

Item 3e	15/01144/FUL
Case Officer	Adele Hayes
Ward	Chorley North West
Proposal	Section 73 application to remove condition no. 11 of reserved matters consent no. 95/00128/REM to allow for an alternative means of access to the development
Location	Dutch Barn Close Chorley
Applicant	Your Housing Group (Frontis Homes)
Consultation expiry:	7 January 2016
Decision due by:	10 February 2016

Recommendation

1. It is recommended that this application is refused for the following reason:

The removal of Condition no. 11 of reserved matters consent no. 95/00128/REM would allow vehicular access to be gained to Dutch Barn Close from Edgefield or Foxcote. This would encourage increased demand for on street parking on existing roads and the associated comings and goings of cars generated by staff, patients and visitors to the hospital seeking an on street parking space would result in additional noise, disturbance and increased levels of general activity, particularly at times when residents on Edgefield, Foxcote and other nearby roads could reasonably expect the quiet enjoyment of their homes. The proposed development is, therefore, contrary to one of the twelve core planning principles of the National Planning Policy Framework that requires a good standard of amenity for all existing and future occupants of land and buildings.

Background

2. Turley Planning Associates have submitted three separate applications on behalf of their client Your Housing Group (Frontis Homes). Members will recall that three applications were approved last year that authorised the removal of conditions attached to previous planning permissions that restricted occupancy of the existing housing at Dutch Barn Close to key workers.
3. The reserved matters application (Ref. 95/00128/REM) for the dwellings on Dutch Barn Close was granted subject to various conditions including Condition no.11 that reflects the wording on the original outline permission with regards access. This application now seeks to remove this condition.
4. An application to remove condition no. 8 of the associated outline permission on the site (Ref. 94/00808/OUT) that also prohibits access between Edgefield and Foxcote and Dutch Barn Close and for planning permission to construct a new link road have also been submitted and are reported elsewhere on the agenda. (See 15/01143/FUL and 15/01145/FUL).

Proposal

5. Dutch Barn Close is located within the wider Chorley and South Ribble District Hospital site. In general terms the residential properties are bordered by the Busy Bees children's day nursery and a multi-storey car park to the north, the hospital and associated buildings to the

east and the Foxcote, Edgefield and Long Croft Meadows residential estates to the south and west.

6. Between Euxton Lane and the hospital there is a footpath that follows the perimeter of the hospital grounds. None of the surrounding roads to the south of the hospital provides vehicular or pedestrian access to the hospital or the footpath.
7. The proposal involves the construction of a new access road to link Edgefield and Dutch Barn Close to serve as an alternative access for the existing 34 residential dwellings located on Dutch Barn Close and the existing day nursery located north of the residential development.
8. The dwellings and the nursery are both within the Chorley and South Ribble Hospital site and are currently accessed via Dutch Barn Close from the hospital roads. Edgefield is an adopted highway, but Dutch Barn Close is not and is currently privately maintained.
9. The residential development of the site was originally approved solely for the accommodation of staff employed or working for the hospital as the site was previously allocated in the Local Plan as a site for hospital development and as such was not considered appropriate for a residential development opened to non-hospital staff. Consequently, the permitted means of access to the dwellings was only from within the site of the hospital.
10. However, the dwellings are no longer subject to a local plan allocation for hospital expansion following the removal of this provision from the Local Plan. Subsequently, planning permissions were granted last year to remove conditions attached to the original approval of the residential development that restricted occupation of the dwellings to hospital staff only. As a result, the dwellings can now be occupied by non-hospital workers.
11. As the dwellings are now available for purchase or rental in the open market and not limited to only the hospital staff, the applicant considers that a direct access from Edgefield would be more convenient than the existing access through the hospital. The applicant therefore proposes to construct a new 2-way access road to link Edgefield and Dutch Barn Close with footways on both sides. The proposed new two-way carriageway would require the removal of several of the existing shrubs and bushes from the site and it is proposed that additional planting would be provided elsewhere on the wider site.
12. The existing use of Dutch Barn Close would not cease as a result of the current proposal, but would continue to be used as access to the nursery from the hospital with an electronic barrier installed at a location east of No 1 Dutch Barn Close to ensure that vehicular access from the hospital site is only granted to staff and parents of children of the nursery.
13. The accompanying Transport Statement (TS) that has been submitted in support of the proposal has assessed the likely traffic generation levels along Edgefield/Foxcote from Dutch Barn Close and the existing nursery. In summary, it contends that the vehicular traffic is highly likely to already exist on the local highway network and that the new road would generate only a very limited number of additional trips (less than one additional car per minute as a worst case scenario). In addition, a new fob or touchpad controlled barrier system is also proposed between the hospital and Dutch Barn Close entrance which would enable staff and parents of the nursery to continue to gain direct access from the hospital.
14. The TS concludes that the new access arrangements would not have a material impact on the safe or efficient operation of the local highway network.

Representations

15. The application has been publicised by way of individual letters and site notices have been displayed. As a result of this publicity representations have been received from 54 local residents citing the follow grounds of objection:
 - The proposed development would exacerbate existing on street parking problems

- The proposed development would result in additional traffic through small residential roads to the detriment of highway safety and would endanger children who may be playing
- The proposed development would result in additional congestion
- The whole village was designed to end with cul-de-sacs with some, including Foxcote, only having one path on one side and only one road in and out which bypassed the main route
- The proposed development would result in additional noise and pollution
- The proposed development would result in security problems
- The proposed development would have a detrimental impact on the quiet residential village streets and everyday life of everyone in Astley Village.
- The proposal involves carving through the middle of a nature trail which supports a large amount of wildlife. Building this road would ruin the peace that encouraged this wildlife to thrive due to the increased traffic and parking by hospital users avoiding the car parking charges
- The proposed development is not necessary to provide access to the development in Dutch Barn Close
- There are currently restrictions on parking on Dutch Barn Close, which is mentioned as a positive point in the application. When the NHS trust has no further interest in this road the restrictions would be removed or their officers would no longer enforce them. Without strictly enforced parking controls the houses on this road would be much less attractive to prospective tenants
- The current access to Dutch Barn Close would be controlled by an electronic barrier. When the barrier eventually fails, is left in the open position or the key code inevitably becomes widely known, then a classic rat run would be created that allows vehicles to exit the site to the south, through a residential area clogged by indiscriminate parking, thus avoiding the carefully controlled exits points to the north
- Once access has been established, the hospital would then close off the existing access to Dutch Barn Close in order to secure their boundary

Councillor Mark Perks has submitted an objection commenting that the proposed development would result in additional traffic through residential streets to the detriment of highway safety and would endanger children that may be playing. He is also concerned that the proposal would create noise and pollution.

Consultations

16. Astley Village Parish Council objects to the planning applications on the following grounds:
 - The original planning application decision denied access to Edgefield. Edgefield is a quiet and narrow residential cul-de-sac area and the opening up of the cul-de-sac would bring increased traffic, would open up the area to parking problems and through traffic problems. Increased parking and traffic would come from the Dutch Barn Close residents, the close-by businesses and users of the hospital
 - The residents of Edgefield park vehicles at the roadside, which is narrow and the increased traffic may cause residents problems and blockages
 - If parking restrictions were used to prevent parking in Edgefield, the current residents who bought homes in a closed cul-de-sac would suffer and the question is whether any restrictions would in fact be enforced
 - The layout of Astley Village was designed to have one through road (Chancery Road) with all residential streets coming from that – by opening up this road end this gives a third access to the village which could be used by the hospital traffic to avoid Euxton Lane, traffic using it as a cut through the village or if there was a blockage use as a through road to Euxton and beyond
 - There is a high risk that this area would become a car parking area for hospital staff and visitors not wishing to use car parks – as previously with Rookwood Avenue entrance/exit.
 - There is a potential risk of further development on the hospital land of further properties and this would further increase traffic in this narrowly winding estate – which was designed this way for residential peace and quiet and not suited to through traffic

17. Lancashire County Council Highways – have confirmed that they have no objections to the application.
18. The Coal Authority recommends standing advice.
19. United Utilities have no objection to the proposal and have not recommended any conditions.
20. The Council's Tree Officer has commented that the two trees adjacent to the proposed access road are an early mature silver birch and a semi mature field maple. They are considered to unremarkable trees of limited merit. Future tree management maybe required due to the close location to existing properties and the trees do not warrant protection.

Assessment

Impact on highway safety

21. The applications are supported by a TS and an assessment of the impact of the proposal on the local highway network has been carried out. The assessment includes trip generation of the residential dwellings and the nursery and its re-distribution on the local highway network. The assessment shows that during the AM and PM peaks hours of 8am-9am and 5pm-6pm, the nursery and the residential houses would generate a total of 41 and 37 two-way vehicular movements respectively. As the dwellings and the nursery are existing developments, the applicant noted that traffic movements to be generated would not be new, but may have already existed on the highway network. However, if the new link access road is provided, they suggest that trips would be re-distributed with the greater proportion of trips associated with the nursery likely to continue using the existing access from the hospital via Dutch Barn Close. The applicant therefore estimates that as a worst case scenario, in addition to the total of 41 and 37 two-way movements, the new link access road would lead to less than one vehicle movement being generated per minute. The applicant therefore concludes that the proposed link access road would not significantly impact on the local highway network.
22. Having initially considered the TS, the Highway Authority was unable to accept the proposal for the link access road as they had a number of concerns with the proposal and fundamental elements of the TS. In particular, the Highway Authority was concerned that in assessing the trip generation and distribution, trip rates based on 33 dwellings were applied instead of 34. For the nursery, a lower figure of 60 pupils was used instead of the higher number 70. As a result of the lower figures used, the total trip generation figures submitted may therefore appear lower than they should be.
23. Concern was also expressed that the applicant did not appear to have adequately considered the proportion of parents/staff trips that would potentially use Edgefield to and from the nursery as the TS assumed that the majority of the nursery children have parents who work at the hospital and as such would park at the multi storey car park (MSCP) and walk down to the nursery.
24. While this may currently be the case, it was felt that the situation might change once the new access is in place as parents/staff choose to access Dutch Barn Close from Edgefield.
25. Further highway concerns related to possible use of the proposed link access road as a shortcut to the hospital by traffic from the estates south of the application site and possible traffic rat-runs between Chancery Road and Euxton Lane via the proposed link access road. Notwithstanding the proposed electronic control barrier, the Highway Authority considered that the proposal seemed to lack certainty that the barrier alone would be able to always prevent use of the site as a rat-run.
26. In response to these concerns, the applicant's agent has accepted that the assessment of the impact of the proposal on the local highway network was incorrectly based on 33 dwellings rather than 34 and that a lower figure of 60 children was used rather than the

higher number of 70. Although it is acknowledged that the higher figure of 34 units should be used, the applicant's agent contends that given this very small change, it would make no material difference to the assessment. At most it is suggested that the trip generation would increase by 1 two way vehicle in each peak hour.

27. The applicant's agent also states that the assertion by the Highway Authority that 70 pupils should be considered is incorrect. The nursery is registered for a maximum occupancy of 60 children on the Early Years Register and although the roll may be bigger, it is due to part time attendance by children. The maximum occupancy is 60 children at any one time.
28. The revised number of trips as a result of the increase of 1 residential unit would be 42 and 38 two way movements in the AM and PM peak hours respectively as a worse case. Again this equates to less than 1 vehicle a minute.
29. The TS that has been submitted in support of the application concludes that this level of trip generation is unlikely given that a significant proportion of the trips associated with the Busy Bees nursery are likely to continue on their existing routes through the hospital owing to the fact that controlled vehicular access from the hospital's network of access roads and pedestrian access from the MSCP shall be retained.
30. In response to concerns expressed about the location of the turning heads, the applicant's agent has commented that there is an existing turning head on the northerly arm of Dutch Barn Close adjacent to the nursery with a new turning head provided on the easterly arm. Comment is also made that the provision of these turning facilities would provide a road safety enhancement given that currently Edgefield does not have turning head provision and as such large vehicles currently cannot enter and leave in a forward gear.
31. The applicant's agent has confirmed that the proposed barrier would be fob controlled and only allow access for users of the nursery to prevent them from having to access via Edgefield. No other access would be allowed and this has been confirmed in writing by the NHS Trust. Further to this, details of the barrier have been submitted and the submitted information indicates that it would be a large sliding gate system which would prevent through access would be possible.
32. After consideration, the Highway Authority now accept that the proposal would have negligible changes in traffic flows and the proposed development would not have a severe effect on the safety or operation of the local highway network and thus accords with the requirements of local and national policy in terms of potential highways impacts.
33. Whilst there is some concern that the internal roads within the hospital do not have footway provision for pedestrians, and the proposed development would encourage pedestrian access without suitable access arrangements, there are no overriding highways or transport reasons why planning permission for the proposal should not be granted and the Highway Authority have removed their initial objection.

Impact on residential amenity

34. One of the twelve core planning principles of the National Planning Policy Framework is that planning should seek to secure high quality design and a good standard of amenity for all existing and future occupants of land and buildings.
35. Whilst it is accepted that the proposed new highway link would provide a more convenient route for occupiers of the dwellings on Dutch Barn Close, the opening up of a new access point from the established residential areas into the hospital would undoubtedly encourage more on street car parking on the residential roads by staff, patients and visitors to the hospital as they endeavour to avoid hospital parking charges.
36. The surrounding roads are not suitable for higher numbers of vehicles manoeuvring to find spaces and indeed it is clear from site visits carried out by officers, and from the objections raised by local residents, that competition for on street parking is already high as staff and

visitors choose to park on local roads to avoid paying parking charges. Rockwood Avenue, Fairway and other roads in the vicinity have already had to have parking restrictions placed on them.

37. It is considered that the additional traffic that may choose to access Dutch Barn Close from Edgefield and the additional trips associated with the existing 34 dwellings, together with increased levels of comings and goings of cars generated by staff, patients and visitors to the hospital seeking an on street parking space would result in additional noise, disturbance and increased levels of general activity and on street parking, particularly at times when residents could reasonably expect the quiet enjoyment of their homes.
38. The imposition of parking restrictions to overcome the harm that would be caused by 24 hour use of surrounding roads by vehicles searching for an available on street parking space cannot be achieved by condition through the planning system. The proposed development would undoubtedly adversely affect not only the level of residential amenity currently enjoyed by local residents but the character of this quiet residential area as well and the resultant harm that would be caused by the proposal cannot be overcome through the imposition of conditions.

Conclusion

- 36 In summary, whilst it is accepted that the development of the new road may be acceptable in highway safety terms, it is considered that the creation of a new access route through to the hospital would result in increased demand for on street parking and the associated comings and goings of cars would harm the level of residential amenity currently enjoyed by the residents of nearby residential dwellings on Edgefield, Foxcote and other nearby roads.