

## 1.0 INTRODUCTION & BACKGROUND

- 1.1 Planning application 21/00559/F was submitted to Cherwell District Council for the conversion of a garage building and erection of a single storey extension, to form a granny annexe on the 18<sup>th</sup> February 2021.
- 1.2 Oxfordshire County Council (OCC) as Local Highway Authority objected to the application on the 13<sup>th</sup> April 2021. OCC's consultation response is based upon the annexe being a new dwelling, however, it is not. The pre-application response of the Planning Officer was clear regarding the status of the proposed development:

### ***Principle of development***

*During our meeting I explained that given the level of accommodation that would be provided as a result of the works, I considered this to be more of an independent dwelling. However, having sought further guidance on this aspect, if the application is submitted as a householder application with associated fee, then it can be considered as ancillary living accommodation as opposed to a new dwelling. I therefore consider the principle of the development to be acceptable.*

- 1.3 Furthermore, the future use of the annexe could be reasonably controlled by a planning condition.
- 1.4 Therefore, the concerns raised in relation to the level of parking provided on the site are not directly relevant. However, the applicant has sought to address the concerns by updating the layout following advice from DTA having reviewed OCC's position.
- 1.5 This note responds to the concerns raised by OCC in turn and for ease of reference follows the same headings used in their email (attached as **Appendix A**).

### **2.0 Unsafe Parking Provision**

### **3.0 Proposed Parking Bay Dimensions**

### **4.0 Parking Provision on Main Street**

### **5.0 Total Parking Provision**

### **6.0 Construction Access and Contractor Parking**

### **7.0 Summary and Conclusions**

- 1.6 To provide useful context, an application for the conversion of the redundant chapel opposite the application to residential use was granted planning permission in 2019. The same OCC highway officer said in response to that application that:

*Colony Road is a lightly trafficked road through the village, and whilst not able to be conditioned, so long as careful and considerate on street parking practices are deployed, the proposals will therefore be unlikely to have any adverse impact upon the local highway network from a traffic and safety point of view, therefore I offer no objection, subject to conditions.*

- 1.7 Those elements relevant to the current annexe application have been underlined above.
- 1.8 Finally, the current car parking arrangement slightly further south and on the opposite side of Colony Road is accessed by an arch that is positioned to the back of the existing carriageway, as shown on **Image 1** below. Current and historic accident records show that vehicles entering and exiting the parking area has not caused any highway safety issues. The concern raised by OCC about the bonnet of a vehicle projecting into the carriageway before the driver would have any warning of approaching vehicles, cyclists and pedestrians is directly comparable to the current application site.

**Image 1** - Existing Arched Driveway Access (Google Street View)



2.0 **“UNSAFE PARKING PROVISION”**

2.1 OCC’s response states:

*“...However, I wish to draw the applicant’s attention to the two outer parking spaces as shown on the aforementioned drawings.*

*In order to egress from either of these spaces bounded by the sites boundary walls, this will require the bonnet of the vehicle to project out by at least a meter if not more, prior to the driver having any visibility at all of pedestrians, cyclists or other road users. This can be clearly seen from drawing 07B and the image of a car parked within this space.*

*I do accept that any such forward driving gear manoeuvre would be undertaken under extreme caution. However, for a cyclist heading downhill from Sibford towards Hook Norton, the sudden emergence of a vehicle here could result in serious injury, as no prior warning will be given, and the use of highway mirror’s is unacceptable in Oxfordshire. The same risk would also occur if this was a vehicle, as this would either require a sudden emergency stop, and the high possibility of rear end collisions, or, evasive driving manoeuvres into the path of oncoming traffic.”*

2.2 Importantly, there are two factors regarding visibility, one of which is junction visibility and the other is the stopping sight distance (SSD) and whilst both are calculated using the same measurements the purpose of them is different.

2.3 Junction visibility is provided to ensure that a driver exiting a junction can see an appropriate distance along the carriageway so that they can make an informed decision of whether they consider it is safe to pull out and the distance is based on the time taken for an approaching vehicle to stop. Traditionally this has been measured to the nearside kerb line or as per Manual for Streets 2 (MfS2) to the nearside edge of the vehicle track. Both allow for an overtaking vehicle to be seen. It is this distance that is the concern for OCC as underlined above.

- 2.4 In terms of the SSD, MfS states that “The stopping sight distance (SSD) is the distance within which drivers need to be able to see ahead and stop from a given speed. It is calculated from the speed of the vehicle, the time required for a driver to identify a hazard and then begin to brake (the perception–reaction time), and the vehicle’s rate of deceleration. For new streets, the design speed is set by the designer. For existing streets, the 85th percentile wet-weather speed is used”.
- 2.5 Clearly, therefore, the importance of this is to ensure an approaching road user can see any vehicle likely to emerge into the path of their vehicle. In this instance it would be the ability for a vehicle/ pedestrian or cyclist travelling south along Colony Road to see a vehicle emerging from the driveway.
- 2.6 Colony Road is subject to a 30mph speed limit and due to the lack of footways to the south of the site, it operates a typical rural village lane which would be shared by motorists, cyclists and pedestrians. Whilst DTA are not in receipt of any formal speed readings, it is considered 30mph is likely to be in excess of likely vehicles speeds, therefore, the use of 30mph to determine the requisite visibility splays is reasonable.
- 2.7 Using the formula set out in Manual for Streets 2:
- $$SSD = vt + v^2/2(d+0.1a)$$
- where:     $v$  = speed (m/s)  
           $t$  = driver perception-reaction time (seconds)  
           $d$  = deceleration (m/s<sup>2</sup>)  
           $a$  = longitudinal gradient (%) (+ for upgrades and – for downgrades)
- 2.8 Using the 30mph speed limit as vehicle speeds would result in ‘ $v$ ’ having a value of 13.4. Which when adjusted for wet weather speeds would result in a value of 12.3m/s.
- 2.9 Colony Road on approach to the site from the north, for vehicles heading south has a gradient of 7.5% as measured from the topographical survey, resulting is ‘ $a$ ’ having a value of -7.5.
- 2.10 Due to the speed of traffic being lower than 60kph (37mph) the driver perception time ( $t$ ) has a value of 1.5.

- 2.11 The deceleration rate for traffic with speeds lower than 37mph is 0.45g which results in (d) having a value of 4.41.
- 2.12 Therefore, using the rates set out above results in an SSD of 39.2m.
- 2.13 **Drawing 23188-01** presents in magenta the required SSD/ forward visibility splay based on the above calculations at an offset of 1m to replicate the likely position of a cyclist on carriageway. An approaching driver would be further from the carriageway edge so would have improved visibility. **Image 2** below shows the streetview image from this position and it is clear that any vehicle emerging from the driveway would be seen by approaching pedestrians/ cyclists and motorists. Furthermore, the pillar at the base of the steps will be removed to improve the visibility to and from vehicles leaving the site, which will be an improvement to the existing situation.

**Image 2** - Approach visibility (Google Street View)



- 2.14 Therefore, anyone approaching would have full view of the front of an emerging vehicle and be able to identify any hazard and take appropriate action safely. Of key importance, is that this is an existing driveway that has an excellent safety record with no recorded issues in at least the last 10 years as confirmed by crashmap.co.uk.
- 2.15 It can, therefore, be concluded that the proposed alterations to the existing parking arrangements would not result in an unsafe arrangement or in anyway be detrimental to highway safety.

### 3.0 PROPOSED PARKING BAY DIMENSIONS

#### 3.1 OCC's response states:

*"Should only four cars be proposed to park here instead, then a total minimum unobstructed width of 10m would be required. However, for reasons detailed above, the northern-most space here cannot be counted due to the serious highway safety risk that is likely to occur if the space is occupied as designed.*

*As a result of the constrained nature of the parking area proposed, parking for only three standard cars will likely be possible within this area, if all three cars are parked perpendicular to the highway.*

*A sixth parking space has been proposed within the garage accessed from the lower ground floor. However, this space has not been counted as a parking space, as its dimensions fall below the acceptable minimum levels."*

3.2 As set out in section 2 above the northern most space and as demonstrated on the submitted plans due to the space being pulled further from the northern boundary it is more than reasonable to include this space in the site's provision.

3.3 The car parking arrangement presents an area that is 11m in width which tapers from a depth of 6m to 5.1m. Based on OCC's guidance which requires an unobstructed space to be 2.5m x 5m, this space provided would cater for 4 vehicles. Table A6.C1 of OCC's Design Guidance states that for a 4+ bedroomed property 2 spaces plus 1 for visitors would be required.

3.4 The four spaces + existing garage would be in excess of this requirement.

3.5 If necessary and can be justified, whilst the garage currently functions well as a garage, the applicant would be willing to amend this to provide a car port. When compared to OCC's guidance, whilst the garage can be used for parking vehicles, the internal dimensions of 5.1m x 3m falls short of the 6m length required by OCC's guidance. However, a car port only requires an internal dimension of 5m x 2.9m. The development would, therefore, provide 5 spaces.

#### 4.0 PARKING PROVISION ON MAIN STREET

##### 4.1 OCC's response states:

*“Therefore, this area labelled on drawing 07B as ‘existing dedicated parking space for Carters Yard Off Main Street’ is not for the exclusive use of on single dwelling, but instead free to use for the safe parking of any UK road legal. As a result, this parking space cannot be included within the overall parking provision for this dwelling, or the existing or proposed annex on site.*

*As a result, all reference to this parking area for the exclusive / dedicated use of Carters Yard must be removed from this planning application as it is not possible to include the adopted public highway as parking for a any dwelling in Oxfordshire.”*

- 4.2 This is accepted. However, as can be seen in the image below the space is within the buttresses of the walls to the house and has been exclusively used by the applicant for many years. Therefore, in reality this space is used by the applicant or their visitors.



- 4.3 For the reasons set out in the above chapters the applicant is not reliant upon this space to provide the necessary parking to accord with OCC's requirements.

## 5.0 TOTAL PARKING PROVISION

### 5.1 OCC's response states:

*"As detailed in full above, the parking provision as proposed is inadequate and does not provide for seven safe and accessible spaces. Instead, only four parking spaces appear technically possible, but that one of these spaces is unsafe for the reasons I have specified above. Therefore, only a maximum number of three safe parking spaces could be considered achievable here for the existing dwelling, existing annex, and proposed new annex.*

*Please note, should a development not provide adequate levels of off-street parking, overspill parking will then have no other choice other than to be forced to park on the existing adopted public highway.*

*Please also note, high levels of on street parking can affect access for emergency vehicles, affect the free flow of traffic, amenity, access, refuse collection, and the delivery of goods. Therefore, areas that do currently suffer from high levels of on-street parking, such as here in Sibford Gower, and that the area around Carters Yard for safe on-street parking is limited, in part because of the crossroad junction, but mainly because of the insufficient width of Colony Road and Pound Lane to accommodate safe on-street parking, developments such as this must not be permitted, if they cannot accommodate the necessary minimum safe on-plot parking provision required."*

5.2 Referring back to OCC's consultation response to the change of use of the former chapel opposite where they stated that *"so long as careful and considerate on street parking practices are deployed, the proposals will therefore be unlikely to have any adverse impact upon the local highway network from a traffic and safety point of view"*, appears to conflict with their position above where that suggest parking on the highway is limited.

5.3 The development provides 4 spaces off Colony Road plus an additional space within the existing garage, providing 5 spaces on site. There is also an additional space which would be reasonable to assume could be used by visitors. Therefore, the development would provide 5 + 1 spaces in excess of the parking requirement of 2 + 1.



**6.0 CONSTRUCTION ACCESS AND CONTRACTOR PARKING**

**6.1 OCC's response states:**

It is presumed that some of the construction materials and apparatus (including the required lift) will arrive on a vehicle greater in weight than 7.5 tonne (Guide to lorry types and weights - GOV.UK ).

Access to and from the site via Colony Road is constrained, especially around the collection of farm buildings in the River Stour area, and must therefore be avoided. Access from North and East via the B4035 or Main Street will require any delivery vehicle needing to complete a 180- degree turn should it intend to leave the site from the direction it arrived from. However, no provision has been included with the application documents to enable this, and the adopted highway is of insufficient width to safely achieve this.

Should access be possible for construction delivery vehicles, where then will delivery materials be stored, or a skip sited, so as to not restrict the existing dwellings parking? And where will contractors park?

6.2 Due to the location of the site and small scale of the build, it would be reasonable to assume the majority of delivery vehicles would be smaller and arranged as such. This is not an uncommon practice for sites where access is slightly constrained.

6.3 Demolitions and early groundworks would be undertaken within the confines of the site and offloaded with a roll on/roll off type skip or grab lorry to minimise disruption to Colony Road. During the superstructure build, it is likely that the existing garage space will be used for valuable material storage and facilities for the contractor.

6.4 Deliveries will be managed on an as required basis rather than storing elements on site, which is common practice for small sites. Therefore, other than the lift (which may be assembled on site), it is unlikely there would be any extraordinary large material deliveries or complex operations on site that would detrimentally effect the free flow of traffic on Colony Road.

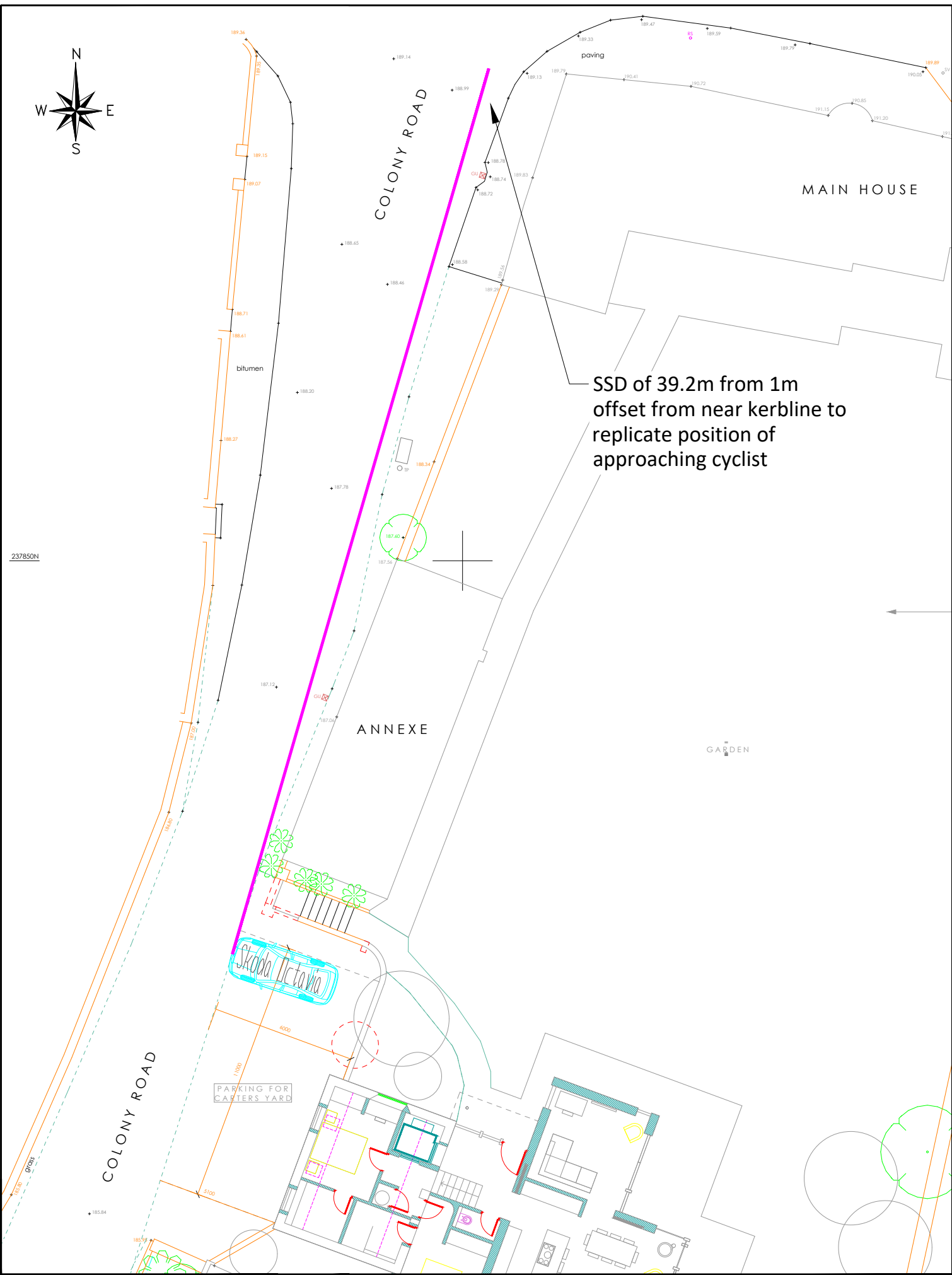
- 6.5 Contractor's vehicles will be parked legally and appropriately within the existing public highway. It is likely given the width of Main Street to the east of the site, they would be directed there.
- 6.6 It would be reasonable to formally deal with these matters through the submission of a construction (traffic) management plan which would be submitted prior to commencement on site, required through the inclusion of a suitably worded planning condition.

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**7.0 SUMMARY & CONCLUSIONS**

- 7.1 This Technical Note has been produced to respond to a recent consultation response received from Oxfordshire County Council.
- 7.2 The development as confirmed by the Planning Officer is for the conversion of the existing garage to granny annexe and not a new dwelling, which is the base position of OCC as Local Highway Authority.
- 7.3 The development will provide 5 on plot car parking spaces which is greater than the requirement of OCC's car parking standards.
- 7.4 The position of the northern most space is comparable to the current car parking arrangement which has resulted in no highway safety issues for many years. The SSD for approaching vehicles/ cyclists and pedestrians is in accordance with the posted speed limit.
- 7.5 The development meets the requirements of local and national policy and would not result in a severe impact on highway capacity or safety.

## Drawings



SSD of 39.2m from 1m offset from near kerbline to replicate position of approaching cyclist

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JOB TITLE		Carters Yard		CLIENT		Mr and Mrs Bannister	
DRAWING TITLE							
Proposed Car Parking Arrangement							
Approach Visibility Splay							
SCALE	DRAWN BY	DATE	DRAWING No	REVISION			
1:200@A4	DN	May 21	23188-01				

## **Appendix A**

OCC Consultation Response

Rachel Tibbetts

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From: Planning  
Sent: 13 April 2021 15:21  
To: DC Support  
Subject: FW: 21/00559/F - Carters Yard Main Street Sibford Gower OX15 5RW

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From: Plant, Tom - Communities <Tom.Plant@Oxfordshire.gov.uk>  
Sent: 13 April 2021 15:19  
To: Gemma Magnuson <Gemma.Magnuson@cherwell-dc.gov.uk>  
Cc: Transport CDC Minor <Transport.CDCMinor@Oxfordshire.gov.uk>; Planning <Planning@Cherwell-DC.gov.uk>;  
Cllr George Reynolds <George.Reynolds@Oxfordshire.gov.uk>  
Subject: 21/00559/F - Carters Yard Main Street Sibford Gower OX15 5RW

Dear Gemma,

I have looked over the above application and have the following comments to make.

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<b>Planning application:</b>	21/00559/F
<b>Location:</b>	Carters Yard Main Street Sibford Gower OX15 5RW
<b>Description:</b>	Conversion of garage building and erection of a single storey extension, to form a granny annexe
<b>Type:</b>	Full Development
<b>Case Officer:</b>	Gemma Magnuson

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**Recommendation:**

Oxfordshire County Council, as the Local Highways Authority, hereby notify the District Planning Authority that they **object** to the granting of planning permission.

**Comments:**

The proposal is for the conversion of one of the existing outbuildings on site into a two-bedroom annex of the main dwellinghouse, in addition to the existing annex as shown on Drawing 02 (Survey Plans) of the documents submitted with this planning application.

As covered in the applicants Planning Statement, Design and Access Statement, it is proposed that the main occupiers of the existing dwelling will downsize into this second proposed annex. This will therefore leave the main dwelling and existing annex to be presumably occupied as a separate dwelling and annex. Therefore, for the purpose of this application, and based upon the number of bedrooms proposed (two), the LHA will assess this proposal on the basis that this annex is in fact a new dwelling within the grounds of an existing dwellinghouse and annex. This new dwelling will therefore have to accord with car and cycle parking standards as detailed in Oxfordshire County Council's Residential Road Design Guide (2003) - Second Edition (2015), in addition to provide for the parking provision for the existing dwelling and annex on site.

Prior to the planning permission submission, the applicant has received District led highway pre-application advice as covered in the applicants cover letter and supporting statement. I have reviewed the advice sought, and it is unfortunate that the applicant has not addressed the

concerns adequately as highlighted by my colleague Mr Bbosa, in his comments of September 2020, or my comments to the follow up District led pre-application, provided in November 2020 for a dwelling and two annex's.

Notwithstanding the above, the LHA objection can be broken down into five areas, covering visibility, parking bay dimensions, additional parking within the public highway, insufficient parking provision and construction related constraints.

### **Unsafe parking provision**

Drawings 06B (Proposals Sketch Scheme 2) and 07B (Proposals Sketch Site Plan 2) show a parking configuration of five parking spaces accessed off Colony Road. I will cover below why the parking provision of five vehicles here is inadequate. However, I wish to draw the applicant's attention to the two outer parking spaces as shown on the aforementioned drawings.

In order to egress from either of these spaces bounded by the sites boundary walls, this will require the bonnet of the vehicle to project out by at least a meter if not more, prior to the driver having any visibility at all of pedestrians, cyclists or other road users. This can be clearly seen from drawing 07B and the image of a car parked within this space.

I do accept that any such forward driving gear manoeuvre would be undertaken under extreme caution. However, for a cyclist heading downhill from Sibford towards Hook Norton, the sudden emergence of a vehicle here could result in serious injury, as no prior warning will be given, and the use of highway mirror's is unacceptable in Oxfordshire. The same risk would also occur if this was a vehicle, as this would either require a sudden emergency stop, and the high possibility of rear end collisions, or, evasive driving manoeuvres into the path of oncoming traffic.

As a result, the parking provision proposed does **conflict directly** with **paragraph 109 of the National Planning Policy Framework** ([National Planning Policy Framework - GOV.UK](https://www.gov.uk/government/uploads/system/uploads/attachment_data/file/432424/NPPF_2019.pdf))

Conversely, the existing parking arrangement does not permit parking as described above, due to the tapering boundary walls. This therefore affords some level of advanced warning of vehicular movements from the site.

### **Proposed parking bay dimensions**

Drawings 06B and 07B show parking for five vehicles accessed directly off Colony Road. Currently parking for only two vehicles perpendicular to the highway could be accommodated here, or one vehicle parallel, due to the tapering boundary walls.

Oxfordshire County Council's current guidance for parking space dimensions is set out in the Council's Residential Road Design Guide.

I have measured the parking provision as shown on drawing 06B and I have included the space that still has a tapering boundary wall (southern-most space). A distance of 14.3m is possible, 1.8m more than is required for five unobstructed parking spaces.

However, parking in the southern-most space is not possible without overhanging out onto Colony Road, a situation that is unacceptable to the County Council. Therefore, this fifth space has been discounted. As a result, this leaves only 11.3m for the parking of five standard cars, 1.2m too short.

Should only four cars be proposed to park here instead, then a total minimum unobstructed width of 10m would be required. However, for reasons detailed above, the northern-most space here



cannot be counted due to the serious highway safety risk that is likely to occur if the space is occupied as designed.

As a result of the constrained nature of the parking area proposed, parking for only three standard cars will likely be possible within this area, if all three cars are parked perpendicular to the highway.

A sixth parking space has been proposed within the garage accessed from the lower ground floor. However, this space has not been counted as a parking space, as its dimensions fall below the acceptable minimum levels.

### **Parking provision on Main Street**

Drawings 02 (Survey Site Plan) and 07B show a parking space located on Main Street identified on Drawing 07B as '*existing dedicated parking space for Carters Yard Off Main Street*'.

Please be advised, this area of the highway is adopted. The highway boundary is the continuous frontage of the dwelling and the neighbouring dwellings along Main Street, this includes the unusual hard landscaped highway verge that wraps around Carters Yard on Main Street and Colony Road. Therefore, this area labelled on drawing 07B as '*existing dedicated parking space for Carters Yard Off Main Street*' is **not for the exclusive use** of on single dwelling, but instead **free to use** for the safe parking of **any UK road legal**. As a result, this parking space cannot be included within the overall parking provision for this dwelling, or the existing or proposed annex on site.

As a result, all reference to this parking area for the exclusive / dedicated use of Carters Yard must be removed from this planning application as it is not possible to include the adopted public highway as parking for a any dwelling in Oxfordshire.

### **Total parking provision**

As detailed in full above, the parking provision as proposed is inadequate and does not provide for seven safe and accessible spaces. Instead, only four parking spaces appear technically possible, but that one of these spaces is unsafe for the reasons I have specified above. Therefore, only a **maximum** number of **three safe parking spaces** could be considered **achievable** here for the existing dwelling, existing annex, and proposed new annex.

Please note, should a development not provide adequate levels of off-street parking, overspill parking will then have no other choice other than to be forced to park on the existing adopted public highway.

Please also note, high levels of on street parking can affect access for emergency vehicles, affect the free flow of traffic, amenity, access, refuse collection, and the delivery of goods. Therefore, areas that do currently suffer from high levels of on-street parking, such as here in Sibford Gower, and that the area around Carters Yard for safe on-street parking is limited, in part because of the crossroad junction, but mainly because of the insufficient width of Colony Road and Pound Lane to accommodate safe on-street parking, developments such as this must not be permitted, if they cannot accommodate the necessary minimum safe on-plot parking provision required.

### **Construction access and contractor parking**

Should despite this Highway Objection the proposal be approved, how will the proposal be constructed?

It is presumed that some of the construction materials and apparatus (including the required lift) will arrive on a vehicle greater in weight than 7.5 tonne ([Guide to lorry types and weights - GOV.UK](#)).

Access to and from the site via Colony Road is constrained, especially around the collection of farm buildings in the River Stour area, and must therefore be avoided. Access from North and East via the B4035 or Main Street will require any delivery vehicle needing to complete a 180-degree turn should it intend to leave the site from the direction it arrived from. However, no provision has been included with the application documents to enable this, and the adopted highway is of insufficient width to safely achieve this.

Should access be possible for construction delivery vehicles, where then will delivery materials be stored, or a skip sited, so as to not restrict the existing dwellings parking? And where will contractors park?

As a result of the above, the proposals will result in an adverse and **serious safety risk** that cannot be adequately mitigated for, and would therefore **affect the safe operation** of the highway network along Colony Road, and the proposed construction phase of the development will impact upon the safe operation of the highway network here, and come at the detriment to existing road users of Colony Road, Main Street and Pound Lane crossroad.

**Please note If works are required to be carried out within the public highway, the applicant shall not commence such work before formal approval has been granted by Oxfordshire County Council by way of legal agreement between the applicant and Oxfordshire County Council.**

If you would like to discuss any of the above in more detail, then please do not hesitate to contact me.

With regards,

Tom Plant  
Area Liaison Officer  
(Oxford, Cherwell and West Oxfordshire)  
Oxfordshire County Council  
County Hall | New Road | Oxford | OX1 1ND  
Email – [tom.plant@oxfordshire.gov.uk](mailto:tom.plant@oxfordshire.gov.uk)  
[www.oxfordshire.gov.uk](http://www.oxfordshire.gov.uk)



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