

MEMORANDUM



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

Our Ref: TH/DC/PD/2010/0351

Your Ref: P/2010/0351

Date: 17 May 2010

TOWN AND COUNTRY PLANNING ACT 1990.

TOWN AND COUNTRY (GENERAL DEVELOPMENT PROCEDURE) ORDER 1995.

Location: O. S Grid Ref: 3290 5580 13 Llay New Road, Llay

Development: Lowering of kerb and creation of new vehicular access

I refer to your consultation dated 27 April 2010 in respect of the above.

The development site is situated on a classified highway subject to a 30mph speed limit for which Welsh Assembly Guidelines recommend the provision of visibility splays measuring 2.0 x 43m in both directions.

The neighbouring properties number 15 and 17 both have existing vehicular accesses to their dwellings with inadequate visibility and lack of on site turning facility.

There is a car park approximately 50m to the north of the site intended for use by local residents. However the eight spaces are not dedicated to any particular dwelling and there is no guarantee that a space is available. The access of the car park on to a cul de sac known as Llay Place suffers severely substandard visibility in an easterly direction. When there is no space in the car park, vehicles are left on the main road causing interruptions to the free flow of traffic.

From the proposed access it is possible to achieve visibility splays of 2.0 x 43m in both directions. To the south the splay is taken to the centre line of the road which is considered acceptable in this instance and to the north it crosses the garden of the neighbouring property no. 11.

I understand that the applicant has secured agreement with the neighbour that visibility can be maintained in perpetuity across his land. Any planning permission should include a Grampian style condition in lieu of this agreement.

A vehicle autotrack has been undertaken to establish that a vehicle is able to turn within the curtilage of the site. To enable the turn to be completed a 5m wide access is required – this again can be secured by condition.

Some of the existing line of trees along the southern boundary of the dwelling may need to be removed to permit adequate turning.

Given that adequate visibility can be achieved in both directions and that turning, though tight, appears to be achievable I consider that the proposal is acceptable.

I recommend that any permission include the following conditions:

CONDITIONS

J28C VISIBILITY SPLAY OF 2.0M X 43M TO SOUTH

038R The proposed access shall have a visibility splay of 2.0m x 43m in a southerly direction measured to the centre line 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 2.0M X 43M TO NORTH

038R The proposed access shall have a visibility splay of 2.0m x 43m 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 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.

NONSTDC COVENANT

038R No use of the access shall be permitted until an appropriate Legal agreement has been entered into with the Council and the adjoining landowner to ensure the future safeguarding of the northerly visibility splay

NONSTDC ACCESS WIDTH

026R The proposed access shall be a minimum 5m width

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 access within 5 metres of the boundary of the highway.

J33C ACCESS HARD SURFACED

043R The proposed access shall be hard surfaced for a distance of 5m behind the highway boundary before the development is brought into use.

J12C PROVISION OF VEHICLE PARKING FACILITIES

028R Vehicle parking and turning facilities shall be provided within the curtilage of the site in accordance with details to be submitted for the further approval of the Local Planning Authority. Such facilities shall be made available prior to implementation of the use(s) hereby permitted and shall thereafter be retained.

NONSTD NO WATER TO FLOW FROM DEVELOPMENT ONTO HIGHWAY

026R 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.

Note to applicant

E05N FOOTWAY CROSSING LICENCE

A licence will need to 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. The licence is a separate form and will need to be obtained from the Highways Department, Wrexham County Borough Council. Telephone no: 01978 297158.

E02N HIGHWAY SUPPLEMENTARY NOTES

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



for Operational Manager Traffic & Transportation