CASE OFFICER'S REPORT

Application Reference:	PL/2023/08344
Application Type:	Full planning permission
Site Inspection:	23 October 2023
Consultation ends:	16 November 2023
Case officer:	Julie Mitchell

Site Address:	Land at Bapton (off A303 slip road), Bapton, Wiltshire
Proposal:	Creation of a new field entrance, and accompanying removal of an 8 metre of hedgerow.
Recommendation:	Refuse

Proposal and Site Description

The application is seeking permission for a new field access from the A303 dual carriageway slip/connector road which links the A303 to the local road network between Wylye and Bapton The slip road is subject to the national speed limit and serves as both an offslip and onslip for the A303 eastbound carriageway.

The proposal would involve the creation of an access across the existing highway verge and through the existing hedgerow. The proposed access would serve a proposed building which has recently been subject to the prior notification procedure. There is an existing access approximately 30 metres to the north of the proposed access.

The site lies within the Cranborne Chase & West Wiltshire Downs National Landscape (AONB).

Policies

National Context:

National Planning Policy Framework (NPPF)
Planning Practice Guidance (PPG)

Local Context:
Wiltshire Core Strategy (WCS) adopted 2015
Core Policy 48: Supporting Rural Life
Core Policy 50: Biodiversity and Geodiversity
Core Policy 34: Additional Employment Land
Core Policy 51: Landscape
Core Policy 57: Ensuring High Quality Design and Place Shaping
Core Policy 61: Transport and Development
Core Policy 62: Development Impacts on the Transport network

Key Issues

- Highways
- Landscape/Visual impacts
- Loss of hedgerow

Relevant Planning History

PL/2023/07206 - Prior notification of proposed steel framed, five bay agricultural barn with open sides to store straw - Approved

Consultation Responses

Wylye Parish Council - no comments received

Stockton Parish Council - no comments received

National Highways
Referring to the consultation on a planning application referenced above, in the vicinity of the A303 that forms part of the Strategic Road Network, notice is hereby given that National Highways' formal recommendation is that we:
d) recommend that the application be refused (see reasons at Annex A).
Highways Act Section 175B is relevant to this application.

This represents National Highways formal recommendation and is copied to the Department for Transport as per the terms of our Licence.
Should the Local Planning Authority not propose to determine the application in accordance with this recommendation they are required to consult the Secretary of State for Transport, as set out in the Town and Country Planning (Development Affecting Trunk Roads) Direction 2018, via transportplanning@dft.gov.uk and may not determine the application until the consultation process is complete.
The Local Planning Authority must also copy any consultation under the 2018 Direction to Planningsw@nationalhighways.co.uk .

National Highways has been appointed by the Secretary of State for Transport as strategic highway company under the provisions of the Infrastructure Act 2015 and is the highway authority, traffic authority and street authority for the Strategic Road Network (SRN). The SRN is a critical national asset and as such we work to ensure that it operates and is managed in the public interest, both in respect of current activities and needs as well as in providing effective stewardship of its long-term operation and integrity.
We have undertaken a review of the relevant documents supporting the planning application to ensure compliance with the current policies of the Secretary of State as set out in DfT Circular 01/2022 "The Strategic Road Network and the Delivery of Sustainable Development" and the National Planning Policy Framework (NPPF).
This response represents our formal recommendations with regards to planning application reference PL/2023/08344.

Reasons

The application is seeking permission for a new direct field access from the A303 dual carriageway slip/connector road which forms part of the SRN and links the A303 to the local road network between Wylye and Bapton The slip road is subject to the national speed limit and serves as both an offslip and onslip for the A303 eastbound carriageway. The A303 provides a key strategic route into the South West and fulfils a vital economic function. National Highways primary consideration is the safe and efficient operation of the A303 trunk road to maintain its strategic role, and it is this context that our comments are made.

The application site is currently served by an existing access arrangement approximately 29 metres to the north-east of the proposed access location. Whilst the existing field access appears to be constrained with regards to visibility and does not reflect current design standards, there is no recorded collision history associated with its current use which could generate uncontrolled agricultural vehicle movements, including to the application site. The application does not propose to close or alter this existing access which will continue in use. The proposals are therefore for a new and additional direct access.

The policy context within which National Highways is required to consider applications for connections onto the strategic road network is currently set out within DfT Circular 01/2022 “The Strategic Road Network and the Delivery of Sustainable Development”

This states at paragraph 21 that “In line with the standards contained in the Design Manual for Roads and Bridges (DMRB), new connections to slip or connector roads will not be permitted for safety and operational reasons.” This is further supported at paragraph 20 which states that, for development which is not identified as strategic growth within a Local Plan, “there will be no new connections on those sections of the network designed for high-speed traffic other than for the provision of signed roadside facilities, emergency vehicle access, public transport interchanges and the company’s construction and maintenance compounds, where these can be providedsafely”. The presumption is against new connections and the preference is for development to utilise existing access arrangements.

The specific section of the DMRB which is pertinent in this case is CD122 Geometric design of grade separated junctions which states at paragraph 5.2 that ‘Direct accesses and priority junctions shall not be provided on connector roads’. This is further supported by CD123 Geometric design of at grade priority and signal controlled junctions which states at paragraph 2.29 that “Direct accesses should be avoided where possible” which is particularly relevant in this case as a means of access to the application site already exists.

Therefore, notwithstanding that the proposals as presented have not demonstrated compliance with CD123 for a direct field access, the proposals are not compliant with CD122 and do not meet the policy requirements set out in DfT Circular 01/2022.

On this basis it is also considered that the proposals would not comply with policies within the NPPF, in particular paragraph 110 which requires development to ensure safe and suitable access to the site can be achieved for all users, and paragraph 111 which provides for development to be refused on highways grounds if there would be an unacceptable impact on highway safety. National Highways considers these apply in this case given the non-compliance with DMRB and the Circular.

Separate to its role as a statutory consultee for planning purposes, National Highways as the strategic highway authority will not accept a new connection onto the A303 slip road, as the arrangement cannot satisfy the requirements of the DMRB and DfT Circular 01/2022.

Summary

The application as submitted does not and cannot achieve the necessary compliance with the standards contained within the DMRB, and is not therefore compliant with policies as set out within DfT Circular 01/2022 and the NPPF.
National Highways has no alternative but to recommend that the application is refused planning permission, and National Highways will not grant consent for the formation of the connection under its statutory powers as the strategic highway authority.
Recommendation
National Highways recommends that application PL/2023/08344 should be refused planning permission by the local planning authority for the following reasons:
• The proposals do not comply with DfT Circular 01/2022 which states at paragraph 21 that "In line with the standards contained in the Design Manual for Roads and Bridges, new connections to slip or connector roads will not be permitted for safety and operational reasons."
• The applicant is not able to demonstrate compliance with paragraph 110 (b) of the National Planning Policy Framework that safe and suitable access can be achieved for all users as the development does not comply with the necessary standards within the Design Manual for Roads and Bridges and policies contained within DfT Circular 01/2022.
• Under NPPF paragraph 111 the development is considered to represent an unacceptable impact on highway safety as it cannot comply with the necessary standards within the Design Manual for Roads and Bridges and policies contained within DfT Circular 01/2022.
Highways Act Section 175B
In accordance with Section 175(b) of the Highways Act 1980 (as inserted by The Infrastructure Act 2015) National Highways does not consent to the formation of an access on to the A303 trunk road, as submitted within planning application reference PL/2023/08344.
Standing advice to the local planning authority
The Climate Change Committee's 2022 Report to Parliament notes that for the UK to achieve net zero carbon status by 2050, action is needed to support a modal shift away from car travel. The NPPF supports this position, with paragraphs 73 and 105 prescribing that significant development should offer a genuine choice of transport modes, while paragraphs 104 and 110 advise that appropriate opportunities to promote walking, cycling and public transport should be taken up.
Moreover, the build clever and build efficiently criteria as set out in clause 6.1.4 of PAS2080 promote the use of low carbon materials and products, innovative design solutions and construction methods to minimise resource consumption.
These considerations should be weighed alongside any relevant Local Plan policies to ensure that planning decisions are in line with the necessary transition to netzero carbon.

Local Highways Authority
The comments provided by National Highways are noted and there are no further comments from the Local Highway Authority.

WC Arboricultural Officer - No comments received

Representations
No third party representations have been received in relation to this application.

Planning Considerations and Assessment

Section 70(2) of the Town and Country Planning Act 1990 and section 38(6) of the Planning and Compulsory Purchase Act 2004 require that the determination of planning applications must be made in accordance with the Development Plan, unless material considerations indicate otherwise.

Principle of Development:

The application site is outside of any defined settlement boundary and therefore within the open countryside. It is not allocated for any form of development. Applicable Core Strategy Policies include Core Policy 48, which supports rural life but does not reference new agricultural development other than accommodation for agricultural workers; Core Policy 51 which seeks to protect, conserve and enhance Wiltshire's distinctive landscape character; and Core Policy 57 which aims to achieve a high standard of design.

CP34 states: Outside the Principal Settlements, Market Towns and Local Service Centres, developments that:

ii. Support sustainable farming and food production through allowing development required to adapt to modern agricultural practices and diversification;

will be supported where they:

v. Meet sustainable development objectives as set out in the polices of this Core Strategy; and

vi. Are consistent in scale with their location, do not adversely affect nearby buildings and the surrounding area or detract from residential amenity; and

ix. Are supported by adequate infrastructure.

The proposed access is to serve a new agricultural building to provide storage associated with a cattle farming enterprise which was recently consented through the prior notification procedure. At the time of the consideration of the prior notification, it was proposed that the building would utilise an existing field access gate and no requirement for a new access was included. This planning application sets out that the straw stored in the building will need to be moved periodically resulting in a change in the regularity of use and access of the land by tractor and trailer. The access is sought as the existing access, which is located on the bend of the A303 slipway, is not suitable for regular use and that the new access will provide a more direct access as the use of the existing access necessitates driving across the field.

The principle of a new access to serve an agricultural holding and building is one which is capable of support, however this acceptability in principle is subject to consideration of highway safety matters, visual and landscape impact and loss of vegetation.

Highways Safety:

The application sets out that the formation of the access requires hardcore to be laid over the strip of highways land to join the slip way. The slip way is a two-way access from/onto the A303. Notice has been served on Wiltshire Council as local highways authority. Aside from the grant of planning permission, the formation of an access onto the highway requires permission for the highways authority and it is clear from the response from National Highways that such consent will not be granted.

Paragraph 111 of the NPPF states that development should only be prevented or refused on highways grounds if there would be an unacceptable impact on highway safety, or the residual cumulative impacts on the road network would be severe. Additionally, Core Policy 62 of the WCS

states that developments should provide appropriate mitigating measures to offset any adverse impacts on the transport network at both the construction and operational stages. As the proposed access is onto the Strategic Road Network (SRN), National Highways have been consulted and the response is set out in full above. In summary National Highways have raised an objection in principle to the creation of a new access onto the A303 slipway on highway safety grounds as well as advising that their consent to form the access onto the SRN would not be given. In view of the objection from National Highways, which does not indicate that there is any means of overcoming the objection, it is concluded that the proposal is unacceptable in highway safety terms and that refusal of planning permission is both necessary and justified in this instance.

Landscape/Visual Impacts:

The site is within the countryside and designated as a National Landscape (AONB). Core Policy 51 states: Development should protect, conserve and where possible enhance landscape character and must not have a harmful impact upon landscape character, while any negative impacts must be mitigated as far as possible through sensitive design and landscape measures. Core Policy 57 requires: A high standard of design is required in all new developments. Development is expected to create a strong sense of place through drawing on the local context and being complimentary to the locality. Applications for new development must be accompanied by appropriate information to demonstrate how the proposal will make a positive contribution to the character of Wiltshire.

The visual impacts of the proposal would be localised, with the removal of a section of hedgerow and formation of hard surfacing across the highway verge and into the field. Despite the National Landscape designation, in the context of the new building and the localised environment the visual impacts of the proposal are not considered to warrant an additional reason for refusal. Additionally, neighbouring amenities are not considered to be detrimentally affected by the proposed access due to the separation distance to the nearest residential properties.

Hedgerow Removal:

The application submission confirms that a 7.5 metre length of hedgerow will need to removed in order to accommodate the new metal 7 rail agricultural gate. The applicant estimates that the hedgerow is about 25 years old. In other areas of the field, particularly the North West corner, the hedges have gaps which the applicant intends to plant in order to offset the hedgerow to be removed in the South East corner. The proposal necessitates the removal of a section of the existing boundary hedgerow which would result in a loss of vegetation which forms part of the natural habitat, however the extent of the hedgerow to be removed is not considered to be significant and measures to include additional planting as compensation could be required in the event of approval. The Council's Arboricultural Officer has not offered any comment to indicate an objection on visual amenity grounds. Therefore an additional reason for refusal is not recommended.

Conclusion:

The proposed new access is on to the A303 slip road which forms part of the Strategic Road Network where the national speed limit applies. National Highways object to the proposal on the grounds of highway safety, asserting that a safe and suitable access cannot be demonstrated. Given the objection, and there being no indication that there are measures which could overcome

this objection, refusal is recommended. No further reasons for refusal are recommended as other matters would be capable of being subject to conditions as necessary to make the proposal acceptable in other regards.

Refusal Reason(s): (1)

1 A new access onto the Strategic Road Network would not achieve a safe and suitable access and would have an unacceptable impact on highway safety, contrary to paragraphs 110(b) and 111 of the National Planning Policy Framework 2023 and having regard to the failure to comply with the Design Manual for Roads and Bridges and policies contained within DfT Circular 01/2022.