

**ADVANCE SUPPLEMENTARY REPORT**  
**TO THE PLANNING COMMITTEE**  
**18<sup>th</sup> November 2014**

**Agenda item 6**

**Application ref. 14/00684/FUL**

**Sandfield House, Bar Hill, Madeley**

Since the preparation of the agenda report further information has been provided by the **applicant** the main points of which are summarised as follows:

- The applicant has maintained a clear and open dialogue with the Council throughout and has agreed that confidential pre-application advice be made publicly and freely available.
- Improvements to the existing driveway is an unviable option for the following reasons:
  - Works to achieve the required standards and visibility splays would involve the removal and cutting back of the hedge and lowering of surrounding ground levels for a considerable distance.
  - Considerable works would be required on land which does not belong to the applicant and in which the applicant owns no ties and would involve purchasing/negotiating with the land owner to the East for a distance in excess of 55m.
  - The land needed to be purchased to implement the required visibility splay is active working agricultural land.
  - A BT pole (recently installed) will interfere with the visibility splay to the east (i.e. visibility splay for on-coming traffic travelling west on the access side of the road).
  - It would result in the loss of amenity space to the 4 bedroom house.
  - A retaining wall and turning head would be required proving expensive.
  - Requires re-grading of existing driveway to achieve necessary highway standards.
  - Is financially unviable.
- An alternative, new access within the curtilage is also unviable for similar reasons set out above, with the following amendments/additional reasons:
  - Would involve purchasing/negotiating with the land owner to the East for a distance in excess of 40m.
  - Existing established garden and landscaping would be destroyed.
  - Poor and unacceptable design
  - Visibility splays require additional land/permission to West and East.
  - Introduces greater amounts of engineered elements into the rural location.
  - Would result in the loss of greater amounts of existing hedgerow than the design of the access applied for.
- The application proposal incorporates the following positive aspects:
  - This is achieved on unused land within the applicant's ownership.
  - There are clear highway safety benefits to all users of the A525, verified by the Highway Authority and an independent transport consultant.
  - Visibility splays can be provided in accordance with the recorded traffic speeds. A turning head will allow vehicles to enter and leave in a forward gear.
  - The access if located within a natural splay of the existing hedge, resulting in less work to the hedgerow.
  - A landscaping plan will be provided incorporating necessary infilling and improvement works to the existing hedgerow to ensure minimum impact upon the landscape.
  - The remaining land will remain as agricultural land.
  - There would be no challenge to any reasonable planning conditions.

In addition 3 further **representations** have been received the contents of which are summarised as follows:

- Notwithstanding what is set out in the report the Committee did not agree to defer the decision to enable the applicant alternative options for providing a safe access within the existing curtilage. What Committee asked for was evidence as to what had been already done to improve the existing access.
- The report does not acknowledge that the visibility splays that are required to the proposed access involves land not in the applicant's ownership.
- The argument advanced by the applicant that an access within the residential curtilage is unviable because it involves land not in the applicant's ownership and in which the applicant holds no ties and would involve purchasing/negotiating with the land owner to the East land for a distance in excess of 40m is flawed. Logically if the proposal remains as submitted then 50m of land to the East would have to be purchased.
- A viable new access can be provided within the curtilage that ensures safety and avoids encroachment into the open countryside with benefits summarised as follows:
  - Land either side is in the ownership of the applicant.
  - Repositioning the gates 6m from the highway will result in a larger garden than at present.
  - Room for a turning head if required.
  - Ground levels are the same as the proposed new access.
  - The existing drive can be grassed over resulting in no loss of garden facility.
  - The hedge to be removed would be within the residential curtilage.
  - The access onto the highway would be at a point where there are no parked vehicles.
  - Would be perfectly aligned with the proposed new garage.

#### **Your officer's comments**

The views of the Highway Authority have been sought in response to the submissions received. They will be reported to the meeting together with Officer comment.