

01/20/0007

EXECUTORS OF THE LATE M J E HAYES

Formation of access track at Normans Farm, Pockeridge Bottom Road, Ashbrittle

Location: NORMANS FARM, POCKERIDGE BOTTOM ROAD, ASHBRITTLE,
WELLINGTON, TA21 0HX

Grid Reference: 304533.122998 Full Planning Permission

Recommendation

Recommended decision: Conditional Approval

Recommended Conditions (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) DrNo 003 Annotated Block Plan
(A4) DrNo 001 Location Plan
(A3) DrNo 002 Site Plan

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

3. The existing hedgerow to the East of the allowed access track shall be permanently retained and maintained at all times thereafter.

Reason: In interests of visual amenity.

Notes to Applicant

1. In accordance with paragraph 38 of the National Planning Policy Framework the Council has worked in a positive and pro-active way and has imposed planning conditions to enable the grant of planning permission.

Proposal

The proposal is for the formation of access track at Normans Farm, Pockeridge Bottom Road, Ashbrittle

Site Description

The site is located outside of any defined settlement in a rural location. The existing access is wide and level, with farm buildings on the northern side of the access and trees/hedging on the southern side. The access measures approximately 96m and has a wide opening on to the highway. The highway is mainly single carriageway.

Relevant Planning History

None

Consultation Responses

ASHBRITTLE PARISH COUNCIL - Do not support this application

- As noted in the planning design and access statement accompanying the application, there is already a well formed broad concrete access track to Norman's Farm house and all the associated barns from the same road.
- Much of the rationale in the statement is overstated, and some is contested
- The statement also omits a shorter additional track route available across the bottom of the field to the immediate North of the farm buildings, which would link up with an existing concrete ramp into the courtyard, at less cost, less loss of grassland and less visual impact to the public.
- It is widely understood in the Parish that the intention is to redevelop the agricultural buildings as dwellings, for which this access track is a precursor, and therefore disingenuous to frame this as access for agricultural machinery.
- It is believed that an additional access track should be considered as and when such a change of use application is made.

SCC - TRANSPORT DEVELOPMENT GROUP - No observations

Habitats Regulations Assessment

The site is outside the area that requires a HRA.

Representations Received

5 x Objections

- Express concern at the above proposal obviously designed with regard to future property developments.
- The overall effect will be increased traffic on these very small roads designed for horse and cart.
- Walking on these narrow lanes has become a hazardous occupation.
- The existing drive way to Normans Farm is a wide concrete purposely built drive, designed to take farm equipment and vehicles, another drive is not required to take this traffic to the West of the farm yard.
- There are no footpaths or bridlways in the vicinity of the current drive on which the public would be in danger.

- The application should only be considered if and when development of the barns come forwarded.
- The roads and lanes are already pressurised by the amount of vehicles. please do not find an excuse for more.
- The track will have a massive impact on my house as I have full legal access to the lane on the planning application as it is a shared lane with Normans Farm and I have to pay for 50 % of any lane maintenance now and going forward in the future.
- Why is a new drive wanted when the farm is currently not being used as a working farm
- The planned drive that is being proposed would mean damage to a area that is green belt land that would mean damage to newt and frog habitat that has been used by both species for many years.
- There have been a number of minor accidents and in fact 2 cars were written off here less than a week ago from me writing this it is a matter of time before someone is hurt.
- I cant see why any new drive is needed as it would bring an excess of vehicles to a small country lane that the planned access drive is connected to
- Damage to my shared lane and cattle grid is not needed as there is another perfectly good entrance to the farm very close by.
- The small lane the proposed drive would be attached to is used by a large number of local people for exercising their horses and by many cyclists and walkers as it joins up with a Taunton Deane footpath close by and so any excess of traffic as a consequence of the new access drive being permitted would in mind cause a potential incident that is avoidable.
- The proposed new drive at Normans farm would have a negative impact to me as I live less than 2 mins away from the planned Access drive and should the it be given permission it would mean more traffic on the lane which is used as a cut through to the main village of Ashbrittle.
- My farm is situated on this lane and as I need access to cross the lane on a regular basis to access my fields on the other side for my cows and sheep any more traffic that uses this small lane would cause much inconvenience to all parties concerned.

Planning Policy Context

Section 38(6) of the Planning and Compulsory Purchase Act 2004 requires that applications are determined in accordance with the development plan unless material considerations indicate otherwise.

The development plan for Taunton Deane comprises the Taunton Deane Core Strategy (2012), the Taunton Site Allocations and Development Management Plan (2016), the Taunton Town Centre Area Action Plan (2008), Somerset Minerals Local Plan (2015), and Somerset Waste Core Strategy (2013).

Relevant policies of the development plan are listed below.

CP8 - Environment,

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CP1 - Climate Change

DM1 - General requirements
DM2 - Development in the Countryside

SB1 - Settlement Boundaries

Determining issues and considerations

The Principle of Development

The principle of development is accepted, subject to the proposal addressing the relevant planning policies, as the proposal relates to an existing farming business.

Policy DM2.4 relates to agriculture, forestry and related business. Any new non residential agricultural development should be commensurate with the role and function of the agricultural unit and it is considered that to have a separate agricultural access track leading directly to the farmyard would accord with this policy requirement. Furthermore the proposal is considered to accord with policy CP8 as it is considered to be appropriate in terms of scale, siting and design.

Design

The proposed access will connect an existing track leading to Hearts Farm with another extending from the western end of the farmyard of Normans Farm which would allow agricultural machinery to access the yard without having to pass the farmhouse. The agent has stated that this existing arrangement is unsatisfactory as agricultural vehicles must negotiate a narrow 'pinch-point' between the farm buildings. The issue of visibility has also been raised with the agent considering the visibility at the point at which the track to Hearts Farm meets the public highway is significantly better than the existing access. There is an existing public right of way that runs along part of the existing agricultural access to the farm which is considered to pose a danger to the public. The agent also considered that as the existing access serves both the farmhouse and the farmyard there is 'a potentially dangerous conflict between agricultural and residential/pedestrian movements.'

The proposal is not expected to increase vehicles movements, but merely relocate the point of access to/from Normans Farm for agricultural vehicles. The proposal would result in two accesses for the site; one that would serve the large farm buildings to the north of the existing access track and the Farmhouse itself, the other (new) access would directly serve the Farmyard to the west of the Farmhouse.

The Planning Statements gives the tracks length as 90m however it is considered to be approximately 111m. The 3m width and the proposed surface treatment (topped with crushed and compacted stone for the entirety of its length) in addition to the track being contoured in order to allow it to drain either side is considered acceptable.

Impact on Landscape

The proposed track would travel upwards from its junction with the highway towards the farmyard, therefore considerations will have to be given to its visual impact. The Planning Statement considered that soft landscaping will not be required because the use of natural features (such as the mature hedgerow to the east) and the topography of the surrounding land effectively screen the site and because the use of natural materials in construction of the track will ensure that it remains unobtrusive within the landscape'.

As the access track would run upwards from its junction with the highway this view is shared by the planning authority as the use of landscaping is likely to highlight the track rather than screen the proposal.

From the information submitted it would appear that the proposal would accord with policy DM1 (d) as the appearance and character of any affected landscape, settlement, building or street scene would not be unacceptably harmed by the development.

Ecology

As the proposed track would cross agricultural land which has been farmed and cultivated both mechanically and chemically at regular intervals and the hedgerow to the east is not impacted upon from the development, it is considered that there are no ecology issues to address. A condition for the hedgerow to the east to be retained and maintained will be included to ensure that any ecology within is protected.

Highway Matters

The Highway Authority have stated that their Standing Advice should be applied and have not objected to, or supported the proposal. As the proposal would use an existing access it is considered that visibility is acceptable, as it is for the existing access.

The existing access track has good visibility with a pull-in to its fore, which would allow for some vehicles to wait whilst others exited the access track, this would however be dependant on the length and size of the vehicle. The original access is for part of its length also a public right of way and there is a further public right of way to the west of the access track that this proposal relates to; it however is not impacted by a public right of way and therefore its use for agricultural vehicles is considered reasonable.

Other Matters

The Parish Council do not support this application and 5 letters of objection have been received. The objections relate to increase in traffic, traffic accidents, lane is used as a cut through to Ashbrittle therefore an increase in traffic would have an adverse impact, making walking in the area hazardous, there are no footpaths or bridleways in the vicinity of the current drive, proposal should be considered if/when the barns are developed, legal rights in terms of repair and maintenance of shared access and cattle grid, the Farm is not in use at present and impact on ecology.

The Parish Council are unable to support the proposal as they consider that 'much of the rationale in the statement is overstated, and some is contested. The statement also omits a shorter additional track route available across the bottom of the field to the immediate North of the farm buildings, which would link up with an existing concrete ramp into the courtyard, at less cost, less loss of grassland and less visual impact to the public.' The Parish Council have also raised the issue of the access being used for possible future conversion of the existing barns on site, however the application has been submitted as 'formation of access track at Normans Farm' and has therefore been assessed as such. If in future any planning application is made regarding the conversion of the barns to residential use the issue of agricultural and domestic traffic using the access track would need to be considered then.

It would appear that the main concern is an increase in traffic, however the proposal would not increase traffic movements for the site, only re-direct the agricultural traffic to the western side of the farm yard. Unfortunately any possible future development of the farm and its outbuildings can not be considered by the planning application. If future proposals come forward any possible increase in traffic would be considered then. Legal issues regarding repair and maintenance of the shared access and cattle grid fall outside of planning legislation and therefore can not be considered when assessing the planning application. It is confirmed that there is a public right of way along part of the existing driveway to the east of the farm yard. The land is agricultural therefore it is considered that any ecology will be limited due to the working of the land. It is understood that the farm has not been in use as a working farm recently, however in planning terms the site is still considered to be a farm

It is accepted that the existing access is a well formed broad concrete access Norman's Farmhouse and all the associated barns, however that does not mean that this application can not be considered.

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

Contact Officer: Denise Todd