

2015/1997/MAJ

Comments from Highway Authority received 19.1.2016.

Dear June

In respect of the proposed planting in verge around the Comet Hotel, Comet Way – I can advise that a discussion with Network Management suggests that an application for a license to plant would not be looked upon favourably, or supported

The provision of the vegetation provides no benefit to the highway authority, but importantly shall place a burden upon the County Council to monitor compliance with the provisions of the license (i.e. that the vegetation is checked to ensure that it not overgrown, excessive in height), and given that such resources are limited introduces a risk that without adequate monitoring may exceed the heights we've previously discussed. The requirement for the height itself was to ensure that the hedge did not result in obstruction to visibility across the junction within the limits of the highway verge. I would observe that the above discussions included an appreciation that the planting species had changed, and was being suggested as box hedge, but that despite the slow growing nature of such vegetation the above concerns remained.

Clearly the necessary license is issued under the provisions of the Highways Act, and therefore separate to any consent issued under the TCPA within the planning application you are considering. Any grant of consent shall require the applicant to obtain separate permission from the Highway Authority (by way of the license) to implement, and as above, such authority would be unlikely to be given for the necessary license.

I would suggest therefore that the hedge be omitted from the planning application, or pushed to within land within the applicants control rather than highway verge, thereby ensuring consistency between the TCPA consent and the highway authorities position on this in respect of the provisions of the Highway Act.

If however you are minded to approve within the application, then I would request that an appropriate informative be applied to the decision that directs the applicant to the above requirement, and I would strongly recommend that they be informed that any such approach in this matter is unlikely to be successful for the above reasons.

I trust this will provide you with sufficient input to enable you to reach a decision.

Sincerely

Alan Story.
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