



Higher Kinnerton Community Council.

Council Clerk: 13 Deansway, Higher Kinnerton,
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Dear Sirs,

08th June 2023

TOWN AND COUNTRY PLANNING ACT 1990

LOCATION: Royal Oak, Kinnerton Lane, Higher Kinnerton, Chester, CH4 9BE

PROPOSAL: Retention of existing public house and erection of two three-bedroom dwellings (use class c3) utilising existing access off Kinnerton Lane, with associated parking, hard and soft landscaping, including the reconfiguration of the public house car park.

REFERENCE: FUL/000240/23

PLANNING OFFICER: Jenni Perkins

I refer to the Planning Local Planning Authority's consultation in respect of the above referenced planning application ("the Application").

There are a number of objections and observations which members of Higher Kinnerton Community Council (HKCC) wish to raise in respect of the Application which are as follows:

1. PLANNING POLICY CONTEXT (Section 4 – Design and Access Statement)

That part of the Design and Access Statement which refers to Local Development Plan (LDP) Policy HN2 (Density and Mix of Development) fails to reference that within the context of Policy HN2 the LDP further provides that in order to meet the variety of needs in Flintshire, a range of housing must be provided on sites and the Local Housing Market Assessment identified a particular need for smaller one and two bed units to meet the increasing need from single person households.

The Design and Access statement also contains potentially misleading references to the content of Higher Kinnerton Village Plan (a plan produced by residents and the Community Council with support and assistance from Flintshire County Council). The plan sets out the priorities for the future of the village from 2018 to 2030 including in the context of community growth through sensitive development. In this context, the Village Plan hi-lights that with an ageing population nationally and locally, serious consideration needs to be given on how housing should be provided for this section of our community, as well as the provision of affordable housing to encourage younger people to settle in Higher Kinnerton.

The Design and Access Statement also omits reference to Strategic Policy STR11 (Provision of Sustainable Housing Sites) which states, inter alia, that new housing should facilitate the provision of affordable housing relative to local needs and viability, make provision for specific housing needs where appropriate including for example small family and elderly housing etc and ensure, in rural areas, that genuine and proportionate needs for housing are met in a sustainable manner.

In this respect, HKCC do not consider the proposed housing design is policy compliant and furthermore, the proposed design has not taken into consideration the relevant provisions of the Village Plan. HKCC do not consider the development of 2 number 3 bedroom detached residential dwellings will meet local housing need for smaller, more affordable units.

In the context of transport and travel, paragraphs 4.24 4.27, 4.29, 4.30, 4.31 of the Design and Access Statement reference the relevant policies within the LDP. The policies include requirements that new development should maximise sustainable travel choice by having safe and convenient access by foot, cycle, public transport and vehicles (PC2), be sustainably located and accessible to non – private car means of travel, so as to reduce carbon emissions (PC 4) and incorporate good access to the more sustainable modes of travel, firstly by walking and cycling, secondly by public transport, then by low emission private vehicle and finally by private motor vehicle (PC5).

The amended Transport Statement in support of the Application remains to inaccurately state that a bus service operates to facilitate travel to and from Chester at a frequency of 5 buses a day on weekdays and 8 buses on a Saturday.

This is wholly inaccurate and false as the current bus services operates such that buses from Higher Kinnerton to Chester run three times a day at 7.45, 16.17 and 17.37 and from Chester to Higher Kinnerton arriving in Higher Kinnerton at 15.20, 16.10, 17.35 and 18.44. There is no bus service at weekends as stated in the Transport Statement. In addition, the Transport Statement is misleading in terms of underestimating the time it would take to walk to the nearest train station and in failing to identify that the walking route is potentially hazardous.

2. KEY DEVELOPMENT CONSIDERATIONS & DESIGN (Section 6 – Design and Access Statement)

Having reviewed the proposed design and relevant plans, HKCC are concerned about the proposed layout and density of building design in the context of the overall size of the development site and its impact on amenity. Furthermore, no dimensions are specified for the bin/bike storage shown on the plans other than the height of the store (1.8m) although the scale would indicate that the width of the store is 2m and the depth is 1m. HKCC considers this renders the proposed storage inadequate. As there are no garages included it is also questionable whether the garden space is sufficient to allow the erection of even a medium sized shed to allow for storage

3. ACCESS (Paragraph 7 – Design and Access Statement), HIGHWAYS AND PARKING

3.1 SITE ACCESS

The Royal Oak has 2 points of vehicular access.

The primary access is of a kerb radii design and is derived from Kinnerton Lane, a Class III highway subject to a 30mph speed restriction:



<https://goo.gl/maps/aZTmu6RH9w3JhpTV6>

The visibility available from and of vehicles emerging onto Kinnerton Lane from the Public House car Park is excellent, well in excess of the minimum standards for a 30mph speed limit.

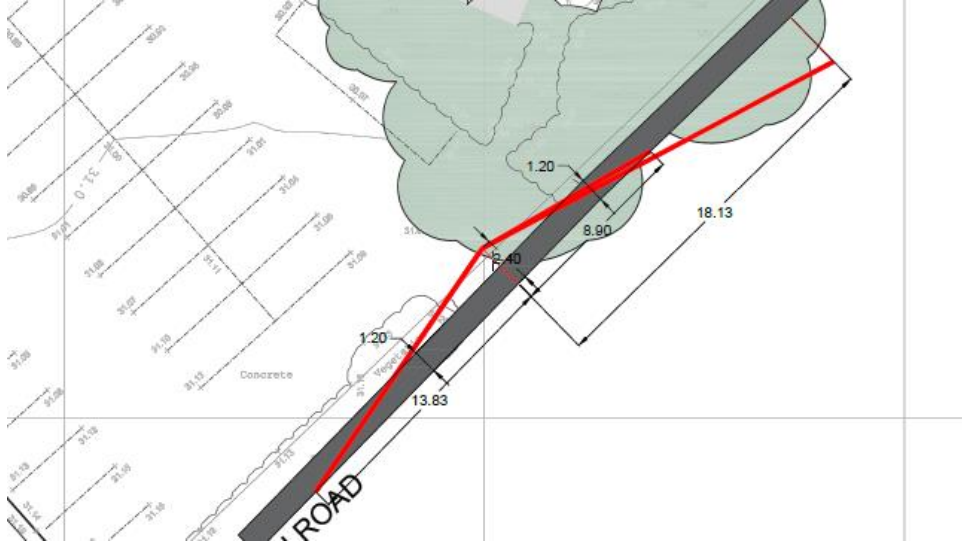
The access is 5.5m in width, widening to 6.5m further into the site. The width and alignment of the access allows for the 2-way movement of vehicles with ease.

The secondary access serving the property is derived from Main Road, which is also a Class III Highway, subject to a 30mph speed restriction:



<https://goo.gl/maps/PjzpunPfiU1jeLLZ6>

The visibility available from and of vehicles emerging on to Main Road from the site is severely restricted. The sightlines available are shown in the screen shot below:

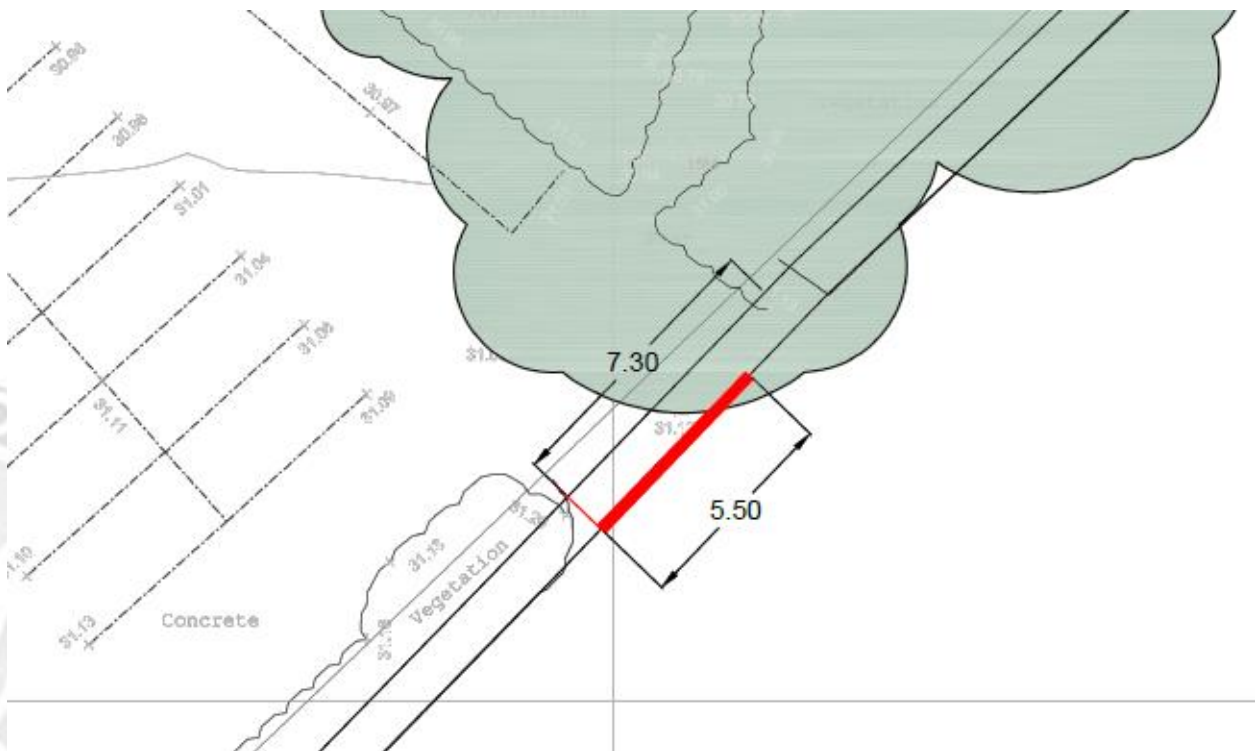


It should also be noted that the submitted plans, misleadingly, do not show the back edge of the existing footway, or the extents of the landscaped areas to the southwest of the access. In actuality, the footway only measures as 1.2m in width and visibility is severely restricted by the landscaped areas, despite being recently cut back.

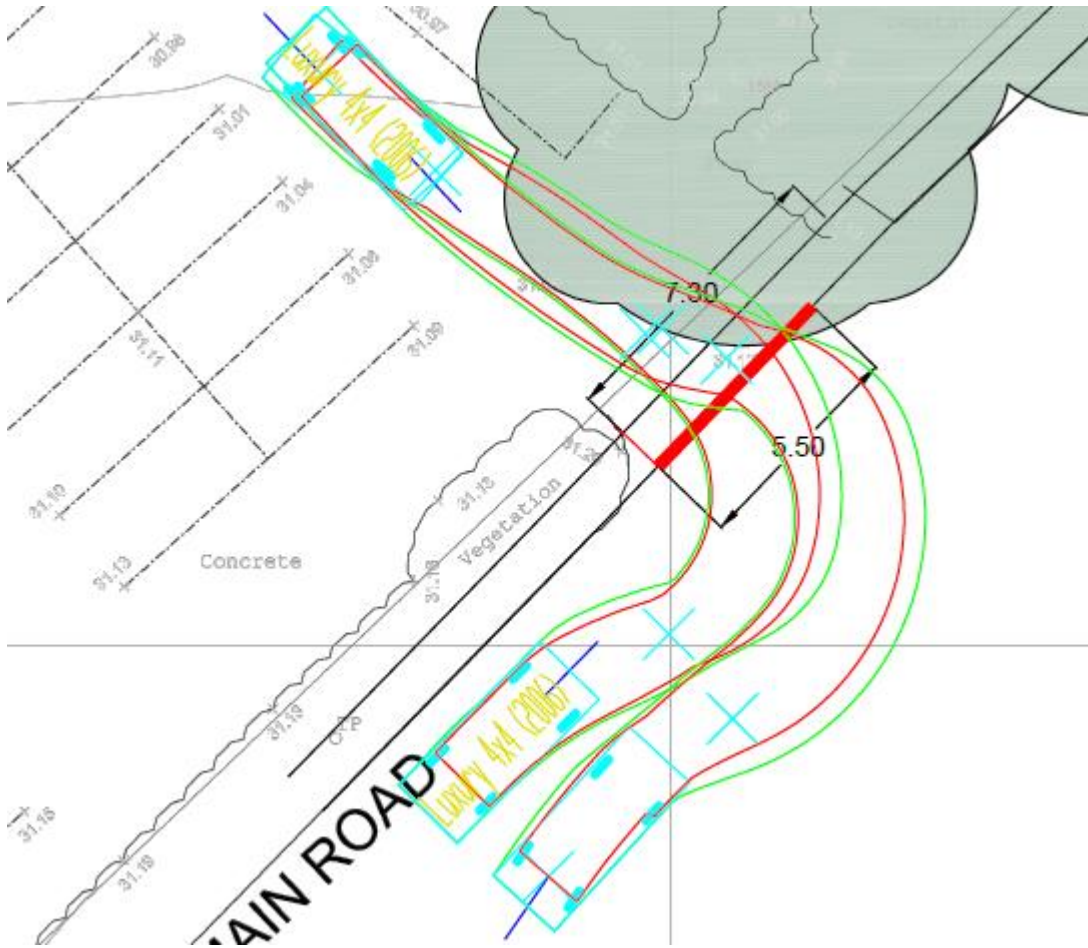
Whilst the amended plan shows that visibility splays of 2.4 x43 will be provided, the impact on the established hedge and general appearance of the site has not been established.

The Community Council is concerned that in providing the sightlines, the car park in particular will be far more visible and therefore more visually intrusive.

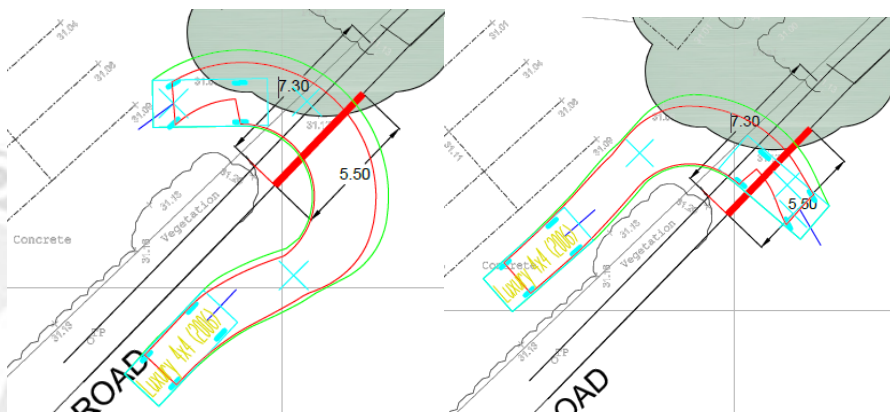
The amended proposal has also failed to consider the access width. Whilst the opening at the back edge of the footway measures as 7.3m, the dropped kerb fronting the access opening is only 5.5m in width as indicated below:



Swept path analysis of the access shows that it is inadequate to provide for the two-way movement of vehicles, as shown on the attached PDF file and the screen shots below:



Furthermore, due to the way in which the access operates, it is not unusual for a vehicle turning left into the site to encounter another vehicle exiting the site:



Bringing the vehicles into conflict with each other.

The proposed development will result in the closure of the existing access from Kinnerton Lane which provides excellent visibility from an of emerging vehicles as well as the ability for 2 vehicles to pass clear of the adopted highway.

Consequently, the proposal will result in all vehicles associated with the public house utilising the access from Main Road. This will amount to a significant increase in use of the access.

From a site access perspective, HKCC therefore objects to the Application on the basis that the development will result in the significant increase in use of an access that:

- a) The removal of the hedges either side of the access to provide the visibility splays would have an adverse detrimental impact upon the character of the street scene and surroundings.
- b) Does not provide for the two-way movement of vehicles clear of the adopted highway to the detriment of highway safety and the free flow of traffic along the adjoining Class III highway.

3.2 PARKING PROVISION

Whilst 45 spaces currently exist, 35 spaces are shown on the proposed plan, resulting in a loss of 10 parking spaces associated with the public house.

The same SPGN identifies parking provision for an A3 use as follows:

Use Class	Car space per 20m ² gross floor area
A3 Food & Drink	
Public house, Licensed Club, Restaurant, Café and Hot food takeaway etc.	1 car space per 4m ² net public floor area
Fast food drive through.	1 car space per 7.5m ² net gross floor area
B1 Business	

A calculation of PFA vs parking does not appear to have been carried out, nor does it appear that the PFA of the premises has been provided. It is therefore assumed that the parking provision currently available within the site does not come close to the standard required by the SPGN.

Instead, the following information has been provided:

- 3.5 The impact of the loss of parking to the public house has been assessed in a parking stress survey was conducted at 12pm, Friday 16th December until 12pm, Sunday 18th December. The results of this survey have been summarised in Table 3.1 below and is appended as **Appendix B**.

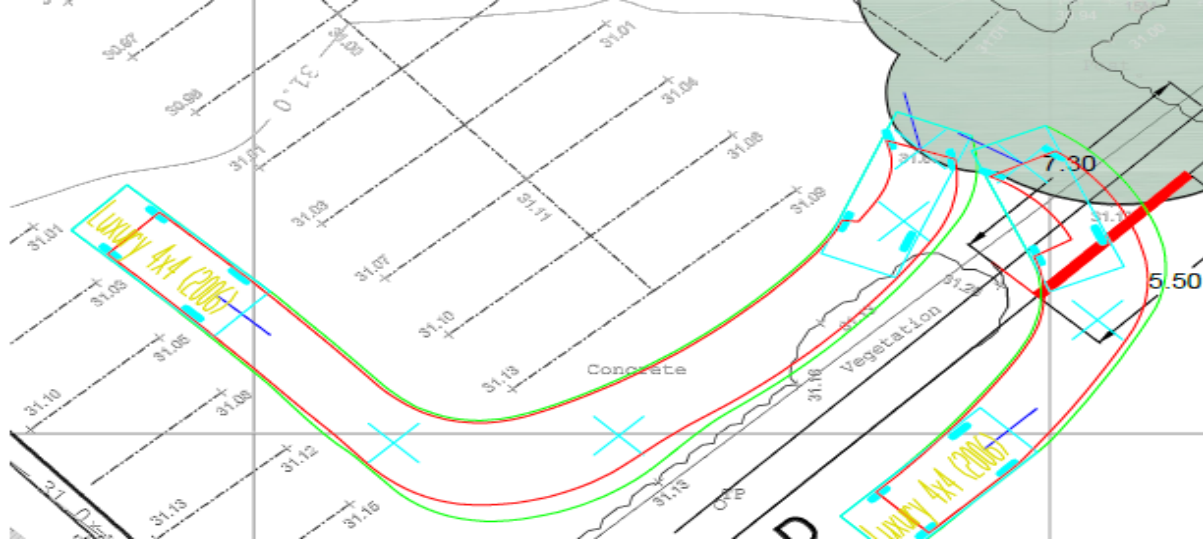
Table 3.1 Car Park Occupancy Stress Survey

Day/Time	Available Spaces	Total Parked	Stress (%)
Friday Peak (20:00)	45	29	64%
Saturday Peak (19:00)		33	73%
Sunday Peak (13:30)		31	69%

Source: Car Park Occupancy Survey, Appendix B

- 3.6 As the data above shows, the peak occupancy of the car park across all three days never reached beyond thirty-three spaces, hence, plans to retain thirty-nine parking spaces for the public house should be deemed sufficient to satisfy current demand for the pub.

It should be noted that car parks are generally considered to be at capacity once 85% of parking spaces are occupied, as this results in circulating movements by drivers seeking a space. Due to the access issues previously identified and the lack of intervisibility between a circling vehicle and an ingress movement, this has the potential to result in a conflicting movement:



The net result of which may be the potential for the vehicle entering the site from the highway being hit from behind as the driver will be required to stop too sharply, to avoid colliding with the circulating vehicle, creating a highway safety issue.

Furthermore, the 73% stress level identified in the submission is calculated based on 45 spaces being available. This will rise to 94% when only 35 spaces are retained.

Furthermore, 3 random parking counts have been undertaken by members of HKCC yielding the following results:

Time and Date	No of spaces Occupied	Stress level (45 spaces available)	Stress level (35 spaces available)
Wednesday 05/04/23 at 18:30	27	60%	77%
Thursday 06/04/23 at 22:15	26	58%	74%
Saturday 15/04/23 at 20:17	37	82%	106%

The times of the counts were deliberately chosen to give a fair representation of current parking demand rather than times being cherry picked when it is known that parking demand is particularly high. For example, it is likely that demand for parking will have been higher earlier in the evening on the Saturday.

Whilst only 3 counts were carried out of which 1 count (i.e. 33% of the time) indicates that 35 parking spaces would be insufficient to serve the Public house and that at least 2 vehicles would be parked on a classified highway, in the dark if parking provision is reduced.

From a parking perspective, HKCC therefore objects to the proposal on the basis that the development will result in vehicles being parked on the adopted highway to the detriment of highway safety and the free flow of traffic along the adjoining classified highway.

Finally, on the evening of Friday 28th April 2023 members noted that not only was the Carpark entirely full with no vacant spaces, a number of cars that could only be associated with the Public House were precariously parked along Kinnerton Lane, further demonstrating that the loss of 10 parking spaces is unacceptable.

4. CONCLUSION

Higher Kinnerton Community Council objects to Planning Application Reference FUL/000240/23 for the material considerations detailed above and recommends that the Application be refused.

Kind Regards

E A Corner

Liz Corner

(Clerk to Higher Kinnerton Community Council)

