

7 DCCE2007/0195/F - ACCESS TRACK USING PLASTIC MESH, GRASSED PAVING SYSTEM/SCALPINGS, RE-SEEDING WITH GRASS AND RE-INSTATING VERGES AND DITCHES. ACCESS FROM U72011 ROAD TO FIELD KNOWN AS WARWICKSHIRE, OSM 9071, HR2 6PG

For: Mr. M. Wilcox, The Design Partnership, 41 Millbrook Street, Hereford, HR4 9LF

Date Received: 19th January, 2007 Ward: Hollington Grid Ref: 51880, 35628

Expiry Date: 16th March, 2007

Local Member: Councillor W.J.S. Thomas

1. Site Description and Proposal

1.1 This application seeks permission for the resurfacing of a field access track with hardcore topped with a plastic mesh grass paving system. It is also intended to reinstate the verges and ditches along the side of the lane. The access track in question links the U72011 with field parcel OSM 9071. The access track runs down from the minor road U72011, northwards, between Upper Cross Cottage and Orchard Meadow, to a small meadow. The track is approximately 60 metres in length and 5 metres wide. The lane lies within an area characterised as 'Forest Smallholdings and Dwellings' in the Council's adopted Landscape Character Assessment.

1.2 This application is a third submission for the introduction of a hard surface to this lane. The first application (DCCE2006/0420/F) was withdrawn due to issues relating to land ownership. A second application (DCCE2006/1023/F) was refused at the Central Area Planning Sub-Committee on the 28th June, 2006. The reason for refusal was:

'The development already undertaken, together with the proposed outstanding works, are detrimental to the ecology and landscape of the locality and harmful to the visual amenities of the area...'

1.3 This third application has been submitted to attempt to address these concerns and varies from the previous two applications with the introduction of new surfacing above the hardcore to provide a grassed surface.

2. Policies

2.1 National Policy Guidance:

PPS1	-	Delivering sustainable development
PPS9	-	Biodiversity and geological conservation
PPG15	-	Planning and the historic environment

2.2 Herefordshire Unitary Development Plan (Revised Deposit Draft):

S1	-	Sustainable development
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S2	-	Development requirements
S6	-	Transport
S7	-	Natural and historic heritage
LA2	-	Landscape character
NC1	-	Biodiversity and development
NC7	-	Compensation for loss of diversity
NC8	-	Habitat creation, restoration and enhancement
NC9	-	Management of landscape features of the landscape important for fauna and flora

3. Planning History

- 3.1 DCCE2006/0420/F - Resurface access track with hardcore and scalping (part retrospective). Withdrawn 21st February, 2006.
- 3.2 DCCE2006/1023/F - Resurface access track with hardcore and scalping (part retrospective). Refused 28th June, 2006.

4. Consultation Summary

Statutory Consultations

- 4.1 None

Internal Council Advice

- 4.2 Conservation Manager: Response awaited.
- 4.3 Traffic Manager: No objection.
- 4.4 Public Rights of Way Manager: No objection.
- 4.5 Waste and Minerals Officer: No objection.

5. Representations

- 5.1 Dinedor Parish Council: No objection.
- 5.2 Local Residents: Five letters of objection have been received from the following sources:
- Mr M.A. Joynt, Orchard Meadow, Dinedor
 - Mr James Joynt, Little Acre, Dinedor
 - Mrs M.A. Joynt, Little Acre, Dinedor
 - Dr Dan Grzonka, High Orchard Lodge, Dinedor
 - Jo Holding, Corbar, Dinedor.

The comments raised can be summarised as follows:

1. This is a green lane used by the public to access Dinedor Common;
2. Unacceptable impact upon the visual amenities;
3. The works were previously refused and the reinstatement has been done as specified;

4. The alterations have restricted access to neighbouring properties;
 5. An alternative access exists for this field;
 6. The proposal involves plastic mesh and the use of man-made materials is unacceptable in the rural environment;
 7. The works have destroyed a green lane and it should be reinstated to its former condition;
 8. The lane is now an unattractive eyesore;
 9. The re-surfacing will allow the lane to be used by heavy vehicles, which is uncharacteristic and unacceptable in this location;
 10. The increased use of the access possible through its resurfacing will lead to noise and disturbance;
 11. The ownership and rights of access are challenged.
- 5.3 The full text of these letters can be inspected at the Hereford Centre, Garrick House, Widemarsh Street, Hereford prior to the Sub-Committee meeting. It should be noted that at the time of writing the comments of the Conservation Manager were not available and the recommendation reflects this. Subject to the advice received it is acknowledged that the recommendation and conditions may need to be updated verbally.

6. Officers Appraisal

- 6.1 The key issue for consideration in the determination of this revised submission is its acceptability with regard to the landscape, conservation, and ecological issues associated with the works already undertaken, and those now proposed.
- 6.2 The hardcore (crushed concrete and brick) has now been in situ for some time. It was originally laid as a sub-base to be surfaced with scalping across the full width and length of the track (DCCE2006/1023/F). The hardcore is undoubtedly unsightly because it contains quite large pieces of rubble (half bricks for example) and because of the mix of different colours of the building waste. However, the scheme as now proposed reflects the previous advice of the Council's Conservation Manager. The width of the lane is to be reduced, the verges and ditches reinstated, and a grassed surface would be re-introduced over the hardcore. This is to be formed through the introduction of a seeded soil central strip, flanked by two 'tracks' of 'Netpave', a plastic mesh system which allows grass to grow through the mesh but still provides a hardened surface for vehicles. The Conservation Manager advised at the time of the previous application (DCCE2006/1023/F) that, subject to the effective control of the lane, it was considered that the surfacing of this track would not have an adverse visual impact on the wider rural landscape.
- 6.3 At the time of the determination of the previous application (DCCE2006/1023/F) the Conservation Manager advised that it was appropriate for the width of the lane to be restricted to allow for the creation of grass verges on either side of the track. These would then be seeded with a grass/wildflower mix. In this way the rural character of the lane would be restored and the visual impact of the surfacing reduced. This revised scheme follows discussions with the Conservation Manager and will allow for the creation of these earth verges on either side of the track which can then be seeded. The change from the previously proposed scalping surfacing to a 'green finish' is welcomed having regard to the historic 'green lane' character of this access track.

6.4 On the basis of the above it is considered that, subject to conditions controlling the reinstatement of verges and the use of an appropriate surfacing material, this proposal is acceptable.

RECOMMENDATION

That, subject to the approval of the Conservation Manager, Officers named in the delegation agreement be authorised to issue planning permission subject to the following conditions and any additional conditions considered necessary by Officers:

1. **A01 (Time limit for commencement (full permission)).**

Reason: Required to be imposed by Section 91 of the Town and Country Planning Act 1990.

2. **Prior to the recommencement of works on site, or within 6 months of the date of this permission, a landscape and ecological enhancement plan shall be submitted to and approved in writing by the local planning authority. Development shall then be completed strictly in accordance with the agreed details and thereafter be retained.**

Reason: In the interests of the visual amenities and conservation of the locality.

3. **G05 (Implementation of landscaping scheme (general)).**

Reason: In order to protect the visual amenities of the area.

4. **The hardstanding shall be properly consolidated and surfaced in accordance with further details to be submitted to and agreed in writing with the local planning authority prior to the recommendation of development. Development shall then be completed strictly in accordance with the agreed details.**

Reason: In the interests of the visual amenities of the locality.

5. **H05 (Access gates).**

Reason: In the interests of highway safety.

Informatives:

1. **N03 - Adjoining property rights.**
2. **HN05 - Works within the highway.**
3. **In the interests of clarification the applicant is advised that the requirements of Condition 2 shall include the reinstatement of verges, the creation of a shallow ditch, and the reintroduction of appropriate landscaping features in accordance with the requirements of the Council's Landscape and Ecology Officers.**
4. **N15 - Reason(s) for the Grant of PP/LBC/CAC.**
5. **N19 - Avoidance of doubt.**

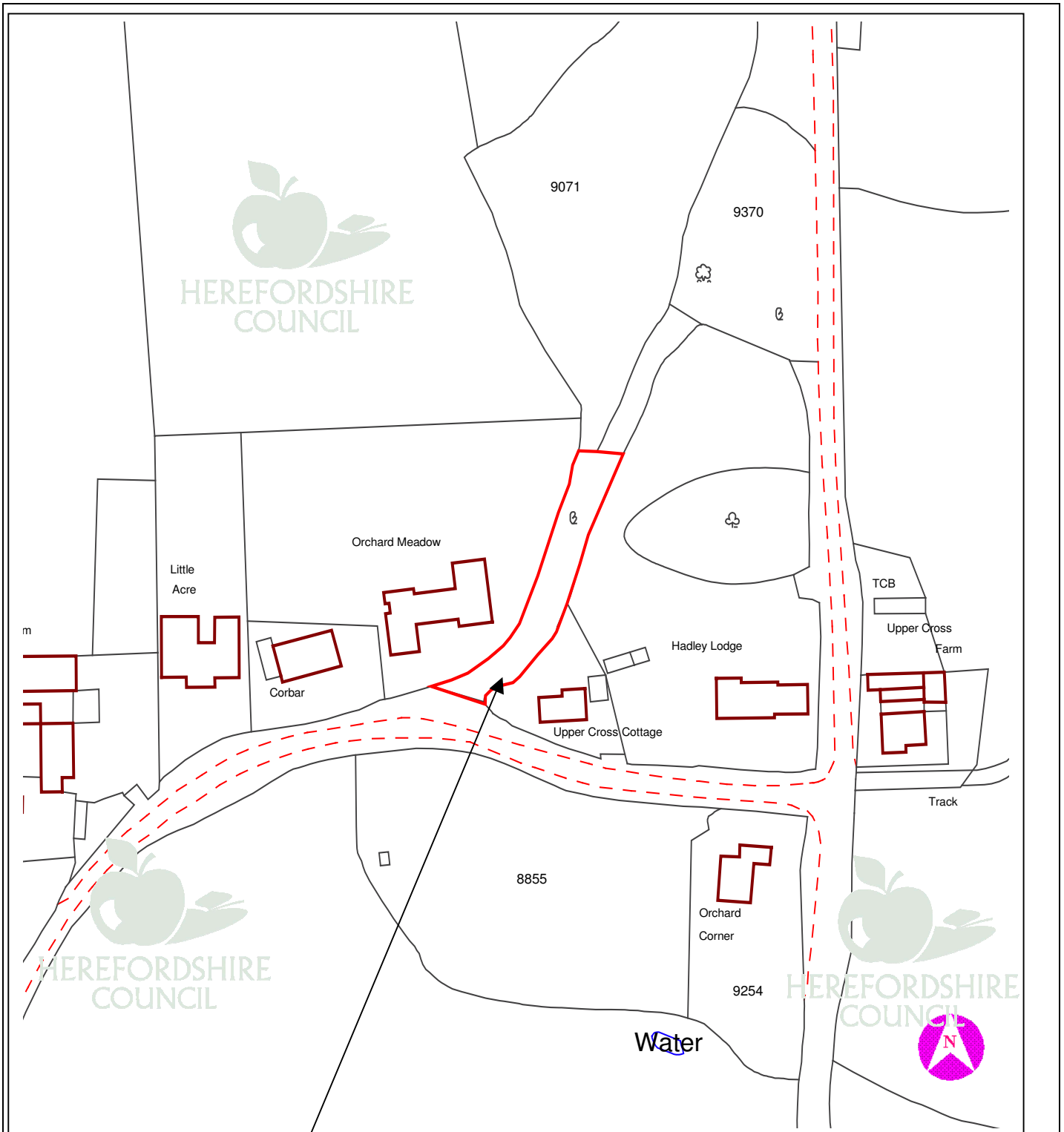
Decision:

Notes:

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Background Papers

Internal departmental consultation replies.



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APPLICATION NO: DCCE2007/0195/F

SCALE : 1 : 1250

SITE ADDRESS : Access from U72011 road to field known as Warwickshire. OSM 9071 HR2 6PG

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