# MEMORANDUM

| | | | |
|---|---|---|---|
| **From:** | Chief Officer, Environment & Technical | **To:** | Chief Officer Economy & Planning |
| | | **FAO::** | Sharon Holman |
| **Our Ref:** | ET/DC/PP/P/2024/1661 | **Your Ref:** | P/2024/1661 |
| **Date:** | 24/01/2025 | | |

**TOWN AND COUNTRY PLANNING ACT 1990**

**PROPOSAL: DYMCHWEL ADEILAD PRESENNOL A CHODI ANNEDD GYDA MYNEDIAD A LLE PARCIO CYSYLLTIEDIG / DEMOLITION OF EXISTING BUILDING AND ERECTION OF DWELLING WITH ASSOCIATED ACCESS AND PARKING**

**LOCATION: LAND AT GARDEN HOUSE, ERBISTOCK, WREXHAM, LL13 0DL**

I refer to your consultation / email dated 20/12/2024 in respect of the above.

**General**

The proposed development comprises the erection of a 4 bedroom dwelling on a site that previously served as a nursery / farm shop / garden centre type business.

**Access**

The proposed development site is located on Erbistock Ferry Road which is a rural, classified road subject to a 60mph speed limit. However, the LHA estimate typical vehicle speeds at being around 25mph given the geometry of the road.

Based on typical speeds of 25mph, any proposed / existing access would require visibility splays of 2.4 x 33m in both directions measured to the nearside edge of the adjoining highway.

It would appear that the site previously operated as a nursery / farm shop / garden centre type business. It is considered that this would have generated significantly more daily vehicle movements than a single dwelling. It is assumed that any previous use of the site as a commercial nursery will cease and will be controlled by a suitable condition.

The existing splayed access is surfaced with loose bound materials and is gated at 5.6m behind the adjoining carriageway. Visibility from this access is inadequate in both directions providing splays of approximately 2.4 x 7m to the west and 2.4 x 9m to the east measured to the nearside edge. Visibility is impeded by the existing hedgerow in the easterly direction and by the hedge / crossing of 3rd party land in the westerly direction.

Layout Plan - Drg. No. 508.06 Rev B

The proposed access indicated on the above plan has been improved by re-locating it to a more centrally located position along the site frontage. Improved visibility splays of 2.4 x 20m to the west and 2.4 x 27m to the east measured to the nearside edge have been indicated which is considered a significant improvement on the existing access.
The proposed access is 4.5m wide which is considered adequate.

The LHA recommend the proposed access includes the following:-

- Visibility splays of 2.4 x 20m to the west and 2.4 x 27m to the east measured to the nearside edge
- Minimum 5m of hard bound paving
- No gates within 5m of the adjoining highway
- Aco drain or similar to intercept any private surface water run-off.

The proposed access will require s.184 consent to cross the verge at the new access position.

The LHA recommends a suitable condition is included which requires the closure of the existing access and reinstatement as a grass verge.

**Parking & Turning Provision**

The proposed development comprises a new 4 bedroom detached dwelling for which LPGN 16 would require a maximum of 3 parking spaces. The proposed parking provision indicated on the submitted layout plan is considered acceptable providing in excess of the above requirements.

Adequate turning provision is indicated within the curtilage of the site.

**Public Footpath**

Public Footpath No.32 - Erbistock runs along the eastern boundary of the development site and should not be interfered with. I would strongly recommend that the applicant liaise with our Public Rights of Way Section to discuss the proposed development. Please contact Mr. Sean Hanratty on Tel: 01978 729761.

The LHA have no objections in principle to the proposed development. If the application is supported the LHA would recommend any permission includes the following conditions:-

**CONDITIONS**

**ZJ41** **GENERAL LAYOUT**
026R Prior to first use of the development the site shall be laid out in strict accordance with layout plan(s) No. **----------.**

**ZJ17** **VISIBILITY SPLAYS (NEARSIDE)**

038R Prior to first use of the development hereby approved the vehicular access shall provide visibility splays of 2.4 metres x 20 metres to the west and 2.4 metres x 27m metres to the east measured to the nearside edge of the adjoining highway. Within these splays there shall be no obstruction in excess of 1 metre in height above the level of the of the adjoining highway. The splays shall thereafter be permanently retained clear of any such obstruction to visibility.

**ZJ01** **EXISTING ACCESS TO BE CLOSED**

026R The existing access as shown on the approved plan no. @@@ shall be
E03N permanently closed up prior to first use of any part of the development in accordance with a specification of works which has been submitted to and approved in writing by the Local Planning Authority.

**ZJ39** **VERGE CROSSING**

026R Prior to first use of the development a verge crossing to the site shall be constructed in strict accordance with a scheme which has been submitted to and approved in writing by the Local Planning Authority.

**ZJ07** **ACCESS SURFACE (5 metres)**

043R Prior to first use of the vehicular access hereby approved, the access shall be surfaced with hard bound materials (e.g. bituminous macadam) for a minimum distance of 5 metres behind the adjoining highway.

**NONSTD** **NO GATES**

033R There shall be no gates or other means of enclosure across the vehicular access point or along the driveway leading to rear parking / turning area.

**ZJ46** **NO PRIVATE SURFACE WATER RUN OFF**

026R No private surface water run off shall be permitted to flow from the development site onto the adjoining highway. An Aco drain or similar shall be provided across the approved access to intercept any such run off prior to first use of the development.

**Supplementary Notes**

The applicant's attention should be drawn to item nos. 1, 2, 3, 4 & 5 of the supplementary notes.

***Notes to Applicant:***

***Public Footpath No.32 - Erbistock***

*Public Footpath No.32 - Erbistock runs along the eastern boundary of the development site and should not be interfered with. I would strongly recommend that the applicant liaise with our Public Rights of Way Section to discuss the proposed development. Please contact Mr. Sean Hanratty on Tel: 01978 729761.*

***Verge Crossing Licence***

*A licence should be obtained (as required by section 184 of the Highways Act 1980) from the Highway Authority in order to cross the verge at the new access position and to close up and reinstate the existing access to a grass verge. Further guidance can be obtained from the Highways Department of Wrexham County Borough Council on telephone 01978 729670.*



On behalf of Chief Officer, Environment & Technical

**Supplementary Notes**

The applicant's attention should be drawn to item nos. 1, 2, 3, 4 & 5 of the supplementary notes.

***Appendix***

***Highways Development Control Standard Advisory Note***

*In the interests of maintaining highway safety, and to avoid obstruction of the public highway (in contravention of the Highways Act), The Applicant is advised to coordinate with the highway authority at highwayroadworks@wrexham.gov.uk in advance of commencement of the development/works with respect to:*

1. *Skip, scaffolding, hoarding or A frame/signage (Permit required for these items, if on the public highway);*
2. *Use of a parking space for a set down/delivery area;*
3. *Record a dilapidation survey of the adjacent carriageway prior to commencement (to avoid being ask to repair damage by the Applicant whilst carrying out their works);*
4. *If any lane closure or obstruction of the highway is required for a crane or similar;*
5. *Protection against dust and debris blowing onto the public highway*
6. *Construction traffic parking locally avoiding nuisance to others;*
7. *If the Applicant's scope of work includes new apparatus in the highway, such as new mains services then a Section 50 licence will be required. Insurances and demonstration of competency to carry out works in the public highway will be required.*
8. *Lowering of kerbs or minor pavement alterations require Section 184 agreement. Insurances and demonstration of competency to carry out works in the public highway will be required.*
9. *A section 278 agreement works agreement is required for more significant alterations to the existing highway*
10. *Any temporary works affecting traffic lights, [pedestrian/cycle road crossings, or bus stops require pre-planning and permits;*
11. *For applications with a private driveway (either existing or proposed) connecting onto the public highway, the following conditions of approval apply:*

    - *No surface water from the applicants site should be allowed to drain onto the public highway,*
    - *The first 5m* minimum (for residential property) should be hard paved, avoiding gravel or loose chippings form spreading.*
    - *No gate should be built in a location where it would result in a car obstructing the highway whilst being unlocked, and it should not swing out and over a pavement or any other part of the highway.*

    **The hard paved length and set back if required is subject to the applicants proposed vehicular length*

*The applicants should allow a minimum of 4 weeks' notice for any of the above standard requirements, and 6-8 weeks for lane closures & road closures (lead times may change without notice subject to workload and complexity). Any works involving Trunk roads should be coordinated separately and directly with the North & Mid Wales trunk Road Agency. For larger sites with a significant impact upon the highway, a Construction Traffic Management Plan will be required.*