

## REPORT TO THE EASTERN AREA PLANNING COMMITTEE

<b>Date of Meeting</b>	25 April 2013
<b>Application Number</b>	E/2012/1459/FUL
<b>Site Address</b>	The Wickets, Dragon Lane, Manningford Bruce, Pewsey, SN9 6JE
<b>Proposal</b>	New Vehicular Access
<b>Applicant</b>	Mr John Palmer
<b>Town/Parish Council</b>	MANNINGFORD
<b>Grid Ref</b>	413691 159176
<b>Type of application</b>	Full Planning
<b>Case Officer</b>	Victoria Cains

### Reason for the application being considered by Committee

The application has been called to committee at the request of the division member, Cllr Brigadier Robert Hall.

### 1. Purpose of Report

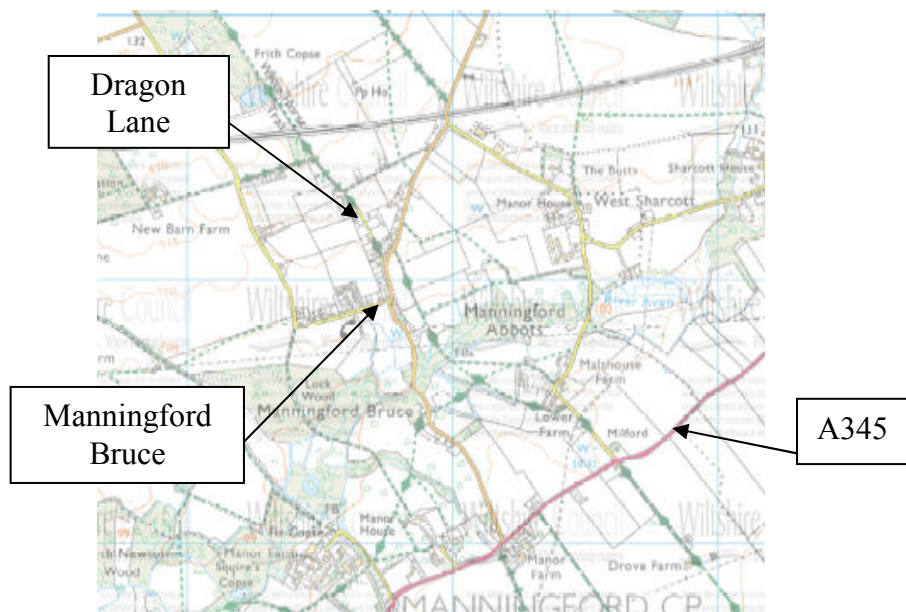
To consider the recommendation that the application be approved subject to conditions.

### 2. Report Summary

The main issue to consider is whether the new vehicular field access can be created so as not to cause harm in terms highway safety, visual amenity or increased surface water run-off.

### 3. Site Description

The application site lies within the village of Manningford Bruce, at Dragon Lane and within the wider landscape designation of the North Wessex Downs Area of Outstanding Natural Beauty (AONB). The site can be located by taking a left hand turning towards the village (signposted) when heading in an easterly direction on the A345 towards Pewsey. Dragon Lane can be found approximately 1.2 km (0.7 miles) on the left hand side of the road.



### Plate 1: Location Plan (not to scale)

The application proposes a new access into the field adjacent the property known as The Wickets. The field does not form part of the residential curtilage of The Wickets and is a separate parcel of land that appears to have last been in some form of agricultural use (although this was presumably some time ago).



Plate 2: Plan showing application site

#### **4. Planning History**

There have been 3 historic applications for residential development within the field (K/79/0786 for 7 dwellings was refused; K/85/0311 for a single dwelling was refused and K/32271 was also refused and dismissed at appeal). There is no planning history relating to a vehicular access and the previous refusal reasons related to the principle of development, visual impact within the AONB and the increase in traffic movements associated with the increase in dwelling numbers.

#### **5. The Proposal**

This application proposes to create a vehicular access into the field for the purposes of maintaining the land. The agent for the applicant has stated that *“currently the main access is restricted from the wider property due to planted hedging and flowerbeds and its location (NW extremity of the plot). An additional access is required that would not replace the current driveway, but increase the ability to access the whole of the property”*. The scheme proposes the access only and does not seek any further development within the field – e.g. a track or hardstanding.

The scheme has been amended during its consideration through a reduction in its size (the opening being reduced from 10 to 8 metres in length and its depth being reduced from 7.5 to 5 metres) and the inclusion of a soakaway sump.

The access would be formed by excavating an area of bank to create the hardsurfaced access. A new mixed native hedge will replace the existing hedge that is to be lost and a soakaway is proposed to deal with the matter of increased surface water run-off.

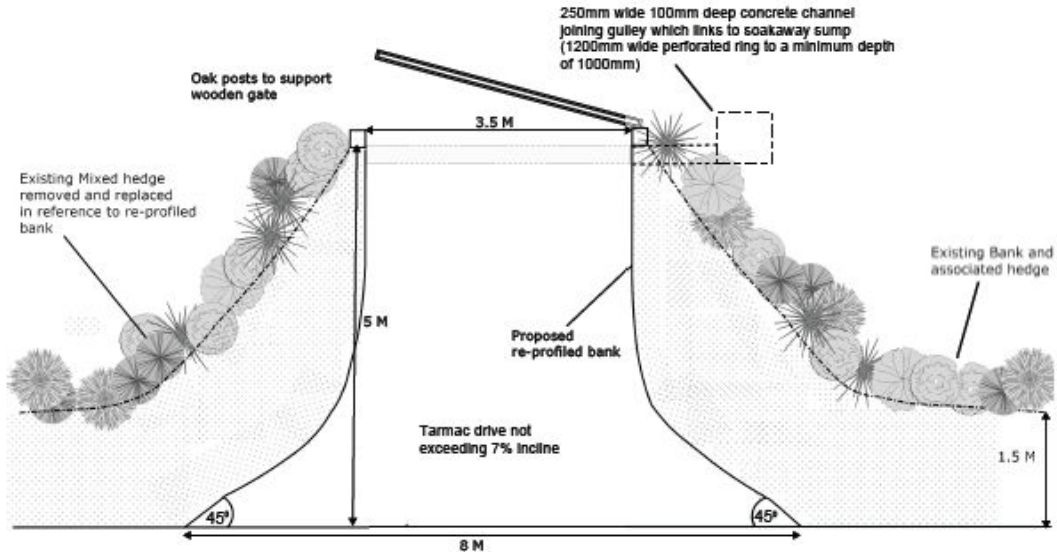


Plate 3: Proposed access details (not to scale)



Plate 4: Photograph of Dragon Lane (application site is on right hand side of picture)



Plate 5: Photograph of application site

## **6. Planning Policy**

The development plan for the area comprises the Kennet Local Plan 2011 and the Wiltshire & Swindon Structure Plan 2016. The key local plan policy is PD1 "Development and Design". Structure Plan policy C8 covers development in AONBs. The National Planning Policy Framework (NPPF) is also relevant.

In due course the Wiltshire Core Strategy will replace the Kennet Local Plan as the statutory local plan for the East Wiltshire area. The Wiltshire Core Strategy Pre-Submission Document went out to public consultation in February 2012 and the Wiltshire Core Strategy was presented for examination in July 2012. However, it is not expected to be adopted until late 2013. Because the document is not in an advanced stage of preparation, it does not yet carry significant weight when making planning decisions.

## **7. Consultations**

WC Highways: No objection subject to conditions regarding visibility, the gradient and surfacing of the access, the position of gates and the method of surface water disposal.

WC Land Drainage Engineer: No objection.

Manningford Bruce Parish Council: Objects.

"The proposal envisages the provision of a completely new entrance, which will require the removal of hedging and low banking and development of a sloping tarmac driveway leading to a wooden gate. The house itself is situated at the northern end of an estate of approximately one acre, mainly lawned with some landscaping. The Design Brief accompanying the application states that the objective is to provide vehicular access to land currently separate from existing access arrangements. The site is situated within the North Wessex Downs Area of Outstanding Natural Beauty and is outside the village defined limit of development. Dragon Lane is a narrow single track road approximately 2 metres in width for the most part.

"During the course of the visit to the site, it was noted that the existing entrance constructed during the building of this relatively new property approximately 3 years ago, provides unrestricted access to the remainder of the property. The applicant's claim that part of the estate is a separate entity from the remainder requiring separate vehicular access arrangements could therefore not be supported. This proposed development would also have a detrimental visual impact on the neighbourhood and tend to aggravate movement within Dragon Lane. Neighbouring properties have expressed their opposition to this development. For reasons given above, Manningford Parish Council objects to the application."

## **8. Publicity**

Letters from 2 neighbouring properties have been received. The comments received are summarised as:

- As the lane is narrow and the bank high the entrance needs to be very wide. Our entrance opposite [Fairfield] is a full 13 metres wide and theirs will need to be wider still given the height of the bank. The rather sketchy drawing shows an entrance that seems to be narrower than ours, which will not be enough to allow proper access without swinging vehicles onto our driveway.
- The current drawings are too vague given the restricted space and permission should not be granted until more detailed drawings, to scale, are done, and the issue of turning circle and access can be properly addressed.
- The second issue is that this application is for a new vehicular access point from Dragon Lane. This surely encourages more traffic along the lane. The lane is only 2 metres wide at this point and is even narrower further down. Should we really be adding extra vehicular access here? I would like to see firm assurances that this new entrance will not increase the traffic on the lane, and that the access to the field will not be for extra activity but will supplant existing activity.

- How are they going to complete the work without driving earthmoving equipment onto our [Fairfield – opposite] driveway? The lane is only 2 metres wide at this point and they need to move a considerable amount of earth one way or another.
- There is the issue of drainage and water runoff. Dragon Lane has no drainage ditches and existing runoff washes down the lane and into the centre of the village, which only has small drainage runoff pipes along the road (supporting photos to follow by post). The works will punch a large hole in the earth bank on the east side of the lane, so promoting extra runoff from the large field behind. Surely the bank needs to be kept in order to contain the runoff.
- There is an alternative. They could use the land inside the boundary to provide access to the large field area from the existing entrance. A paved or gravel section could run parallel to the boundary to the field from the existing entrance. This would preserve the bank and reduce runoff, and would not require work to be done on the lane itself. It would not even take any more land to build than the current proposal, as the new entrance would need to be very large and intrude well into the field as per point 1. The existing wide entrance could then be used to provide vehicular access. Using the existing entrance would also reduce the amount of traffic turn-ins on the lane.
- As this site has been adequately managed for the last 3 years without vehicle access, one can only be very worried and speculate as to what future plans there are for this site if planning is granted.
- The design statement says the access will be tarmac. Visually this is not in keeping with other accesses in the immediate area which are either gravel or compacted soil and grass. Dragon Lane has a downward gradient, which in wet weather causes a stream of water all the way to the end. It carries silt and debris and flows naturally down the side where the site is. If tarmac is used there is a possibility that ground water from the site would add to the quantity of the flow especially as the site is 1.5m above the lane. The use of gravel would act as a natural soakaway for the surface water.
- Also of concern is the fact that this is the second pending planning application within a short area of the lane (see E/2012/1119/FUL). They are on the same side, both are for vehicle access and both require the removal of hedgerow. If planning is subsequently granted, the character of this ancient lane will be changed significantly.
- We note the drainage proposals on the amended plans but the success and efficiency of these is unproven until put into use. This will be of little comfort to those whose homes may subsequently be affected should they not work. The solution is not to have the access at all.
- The change in measurement of access width and length in no way mitigates the visual impact on the lane.

## 9. Planning Considerations

Dragon Lane is a narrow rural lane leading from the main route through Manningford Bruce to the countryside beyond. However, the southern stretch of this lane is characterised by a number of dwellings and their associated accesses built close to the roadside edge (as is shown on the photographs below).



Plate 6: Photographs looking south & north along Dragon Lane - examples of existing accesses

The proposed access will cut through the raised bank (see plate 5) but this is at a point close to the access to Fairfields and the allotments, both opposite. In this context, the new access will neither appear isolated in the rural context nor out of keeping with the character and appearance of the southern part of Dragon Lane. The access has been narrowed and the scheme proposes a mixed native hedge on the re-profiled bank. The narrow proportions and inclusion of landscaping helps to ensure that the access would maintain the rural character and appearance of this side of the lane and it is appropriate in scale to the field it serves. The use of tarmac is also considered acceptable as this is in keeping with other such tarmac entrances along the lane. The scheme is therefore considered visually acceptable and there will be no demonstrable harm caused to the scenic qualities or amenities of the AONB.

The highways officer is satisfied with the scheme in respect of highway safety and the narrower design has evolved in consultation with the Council's highways officer. The purpose of the access is to serve vehicles which are already required to access the site for maintenance purposes. Therefore, there will be no material increase in traffic using Dragon Lane.

The further concern raised by the objectors is the potential impact upon surface water run-off as a result of the sloping tarmac drive. Dragon Lane currently experiences problems of surface water run-off during periods of heavy rainfall. The Council's land drainage officer has visited the site twice and is satisfied that the drainage channel and soakaway shown on the amended plans will adequately address any increase in run-off that could be caused by the new access.

It is also considered that the use of the field access will not give rise to any adverse impact upon the reasonable living conditions of the neighbouring residents.

## **10. Conclusion**

In conclusion, it is your officers' opinion that the new access is acceptable visually within the context of other vehicular accesses and it will not give rise to any highway safety implications nor any increase in surface water run-off. The scheme is therefore considered acceptable and a grant of planning permission is recommended.

## **RECOMMENDATION**

That planning permission be GRANTED for the following reason and subject to the following list of conditions:

The Council is required to give a summary of the reasons for this decision and its conditions, and a summary of the development plan policies and proposals relevant to the decision and its conditions. These are set out below:

The decision to grant planning permission has been taken on the grounds that the proposed development would not cause any significant harm to interests of acknowledged importance and having regard to the National Planning Policy Framework, policy PD1 of the Kennet Local Plan 2011 and policy C8 of the Wiltshire & Swindon Structure Plan 2016.

In accordance with paragraph 187 of the National Planning Policy Framework, Wiltshire Council has worked proactively to secure this development to improve the environmental conditions of the area.

- 1 The development hereby permitted shall be begun before the expiration of three years from the date of this permission.

REASON: To comply with the provisions of Section 91 of the Town and Country Planning Act 1990 as amended by the Planning and Compulsory Purchase Act 2004.

- 2 No development shall commence on site until a scheme of soft landscaping has been submitted to and approved in writing by the Local Planning Authority, the details of which shall include:-
- a) location and current canopy spread of all existing trees and hedgerows on the land;
  - b) full details of any to be retained, together with measures for their protection in the course of development; and
  - c) a detailed planting specification showing all plant species, supply and planting sizes and planting densities.

REASON: To ensure a satisfactory landscaped setting for the development and the protection of existing important landscape features.

- 3 All soft landscaping comprised in the approved details of landscaping shall be carried out in the first planting and seeding season following the first use of the new access or the completion of the development whichever is the sooner; All shrubs, trees and hedge planting shall be maintained free from weeds and shall be protected from damage by vermin and stock. Any trees or plants which, within a period of five years, die, are removed, or become seriously damaged or diseased shall be replaced in the next planting season with others of a similar size and species, unless otherwise agreed in writing by the Local Planning Authority.

REASON: To ensure a satisfactory landscaped setting for the development and the protection of existing important landscape features.

- 4 The access hereby permitted shall not be brought into use until visibility splays have been provided between the edge of the carriageway and a line extending from a point 2 metres back from the edge of the carriageway, measured along the centre line of the access, to the points on the nearside edge of the carriageway 25 metres to the north-west and 25 metres to the south-east from the centre of the access in accordance with the approved plans. Such splays shall thereafter be permanently maintained free from obstruction to vision above a height of 900mm above the level of the adjacent carriageway.

REASON: In the interests of highway safety.

- 5 The gradient of the access hereby permitted shall not at any point be steeper than 1 in 15 for a distance of 4.5 metres from its junction with the public highway.

REASON: In the interests of highway safety.

- 6 The development hereby permitted shall not be first brought into use until the first 4.5 metres of the access, measured from the edge of the carriageway, has been consolidated and surfaced (not loose stone or gravel). The access shall be maintained as such thereafter.

REASON: In the interests of highway safety.

- 7 The gates shall be erected in accordance with the details shown on approved plan number NA/JP/cp08 (received on the 25th February 2013). The gates shall be set back 5 metres from the edge of the carriageway and shall open inwards only, in perpetuity.

REASON: In the interests of highway safety.

- 8 The development hereby permitted shall be carried out in accordance with the following approved plans:

Plan ref: Location plan, Date received: 26th November 2012;

Plan ref: NA/JP/cp06, Date received: 4th February 2013; and

Plan ref: NA/JP/cp08, Date received: 25th February 2013.

REASON: For the avoidance of doubt and in the interests of proper planning.

