

DC/2015/00688

RESIDENTIAL DEVELOPMENT TO PROVIDE 5 DWELLINGS (INCLUDING 60% AFFORDABLE HOUSING) AND ASSOCIATED WORKS AND THE PROVISION OF A NEW VEHICULAR ACCESS

LAND AT SHIRENEWTON (LDP ALLOCATION SITE SAH11 xiv) b))

RECOMMENDATION: APPROVE

Case Officer: Kate Young

Date Registered: 20th January 2015

1.0 Introduction

1.1 This application was presented to Members of Committee at their meeting on the 3rd November, with a recommendation for approval. Decision on the application was deferred by Members with a request that the scheme be amended. It was requested that there be a single vehicular access into the site rather than the two access points proposed, the reason for this being to allow for a more integrated and socially cohesive scheme. Following Committee officers from the Council met with the developer and his agent to consider an amendment to the scheme providing a shared vehicular access into the site.

1.2 A draft scheme was tabled showing twin accesses side by side into the site. This resulted in a wider access and pushed the built form of the development closer to the edge of the village where it would have more visual impact. The twin access was considered unacceptable in highway terms by Highway colleagues as it caused a confusing conflict of vehicular movements. A single joint access was also considered consisting of a shared driveway which then divided into a private driveway for the two detached dwellings and a shared parking court for the remaining three (affordable) units. This was considered to lead to vehicular conflict within the site and was not acceptable in highway terms. It also resulted in the built form of the development extending in an easterly direction, away from the built up area.

1.3 In this instance, the affordable housing provider, Monmouthshire Housing, have stipulated a strong preference that the affordable housing properties should be independent from the private housing, served by an separate vehicular access, thus overcoming the potential problems typically associated with joint access and maintenance arrangements. They also maintain that the land transfer matters are best dealt with by maintaining separate access points in order that the housing association acquires a clean, serviced plot without the requirements for a shared driveway with the associated management and maintenance charges.

1.4 Whilst officers welcome Members' desire to secure social inclusion, in this instance it has not proved possible to arrange the site so as to provide a single access that meets highway safety and management requirements. It is considered that a single vehicular access into this site is not a prerequisite to granting planning permission for this proposal. This is a small scheme of only five units so there will inevitably be integration. Integration and social inclusion can be demonstrated

throughout the site with high quality materials and design being used on both the market and the affordable units. It must also be remembered that the original scheme with two separate accesses is acceptable in planning terms: officer advice is that there are no material planning grounds on which to justify and sustain a reason for refusal. As a result of discussions with the developer, which have explained why a shared access is not possible in this instance, officers are therefore re-presenting the application as originally submitted with a recommendation for approval.

2.0 Additional Correspondence, received since the last committee on 3rd November;

Monmouthshire Housing: Letter of Support

I understand that there are concerns around the separate entrances to the market and affordable dwellings but this is not a concern shared by Monmouthshire Housing. As we will be acquiring the three affordable dwellings, the land transfer matters will be best dealt with by maintaining the separate access points as currently proposed. MHA will acquire a clean, serviced plot without the requirement for a shared driveway, over which we will be granted a right of way but to which we will not be required to contribute management and maintenance charges. Our further support is lent to the affordable dwellings in that they are well proportioned, meet the relevant space and parking standards, whilst the architectural elevations indicate a high degree of quality which, in our opinion, complements the character and context of Shirenewton.

Paul Thornton - agent

Further to the above application being considered by the Committee on the 3rd November 2015, and your subsequent deferment following Committee comments regarding access arrangements to the proposed development, we would like to express our disappointment in this decision, taking into account the factors set out below. I am however grateful for our subsequent meeting with you at County Hall on 11th November 2015, when the applicant and myself met with you and Christian Lowe, the Highways Officer.

At our original pre-application consultation meeting, dated 11th December 2014, which was attended by all members concerned to review the draft proposals, we took on board all views expressed by yourself, the highways officer, the landscape officer and building control officer (along with other recommendations received from the Housing Association). The concept of two individual access points was indicated on our drawings at this stage and no objections raised. This was recorded within your document 'Pre-Application advice – Written Response', dated 15/12/2014.

During the initial design stage of this project, the social housing landlord, Monmouthshire Housing, stipulated that the affordable housing properties should ideally be totally independent from the private housing, and should be served by an independent vehicular access, thus overcoming the potential problems typically associated with joint access and maintenance arrangements.

We therefore initially considered the possibility of a 'twin' access point, in other words, locating the access into the private dwellings directly alongside the individual access into the affordable homes. This created a very wide and potentially confusing

access arrangement and, in accordance with the highways officers' recommendations, we therefore opted to provide a safe and clear distance between the two access points- as per the scheme submitted with the planning application.

Taking into account the above factors we therefore prepared our scheme on the clear understanding that we were acting in compliance with the requirements of all parties concerned, namely by indicating one access point to serve two private dwellings and a separate access to serve three affordable homes, together with the respective associated parking arrangements.

We therefore feel we have co-operated in every way to meet the planning, highway and social housing standards set out to us, and that this is the only way in which this development can reasonably proceed. It is unfortunate that this issue has now been raised after such a considerable time period.

We are currently unsure of the Committees' reasons for requesting a single access point to the site. At our recent meeting on the 11th November, Christian Lowe stated that the separated entrances (as proposed) were favourable in terms of highway safety, as they distributed traffic more evenly across the site rather than concentrating it around one area. As an alternative, which would comply with the requirements of the Housing Association, we also presented you with a sketch proposal showing paired 'twin' site access points (as described above). Christian Lowe confirmed that this arrangement would be unacceptable in highways terms, due to the close proximity of the entrance points and the confusing nature of the arrangement.

There is no doubt that the affordable housing element is an essential part of this development and the applicant is absolutely willing to act in a co-operative manner in order to deliver high quality homes across the *whole* site. This is evidenced by his close co-operation with the Housing Association from the outset, something which can be confirmed by them. As designers, we have worked alongside the applicant and the housing association to ensure that the affordable housing element is of a high quality, meets and exceeds the housing associations standards and is in no way to be seen as a 'second-rate', 'segregated' or 'begrudged' part of the development.

I would re-iterate that the provision of high quality affordable housing is an important consideration of the currently proposed scheme and that we have co-operated with the Housing Association from the outset to that end.

In light of the above I would therefore respectfully request that you re-consider our original proposal for planning approval. I also confirm that the applicant and myself will attend the forthcoming Committee meeting and would like to make a verbal representation.

PREVIOUS REPORT

1.0 APPLICATION DETAILS

The application seeks the erection of five residential units comprising two, detached 4-bedroomed two storey market units and a two storey affordable housing block containing one 2-bedroomed house and two 1-bedroomed flats. There would be two shared vehicular accesses, one for the market housing and one for the affordable units. The two detached houses would each have a double garage and the affordable units would have five car parking spaces. There would be new hedge planting along the northern and eastern boundaries. The existing hedge along the road frontage would be re-aligned to accommodate the visibility splay. Both the market housing and the affordable units would be finished in the same brick and natural stone materials with natural slate roofs.

2.0 RELEVANT PLANNING HISTORY

None

3.0 LOCAL DEVELOPMENT PLAN POLICIES

Strategic Policies

- S1 – Spatial Distribution of New Housing Provision
- S2 – Housing Provision
- S4 – Affordable Housing Provision
- S13 – Landscape, Green Infrastructure and the Natural Environment
- S17 – Place Making and Design

Development Management Policies

- H1 – Residential Development
- H2 – Residential Development in Main Villages
- NE1 – Nature Conservation and Development
- DES1 – General Design Considerations
- EP1 – Amenity and Environmental Protection
- SD4 – Sustainable Drainage
- MV1- Proposed Developments & Highway Considerations

4.0 REPRESENTATIONS

4.1 Consultations Replies

Shirenewton Community Council - The Council acknowledged that this development has been approved but recommended refusal of this application, with the following observations:

- Five residential units is over development of the site causing cramming. The size of the site is roughly equivalent to that of a neighbouring development of three houses.

- Access should be relocated to avoid the removal of a long length of ancient hedgerow which is outside the LDP line.
- The increased and unacceptable concentration of traffic from this and another proposed development on the road junction with Killenny Road.
- The LDP line was altered to allow the building of the four previous houses and it is now proposed to be altered again to accommodate access.

County Councillor Down will attend the Planning Committee meeting and speak on behalf of this Council.

Planning Policy - The site is allocated for around five dwellings in Policy SAH11, the specific site reference of which is SAH11 (xiv) (b). Policy S4 relates to Affordable Housing Provision and states that in Main Villages there is a requirement for at least 60% of the dwellings to be affordable. The proposal relates to three affordable dwellings and two market dwellings and therefore complies with both S4 and SAH11 in principle.

Policy NE1 Nature Conservation and Development should be referred to relating to mitigation and compensation, particularly in relation to the removal of part of existing hedgerows bounding the site to create the two site accesses. The translocation of hedgerows and new hedge planting are welcomed. Policy GI1 must also be taken into consideration relating to Green Infrastructure (GI). It is noted that an ecological survey has been submitted with the application. A high standard of landscaping is also required as there are currently no natural defensive boundaries in this location. This development is not considered, however, to be one to which the detailed requirements of the GI Supplementary Planning Guidance apply (such as the provision of a GI Opportunities Plan, for instance), given the small scale character of the development and the need to give priority to the high level of provision of affordable housing. Similarly, Policy S7 – Infrastructure Provision indicates that in negotiating Section 106 agreements in such circumstances priority will be given to the affordable housing required by Policy S4, ‘unless there is an overwhelming need for the available contribution, in whole or in part, to be allocated for some other necessary purposes’. In this respect, it should also be ensured through a Section 106 agreement that the market housing is not constructed without the required provision of affordable housing. It is noted the s.106 statement refers to the different types of affordable units, it should however state that the LCHO dwelling (Plot 3) will remain affordable in perpetuity as well as the two social rent units.

General policies DES1 and EP1 relating to General Design Considerations and Amenity and Environmental Protection respectively must be taken into consideration. Finally, whilst the site is not located within an Area of Special Archaeological Sensitivity GGAT commented in the LDP preparation that due to the location of the nearby Holy Well ‘the area will need archaeological evaluation at a planning application stage but that it could be allocated in the LDP in archaeological terms with the proviso that archaeological features could restrict development’. I would suggest you therefore consult GGAT at the earliest opportunity in order for them to provide guidance on the works involved.

MCC Housing Officer – Monmouthshire Housing Association has confirmed that the affordable properties meet acceptable standards on the above development. Housing and Community Services are, therefore, fully supportive of the development.

Highways – The application is for a residential development of 5 dwelling units, 2 detached 4-bed units and one semidetached building consisting of 1 2-bed unit and 2, 1-bed flats, on land allocated under the LDP, site allocation SAH11.

The development comprises of two separate access points onto the adjacent county highway C61-1. The eastern access will serve 3 units whereas the western access will serve 2 units. For the 3 units served from off the eastern access there is car parking and turning provision for 5 vehicles - 2 spaces for the 2 bed unit, 1 space for each 1-bed flat and 1 visitor's parking space. For the 2 4-bed units off the western access there is car parking and turning provision for 4 spaces for each unit, 2 car parking spaces and a double garage. The proposals therefore comply with the SPG Monmouthshire Parking Standards 2012.

As part of the proposal a footway is to be provided along the site frontage, within the highway verge, to allow for pedestrian connectivity to other potential development sites and the village of Shirenewton.

Considering the development overall we are satisfied that the traffic generated from a small development of 5 units will have no negative impact on highway safety and that there is sufficient capacity on the local highway network to accommodate it.

In light of the aforementioned there are no highway grounds to sustain an objection to the application subject to the following conditions being applied to any grant of planning approval:

1. No development may commence until the applicant has submitted an application to the Highway Authority, pursuant to Section 184 of the Highways Act 1980, for the provision of the 2 access points and footway within the existing public highway.
2. No surface water shall be drained onto the adjacent county highway or into the county highway drainage system and shall be disposed of onsite through a sustainable drainage system.

Dwr Cymru-Welsh Water – no problems are envisaged with sewage treatment or water supply; DC-WW outlines conditions relating to foul and surface water being drained separately.

Glamorgan Gwent Archaeological Trust (GGAT) – offers no objection.

MCC Biodiversity - based on the current objective survey and assessment available, we have enough ecological information to make a lawful planning decision. It is unacceptable that the hedgerows abounding plots 1 and 2 gardens are within the gardens as they are likely to be degraded over time as people remove them to enlarge gardens/improve views. I believe it was indicated at pre-application stage that the adjacent landowner could own/manage the hedgerows. This should be reconsidered. It is advised that a Construction Method Statement is conditioned on any planning consent due to considerations around hedgerows and badgers that use the site. Conditions relating to a small scheme of nest boxes and bat boxes are also recommended in line with LDP Policy NE1 to provide enhancement for biodiversity. This was included in the pre-application advice and is recommended in the

Ecological Assessment. Conditions are suggested relating to a Construction Method Statement, nesting birds and biodiversity enhancements.

MCC Landscape Officer - I have reviewed the above information and undertaken a desk top analysis of the site and surrounding area.

Landscape Assessment - relevant Policies LC4 and LC5

The site is situated within an area noted for its high quality landscape and picturesque qualities; noted characteristics are ancient woodland and long views over the Severn Estuary. LANDMAP evaluation scores range from outstanding to moderate. The Monmouthshire Landscape & Sensitivity Capacity Study has also refined this assessment, highlighting LLCA SM04 as High/medium sensitivity and low capacity.

To highlight the sensitivity and likely impacts of the proposal within the existing landscape and to inform and support the character of the new proposal, the applicant has submitted an appropriate LVIA. The findings from the LVIA have also been considered in the DAS.

Green Infrastructure (GI) - relevant Policies GI1, NE1 and DES2.

The applicant has not provided a Green Infrastructure Assets and Opportunities plan. I am unable to determine the extent of GI assets around the site and potential opportunities linked to them (through development). We would not necessarily require a full GI submission, given the scale of development; however we would suggest highlighting GI in their Design & Access Statement (DAS) and then worked through in the overall plan. This is good design and should form part of the general design considerations development proposals are expected to meet in Monmouthshire.

Design - relevant Policy DES1.

The applicant has submitted an adequate DAS; relevant topics have been addressed. We would suggest highlighting GI in their DAS and then worked through in the overall plan. No further comments on design.

Recommendations

Without the submission of site development sketches and plans, regarding buildings and the landscape assessment, it is impossible to assess the 'significant consideration' given to the detailed proposal (ref. 3.2.6); or the robust landscape treatment to integrate development into its setting (ref. 5.2). Having said that, the scheme will over time, integrate and preserve the 'edge of settlement' character. The landscaping proposals will also provide a suitable setting for the new buildings and the inclusion of the native hedge will provide some mitigation to 'soften' the new development.

To manage the application with policy GI1 and DES1 we would require a detailed plan showing how GI connectivity works through the various scales of their GI assets. This is 'good design' (5.3) and should already have been undertaken by their architectural and landscape consultants in their development stages.

Specifically:

The buildings; green roofs and walls; grey water collection; the curtilage of the unit/s. Access roads/car parking; surface treatments, managing surface run off, filtration.

Other relevant policies: SD2/SD4/MV3/MV4

4.2 Neighbour Notification

Letters of objection received from three addresses:

This and the adjacent scheme will increase traffic and as the sightlines are very poor; it will increase the risk of accident.

No details of waste water drainage.

Existing drains can't cope with the level of surface water.

Loss of Hedgerow

Brownfield sites should be used first.

The VDB was moved as part of the LDP

It will set a precedent for more edge of village development.

Details of surface water should be considered prior to determination of the application.

LVIA considered that the proposed development will have a substantially negative effect upon The Gables and the layout does nothing to mitigate this.

The building line of plot 1 is not in line with The Gables or other existing dwellings.

Plot 1 is too close to existing dwellings.

The foundations of plot 1 would undermine the proposed retaining wall.

The submitted street scene is misleading.

A lot of excavation works on this site and the site opposite would completely change the character of the village.

The density will not be in keeping with the surrounding development

The cumulative impact of all the proposed development in this area could impact on highway safety.

4.3 Local Member Representations

County Councillor Down will attend the Planning Committee meeting and speak on behalf of Shirenewton Community Council.

5.0 EVALUATION

5.1 Principle of Development

The site is within the Shirenewton Village Development Boundary and is an allocated site under Policy S1 of the adopted Monmouthshire Local Development Plan. The principle of new residential development on this site is therefore acceptable. The site has been identified under Policy SAH11 (xiv)(b) as being suitable for around five dwellings. The primary purpose of this allocation is to provide affordable housing to meet the needs of local people and developments will be expected to comply with the requirements of Policy S4 so that 60% of the dwellings are affordable. The proposal does comply with the requirements of Policy S4 as 60% of the units are affordable, the mix of house types meets local need and the affordable units meet DQR standards.

5.2 Design and Layout

The land slopes down steeply in a northerly direction from the road frontage of the site. Plot no. 1 follows the building line established by the existing dwellings with a garage at the front of the site. Plot no.2 is set much further back and will not be visually prominent when viewed from the road. Plots 3, 4 and 5 are set closer to the

road with a car parking court to the rear. There would be a stone wall along the frontage of the whole site which reflects one of the strong characteristic features of the village of Shirenewton. A public footway would be provided at the front of the site. All of the dwellings on the site are finished in Audley Antique facing bricks with the front gables in natural local stone. The natural stone reflects the prevailing character of the village of Shirenewton as does the natural slate on the roof. All the dwellings will have overhanging eaves and stone sills and lintels. The external appearance of the units is considered suitable in this location and the appearance of the housing units would be uniform across the whole site.

5.3 Access & Parking

In relation to access provision, the applicants underwent a pre-application advice submission and discussed the layout to be submitted with officers, including the Council's Highways Engineer. The scheme submitted was arrived at through these discussions and has led to the two access points now proposed with adequate visibility for each, facilitated by the realignment of the roadside hedgerow to the east of the site. Adequate parking, in accordance with the adopted Council supplementary planning guidance, has been provided on site, and vehicles can access and egress the site in a forward gear. The proposal is therefore considered to satisfy Policy MV1 of the adopted LDP.

5.4 Landscaping

The site is located within a high quality landscape but is outside the Wye Valley AONB which is about 550 metres to the north-east. As the land slopes down from the road the site is more visually prominent when viewed from the north east than from the Severn Estuary. A Landscape and Visual Assessment was submitted by the applicants as part of the application. This addressed both the effects on the landscape as a resource in its own right and the effects on views and visual amenity. The Landscape Assessment confirmed that the proposed development would have no effect on the landscape character of the study area and confirmed that when the development site was viewed from a distance from a number of footpaths and roads there was negligible or no change to the view due to the intervening topography and vegetation. The development site is much more visually prominent when viewed from the footpath that runs between Shirenewton and Mynydd-bach; the landscape mitigation recognised this and has established hedgerows and trees along the northern boundary of the site which would reduce the impact over time. The field work identified that the proposed development would be seen from a number of properties in the Shirenewton and Mynydd-bach area. The scale of the visual impact on views from these properties to the south west of the site were assessed to be moderate but the scale of the visual impact from the adjoining property, The Gables was assessed as substantial. For the majority of these predicted views the assessment found there would be negligible or no change to the view as the site only formed a small element of the view and the establishment of a new hedgerow on the boundaries of the site will assist visual integration.

The Council's Landscape Officer would have preferred to have seen site development sketches and plans regarding buildings and the landscape assessment. She does recognise however that "the scheme will over time, integrate and preserve the 'edge of settlement' character. The landscaping proposals will also provide a

suitable setting for the new buildings and the inclusion of the native hedge will provide some mitigation to 'soften' the new development."

Policy GI1 of the LDP states that development proposals will be expected to maintain, protect and enhance Monmouthshire's diverse green infrastructure network. The applicants have not provided a Green Infrastructure Assets and Opportunities Plan, however the Council would not normally require a full GI submission for this scale of development. Generally it is accepted that a full GI submission will only be required for major housing developments i.e. those of 10 or more units. Given the small scale of the proposal, there is very limited scope for GI initiatives although the planting of new indigenous hedgerows along the northern and eastern boundaries of the site will help to provide some green connectivity. The existing hedgerow along the road frontage will be re-aligned to provide for a sufficient visibility splay in an easterly direction from the site.

5.5 Biodiversity

It is recognised that it is desirable to have the hedgerow abutting plots 1 and 2 to be outside the residential curtilage and maintained by the land owner of the field rather than the individual householders. This would help to ensure the integrity of the hedgerow which is particularly important given that this will form the new boundary to the village of Shirenewton where it abuts the open countryside and can be viewed from the east. The applicant however argues that the landowner of the field may not maintain the hedgerow and that it would be better secured by means of a condition. Given the small area of hedgerow affected, approximately 40 metres, and the fact that this site is not very visually prominent officers recommend that as an exception to the general guidance on hedgerow maintenance it could be agreed that the proposed new hedge is planted and maintained within the residential curtilage with a condition imposed that the hedgerow be retained. This approach has been agreed by the Biodiversity officer. A construction method statement, nesting bird protection and biodiversity enhancements can all be secured by condition.

5.6 Drainage

It is proposed that all foul drainage will connect into the mains drain that runs down Spout Hill. Dwr Cymru - Welsh Water has no objection to this. The surface water will drain into soakaways in the adjoining field. The current landowner has control over the adjacent field and there is sufficient land available to provide adequate soakaway. The exact dimensions of the soak away required will be determined through a Building Regulations submission. It is not necessary to secure these details prior to the determination of the application, as there is sufficient scope within the field for such soakaways. The surface water from the site will not enter into the existing drainage system.

5.7 Impact on adjoining properties

The main residential property to be affected by this proposal is The Gables immediately to the west of the site. This was one of four properties granted planning permission on the site of a former garage in the 1990s. The main orientation of The Gables is north - south with the principal windows being on the front and rear

elevations. The Gables does have a door and three windows on the side elevation facing into the site, but these do not appear to be principal windows. The first and second floor windows may serve landings and the ground floor window can be protected from loss of privacy by the erection of a 1.8 metre high timber fence along the common boundary, which can be secured by condition. From the inside of the house there will be only very limited views of the proposed development. At present there is a timber retaining structure along the western boundary of the site and this increases in height towards the northern edge of the site. There is partial hedgerow along this boundary within the curtilage of The Gables. It is proposed that a condition be imposed that a 1.8 metre fence be erected on the inside boundary of plot no. 1. The Gables is set at a slightly higher level than the proposed property on plot 1 and this will help to further reduce the impact.

Other properties to the south of the site including Thistledown Barn, Archways and properties on Clearview Court are set at an elevated position above the development site but will be able to see the development. The proposal will be such a distance away so as not to have a significant adverse impact sufficient to justify refusal of the application.

5.8 Other issues Raised

Most of the issues raised in the Community Council response and neighbour objections have been addressed above. The cumulative impact of this and the two adjoining residential allocations was carefully considered at the LDP and considered to be satisfactory. The basic principle of five new residential properties, three of which are affordable units, has already been established. Details of waste water drainage have been provided as part of the application and have been addressed above. There is approximately one metre between the boundary of The Gables and the side elevation of plot 1; the foundations will be carefully dug to ensure no undermining of the retaining structure, but that is a matter for the developer not a planning consideration.

5.9 Response to the Representations of the Community Council

This site was considered as part of the Local Development Plan Process; it has been identified as a suitable site for around five dwellings. The proposed development complies with the adopted development plan. The size of the plots of the market housing is in line with the size of the plots on the adjoining site and the overall design is in keeping with the prevailing street scene. The three affordable units proposed are by definition smaller. The type of affordable housing is governed by the type of demand in the area. In the Shirenewton area it has been identified that there is a need for smaller one and two bed units. This mix is what the Council has requested and the applicants have responded to this request. The two accesses have been carefully positioned in order to comply with highway safety standards. The Biodiversity Officer has no objection to the realignment of the existing hedge to accommodate the visibility splay. There are three allocated housing sites in this area, and the cumulative impact of the traffic generated from these three sites has been carefully considered at the LDP stage and the Highway Engineers have no objection to the proposal as a result of the increase in traffic. The fact that the visibility splay is

outside the Village Development Boundary is not a justification for refusal; this is a situation repeated many times throughout the County.

6.0 RECOMMENDATION: Approve subject to a 106 agreement that the three affordable housing units be transferred to a registered housing provider.

Conditions/Reasons

5 years in which to commence development

Development shall be carried out in accordance with the approved plans listed.

Foul and surface water shall be drained separately; no surface water shall drain onto the highway or into the highway drainage system.

Construction Management Plan

Biodiversity Enhancements

Nesting Bird protection

Before Plot 1 is occupied, a 1.8 metre high close boarded timber fence shall be erected subject to details to be submitted and approved by the LPA before works commence along the western boundary.

Informative:

1. The developer is advised to contact the Council's Highways Department who has advised that no development should commence until the applicant has submitted an application to the Highway Authority, pursuant to Section 184 of the Highways Act 1980, for the provision of the two access points and footway within the existing public highway.