

## Report to the Southern Area Planning Committee

<b>Date of Meeting</b>	17 <sup>th</sup> October 2013		
<b>Application Number</b>	13/02724/FUL		
<b>Site Address</b>	Land opposite Woodford Mill, Middle Woodford, Salisbury, SP4 6NW		
<b>Proposal</b>	Creation of new access and farm track		
<b>Applicant</b>	Guy Rasch		
<b>Town/Parish Council</b>	Woodford		
<b>Electoral Division</b>	Bourne and Woodford Valley	<b>Unitary Member</b>	Cllr Mike Hewitt
<b>Grid Ref</b>	411977	136021	
<b>Type of application</b>	Full		
<b>Case Officer</b>	Charlie Bruce-White		

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### Reason for the application being considered by Members

Cllr Mike Hewitt has called in the application due to local concern relating to matters of highways safety.

#### 1. Purpose of report

To consider the above application and the recommendation of the Area Development Manager that planning permission be **GRANTED subject to conditions**.

#### 2. Report summary

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

1. Principle of development;
2. Justification;
3. Character & appearance of the area;
4. Highways safety.

#### 3. Site Description

The site relates to a parcel of land at Middle Woodford, which is used in connection with the rearing of pheasants, situated directly off the main (C-class) road that runs through the Woodford Valley. Behind the site, to the north-west, exists agricultural land used in connection with grazing. The site is currently accessed via a length of track which runs through the agricultural land to an existing access onto a road known as Church Bottom. The site is outside of the Housing Policy Boundary.

#### 4. Relevant Planning History

13/0294      **Creation of new access and farm track**      REFUSED      06.06.13

## 5. Proposal

It is proposed to create a new vehicular access onto the road directly off the site, and to form a new length of track to link up with the existing section.

The application represents a resubmission of an application previously refused by the Southern Area Planning Committee for the following reasons:

*The development proposes a new vehicular access to serve an existing pheasant rearing shed and associated yard. The access would be sited on the outside of a bend where views of emerging vehicles would be partially obscured to users of the highway, and the applicant has not satisfactorily demonstrated that surface water could be adequately dealt with so as to prevent its discharge onto the highway. Furthermore, it is not considered that the proposed access is essential or necessary development within the countryside, on the basis that the site has historically been accessed by alternative means which is still available for use by the applicant. Consequently the proposed access would be detrimental to highways safety and would not comprise essential development within the countryside, contrary to Local Plan policies G2(i) and C20 (as saved within the South Wiltshire Core Strategy).*

The current application is identical to the previous one, but supported by additional information including a Transport Statement.

## 6. Planning Policy

Local Plan: policies G1, G2, C2, C6, C20

Central government planning policy: NPPF

## 7. Consultations

### Parish Council

Object due to potential for water run-off onto the road; access is on a blind bend and would be a hazard to highways safety; and it is not necessary as alternative access exists. The PC do not consider that the Transport Statement demonstrates that the development would be safe, and query the validity of the traffic survey.

### Highways Officer

No objection subject to conditions to secure visibility splays and details of surface water drainage to prevent discharge onto the highway.

## 8. Publicity

The application was advertised by site notice and neighbour consultation.

21 letters of objection were received, raising the following concerns:

- Potential hazard to highways safety as access is on a blind/dangerous corner;
- Not necessary as the site can make use of its current/historic access onto Church Bottom.
- The existing access has always been shared with residential properties, and the recent construction of the new (replacement) dwelling does therefore not change this situation and provide a justification for the proposal.

- The site is on a higher level to the road and is close to the spring line and water table, and therefore the creation of an access at this point could result in excess water and mud being discharged onto the highway;
- The traffic survey carried out by the applicant is flawed for a number of reasons and important data such as the number of vehicles exceeding the speed limit has not been presented;
- Proposed drainage channels and soakaways to deal with the surface water are likely to be ineffective due to ground conditions;
- Possible precursor to further development.

## **9. Planning Considerations**

### *9.1 Principle of development*

Local Plan policy C20 states that development which is essential to meet the needs of agriculture, forestry and horticulture will be permitted in the countryside provided that it can be demonstrated that;

- (i) the development would be inappropriate in an urban area;
- (ii) the proposed development is directly related to a nearby holding or group of holdings;
- (iii) measures are included to prevent the pollution, over-abstraction and degradation of water courses and groundwater sources.

### *9.2 Justification*

The applicant details that the new access is necessary to serve the pheasant rearing operation on the site. Whilst the applicant acknowledges that there is an existing, alternative means of access to the site via Wishford Road, it is stated that this access is shared with residential property, resulting in potential conflict, and would involve crossing third party land. In addition, it is stated that the proposed access would be more suitable, providing a purpose built access to modern standards.

On the other hand, a number of local residents and the Parish Council consider the proposal unnecessary, as the existing access has adequately served the site for many years with no apparent problem. Furthermore, it is cited that the access has always been shared with residential property, and that there have been no previous records of road accidents due to its use.

Officers note that the proposed access would provide a far more efficient and less onerous route to the pheasant shed than the existing arrangement. In this respect the proposed access is considered to be reasonable and acceptable in principle, subject to meeting other essential planning criteria such as not detrimentally affecting the character and appearance of the countryside, and being acceptable in highway safety terms.

### *9.3 Character & appearance of the area*

The proposed access would be formed within an existing earth bank off the highway, and would project through an existing roadside hedge, albeit at a point where the hedge is comparatively thin. It would be a relatively modest access, typical of many field accesses found within the area and wider countryside, and would not require significant engineering works or significant removal of the hedge for the purposes of creating visibility splays,

since the road at the access point would be naturally splayed in either direction. There would be a need, however, to trim back the hedge to the south of the access to ensure adequate visibility in this direction, although this would be relatively limited and new hedge planting could be undertaken behind the existing hedge to reinforce it where necessary, in order to maintain the hedge-lined character of the road. New hedge planting would also be undertaken to either side of the access, protruding back into the site. As a result it is not considered that the proposal would have an unacceptable visual impact within the countryside.

#### 9.4 Highways safety

The Highways Officer has visited the site and undertaken pre-application discussions with the applicant to ensure its optimum position. The access meets the required visibility standards, as set out within national guidance, for the type of road and speed of traffic expected on it, where the speed limit is restricted to 30 mph.

In considering the previous objections raised by the Parish Council and third parties the Highways Officer commented as follows:

*The proposed access is on the outside of the bend which gives good visibility in each direction. I am satisfied that the required visibility can be achieved with some alterations to the hedge, which is under the control of the applicant. I accept that the bend is fairly blind for users of the road. This is caused by the wall to Woodford Mill on the inside of the bend. As the access is on the outside of the bend there will be good visibility of and from the access. Visibility standards are set out in Manual for Streets. If there is a problem of traffic ignoring the speed limit this is a matter for the police to address.*

*The application includes a cut off drain at the edge of the carriageway discharging to a soakaway. However, if the water table is as high as claimed by the objectors the soakaway will not work and water will be discharged on to the highway. I have checked with our area maintenance team and there are existing problems with water discharge in the area. In view of this I consider that the applicant should be required to demonstrate that the soakaway will be adequate to handle the expected discharge. This will involved undertaking permeability tests in a trial pit and an engineering design for the soakaway.*

Notwithstanding this view, the previous application for the access was refused by the Southern Area Planning Committee on highway safety grounds. Consequently, in support of the resubmitted proposal, the applicant has submitted a Transport Statement based upon results from a traffic speed/count survey and search of police accident records. Key findings were that the measured mean speed of vehicles approaching the proposed site access was approximately 28mph, and that no accidents involving injuries have been recorded within the vicinity of the site.

A number of local residents and the Parish Council have queried the validity of the applicant's survey, due to the time of year it was undertaken (school holidays), the position of the recording instrument, and the presence of nearby roadworks for the duration of part of the survey. However, the Highways Officer comments as follows:

*The Transport Statement and subsequent letter are accepted. Visibility distances are set by the speed limit for a road unless measured speeds are significantly lower than the limit. The 85<sup>th</sup> %ile speed measured is about what I would expect for a 30mph speed limit on a road of this nature and the proposed visibility splays do not need to*

*be amended. There is nothing in the submitted documents which changes my original view on this application.*

In conclusion, no highway objection is raised subject to conditions requiring the formation/maintenance of the required visibility splays and further details of the proposed drainage measures, the latter of which will require agreement prior to any works commencing. Notwithstanding any agreed drainage scheme, it is an offence to discharge water onto the highway, and the local highway authority can take action to resolve such offences if this occurs.

## **10. Conclusion**

The proposed access is considered to be justified development in the countryside that would not have an unacceptable impact upon the rural character of the area and, subject to conditions, would be acceptable in highway safety terms.

## **11. Recommendation**

**Planning Permission be GRANTED subject to the following conditions:**

- 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) The development shall only be undertaken in accordance with the following approved plans:

Plan Ref....1090.P18.A3 Rev. B...	Dated....02.08.13....
Plan Ref....1090.P19.A3 Rev. B...	Dated....02.08.13....
Plan Ref....1090.P20.A3...	Dated....02.08.13....

REASON:For the avoidance of doubt.

- 3) The access hereby approved shall not be brought into use until a visibility splay has been provided between the edge of the carriageway and a line extending from a point 2.0 metres back from the edge of the carriageway, measured along the centre line of the access, to a point 1.0m into the carriageway from the nearside edge 43 metres to the south (right) from the centre of the access. Such splay 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.

- 4) No development shall commence on site until a scheme for the discharge of surface water from the site (including surface water from the access/driveway), incorporating sustainable drainage details, has been submitted to and approved in writing by the Local Planning Authority. The development shall not be first brought into use until surface water drainage has been constructed in accordance with the approved scheme.

REASON:To ensure that the development can be adequately drained and that no water is discharged from the site on to the highway.

- 5) No development shall commence on site until plans (to be based upon a topographical survey) have been submitted to, and agreed in writing by, the local planning authority detailing the extent of alterations to the hedge to the south of the access in order to meet the required visibility splay as set out in condition 3. The plans should include proposals, including planting specifications, for the relocation/reinforcement of the hedge further back from the highway where appropriate. Any new hedge planting agreed shall be carried out in the first planting season following the first use of the access or the completion of the development whichever is the sooner. Any hedge 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: The required visibility splay to the south of the access will require the roadside hedge to be trimmed back, and appropriate new planting should take place where this is necessary in order to ensure that the hedge-lined appearance of the road is maintained, in the interests of the rural character of the area.

**INFORMATIVE:- Condition 4 (Surface water drainage)**

It is understood that there are existing problems with water discharge in the area, and that the water table is likely to be relatively high in the area of the site. The applicant will therefore need to demonstrate that any soakaway will be adequate to handle the expected discharge. This will involve undertaking permeability tests in a trial pit and an appropriate engineering design for the soakaway.