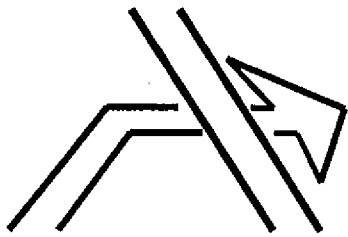


Dr Allan J Burns



Traffic and Transportation Consultant

PROPOSED SHELTERED HOUSING

DEVELOPMENT

262 HAWTHORN ROAD, ALDWICK, BOGNOR REGIS

REPORT ON ACCESS VISIBILITY

JULY 2008

This report has been prepared by :-

Dr. Allan James Burns

Qualifications:-

B.Sc. Hons (Civil Engineering - University of Wales)

M.Sc. (Transportation Planning and Traffic Engineering -
Southampton University)

Ph.D (University of Southampton – thesis subject “Transport and Related
Characteristics of the Residents of Private Category II Sheltered Housing
for the Elderly”)

Chartered Engineer

Member of the Institution of Civil Engineers

Member of the Institution of Highways and Transportation

Experience:-

Fifteen years (1970 to 1985) in the Transportation Section of the County Surveyor's Department of Hampshire County Council, the last 11 years as team leader responsible for the transport input to all local plans throughout Hampshire. Evidence was presented at a number of local plan inquiries, and advice and evidence given on planning appeals.

From 1985 to present day, independent traffic and transportation consultant working on a wide variety of development proposals, including housing, sheltered housing, employment uses, leisure facilities, shopping, public houses, mineral extraction and car boot sales.

Since 1985 - visiting lecturer at Southampton University on aspects of Transportation at both undergraduate and postgraduate levels.

Advising developers of sheltered housing on transport and car parking issues for some 20 years.

1. Introduction

- 1.1 It is proposed to redevelopment 262 Hawthorn Road, Aldwick, Bognor for a sheltered housing development.
- 1.2 In proposing such a development, it is necessary to provide an access with an appropriate level of visibility. The visibility in each direction takes advantage of the wide highway verges.
- 1.3 This report considers the appropriate visibility requirements, so as to ensure safe egress from the proposed development.

2. Visibility Standards

- 2.1 In March 2007 new guidance was provided on the visibility requirements. This guidance, contained in the Manual for Streets was aimed at lightly trafficked residential roads, although the guidance indicates that *"many of its key principles may be applicable to other types of streets, for example high streets and lightly trafficked lanes in rural areas"*.
- 2.2 Given the characteristics of Hawthorn Road, it is considered that this new guidance can and indeed should be applied.
- 2.3 It is accepted that the application of the guidance is sometimes considered differently amongst highway engineers. However, the first comment that needs to be made is that the guidance in TA42/95 "Geometric Design of Major/Minor Priority Junctions", part of the Design Manual for Roads and Bridges (DMRB), applies to trunk roads. The Manual for Streets states that the DMRB guidance *"is not an appropriate design standard for most streets, particularly those in lightly trafficked residential and mixed-use areas"*.
- 2.4 This has been highlighted in a letter to "Transportation Professional", the journal of the Institution of Highways and Transportation, from Alan Young, the Manual for Streets Project Manager. In this he adds that *"while the focus is on lightly trafficked residential streets, it is clear that the principles and some of the research can be applied in other circumstances"*. A copy of this letter is attached as Appendix I to this report.
- 2.5 It is of interest in this context that a planning inspector, who is a chartered highway engineer, decided that the research on visibility standards can be applied on other roads, such as an A class road linking to a motorway junction. The inspector decided that he did not need to make the judgement on whether the highway should be classed as a road or a street, but that the new visibility standards in the Manual for Streets could be applied in either case. A copy of this appeal decision (ref APP/P4225/A/07/2040756/NWF) is attached as Appendix II.
- 2.6 Given the above, it is clear that the new Manual for Streets guidance is applicable here. Visibility is, therefore, required from a point 2.4 metres (the X distance) back from the edge of the carriageway, measured along the centre line of the proposed access.
- 2.7 The Y distance is measured along the edge of the carriageway, from the centre line of the access. This distance is determined using the speed of vehicles approaching from that direction. There is a formula in the Manual for Streets that can be used to determine the "Y" distance.
- 2.8 If it were to be suggested that the DMRB guidance should be used, one has to answer the question *if a vehicle can stop, from a given speed, within the distance indicated in the Manual for Streets guidance, why is it not possible for the same vehicle (and driver) to be able to stop within the same distance on any other road*. The answer must be that it is possible and therefore the provision of visibility in line with the guidance in the Manual for Streets would not cause any highway safety concerns.

3. Traffic Speed Surveys and Resulting Visibility Requirements

- 3.1 A traffic speed survey was undertaken on Friday 8 June 2007. A copy of the results are included as Appendix II to this report. This showed a dry weather 85%ile speed of 24 mph for eastbound traffic i.e. leaving the roundabout, and 29 mph for westbound traffic. These convert to 38.6 kph and 46.7 kph, respectively. When adjusted to give wet weather equivalent speeds, these become 34.6 kph and 42.7 kph, respectively.
- 3.2 However, in order to ensure that this survey gave an accurate measure of the speeds of vehicles, a new survey was commissioned and undertaken on Tuesday 1 July 2008. This gave very similar results (see Appendix IV) for the westbound traffic i.e. 30 mph (48.3 kph) 85%ile dry weather, converted to 44.3 kph wet weather equivalent. However, the eastbound speeds were found to be somewhat higher than in the previous survey, at 28 mph (45.1 kph) 85%ile dry weather speed, or 41.1 kph wet weather equivalent.
- 3.3 In order to ensure that the visibility provision meets the higher standard, the following analysis will be based on the second of these surveys. The calculation of the "Y" distance is based on the formula in paragraph 7.5.3 of the Manual for Streets.
- 3.4 The visibility to the east, towards number 252 Hawthorn Road, will need to be 2.4 metres by 38 metres. The visibility to the west, i.e. towards the roundabout will need to be 2.4 metres by 34.5 metres.
- 3.5 It is clear that this visibility provision can be achieved.

4. Conclusion.

- 4.1 It is appropriate to use the guidance on visibility provision contained in the Manual for Streets. This statement takes into account the nature of Hawthorn Road, the application of the DMRB standards applying to trunk roads, the guidance in Manual for Streets, the comments of the project manager (Alan Young) and the appeal decision in Appendix II.
- 4.2 Using this guidance, and the less favourable and more recent speed survey results, the visibility requirement is 2.4 metres by 38 metres to the east and 2.4 metres by 34.5 metres to the west, i.e. towards the roundabout.
- 4.3 This provision can be readily achieved and probably exceeded.

APPENDIX I

Sir,



Transportation Professional welcomes letters from readers on all subjects raised by the magazine and about any other transportation issue. Please keep your letters brief and include your IHT designation, if applicable. The Editor reserves the right to condense. Address your letters to: The Editor, Transportation Professional, BBA Linden House, Linden Close, Tunbridge Wells, Kent TN4 8HH, f: 01892 524456, e: ty@transportation-mag.com

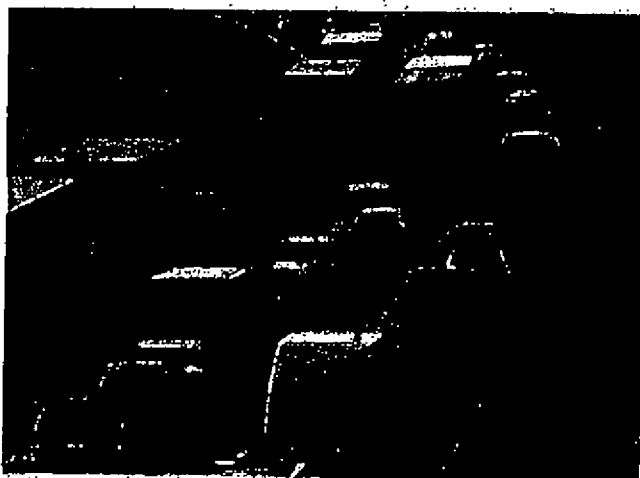
WE CAN CELEBRATE THE ACHIEVEMENT OF MOTORWAYS WITHOUT CONTINUING TO BUILD THEM

Sir Peter Baldwin urges us to celebrate the achievements of motorway builders and Transportation Professional presents the "compelling case for expansion of the UK's inter-urban motorway network", based on recent work for the RAC Foundation. (January/February issue) Many IHT members will happily endorse both sentiments.

However, it is possible to celebrate the engineering achievements of those who came before us – for instance the M5 on the hillside west of Bristol is worthy of mention – and still judge that, given what we now know about the impacts of encouraging car use, not least on climate change, promoting further large scale motorway expansion is unwise.

This is not to deny a positive future for motorways, but rather to say – in Donald E Carr's phrase – that their future cannot be the same as their past. After all, the term 'motorway' simply refers to a way for motorised vehicles, which may include rather more public transport, and shared cars, if appropriate provision is made.

Simon Bowers, MIHT
sands-bowers@supanet.com



'ROADS & REALITY' BACKGROUND

In the March edition of Transportation Professional, Nick Richardson raises a number of issues in respect of the 'Roads and Reality' report. He thinks higher fuel costs have been overlooked: we report authors assumed that in our evaluation year of 2041 these will be more than three times today's.

He asks about environmental costs: our carbon costs were twice those recently recommended by DEFRA and our noxious pollutant costs were also high given recent and prospective emission reductions. Our construction costs allowed for landscaping mitigation in a similar way to the Eddington study. Our recommendations were for a combination of efficient road pricing and road construction in addition to improved public transport and more conventional demand management.

He asks about funding: the pricing revenues, in addition to covering all external costs, would be more than sufficient to fund the roads improvement programme we recommended. All this is set out in clear detail in our published main and technical reports which we would urge any transport professional wishing to come to an informed view on these issues to read. These are freely available at: - http://www.racfoundation.org/index.php?option=com_content&task=view&id=514&Itemid=31

Nick Banks, David Bayliss & Stephen Glaister
Authors of 'Roads and Reality', RAC Foundation

GUARD RAILS BEST FOR PEDESTRIANS

David Groves is right: a new way of developing urban environments is badly needed. (Letters, March issue) But the answer is not to replace existing safety measures by planners' mumbo-jumbo of civilised streets and empowered pedestrians. Instead, each measure should be evaluated carefully to find how effective it is and what improvements are necessary, to create streets which are both pleasant and safe.

Over the past 50 years there has been vast improvement in the safety of vehicles, but not of streets. Safety now sells cars, but there is little commercial incentive to improve the safety of street infrastructure, which remains abysmal. Until radical measures such as GPS-based limitation of vehicle speeds are applied, skilled installation of pedestrian guardrails is likely to be the most effective safeguard for pedestrians.

Douglas I Stewart

Benview, Peterculter, Aberdeen AB14 0NT

MfS RESEARCH - MUDDLED THINKING

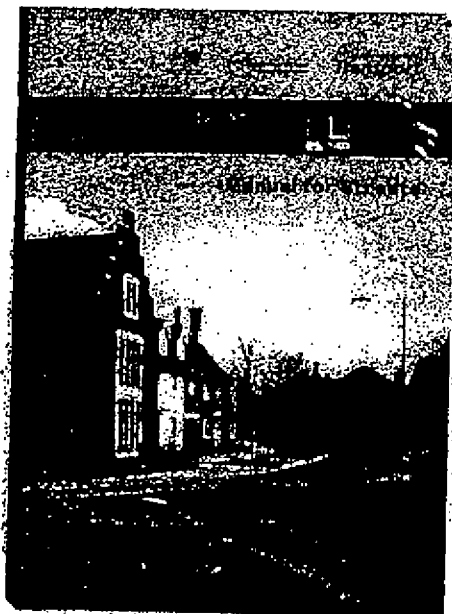
During the course of my work, I have recently come across a few instances where the research behind Manual for Streets (MfS) has been misunderstood. This misunderstanding used to limit the application of the visibility guidance set out in Table 7.1 of MfS.

It appears that some local authorities are using a traffic flow of 2000VPD (derived from Table 4.1 of The Manual for Streets: Evidence and Research, TRL Report TRL661) as a limiting factor for the application of MfS. This is further justified by commenting that MfS is only applicable to lightly-trafficked streets. The general argument usually goes on to say that DMRB standards should be applied on streets with traffic flows greater than 2000vpd, although some local authorities have arbitrarily set higher values, eg 5000VPD.

This interpretation is based on two fallacies. The first concerns Table 4.1 which does not identify sites that were used to review Stopping Site Distances (SSD), rather it concerns sites used to gather data for and identifying factors affecting driver behaviour such as visibility and carriageway width. Research used to review SSDs is completely separate and concentrates on driver perception-reaction times and rate of deceleration. This is not dependent on the volume of traffic as can be seen from the formula given in MfS (paragraph 7.5.3). Consequently there is no

basis to limit use of MfS SSDs based on traffic volume when determining appropriate visibility requirements.

The second fallacy concerns MfS only applying to purely residential streets since these are the only streets likely to be lightly trafficked. While the focus is definitely on residential and 'lightly trafficked streets' (MfS, Status and Application), the same



paragraph goes on to say that, 'but many of its principles may be applicable to other types of street, for example High Streets and lightly trafficked lanes in rural areas.'

The document goes on to say the DMRB is not an appropriate design standard for

most streets, particularly those in lightly-trafficked residential and mixed-use areas (paragraph 1.4.4). While the focus is on lightly trafficked residential streets, it is clear that the principles and some of the research can be applied in other circumstances.

Perhaps the most telling pointer to this is MfS Table 7 itself, which includes design speeds up to 37MPH. If this is compared to statements elsewhere in MfS where it recommends that speeds in residential areas are limited to 20MPH it becomes clear that the revised SSDs can be applied to the wider highway network regardless of traffic volume.

The arbitrary application of rigid standards without foundation is something that we tried to steer away from when drafting MfS since it runs counter to the whole ethos of the document. The intention was to produce guidance that could be used flexibly reacting to site specific circumstances. It is clear that the 'fundamental culture change' still has some way to go!

Alan Young

Manual for Streets Project Manager, WSP Development & Transportation

Alan.Young@wspgroup.com

HIGHWAY ENGINEER

The Highway Engineer was the first journal of the Institution of Highway Engineers and was followed in later years by Highways & Transportation magazine. Here, *Transportation Professional* includes extracts of stories published in the journals 75, 50, 25 and 10 years ago.

75 years ago

Waterloo Bridge in central London should be flanked by five storey offices to "blot out dreary distant buildings" and provide shelter from the elements to pedestrians crossing the River Thames.

The call is made by Institution member David Vaughan ahead of a planned restoration of the bridge. He likens the prospect of overhanging upper stories to the "glorious arcades" in Italy such as Milan's Galleria Vittorio Emanuele. Construction of buildings on the bridge would, he said, bring an economic return "far more profitable than an orthodox bridge carrying only traffic and footpaths".

50 years ago

Younger members are encouraged to visit as many road building sites as they can to develop their construction and civil engineering experience. South Western Branch chairman G Hearsey wrote in the April 1958 issue of the Institution journal that young people should "look, listen, ask questions and see how someone else does his job".

Many new recruits to the profession who joined following the war may not have had an opportunity to help with or see a large job under construction, he went on. It is also up to older members who are running major projects to promote their schemes to younger members.

25 years ago

Four accident blackspots in the capital were visited by 30 members of the Greater London branch, who discussed problems at each site and suggested ways of making them safer.

A pedestrian crossing on the junction of Edgware Road and Star Street was among the sites visited. The road features several bus stops and signalled junctions. The other sites viewed by the delegation were Camden Town's five arm junction, the intersection of Marylebone Road and Baker Street, and Hyde Park Corner.

The guided tour was organised by Dr Chris Wright of Middlesex Polytechnic.

10 years ago

Road closures lead to less congestion than may otherwise be expected, according to a report published by consultant MVA and University College London.

The study looked at a range of theoretical and actual case studies including emergency bridge and road closures. It pointed to an average fall in traffic of 25%.

Changes in human behaviour should be considered when developing traffic modelling, the report concluded. London Transport, a co-sponsor of the research, said the study meant "the case against pedestrianisation, bus priority and street running trams is less powerful than has previously been stated".

Yours faithfully

APPENDIX II



Appeal Decision

Inquiry held on 4 & 5 September 2007

Site visit made on 5 September 2007

by **David Ward** BSc CEng MICE FIHT

an Inspector appointed by the Secretary of State
for Communities and Local Government

The Planning Inspectorate
4/11 Eagle Wing
Temple Quay House
2 The Square
Temple Quay
Bristol BS1 6PN

☎ 0117 372 6372
email: enquiries@pins.gsi.gov.uk

Decision date:
27 September 2007

Appeal Ref: APP/P4225/A/07/2040756/NWF

Site of Coral Mill, Shaw Road, Newhey, Rochdale, OL16 4SQ

- The appeal is made under section 78 of the Town and Country Planning Act 1990 against a refusal to grant planning permission.
- The appeal is made by Redrow Homes (Lancs) Ltd against the decision of Rochdale Metropolitan Borough Council.
- The application Ref 06/D48329 dated 9 November 2006 was refused by notice dated 12 February 2007.
- The development proposed is the erection of 39 houses and 48 apartments plus associated roads, sewers, landscaping and parking.

Summary of Decision: The appeal is allowed, and planning permission granted subject to conditions set out below in the Formal Decision.

Preliminary matters

1. As a result of discussions between the parties some minor amendments were made to the submitted plans, with the result that the layout now proposed is that shown on plan CM-11-02-001-opC, revision E. No party considered that the amendments were of such significance that they materially altered the nature of the proposal, such that it should be re-advertised for comment.
2. The proposal was refused planning permission for 5 reasons. Subsequent discussions between the parties had narrowed the areas of disagreement, such that a Master Plan for the Area of Opportunity had been agreed; noise analysis had been carried out, leading to mitigation proposals; obligations entered into concerning affordable housing; and flood risk reduction measures agreed.
3. The site is bordered on two sides by active industrial development. Two occupiers of local factories had expressed concern that there would be some incompatibility between residential use of the land, and noise caused by their processes. Both were granted Rule 6(6) status in the appeal, and concluded that, subject to the conditions and obligations agreed upon between the Appellant and the Council, their concerns would be sufficiently allayed for their objections not to be pursued, although neither were formally withdrawn.

Main issues

4. There are three main issues in the appeal:
 - i) Whether a safe access can be achieved for the development;
 - ii) Whether sufficient detail has been given of possible bridgeworks over the Piethorne Brook for it to be concluded that the development proposed would assist and not constrain

the overall development of the Two Bridges Area of Opportunity;

- iii) Whether the proposals for provision and funding of on and off site recreational open space are acceptable.

Reasons

Issue 1 - Access

5. The proposed access position stands on the outside of a bend in Shaw Road, which is a principal road, A663 which joins the M62 at Junction 21, about 1km north west of the site. To the south, it serves two major distribution warehouses, and medium sized urban areas. It is a bus route, and has a 30 mph speed limit past the site. Newhey is clustered round the junction with Huddersfield Road, to the west of the site, and there is frontage development along much of this part of Shaw Road. At the eastern end of the site frontage is a sharp bend to the south, followed by a reverse bend as the road crosses two streams. Between the two bridges a road, Two Bridges Road, leads to the east between industrial buildings, beyond which is a residential area and open countryside. To the immediate west of the site is a bus turning area, and beyond that Gordon Street, the present access to Newhey Carpets works situated on the north eastern boundary of the site. Newhey Carpets is a thriving, modern business.
6. Traffic speeds on the A633 have been measured at four points, three of which encompass the access position. The 85%ile speeds range from 23 to 25 mph. On the eastern approach to the bends they rise to 27mph.
7. The proposed access would be at the eastern extremity of the site, and in addition to providing access to the proposed residential development would also enable improved access to Newhey Carpets, so that about half the heavy goods traffic generated by the factory would use this access, generally travelling to and from the M62. It would also provide access to the remainder of the Two Bridges Area of Opportunity which lies to the east of the Piethorne Brook, which itself forms the eastern boundary of the appeal site.
8. The Council raise three specific points of objection. First, the visibility at the access would not meet the standards adopted by the Council; second that heavy goods vehicles exiting the site and making a left turn would traverse to opposite running lane of the A663, leading to congestion and danger; and third, that the spacing between the access and Two Bridges Road was so little that road safety would suffer.
9. In 2002 the Council adopted the standards developed by Bolton MBC in a document entitled "Roads for Adoption". The standards which the Council considered should be applied in this instance were derived from the Department of Transport Design Manual for Roads and Bridges (DMRB). As applied by the Council, these indicated that a visibility envelope of 90m in either direction from a point 9m behind the edge of the main carriageway should be utilised. The proposed access would be deficient against these standards.
10. The Appellant however referred to the newly published Manual for Streets (MfS). Whilst there was dissension between the parties as to the applicability

of MfS to a situation such as this, which focussed on the guidance as to status on page 5 of MfS. The Appellant considered that his use of MfS was simply an application of its research based information. As such it had general applicability, since the research based advice on visibility and safety bore no relationship to the classification of the road. I do not consider it appropriate to conclude whether or not the stretch of road concerned meets the definition of a "street" so that MfS has full application, but I accept the Appellant's approach to research based matter.

11. MfS gives research based stopping sight distances (SSD) in Table 7.1. It states that the "Y" distance should be based on the SSD¹, which I take to mean to be the use of SSD as a minimum. The classification of Shaw Road has no bearing on a driver's ability to stop if necessary, and I see no reason why in this location a "Y" distance of the SSD should not be adopted.
12. As to the set back from the carriageway edge, the Appellant adopted the "X" distance set out in MfS, of 2.4m. The attributes of greater distances are discussed in MfS². Again, this discussion is not, in my view, dependent upon the classification of the main road, and an "X" distance of 2.4m is as applicable to this situation as to any street.
13. The design of the junction meets the visibility requirements for safety. Nevertheless, this is a highly unsatisfactory section of road. The alignment past the access position is such that large vehicles frequently cross the centre line, and if two large vehicles approach the bend at the same time, either one has to stop and give way to the other, or the eastbound vehicle has to mount the northern footway to gain running space. However, the poor alignment is not reflected in the accident record, which shows a small number of accidents involving slight injuries. In two years since signing was altered, there have been no accidents. Going back to the time when the site entrance was in use, there is no indication that the road was abnormally hazardous.
14. The Appellant proposes to fund improvements to the main road as part of the construction of the junction, to give space to allow all vehicles to pass, and create a small refuge area for traffic turning right into the site. In recognition that those accidents which have occurred have generally involved vehicles skidding, a high friction surface is to be provided, and speed responsive advisory signs erected on the approaches to the bends. In my view these proposals would be beneficial, and would add to the benefits to the free flow of traffic from the removal of some goods vehicles from the unsatisfactory Gordon Street junction.
15. As to the characteristics of the exit, it is true that a large vehicle leaving the proposed access and turning left would cross to the opposite lane of Shaw Road. To eliminate this, the access would have to be sited further to the west, or the deck of Piethorne Bridge extended to provide a greater radius, or allow an entry radial to the curve of the road. The Appellant considered that this would increase cost and make less efficient use of the site. However, lorries from Newhey Carpets are expected to turn towards the M6, and it is likely that this would be the predominant turn for all commercial vehicles using the

¹ 7.7.10

² 7.7.9

access. Furthermore, all vehicles accessing industrial land in the area presently use poor accesses, and the proposed junction would be a significant improvement. In my view the design proposed is acceptable on balance.

16. The Council consider that the proximity of the access to Two Bridges Road would lead to danger, since complex movements at the existing junction would serve to distract attention of drivers at the new junction, and *vice versa*. I appreciate the reasoning. However, accident records during the period when the site access was functioning do not support this concern, and it is my view that when dangers are apparent, such as in this case, drivers tend to behave with greater care, as shown by the low traffic speeds in the locality. There is no research to support the Council's contention, and research for MfS may support the view that accident potential is more a function of amounts of traffic than numbers of junctions³. I am not convinced that the appeal proposal is defective in this regard.

Issue 2 – Access to the Area of Opportunity

17. Policy R4 of the Unitary Development Plan designates the area containing the appeal site as an Area of Opportunity (AoO). The site is about one third of the AoO; Newhey Carpets occupies another third, and the remainder lies across the Piethorne Brook. The policy requires that development proposals for part of an AoO should demonstrate that they will assist and not constrain a comprehensive and satisfactory development of the entire area.
18. The Appellant has agreed to provide funding towards a bridge into the remainder of the AoO. Design of the access was shown to take account of the crossing, and in my view the requirement for the proposals not to constrain development of the entire area is met, in physical terms. The level of funding has been determined by making an outline estimate, on the basis of the higher end of a range of tender rates available to his consultant, of the cost of works. Funding up to that level is offered, subject to a lower level should costs be less.
19. The Council disputed the estimate, and there is no knowledge of ground conditions, leading to uncertainty in the cost of foundation works. Neither party brought forward any details, simply preferring to report the views of their respective structural advisers. The approach to estimating has thus not been tested. However, the Council's evidence was that they would consider that the policy requirement would be satisfied if the developer of the appeal site were to fund half the cost of the crossing. Since the amount offered (£100,000) is more than half the Council's estimate (£189,000), it appears to me that, even under the most extreme ground conditions likely, the offered funding would be adequate to meet the requirement of the policy that the proposal should assist further development. There is a very high probability that at least half the cost of the works would be met, and in any case, the Council's case that a 50% contribution would meet the policy is not arrived at through any process other than subjective judgment.
20. In my view there would be no conflict with Policy R4.

³ 7.3.18

Issue 3 – provision of recreational open space

21. UDP Policy H6 and the accompanying text sets out detailed requirements for recreational open space. 2.1ha per 1000 population should be provided, and where a development comprises more than 100 bedrooms, this should include on site provision. 1.1ha/1000 should be outdoor sports provision. It was agreed that in this locality, outdoor sports were centred on Butterworth Hall, about 1km away, and a proportion (£54,256) of a sum included in a planning obligation would discharge this requirement.
22. 1.0ha/1000 is to be devoted to local open space. In the Council's view this amounted to a requirement for 2090m² which should in the main be provided on site. The appeal layout however included only 320 m², which would be insufficient to provide other than a small landscaped area, possibly with some seating, although even this may not be possible due to the proximity to dwellings.
23. Policy H6 advises that the full requirement (2.1ha/1000) may be "waived/reduced/varied" where existing recreational open space is sufficient to cater for existing need as well as that arising from the development. In the case of smaller developments (less than 100 bedrooms) a commuted sum would be acceptable to contribute to off site provision, but this had to be of direct benefit to the occupiers of the new development. The Appellant considered that the distinction between smaller developments and those of over 100 bedrooms was arbitrary, and that in this case a commuted sum could be beneficially applied to existing open space in the area, some of which was within about 400m of the site.
24. The policy does not require all recreational open space to be provided on site. On site provision should be included, and the policy is met in this regard. There is no policy requirement for local open space to be on site, nor in my view is the Council's interpretation of the policy valid that off site local provision may only be made in those cases where existing open space is contiguous with the development. Neither does the policy deal with the case in which off site provision is made where there are more than 100 bedrooms.
25. The requirement for local open space within Newhey is about 2.66ha. Within 1km of the site there is some 4.8ha of local open space. Within 350m of the site is a large area (1.58ha) of informal playing field, which can be reached without crossing main roads. Strikingly, in my view, all nearby local open space apart from the most remote, at Bentgate, is devoid of any equipment. At the time of my visit, on a fine evening, all were in use, but that with equipment was by far the most intensively used.
26. Bearing in mind that National policy seeks to increase the supply of housing, and that regeneration is an aim of Regional Planning policy, it seems to me that the development proposed, together with better utilisation of the open space already available in the locality would serve these dual aims of policy to the benefit of the locality as a whole, and maximise the benefit from the development of the site. Within the locality there would remain an ample supply of easily accessible open space, and the quality could be improved. In my view the closest sites are well related to the development. I do not consider

that there would be significant harm if this approach were to be repeated in the remainder of the AoO.

27. I have taken note of the view of the Council that there needs to be play space which is subject to informal supervision by proximity to dwellings, and I recognise that some of the existing space would not meet that criterion. However, whilst undoubtedly a sound attribute, it is not a requirement of policy, and I do not find it determinative. I take a similar view of Newhey Carpets objection to the location of play space close to their premises.
28. In my view the appeal proposals adopt a flexible approach to policy, which is envisaged in both paragraphs numbered 9.32 in the UDP. The developer is not seeking to escape or waive the requirements of policy, and in this case the approach should be supported as being beneficial in the round.

Other material considerations

29. The location of housing development in close proximity to industrial operations brings with it potential for disturbance, affecting both the amenity of residents, and the efficiency of industrial operations. In this case the matter was fully addressed in relation to both Newhey Carpets, and Continuous Paper Transfer Printers Ltd, and forms the subject of conditions and obligations. In my view this; and other controls available to the Council, will enable the various uses to be satisfactory neighbours.
30. I have taken into account the representations made by residents of Stewart Street and Gordon Street at the time of the application. I am not convinced of their concerns regarding footpath access to the station, and it is in my view important to give as direct access as possible. Concerns over parking provision assume a lower rate of provision on site than is actually the case. Controls are available to the Council should there be significant conflict over the availability of resident's parking space. It is likely that some of the existing trees fronting the site would be removed, which is unfortunate. However, the developer is required to have approved a landscaping scheme, and this may provide replacement.

Planning Conditions

31. Planning Conditions had been agreed between the Council and the Appellant. I reviewed these with the parties at the inquiry for compliance with the tests set out in Circular 11/95, and except for minor amendments which I have incorporated, found them to comply with Government policy.

Formal Decision

32. I allow the appeal, and grant planning permission for the erection of 39 houses and 48 apartments plus associated roads, sewers, landscaping and parking at Site of Coral Mill, Shaw Road, Newhey, Rochdale, OL16 4SQ in accordance with the terms of the application, Ref 06/D48329 dated 9 November 2006, and the plans submitted with it, subject to the conditions set out in the attached schedule.

David Ward

Inspector

Schedule of Conditions

1. The development hereby permitted must be begun not later than the expiration of three years, beginning with the date of this permission.
2. Notwithstanding any description of materials in the application no development shall be commenced (other than demolition works) until samples or full details of materials to be used externally on the buildings have been submitted to and approved in writing by the Local Planning Authority. Such details shall include the type, colour and texture of the materials. Only the materials so approved shall be used, in accordance with any terms of such approval.
3. Notwithstanding any details shown on the approved plans and before any development commences (other than demolition works) full details of the existing and proposed levels, the proposed finished floor levels of the buildings, and levels of the access road, parking areas and open space areas relative to an agreed off-site datum shall be submitted for the approval in writing of the Local Planning Authority. The development shall be carried out in accordance with the approved details.
4. Notwithstanding any details shown on the planning application no development shall commence (other than demolition works) until full details of the boundary treatments, including fences, walls, retaining walls and any other means of enclosure, have been submitted to and approved in writing by the Local Planning Authority. The development shall be implemented in accordance with the approved scheme.
5. No boundary fences or walls shall be erected at the front of plots 22,23,24,25,61,62,63 except those approved in accordance with the details submitted in respect of condition 4 above.
6. The areas shown for car parking shall be laid out as shown on the approved plan in accordance with a timescale to be agreed in writing by the Local Planning Authority before development commences and shall not be used for the storage of materials, caravans, trailers or boats without the prior written consent of the Local Planning Authority.
7. The positions of all site compounds within the site during the construction period shall be approved in writing by the Local Planning Authority before any such compounds are formed.
8. Before development commences (other than demolition works) details of the construction and design of refuse bin stores for the apartment blocks shall be submitted for the written approval of the Local Planning Authority. The approved bin stores shall be constructed in accordance with the approved details and shall be available for use before the respective buildings are first occupied.
9. The ten parking spaces on the east side of Stewart Street shall be provided, surfaced and available for use for the residents of Stewart Street within 12

- months of the commencement of the development (other than demolition works).
10. Prior to the commencement of development (other than demolition works) supplementary site investigation works must be undertaken to assess ground conditions under building structures; and to assess ground water and ground gases across the site. The results of these investigations and a strategy for remediation works shall be submitted to and approved in writing by the Local Planning Authority before development commences. The remedial works shall be carried out in accordance with the approved strategy and a verification/completion report shall be submitted to and approved in writing by the Local Planning Authority before any of the dwellings are first occupied unless otherwise agreed in writing by the Local Planning Authority.
 11. Before any development is commenced (other than demolition works) a landscaping scheme for the site, shall be submitted for the written approval of the Local Planning Authority. Such a scheme shall include details of the type, species, siting, planting distances and the programme of planting of trees and shrubs. The scheme of planting, as approved, shall be carried out during the first planting season after the development is substantially completed and the areas which are landscaped shall be retained as landscaped areas thereafter. Any trees or shrubs removed, dying, being severely damaged or becoming seriously diseased within three years of planting shall be replaced by trees or shrubs of similar size and species to those originally required to be planted.
 12. No development approved by this permission (other than demolition works) shall be commenced until a scheme for the provision of surface water drainage works, including any attenuation measures, has been approved in writing by the Local Planning Authority. The scheme shall be completed in accordance with the approved plans.
 13. No site preparation, delivery of materials or construction works, other than quiet internal building operations such as plastering and electrical installation, shall take place other than between 07.30 and 1930, Monday – Friday and between 0800 hours and noon on Saturday, unless otherwise agreed in writing by the Local Planning Authority.
 14. The site access shall be constructed in accordance with the details shown on the Proposed Site Access Junction drawing number 2006-544/SK012 Rev F and the Proposed Traffic Management Safety Scheme drawing number 2006-544/SK015 Rev E.
 15. Before the development commences (other than demolition works) details shall be submitted as to how the dwellings will achieve the following noise levels:
 - 35dB(A) Leq 5 mins in the bedrooms with windows shut and other means of ventilation provided between 11 pm and 7 am
 - 40 dB(A) Leq (1 hour) in all habitable rooms with windows shut and other means of ventilation provided.

and the dwellings shall be constructed in accordance with the approved details

16. None of the dwellings on Plots 55-63 inclusive shall be occupied prior to the noise attenuation measures to the latex extraction unit at Newhey Carpets being carried out in accordance with the scheme submitted as part of the Unilateral Undertaking.
17. No development other than demolition works shall take place until full details of the design construction and drainage of the proposed parking areas have been submitted to and agreed in writing by the Local Planning Authority. The approved scheme shall be implemented in accordance with an approved timescale.
18. Before any development is commenced a detailed Travel Plan, setting out ways of reducing car usage and increasing walking and cycling to and from the development shall be submitted to and agreed by the Local Planning Authority. The detailed Travel Plan shall be implemented in accordance with the approved details and to a timescale to be approved in writing by the Local Planning Authority.
19. The access road must be constructed to the levels shown on drawing 2006-544/SK002 Rev C to accommodate the future construction of a bridge over the Piethorne Brook unless otherwise agreed in writing by the Local Planning Authority.

Appearances

For the Appellant

Mr Stephen Sauvain, QC, instructed by Mr A McAteer

He called:

Mr A McAteer, DipTP, DMS, MRTPI Director of Erinaceous Planning, Abbey House,
32, Booth Street, Manchester M42QP

Mr A A Khan, MSc BSc CEng MICE MIHT MILT Regional Director
Dennis Wilson Partnership, 8th Floor
Portland Tower, Portland Street,
Manchester M1 3LF

Mr I Wallbank MIOA, Associate Director, White Young Green Environmental
Arndale Court, Headingley, Leeds
LS6 2UJ

For the Local Planning Authority

Miss H Barker, Solicitor with the Council

She called:

Mrs L Schofield DipT&RP, MRTPI Principal Planning Officer with the
Council

Mr C Hall, BA(Hons) MRTPI Land Use Strategies Co-ordinator with
the Council

Mr W Poole, BSc(Hons) DipTP MRTPI Planning Officer with the Council

Mr T Wood MIHT Network Development Officer with the
Council

Rule 6(6) Parties

Representing Newhey Carpets Ltd

Mr A Chorlton MRTPI, Principal of Chorlton Planning Ltd, 67, High
Street, Lees, Oldham, OL4 3BN

Representing Continuous Transfer Paper Printers Ltd

Mr I Pedley, Director CTPP, Two Bridges Road, Newhey,
Rochdale OL16 3SR

Documents

Document 1	The notice of the inquiry and list of persons to whom it was sent
Document 2	The Planning application, including two plans
Document 3	Statement of common ground on planning matters
Document 4	Statement of common ground on highway matters
Document 5	Appendices to Mr McAteer's proof
Document 6	Appendices to Mr Khan's proof
Document 7	Noise Assessment submitted by Mr Wallbank
Document 8	Appendices to Mrs Schofield's proof
Document 9	Appendices to Mr Wood's proof
Document 10	Appendices to Mr Pedley's proof
Document 11	Schedule of conditions agreed between the Appellant and the Council
Document 12	Unilateral Planning Obligation and accompanying Deed
Document 13	Plans showing a) Cross sections b) Access road alignment to meet a bridge across Piethorne Brook
Document 14	Open space calculations submitted by Mr McAteer
Document 15	Appendices to Mr Chorlton's proof

APPENDIX III

Hawthorn Road, Bognor Regis - Speed Survey

Produced by Paul Castle Consultancy

Weather Fri 8th June 2007

All speed recordings are from free-flowing vehicles.

Bright and sunny 1400-1500

Eastbound				Westbound			
Speeds (mph)		Speeds (mph)		Speeds (mph)		Speeds (mph)	
1	15	51	22	1	19	51	26
2	16	52	22	2	21	52	26
3	18	53	22	3	21	53	26
4	18	54	22	4	21	54	26
5	19	55	22	5	21	55	26
6	19	56	22	6	21	56	26
7	19	57	22	7	21	57	26
8	19	58	22	8	22	58	26
9	19	59	22	9	22	59	26
10	19	60	22	10	22	60	26
11	19	61	23	11	23	61	27
12	19	62	23	12	23	62	27
13	19	63	23	13	23	63	27
14	19	64	23	14	23	64	27
15	19	65	23	15	23	65	27
16	20	66	23	16	23	66	27
17	20	67	23	17	23	67	27
18	20	68	23	18	23	68	27
19	20	69	23	19	23	69	27
20	20	70	23	20	23	70	27
21	20	71	23	21	23	71	27
22	20	72	23	22	23	72	27
23	21	73	23	23	24	73	27
24	21	74	23	24	24	74	27
25	21	75	23	25	24	75	28
26	21	76	23	26	24	76	28
27	21	77	23	27	24	77	28
28	21	78	24	28	24	78	28
29	21	79	24	29	24	79	28
30	21	80	24	30	24	80	28
31	21	81	24	31	25	81	29
32	21	82	24	32	25	82	29
33	21	83	24	33	25	83	29
34	21	84	24	34	25	84	29
35	21	85	24	35	25	85	29
36	21	86	24	36	25	86	29
37	21	87	25	37	25	87	29
38	21	88	25	38	25	88	29
39	21	89	25	39	25	89	29
40	21	90	25	40	25	90	30
41	21	91	25	41	25	91	30
42	21	92	25	42	25	92	30
43	21	93	25	43	25	93	30
44	21	94	26	44	26	94	30
45	21	95	26	45	26	95	31
46	21	96	26	46	26	96	31
47	21	97	26	47	26	97	31
48	22	98	26	48	26	98	31
49	22	99	27	49	26	99	31
50	22	100	27	50	26	100	31
ROAD SURFACE - DRY							
Average			21.9	Average			25.9
85th%ile			24.0	85th%ile			29.0

Location: Eastbound - exit crown line of roundabout
Westbound - passing number 252 Hawthorne Road

APPENDIX IV

Hawthorn Road, Bognor Regis

Speed Survey by hand-held Radar Gun

Produced by Community Systems Ltd.

Tuesday 1st July 2008
1000-1100

Weather
Dry & Bright

Eastbound				Westbound			
Speeds (mph)		Speeds (mph)		Speeds (mph)		Speeds (mph)	
1	19	51	25	1	21	51	27
2	19	52	25	2	23	52	27
3	20	53	25	3	23	53	28
4	20	54	25	4	23	54	28
5	21	55	25	5	23	55	28
6	21	56	25	6	24	56	28
7	21	57	25	7	24	57	28
8	21	58	25	8	24	58	28
9	22	59	25	9	24	59	28
10	22	60	26	10	24	60	28
11	22	61	26	11	24	61	28
12	22	62	26	12	24	62	28
13	22	63	26	13	24	63	28
14	22	64	26	14	24	64	28
15	22	65	26	15	25	65	28
16	22	66	26	16	25	66	28
17	22	67	26	17	25	67	29
18	22	68	26	18	25	68	29
19	22	69	26	19	25	69	29
20	22	70	27	20	25	70	29
21	23	71	27	21	25	71	29
22	23	72	27	22	25	72	29
23	23	73	27	23	25	73	29
24	23	74	27	24	25	74	29
25	23	75	27	25	25	75	29
26	23	76	27	26	25	76	29
27	23	77	27	27	25	77	29
28	23	78	27	28	26	78	29
29	23	79	27	29	26	79	29
30	23	80	27	30	26	80	29
31	23	81	27	31	26	81	29
32	23	82	28	32	26	82	30
33	23	83	28	33	26	83	30
34	23	84	28	34	26	84	30
35	24	85	28	35	26	85	30
36	24	86	28	36	26	86	30
37	24	87	28	37	27	87	30
38	24	88	28	38	27	88	30
39	24	89	28	39	27	89	30
40	24	90	29	40	27	90	30
41	24	91	29	41	27	91	30
42	24	92	29	42	27	92	30
43	24	93	29	43	27	93	31
44	24	94	29	44	27	94	31
45	24	95	29	45	27	95	31
46	24	96	30	46	27	96	31
47	24	97	30	47	27	97	31
48	25	98	30	48	27	98	32
49	25	99	31	49	27	99	33
50	25	100	32	50	27	100	34
All recordings taken from vehicles in free flow							
ROAD SURFACE - DRY							
Average	Eastbound		25.0	Average	Westbound		27.3
85th%ile	25.0		28.0	85th%ile	30.0		30.0

Location: Eastbound - exit crown line of the roundabout
Westbound - passing number 252

Allan J Burns BSc MSc PhD CEng MICE MIHT

Beynac Rise

Crampmoor Lane

Romsey, Hants, SO51 9AJ