

MEMORANDUM



From: Service Manager Environment

To: Head of Community Well Being
and Development

Our Ref: P/2015/0225

Your Ref: P/2015/0225

Date: 28 February 2017

Town and Country Planning Act 1990

Section 78 Appeal at Land adjacent to the Bungalow, Old Black Park Road, Halton

The application was refused initially due to concerns that visibility at the proposed access on to the highway was below recommended standards.

The applicant had commissioned a vehicle speed survey, the results of which showed vehicular speed in one direction above 40mph. Consequently it was considered that Welsh Government guidelines TAN 18 were appropriate for this particular site.

Visibility splays as recommended by TAN 18 could not be achieved from the proposed access and the application was therefore recommended for refusal by the highways officer.

The applicant then employed a specialist highway consultant who commissioned a new speed survey with counters this time being correctly located towards the limits of the visibility envelope.

The approach speeds from both directions, when taking into account a reasonable weather reduction, were lower than those previously obtained at the original survey point. Given that the speed survey now demonstrated vehicular speeds below 40mph it was considered appropriate to apply Manual for Streets parameters. (MfS 2 published in 2010 states that where speeds in rural areas are lower than 40mph that MfS Stopping Sight Distance parameters are recommended)

For the measured speeds MfS recommends visibility splays measuring 61m to the west and 64m to the east. The applicant has not submitted a revised plan to demonstrate these splays are achievable from the proposed site access. However a previous assessment of the site by the highways officer did confirm that splays of 90m and 85m were achievable

I can therefore confirm that in my professional opinion, visibility at the proposed access point is acceptable.

The internal layout of the proposed site will need to include adequate provision for the turning of emergency vehicles.

If the Inspector is minded to allow the appeal I would request the following conditions:

CONDITIONS:

ZJ02 ACCESS TO BE CLOSED PRIOR TO USE OF ALTERNATIVE ACCESS

026R The existing vehicular access as shown on approved plan no. @@@ shall be permanently closed up prior to first use of the new vehicular access hereby approved.

ZJ08 ACCESS SURFACE (10metres)

043R 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.

ZJ09 NO GATES

033R There shall be no gates or other means of enclosure across the vehicular access point within 10 metres of the highway boundary.

ZJ11 ACCESS WIDTH

039R The vehicular access hereby approved shall be a minimum width of 5.5m metres.

ZJ017 VISIBILITY SPLAYS (NEARSIDE)

038R Prior to first use of the development hereby approved the vehicular access shall provide visibility splays of 2.4 metres x 61m metres to the west and 2.4 metres x 64 metres to the east measured to the nearside edge of the adjoining highway. Within these splays there shall be no obstruction in excess of 1 metre in height above the level of the adjoining highway. The splays shall thereafter be permanently retained clear of any such obstruction to visibility.

ZJ23 (PRE-COMMENCEMENT) PARKING AND MANOEUVRING TO BE KEPT CLEAR

035R No part of the development shall commence until further details of the proposed vehicular parking and turning facilities have been submitted to and approved in writing by the Local Planning Authority. The facilities as are approved shall be fully laid out, surfaced and drained prior to first use of the development, and shall thereafter be permanently retained and kept free of any obstruction, and made available solely for the parking and turning of vehicles at all times.

ZJ24 (PRE-COMMENCEMENT) TURNING AREA / MANOEUVRING TO BE KEPT CLEAR

035R No part of the development shall commence until further details of the proposed vehicular turning facilities have been submitted to and approved in writing by the Local Planning Authority. The facilities as are approved shall be fully laid out, surfaced and drained prior to first use of the development, and

shall thereafter be permanently retained and kept free of any obstruction, and made available solely for the turning of vehicles at all times.

ZJ46 NO PRIVATE SURFACE WATER RUN OFF

026R No private surface water run off shall be permitted to flow from the development site onto the adjoining highway. An Aco drain or similar shall be provided across the approved access to intercept any such run off prior to first use of the development.

NOTE

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.

Peter Doornik

llm Service Manager Environment

