

MEMORANDUM

From:	Chief Officer, Environment & Technical	To:	Chief Officer Planning & Regulatory
Our Ref:	ET/DC/PP/P/2022/0874 Res(1)	Your Ref:	SB/P/2022/0874
Date:	03/11/2022		

TOWN AND COUNTRY PLANNING ACT 1990

TYNNU AMODAU 4, 6 A 7 (PRIFYRDD) O CANIATÂD CYNLLUNIO P/2018/1035 / REMOVAL OF CONDITIONS 4, 6 AND 7 (HIGHWAYS) OF PLANNING PERMISSION P/2018/1035

THE OLD FOX BANGOR ROAD EYTON WREXHAM

Grid Ref: E 333718N 345061

I refer to your consultation / email dated 18/10/2022 in respect of the above.

Condition 4 – Footway

The original permission required a new footway to be constructed across the site frontage linking the two existing sections of footway either side of the development site in the interests of pedestrian / highway safety.

The approved footway in respect of submitted plan (Drg. No. 15/5059:4/A) indicated a continuous footway link ranging in width from 0.8m to 1.5m which was then tapered out to the existing footway on the eastern side of the site. To carry out this work within the existing highway, the applicant would have needed to enter into a s.278 agreement of the Highways Act 1980 with the Council.

The applicant has constructed a footway which varies in width between approximately 1.05 – 1.2m. The footway / hard paved area falls towards the carriageway (not as indicated on approved plan) and has surfaced the area with block paviors (not bitmac). The footway does not provide a continuous link between the two existing sections of footway and the paved area has been fenced off with steel loop-topped fencing which prevents public use / access. A number of planters have been constructed within the highway fronting the building which will need to be removed. Any drainage gullies serving domestic downpipes within the footway will need modifying to create a level surface. **This work has been carried out without the applicant entering into a s.278 agreement with the Council.**

It is noted that the front door canopy of the property includes a porch which is located at a height of 1.9m above the footway (not including supports). Manual for Streets advises that porches or other building elements should not oversail footways at a height of less than 2.6m.

The requirement for a footway in this location was intended to provide a safer means of pedestrian access to and from the school for parents and children when parking along this section of Bangor Road.

We would not support the removal of condition 4.

Condition 6 – Visibility from Shared Access

This condition required the provision of visibility splays of 2.4 x 45m in both directions measured to the nearside edge of the adjoining highway in accordance with TAN 18 for the proposed shared access.

Visibility from the recently constructed shared access is adequate in the easterly direction providing a splay in excess of 2.4 x 45m measured to the nearside edge. However, visibility in the westerly direction is inadequate providing a splay of approximately 2.4 x 18m measured to the nearside edge. Visibility is impeded by the existing hedgerow.

It is recognized that cars park along this section of Bangor Road at school drop off and pick up times. However, although this may impact upon visibility from the proposed access, it is only for relatively short periods of the day.

The provision of the above splays is a standard planning condition to ensure that a safe and satisfactory access is provided / maintained.

We would not support the removal of condition 6.

Condition 7 – Pedestrian Visibility from Shared Access

This condition required the provision of visibility splays of 2.4 x 3.3m in both directions measured from the back edge of the footway. Within these splays there shall be no obstruction in excess of 0.6m in height above the level of the adjoining highway. The required splays have been provided.

We would not support the removal of condition 7.

Supplementary Notes

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



Chief Officer, Environment & Technical