

MEMORANDUM



From: Network and Infrastructure Manager

To: Chief Planning Officer

Our Ref: PD/2012/0315

Your Ref: P/2012/0315

Date: 11 June 2012

TOWN AND COUNTRY PLANNING ACT 1990.

TOWN AND COUNTRY (GENERAL DEVELOPMENT PROCEDURE) ORDER 1995.

Location: O. S Grid Ref: 2990 4360 20 Cil-y-Coed, Ruabon

Development: Incorporation of open space into residential garden area

I refer to your consultation dated 1 May 2012 in respect of the above.

The area of open space it is proposed to enclose is shown on our records to be adopted highway.

I note from visiting the site that a number of other properties have extended their gardens in a similar manner to this proposal. Some of these have been granted planning permission to do so; others appear to have extended without seeking consent.

Whilst it is unlikely that the land will ever be required for any highway purpose it is not acceptable to simply fence off adopted highway. Each of the properties who have extended their gardens and thus enclosed highway land should therefore have applied for a stopping up order and then entered into negotiations with the original landowner regarding the acquisition of the land.

I recommend that any permission include the following conditions:

CONDITIONS

NONSTD STOPPING UP OF HIGHWAY

NONSTD Any adopted highway land proposed to be enclosed within the development site shall be formally stopped up to the satisfaction of the Planning Authority in consultation with the Environment department prior to incorporation of the land into the residential garden.

PP *Peter Dorthwaite*
Network and Infrastructure Manager