

2.0 POLICY CONTEXT

2.1 Development Plan Allocation:

City Boundary GMS Constraints: York City Boundary 0001

DC Area Teams GMS Constraints: East Area (1) 0003

2.2 Policies:

CYGP1
Design

CYNE1
Trees, woodlands, hedgerows

CYGB1
Development within the Green Belt

CYGP14
Agricultural land

3.0 CONSULTATIONS

3.1 The application has been publicised by way of a site notice posted on Naburn Lane, letters to the Parish Council and internal consultees. The consultation period expired on 24.11.2010.

3.2 Internal

Highway Network Management - No objections in principle to this new access, however recommend that the application be amended to allow a revised layout at the access point.

3.2 External

Naburn Parish Council - Do not object providing that confirmation is required re: ownership of the hedge and the hedge is maintained at a height of one metre to allow acceptable line of vision for vehicles using the access.

Publicity - No response to site notice.

4.0 APPRAISAL

4.1 KEY ISSUES:

- impact on Green Belt;

- loss of agricultural land;
- affect on hedgerow;
- highway safety implications.

4.2 POLICY CONTEXT: The relevant City of York Draft Local Plan policies are set out in section 2.2. In addition, national advice contained in Planning Policy Guidance Note 2: Green Belts and Planning Policy Statement 9: Biodiversity and Geological Conservation is relevant. In particular, PPG2 provides advice on the carrying out of engineering operations and change of use of land in the Green Belt. Such works are inappropriate development unless they maintain openness and do not conflict with the purposes of including land in the Green Belt. In addition, the visual amenities of the Green Belt should not be injured by proposals for development within or conspicuous from the Green Belt, which are detrimental by reason of their siting, materials or design.

4.3 IMPACT ON GREEN BELT: Planning approval was previously granted as it was concluded that the works did not constitute inappropriate development in the Green Belt and as they would not have prejudiced the purpose of including the land in the Green Belt nor its general openness. This was on the basis that no fencing or lighting was to be installed. Whilst it was noted that the visual amenity of the Green Belt would be affected due to the extent of roadway to be created, it was considered that this would, to a degree, be screened by the existing hedgerow. Furthermore, additional planting could be required to lessen the impact as well as to compensate for any loss through the creation of the access itself. A stone aggregate surface was proposed to match similar tracks in the area. Conditions were attached to the approval to control the materials to be used, the edge restraint and drainage details and to prevent lighting and enclosures, in the interests of the visual amenities of the Green Belt. There is no change to the scheme or Green Belt policy to justify a different recommendation on Green Belt grounds.

4.5 LOSS OF AGRICULTURAL LAND: The roadway is shown as being located 2m from the existing hedgeline and 3.2m wide (5m at entrance and for passing points), but to avoid damage to the hedge roots, the construction would need to be positioned at a minimum of 2.5m. This would result in the roadway being located further into the agricultural field with additional loss of grade 2 agricultural land, which is included in the definition of the best and most versatile agricultural land. As mentioned above, the Council's land sale agreement prevents the use of the current access road through Naburn Lodge Farm after July 2012 for the occupants of Acres House Farm and Acres Bungalow and the former field access entrance is unacceptable for use on a permanent basis due to poor visibility. Therefore, as before, it is considered that very special circumstances exist as required by Local Plan Policy GP14, which concerns the loss of the best and most versatile agricultural land. Furthermore, in relation to the size of the field as a total, the extent of land lost to the roadway would not result in a significant loss of the best and most versatile agricultural land. The total area of Naburn Lodge Farm is approx. 80.4ha and the land to be constructed on to be approx. 0.64ha, representing 0.8% of the total holding of Naburn Lodge Farm.

4.6 HIGHWAY SAFETY: In highway safety terms, the creation of the junction with Naburn Lane at the point proposed would provide adequate visibility along this

relatively fast road and would mean that it would not be opposite any of the entrances to the sewage treatment works. No highway objections were raised to the previous application. Although some reservations have been expressed on this occasion, bearing in mind that an identical scheme until recently had planning permission and that there have been no changes to highway standards, it is considered that it would be unreasonable to either refuse or require amendments to the scheme as proposed.

5.0 CONCLUSION

5.1 The proposal would result in the construction of a new vehicular access from Naburn Lane and a long roadway across grade 2 agricultural land that is within an area of Green Belt. This is to allow access to two properties, which would have no other convenient access as a result of the Council's sale of a neighbouring property through which access is permitted until July 2012.

5.2 However, it is not considered that the proposal would prejudice the purposes of including the land in the Green Belt nor its general openness. The impact of the proposals on the visual amenities of the Green Belt could be lessened by conditions to require further hedge planting, details of the surface finish and of the roadway edging and drainage. The loss of grade 2 agricultural land would be limited in relation to the field and officers are satisfied that very special circumstances have been demonstrated. The roadway needs to be positioned 2.5m from the base of the hedge to protect the hedge roots.

5.3 In light of the above, the application is recommended for approval subject to the conditions attached to the previous approval.

6.0 RECOMMENDATION: Approve

1 TIME2 Development start within three years

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

Drawing no. HE/DEC/07010/151-102 Rev.A 'Proposed Access onto B1222' dated 22/08/07 and received 15 October 2010;

or any plans or details subsequently agreed in writing by the Local Planning Authority as amendment to the approved plans.

Reason: For the avoidance of doubt and to ensure that the development is carried out only as approved by the Local Planning Authority.

3 Notwithstanding any proposed materials specified on the approved drawings or in the application form submitted with the application, details of the materials to be used for the surface/running layer, including colour, shall be submitted to and approved in writing by the Local Planning Authority prior to the commencement of

the development. The development shall be carried out using the approved materials.

Reason: In the interests of protecting the visual amenities of the Green Belt.

4 Prior to the commencement of the development, large scale details of the edge restraint and drainage details for the roadway, shall be submitted to and approved in writing by the Local Planning Authority. The development shall be carried out in accordance with the approved details.

Reason: In the interests of protecting the visual amenities of the Green Belt.

5 No lighting or means of enclosure shall be installed in connection with or as a result of the roadway at any time.

Reason: In the interests of preserving the visual amenities of the Green Belt.

6 Notwithstanding the submitted details, the access road, including edge restraint, shall be constructed a minimum of 2.5m from the base of the hedge along Naburn Lane and along the northern boundary of the field.

Reason: To avoid damage to the hedges roots and to allow the hedge to grow without interfering with the use of the access road.

7 Before the commencement of and during engineering operations, adequate measures shall be taken to protect the existing hedgerow adjacent to Naburn Lane and the along the northern field boundary. This means of protection shall be agreed in writing with the Local Planning Authority and shall be implemented prior to the storage of materials or the commencement of engineering works.

Reason: The existing planting is considered to make a significant contribution to the amenities of this area.

8 Prior to the commencement of development, a scheme shall be submitted to and agreed in writing by the Local Planning Authority for the planting of native hedgerow to fill gaps in the full length of the hedge along the site frontage with Naburn Lane, to the following specification: Staggered, double row, 60cm to 90cm high plants, 30cm spacing between plants. Composed of 60% hawthorn, 20% blackthorn and the remaining percentage made up of the following: Dog Rose, Dogwood, Hazel, Field Maple, Holly, Guelder Rose.

The hedging shall be planted before the end of the next tree-planting season (November-March) following the completion of the development in a location suitable for the growth of the hedge/trees.

Any new hedging that within a period of five years from the completion of the development dies is removed or becomes seriously damaged or diseased shall be replaced in the next planting season with others of a similar size and species.

Reason: In the interests of enhancing the landscape and wildlife value of the hedge

and to protect the visual amenities of the Green Belt.

7.0 INFORMATIVES:

Notes to Applicant

1. REASON FOR APPROVAL

In the opinion of the Local Planning Authority the proposal, subject to the conditions listed above, would not cause undue harm to interests of acknowledged importance, with particular reference to the purpose and openness of the Green Belt, loss of agricultural land, protection of the hedgerow, and highway safety. As such the proposal complies with Planning Policy Guidance Note 2 : Green Belts, Planning Policy Statement 9: Biodiversity and Geological Conservation and Policies GP1, GP14, NE1, GB1 of the City of York Draft Local Plan.

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