

MEMORANDUM



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

Our Ref: TH/DC/PD/2009/0676

Your Ref: P/2009/0676

Date: 28 September 2009

TOWN AND COUNTRY PLANNING ACT 1990.

TOWN AND COUNTRY (GENERAL DEVELOPMENT PROCEDURE) ORDER 1995.

Location: O. S Grid Ref: 2980 5410 Cleveland House, Clayton Road, Pentre Broughton

Development: Residential development of 4 no. detached dwellings, demolition of 2 existing detached garages and erection of new single garage and workshop to Cleveland House, together with new vehicular / pedestrian private access and all associated external works.

I refer to the revised submission received 21 September 2009 in respect of the above.

The development site is located between two unclassified highways – Green Road and Clayton Road. A vehicular speed survey undertaken previously determined vehicular speeds of 25mph in both directions on Green Road and 18mph & 26 mph from the north and south respectively on Clayton Road.

Plots 1 & 2 Green Road

The submitted plans for the proposed accesses to plots 1 & 2 now indicate a visibility splay of 2.4 x 33m which is considered to be appropriate for each of the proposed access locations.

There is a shortfall of 1 parking space per dwelling on the maximum standards required by LPGN no 16; however it has been determined at previous planning appeals that it is inappropriate to apply these as minimum standards.

The availability of a regular bus service in close proximity to the site ensures that there is no essential need to own a car to reach everyday destinations. Given previous planning appeal decisions on car parking standards I consider that a recommendation for refusal on the grounds of inadequate parking is unjustifiable.

Each of the proposed parking spaces will mean that vehicles reverse on to the highway; given that this is an unclassified highway there is no requirement for dwellings to provide off road turning facility.

No. 27 Green Road

This is an existing dwelling that currently provides off road parking for up to 2 vehicles with no vehicular turning area. Visibility at the existing access is substandard. The proposal formalises the two spaces and improves visibility to the north by setting back the proposed retaining wall in front of plot 1. The height of the boundary wall across no.27 will also be reduced to no greater than 1m in height.

The proposed paved area across the development site frontage will also be extended across the new access to 27 to further enhance pedestrian provision.

Cleveland House

The alignment of the existing driveway and garage in relation to the adjacent highway is such that manoeuvrability is extremely difficult. The proposed new driveway and garage offers significant improvement on the existing situation.

Plots 3 & 4 Clayton Road

The submitted plans for the proposed accesses to plots 3 & 4 indicate a visibility splay of 2.0 x 33m to the south which is considered appropriate for each of the proposed access locations.

Adequate visibility can be achieved to the north subject to the existing boundary wall in front of Cleveland House being maintained to a height no greater than 1m above the carriageway.

There is a shortfall of 1 parking space per dwelling on the maximum standards required by LPGN no 16; however as previously discussed it has been determined at previous planning appeals that it is inappropriate to apply these as minimum standards.

Each of the proposed parking spaces will mean that vehicles reverse on to the highway; given that this is an unclassified highway there is no requirement for dwellings to provide off road turning facility.

General

Previous approved applications in the vicinity of the site have conditioned the construction of a 2m wide footpath across site frontages to improve pedestrian provision. In this instance it has been concluded that an improvement to the highway on Green Road can be achieved by introducing a passing bay with step aside provision made for pedestrians. The details of the site frontage are to be further agreed through submission of detailed construction drawings but the general principle is acceptable.

The proposed footpath on Clayton Road will require the construction of a retaining wall of approximately 1.5m height over a distance of some 30 metres. The retaining wall will require full Approval in Principle prior to any development commencing on site.

The ground floor of Plot 3 sits below this footpath / retaining wall. The wall / footway will require a form of vehicle restraint to ensure vehicles are contained within the highway boundary and this has now been demonstrated on the revised plan.

The highway authority will require a form of easement to ensure that the retaining wall can be maintained. A Section 106 payment is required to cover the cost of future maintenance of the retaining wall.

Given recent problems at a development site in Queens Road, Brymbo it is essential that a full Geotechnical report is submitted for further approval prior to any development commencing on site to ensure the stability of the site during all phases of construction work.

I recommend any permission include the following conditions:

CONDITIONS

NONSTDC VISIBILITY SPLAY OF 2.4 X 33M TO CENTRE LINE (GREEN ROAD)

038R The proposed access to plots 1 & 2 Green Road shall have a visibility splay of 2.4m x 33m in both directions measured along 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.

NONSTDC VISIBILITY SPLAY OF 2.0 X 33M TO THE SOUTH (CLAYTON ROAD)

038R The proposed access to plots 3 & 4 Clayton Road shall have a visibility splay of 2.0m x 33m to the nearside edge of the adjoining highway in a southerly direction 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 VISIBILITY SPLAY OF 2.0 X 25M TO THE NORTH (CLAYTON ROAD)

038R The proposed access to plots 3 & 4 Clayton Road shall have a visibility splay of 2.0m x 25m to the centre line of the adjoining highway in a northerly direction 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.

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 any access within 5 metres of the boundary of the highway.

035R The vehicle parking 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.

NONSTDC NO WATER TO FLOW FROM DEVELOPMENT ONTO HIGHWAY

NONSTDR 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.

NONSTDC CONSTRUCTED IN ACCORDANCE WITH APPROVED PLANS

NONSTDR Development shall only be carried out in strict accordance with the approved plans or with any amendments thereto approved in writing by the Local Planning Authority

NONSTDC SUBMISSION OF FURTHER DETAILS

NONSTDR There shall be no development permitted on site until a scheme showing a detailed layout, design, drainage and construction of the proposed new footway, passing bay, retaining wall (including vehicle restraint) and road widening has been submitted to and approved by the Local Planning Authority in consultation with the Highway Authority.

NONSTDC COMMUTED SUM PAYMENT

NONSTDR The developer shall enter into a S106 agreement with the Council in lieu of the future maintenance of the proposed retaining wall.

NONSTDC SUBMISSION OF GEOTECHNICAL REPORT

NONSTDR There shall be no development permitted on site until a full geotechnical report which includes an investigation and an assessment of the stability of slopes and structures to be constructed within the site has been submitted to and approved by the Local Planning Authority.

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".

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.

N08N

This planning permission requires that development be carried out in accordance with the approved plans, including the construction of a footway and road widening intended for adoption by the Council under the Highways Act 1980. It is essential therefore that the detailed proposals are submitted to the highway authority and confirmed as acceptable BEFORE development commences.

Please contact:

intended for adoption by the Council under the Highways Act 1980. It is essential therefore that the detailed proposals are submitted to the highway authority and confirmed as acceptable BEFORE development commences.

Please contact:

The Operational Manager Traffic & Transportation, Crown Buildings, Chester Street, Wrexham. LL13 8BG. telephone: 01978 292000

Technical approval for any construction works affecting any existing retaining walls supporting the highway or any change of use of the land supported by any existing retaining wall in relation to structural stability will be required under the provisions of the Highways Act 1980. You must submit further details prior to undertaking any construction on site.

The proposed retaining walls on Clayton Road will require full Approval in Principle prior to any development commencing on site.



J.P. Jones
For Operational Manager Traffic & Transportation