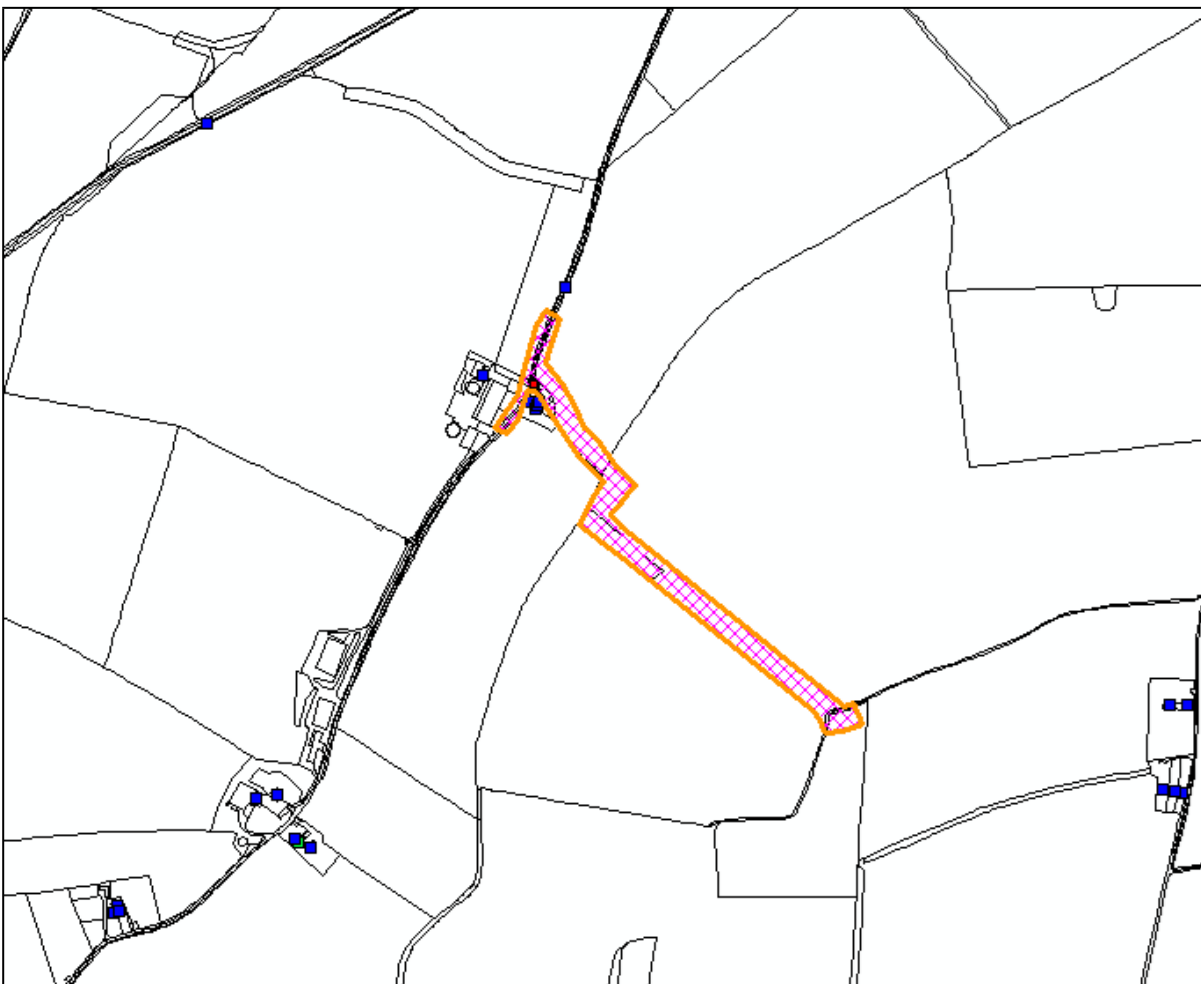


WINCHESTER CITY COUNCIL
PLANNING COMMITTEE

Case No: 18/01917/FUL
Proposal Description: RETROSPECTIVE APPLICATION FOR NEW FARM ACCESS AND ACCESS TRACK
Address: Trackway Access, Hunton Down Lane, Hunton, Sutton Scotney, Hampshire.
Parish, or Ward if within Winchester City: Wonston
Applicants Name: SAVILLS
Case Officer: Catherine Watson
Date Valid: 21 August 2018
Recommendation: Application Permitted



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General Comments

Application reported to Committee due to a request from Cllr Horrill which is appended to the report. The committee item is deferred from the meeting held on January 9th, 2019. The item was deferred as members felt that insufficient information was received as to how the trackway impacted upon the high pressure gas pipeline.

Site Description

The site is in an area of countryside and is largely characterised by arable fields, separated by mixed species hedgerows. The nearest settlement is Hunton, approx. 1.8km away.

Proposal

The application is retrospective and comprises a new farm track linking an existing track from Weston Down Road to Hunton Down Road. The track has been constructed in order to provide a link for HGV farm traffic associated with agricultural storage buildings on Weston Down Road to Hunton Down Road so that they do not have to drive through several of the neighbouring villages. Hunton Down Road is a classified (C-class) road and therefore, planning permission is required in order to create an access onto this road. The application was submitted as a result of an investigation by the Council's Enforcement team.

Relevant Planning History

An application for Barn at Weston Down Road was permitted - 18/01918/FUL - AGRICULTURAL BARN FOLLOWING DEMOLITION OF EXISTING BARN (RETROSPECTIVE).

Consultations

Engineers: Highways:

The Council's Highways Engineer advised that the type and amount of work undertaken which affects the public highway requires the applicant to enter into a Section 278 agreement with Hampshire County Council. It was advised that Hampshire County Council Highways should be consulted.

Hampshire County Council Highways:

The HCC Highways Officer was consulted and they advised that the applicant was required to submit speed survey information, tracking drawings (particularly for large agricultural vehicles) and a Stage 1 Road Safety Audit. This information was duly submitted by the applicant. Following a further request by the County for additional information on Traffic Flows and Swept Path Analysis, this information was submitted and was assessed to be acceptable. The County stated that they wished to raise no

Case No: 18/01917/FUL

WINCHESTER CITY COUNCIL
PLANNING COMMITTEE

objection.

Ecology:

The Council's Ecologist was consulted due to the presence of a SINC on the adjacent field, towards Hunton Down Lane. This SINC was designated as such due to the presence of Stone Curlew. The Council's Ecologist then consulted the Hampshire Biodiversity Information Centre (HBIC) in order to obtain more information on the designation and what the potential impact of the trackway might be upon it. Their ecologist advised that the data to support the designation came from the RSPB and that HBIC were recommending deletion of the SINC as the last recorded sighting of Stone Curlew was in 2009. HBIC confirmed that the trackway would have no impact upon Stone Curlew.

Representations:

1 letter received objecting to the application for the following reasons:

- Local residents are affected by noise, dust and vibration to their cottages as a result of passing HGVs.
- The land either side of the access track is home to Stone Curlew which is a protected and priority species.
- The current track takes vehicles over the national gas pipeline and the weight of the HGVs and vibration could cause damage to the pipeline.
- The access track has been constructed as wide enough for two way traffic but Hunton Down Lane is a single track road with no passing places.
- HGVs will cause wear and tear to the road and the Council will have to pay for vehicle damage claims.
- Other road users will be put at risk from the HGVs.
- In light of the owner's proposal to build 6000 homes nearby, the track could facilitate instant access to the owner of the land for a further large-scale development plan.

An objection and request for the application to be determined at committee was received by Cllr Horrill (see appended email for committee request). The comments made are as follows:

- There are more HGV trips taking in grain from other farmers.
- An alternative route should be considered using a "stepping stone" approach to cross the field. A legitimate farmers route would not necessarily have to go down this route.
- It is not clear what the designation of the land is at the Hunton Down Lane end of the track.
- Further clarification is required with regards to the nature of the bridleway on Weston Down Road and the bridleway sign has been moved.
- There are limited passing places for vehicles on Hunton Down Lane.

WINCHESTER CITY COUNCIL
PLANNING COMMITTEE

Relevant Planning Policy:

Winchester Local Plan Part 1 – Joint Core Strategy

MTRA4 – Development in the Countryside.

CP16 – Biodiversity.

Winchester Local Plan Part 2 – Development Management and Site Allocations.

DM1 – Location of New Development.

DM10 – Essential Facilities and Services in the Countryside.

DM17 – Site Development Principles

DM18 – Access and Parking

DM23 – Rural Character.

National Planning Policy Guidance/Statements:

National Planning Policy Framework

Planning Considerations

Principle of development

Policy MTRA4 allows for development which has an operational need for a countryside location, such as for agriculture, horticulture or forestry. It is considered that the proposal meets this criterion.

Policy DM1 allows development that accords with the Development Plan if that development is appropriate to a countryside location and as specified in Policy MTRA4. It is considered that this development meets these criteria.

Policy DM10 allows for development where a location in the countryside is essential for operational reasons and traffic issues can be addressed satisfactorily and a traffic management plan is secured. These issues have been addressed accordingly and are considered by the County Highways Officer to be acceptable.

Policy DM23 states that the volume of traffic generated by the development will be assessed along with the ability of rural roads to accept increased levels of traffic without alterations that would harm their rural character.

Design/layout.

The purpose of the track is to create a route between farm buildings on Weston Down Road, via an existing track, and Hunton Down Lane, a classified road leading to Weston Farm. The trackway is wide enough to allow two HGV farm vehicles to pass. It will also allow easier access for heavy farm machinery, such as combine harvesters, to the arable fields owned by the applicant. The applicant has encountered difficulties in bringing HGV farm traffic through the villages of Sutton Scotney, Wonston, Stoke Charity and Weston Colley where the roads are primarily narrow and rural in nature and it is considered that the change of route would significantly ease any associated difficulties in passing through these villages.

It can be seen from the submitted plans that the trackway follows a logical route in order to find the most effective path between the two roads.

Impact on character of area and neighbouring property

Case No: 18/01917/FUL

WINCHESTER CITY COUNCIL
PLANNING COMMITTEE

The track closely follows the existing hedged field boundaries and is not surfaced but consists of compacted earth. It is wide enough to allow for the safe passage of two farm vehicles side by side. The farmland accessed by the track is not situated adjacent to any public rights of way and as such, it would not be expected that members of the public would use it. Indeed, there are locked gates between the fields so it would not be accessible to anyone other than farm workers. The track is considered to be typical of an agricultural track of this nature and is not considered to cause significant harm to the rural character of the surrounding area, in line with Policy DM23 of LPP2.

A small group of cottages (Victoria Cottages) are situated towards the access of the track onto Hunton Down Lane. No comments have been received from the occupiers of these cottages. The access onto the classified road of Hunton Down Lane has been widened and visibility splays added in order to accommodate turning of the HGV farm vehicles onto and from the main road. Concerns have been raised by a local resident with regards to the additional number of vehicular trips in terms of road safety, noise and pollution. Due to the limited number of vehicular trips (identified as less than one "in" and one "out" per hours at peak times (harvest), it is not considered that this would cause significant harm either in terms of excessive noise or pollution for the residents of Victoria Cottages.

With regards to the potential impact of the above on the properties at the junction with Weston Down Lane, this accesses an existing track used for farm traffic and whilst the construction of the barn on Weston Down Road (dealt with under delegated powers under application no 18/01918/FUL) was to facilitate ancillary storage associated with the farming enterprise, including large farm vehicles, it should be acknowledged that the barn replaced an existing barn structure (albeit smaller) and the site was used for agricultural purposes. It is therefore not considered that there would be a significant increase in harm caused by the relatively small increase in traffic upon the occupiers of these dwellings in terms of noise and pollution.

The highway matters are dealt with in the relevant section below.

Landscape/Trees

Given the countryside setting of the trackway and access and its use for agricultural purposes, it is considered that no significant harm would be caused to the landscape setting of the area affected.

Ecology.

Policy CP16 requires new development to avoid adverse impacts on biodiversity. The proposal is not considered to have significant impacts upon the biodiversity of the area.

Highways/Parking

The key consideration in assessing this application is any potential harm caused by the farm traffic using the trackway to access Hunton Down Lane, a classified road. This road then leads to the A30 and the A303. HCC Highways were consulted with regards to assessing the number of traffic movements, highways safety and swept path analysis.

With regards to traffic movements, subsequent information was provided by the applicant on 17.12.2018 stating that during the August 2018 harvest period a total of 108 lorries entered and exited the site (54 in and 54 out) with a peak usage of 18 in and 18 out over a two day period at the start of the month. It is considered that the avoidance of the villages of Weston Colley, Stoke Charity and Wonston which are characterised by narrow roads

Case No: 18/01917/FUL

WINCHESTER CITY COUNCIL
PLANNING COMMITTEE

with buildings close to the carriageway edge would have a beneficial effect on these villages, reducing the amount of heavy farm traffic. Journey times would also be reduced, which would be beneficial for the operation of the applicant's business.

With regards to highway safety, the comments of the local resident are noted and regarding other vehicular traffic, horses and pedestrians using the road, a Stage 1 Road Safety Audit was submitted to and accepted by, HCC Highways. It is therefore considered that there would be no significant highway safety issues caused by the limited increase in traffic.

Swept Path Analysis demonstrates that the access can accommodate an articulated vehicle passing a tractor with a trailer. With regards to conflicting traffic on the track itself, it is considered that this is unlikely due to the low frequency of traffic movements to and from the site.

The NPPF transport test states that development should only be prevented if there would be a demonstrable and severe worsening of highway conditions. Given the information submitted by the applicant, outlined above in response to the HCC Highways Officer's requirements it is considered that the impact is not significantly harmful and is acceptable for the agricultural needs of the applicant and in terms of highway safety and traffic.

Other Matters

A number of other matters have been raised which have been explored further.

Regarding the area of restricted byway at the end of Weston Down Road and its use by vehicular traffic it can be confirmed that the access from Weston Down Road onto the existing trackway forms part of a restricted byway where vehicular use is prohibited however this part of the trackway is historic and does not form part of the redline site, therefore cannot be considered as part of this application.

Concerns over the trackway being utilised to serve any possible, large scale housing development are not material to the application as potential future development of this nature cannot be taken into consideration.

Outcome of deferred committee meeting.

The application was considered by the planning committee on January 10th, 2019. It was stated by the objectors at this meeting that the track had been constructed over a privately owned high pressure gas pipeline, which was not referred to in the application. Concerns were raised by local residents and subsequently, members of the committee, with regards to the safety and integrity of the pipeline which could be compromised by the passing over of heavy HGV farm machinery. The application was deferred for more information to be obtained with regards to the potential impacts upon the pipeline and so that the Council could consult with the Health and Safety Executive (HSE) as there was a public interest in the outcome of the investigation.

Following the deferral, the owner of the pipeline Humbly Grove Energy confirmed that they had not been notified by the applicant that the works had taken place and that they were conducting surveys of the pipeline to determine whether there had been any damage or whether there was likely to be damage in the future.

The outcome of this investigation was that there was a significant risk from the activities

Case No: 18/01917/FUL

WINCHESTER CITY COUNCIL
PLANNING COMMITTEE

on the track to the integrity of the pipeline and that remedial works were statutorily required to be undertaken by the applicant to mitigate against this.

The track crosses the pipeline in three locations – the exact points are advised to be confidential– and strengthening works were required above these points.

It was confirmed by Humbly Grove Energy in a letter dated 25th April, 2019 that the works had been carried out to their satisfaction and in an email dated 3rd May, 2019, Mark Leadbetter of the HSE also confirmed their satisfaction with the remedial works. There was no formal recommendation by the HSE or Humbly Grove Energy for approval however, it was confirmed that the undertaken works were sufficient to ensure that the pipeline was not adversely affected by the continued use of the trackway.

In conclusion, following a satisfactory outcome to the investigations into the impacts on the gas pipeline and taking the material planning considerations into account, the recommendation is that the application is permitted. No conditions, other than approved plans are deemed necessary as the application is retrospective.

Recommendation

Application Permitted subject to the following condition(s):

Conditions

01. The retrospective development hereby approved with consideration to the following plans:

Site Location Plan Dwg No 1842-100A received 07.08.2018
Site Location and Block Plan Dwg No 1842-102A received 07.08.2018
Site Location Plan Dwg No 1842-103A received 07.08.2018
Site Access Plan Dwg No 1842-104A received 07.08.2018
Site Access Arrangement Dwg No ITB14364-GA-001 A received 08.10.2018
Swept Path Analysis – Combine Dwg No ITB14364-GA-002 received 08.10.2018
Swept Path Analysis – Articulated Vehicle Dwg No ITB14364-GA-003 received 08.10.2018
Figure 1 – Access to Public Highway received 17.12.2018

Reason: In the interests of proper planning and for the avoidance of doubt.

Informatives:

01 In accordance with paragraph 38 of the NPPF (July 2018), Winchester City Council (WCC) take a positive and proactive approach to development proposals, working with applicants and agents to achieve the best solution. To this end WCC:

- offer a pre-application advice service and,
- update applicants/agents of any issues that may arise in the processing of their application, where possible suggesting alternative solutions.

In this instance a site meeting was carried out with the applicant.

02 The Local Planning Authority has taken account of the following development plan policies and proposals:-

Local Plan Part 1 - Joint Core Strategy: MTRA4, CP16

Case No: 18/01917/FUL

WINCHESTER CITY COUNCIL
PLANNING COMMITTEE

Local Plan Part 2 – Development Management and Site Allocations: DM1, DM10, DM23

This permission is granted for the following reasons:

The development is in accordance with the Policies and Proposals of the Development Plan set out above, and other material considerations do not have sufficient weight to justify a refusal of the application. In accordance with Section 38(6) of the Planning and Compulsory Purchase Act 2004, planning permission should therefore be granted.

WINCHESTER CITY COUNCIL
PLANNING COMMITTEE

Appendix 1

Subject: FW: Micheldever - 8/01917/FUL - Retrospective Application for New Farm Access & Access Track

From: Cllr Caroline Horrill

Sent: 03 December 2018 07:38

To: Lorna Hutchings

Cc: Julie Pinnock

Subject: Micheldever - 8/01917/FUL - Retrospective Application for New Farm Access & Access Track

Lorna,

Thank you for following up with me regarding the retrospective application at Micheldever.

I confirm that I request that the decision goes to committee should the officer recommendation be to agree the application.

Please note that I am not sure HCC have the correct definitions of the bylaw/bridleways in the area I would ask for you to follow up on this with the County.

Many thanks.

Kind regards,
Caroline

Caroline Horrill
Leader & Portfolio Holder for Housing
Cllr for Wonston & Micheldever Ward
Winchester City Council
City Offices, Colebrook Street
Winchester, SO23 9LJ
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Case No: 18/01917/FUL