

Copeland area Planning Department, Cumberland Council

For the attention of Christie M Burns

Date: 17 September 2024

Your reference: 4/24/2296/0F1

Dear Christie M Burns

## **CONSULTATION ON PLANNING APPLICATION**

**Appn: 4/24/2296/0F1**  
**Site Address: LAND AT OXENRIGGS FARM, EGREMONT CA22 2PH**  
**Proposal: CREATION OF NEW ACCESS ONTO CLASSIFIED ROAD AND  
REINSTATEMENT/UPGRADE OF TRACK TO SERVE EXISTING  
FARMHOUSE WITH ASSOCIATED ON SITE BNG**

Thank you for your consultation on 3 September 2024 regarding the above Planning Application.

Cumberland Council as the Local Highway Authority (LHA) has reviewed the above planning reference and our findings are detailed below.

The Planning Statement makes a comparison between the existing and proposed access , concluding that the proposed has better visibility splays, albeit not necessarily compliant with the derestricted 60mph requirement of 215m with only 144m available in a westerly direction.

However this approach is unfortunately not necessarily valid and it makes too many assumptions or has not considered all the constraints as follows:

1. When assessing the acceptability / compliancy of a new access / driveway with the adopted highway, the LHA does not take into account the shortcomings or layout of an historic existing access and does not compare the new with old. Any new access should be compliant in terms of visibility / layout / gradient etc and assessed on its own merits in isolation, not as a comparison.
2. The visibility splays show what may be achieved on a plan in a horizontal plane and does not take into account the vertical envelope. There appears to be some dips in the road that may affect visibility in the vertical plane

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3. The Visibility splay lines would appear to cross over into the hedge (which is not shown on the visibility splay diagram) and there is no indication that the hedge is being removed or relocated. It is worth noting that the LHA will accept an 'x' value of 2.0m for a single dwelling access and this may help. Incidentally, the existing access on the outside of a corner is ideally placed to avoid this problem of emerging from a hedgerow on a straight road.
  4. There is no evidence of the actual 85th %ile speeds so the SSD for 60mph has correctly been assumed (215m). If the actual 85th %ile speeds are lower than this then a lower splay may be appropriate. Please also note that the visibility splays must be shown to the nearside kerb as well as the offside kerb in both directions (i.e. it is not shown to the nearside kerb in a westerly direction).

On a more positive note, I do note that the access has the necessary bound surface (for 5m) , a cut-off channel drain and the gate opens away from the highway as required.

**Conclusion:**

**The Local Planning Authority considers that clear visibility of 215 metres cannot be achieved along the public highway in both direction(s) from a point 2.4 metres from the carriageway edge measured down the centre line of the access road and consequently the proposal would be likely to create conditions prejudicial to highway safety.**

To over come this objection, the applicant needs to show that the full 215m is achievable in both directions or that a lesser proposed visibility splay is appropriate for the actual 85th %ile speeds, that the splay (with an 'x' value of 2.0m if necessary) can be achieved with the hedge on its current alignment and width and that the vertical dips in the road do not compromise the vertical envelope. A speed survey may be helpful in addressing some of these concerns.

Yours sincerely

**Shamus Giles**

Lead Officer - Flood & Development Management