

**30 DCNW2005/1710/F - IMPROVE FIELD ACCESS AT MARSH VIEW FARM, TUNNEL LANE, ORLETON, LUDLOW, HEREFORDSHIRE, SY8 4HY****For: M & D Harris of same address****Date Received:****20th May 2005****Expiry Date:****15th July 2005**

Local Member: Councillor S Bowen

**Ward:****Bircher****Grid Ref:****50411, 65839****1. Site Description and Proposal**

- 1.1 The application is for the improvement of an existing agricultural field access, into a field on opposite side of the C1046 public highway known as Tunnel Lane to the property known as 'Petra', this is a detached residential dwelling that is not in the control of the applicants.
- 1.2 The application proposes to create a 'pull in' entrance to a newly constructed entrance set back further into the existing field and planting of replacement hedgerow to compensate for the amount of hedgerow to be lost by the proposed development which amounts to 33.7 metres.

**2. Policies****2.1 Leominster District Local Plan (Herefordshire)**

A1 – Managing the District's Assets and Resources  
A9 – Safeguarding the Rural Landscape  
S24 – Scale and Character of Development  
A41 – Protection of Agricultural Land  
A78 – Protection of Public Rights of Way

**2.2 Herefordshire Unitary Development Plan (Revised Deposit Draft)**

S1 – Sustainable Development  
S2 – Development Requirements  
S6 – Transport  
S7 – Natural and Historic Heritage  
DR2 – Land use and Activity  
DR4 – Environment  
LA5 – Protection of Trees, Woodlands and Hedgerows  
NC9 – Management of Features of the Landscape Important for Fauna and Flora

**3. Planning History**

None required.

#### 4. Consultation Summary

##### Internal Council Advice

4.1 Traffic Manager: Has no objections to the grant of permission.

#### 5. Representations

5.1 Orleton Parish Council state:

‘The Parish Council do not support this application and feel a less radical solution could be achieved at the existing access or at a point close to the village of Orleton.’

5.2 One letter of concern with regards to this application has been received from F R Poulson, Petra, Tunnel Lane, Orleton. The letter can be summarised as follows:-

- Concerns about drainage as quite a large part of the field drains down to the corner by the existing entrance.
- In very heavy rain, water pours under the existing gate onto the road.
- Concerns that if amount of hedge is removed as indicated this water will flow straight into dwellings back driveway.
- Why cannot existing gateway be enlarged?
- Gateway could be placed further down the highway.
- Concerns about mud being deposited in dwellings entrance.

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

#### 6. Officers Appraisal

The main issues for consideration in the determination of this application are as follows:-

- 1) Impact on the existing public highway
- 2) Impact on biodiversity
- 3) Impact on the adjacent dwelling

##### 1) Impact on the existing public highway

The Highway Manager has responded to the application with no objection subject to the inclusion of a note with regards to no drainage to be discharged onto the highway. Therefore the concern raised by the owner of the dwelling adjacent to the application site with regard to drainage has been addressed.

##### 2) Impact on biodiversity

The site for the proposed development is an existing agricultural field access, which it is proposed to enlarge and provide a ‘pull in’ in front of the proposed field gate entrance. A section of hedge measuring 33.7 metres will be removed and new species planted further into the existing field to compensate for this loss.

The letter of objection from the member of the public suggests that an entrance could be created further down the highway. This would mean further loss of hedgerow and possibly trees. Also the applicant has stated that a new entrance nearer to the village of Orleton as suggested by the Parish Council would be unable to achieve the visibility splay as required by the Councils Highways Section. The applicant having consulted with the Area Highways Engineer prior to submitting an application for planning consideration.

3) Impact on the adjacent dwelling

The proposed field entrance is slightly to the north west of the property known as Petra and not directly opposite land in control of the owner of Petra, using an entrance into the field that is already in existence. The letter of concern from the owner of this property raises concerns about mud being deposited on the public highway from the proposed enlarged entrance. The creation of a pull in adjacent to the public highway prior to entering the existing field and therefore loss of part of the field for creation of this entrance will help to address this issue. It is proposed that a note be attached to any approval notice Committee are mindful to issue bringing the applicants attention to this issue. The issue about drainage has already been discussed previously.

**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 - **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.**

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

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

**Informatives**

- 1 - **HN10 - No drainage to discharge to highway**
- 2 - **HN01 - Mud on highway**
- 3 - **N15 – Reason(s) for the Grant of PP/LBC/CAC**

Decision: .....

Notes: .....

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**Background Papers**

Internal departmental consultation replies.