duke Street. The cycle lane needs to be on the south side of Duke Street to join up with Stanhope Road South.
19. It is acknowledged that the Order would result in a reduction of parking places on Duke Street. The Council has proposed a modification to the Order to create an additional eight parking places at the southern end of Outram Street, including two disabled parking places. This would result in the overall number of parking places being increased slightly. In addition, the Winston Street South Car Park which was brought back into use in 2021 provides a further twenty four parking places. This modification would make specific provision for parking places to support businesses operating near the junction of Outram Street and Duke Street.

Qualifying purpose f) - for preserving or improving the amenities of the area through which the road runs

20. The one way operation of Duke Street will reduce the number of vehicles using it and along with other measures it will encourage walking and cycling. The widened northern footway will facilitate groups of pedestrians.

Report to Darlington Borough Council on the Darlington Borough Council Road Traffic Restrictions (Amendment No.8) Order 2021 – DPI/N1350/22/1

21. Whilst the Council recognises that there will be an increase in traffic on surrounding streets, this is not likely to be significant and will be dispersed over a number of streets. The effect on surrounding streets and the operation of permit parking schemes will be kept under review.

The case for objectors

NAME REMOVED

22. Strong objection is expressed over the closure of Outram Street and the ability for disabled patients to be dropped off and picked up at the health clinic on Duke Street. Significant inconvenience will be caused.

NAME REMOVED

23. Objection is raised, in particular concerning the closure of Outram Street and the effect on access to the clinic for clients who are elderly or unable to walk. There will be an impact on businesses, and this has not been taken into account.

NAME REMOVED

24. There will be an impact on the business on Duke Street due to the limited provision for parking and loading/unloading close to the shop and the reduction in through traffic.

NAME REMOVED

25. East Raby Street, Raby Terrace and Powlett Street have become rat runs since the one way system has been put in place. In the case of East Raby Street, there has been an increase in noise pollution, speeding vehicles, exhaust pollution, wear and tear on the road, illegal parking, litter and HGVs loading and unloading on the residential street. This has affected physical and mental health.

NAME REMOVED

26. The junction of Larchfield Street and Duke Street is an accident blackspot. Existing signage is not effective and the 20mph limit is not adhered to. Safety barriers are not sufficient. The introduction of a cycle lane will increase the chance of accidents.
27. The small increase in cyclists does not justify the removal of car parking and the effect on businesses. Concern is expressed about potential structural damage to the building on the corner of Larchfield Street and Duke Street from vehicles involved in accidents.

NAME REMOVED

28. There is concern about the impact of the Order on surrounding streets, in particular Powlett Street. It was questioned whether the cycle lane should be on the north side of Duke Street.

Inspector's conclusions

29. I have taken full account of the evidence before me, the objections made in writing, the oral submissions at the Inquiry and my own visits to the highways affected and the surrounding area.
30. The Order provides an important element of the wider strategy to facilitate and encourage walking and cycling, providing a link into the Town Centre. The one way operation of Duke Street is likely to reduce vehicular traffic use and the 20mph limit, raised speed tables, widened footway and other measures will make it more attractive to cyclists and pedestrians. For practical reasons, the cycle lane will be appropriate running contraflow on the south side of Duke Street so that it joins up effectively with Stanhope Road South.
31. Duke Street and the surrounding streets will continue to be accessible by vehicles and adequate provision for loading/unloading close to businesses will remain. Subject to the modification relating to the southern end of Outram Street, adequate parking places, including disabled parking places will be provided in appropriate locations close to shops and other businesses.
32. The overall function of Duke Street as a thriving and lively commercial street will not be unduly affected. Indeed, the proposals will make it a more attractive environment for pedestrians and cyclists and are likely to improve the appearance and amenity of the area.
33. The raised speed table at the Larchfield Street and Duke Street junction along with measures to make the junction more conspicuous and the 20mph limit are likely to improve highway safety and reduce the scope for damage compared with the current situation.
34. The Council's suggested modification for additional wording on the operation of the no left turns and no right turns from Larchfield Street and Raby Terrace is required for clarity, as is a modification in relation to a no right turn heading south from Barnard Street into Duke Street.
35. Some traffic that will have previously used Duke Street prior to the operation of the one way system will inevitably be displaced to surrounding streets. However, this is likely to be dispersed over a number of streets and I am

Report to Darlington Borough Council on the Darlington Borough Council Road Traffic Restrictions (Amendment No.8) Order 2021 – DPI/N1350/22/1

satisfied that the Council will monitor the situation and review the approach to the use of parking permits etc.

36. The Order (as modified) will achieve qualifying purposes a), c) and f) under Section 1(1) of the Road Traffic Regulation Act 1984. It will also allow the Council to satisfy its ongoing duty under Section 122 of the Road Traffic Regulation Act 1984 to secure the expeditious, convenient, and safe movement of vehicular and other traffic (including pedestrians) and provide suitable and adequate parking facilities on and off the highway. There are significant advantages to the Order which clearly outweigh any modest disadvantages.

Recommendation

37. I therefore recommend that the Darlington Borough Council Road Traffic Restrictions (Amendment No.8) Order 2021 be made subject to the following modifications:
- i) Add to the Order
 - a) The following length of road to be designated a disabled parking place from 8am-6pm with a maximum wait of 3 hours, and no return within an hour:
Outram Street - the west side, from a point 17.8m north of its junction with Duke Street northwards for a distance of 12m
 - b) The following lengths of road to be designated as limited waiting for 2 hours (with no return within an hour) 9am-5pm Mon-Sat:
Outram Street - the east side, from a point 5.8m north of its junction with Duke Street northwards for a distance of 24m
Outram Street - the west side, from a point 5.8m north of its junction with Duke Street northwards for a distance of 12m
 - ii) Amend Schedule Thirteen of the Order to clarify that the “no right turns” from Larchfield Street and Raby Terrace into Duke Street are for traffic heading south and to add a “no right turn” from Barnard Street into Duke Street for traffic heading south. Amend Schedule Fourteen of the Order to clarify that the “no left turns” from Larchfield Street and Raby Terrace into Duke Street are for traffic heading north.

Kevin Ward

Inspector

Report to Darlington Borough Council on the Darlington Borough Council Road Traffic Restrictions
(Amendment No.8) Order 2021 – DPI/N1350/22/1

Appendix A: Appearances at the Inquiry

For Darlington Borough Council:

Piers Riley-Smith Of Counsel

Who called

Sue Dobson Transport Planning Manager, Darlington Borough Council

For the objectors:

NAME REMOVED Local businessperson

NAME REMOVED Local resident

Appendix B: Documents submitted in advance of the Inquiry

- 1 Darlington Borough Council Road Traffic Restrictions (Amendment No.8) Order 2021
- 2 Notice of proposals
- 3 Statement of Reasons
- 4 Location plan
- 5 Plans showing restrictions proposed
- 6 Letter to residents/businesses regarding proposals
- 7 Press release regarding proposals
- 8 The Darlington Borough Council (Prohibition and Restriction of Waiting and Loading) Consolidation Order 2019 (as amended)
- 9 The Darlington Borough Council (On Street Parking Places) Consolidation Order 2019 (as amended)
- 10 The Darlington Borough Council (Moving Traffic) Consolidation Order 2019 (as amended)
- 11 Spreadsheet of responses to proposals
- 12 Copies of the three objections to the Order
- 13 Proposed modifications to the Order submitted by the Council
- 14 Plan showing modified proposals for Outram Street/Duke Street junction
- 15 Statement of case from Council
- 16 Copies of the three additional objections received following notification of the Inquiry
- 17 Gear Change – A bold vision for cycling and walking
- 18 Local Transport Note 1/20
- 19 Tees Valley Local Cycling and Walking Infrastructure Plan
- 20 Tees Valley Strategic Transport Plan
- 21 Road safety audit and plan
- 22 Road safety assessment report
- 23 Proof of evidence from Sue Dobson

Report to Darlington Borough Council on the Darlington Borough Council Road Traffic Restrictions
(Amendment No.8) Order 2021 – DPI/N1350/22/1

Appendix C: Documents submitted at the Inquiry

- 24 E mail withdrawing objection from **NAME REMOVED**
- 25 List of appearances and opening submission on behalf of Council
- 26 Closing submission on behalf of Council