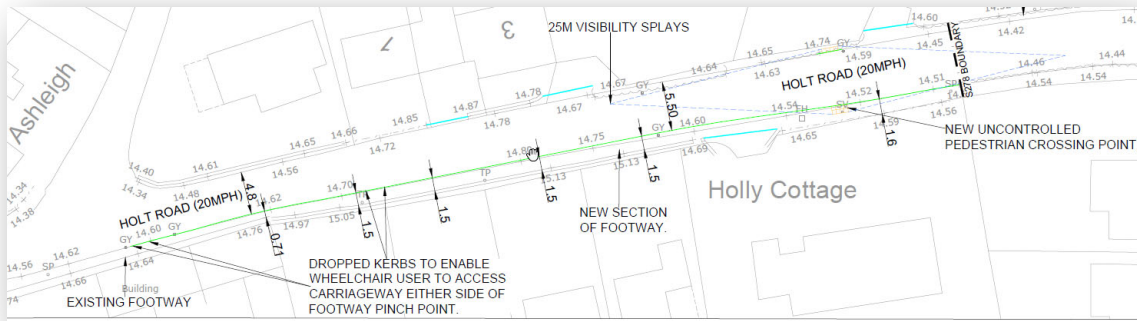




Disability Equality Impact Assessment

Proposed Footway (Holt Road)

Land to the North and South of Lane Farm,
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1 Introduction

As disability access consultants Direct Access have been engaged to offer an equality perspective on the proposed residential development of land North and South of Rossett Road, Rossett, specifically focussing on the proposed footway to the South side of Holt Road.

The scheme has been granted planning permission on appeal subject to the proposed footway improvements to pedestrian access on Holt Road taking place. These improvements consist of providing an 80-metre section of footway to the South side of Holt Road where currently no footway is provided.

The proposed footway will provide a connection between existing footways to the West and East of Holt Road. The pedestrian access provided will improve pedestrian access to retail, education, community, and commercial facilities to the West of Rossett.

This report will examine the proposed footway with regard to design, feasibility and benefit for disabled people. The report will give due regard to the overall development considering alternative access routes and the expected use of the footway. All recommendations and considerations will consider physical, sensory, and cognitive & neurodiverse disability with access barriers identified and recommendations given in line with best practice and applicable specialist guidance documents.

2 Findings

Direct Access have been provided with drawings and documents (Appendix 1) detailing planning requirements, technical site data and research and the design and location of the footway. Drawings and documents also include the surrounding area including the location and layout of the wider proposed residential scheme to the East of Rossett.

2.1 Existing Site

In order to understand the impact of the proposed footway we must first highlight the location, use and limitations of the existing site and the current footway provision. These areas must be considered with due regard given to accessibility.

2.1.1 Location

The location of the site is on Holt Road specifically to the South side of the road over the 80m area shown in Figure:1. The area indicated by the green dashed line follows the route of the proposed footway and connects to the existing footways to the East and West of Holt Road. It should be noted that the connecting footway on the North side and to the East of the area in question is narrowed by bordering hedges and requires maintenance to achieve a full accessible width.

Figure: 1 Holt Road¹

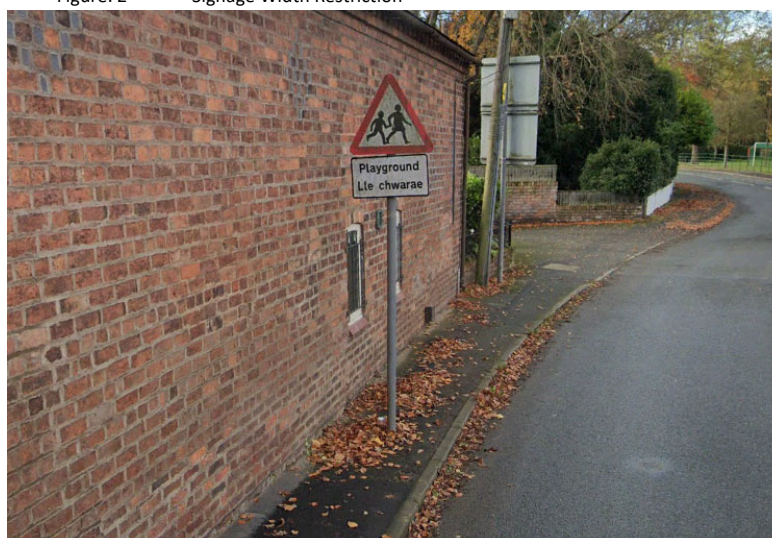


Clearly with no footway present currently, as shown in Figure:1, the route is not accessible for disabled people without the use of the highway. This presents safety issues regarding the shared use of the highway by pedestrians and vehicles and the access on and off the connecting footways.

2.1.2 Signage Width Restriction

The route features a width restriction at the West end of Holt Road. Signage is centrally located within the footway on the South side of Holt Road, see Figure:2 below. This signage restricts the width of the footpath preventing the use of the footway by disabled people and making it impossible for a wheelchair user to use the footway.

Figure: 2 Signage Width Restriction²



¹ ©Google Streetview 2021

² ©Google Streetview 2021

It must be noted that the signage shown in Figure:2 is beyond the boundary of the proposed site and is not included within the scope of the footway design proposal. That being said the signage undoubtedly restricts access and should be removed or relocated as part of the proposed works.

2.1.3 Lighting

Street lighting on Holt Road is limited with no street lighting provided over the length of the route shown in Figure 1. Some lighting is provided by bordering residences and a street light is provided on the connecting footway to the East end of Holt Road.

2.1.4 Alternative Routes

It must be stated that there are alternatives that offer more accessible routes that avoid the area of Holt Road shown in Figure:1. These routes are slightly longer but do offer an accessible surface of good width through surrounding housing, as shown in Figure:3 below:

Figure: 3 Alternative Routes³



The alternative routes are over a longer distance. The Walking Route Plan provided by Croft Transport measured the distances from the East of Holt Road at the boundaries of the proposed housing development. The plan found that the route highlighted in Blue via Moss Green and Trevalyn Way covers a distance of 708m compared to the route highlighted in Magenta via Holt Road that covers a distance of 650m from the Northern site and 595m from the Southern site. The Holt Road route is shorter but only by a maximum 108m which equates to an additional 1 minute of journey time.

³ Croft Transport Planning & Design, Rosset Road, Rossett, Walking Route Plan, November 2018

The benefit of reducing the distance and associated journey time must be weighed against the condition of the associated route. The Holt Road route in Figure:1 currently features shared use with the highway and narrow and poorly surfaced footways whereas the Moss Green, Trevalyn Way, Harwoods Lane alternative route features good footways over their entire length with dropped-kerbs provided by residential driveways. Figures:4 & 5 below show representative sections of both routes.

Figure: 4 Moss Green to Trevalyn Way⁴



Figure: 5 Trevalyn Way to Harwoods Lane⁵



⁴ ©Google Streetview 2021

⁵ ©Google Streetview 2021

2.1.5 Current and Potential Future Use

A Traffic and Multi Modal Survey was conducted as part of the Transport Assessment (TA) and Travel Plan (TP) completed by Croft Transport Solutions in January 2018 between the hours of 07:30 – 10:00 and 15:00 – 19:00. The survey concluded that Holt Road is ‘very lightly trafficked’⁶ at peak hours with minimal use by cyclists and pedestrians. Pedestrian and vehicle traffic will increase as a result of the proposed development, but this traffic will be more widely dispersed by the improved links to the development that encourage the use of other more direct and accessible access routes. The TA & TP concluded that ‘it is not considered that even with an increase in pedestrian traffic, that the proposals will give rise to any highway safety issues.’⁷

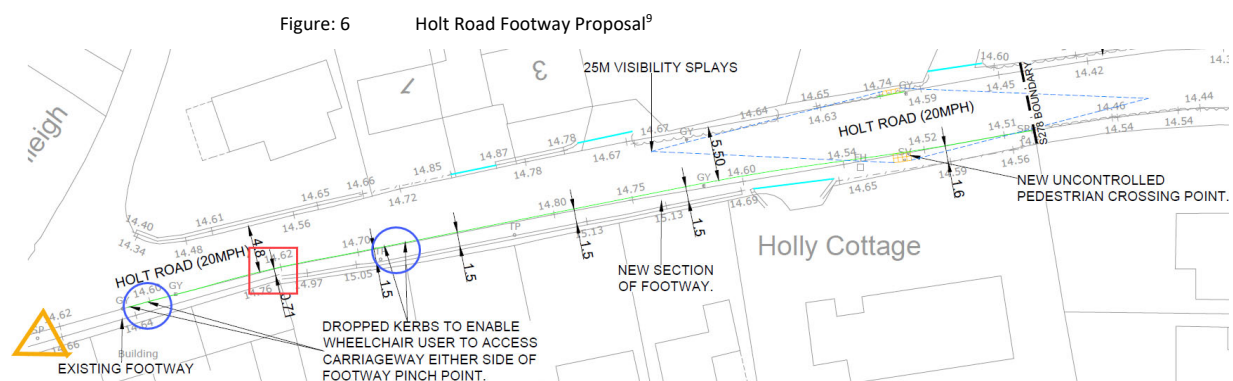
2.2 Proposed Footway

Having examined the current footway, use and alternative routes we can now look at the proposed footway and how it will address the issues associated with the current footway.

2.2.1 Holt Road Footway Proposal

The general arrangement plan shown in Figure:6 was accepted as a compliant solution towards achieving planning permission on appeal for the residential development and associated access routes.

‘The Inspector considers this would represent a significant improvement in terms of pedestrian safety and, therefore, concurs with the Highways Agency that dismissal of the appeal on highway safety grounds is no longer justified and the scheme would not conflict with policy GDP1(d) of the adopted UDP. Policy GDP1(d) aims to secure safe and convenient pedestrian and vehicular access from new development (IR 85-86).’⁸



⁶ TRANSPORT ASSESSMENT – HIGHWAYS NOTE (APRIL 2019), Proposed Residential Development, Land North and South of Rossett Road, Rossett, 4.4

⁷ TRANSPORT ASSESSMENT – HIGHWAYS NOTE (APRIL 2019), Proposed Residential Development, Land North and South of Rossett Road, Rossett, 5.9

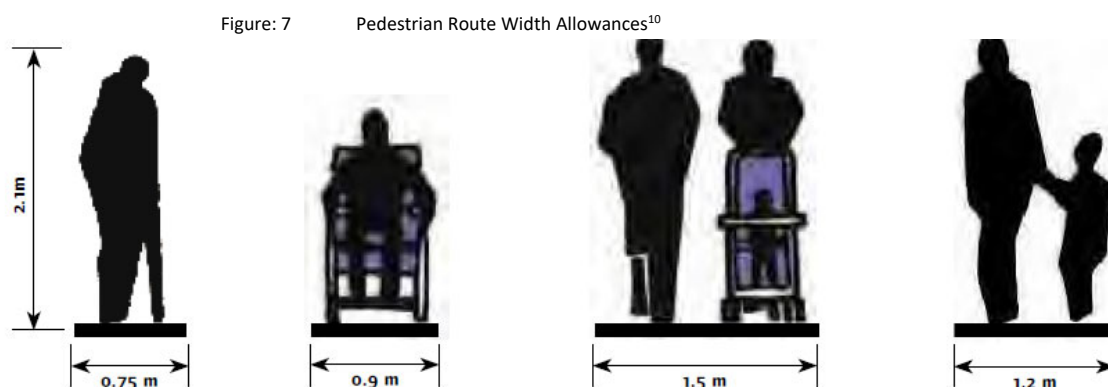
⁸ Ministers Letter, Julie James AC/AM, Y Gweinidog Tai a Llywodraeth Leol, Minister for Housing and Local Government. Feb 2020, 24

⁹ ROSSETT ROAD, WREXHAM S278, GENERAL ARRANGEMENT

Figure:6 shows the proposed footway with some key areas highlighted:

- Dropped Kerbs = Blue Circles
- Restricted Width Pinch Point = Red Square
- Restricted Width Signage = Orange Triangle

The route begins to the East with an uncontrolled crossing to the East of Holly Cottage and continues at a width of 1500mm on the South side of Holt Road reducing to a width of 710mm at the West pinch point (Figure:6 Red Square). These widths are a barrier to some disabled people because a width of 710mm will not provide adequate space for a wheelchair user, an ambulant disabled person, and other pedestrians, as shown in Figure:7 from Manual for Streets:



The proposed footway provides dropped kerbs (Figure:6 Blue Circles) to allow pedestrians to avoid the pinch point by using the road. This provision does offer continuity of route for everyone, including disabled people, but does have safety issues regarding the shared use of the highway. These safety issues are mitigated by traffic calming and a 20mph speed limit. Additionally, as stated in 2.1.4 & 2.1.5, alternative accessible routes are available, and Holt Road is lightly trafficked.

2.2.2 Viability

An issue that should be raised is whether or not pedestrians should use the proposed route at all if it is not fully inclusive. The fact that a footway is present will encourage people to use the footway and some of those pedestrians will be disabled people and wheelchair users that are required to use the carriageway as part of the proposed route. The proposed design does not achieve best practice inclusive design but is viable due to the improved accessibility over the existing provision. It is better for disabled people that a compromised footway is provided rather than no footway at all.

¹⁰ Department for Transport, Manual for Streets, 2007, Figure 6.7

2.2.3 Signage

There is currently no signage to make people aware of the West pinch point (Figure:6 Red Square) or the availability of alternative accessible routes shown in in 2.1.4. These alternative routes should be identified and signposted. Signage added at key decision points to the East and West of Holt Road will allow disabled people to avoid the route. Additionally warning signage should be added to alert pedestrians to the narrow footway ahead and to make motorists aware of pedestrians on the highway.

The existing signage (Figure:6 Orange Triangle) restricts the width of the footway to below the minimum 900mm required by a wheelchair user. This restricted area is accessed by the dropped kerbs and is located beyond the boundary of the proposed footway. It is not acceptable to encourage disabled people and wheelchair users in particular to use an inaccessible footway. The signage should be removed and/or relocated as part of the proposed works.

2.2.4 Traffic Calming

The design could benefit from the addition of traffic calming measures that would allow the West pinch point (Figure:6 Red Square) to be widened by incorporating a footpath into traffic calming. This would require a build out of the footway and prioritised single lane traffic. This option has been considered and dismissed on safety grounds due to the impact that it would have on vehicles using the drive at 2 Vine Clad Cottage.

*'The proposed layout / priority arrangement is considered to increase the likelihood of danger to road users and pedestrians.'*¹¹

2.2.5 Road Markings

There is the possibility of providing a demarcated access route on the carriageway between the dropped kerbs (Figure:6 Blue Circles). This would provide a designated access route and a boundary line between vehicles and pedestrians. Any demarcation should feature appropriate symbol and line markings and sufficient dimensions to allow manoeuvring and access by disabled people on and off the dropped kerbs. The feasibility of such markings would require assessment by Highways Department.

2.2.6 Street Lighting

A review of the existing and proposed street lighting should take place to ensure that sufficient illumination is present. Additional lighting may be required to achieve an adequate standard in accordance with British Standard: BS.5489 and BS EN 13201.

¹¹ E-Mail: **From:** Peter Douthwaite Peter.Douthwaite@wrexham.gov.uk **Sent:** 29 March 2019 14:29
To: Justin Paul Justin@j10planning.com **Subject:** Holt Road Rossett

2.3 Equality Act

The general requirements of the Equality Act and in particular the Section 149 Public Sector Equality Duty apply to the proposed development and the Holt Rd footway.

2.3.1 Equality Act 2010 (replaced the DDA in 2010)

It is important to understand the requirements of the Equality Act 2010 and how it may impact on the local authority as a service provider and public body.

The Equality Act 2010 requires employers, service providers and education providers to make "reasonable adjustments" to ensure that a disabled person is not put at a "substantial disadvantage" when accessing employment, services, education, or facilities compared to those provided to a non-disabled person. Reasonable adjustments are changes such as physical changes to a building, providing extra services, or changing a policy or procedure. Many adjustments can be implemented very simply and cost-effectively. Others need more consideration, but can often be done as part of a new build, general refurbishment or redecoration.

The duty to provide 'reasonable adjustments' is anticipatory, that means that providers of education, goods, facilities and services must not wait until a disabled person wants to use a service that they provide before they give consideration to their duty to make reasonable adjustments. They are required to anticipate the requirements of disabled people and the adjustments that may have to be made for them.

Failure to anticipate and provide reasonable adjustments could lead to a disabled person feeling that they are discriminated against. If their feeling is strong this could lead to a civil court action brought under The Equality Act 2010 where compensation awards are unlimited.

When deciding whether an adjustment is reasonable, providers of education, goods, facilities and services can consider issues such as the cost of the adjustment, the practicality of making it, health and safety factors, the size of the organisation, and whether it will achieve the desired effect. However, ultimately it should be remembered that the only person that can categorically decide what is reasonable, and whether or not an organisation or individual has complied with the requirements of the Equality Act 2010, is a judge in a court of law.

The role of the access consultant is to anticipate the "reasonable adjustments" that should be made in order to provide access for disabled people and ensure that the project meets the obligations of the Equality Act 2010. Recognised and applicable standards provide a measure of "reasonable" provision that can be applied and implemented to provide physical, sensory, cognitive & neurodiverse access for disabled people.

2.3.2 Public Sector Equality Duty

The Public sector equality duty came in to force in April 2011 (s.149 of the Equality Act 2010) and public authorities are required, in carrying out their functions, to have due regard to the need to achieve the objectives set out under s149 of the Equality Act 2010 to:

- (a) eliminate discrimination, harassment, victimisation and any other conduct that is prohibited by or under the Equality Act 2010;
- (b) advance equality of opportunity between persons who share a relevant protected characteristic and persons who do not share it;
- (c) foster good relations between persons who share a relevant protected characteristic and persons who do not share it.

To ensure transparency, and to assist in the performance of this duty, the Equality Act 2010 (Specific Duties) Regulations 2011 require public authorities, named on, to publish:

- equality objectives, at least every four years (from 6th April 2012)
- information to demonstrate their compliance with the public sector equality duty (from 31st January 2012)

2.3.3 Equality Act Duties

The duties of the Equality Act place a responsibility on the Welsh Government Department for Local Government (WGDLG) and Wrexham County Borough Council (WCBC) as public bodies to meet their duties under s149 and more generally as service providers under the general duties of the Equality Act.

WCBC and the WGDLG in relation to the Holt Rd footway in question have given all due regard to the requirements of disabled people and have met their duties under the Equality Act.

2.3.4 Disclaimer

The Equality Act 2010 is not compliance based and the implementation of advice and recommendations given in good faith in this report cannot guarantee compliance with the duties of the act or ensure immunity from the award of damages under the act. For information regarding issues arising from the interpretation of the Equality Act 2010 it is strongly recommended that suitable legal advice is sought.

The recommendations given in this report are for guidance only and should not be acted upon to alter physical features without knowledge of the site safety, fabric, structure and status and the engagement of suitably qualified professionals.

The standards, guidance and legislation referred to in this report are current at the time of writing and may be subject to change in the future.

3 Recommendations

- Regular maintenance to East of Holt Road to bordering hedges and other planting so that it does not reduce the available footway width below a minimum of 900mm.
- Relocate signage to the West of Holt Road to ensure that the access route continuing beyond the dropped kerb offers a minimum footway width of 900mm.
- Provide warning signage to alert pedestrians to the narrow footway ahead and provide signage to alert drivers to be aware of pedestrians on the highway.
- Provide signage at key decision points to the East and West of Holt Road to make pedestrians aware of the alternative accessible routes and provide directional signage at decision points on the alternative routes.
- Consider providing suitable road markings to highlight a pedestrian route on the road where it is shared with pedestrians between the dropped-kerbs at the West of Holt Road.
- Review street lighting and improve to meet recognised standards.

4 Conclusion

The proposed footway is a viable proposition that will improve pedestrian access. The impact on Disability Equality of the Holt Road proposed footpath is generally positive. The footway will provide an improved and more accessible pedestrian access route compared to the current provision.

The proposed route is compromised by the connecting footways and particularly by the pinch point at the West of the route. Various ideas have been explored to resolve the issue with the eventual proposal offering a compromised solution that does not achieve best practice but does offer a reasonable alternative solution that can accommodate a level access footway.

The shared use of the highway by pedestrians and vehicles is required over a short section to the West of Holt Road. This is not considered a best practice solution, but it can be seen as reasonable due to the following factors.

- Alternative accessible routes are available.
- Holt Road is lightly trafficked by vehicles.
- Holt Road is lightly used by pedestrians.
- Holt Road is a 20mph speed limit.
- Holt Road has traffic calming installed.
- The wider development will not greatly increase the use of Holt Road.

The Welsh Government Department for Local Government (WGDLG) and Wrexham County Borough Council (WCBC) as public bodies must meet their general duties under the Equality Act and s149. This report concludes that these duties have been met to a reasonable extent given the particular circumstances and constraints of the site.

The recommendations put forward in section 3 offer further improvements that can be made to improve access for disabled people. Signage for accessible alternative routes and the access improvements to the connecting footways should be a priority.

To conclude the proposed footway will impact on disability equality positively by providing a compromised level access footway. The design is reasonable given the constraints of the site and the availability of alternative accessible routes. The proposed footway can be further improved by additional signage and improvements to the connecting footways.

5 Appendices

5.1 Appendix 1 - Documents and Drawings

- Croft Transport Solutions, TRANSPORT ASSESSMENT – HIGHWAYS NOTE (APRIL 2019), Proposed Residential Development, Land North and South of Rossett Road, Rossett
- REPORT OF THE HEAD OF ENVIRONMENT AND PLANNING, Date – 7th JANUARY 2019
- Planning Inspectorate, planning inspectors report, 14/11/2019
- Ministers Letter, Julie James AC/AM, Y Gweinidog Tai a Llywodraeth Leol, Minister for Housing and Local Government. Feb 2020, 24
- Croft Transport Planning & Design, Rosset Road, Rossett, Walking Route Plan, November 2018
- 3261-D001 GENERAL ARRANGEMENT REV F, ROSSETT ROAD, WREXHAM S278, GENERAL ARRANGEMENT

5.2 Appendix 2 – References

- Department for Transport, Inclusive mobility, 2005
- Department for Transport, Guidance on the use of tactile paving surfaces, 2007
- BS8300 2018 parts 1 & 2 Design of an accessible and inclusive built environment, Buildings — Code of practice.
- BS 5489-1:2020, Design of road lighting. Lighting of roads and public amenity areas.
- BS EN 13201:2015 parts 1-5 Road lighting standards
- Traffic Signs Manual: 2010, Chapters 1-10.
- Sign Design Guide, Barker and Fraser, 2000
- Building Regulations, Approved Document M - Access to and use of buildings: Volume 2 - Buildings other than dwellings
- Department for Transport, Manual for Streets, 2007

5.3 Glossary and Disclaimer

Glossary	
ADM-2	Building Regulations, Approved Document M - Access to and use of buildings: Volume 2 - Buildings other than dwellings
SDG	Sign Design Guide, Barker and Fraser, 2000
BS8300-1	BS8300-1:2018; Design of an accessible and inclusive built environment, Part 1: External environment — Code of practice
BS8300-2	BS8300-2:2018; Design of an accessible and inclusive built environment, Part 2: Buildings — Code of practice
TSM	Traffic Signs Manual: 2010, Chapters 1-10.
GOTP	Guidance on the use of tactile paving surfaces. 2nd edition 2002
MFS	Department for Transport, Manual for Streets, 2007
ffl	Finished Floor Level
LRV	Light Reflectance Value
N (30N)	Newton Measure of force required

Note: This report is a preliminary assessment.

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