

**13 DCCE2006/1023/F - RESURFACE TRACK WITH
HARDCORE AND SCALPINGS (PART
RETROSPECTIVE) ACCESS TRACK FROM U72011
ROAD TO FIELD KNOWN AS WARWICKSHIRE OSM
9071, DINEDOR, HEREFORD, HR2 6PG****For: Mr. M. Wilcox, The Firs, Holme Lacy, Hereford,
HR2 6LU****Date Received: 24th March, 2006 Ward: Hollington Grid Ref: 51880, 35628****Expiry Date: 19th May, 2006**

Local Member: Councillor W.J.S. Thomas

1. Site Description and Proposal

- 1.1 This application seeks retrospective permission for the resurfacing of a field access track with hardcore and scalping. 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 site falls within an Area of Great Landscape Value and it is characterised as 'Forest Smallholdings and Dwellings' in the Landscape Character Assessment. At this time hardcore has been laid but the scalpings have not.
- 1.2 This applications is a re-submission with the first (DCCE2006/0420/F) being withdrawn due to issues relating to land ownership and the associated advertisement of this application. Though the ownership of land is not a planning issue, the correct advertising required in scenarios where land ownership is in doubt has now been undertaken.

2. Policies

2.1 National:

PPS1	-	Delivering sustainable development
PPG9	-	Biodiversity and geological conservation
PPG15	-	Planning and the historic environment

2.2 South Herefordshire District Local Plan:

GD1	-	General development criteria
C1	-	Development within open countryside
C8	-	Development within AGLV
C9	-	Landscape features
C16	-	Protection of species
T3	-	Highway safety requirements

2.3 Herefordshire Unitary Development Plan:

S1	-	Sustainable development
S2	-	Development requirements
S6	-	Transport
S7	-	Natural and historic heritage
LA2	-	Landscape character and areas least resilient to change
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 Withdrawn 21st February, 2006.

4. Consultation Summary

Statutory Consultations

- 4.1 None

Internal Council Advice

- 4.2 Conservation Manager – No objections subject to conditions
- 4.3 Traffic Manager – No objection
- 4.4 Public Rights of Way Manager – No objection

5. Representations

- 5.1 Parish Council – No objection
- 5.2 Local Residents – Three letters of objection (from two address points and one family name) 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

The comments raised can be summarised as follows:

1. The track is not a right of way into the field, but was rather a path onto rough ground to the right of the field;
2. The work has already been carried out;
3. This was a 'green lane' with ecological and conservation interest and it should revert to this state;
4. Adverse impact upon the visual amenities of the locality;
5. The works have obstructed access for a neighbouring property;
6. The access is intended to provide access so a dwelling can be built on site;
7. If a dwelling is not permitted, the site will fall into disrepair;
8. Adverse impact upon hedgerows and associated wildlife;
9. Mud on the road was not historically an issue.

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

6. Officers Appraisal

6.1 The Traffic Manager has confirmed that there are no highway safety issues associated with this application and on this basis it is assessed that the acceptability or otherwise of this application rests with the landscape, conservation, and ecological issues associated with the works already undertaken, and those proposed.

6.2 The hardcore (crushed concrete and brick) has already been laid as a sub-base across the full width and length of the track and this is somewhat 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 introduction of scalping on top of the hardcore would create a top surface that would be more muted in colour. The Landscape Officer has advised that subject to the effective control of this it is considered that the track will not have an adverse visual impact on the wider rural landscape.

6.3 Notwithstanding the above, the works already carried out are of concern. The way in which surfacing has been laid across the full width of the track, from hedge to hedge, does harm the appearance of this lane. On this basis the Landscape Officer advises that it is appropriate for the width of the lane to be restricted in width to allow for the creation of earth verges on either side of the track. These could 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. Appropriate conditions could secure this.

6.4 With regard to technical issues, it is essential that the specification for a sufficient depth of top surfacing is secured to ensure that the unsightly sub-base underneath does not become exposed. This is proposed to be controlled through an appropriate condition. In terms of appearance, scalplings would be suitable as they are muted in colour and would dull down over time with dry mud and dust spread over the wearing surface. A condition will secure an appropriate specification for the track, which will achieve the required finish.

6.5 The Landscape Officer confirms that on balance, if the width of the track is reduced, a suitable specification for the track agreed, and grass verges instated, the development would be acceptable from a landscape perspective.

6.6 Turning to the ecological issues associated with these works, the Council's Ecologist advises that a loss of wildlife habitat has occurred due to the works undertaken. To address this a shallow ditch is requested on the eastern side of the lane by removing 1m of the existing hardcore at the junction with the road, raising to 2m further to the north. The need for the reinstatement of a verge as confirmed by the Landscape Officer is echoed.

6.7 On the basis of the above it is considered that, subject to effective conditions controlling the reinstatement of verges and the use of an appropriate surfacing, this proposal is acceptable. It is considered that the outstanding matters raised by objectors and not addressed in this report are not planning issues.

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. **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 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 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.

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**

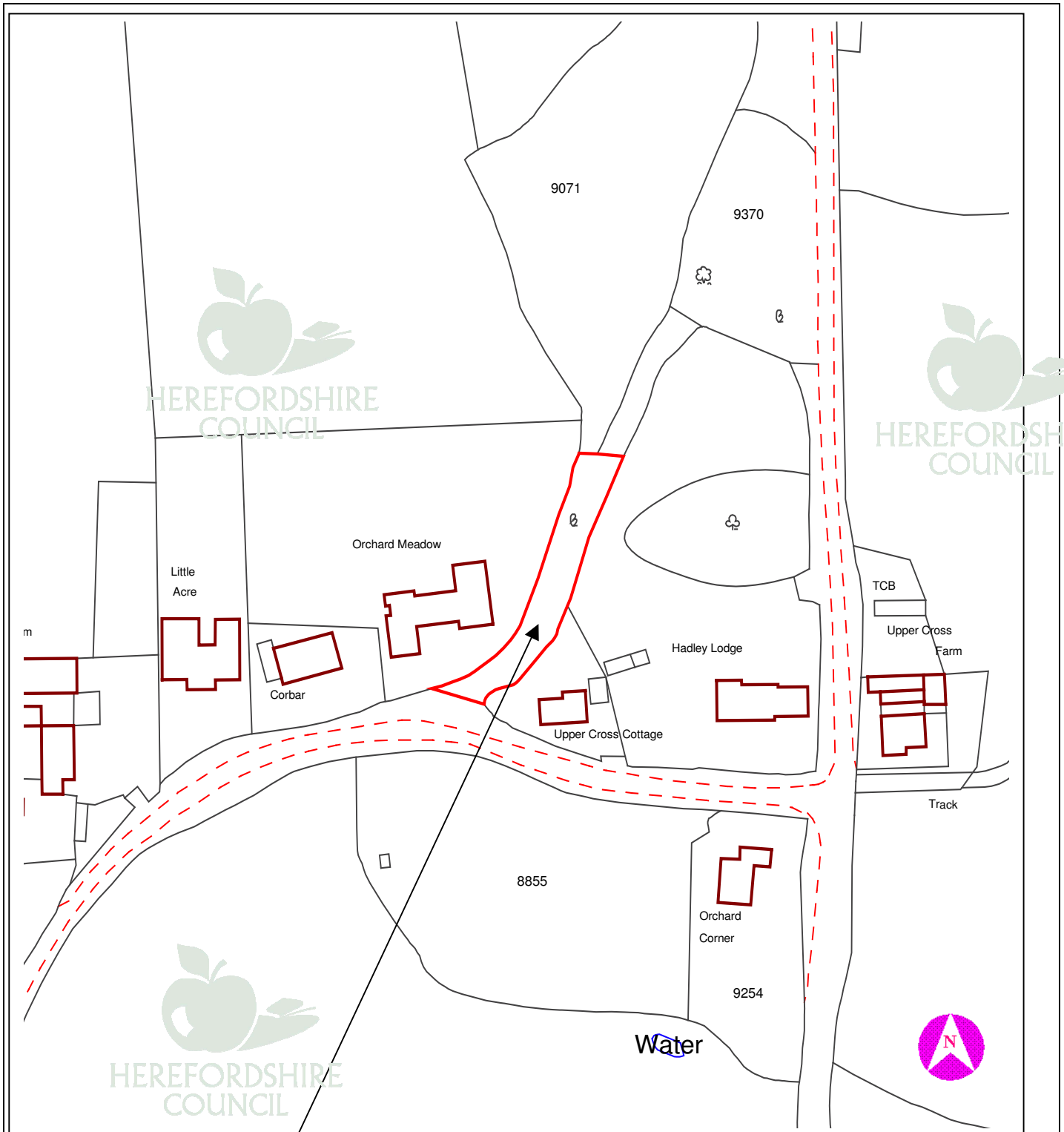
Decision:

Notes:

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Background Papers

Internal departmental consultation replies.



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APPLICATION NO: DCCE2006/1023/F

SCALE : 1 : 1250

SITE ADDRESS : Access track from U72011 road to field known as Warwickshire OSM 9071, Dinedor, Hereford HR2 6PG

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