

MEMORANDUM

From: Chief Officer, Environment & Technical **To:** Chief Officer Planning & Regulatory
Our Ref: ET/DC/PP/P/2021/1162 **Your Ref:** SJG/P/2021/1162
Date: 5th January 2022

TOWN AND COUNTRY PLANNING ACT 1990

TOWN AND COUNTRY (GENERAL DEVELOPMENT PROCEDURE) ORDER 1995

Location: O. S Grid Ref: 400 411 Cattle Shelter, Burgess Lane, Penley, Wrexham.

Development: Change of use of land from agricultural yard to B8 (Farm Waste Collection, Storage and Distribution – In Retrospect)

I refer to your consultation / email dated 08/12/2021 and email dated 24/12/2021 from the applicant in respect of the above.

Access

The proposed development site is located approximately 1km along Burgess Lane off the A539. and is a narrow unclassified lane subject to a 60mph speed limit. I would however estimate typical vehicle speeds at around 25mph along this section given the geometry of the road.

Burgess Lane itself is a narrow rural lane being predominantly 2.8m wide with few suitable passing places. This lane is in poor condition and would not benefit from any significant increase in vehicle movements. Visibility at the Burgess Lane / A539 junction is inadequate in both directions providing splays of approximately 2.4 x 40m to the north west and 2.4 x 30m to the south east measured to the nearside edge of the adjoining highway. Visibility is obstructed at this junction by the existing hedgerow. For typical speeds of 60mph, TAN 18 would normally require such a junction to provide visibility splays of 2.4 x 215m in both directions measured to the nearside edge of the adjoining highway.

Assuming typical speeds of 25mph along Burgess Lane itself, Manual for Streets would normally require such an access to provide visibility splays of 2.4 x 33m in both directions measured to the centerline of the adjoining highway in which there shall be no obstruction in excess of 1.0m in height. Visibility can be permitted to the centerline of the adjoining highway given the restricted carriageway width.

Visibility from the existing gated access serving the proposed development site is inadequate in the northerly direction providing a splay of approximately 2.4 x 25m measured to the centreline of the adjoining highway. Visibility is impeded by the existing hedgerow. However, adequate visibility could be achieved by cutting back a small section of hedgerow to the side of the access. Visibility from the existing access in the southerly direction is adequate providing a splay of approximately 2.4 x 40m measured to the centreline of the adjoining highway.

Previous Planning Consent Ref: P/2018/0788 included a condition to provide visibility splays of 2.4 x 33m in both directions from the proposed access. This has not been carried out in the northerly direction. The applicant has indicated that the hedgerow will be cutback imminently.

The existing access is approximately 10m wide with gates setback only 2.4m behind the carriageway edge. The access is surfaced with loose bound materials. Any existing / proposed gates would normally be required to be setback a minimum of 10m behind the highway boundary (subject to the maximum size of vehicle visiting the site) with the first 10m of the access being surfaced using hard bound materials. **If the application is to be supported, then I would recommend that the existing gates are setback and the access surfaced as detailed above.**

Parking & Turning Provision

There would appear to be sufficient parking and turning provision within the curtilage of the site.

Traffic Generation

If the proposed development was considered to generate any significant additional traffic movements, it would be difficult to support such an application given the narrow nature of Burgess Lane leading to the A539 junction. **A scheme of formal passing places may be considered appropriate if this was the case.**

The applicant has indicated that typical vehicles visiting the site are pick up type vehicles sometimes with trailers. The applicant has stated that at the moment they receive one or two deliveries per week from farmers. It would appear that tractors and trailers also visit the site with waste.

I understand that HGVs will only visit the site when the plastic waste needs bailing which apparently only occurs around twice per year. The baled product is then removed from the site and the storage process starts again.

Although at present, additional daily vehicle movements at the site would appear relatively low, the proposed development may be considered to have the potential to result in a significant increase in vehicle movements as the business develops. In this instance, **it may be considered appropriate to request a scheme of passing places along the main route leading to the site.** It is assumed that the main route to the site would be via the Burgess Lane / A539 junction to the south. The applicant would need to enter into a s.278 agreement with the Council to construct any passing places.

It may be considered appropriate to impose a condition for a Service, Delivery Management Plan to limit the number of daily vehicle movements at the site and frequency of HGV collections. This could include such details as the preferred route to / from the site ie/ via the A539 junction, how vehicle movements will be staggered, staff being on site to open the gates for deliveries, statement that no parking and turning will occur on the adjoining highway.

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.15 - Penley passes immediately to the north of the development site and should not be interfered with.

Any proposed passing places should be constructed to a standard suitable for adoption by the Council for future maintenance at the public expense and the developer will need to enter into an agreement with the Council under s.278 of the Highways Act 1980.

You are advised that the Highway Authority will require such works to be completed to their satisfaction before they will formally adopt the relevant Highway works for public use and to be maintained at public expense. This will include the provision of a bond to cover the estimated value of such works.

The appropriate fees will become due to the Council when the Highways Authority approve the proposed works to be carried out

A handwritten signature in black ink, appearing to be 'R. [unclear]', written in a cursive style.

Chief Officer, Environment & Technical