

COMMITTEE REPORT

Committee: East Area
Date: 30 August 2007

Ward: Wheldrake
Parish: Naburn Parish Council

Reference: 07/01646/GRG3
Application at: Acres House Farm Naburn Lane Fulford York YO19 4RE
For: Construction of vehicle access from Naburn Lane
By: City Of York Council
Application Type: Full Application
Target Date: 7 September 2007

1.0 PROPOSAL

1.1 Application relates to Grade 2 agricultural land on east side of Naburn Lane (B1222), opposite the Naburn Treatment Works. It falls within the York Green Belt. The proposal involves the creation of a vehicular access and access road from the highway, through a gap in the existing hedgerow and then runs north parallel to the road at the back of hedgerow and then eastwards along the line of a former farm access. Passing points are proposed along the roadway at 150m intervals. The roadway would be created having a stone aggregate surface layer.

1.2 It would provide a private vehicular access to two properties, Acres Farm and Acres Bungalow. Access is currently gained through the neighbouring Naburn Lodge Farm, located to the south, which has a vehicular access from Naburn Lane further to the south than that proposed. The new access is proposed because the City of York Council sold Naburn Lodge Farm in 2003, with a covenant on the sale transfer that required a new access to be constructed for Acres Farm and Bungalow within 5 years. The siting of the junction of the access road and Naburn Lane has been determined by visibility requirements and because there is a gap at this point in the existing hedge, though part of the hedge is to be removed to create the access.

2.0 POLICY CONTEXT

2.1 Development Plan Allocation:

City Boundary York City Boundary 0001

DC Area Teams 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 Internal

Highway Network Management - Visibility at the proposed access is within guidelines. No objections.

Planning & Design (Ecology) - No problems in principal, as the proposals use an existing gap plus the hedge did not appear to fulfil the criteria for protection within the Hedgerow Regulations. Request conditions to ensure hedge's protection and to improve remaining hedge.

3.2 External

Naburn Parish Council - Object:

- Would take up valuable farming land, fences would need to be installed along the whole of the access road for future security;
- Would mean more vehicles entering and exiting a dangerous part of B1222 Naburn Lane, which already has heavy traffic accesses;
- Existing road is far from perfect, but more sense to develop it rather than install a road surface down length/width of field.

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 As set out in section 1.2, the access road is required following a land sale agreement between the Council and the buyer of the neighbouring Naburn Lodge Farm, which leaves Acres Farm and Acres Bungalow landlocked. The access road

would reuse part of a former field access (a grassed non-cultivated strip) running from Naburn Lane eastwards to the properties with an existing gateway from Naburn Lane opposite the new treatment works entrance. Exiting out at this point would require less roadway to be constructed, but would not allow adequate visibility at the junction with Naburn Lane to be safe in highway terms.

4.4 It is considered that the works would not constitute inappropriate development in the Green Belt as they would not prejudice the purpose of including the land in the green belt nor its general openness, providing no fencing or lighting is installed. However, the visual amenity of the Green Belt would be affected due to the extent of roadway to be created. To a degree this would be screened by the hedgerow and additional planting could be required to further lessen the impact, as well as to compensate for any loss via the creation of the access itself. Also, a stone aggregate surface is proposed to match similar tracks in the area, details of which could be controlled through condition. Further details are also required of the roadway edging restraint and drainage to ensure that its width is kept to a minimum.

4.5 The roadway is shown as being located 2m from the existing hedge line and 3.2m wide (5m at entrance and for passing points), but to avoid damage to the hedge's root structure, the construction would need to be positioned at a minimum of 2.5m. This would mean that the roadway would be located further into the agricultural field and the 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 2008 and the former field access entrance is unacceptable for use on a permanent basis due to poor visibility. Therefore, it is considered that very special circumstances have been demonstrated 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,

4.6 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 treatment works. As a result, Highway Network Management raise no objections to the proposal.

5.0 CONCLUSION

5.1 The proposal would result in the construction of a new vehicular access with Naburn Lane and a long roadway across grade 2 agricultural land that is designated Green Belt. This is to allow access to two properties, landlocked as a result of a Council land sale of a neighbouring property.

5.2 However, the proposal would not 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 very

special circumstances have been demonstrated. The roadway needs to be positioned 2.5m from the base of the hedge to protect the hedge. There are no objections on highway safety grounds.

5.3 In light of the above, the application is recommended for approval.

6.0 RECOMMENDATION: Approve

1 TIMEL2 Development start within 3 yrs (LBC/CAC)

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

Drawing no. HE/DEC/07010/151-102 'Proposed Access onto B1222' dated July 2007 and received 13 July 2007;

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 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 hedge's root structure 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 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 Native hedgerow shall be planted to fill gaps in the full length of the remaining hedge along Naburn Lane, to the following specification: Staggered, double row, 60 to 90 cm 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, agricultural land, 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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