

**ADVANCE SUPPLEMENTARY REPORT**  
**TO THE PLANNING COMMITTEE**  
**9<sup>th</sup> December 2014**

**Agenda item 9**

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

**Sandfield House, Bar Hill, Madeley**

Since the preparation of the agenda report a site meeting has been held between your Officer, the Highway Authority, the applicant and his agent. The extent of the visibility splays that can be achieved at the alternative new access within the domestic curtilage of the property have been established and the further comments of the **Highway Authority** have been received. They comment as follows:

- When set out on site the required western visibility splay of 60m could not be achieved on land within the application site. A visibility splay of only 12m could be achieved within the curtilage of Sandfield House, the remaining 48m of the visibility splay was obscured by an existing hedgerow which is in the adjacent field and understood to be within third party land.
- The visibility of 54m in the eastern direction could be provided within land within the site curtilage and the public highway and there were no third party land issues.
- The new telegraph pole within the site access as detailed on Fig 1 could be relocated subject to agreement with the relevant utility company and the applicant would be responsible for all costs in relation to these works.
- The proposed turning head which is proposed in front of the gates, whilst beneficial, is not an essential requirement as the property will have sufficient space for vehicles to turn within the site curtilage.

Further information has been provided by the **applicant** the main points of which are summarised as follows:

- The proposed scheme will incorporate the following positive aspects:
  - The applicant can provide an acceptable design and solution on unused land in his ownership.
  - Clear improved highway safety benefits.
  - The design provides betterment in relation to highway safety.
  - The proposed access is located within a natural splay of the existing hedge, therefore meaning less works to the existing hedgerow would be required.
  - The applicant intends to provide a full landscaping plan incorporating the necessary infilling and improvement works to the existing hedgerow to ensure minimum impact on the landscape.
  - The remaining land will remain as agricultural land.
  - The applicant will not challenge any reasonable planning conditions.
- A photograph is submitted of the only amenity space for the dwelling.
- The BT poles have been connected underground.
- Previous applications concerning the replacement dwelling are not relevant.
- Whilst a 12m visibility splay would be an improvement in terms of highways, it is vastly substandard.

A further **Transport Statement** has also been submitted by the applicant. A summary of the main point made is as follows:

- The forward visibility line is to be 54m eastbound and 60m westbound in accordance with Manual for Streets.
- The ground level either side of the suggested access point is considerably higher than the level of the road obstructing the view of oncoming traffic.
- Visibility is also limited by the hedging which is close to the kerb line as there is no footpath on this side of the road.

- The western visibility splay will be considerably below the required standards.
- To achieve current standards, would require the removal and cutting back of the hedge and the surrounding ground levels would have to be lowered for a considerable distance.
- This would require considerable works to be undertaken on land not in the applicant's control.
- A new telegraph pole would have to be removed at considerable expense and for technical reasons could create great difficulty and expense for all parties.
- The western visibility splay cannot be achieved from within the residential curtilage and therefore it is a substandard and unviable option.

In addition 4 further **representations** have been received from the same property, the contents of which are summarised as follows:

- It is claimed that the visibility splay to the west will encroach over land not belonging to the applicants. There is no mention that the eastern visibility splay of the proposed new access in the open countryside would also encroach over land not belonging to the applicants by a similar amount.
- The photograph in the Transport Statement is very deceptive as it was taken between the road works when the BT pole was installed.
- The BT pole has no equipment attached to it and the notice on the pole states that it can be relocated in BT are notified within 3 months.
- At the meeting on 18<sup>th</sup> November Councillor Welsh made a statement that in 2010 the Highway Authority had no objection to the existing drive. An officer stated that the Highway Authority had said that the existing access was substandard but they let it go through because it was an existing drive for an existing building. It was not described as such in 2010, this is still an existing drive to an existing building and there have been no material changes to the site since 2010 when Highways stated that 'There is no objection on highway grounds'.
- The visibility of 12m that can be achieved is a vast improvement on zero. The zero option was approved by the Highway Authority in 2010 so it would be difficult to explain why a 12m extension could not be considered 'acceptable'.
- Wherever you 'slide' the access within land owned by the applicant, the frontage is not wide enough to cover the splays suggested without going across land not in the ownership of the applicant.
- Even if this access is not considered acceptable there are a multitude of options available including coming off the highway and turning right onto the front garden.
- The officer report did not specify that the over generous visibility splays had to be achieved, merely that an access should be 'acceptable'.
- The applicants do not own enough land to have a 120m plus visibility splay.

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

Your Officer and a representative of the Highway Authority have visited the site and measured the extent of the visibility splays that can be achieved at the alternative new access within the existing curtilage of the property. On the basis of a speed survey and applying the principles of Manual for Streets, a visibility splay of 60m is recommended to the west of the access and a splay of 54m is recommended in the easterly direction. From the alternative access within the domestic curtilage of the property, whilst 54m can be achieved in the easterly direction, only 12m can be achieved to the west. This is because there is a hedgerow along the boundary of the land to the west with the highway that restricts visibility. Approximately 48m of hedgerow would need to be removed and as the land is outside the control of the applicant, this would not be possible.

Compared to the recommended distance of 60m, a visibility splay of just 12m is significantly substandard. Although it would be more than can be achieved at the applicant's existing access, it is substantially less than can be achieved from the access that is the subject of this application. Therefore, it is not considered to be a suitable or acceptable alternative and it is considered that although the proposal would involve an encroachment into the open

countryside, given the highway safety benefits and the lack of any significant adverse impact upon the landscape, it is not considered that an objection could be sustained. The recommendation is to **PERMIT** subject to the conditions listed in the agenda report.