

MEMORANDUM



From: Operational Manager Traffic & Transportation **To:** Chief Planning Officer

Our Ref: TH/DC/PD/P/2010/0671

Your Ref: P/2010/0671

Date: 25 August 2010

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 04 August 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.

The applicant apparently has agreement with the owners of the land that visibility can be taken over their land. The applicant will need to enter into an agreement with the landowners and the Council in order that these splays are 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.

The proposed site layout provides adequate parking and turning facility for 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

J28C VISIBILITY SPLAY OF 2.4M X 120M

038R The access shall have a visibility splay of 2.4m x 120m in a southerly direction measured along the nearside edge of the adjoining carriageway over land within the control of the applicant and/or the Highway Authority. Within the splays there shall be no obstruction in excess of 1 metre in height above the level of the adjoining carriageway. The splay shall be provided prior to commencement of use/occupation of the development hereby approved and shall thereafter be retained clear of such obstruction.

J28C VISIBILITY SPLAY OF 2.4M X 120M

038R The access shall have a visibility splay of 2.4m x 120m in a northerly direction measured along the nearside edge of the adjoining carriageway over land within the control of the applicant and/or the Highway Authority. Within the splays there shall be no obstruction in excess of 0.8 metre in height above the level of the adjoining carriageway. The splay shall be provided prior to commencement of use/occupation of the development hereby approved and shall thereafter be retained clear of such obstruction.

NONSTDC LEGAL AGREEMENT

NONSTD R 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.

E06C NO GATES WITHIN 5 METRES

026R Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 1995, no gate or other barrier shall be erected across the accesses within 5 metres of the boundary of the highway.

J45C VEHICLE PARKING AND TURNING AREAS

035R The vehicle parking and turning areas indicated on the approved plans shall be laid out, surfaced and drained prior to the first use of the building hereby granted and shall thereafter be retained for those purposes.

NONSTD NO WATER TO FLOW FROM DEVELOPMENT ONTO HIGHWAY

NONSTD R No water of any kind generated by the proposed development shall be permitted to flow from any part of the site, such as driveways, on to the highway or into the highway drainage system or be allowed to accumulate in such a way as to affect the highway surface or structure.

J33C ACCESS HARD SURFACED

043R The access shall be hard surfaced for a distance of 10m behind the highway boundary before the development is brought into use.

NONSTD SUBMISSION OF FURTHER DETAILS - ACCESS

NONSTDR There shall be no development permitted on site until a scheme showing a detailed layout, design, drainage and construction of the proposed new access and carriageway has been submitted to and approved by the Local Planning Authority in consultation with the Highway Authority.

NONSTD SUBMISSION OF FURTHER DETAILS – BUS STOP

NONSTDR There shall be no development permitted on site until a scheme showing the location of the proposed new bus stop, bus shelter, bus stop road markings and raised bus stop kerb has been submitted to and approved by the Local Planning Authority in consultation with the Highway Authority.

NONSTD PRIVATE MANAGEMENT COMPANY

NONSTDR 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

J29C GRADIENT OF ACCESS

026R The gradient of the access from the edge of the existing carriageway for a minimum distance of 10m shall be 1 in 24 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.



For Operational Manager Traffic & Transportation