

Planning and Development Board
12 September 2011

Addendum

Item No	Application No	Description	General / Significant
1	PAP/2011/0227	24 - 26 Atherstone Road Hartshill Outline application for demolition of existing industrial buildings and site clearance, erection of 6 no. 3 bedroom and 7 no. 2 bedroom terraced dwellings with associated access and car parking	General

(1) Application No: PAP/2011/0227

24 - 26 Atherstone Road, Hartshill

Outline application for demolition of existing industrial buildings and site clearance, erection of 6 no. 3 bedroom and 7 no. 2 bedroom terraced dwellings with associated access and car parking, for

D S Johnston Properties Ltd

Introduction

This addendum is to be read in conjunction with the report already included within the Agenda.

Further representations

Warwickshire County Council Highways maintain their objection to the proposal noting that turning space and footpath design still remains below required standards. Given the difference between a commercial use and residential use, it is felt there is potential to create a safety hazard if the proposed design is allowed.

Hartshill Parish Council has made a formal objection to the scheme, echoing the objections previously summarised in the Agenda.

Some consultees and neighbours have written to reaffirm their original comments or suggest additional conditions.

Observations

Members' attention is drawn to the Agenda report raising awareness that at the time of writing, amended plans were the subject of re-consultation. These amended plans had been submitted in order to overcome officer concerns and an objection from the Highway Authority. It is apparent from the further response of the Highway Authority that the reasons for objection have not been overcome. These focus on two points:

(a) The new footway adjacent to Atherstone Road

The Highway Authority advised the applicant prior to submitting an application that the existing situation where no footway exists would not be supported. As such, a footway must be provided. The proposals do this, but do not address the presence of a 'pinch point' at the west corner of the site, where the existing footway in front of number 22 tapers into the carriageway. If a pedestrian were to walk on the proposed footway towards this point, they would have to enter the carriageway to pass the pinch point. As the road is around its minimum width for vehicles to safely pass here, if the two circumstances were to occur at the same time there is significant risk to pedestrian and/or vehicle safety.

The Case Officer has discussed the possibility of omitting the footway from the west of the proposed access. However, the Highways Authority object to this on the basis that (1) a crossing at that point would not achieve the necessary visibility, and (2) the proposed residential use is more likely to bring forward higher pedestrian movements and young children, thus increasing the likelihood of an incident occurring.

The applicant has been advised there are two solutions: (1) purchase land from number 22 to achieve the necessary footway width, or (2) realign the whole carriageway slightly north to provide the necessary footway width. Both options are considered by the Highway Authority to be achievable, although it requires investment by the applicant.

(b) Turning space within the site

This focuses on turning space for refuse wagons and for other delivery vehicles. The amended layout still fails to demonstrate that a refuse wagon could enter the site in a forward gear, reverse into the turning space within the parking courtyard, and re-enter the highway at 90 degrees to it. It is the latter which is the main concern in this respect, as entering at an acute or obtuse angle reduces driver visibility in one direction and can cause the resulting manoeuvre to cross into the opposing lane.

In addition, delivery vehicles to plots at the rear of the site may not be able to turn; particularly furniture and electrical delivery lorries which need to unload adjacent to the relevant dwelling. The result is that they would have to reverse some distance down to the courtyard parking area, contrary to adopted standards and potentially at risk to pedestrian and vehicular safety – particularly so if weather conditions are poor.

For the reasons above it is therefore considered that planning permission cannot be granted at the current time.

The level of contribution proposed by the applicant towards play and open space has now been fully reviewed. It falls significantly short of what would normally be expected for six 3-bedroom and seven 2-bedroom dwellings – that is £10,000. Upon putting this to the applicant, they have advised that the preference would be to pay this contribution in stages, upon the first occupation of each dwelling; as well as retaining the scope to reconsider the level of contribution once the costs of demolition and ground conditions are established. This may be acceptable, but needs further discussion.

Recommendation

In light of the above comments, and notwithstanding the recommendation in the Agenda, it is recommended that outline planning permission be REFUSED for the following reasons:

1. The proposed footway adjacent to Atherstone Road poses a significant risk to pedestrians using it at point where it joins the existing footway to the west and to vehicles who may be passing this point. As such there is the opportunity for pedestrian and/or vehicular conflict posing a risk to highway safety; priority has not been given to pedestrians; and the design does not provide safe access for all potential users. As such, the proposal is contrary to saved policy ENV14 of the North Warwickshire Local Plan 2006.

2. It has not been demonstrated that refuse wagons using the site will be able to enter and leave the site in a forward gear and without re-entering the carriageway at 90 degrees. In addition, delivery vehicles will have to reverse long distances to reach dwellings at the rear of the site. As such, the design does not provide safe and easy access from all potential users; there is the opportunity for pedestrian and/or vehicular conflict; and vehicles exiting the site may cause danger or intimidation to other road users. As such, the proposal is contrary to saved policy ENV14 of the North Warwickshire Local Plan 2006.

FURTHER BACKGROUND PAPERS

Local Government Act 1972 Section 100D, as substituted by the Local Government Act 2000 Section 97

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Background Paper No	Author	Nature of Background Paper	Date
27	NWBC Forward Planning Officer	Representation	1/9/2011
28	Case Officer	Email to applicant	1/9/2011
29	Councillor John Randle (Hartshill Parish Council)	Reaffirmed previous objection	3/9/2011
30	NWBC Environmental Health Officer	Reaffirmed previous comments	5/9/2011
31	Warwickshire County Council Footpaths	Reaffirmed previous comments	5/9/2011
32	Warwickshire County Council Highways	Sustained objection	5/9/2011
33	Agent	Email to Case Officer	5/9/2011
34	Warwickshire Police	Reaffirmed previous comments but recommend conditions	6/9/2011
35	A C Parkes	Reaffirmed previous objection	8/9/2011
36	Hartshill Parish Council	Objection	8/9/2011
37	Warwickshire County Council Highways	Sustained objection (clarification)	8/9/2011
38	Case Officer	Email to applicant	8/9/2011
39	Agent	Email to Case Officer	9/9/2011

Note: This list of background papers excludes published documents which may be referred to in the report, such as The Development Plan and Planning Policy Guidance Notes.

A background paper will include any item which the Planning Officer has relied upon in preparing the report and formulating his recommendation. This may include correspondence, reports and documents such as Environmental Impact Assessments or Traffic Impact Assessments.