CASE OFFICER'S REPORT

Application Reference:	PL/2024/00116
Application Type:	Full planning permission
Site Inspection:	25 January 2024
Consultation ends:	16 February 2024
Case officer:	Meredith Baker

Site Address:	Land adjoining B3098, Foxley Corner, Urchfont
Proposal:	Formation of vehicular access
Recommendation:	Approve with Conditions

Planning Policy

National Planning Policy Framework 2023 (NPPF)

Section 2 (Achieving sustainable development)
Section 12 (Achieving well-designed places)
Section 15 (Conserving and enhancing the natural environment)

Planning Practice Guidance (PPG)
National Design Guidance

Wiltshire Core Strategy (WCS):

Core Policy 50: Biodiversity and Geodiversity
Core Policy 51: Landscape
Core Policy 57: Ensuring High-Quality Design and Place-Shaping
Core Policy 60: Sustainable Transport
Core Policy 61: Transport and Development
Core Policy 62: Development Impacts on the Transport Network

Relevant Planning History:

None relevant

Consultation Responses

Urchfont Parish Council: “This application was considered at a meeting of Urchfont Parish Council on 14th February 2024 at which the councillors resolved to SUPPORT the application.”

Highway Officer: No objection subject to conditions and informative.

Ecology Officer (informal): “As hedgerows form part of an important habitat for protected and notable species, all hedgerow loss should be mitigated. Please provide a plan showing hedgerow replacement using similar species to those being lost.”

Representations

None received.

Proposal

The application site relates to a parcel of agricultural land located off the B3098. The application site is located to the east of a permitted dog walking/activity area and to the north and west lies an agricultural woodland area.

The proposal seeks planning permission for the erection of a new access from the B3098 to serve the agricultural unit as outlined within the blue line on the submitted location plan.

The access would involve the removal of circa 9m of hedgerow to facilitate the new access and would be 13.5m of dropped kerb to the highway and a 4m access track within the site. The access would be surfaced in a bonded material for the first 10 metres. A five-bar gate is proposed to swing inwards and set back 10 metres from the edge of the carriageway and 1.2m post and wire fencing and hedgerow is proposed on either side of the access track within the site.

ASSESSMENT

Design and Visual Impacts

The proposed development would involve the provision of a new access point along the B3098 which would impact the street scene, in particular by the removal of hedgerow and the opening up of the area with new hardstanding.

The provision of a new access is not considered a desirable addition to the area. The new access would erode the green character of the area with the loss of the hedgerow and new hardstanding in an open rural area. It is considered that there would some visual harm generated from the new development in this regard.

Although some harm has been identified, it is noted that this agricultural access would be functional, and the reasoning behind the application is also understood whereby it is outlined that the site has been sub-divided and the site now does not have access from the original access through the property known as Haydown. Whilst ownership of land is not a material planning matter, an agricultural access to an agricultural site is acceptable in principle and it is considered that access through the residential properties access is not a good arrangement if agricultural vehicles were to use the site.

The proposed access would be opening part of the B3098 which does have other access points in proximity, and would be context to the adjacent access for the permitted dog walking/activity area to the west. As such given this context and that new hedgerow is proposed around the new access into the site (which will be conditioned to occur by way of condition) the provision of the new vehicular access is considered, on balance, not of demonstrable harm to the character and appearance of the street scene or rural area.

The proposed five-bar gate and post and wire fencing is typical for the agricultural area and is not considered harmful additions to the site. As such by reason of its design, siting and individual

circumstances of the application, the proposal is acceptable and would accord with Core Policies 51 and 57 in terms of design and visual impacts.

Neighbour Amenity:

The proposed access point is not located immediately adjacent to any residential dwellings and thus would not give rise to any unacceptable impacts upon neighbouring amenities.

Highways

The proposed access is to adjoin the classified B road (B3098) and thus careful consideration is required in relation to highway safety.

The Council's Highway Officer has reviewed the scheme who has raised no objection subject to conditions. It was noted that part of the splay passes over the neighbouring land, and it was stated that by securing the splay under this application and bearing in mind that a splay has also been achieved at the adjacent dog walking access that the proposed access would be acceptable in highway terms.

It was therefore deemed there was no highway safety concerns subject to conditions regarding the provision of the visibility splays, the first 5m of the access being consolidated and surfaced, and notwithstanding the submitted details the proposed development shall not be first used until works have been implemented to avoid private water from entering the highway. With the imposition of these conditions, which are considered necessary and reasonable in the interests of highway safety, the proposed development would accord with the development plan policies and would not give rise to unacceptable highway safety concerns.

Ecology

The proposed development would involve the loss of hedgerow in a rural area. The Council's Ecology Officer informally reviewed the submission and outlined that hedgerows form part of an important habitat for protected and notable species and all hedgerow loss should be mitigated. Following these comments the agent has provided an additional plan demonstrating that additional hedgerow will be planted behind the post and wire fencing around the access point of the site (however would not adversely impact any visibility splay). This hedgerow would be a sufficient replacement and it will be conditioned that this hedgerow is planted on site. With this condition, together with an informative reminding the applicant about protective species, the proposal is considered acceptable in terms of its impacts upon ecology.

RECOMMENDATION:

Approve with conditions

Conditions: (7)

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 hereby permitted shall be carried out in accordance with the following approved plans and documents:

Application Form
Covering Letter by David Jarvis Associates - AS/HC/3235/1 dated 4th January 2024
Technical Note 1: Proposed Field Access and Gate - by cda Condon Transport dated January 2024
Location Plan
Proposed Agricultural Access and B3098 Visibility Splays - Drawing Number: 23002/002 Rev A
Proposed Agricultural Access Swept Path Analysis - Drawing Number: 23002/003 Rev A
Proposed Hedgerow Planting Schedule - Drawing No. DR -0001 Version S4-P1

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

3 The permitted gates shall open inwards only and be maintained as such for the lifetime of the development.

REASON: In the interests of highway safety.

4 No part of the development shall be first brought into use, until the visibility splays shown on the approved plans have been provided with no obstruction to visibility at or above a height of 900mm above the nearside carriageway level. The visibility splays shall be maintained free of obstruction at all times thereafter.

REASON: In the interests of highway safety

5 The development hereby permitted shall not be first brought into use until the first 5m 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

6 Notwithstanding the submitted details, the proposed development shall not be brought into use until means/works have been implemented to avoid private water from entering the highway.

REASON: To ensure that the highway is not inundated with private water.

7 The hedgerow demonstrated in the approved details shall be carried out in the first planting and seeding season following the first occupation of the land; ; 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.

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

Informatives: (2)

8 The application involves the creation of a new vehicle access and dropped kerb. The consent hereby granted shall not be construed as authority to carry out works on the highway. The applicant is advised that a licence will be required from Wiltshire's Highway Authority before any works are carried out on any footway, footpath, carriageway, verge or other land forming part of the highway. Please contact our Vehicle Crossing Team on vehicleaccess@wiltshire.gov.uk and/or 01225 713352 or visit their website at http://wiltshire.gov.uk/highways-streets to make an application. The applicant must also ensure that any works within 8m of a watercourse (including discharge to and/or piping of road side ditches) will require full Land Drainage Consent . Please contact the Drainage Team at Drainage@wiltshire.gov.uk

9 The applicant should note that under the terms of the Wildlife and Countryside Act (1981) and the Habitats Regulations (2017) it is an offence to disturb or harm any protected species including for example, breeding birds and reptiles. The protection offered to some species such as bats, extends beyond the individual animals to the places they use for shelter or resting. Please note that this consent does not override the statutory protection afforded to any such species. In the event that your proposals could potentially affect a protected species you should seek the advice of a suitably qualified and experienced ecologist and consider the need for a licence from Natural England prior to commencing works. Please see Natural England's website for further information on protected species.