

MEMORANDUM

From:	Service Manager - Environment	To:	Head of Community Well-being and Development
Our Ref:	TH/DC/PP/2011/0917	Your Ref:	SEH/P/2011/0917
Date:	4 th January 2012		

TOWN AND COUNTRY PLANNING ACT 1990

TOWN AND COUNTRY (GENERAL DEVELOPMENT PROCEDURE) ORDER 1995

Location: O. S Grid Ref: 421 460 Stack Barn, Bowling Bank Farm, Mulsford Lane, Worthenbury.

Development: Conversion of Barn to Living Accommodation.

I refer to your consultation received on 03/01/2012 in respect of the above.

The proposed development site is located on Mulsford Lane which is an unclassified road subject to a 60mph speed limit. However, I would estimate typical vehicle speeds at being around 30mph along this section given the geometry of the road.

Assuming typical speeds of 30mph, Manual for Streets would normally require any proposed access to provide visibility splays of 2.4 x 56m in both directions measured to the nearside edge of the adjoining highway in which there shall be no obstruction in excess of 1.0m in height.

The provision of the required visibility splays has not been demonstrated on the submitted layout plan (Drg. No. M027/004 – Dated Dec 2011). The required splays would appear to cut across 3rd party land in both directions. I would therefore recommend that the applicant submits a revised layout plan indicating how the required splays will be provided over land under their control.

Any proposed access shall be a minimum width of 3m for at least 5m behind the highway boundary and shall be surfaced with hard bound materials (ie/ bituminous macadam) for at least 5m behind the highway boundary. No gates shall be erected within 5m of the highway boundary.

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 constructed across the proposed access to intercept such run-off.

Previous planning consent (ref: P/2005/0945) for the conversion of the existing barns and erection of 2 no. dwellings at the development site requires the construction of a 1.5m wide footway along the entire site frontage along Mulsford Lane prior to occupation. However, although 2 out of the 3 no. barn conversions are now occupied, the proposed 1.5m footway has still not been constructed. I would recommend that this footway is constructed prior to the occupation of any new dwelling on the site (see note).

Parking and turning provision at the proposed development site appears adequate.

I would normally recommend that the application be **REFUSED** for the following reason:-

Visibility splays of 2.4 x 56m in both directions measured to the nearside edge of the adjoining highway from the proposed access have not been demonstrated on the submitted layout plan.

However, if the applicant were to satisfactorily address the above issue, then I would recommend that any permission be subject to the following conditions:-

CONDITIONS

- | | |
|------------------------------|--|
| ZJ15
038R | VISIBILITY SPLAYS IN BOTH DIRECTIONS (NEARSIDE)
Prior to first use of the development hereby approved the vehicular access shall provide visibility splays of 2.4 metres x 56m in both directions 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 nearside edge of the adjoining carriageway. The splays shall thereafter be permanently retained clear of any such obstruction to visibility. |
| ZJ11
039R | ACCESS WIDTH
The vehicular access hereby approved shall be a minimum width of 3.0 metres. |
| ZJ13
026R
E05NA | DROPPED KERB VEHICULAR CROSSING
The vehicular access hereby approved shall take the form of a dropped kerb vehicular crossing. |
| ZJ07
043R | ACCESS SURFACE (5 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 5 metres behind the adjoining highway. |
| ZJ09
033R | NO GATES
There shall be no gates or other means of enclosure across the vehicular access point within 5 metres of the highway boundary. |
| ZJ46
026R | NO PRIVATE SURFACE WATER RUN OFF
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. |
| ZJ22
035R | PARKING AND MANOEUVRING TO BE KEPT CLEAR
The vehicular parking and turning areas as shown on approved drawing shall be fully laid out, surfaced and drained prior to first use of the development. These areas shall thereafter be permanently retained and kept free of any obstruction, and made available solely for the parking and turning of vehicles at all times. |
| NONSTD
050R | NEW 1.5 METRE FOOTWAY
Prior to first use of the development a 1.5m wide footway shall be constructed along the entire site frontage in strict accordance with a scheme 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.

Notes:

- *The proposed footway 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.38 / 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.

- *Public Footpath No.1 - Worthenbury passes to the north of the development site and should not be interfered with.*



P.P. Service Manager - Environment

