

MEMORANDUM

From: Service Manager Environment **To:** Head of Environment and Planning
Our Ref: EP/DC/PP/2017/0778 **Your Ref:** MP/P/2017/0778
Date: 11th October 2017

TOWN AND COUNTRY PLANNING ACT 1990

TOWN AND COUNTRY (GENERAL DEVELOPMENT PROCEDURE) ORDER 1995

Location: O. S Grid Ref: 403 401 Cheshire Cheese, Overton Road, Penley, Wrexham.

Development: Erection of agricultural building and formation of vehicular access.

I refer to your consultation / email dated 11/10/2017 including submitted block plan (Drg. No. SA24946/202 Rev A) in respect of the above.

The proposed development site is located on the A539 Overton Road which is a classified, rural road subject to a 40mph speed limit.

Proposed Access off A539

The existing / proposed access is located on the A539 Overton Road which is a classified, rural road subject to a 40mph speed limit. Although vehicle may well travel up to 40mph approaching from the east, I would estimate typical vehicle speeds at being around 30mph for vehicles approaching from the west given the geometry of the road.

Based on speeds of 40mph, any proposed / existing access in this location would normally be required to provide visibility splays of 2.4 x 120m measured to the nearside edge of the adjoining highway in accordance with TAN 18. Assuming speeds of 30mph, any proposed / existing access in this location would normally be required to provide visibility splays of 2.4 x 43m measured to the nearside edge of the adjoining highway in accordance with Manual for Streets.

Visibility from the proposed access is adequate in the easterly direction providing a splay in excess of 2.4 x 120m measured to the nearside edge and 2.4 x 43m measured to the nearside edge of the adjoining highway in the westerly direction.

The proposed / existing access benefits from an existing 7.5m wide dropped kerb.

I would not normally support a new access located directly next to an existing access (ie/ field access). In order to support the proposed new access, I would recommend that the existing gated field access is permanently closed up and is accessed internally along the proposed new access track leading to the new agricultural building.

I would recommend that the existing 7.5m wide dropped kerb serving the field access is reinstated to full height footway construction. The applicant will need to apply for s.184 consent to carry out this work.

The proposed new access will require s.184 consent to lower the kerblin and strengthen the footway at the point of access.

Could you please ask the applicant to indicate the above detail on a revised layout plan.

I would recommend the erection of a suitable boundary treatment eg/ fence on the western side of the proposed access setback behind the required visibility splay.

I would normally recommend that any proposed shared access is a minimum of 5m wide for at least 10m behind the adjoining highway and paved with hard bound materials for a minimum distance of 10m behind the adjoining highway. Any proposed gates shall be setback a minimum distance of 10m behind the adjoining highway. Ideally the proposed access track leading to the proposed agricultural building would benefit from being a minimum of 5m wide up to the proposed building.

Land Ownership

The adjoining landowner at The Hawthorns has recently erected a new boundary fence around his land fronting this section of the A539 Overton Road.

The proposed new access would appear to be located on land under the control of the neighboring property and would involve re-locating the recently erected neighbors fencing to construct the access and provide the required visibility splays. **Could you please provide further clarification on the applicant's extent of land ownership.**

Vehicle movements

Although not confirmed by the applicant, I assume that the maximum size of vehicle would typically be a tractor plus trailer.

The applicant has confirmed that the vehicular movements to and from the site will be seasonal based on typical agricultural use, averaging no more than 2 movements per day across the year.

I assume that a suitable condition will be included restricting the access / building to agricultural use (not for storage of construction plant / vehicles).

Based on the above, I would consider the proposed access to be an improvement on the existing access arrangements.

Public Footpath

Public Footpath No.1 - Penley (Maelor Way) appears to pass through the development site and should not be interfered with. I would strongly recommend that the applicant liaise with our Public Rights of Way Section to discuss the proposed development. Please contact Mr. Sean Hanratty on Tel: 01978 729761.

Parking & Turning Provision (Agricultural Building)

Adequate parking provision appears to be provided at the development site. Adequate turning provision for a tractor & trailer (assumed maximum length of vehicle visiting the site) appears to be available within the curtilage of the site.

Subject to the submission of the above details and confirmation that the applicant has control of the required land, I would have no objections to the proposed development and would recommend any permission include the following conditions:-

CONDITIONS

ZJ41 026R GENERAL LAYOUT

Prior to first use of the development the site shall be laid out in strict accordance with layout plan no. -----.

ZJ17A 038R VISIBILITY SPLAYS (NEAR SIDE) EMPTY SPLAY

Prior to first use of the development hereby approved the vehicular access shall provide visibility splays of 2.4 metres x 43 metres to the west and 2.4 metres x 120 metres to the east measured to the near side edge of the adjoining highway. Within these splays there shall be no obstruction above the level of the adjoining carriageway. The splays shall thereafter be permanently retained clear of any such obstruction to visibility.

ZJ11 039R ACCESS WIDTH

The vehicular access hereby approved shall be a minimum width of 5 metres.

ZJ08 043R ACCESS SURFACE (10 metres)

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.

ZJ09A 033R NO GATES WITHIN 10 METRES

There shall be no gates or other means of enclosure across the vehicular access point within 10 metres of the highway boundary.

NONSTD 026R FIELD ACCESS TO BE CLOSED PRIOR TO USE OF ALTERNATIVE ACCESS

The existing field access as shown on approved plan no. ----- shall be permanently closed up prior to first use of the new vehicular access hereby approved.

NONSTD 026R SUBMISSION OF FURTHER DETAILS

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: ***delete as appt ****

- 1) Reinstatement of existing 7.5m wide dropped kerb access to full height footway construction.
- 2) Construction of new dropped kerb access to serve development site.

The scheme as is approved shall be fully implemented prior to first use of the development.

Supplementary Notes

The applicant's attention should be drawn to item nos. 1, 2, 3, 4 & 5 of the supplementary notes.

Note to Applicant:

Public Footpath No.1 - Penley (Maelor Way) appears to pass through the development site and should not be interfered with. I would strongly recommend that the applicant liaise with our Public Rights of Way Section to discuss the proposed development. Please contact Mr. Sean Hanratty on Tel: 01978 729761.

FOOTWAY CROSSING LICENCE

A licence should be obtained (as required by section 184 of the Highways Act 1980) from the Highway Authority in order to lower the kerblin and cross the footpath at the new access position and for the reinstatement of the existing 7.5m wide dropped kerb serving the field access. Further guidance can be obtained from the Highways Department of Wrexham County Borough Council on telephone 01978 729670.



Service Manager Environment