

**DCSE2004/2399/F - APPLICATION FOR THE
RETENTION OF NEWLY FORMED ACCESS, LAND AT
WELSH NEWTON, ROSS-ON-WYE, HEREFORDSHIRE****For: Mrs B Jones per Williams Parry Richards,
Windsor House, St Mary's Street, Ross on Wye
Herefordshire, HR9 5HT****Date Received: 1st July 2004****Ward: Llangarron****Grid Ref: 50874, 18564****Expiry Date: 26th August 2004**

Local Member: Councillor Mrs. J. A. Hyde

Introduction

This application was reported to the Southern Area Planning Sub-Committee on 1st September 2004. The Sub-Committee was minded to refuse the application contrary to the officer's recommendation. The reason for refusal was that Members felt the access was unsafe.

Head of Planning Services has examined the proposal and refers the application to the Planning Committee for the reason that the decision of the Sub-Committee may not be defensible at appeal.

1. Site Description and Proposal

- 1.1 This field access has been formed on the southern side of the Class C road (C1248) between Welsh Newton and Llangarron. The access is about 1.5km west of the junction with the unclassified road leading to Llangrove. It has been formed near the crown of a bend, close to the northern apex of the fields to which it provides vehicular access. These two fields have an area of about 10.6ha.

2. Policies**2.1 Planning Policy Guidance**

- PPS.7 - The Countryside: Environmental Quality and Economic & Social Development
PPG.13 - Transport

2.2 Hereford and Worcester County Structure Plan

- Policy CTC.2 - Area of Great Landscape Value
Policy CTC.10 - Development Requirements

2.3 South Herefordshire District Local Plan

- Policy T.3 - Highway Safety Requirements
Policy C.8 - Development within Area of Great Landscape Value
Policy GD.1 - General Development Criteria

3. Planning History

- 3.1 No previous applications have been submitted relating to this site.

4. Consultation Summary

Statutory Consultations

- 4.1 No statutory or non-statutory consultations required.

Internal Council Advice

- 4.2 Head of Engineering and Transportation recommends that conditions be imposed if permission is granted.

5. Representations

- 5.1 Llangarron Parish Council "does not support this application for the retention of the newly formed access, but would suggest that support would be given upon examination of plans for an access further up the road."
- 5.2 Welsh Newton Parish Council "object to the proposed site for this access. A number of parishioners have complained that the access has been situated on an inappropriate bend giving rise to safety concerns, due to the type of vehicles likely to be using this access. The Parish Council have no objections to an access per se, however feel that a more appropriate access should be formed on a straight section of the road (which they would like to see before agreed)."

6. Officers Appraisal

- 6.1 This small agricultural unit has a frontage only to the Welsh Newton – Llangarron road. Until this new access was formed there was no direct vehicular access to these fields, which it is understood were part of a larger land holding. The access is on the inside of the bend and a visibility splay of 2m x 60m in each direction can be formed which the Head of Engineering and Transportation considers is adequate for this road. In his opinion this is the best position for such an access and at 5m would be wide enough for large agricultural equipment to enter and leave.
- 6.2 It may be that greater visibility could be achieved further to the west of the application site but this would entail a greater loss of hedgerow. The hedgerow adjoining the access is deep and aside from the 5m access itself it may be possible to form the visibility splays and still retain most of these hedges. In view of the Head of Engineering and Transportation's advice it is considered therefore that the proposal is acceptable.

That planning permission be granted subject to the following conditions:

- 1. H01 (Single access - not footway)**

Reason: In the interests of highway safety.

- 2. H03 (Visibility splays)**

Reason: In the interests of highway safety.

- 3. H05 (Access gates)**

Reason: In the interests of highway safety.

- 4. None of the hedgerows on the site (other than those required to be removed to provide the access and visibility splays pursuant to condition nos. 1 & 2 above) shall be removed, destroyed, felled, lopped or pruned without the prior consent in writing of the local planning authority. Details of those to be removed to form the access and visibility splays and of new planting shall be submitted to and approved in writing by the local planning authority before any works are undertaken.**

Reason: To safeguard the amenity of the area.

- 5. G05 – Implementation of landscaping scheme (general)**

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

Informative(s):

- 1. HN01 - Mud on highway**
- 2. HN04 - Private apparatus within highway**
- 3. HN05 - Works within the highway**
- 4. N15 - Reason(s) for the Grant of Planning Permission**

Decision:

Notes:

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Background Papers

Internal departmental consultation replies.

AREA SUB-COMMITTEE