

6 DCSE2007/3932/F - PROPOSED SINGLE TRACK VEHICULAR ACCESS TO AGRICULTURAL LAND (TO REPLACE EXISTING SUB STANDARD ACCESS), THE PLOCK, SOLLERS HOPE, HEREFORDSHIRE, HR1 4TF**For: Mr C Jones per Mr A Powell, Yew Tree Cottage, Brinkley Hill, Brockhampton, Herefordshire, HR1 4SJ****Date Received: 21st December, 2007 Ward: Old Gore Grid Ref: 60802, 32098****Expiry Date: 15th February, 2008**

Local Member: Councillor TMR McLean

1. Site Description and Proposal

- 1.1 The site lies to the northeast of the B4224 between How Caple and the C1298 to Sollars Hope and comprises part of a field. On the opposite side of the road there are residential barn conversions and The Falcon House, which is a Grade II listed building. The site and surrounding area are within the Wye Valley Area of Outstanding Natural Beauty.
- 1.2 Within the site the levels rise from the road to the northeast, with a hedgerow defining the roadside boundary. Ground works have been carried out within the site in connection with an agricultural building (approved under DCSE2007/1627/S). There is a wide, grassed highway verge between the carriageway and the site. The land is used for agricultural purposes. In the western corner of the field there is an existing gated vehicular access and a public right of way runs along the northwestern boundary.
- 1.3 A new agricultural, vehicular access is proposed off the B4224, on the opposite side of the road to the existing access that serves Falcons Nest and Falcon Field. The access would be positioned between an existing small oak tree and an electricity pole. A section of 11 metres of hedgerow would be removed to facilitate the proposed access. New hedgerow planting either side of the access track is proposed along with grass seeding of all new earth banks. The first 10 metres of the track would be at a gradient of 1 in 10 with a surface of tarmac. The remainder of the track would be of a steeper gradient, 1 in 5, and finished with compacted scalplings.

2. Policies**2.1 Planning Policy Statement**

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|------|---|--|
| PPS1 | - | Delivering Sustainable Development |
| PPS7 | - | Sustainable Development in Rural Areas |

2.2 Herefordshire Unitary Development Plan 2007

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|-----------|---|-------------------------------|
| Policy S1 | - | Sustainable Development |
| Policy S2 | - | Development Requirements |
| Policy S7 | - | Natural and Historic Heritage |

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|-------------|---|---------------------------------------|
| Policy DR1 | - | Design |
| Policy DR2 | - | Land Use and Activity |
| Policy DR3 | - | Movement |
| Policy DR4 | - | Environment |
| Policy E13 | - | Agricultural and Forestry Development |
| Policy LA1 | - | Areas of Outstanding Natural Beauty |
| Policy HBA4 | - | Setting of Listed Buildings |

3. Planning History

- | | | | | |
|-----|-----------------|---|---|----------------------------|
| 3.1 | DCSE2007/1627/S | Agricultural building for storage of fodder and machinery | - | Prior Approval 12.07.07 |
| | DCSE2007/2719/F | Single track vehicular access to agricultural land | - | Withdrawn 24.09.07 |

4. Consultation Summary

Statutory Consultations

- 4.1 No statutory or non-statutory consultees required.

Internal Council Advice

- 4.2 The Traffic Manager comments that whilst there are concerns regarding the proposal it is considered to be acceptable because it is for agricultural use and is an improvement on the existing. Conditions are recommended, including lowering the verge to the north.
- 4.3 The Public Rights of Way Manager comments that the proposal would not appear to affect the public right of way.
- 4.4 Conservation Manager – Landscape Officer has no objections provided that it has been demonstrated that there is a need for the access on road safety grounds. Proposed planting would compensate for the section of hedgerow that will be lost. It is recommended that a local stone aggregate should be rolled into the wearing course of the tarmacadam. This would be more muted in appearance than black tarmacadam and would minimise the impact on the AONB. Building Conservation Officer advises that this application is exceptionally well presented so it is unlikely that the new access will have any demonstrable impact on the setting of the nearby listed building.

5. Representations

- 5.1 The applicant has submitted a Design and Access Statement. In summary these state:
- Proposal is to replace an existing sub-standard agricultural access
 - Envisaged that access will be used several times a week
 - Existing access has poor visibility and due to position and ground levels access and egress are extremely hazardous
 - Have considered highway visibility, gradient, materials and water run off to comply with highway standards and the impact upon the AONB in designing the proposed access
 - A new access at 90 degrees to the road would create extensive excavation, so oblique angle proposed

- Due to steepness of the land it is not feasible to link the field with the track from the applicant's smallholding, Little Owl Farm
- Proposal will only allow access and egress in the How Caple direction due to its oblique angle. This would satisfy the applicant's requirements and would lessen the impact upon the landscape
- No water run-off onto the B4224. Surface water will be collected by a grid drain into an existing ditch, which discharges into the nearby brook.
- Existing access gate to be removed, replaced with a stock proof fence and hedgerow planted behind.
- Footpath stile to be relocated in agreement with footpath officer

5.2 Sollars Hope Parish Council's comments are awaited.

5.3 Three letters of objection have been received from M Glover of Falcons Nest, C J Glover of Falcon Field and Herefordshire CPRE. In summary the points raised are:

- Situation has changed since prior approval was given for the building, to which new access is now sought, applicant has now purchased Little Owl Farm and is able to use the farm entrance and access to all land. Access off the B4224 is not required.
- As the applicant has other buildings, the building approved could be sited in a cluster with these rather than as approved, reducing his carbon footprint.
- The existing sub-standard access onto the B4224 has never been used by the previous owner of the land for the last 12 years.
- Urge planning department to consider this application and that for storage building in light of S1, DR1 and E13 of the UDP.
- Proposed access is situated on a historic accident cluster site. Also problems with flooding of the road.
- If proposed access is refused this would avoid more potential road accidents.
- If storage building is built nearer to the farm would avoid an isolated building on the skyline in the AONB and would not endanger any wildlife.
- Not opposed to change in the environment.
- Concern regarding impact of the turning circle of tractor and machinery.
- Entrances opposite one another on a highway are dangerous.
- Removal of 11m of hedgerow proposed. 15m of hedgerow already reduced to 1m in height. Further hedge removal will potentially promote run-off problems.
- LA1, LA2 and E13 are being contravened. Conditions 1, 2 and 3 would not be met if new access is allowed.

5.4 Five letters of support have been received from the NFU, William Jones of Little Falcon Farm, Mr Peter Day of The Falcon House, Mr & Mrs B Jones of Falcon Brook and Mr R L Griffiths, The Barn, Green Mans Wood, Phocle Green. The main points raised are:

- Existing access is not suitable for modern day use.
- Proposed access would be an improvement in safety terms and is required for livestock farming enterprise
- Having lived adjacent the B4224 for 36 years and seen increase in traffic and speeds we consider the proposed access would be a big improvement on the existing.
- Have seen several near accidents between vehicles and tractors emerging from this area. New access would have better visibility and would protect my property and family.

- Have used existing access in recent months and found it to be hazardous, proposed access would resolve this problem.

The full text of these letters can be inspected at Southern Planning Services, Garrick House, Widemarsh Street, Hereford and prior to the Sub-Committee meeting.

6. Officer's Appraisal

- 6.1 The main considerations in the determination of this application are the effect of the proposal on the character and appearance of the landscape, the impact on highway safety and the public right of way and the impact upon the setting of the listed building.
- 6.2 The site and surrounding area are within the Wye Valley Area of Outstanding Natural Beauty. Policy LA1 of the Unitary Development Plan states that priority will be given to the protection and enhancement of the natural beauty of the area. It does not preclude development, but does require it to be small in scale, not adversely impact upon the intrinsic natural beauty of the landscape and is necessary to facilitate the economic and social well being of the area and community. PPS7 - Sustainable Development in Rural Areas states that it is the Government's objectives in rural areas to provide thriving, sustainable rural communities and economic growth, whilst giving the highest level of protection for the most valued landscapes. It advises that traditional, land based activities that require a countryside location should be supported. In addition the conservation of the natural beauty of the landscape should be given great weight in the determination of planning applications.
- 6.3 There is an extant approval (SE2007/1627/S) for an agricultural storage building for machinery and fodder to the northeast of the proposed access. Ground works have commenced in respect of this building. Since the approval was given for the building the applicant has purchased additional land. The objector suggests that the building could be relocated adjacent to the farm building recently acquired and thus there would be no requirement for the access now proposed. The applicant has advised that the building work has now commenced and it is intended to build the approved building. In light of the extant approval for the building it is only appropriate to consider the impact of the proposed access at this juncture. Taking into account the applicant's requirement to access the field, the unacceptability of the existing access and improvement in highway safety terms of the proposed access, I consider that the proposal satisfies the Landscape Officer's comments. The proposed access would be relatively small in scale and operation and by virtue of its layout, design and proposed landscaping would have a minimal impact upon the landscape. Balancing this impact against the applicant's asserted need to provide access to the building, it is considered that the principle of the development is acceptable. Native hedgerow planting, grass seeding of the earth banks and the provision of a local stone aggregate rolled into the tarmacadam would further reduce the visual impact of the access and help it to be satisfactorily assimilated into the landscape. Conditions are recommended to ensure these mitigating measures are carried out.
- 6.4 Following road improvement works in 2003, this section of the B4224 is no longer classified as an historic accident cluster site. The Traffic Manager considers that the proposed access would represent an improvement in highway safety terms in comparison with the existing. Whilst the objector's comments are noted regarding the previous owner not using the existing access, the applicant could legitimately use the existing access. Amongst other conditions recommended by the Traffic Manager it is appropriate to condition the permanent closure of the existing access. In respect of the Public Right of Way, the proposal would not impinge upon its use. The Public Right of Way Manager has stated that the existing stile should not be relocated, as suggested in the applicant's Design and

Access Statement. A note to the application is recommended in this regard. The proposed stock proof fence and hedgerow planting in place of the existing gate is considered acceptable in landscape terms.

- 6.5 The Falcon House, a listed building, is some 50 metres from the proposed access and on the opposite side of the road. Taking into account the distance separation, together with the acceptability of the design of the access I consider that it would not harm the setting of the listed building.

RECOMMENDATION

That planning permission be granted subject to the following conditions:

- 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. The first 10 metres of the access shall have a tarmacadam wearing course into which shall be rolled a local stone aggregate, a sample or details of which shall have first been submitted to and agreed in writing by the local planning authority. The remainder of the track shall be finished with compacted scalplings.**

Reason: To satisfactorily minimise the visual impact of the access in the landscape noted for its quality.

- 3. G04 (Landscaping scheme (general))**

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

- 4. G05 (Implementation of landscaping scheme (general))**

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

- 5. G12 (Planting of hedgerows which comply with Hedgerow Regulations)**

Reason: To ensure that hedges planted are ecologically and environmentally rich and to assist their permanent retention in the landscape.

- 6. H03 (Visibility splays)**

Reason: In the interests of highway safety.

- 7. Prior to the first use of the access hereby approved, the existing vehicular access, in the western corner of the site, onto the B4224 shall be permanently closed in accordance with details set out in the applicant's Design and Access Statement.**

Reason: To ensure the safe and free flow of traffic using the adjoining County highway.

- 8. Prior to the first use of the access and track, it shall be consolidated, surfaced and drained in accordance with details to be submitted and approved in writing by the local planning authority.

Reason: To ensure the safe and free flow of traffic using the adjoining County highway.

- 9. H27 (Parking for site operatives)

Reason: To prevent indiscriminate parking in the interests of highway safety.

Informative(s):

- 1. HN01 - Mud on highway
- 2. HN04 - Private apparatus within highway
- 3. HN05 - Works within the highway
- 4. HN10 - No drainage to discharge to highway
- 5. The existing Public Right of Way stile shall not be relocated, but retained in situ.
- 6. N19 - Avoidance of doubt
- 7. N15 - Reason(s) for the Grant of Planning Permission

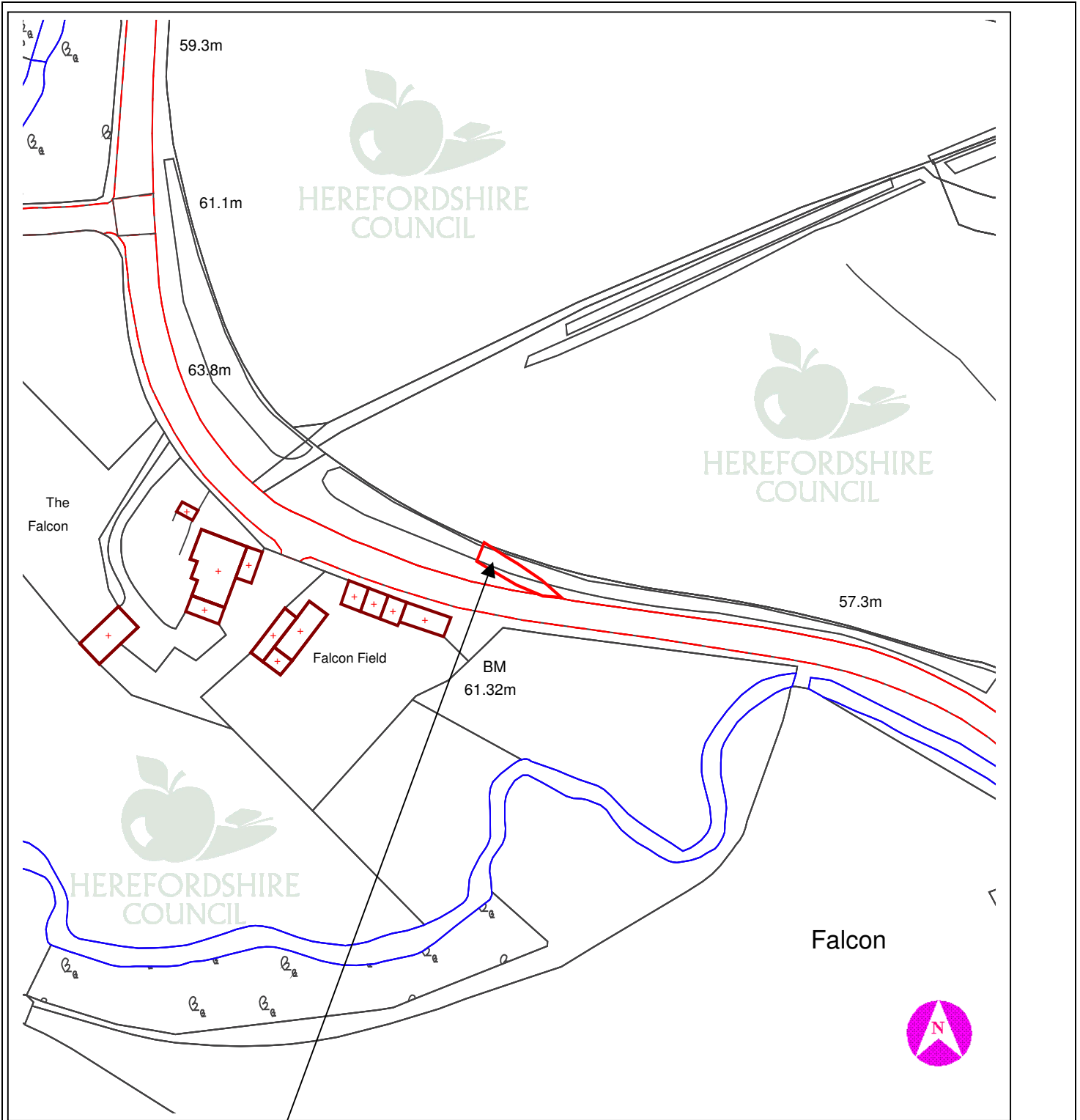
Decision:

Notes:

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Background Papers

Internal departmental consultation replies.



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APPLICATION NO: DCSE2007/3932/F

SCALE : 1 : 1250

SITE ADDRESS : The Plock, Sollers Hope, Hereford, Herefordshire, HR1 4TF

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