

MEMORANDUM



From: Infrastructure and Planning Manager

To: Chief Planning Officer

Our Ref: TH/DC/PD/P/2010/1040

Your Ref: P/2010/1040

Date: 10 January 2011

TOWN AND COUNTRY PLANNING ACT 1990.

TOWN AND COUNTRY (GENERAL DEVELOPMENT PROCEDURE) ORDER 1995.

Location: O. S Grid Ref: 3010 4510 South of Afon Terrace, Afon Goch, Ruabon
Development: Erection of 6 no. semi detached dwellings

I refer to your consultation dated 13 December 2010 in respect of the above.

The development site is located on the B5605 Wrexham Road, a classified highway subject to a 40 mph speed limit for which Welsh Assembly Guidelines TAN 18 recommends visibility splays measuring 2.4 x 120m.

It is only possible to achieve these splays using land currently under third party ownership.

To the north a 1.2m high wall will need reducing to 0.8m in height and existing trees and hedges cut back behind the visibility splay line.

To the south a 1.5m high wall will need reducing to below 1m in height and trees/hedges cut back to establish the required visibility splay.

There is some confusion over the ownership of the land fronting the existing terraces to the north of the site. The applicant apparently has agreement with the presumed owners of the land but recent information appears to suggest this land is actually Council owned. Whoever is the owner of the land the applicant will need to enter into an agreement with the landowners in order that these splays can be provided and maintained in perpetuity.

The height of the boundary wall north of the site must be reduced to less than 0.8m to ensure improvements to visibility are achieved from the existing access into Afon Terrace.

The proposed access point is in the middle of an existing bus layby. I have discussed the proposal with the Councils Transportation officers who are not concerned over the loss of the layby as long as a bus stop, shelter and raised kerbs are provided in close proximity to the existing bus stop location.

There is a shortfall in parking provision at the site although there appears to be more than adequate space to provide additional space at each of the six dwellings.

Current Council policy requires that any road serving more than 5 dwellings is constructed to a standard suitable for adoption. However the nature of the development does not lend itself to public use and adoption. The recently published Manual for Streets suggests that it is possible for streets to remain private as long as a properly constituted body with defined legal responsibilities is established to maintain the street to the common benefit of the residents in perpetuity. In this instance I consider it unlikely that the Highway Authority would wish to adopt any more than the first 5m back from the edge of the B5605. The remainder should be passed into the control of a private management company and should be maintained in perpetuity by this company.

I recommend that any permission include the following conditions:

CONDITIONS

NONSTDC VISIBILITY SPLAY TO THE SOUTH (NEAR SIDE)

038R Prior to first use of the development hereby approved the vehicular access shall provide visibility splays of 2.4 metres x 120 metres in a southerly direction measured to the nearside edge of the adjoining highway. Within the splay there shall be no obstruction in excess of 1 metre in height above the level of the nearside edge of the adjoining highway. The splay shall thereafter be permanently retained clear of any such obstruction to visibility.

NONSTDC VISIBILITY SPLAY TO THE NORTH (NEAR SIDE)

038R Prior to first use of the development hereby approved the vehicular access shall provide visibility splays of 2.4 metres x 120 metres in a northerly direction measured to the nearside edge of the adjoining highway. Within the splays there shall be no obstruction in excess of 0.8 metre in height above the level of the nearside edge of the adjoining highway. The splay shall thereafter be permanently retained clear of any such obstruction to visibility.

NONSTDC LEGAL AGREEMENT

NONSTDR No development shall be permitted until an appropriate Legal agreement has been entered into with the landowner and the Council to ensure the future safeguarding of the visibility splays.

ZJO9 NO GATES

033R There shall be no gates or other means of enclosure across the vehicular access point within 5 metres of the highway boundary.

ZJ23 (PRE-COMMENCEMENT) PARKING AND MANOEUVRING TO BE KEPT CLEAR

035R No part of the development shall commence until further details of the proposed vehicular parking and turning facilities have been submitted to and approved in writing by the Local Planning Authority. The facilities as are approved shall be fully laid out, surfaced and drained prior to first use of the development, and 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.

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.

ZJO8 ACCESS SURFACE (10metres)

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 10 metres behind the adjoining highway.

ZJ37 SUBMISSION OF FURTHER DETAILS (INTERNAL ESTATE)

026R
E06N
E07N

No part of the development shall commence until a scheme detailing the construction of the following has been submitted to and approved in writing by the Local Planning Authority:

- 1) Detailed layout, design, drainage and construction of the proposed new footway / carriageway / access,
- 2) Proposed new bus stop, bus shelter, bus stop road markings and raised bus stop kerb The scheme as is approved shall be fully implemented prior to first use of the development.

NONSTD PRIVATE MANAGEMENT COMPANY

NONSTD The internal access road and parking areas shall be maintained in perpetuity by a Private Management Company and the access road shall be signed as a Private Road at a point beyond the proposed Highway boundary

ZJ06 ACCESS GRADIENT

039R The vehicular access hereby approved shall be a maximum gradient of 1 in 24 for the first 10 metres measured back from the highway, and a maximum of 1 in 15 thereafter.

E02N HIGHWAY SUPPLEMENTARY NOTES

Your attention is drawn to Highway Supplementary Notes Numbered 1, 3, 4 & 5 on the enclosed "Applicants' Rights and General Information".

E03N WORKS WITHIN THE HIGHWAY

The separate written consent of the Local Highway Authority must be obtained before any work is carried out within the confines of the highway.



Infrastructure and Planning Manager