

APPLICATION NO PA/2013/0192

APPLICANT Mrs H M Borrill

DEVELOPMENT Planning permission to form an agricultural access including demolition of dwelling

LOCATION Ambleside, 7 Hunts Lane, Hibaldstow

PARISH HIBALDSTOW

WARD Ridge

CASE OFFICER Andrew Law

SUMMARY RECOMMENDATION **Grant permission subject to conditions**

REASONS FOR REFERENCE TO COMMITTEE Significant public interest

POLICIES

National Planning Policy Framework: Paragraph 28 supports the development and diversification of agricultural and other land-based rural businesses.

North Lincolnshire Local Plan: Policy RD2 (Development in the Open Countryside)

Policy DS1 (General Requirements)

North Lincolnshire Core Strategy: Policy CS3 (Development Limits)

Policy CS5 (Delivering Quality Design in North Lincolnshire)

CONSULTATIONS

Highways: Recommend conditions (3 to 6).

Environmental Protection: No objection or comments.

Trees: No objection or comments.

Ecology: No objection subject to a condition to prevent harm to protected species and to ensure biodiversity improvements.

National Farmers Union: Support the application.

PARISH COUNCIL

No objection or comments.

PUBLICITY

Neighbouring properties have been notified and a site notice posted. Letters of objection have been received on the following grounds:

- Farm machinery is too large to be accommodated by Hunts Lane.
- The proposed access will be close to the junction of Hunts Lane and Brigg Road, which is a dangerous junction at present and will be made worse by the proposed development.
- Vehicles entering Hunts Lane from Brigg Road are travelling at 40mph and often at speed.
- There is inadequate visibility from the proposed access.
- Agricultural machinery will have to run over grass verges to gain access to the fields.
- There is a nursery close by on Brigg Road and the introduction of agricultural machinery to the area will impact on the safety of pedestrians using this service.
- The proposed agricultural access will lead to mud being brought onto the roads.
- There is no need for the access as there is an existing access into the fields via Beck Lane.
- This existing access is adequate and was only narrowed once a new dwelling, owned by the applicant, was built adjacent to it.
- A similar application was refused last year.
- The site would be much more appropriate for the erection of a residential property.
- The introduction of farm machinery to the area will be harmful to the amenity of neighbouring properties.
- The access will be harmful to visual amenity in the area.
- Farm machinery will damage the structural integrity of neighbouring properties.
- There is a sewer running along the rear of the site and agricultural machinery could damage this sewer.
- The proposed development is the 'thin end of the wedge' and will result in future residential developments of the fields to the rear as the applicant has tried to gain planning permission for this development in the past.

ASSESSMENT

The application site is a residential bungalow (Ambleside) sited on the east side of Hunts Lane, Hibaldstow. The existing bungalow is a state of disrepair at present. There is a mix of different dwelling types along the eastern side of Hunts Lane with agricultural fields to the rear; the western side of Hunts Lane is open fields bounded by low hedging along the

frontage. The site is located close to the junction of Hunts Lane and Brigg Road at the point where Hunts Lane changes from a 40mph speed limit to a 30mph speed limit. The majority of the site is located within the development boundary of Hibaldstow, however the eastern edge of the site is outside the development boundary. The site is bounded by two-storey dwellings to either side (north and south). This application seeks planning permission to demolish the existing bungalow and to construct a new agricultural access on the site to allow access to the agricultural fields to the rear (east) of the site from Hunts Lane. This access will replace an existing access to the fields from Beckside. This includes increasing the width of the site by incorporating a 2 metre strip of land from 9 Hunts Lane to the south.

An associated planning application (PA/2013/0193) at 9 Hunts Lane has recently been approved under delegated powers, which allows the construction of a new access and garage to replace those lost giving over the aforementioned 2 metre strip of land to the application site (7 Hunts Lane). This permission includes the erection of boundary treatments between 7 and 9 Hunts Lane along the newly established boundary.

In addition to this, a previous application (PA/2012/0026) was refused on the site for the construction of a new agricultural access and the erection of three dwellings. This application was refused on the grounds that the proposed dwellings would have been out of keeping with the character of the area and because one of the dwellings was located outside the development boundary for Hibaldstow. The application was not refused on highway grounds and there was no reason for refusal relating to the proposed access. The dwellings have now been removed from the proposal and the current application relates purely to the construction of an agricultural access road.

The main issues to consider in the determination of this application are whether the proposed access would be harmful to highway safety in the area and whether the introduction of agricultural machinery would be detrimental to the amenity of neighbours.

Agricultural machinery currently has to gain access to the fields from the applicant's farm on Redbourne Road, along Church Lane past a doctor's surgery, hairdresser's and shops, along Barnside, which is a narrow lane, then across Beckside and finally along the current agricultural access which is located directly between the side walls of two residential properties. The applicant has stated that this route is far from ideal and that there are often problems encountered along Church Lane due to parked cars and issues with the narrowness of Barnside and the existing access when accessing the fields with large machinery such as combines, seed drills etc. The proposed access would allow the agricultural traffic to use the main road through Hibaldstow (B1206) until it reaches Hunts Lane, where it can turn off the main road and almost immediately access the fields via the application site. Whilst the existing access is useable, it is restrictive and it is not easy for larger agricultural machinery to gain access to the fields due to the access running directly between the walls of residential properties with very little room to spare. The proposed access will be purpose-built to accommodate the agricultural traffic: it will have better visibility and will be wider with grass verges to either side.

The council's Highways department has been consulted on the application and has raised no concerns with regard to highway safety. Highways has no evidence to support suggestions that the nearby junction of Hunts Lane and Brigg Road is particularly dangerous. Further to this it should be noted that the access will only serve agricultural traffic heading to the fields to the rear. Due to the size of the fields and their use as arable land the level of traffic that will use the access road will not be excessive and will be

predominantly seasonal. The applicant has provided information relating to anticipated vehicle movements and has confirmed that, depending on the crops being grown, the fields will generate approximately between 8 and 18 two-way vehicle movements per six-month growing season. This is a relatively low level of vehicle movements that will not have a significant impact on the local highway network. Additionally, the council's Highways department has raised no concern relating to the ability of Hunts Lane to accommodate agricultural machinery and the machinery will only be travelling along a short stretch of Hunts Lane, between the junction with Brigg Road and the proposed access. On this basis it is considered that the proposed development will not be harmful to highway safety in the area.

The proposed access will be approximately 63 metres in length between the public highway and the agricultural fields. 53 metres of the access will be of permeable, gravel construction and the final 10 metres adjacent to the highway will be tarmac. The length of the access means that the majority of mud that may be carried from the field on tractor tyres will be deposited on this private access before it reaches the public highway. Hibaldstow is a rural settlement and there are other agricultural accesses from fields onto the public highways, such as the existing access onto Beckside. Highways has raised no concern with regard to the potential for mud on the roads and it is considered, for the reasons outlined above, that the development will not impact upon road safety as a result of mud being brought onto the highway.

The application site has been widened by incorporating a 2 metre strip of land from the side of the adjacent property to the south (9 Hunts Lane) which is owned by the applicant. This allows for the access to be centralised within the site and allows for a separation distance of approximately 8 metres between the access road and the side elevations of the neighbouring residential properties to north and south. In addition to this, a condition has been imposed requiring boundary treatments along the north and south of the site to be agreed and installed before works commence. It is considered that the proposed separation distances, coupled with suitable boundary treatments will ensure that no unacceptable loss of amenity to neighbouring properties will result. This set up is much better than the situation at the existing access off Beckside, where there is no separation distance between the access and neighbouring dwellings. It should also be noted that the level of movements to and from the field (detailed above) is minimal and will not result in unacceptable disturbance to neighbouring properties.

The proposed access will replace an existing dwelling that has fallen into a state of disrepair and has no positive contribution to visual amenity in the area. The access has been designed to be relatively open with an area of grass verge running along either side. In this regard the access road is similar to Hunts Lane itself. The access will have the appearance of a small rural lane and as such will not have a significant impact on the visual amenity of the street scene. Furthermore it is not uncommon for agricultural accesses such as the one proposed to run between properties in rural settlements such as Hibaldstow.

The level of traffic that will be using the access is not excessive and due to the separation distance between the access and neighbouring properties it is unlikely to result in structural damage to neighbouring properties. The existing access to the fields runs immediately adjacent to two residential properties and there is no evidence to suggest that the structural integrity of these dwellings has been affected. With regard to potential damage to a sewer that runs across the back of the site, it is the responsibility of the applicant to ensure that their development does not damage this sewer and they will be responsible should damage occur. This is not a valid reason for the refusal of planning permission.

Many of the letters of objection make reference to the fact that they consider the development to be the 'thin edge of the wedge' and that the proposal is intended to serve future residential development on the fields to the rear of the site. Whilst this is purely speculative and is not a material planning consideration, it should be noted that the fields in question are located in the open countryside, outside the development boundary for Hibaldstow at present, and as such would not be considered a sustainable location for residential development; the proposed access will not alter this situation and will not make the development of these fields any more acceptable.

RECOMMENDATION Grant permission subject to the following conditions:

1.

The development must be begun before the expiration of three years from the date of this permission.

Reason

To comply with section 91 of the Town and Country Planning Act 1990.

2.

The development hereby permitted shall be carried out in accordance with the following approved plans: A0011 and A0012.

Reason

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

3.

No development shall take place until details showing an effective method of preventing surface water run-off from hard paved areas within the site onto the highway have been submitted to and approved in writing by the local planning authority. These facilities shall be implemented prior to the access and parking facilities being brought into use.

Reason

In the interests of highway safety and to comply with policy T19 of the North Lincolnshire Local Plan.

4.

No loose material shall be placed on any driveway or parking area within 10 metres of the adopted highway unless measures are taken in accordance with details to be submitted to and approved in writing by the local planning authority to prevent the material from spilling onto the highway. Once agreed and implemented these measures shall be retained.

Reason

In the interests of highway safety and to comply with policy T19 of the North Lincolnshire Local Plan.

5.

Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) (Amendment) (No. 2) (England) Order 2008 (or any order revoking and re-enacting that order with or without modification), nothing shall at any time be erected, retained, planted or allowed to grow over 1.05 metres in height above the level of the adjoining carriageway for a distance of 2 metres from the highway boundary across the site frontage.

Reason

In the interests of highway safety and to comply with policies T2 and T19 of the North Lincolnshire Local Plan.

6.

The proposed new access road shall not be brought into use until all works required to create the access within the limits of the adopted highway have been completed in accordance with details to be submitted to and approved in writing by the local planning authority.

Reason

In the interests of highway safety and to comply with policy T19 of the North Lincolnshire Local Plan.

7.

No demolition or development shall take place until a biodiversity management plan has been submitted to and approved in writing by the local planning authority. The plan shall include:

- details of measures to avoid harm to bats and nesting birds during demolition and construction works;
- details of measures to increase and maintain the botanical diversity of the proposed grassed verges, using wildflower seed of UK origin.

The biodiversity management plan shall be carried out in accordance with the approved details and timings, and the approved features shall be retained thereafter, unless otherwise approved in writing by the local planning authority.

Reason

To protect features of recognised nature conservation importance in accordance with policies CS5 and CS17 of the North Lincolnshire Core Strategy.

8.

No development shall take place until details of the positions, design, materials and type of boundary treatment to be built/planted have been agreed in writing by the local planning authority. The agreed boundary treatment shall be built/planted before the access is brought into use in accordance with a programme to be submitted to and agreed in writing by the local planning authority before development is commenced, and once built/planted it shall be retained.

Reason

To protect the amenity of neighbouring dwellings in accordance with policy DS1 of the North Lincolnshire Local Plan.

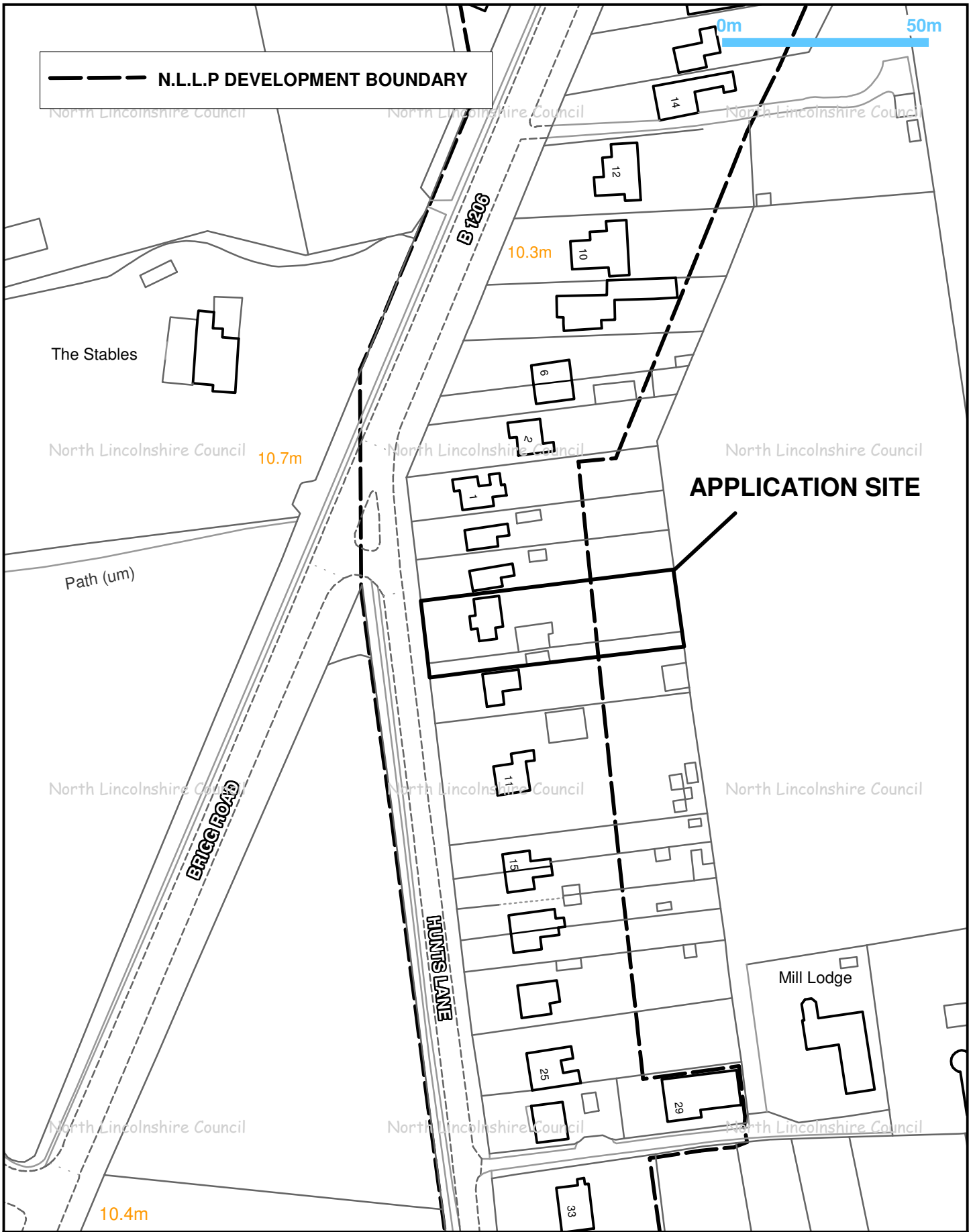
Reasons for approval

The council, as local planning authority, has had regard to the relevant policies of the development plan as set out below and considers that, subject to compliance with the conditions attached to the permission, the proposed development would be in accordance with the development plan, would not materially harm the character of the area nor the

living conditions of neighbouring occupiers, and would be acceptable in all other planning considerations. The council has taken into account all other matters, none of which outweigh the considerations that have led to its decision. The policies taken into consideration in the determination of this application are DS1 and RD2 of the North Lincolnshire Local Plan, CS3 and CS5 of the North Lincolnshire Core Strategy and national policy set out in the National Planning Policy Framework.

Informative

In determining this application, the council, as local planning authority, has taken account of the guidance in paragraphs 186 and 187 of the National Planning Policy Framework in order to seek to secure sustainable development that improves the economic, social and environmental conditions of the area.



Title: PA/2013/0192		
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1.2m HIGH LINCOLNSHIRE 3 BAR TIMBER FENCE

GMS FIELD GATE & ENTRANCE TO EXISTING AGRICULTURAL FIELDS

1.2m HIGH LINCOLNSHIRE 3 BAR TIMBER FENCE

ARABLE FIELD REFERENCES
SE9702 (PARCEL ID 8592) 1.34 Ha
SE9702 (PARCEL ID 9296) 2.46 Ha

EXISTING PROPERTY DEMOLISHED

HIGHWAY BOUNDARY

5

GRASSED VERGE

PRIVATE ROAD CONSTRUCTION (NON-ADOPTABLE)

4500

EQUAL FILTER DRAIN

RG TARMAC ACCESS 1:40 FALL

EQUAL FILTER DRAIN 10000

EXISTING OUTBUILDING DEMOLISHED

GRASSED VERGE

PROPOSED 2.0M HIGH CONCRETE POST & FEATHER EDGED CLOSE BOARDED TIMBER FENCE ON PC CONCRETE GRAVEL BOARDS. REDUCE DOWN TO 1.0m HIGH WITHIN 2.0m OF EDGE OF HIGHWAY

BOUNDARY LINE ONLY (VEGETATION REMOVED TO PROVIDE VISIBILITY SPAY TO JUNCTION/HIGHWAY ACCESS)

NEW HIGHWAY ACCESS TO NLC HIGHWAYS SPECIFICATIONS CONSTRUCTED UNDER LICENCE BY APPROVED HIGHWAYS CONTRACTOR

NOTIONAL BOUNDARY LINE ONLY VEGETATION REMOVED TO BOTH SIDE OF ACCESS PROVIDE VISIBILITY SPAY TO JUNCTION/HIGHWAY ACCESS)

PROPOSED RELOCATED ACCESS AND VEHICLE TURNING AREA SUBJECT TO SEPARATE PLANNING APPLICATION

3800

VERGE

CONC PATH

1100

9 EX PORCH

NON-HABITABLE ROOM WINDOW

NEW TARMACADAM DRIVEWAY

VERGE

PA/2013/0192 - Block Plan
NOT TO SCALE