

27/10/0009

MR R AYTON

**CONSTRUCTION OF AN ACCESS INTO AYTON FIELDS ON LAND ADJACENT TO HIGHER KNAPP FARM, HILLFARRANCE (RETENTION OF WORKS ALREADY UNDERTAKEN).**

Grid Reference: 317568.124782

Full Planning Permission

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**RECOMMENDATION AND REASON(S)**

Recommended Decision: Conditional Approval

The proposal is considered not to have a detrimental impact upon visual amenity or give rise to any material harm to highway safety and is therefore considered acceptable and, accordingly, does not conflict with Taunton Deane Local Plan Policies S1 (General Requirements) and S2 (Design), Somerset & Exmoor National Park Joint Structure Plan Review policy 49 and Planning Policy Guidance note 13 (Transport).

**RECOMMENDED CONDITION(S) (if applicable)**

1. Within 6 months of permission being granted, the access and track shall be hard surfaced (not loose stone or gravel) over its first ten metres, details of which shall be submitted to and approved in writing by the Local Planning Authority beforehand

Reason: In the interests of highway safety in accordance with Somerset and Exmoor National Park Joint Structure Plan Review Policy 49.

2. Within 6 months of permission being granted, provision shall be made within the site for the disposal of surface water so as to prevent its discharge onto the highway details of which shall have been submitted to and approved by the Local Planning Authority beforehand.

Reason: In the interests of highway safety in accordance with Somerset and Exmoor National Park Joint Structure Plan Review Policy 49.

Notes for compliance

**PROPOSAL**

Planning permission is sought for the construction of a new access onto agricultural land to the south of Higher Knapp Farm and adjacent to Altona Park, at Hillfarrance. Works to construct the new access were commenced on 3rd November 2009 and

therefore, the application has been made in retrospect following a complaint made to the councils Enforcement team by a member of the public. The proposed development includes the formation of a 3 metre deep tarmac apron adjoining the highway.

The application is put before the planning committee of Taunton Deane due to the Agent representing the applicant being related to an employee of the council.

## **SITE DESCRIPTION AND HISTORY**

Ayton Fields is an agricultural small holding of approximately 14 acres (5.66 hectares). The site is currently accessed via an unauthorised vehicular access point to the south west corner of the site, which is opposite the residential property of Altona Park. All land is located to the north of Higher Knapp Farm and is within the parish of Hillfarrance. The access created measures approximately 5.2 metres up to the approximate boundary line between Ayton fields and the land and access on adjoining land to the south. A stone track has been laid with a five bar field gate approximately 12 metres along the track from the highway.

An agricultural building was erected in 2009 following the receipt of an agricultural notification, LPA ref 27/08/0035AGN, with access to the building and associated land being taken from the field access to the south and through a gap within the hedgerow between Ayton Fields and land associated with Higher Knapp Farm. A number of trees and sections of new hedgerow have been planted within the site to screen the building from wider landscape views.

## **CONSULTATION AND REPRESENTATION RESPONSES**

### **Consultees**

*SCC - TRANSPORT DEVELOPMENT GROUP* - Objection raised - "The proposal seeks to retain the newly formed access which has been provided as a sole means of access into the land in the ownership of the applicant...The access is from/onto a classified unnumbered highway that is subject to the national speed limit (60mph), although the speed of traffic on this highway is observed to be travelling slower than this, given that this stretch of highway is predominantly narrow in width, poorly aligned and forward visibility is limited. Whilst I am sympathetic with the Applicants reason/need for requiring the access, this does not negate the need for planning permission or warrant the creation of an access that is considered by the Highway Authority, to be substandard, particularly in terms of visibility, surfacing and drainage. Unless the access is brought up to an appropriate highway standard, a recommendation of refusal will be forthcoming, unless the LPA considers there is sufficient need/justification for the access to remain as it is, that overrides the highway safety requirements." Advice re general access requirements provided.

*OAKE PARISH COUNCIL* - No observations received at time of writing

*SENIOR ENFORCEMENT OFFICER* - No observations

*HERITAGE AND LANDSCAPE OFFICER* - Subject to details of landscape planting, the proposals are acceptable. Recommend concrete rather than tarmac at entrance as more rural in character.

## **Representations**

None received.

## **PLANNING POLICIES**

S1 - TDBCLP - General Requirements,  
S2 - TDBCLP - Design,  
S&ENPP49 - S&ENP - Transport Requirements of New Development,  
PPG13 - Transport,

## **DETERMINING ISSUES AND CONSIDERATIONS**

The pertinent issues that require consideration are the impact of the development upon the visual amenity and character of the area along the highway following the removal of a section of hedgerow and formation of the access, together with the impact of the development upon highway safety.

### Visual amenity:

It is estimated that in order to form the existing access into the site, a 6-7 metre section hedgerow has been removed from along the highway and the new stone/gravel hardstanding laid. Within the site, a significant amount of planting has taken place, including a new hedgerow along the north side of the access track up to the parking/turning area. No objections have been received with regard to the removal of the hedgerow; it is recognised that the lane off of which the access has been created is characterised by narrow sections of highway with blind bends and steep, tall hedgerow/banks and trees on either side. Notwithstanding this, the access does not form a prominent opening within the hedgerow along the highway and is only visible upon passing and not longer views along the lane.

The proposals state that the new access will be surfaced in tarmac with a 3 metre deep skirting laid where the access track meets the highway limits. The landscape officer has recommended that the hardstanding be laid as concrete and not tarmac, which is more akin to the rural scene. Further, the highway authority have recommended that the first 10 metres of the access and track should be hard surfaced (not loose stone/gravel), which is significantly greater than the proposed 3 metres. Having regard to the proposed materials, the observations of the landscape officer are considered to be justified and it is accepted that concrete would, generally be more appropriate. However, directly opposite the application site is a large entrance serving a property named Altona Park and such has a wide access and visibility splay far greater in scale to that proposed, and is laid to tarmac. Given this precedent, it would be difficult to resist a tarmac surface and therefore no amendments or alterations to this part of the proposals have been sought. The advice of the highway authority officer is supported and it is considered that an appropriately worded condition should be attached to any subsequent permission requiring a 10 metre length of the access track to be surfaced, not loose stone or gravel.

Having regard to the above, the access, being formed directly adjacent to an existing field access to the south is considered not to materially harm the character or visual amenity of the area.

### Highway Safety:

The highway authority officer has objected to the proposed development virtue of the proposed access being substandard in terms of visibility, surfacing and drainage. Having regard to the surfacing and drainage off the access and track, it is felt that such can be controlled through appropriately worded conditions.

The proposed access is substandard in terms of the level of visibility being provided. The highway authority would normally expect for splays of 43 metres either side of the access drawn from a point 2.4 metres back from the highway edge. Such would require a significant length of hedgerow to be removed which would have a significant impact upon visual amenity and character of the area.

The highway from which access is taken is a classified unnumbered highway. It is important to note that prior to the new access being constructed, access into Ayton Fields was taken via the adjoining field access that went over land to the south (believed to be within the ownership of Higher Knapp Farm) and through a new opening within a field boundary hedgerow. However this access is no longer available to the applicant, the latter is now closed off with an earth bank and hedgerow re-planted, which had left the land locked with no form of vehicular access to the holding or storage building. Such necessitated the requirement to form a new vehicular access to the site.

Whilst the access is substandard in visibility terms, there will be no material increase in vehicles seeking access/egress onto land at this point along the highway, and visits to the site are infrequent. Further, the area is particularly isolated and traffic flow along the highway has been observed as being low. As such, it is felt that there will be no significant risk to highway safety above and beyond the previous arrangements over adjoining land that did not require the grant of planning permission. Having regard to the above matters, it would be unjustified to refuse planning permission on highways related grounds.

### Conclusion:

The proposed development, to retain a new access and track onto agricultural land will not give rise to any material harm to visual amenity of the area and it is felt that additional planting undertaken provides an acceptable level of mitigation for landscape impact. The impact upon highway safety will be no greater than the previous access arrangement to the site. As such it is recommended that planing permission be granted subject to conditions.

**In preparing this report the Planning Officer has considered fully the implications and requirements of the Human Rights Act 1988.**

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