

MEMORANDUM



From: Network and Infrastructure Manager **To:** Chief Planning Officer

Our Ref: PD/2012/0202

Your Ref: P/2012/0202

Date: 16 April 2012

TOWN AND COUNTRY PLANNING ACT 1990.

TOWN AND COUNTRY (GENERAL DEVELOPMENT PROCEDURE) ORDER 1995.

Location: O. S Grid Ref: 2960 4350 ATC HQ, The Green, Ruabon

Development: Installation of aircraft tail fin into ground outside HQ building to act as gate guardian (section from an F3 Tornado)

I refer to your consultation dated 19th March 2012 in respect of the above.

The land on which the tail fin is to be erected is adopted highway. The road itself was formerly part of the A483 Trunk Road but was reclassified in 1983; it is currently gated at its southern end near its junction with the B5605 Park Road.

The footway does not appear to have been used since the road was reclassified and there is little prospect of it ever linking through to the A539 to the north of the site.

I would not normally support the erection a private structure within the adopted highway. However given that the road is effectively closed to through traffic and there is no pedestrian usage of the footway I make no objection to the proposal in this instance.

To permit the erection of a structure within the highway will require a Section 115 agreement of the Highways Act 1980 to ensure that should the fin ever be removed, the footway will be made good by the developer.

The Section 115 agreement will indemnify the Council against any claims.

I would recommend any planning permission include the following conditions:-

CONDITIONS:-

NONSTDC

026R

GENERAL LAYOUT

The installation shall be undertaken in strict accordance with the details contained within the applicants Design and Access Statement (19/02/2012)

NOTE TO APPLICANT

In order to erect a structure within the public highway the applicant must enter into agreement with the Council under S115 of the Highways Act 1980.

Section 115 of the Highways Act permits the erection of such a structure in the public highway with rights to maintain. If the monument was ever to be moved then the licence holder will be responsible for reinstating the highway.

Peter Dormer

pp. Network and Infrastructure Manager