

MEMORANDUM

From: Chief Officer Environment & Technical **To:** Chief Officer Planning & Regulatory
Our Ref: ET/DC/PP/P/2022/0076 **Your Ref:** SJG/P/2022/0076
Date: 3rd May 2022

TOWN AND COUNTRY PLANNING ACT 1990

TOWN AND COUNTRY (GENERAL DEVELOPMENT PROCEDURE) ORDER 1995

Location: O. S Grid Ref: 403 401 Cheshire Cheese, Overton Road, Penley, Wrexham.

Development: Proposed new access track and bridge.

I refer to your consultation / email dated 03/05/2022 including revised Access Plan (Drg. No. SA36154-BRY-ST-PL-A-100) in respect of the above.

The proposed development site is located on the A539 Overton Road which is a classified, rural road subject to a 40mph speed limit.

Existing Access off Lion Lane

The property is currently accessed off Lion Lane which is an unclassified road subject to a 40mph speed limit.

Visibility at the A539 junction is adequate providing splays in excess of 2.4 x 43m in both directions measured to the nearside edge of the adjoining highway. However, forward visibility when approaching from the south west, turning into Lion Lane to vehicles approaching along the A539 from the north east is limited to approximately 25m SSD (stopping sight distance).

The closure of the existing access off Lion Lane would therefore be viewed as beneficial.

Proposed Access off A539

The existing / proposed access is located on the A539 Overton Road which is a classified, rural road subject to a 40mph speed limit. Although vehicle may well travel up to 40mph approaching from the east, I would estimate typical vehicle speeds at being around 30mph for vehicles approaching from the west given the geometry of the road.

The proposed access utilizes a previously approved access serving an agricultural storage building granted under planning application ref: P/2017/0778.

Based on speeds of 40mph, any proposed / existing access in this location would normally be required to provide visibility splays of 2.4 x 120m measured to the nearside edge of the adjoining highway in accordance with TAN 18 in the easterly direction. Assuming speeds of 30mph, any proposed / existing access in this location would normally be required to provide visibility splays of 2.4 x 43m measured to the nearside edge of the adjoining highway in accordance with Manual for Streets in the westerly direction. Visibility from the proposed shared access appears achievable in both directions. **The revised layout plan indicates the required splays as indicated above.**

The previously approved access (ref: P/2017/0778) included conditions to widen the access to 5m for a distance of 10m behind the adjoining highway and surface with hard bound materials. This has not been carried out. I would recommend that these conditions are implemented in order to support the proposed development.

The proposed access cuts across the previously approved access in close proximity to the adjoining highway. In order to minimize vehicle conflict at this point, I would recommend that the existing field gate is closed up and the property accesses via a revised access point setback just in front of the gates serving the track leading to the agricultural building (approximately 10m behind the adjoining highway). This detail has been indicated on the revised layout plan.

The shared access would benefit from the widening of the access / dropped kerbs on the eastern side of the access (approximately 6 no. kerbs affected) to aid vehicles turning into the shared access from the easterly direction. This detail has been indicated on the revised layout plan. Surfacing of the access at this point would also improve the access. The applicant will require s.184 consent to carry out this work.

Parking & Turning Provision

Adequate parking and turning provision would appear to be proposed within the curtilage of the site for the existing property.

Public Footpath No.1 - Penley (Maelor Way)

Public Footpath No.1 - Penley (Maelor Way) appears to pass through 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.

SuDS / SAB Approval

I understand that the applicant will be required to liaise with NRW in respect of TAN 15 requirements.

SAB approval will also required. The applicant will need to liaise with our SABs Section in this matter.

I have no objections to the proposed development and recommend any permission include the following conditions:-

CONDITIONS

ZJ41
026R

GENERAL LAYOUT

Prior to first use of the development the site shall be laid out in strict accordance with layout plan(s) No. SA36154-BRY-ST-PL-A-100.

- ZJ17**
038R **VISIBILITY SPLAYS (NEAR SIDE)**
Prior to first use of the development hereby approved the vehicular access shall provide visibility splays of 2.4 metres x 43 metres to the west and 2.4 metres x 120 metres to the east measured to the near side 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.
- ZJ08**
043R **ACCESS SURFACE (10 metres)**
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 10 metres behind the adjoining highway.
- ZJ09A**
033R **NO GATES WITHIN 10 METRES**
There shall be no gates or other means of enclosure across the vehicular access point within 10 metres of the highway boundary.
- ZJ38**
026R **PAVEMENT CROSSING**
Prior to first use of the development a pavement crossing to the site shall be constructed in strict accordance with a scheme which has been submitted and approved in writing by the Local Planning Authority.
- NONSD**
026R **EXISTING ACCESS TO BE CLOSED**
E03N The existing internal field access as shown on the approved plan no. @@@ shall be 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.
- NONSTD**
026R **EXISTING ACCESS OFF LION LANE TO BE CLOSED**
E03N The existing access as shown on the approved plan no. @@@ shall be 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.

Supplementary Notes

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

Note to Applicant

FOOTWAY CROSSING LICENCE

A licence should be obtained (as required by section 184 of the Highways Act 1980) from the Highway Authority in order to lower the kerbline and cross the footpath at the new access position. Further guidance can be obtained from the Highways Department of Wrexham County Borough Council on telephone 01978 729670.

Supplementary Notes

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

Note to Applicant:

Public Footpath No.1 - Penley (Maelor Way) appears to pass through 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.

A handwritten signature in black ink, appearing to read 'Sean Hanratty', with a stylized, flowing script.

Chief Officer Environment & Technical