

MEMORANDUM



From: Senior Service Manager

To: Head of Community Well Being
and Development

Our Ref: P/2014/0458

Your Ref: P/2014/0458

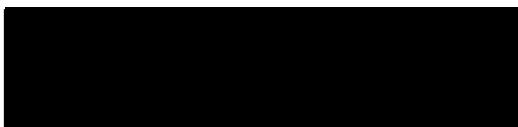
Date: 10 March 2015

Town and Country Planning Act 1990

Section 78 Appeal at Land West of Ty Coch fronting Gate Road, Froncysyllte

I am satisfied with the original response made to this application and wish to inform you that I have no further comments to add.

A copy of that response is attached for your information.



MM Senior Service Manager

MEMORANDUM

From:	Network and Infrastructure Manager	To:	Head of Community Well-being and Development
Our Ref:	P/2014/0458	Your Ref:	P/2014/0458
Date:	21 July 2014		

TOWN AND COUNTRY PLANNING ACT 1990
TOWN AND COUNTRY (GENERAL DEVELOPMENT PROCEDURE) ORDER 1995

Location: O. S Grid Ref: 3260 3410 Land west of Ty Coch fronting Gate Road, Froncysyllte.

Development: Erection of two detached dwellings

I refer to your consultation dated 24 June 2014 in respect of the above site

The proposed development site is located on the B5434 Gate Road; a classified highway subject to a 30mph speed limit for which Welsh Government guidelines recommend visibility splays of 2.4 x 43m in both directions.

It is proposed to alter the existing access in accordance with a scheme that was granted planning permission under code P/2003/0751. It is apparent from the Highway department response to that application that they were aware of future plans for a possible conversion of Argoed Hall in to 7 apartments. It appears that only 4 apartments were constructed as part of those initial plans.

Given that this application will keep number of dwellings below the 7 previously accepted, then I can make no reasonable objection to this proposal.

The nature of the development does not lend itself to public use and adoption. Manual for Streets suggests that it is possible for streets to remain private as long as a properly constituted body with defined legal responsibilities is established to maintain the access to the common benefit of the residents in perpetuity.

The access road should therefore be passed into the control of a private management company and should be maintained in perpetuity by this company.

I recommend that any permission include the following conditions:

CONDITIONS

ZJO7 ACCESS SURFACE (5 metres)

- 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 5 metres behind the adjoining highway
- ZJO9** **NO GATES**
033R There shall be no gates or other means of enclosure across the vehicular access point within 5 metres of the highway boundary.
- ZJ10** **ACCESS APPROVED AS PART OF APPLICATION**
039R
E05NA Prior to first use of the development, the proposed vehicular access shall be laid out in strict accordance with approved plan no. 02/90/2 A (P/2003/0751). The visibility splays shall thereafter be permanently retained free of all obstruction in excess of 1 metre in height.
- ZJ22** **PARKING AND MANOEUVRING TO BE KEPT CLEAR**
035R The vehicular parking and turning areas as shown on approved drawing(s) No(s). 3878/06C shall be fully laid out, surfaced and drained prior to first use of the development. These areas 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.
- 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.
- NONSTDC** **PRIVATE MANAGEMENT COMPANY**
NONSTDR The internal access road shall be maintained in perpetuity by a Private Management Company.



Network and Infrastructure Manager