

## **APPENDICES**

### **CENTRAL DUDLEY AREA COMMITTEE**

**DATE: 2 SEPTEMBER 2004**

### **APPLICATION FOR VEHICULAR ACCESS**

**LOCATION: 22 WAVELL ROAD, QUARRY BANK**  
**(As shown on the plan attached)**

### **BACKGROUND**

A report regarding this application was deferred from the Central Dudley Area Committee at its meeting on the 7<sup>th</sup> July 2004 in order for a Member's site visit to be held. The site visit was held on 9<sup>th</sup> August 2004 and the Ward Members are in favour of the application as it would remove parked cars from the roadway.

To reiterate, an application has been received from the owner of 22 Wavell Road, Quarry Bank, a former Council house purchased under the right to buy, to gain vehicular access to the property from Watchman Avenue, as marked on the attached plan.

The land is controlled by the Directorate of Housing and currently forms a grassed verge adjacent to a pedestrian walkway between Wavell Road and Montgomery Crescent.

The applicant wishes to cross the land by vehicle from Wavell Road, in order to park within the boundary of his property.

### **COMMENTS**

The relevant Council Directorates have been consulted regarding this application and objections have been received from the Directorate of Housing and Directorate of the Urban Environment, as this section of Watchman Avenue is a pedestrian footpath and has had bollards installed to prevent it being used as a shortcut for traffic between Wavell Road and Montgomery Crescent.

Allowing vehicles to use this pedestrian walkway would create a conflict with pedestrian traffic. It would also set an unwanted precedent for similar future applications. The creation of a driveway across this land would also detract from the openness of the corner plot and harm the visual amenity of the area. They therefore wish the application refused.

Vehicular access to a property over a public footpath is commonplace and can cause a problem if speeds are not low and there is poor visibility. It is an offence under section 184 of the Highways Act 1980 to cross the public footway/verge without a properly constructed vehicular crossing. If the application is approved therefore, an access agreement should be entered into with the applicant restricting its use to light vehicles only. There is currently a single dropped kerb to allow access for

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wheelchairs and prams and this existing crossing would need to be extended by three kerbs to make it into a vehicular access. It is recommended that a properly constructed vehicular crossing is installed by the Council, at the applicants expense and that the access is not used until the construction is completed.

This part of Watchman Avenue is not an all purpose highway, therefore a commuted sum will be required for the future maintenance of the footpath due to its use by vehicles and the increased wear.

### **PROPOSAL**

That the Area Committee consider the contents of this report and make a recommendation to the Lead Member for Housing.

### **BACKGROUND PAPERS**

1. Letter(s) from the applicant.
2. E-mails and memos from the Council Directorates.

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