

Copeland area Planning Department, Cumberland Council

For the attention of Cathy Henderson

Date: 23 January 2024

Your reference: 4/23/2241/0F1

Dear Cathy Henderson

CONSULTATION ON PLANNING APPLICATION

Appn: 4/23/2241/0F1
Site Address: MYRTLE BANK, EGREMONT ROAD, WHITEHAVEN
Proposal: VEHICLE ACCESS INSTALLATION ONTO EXISTING DRIVEWAY

Thank you for your consultation on the above Planning Application.

Cumberland Council as the Local Highway Authority (LHA) and Lead Local Flood Authority (LLFA) can confirm as follows:

Whilst it is contended the new access may provide better visibility than the existing and is therefore safer, it does not meet the criteria in regard to highway safety from a planning perspective.

Our previous comments stipulated that visibility splays of 43m in both directions were required, however the plans as presented showed that the visibility splays passed over 3rd party land in both instances and without an agreement from either party allowing the splays to pass over their land uninterrupted (meaning reduction in height of existing wall and hedges) then we would have no alternative but to recommend refusal.

As presented the latest plan "Myrtle Bank" details 61+m visibility looking north, but it is unclear on the plan if this still passes over 3rd party land, again unless the applicant can demonstrate they have an agreement to allow the splay to pass over the land uninterrupted in perpetuity we recommend refusal as the splay cannot be guaranteed.

The visibility splay looking south is measured to the centre line of the carriageway which is not acceptable unless a physical barrier is in place to prevent overtaking, therefore in reality the visibility splay is shorter than the 37m measured and not the required 43m

Considering the above, as statutory consultee to the LPA our way forward is quite clear and our comments remain unchanged, we have no alternative but to recommend refusal on the grounds of highway safety.



**Flood & Development Management
Parkhouse Building
Carlisle
CA6 4SJ**

cumberland.gov.uk

Refusal:

The Local Planning Authority considers that clear visibility of 43 metres cannot be achieved along the public highway in both directions from a point 2.0 metres from the carriageway edge measured down the centre line of the access driveway and consequently traffic generated by the proposed development would be likely to create conditions prejudicial to highway safety.

Yours sincerely

June Farquharson
Assistant Development Management Officer