

MEMORANDUM



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

Our Ref: TH/DC/PD/2009/0966

Your Ref: P/2009/0966

Date: 07 December 2009

TOWN AND COUNTRY PLANNING ACT 1990.

TOWN AND COUNTRY (GENERAL DEVELOPMENT PROCEDURE) ORDER 1995.

Location: O. S Grid Ref: 2710 4280 Land adjacent to Sara, Tower Hill, Acrefair

Development: Construction of new access and parking for three vehicles

I refer to your consultation dated 24 November 2009 in respect of the above.

The site has an existing access on to an unclassified highway subject to a 30 mph speed limit although vehicular speed is considered to be no more than 20mph due to the geometry of the road.

Planning permission was recently granted for a single dwelling on adjoining land to the north west which included a shared access and parking area with Sara.

The access is subject to numerous planning conditions to ensure it is adequate.

This current proposal is to provide a new separate access to the existing dwelling.

The location of the access is such that adequate visibility can only be achieved over land in third party ownership. The applicant has an agreement with the owners of this land that the sight lines will not be obscured. Although this is satisfactory in principle I assume the council will need to be party to an appropriate legal agreement in order to be able to enforce should the need arise.

Any planning permission should include a Grampian style condition in lieu of this agreement.

The existing front boundary wall will need to be reduced in height to ensure adequate visibility can be achieved in both directions.

I recommend any permission include the following conditions

CONDITIONS

J28C VISIBILITY SPLAY OF 2.4M X 25M

038R The proposed access to each dwelling shall have a visibility splay of 2.4m x 25m in both directions 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 to ensure the future safeguarding of the easterly visibility splay.

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.

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.

Note to applicant

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".



RP For Operational Manager Traffic & Transportation