

**12 DCSE2005/0249/F - REINSTATE ORIGINAL VEHICULAR ACCESS TO FAIRFIELDS AND CLOSE OFF EXISTING ACCESS, FAIRFIELDS, BROMSASH, ROSS-ON-WYE, HEREFORDSHIRE, HR9 7PJ**

**For: Mrs. S. Thomsen per Morris Bricknell, Stroud House, 30 Gloucester Road, Ross-on-Wye Herefordshire, HR9 5LE**

**Date Received: 26th January, 2005      Ward: Penyard      Grid Ref: 64681, 24166**

**Expiry Date: 23rd March, 2005**

Local Member: Councillor H. Bramer

## **1. Site Description and Proposal**

- 1.1 Fairfields is a detached house on the south side of the C1280 road leading to Bollitree and about 200m from the crossroads at Bromsash. Planning permissions were granted in 1989 for the erection of two houses in the garden of Fairfields, these properties are now called Almscliffe and Rosegarth. A joint access for all three properties was formed and an existing access at the western end of the curtilage of Fairfields was closed. The latter was a requirement of a planning conditions (nos 14, 15 and 16) attached to planning permissions SH882173PF and SH882174PF.
- 1.2 The current proposal is to re-open the western access which would be used by Fairfields, leaving the existing access for Almscliffe and Rosegarth. A wall would be formed along the boundary between Fairfields and Almscliffe closing off vehicular access to the former except for a pedestrian gate. To improve visibility at the proposed access a section of the front boundary wall would be removed as well as some planting. To the west the roadside hedge would be cut back. The original drive was not removed and this would be reinstated.

## **2. Policies**

### **2.1 Planning Policy Guidance**

PPG.13      -      Highways

### **2.2 South Herefordshire District Local Plan**

Policy T.3      -      Highway Safety Requirements

## **3. Planning History**

- |     |            |   |   |                   |
|-----|------------|---|---|-------------------|
| 3.1 | SH882173PF | Erection of dwelling with new vehicular access    | - | Approved 17.1.89  |
|     | SH882174PF | Erection of dwelling with shared vehicular access | - | Approved 17.01.89 |

#### 4. Consultation Summary

##### Statutory Consultations

- 4.1 No statutory or non-statutory consultations required.

##### Internal Council Advice

- 4.2 Traffic Manager points out that visibility would appear to be sub-standard looking east. It will be necessary to reduce the height of existing boundary wall to 0.60m as well as other improvements to visibility outlined in this application - this has been discussed with applicant previously. Would the parking/turning provision be as existing?

#### 5. Representations

- 5.1 The applicant's agent has made the following submission:

- new access would be within a 30mph area
- cutting back the very wide roadside hedge to left and remaining young trees and shrubs to right should cover the visibility aspect with regard to these proposals
- historically there was always an access here until the last 20 years or so until moved to a shared access with Rosegarth and Almscliffe, but particularly with Almscliffe this has not proved to be very successful being so close to that house.

- 5.2 Weston under Penyard Parish Council has no objections provided that the visibility splay complies with Highway Authority requirements.

- 5.3 Adjoining Linton Parish Council makes the following comments:

"When the previous owner of Fairfields was given planning permission to build 'Almscliffe' and 'Rosegarth' it was a serious departure from planning policy. A combined entrance/exit for all three houses was imposed in an effort to mitigate the extra traffic hazards, which would result from the new development.

Since then although a 30mph speed limit has been introduced on part of this narrow lane, it is neither adhered to nor enforced, and the volume of traffic using this lane has steadily increased. Also since this combined entrance was made the frequency of use by passing heavy goods vehicles and farm machinery has accelerated, as has the size of all these vehicles. Therefore the traffic hazards would considerably increase if the original entrance were re-opened.

It should be noted that the existing access could not be closed because it serves both 'Rosegarth' and 'Almscliffe'.

For the above reasons the Parish Council does not support this application."

- 5.4 One letter has been received expressing "real concerns" about the proposed retention of a pedestrian access off the shared drive:

- given the ease of access to the existing driveway it is a very strong possibility that visitors and tradesmen will find it easier to use the existing rather than the new driveway
- these vehicles parked on shared drive could make access difficult for the other two houses sharing the driveway.

The full text of this letter can be inspected at Southern Planning Services, Blueschool House, Blueschool Street, Hereford and prior to the Sub-Committee meeting.

## **6. Officers Appraisal**

- 6.1 The main issue raised by this proposal is the effect on highway safety. The Traffic Manager recommends that the front boundary wall should be reduced in height to no more than 0.6m. This, with removal of planting, would allow a visibility splay of 2m x 45m to the east. Cutting back the hedge to the west would facilitate greater visibility in that direction as the road curves slightly to the north. Although the latter is not in the applicant's ownership a negative condition requiring cutting back before the access is brought into use could legitimately be imposed. Similarly the other requirements for a safe access, including parking and turning areas within the site, could be the subject of planning conditions. The application site is on the edge of the settlement of Bromsash on a lightly trafficked road, and as Linton Parish Council note, a 30mph speed limit has been imposed since the original grant of planning permission. In these circumstances it is considered that visibility at the access would be acceptable. This view is shared by the Traffic Manager.
- 6.2 A second consideration is that noted in paragraph 5.4 above. It is possible that the shared drive to Almscliffe and Rosegarth would be used by visitors to Fairfields but it is more likely that they would be short term (delivery vehicles, postmen, etc). The degree of inconvenience is not likely to be significant and there may well be benefits to Almscliffe in particular as most vehicles entering Fairfields will no longer have to pass close to Almscliffe. It is not considered that this is sufficient grounds to refuse permission.

## **RECOMMENDATION**

**That planning permission be granted subject to the following conditions:**

**1. A01 (Time limit for commencement (full permission))**

**Reason: Required to be imposed by Section 91 of the Town and Country Planning Act 1990.**

**2. H01 (Single access - not footway)**

**Reason: In the interests of highway safety.**

**3. H03 (Visibility splays)**

**Reason: In the interests of highway safety.**

**4. H05 (Access gates)**

**Reason: In the interests of highway safety.**

**5. H06 (Vehicular access construction)**

**Reason: In the interests of highway safety.**

**6. H14 (Turning and parking: change of use - domestic)**

**Reason: To minimise the likelihood of indiscriminate parking in the interests of highway safety.**

**7. G04 (Landscaping scheme (general))**

**Reason: In order to protect the visual amenities of the area.**

**8. G05 (Implementation of landscaping scheme (general))**

**Reason: In order to protect the visual amenities of the area.**

**Informative(s):**

**1. N15 - Reason(s) for the Grant of Planning Permission**

Decision: .....

Notes: .....

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**Background Papers**

Internal departmental consultation replies.