

42/12/0001

AP & SM PARRIS & SON

FORMATION OF AGRICULTURAL ACCESS AND CLOSURE OF PREVIOUS ACCESS TO THE FIELD OFF AMBERD LANE, STAPLEHAY AS AMENDED

Grid Reference: 321671.121651

Full Planning Permission

RECOMMENDATION AND REASON(S)

Recommended Decision: Conditional Approval for the following reason:

The proposal is considered not to harm the landscape character of the area, highway safety or flood risk and would harm neither visual nor residential amenity. Accordingly the proposal does not conflict with Taunton Deane Local Plan Policies S1 (General Requirements), S2 (Design) and S7 (Outside Settlements) or policy 49 of the Somerset and Exmoor National Park Joint Structure Plan Review.

RECOMMENDED CONDITION(S) (if applicable)

1. The development hereby permitted shall be begun within three years of the date of this permission.

Reason: In accordance with the provisions of Section 91 Town and Country Planning Act 1990 (as amended by Section 51(1) of the Planning and Compulsory Purchase Act 2004).

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

(A4) Existing & Proposed Plan of Stonework
(A4) Existing & Proposed East & West Elevations
(A4) Existing & Proposed South & North Elevations
(A4) Closure Of Existing Field Access

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

3. (i) The landscaping/planting scheme shown on the submitted plan shall be completely carried out within the first available planting season from the date of commencement of the development.

(ii) For a period of five years after the completion of the landscaping scheme, the trees and shrubs shall be protected and maintained in a healthy weed free condition and any trees or shrubs that cease to grow, shall be replaced by trees or shrubs of similar size and species or other appropriate trees or shrubs

as may be approved in writing by the Local Planning Authority.

Reason: To ensure that the proposed development makes a satisfactory contribution to the preservation and enhancement of the local character and distinctiveness of the area in accordance with Taunton Deane Local Plan Policy S2.

4. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 1995, or any order revoking and re-enacting that Order, with or without modifications, no vehicular access gates shall be erected at any time unless they are set back a minimum distance of 10m from the carriageway edge and hung so as to open inwards only.

Reason: To allow a vehicle to wait off the highway while the gates are opened or closed and thus prevent an obstruction to other vehicles using the highway. In the interests of highway safety in accordance with Policy 49 of the Somerset and ENP Joint Structure Plan Review.

5. Details of the means of preventing surface water draining to the highway shall be submitted to and approved in writing by the Local Planning Authority and shall thereafter be implemented as agreed prior to the access being brought into use.

Reason: To prevent discharge of water to the highway in the interests of highway safety.

Notes for compliance

1. Having regard to the powers of the Highway Authority under the Highways Act 1980 the applicant is advised that the creation of the new access will require a Section 184 Permit. This must be obtained from the Highway Service Manager at Burton Place, Taunton, TA1 4DY. Tel No 0845 345 9155. Application for such a permit should be made at least four weeks before access works are intended to commence.

PROPOSAL

The proposal is to allow a new agricultural access to a field off Amberd Lane and utilises an area of temporary access allowed to provide a new bridge on the Sherford Stream. The new access will allow for wider farm equipment to access the field and will provide a new gate set back from the road with a splay bounded by a new bank and hedging. The existing access will be closed off with a bank and hedge.

SITE DESCRIPTION AND HISTORY

The site consists of an agricultural field currently in grassland. The only relevant history is 42/11/0022OB which was a County Council application for the Construction Of Bridge And Associated Fencing And Gate Along The Newly Diverted Route Of

The Public Footpath, Including The Removal Of Current Bridge On Land Between Amberd Lane And Church Road, Trull. This involved the removal of a section of hedge to allow for a temporary access.

CONSULTATION AND REPRESENTATION RESPONSES

Consultees

TRULL PARISH COUNCIL - This gives safer and easier access for farm vehicles.

SCC - TRANSPORT DEVELOPMENT GROUP - The application is for the closure of the existing agricultural access and the formation of a new agricultural access off Amberd Lane. This access was previously used as a temporary access by SCC in order to gain access to the weir for repair works. Amberd Lane is an unclassified highway. In the vicinity of the site the speed limit changes from unrestricted to 30mph, however due to the road geometry and presence of the bridge, traffic speeds were observed to be in the region of 25 – 30mph. The proposed access would consist of a 4.5m wide gate with concrete hardstanding. The 10m set back will allow agricultural vehicles to wait off the highway whilst opening and closing the gate, therefore the impact on the free flow of traffic on the highway will be minimised. On site observations have shown that the achievable visibility splays as shown on the proposed plan are incorrect, and visibility is actually much lower than shown. However the available visibility is considered to be an improvement over the existing situation.

It is noted that the design of the proposed access does not accord with the Somerset County Council standard agricultural access detail. However, as the proposed access is an improvement over the existing access, it is on balance considered to be acceptable.

LANDSCAPE LEAD - Subject to implementation of the landscape features as detailed the proposals are acceptable.

Representations

Ward Cllr unhappy with the proposal as the entrance was constructed to allow a new footbridge to be constructed and there was a condition requiring replanting of the hedge. The entrance will bring the farm vehicles entering the field closer to the present footpath.

24 letters of objection on grounds of:

- access too close to humpbacked bridge with limited visibility,
- danger to traffic,
- loss of hedge,
- ecological loss,
- no need for proposed changes as field is small and large machinery not needed to work it, the lane is narrow and used by pedestrians and is not suitable for heavy plant,
- it would be a danger to pedestrians,
- the information submitted is inadequate for determination and compliance,
- the visual impact would be unnecessary, ugly and incongruous for an area noted for its landscape value,

- proposal is suspicious,
- breach of previous condition to replant hedge,
- drainage issues as in flood zone 2 and with run-off from the field impacting the highway; and proposal is an attack on the green wedge.

PLANNING POLICIES

PPG13 - Transport,
 STR6 - Development Outside Towns, Rural Centres and Villages,
 S&ENPP49 - S&ENP - Transport Requirements of New Development,
 S1 - TDBCLP - General Requirements,
 S2 - TDBCLP - Design,
 S7 - TDBCLP - Outside Settlement,
 EN12 - TDBCLP - Landscape Character Areas,
 EN28 - TDBCLP - Development and Flood Risk,

DETERMINING ISSUES AND CONSIDERATIONS

The proposal is to close an existing access and form a new access to this field in an area where a temporary access has already been formed. The main considerations are flood risk, landscape impact and highway safety.

Flood risk

The proposed access point is in flood zone 2 however given the nature of the agricultural access concerned there is not considered to be a suitable alternative location that would be safer and not cause more hedge or tree loss.. An agricultural access is categorised as a less vulnerable use and is considered to be appropriate development in zone 2. The proposed submission indicates drainage would be installed to prevent discharge to the highway and consequently the development as proposed is considered to be acceptable.

Landscape impact

The new access would be 13m wide with a gate set back 10m and new bank and hedge planting to either side. The existing access would be closed with a new bank and hedge in the position of the existing gateway with indigenous planting. The landscape bank and hedge planting proposed is considered acceptable and satisfactory to the Landscape Lead and would be of ecological benefit. The site lies within the Green Wedge, however farm accesses in such instances are acceptable in principle and do not affect the open character of the area.

Highway safety

The Highway Authority consider the new access to be satisfactory from a safety point of view with the set back of the gateway the visibility available. The Parish Council also consider this gives a safer access for farm vehicles. A number of objectors have stated the access is not needed, however this is refuted by the applicant and the reason for the access is as specified above.

The proposal will provide a new access with adequate drainage and visibility and will provide over 23m of new hedge to the sides of the splay and to block the original

access and this is greater than the length of hedge originally removed. The visual impact of the proposal is considered an acceptable one and it is recommended for approval.

In preparing this report the Planning Officer has considered fully the implications and requirements of the Human Rights Act 1998.

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