

Land Opposite Priam Lodge, Burgh Heath Road, Epsom, Surrey, KT17 4LU

Proposed vehicular access and field gate (Amended drawings received 28.02.2017)

Ward:	College
Contact Officer:	James Udall

1 Plans and Representations

- 1.1 The Council now holds this information electronically. Please click on the following link to access the plans and representations relating to this application via the Council's website, which is provided by way of background information to the report. Please note that the link is current at the time of publication, and will not be updated.

Link <http://eplanning.epsom-ewell.gov.uk/online-applications/applicationDetails.do?activeTab=documents&keyVal=OH8OX7GYMX500>

- 1.2 This application proposes the creation of a new vehicular access onto Burgh Heath Road.
- 1.3 This application has been submitted to committee at the request of Councillor Tina Mountain.
- 1.4 The application is recommended for APPROVAL.**

2 Site description

- 2.1 The application site, which has an area of 1.5h, is located on the western side of Burgh Heath Road, opposite Priam Lodge. Land levels rise slightly to the south. The application site is defined by dense hedges along the highway boundary. The application site is within the Green Belt.
- 2.2 South Hatch Farm lies to the south of the application site and comprises a two storey detached dwelling and a number of agricultural buildings and stables. To the north of the application site lies Beech Road. The properties along Beech Road are generally two storey terraced properties. Priam Lodge is sited directly opposite the application site.

3 Proposal

- 3.1 This application seeks permission for the creation of a new vehicular access onto Burgh Heath Road. The proposal would include the replacement of part of the existing hedge and the creation of a dropped kerb.
- 3.2 Further information was requested about the proposed use of the field, which the access would serve and a detailed list of expected annual vehicular movements has been provided below:

Activity	Vehicles/machinery	Frequency per year	Movements per year
Fertilising	Small tractor and fertiliser spinner spreading NPK	1	2
Spraying	Quad Bike with 4 metre boom Spraying to control weeds	1	2
Mowing	Small Tractor and mower. To cut down grass and leave to dry	1	2
Hay Turning	Turn Hay to dry normally done twice using small tractor and hay tedder	2	4
Baling	Tractor and conventional baler. To make small bales Yield approx. 5.8 tonnes/ha. Therefore 8.7 tonnes total. Producing approx. 350 bales @ 40 bales/tonne	1	2
Hauling away	4 x 4 vehicle with trailer moving approx. 40 small bales/trip. Remainder of bales stored on site under tarpaulin.	9	18
		TOTAL	30

3.3 Officers requested amended drawings reducing the width of the access to 3.5m to limit the impact of the proposal on the character and appearance of the area. The amended drawings were received on 28 February 2017.

4 Comments from third parties

4.1 The application was advertised by means of letters of notification to 16 neighbouring properties, to date (30.03.2017) 27 letters of objection have been received regarding:

- Impact on the character of the area and the Green Belt.
- The access is not needed and would be the first stage of getting housing built on the field.
- Impact on outlook, traffic/parking, highway safety, wildlife/ecology and generation of noise and disruption.
- If South Hatch Stables gets its planning application approved, what impact will this have on this plot of land, would this status of this land change from green to brown belt with the possibility of future planning applications?

5 Consultations

5.1 County Highway Authority: No objections. Conditions relating to provision of sightlines, etc. to be imposed on any permission granted. Conditions 7 and 8 are relevant.

- 5.2 Tree Officer: "The proposal involves the removal of approximately a 35m linear section of hedgerow adjoining Burgh Heath Road to enable construction of the vehicular access and provide traffic sight lines. Within this section of hedge there are some small free standing holly trees and a Sycamore. It is proposed to plant a new mixed species hedge on the inside back from the sight lines and up to the galvanised field gate.
- 5.3 Although the hedge is over 30 years old I do not consider that the hedgerow is important as defined in the Hedgerows Regulations 1997. The hedgerow is not ancient. I have seen aerial photographs of the site from 1921 and 1946 where the hedge appears absent. I think it is very unlikely that the hedge delineates an old estate boundary, archaeological site, historic parish boundary or old field system but I am not qualified to comment on this aspect. The hedge does not appear to be species rich, at least in terms of woody species. From my inspection I could only identify 3 woody species growing within it - Hawthorn, Crataegus monogyna, Sycamore Acer pseudoplatanus and Holly ilex aquifolium. The hedge is fairly smothered in Ivy and has recently been flailed. Further advice on the ecology of the Hedge should be obtained from the Ecology Officer.
- 5.4 Removal of a 35m section of the hedge will have an adverse impact on the visual amenity of the street scene. It would be more preferable if only a small section of hedge could be removed or no hedge removed and the existing access shared.
- 5.5 The replacement hedge should be a native mix of species but these tend to be fairly slow growing so the site is likely to look open for several years until this becomes established.
- 5.6 Should the proposal be recommended for approval, I would recommend that there is a landscaping condition that requires approval of the hedge plant species, size, protection and aftercare. I would also like to see some native trees such as small leaf Lime Tilia cordata planted as a linear feature back from the hedgerow towards the field margin. These too will require protection from maintenance machinery and browsing".
- 5.7 Ecology Officer: No in principle objection. The only concern would be that the development might affect breeding birds during the breeding season. It is recommended that a condition be imposed on any grant of planning permission and this is attached as condition 4.

6 Relevant planning history

Application number	Decision date	Application detail	Decision
N/A	N/A	N/A	N/A

7 Planning Policy

National Policy Planning Framework (NPPF) 2012

Chapter 7: Requiring Good Design

Core Strategy 2007

Policy CS1	General Policy
Policy CS2	Green Belt
Policy CS3	Biodiversity and Nature Conservation
Policy CS5	Built Environment
Policy CS6	Sustainable Development
Policy CS16	Highways

Development Management Policies Document 2015

Policy DM9	Townscape Character and Local Distinctiveness
Policy DM10	Design Requirements for New Developments
Policy DM 20	Environmentally Sustainable Development Standards/
Policy DM4	Biodiversity and New Development
Policy DM5	Trees and Landscape
Policy DM35	Transport and New Development

Supplementary Planning Guidance

Sustainable Design 2016

8 Planning considerations

Principle of Development

9.1 The application site lies within the Green Belt. Policy CS2 states “To ensure the Green Belt continues to serve its key functions, its existing general extent will be maintained and, within its boundaries, strict control will continue to be exercised over inappropriate development as defined by Government policy”.

8.2 Paragraphs 79-92 of the National Planning Policy Framework sets out that Green Belt land should be protected from inappropriate development and sets out the following:

- ‘The fundamental aim of Green Belt policy is to keep land permanently open.
- Local planning authorities should plan positively to enhance the beneficial use of the Green Belt, such to retain and enhance landscapes, visual amenity or biodiversity.

- 8.3 Paragraph 87 states that inappropriate development is, by definition, harmful to the Green Belt and should not be approved except in 'very special circumstances'. Furthermore when considering any planning application, LPA's should ensure that substantial weight is given to any harm to the Green Belt. 'Very special circumstances' will not exist unless the potential harm to the Green Belt by reason of inappropriateness, and any other harm, is clearly outweighed by other considerations.
- 8.4 Paragraph 89 states that LPA's should regard the construction of new buildings as inappropriate development in the Green Belt but lists a number of exceptions, which include buildings for agriculture and forestry. The proposal is for minor development related to agricultural use as opposed to a new building and given the minimal level of harm which would result, it is considered appropriate in this instance to consider the proposal as appropriate development in the Green Belt.
- 8.5 The proposal itself would result in a section of hedgerow being replaced with a five-bar galvanised steel field gate - and the laying down of an area of approximately 60m² hard standing within a section of field in connection with the agricultural use of the land. The amount of development proposed is of a limited nature and would not have a harmful impact on the openness of the Green Belt as the proposed access would still allow the field to be used for agricultural purposes.
- 8.6 Furthermore the imposition of a suitably worded landscape condition could ensure that additional planting was provided to ensure the continued vitality and appearance of the hedge thus preserving the visual appearance of the area.
- 8.7 Concerns were raised by neighbouring occupants that the proposal could lead to planning permission being granted at the application site for residential dwellings. The current proposal does not include any buildings and officers cannot take into consideration what may, or may not, happen in the future.

Visual Impact

- 8.8 The application site consists of a field sited to the south of Beech Road within the Green Belt. A hedge runs along the boundary with Burgh Heath Road and the site has been encased by a wooden fence, which allows views across the field and the large open surrounding area behind the hedge.
- 8.9 The surrounding area is mixed urban/rural in character with the development to the north of the application and fields with some limited development to the south of the application site. The application site is directly opposite dwellings with front driveways with access onto the main road which clearly shows the semi-urban character of the immediate vicinity.
- 8.10 The amended proposal would create a 3.5m vehicular access onto Burgh Heath Road and would result in the removal of approximately 34m of hedge and its replacement with approximately 26m of mixed species hedge planted behind the proposed sight lines.

- 8.11 It is noted that the Tree Officer has raised concerns that the proposal would result in a loss of hedging which could harm the visual appearance of the area. However, the hedge would be replaced with substantial new hedgerows and the resultant gap in the hedgerow would be infilled with a suitably designed access gate and the small amount of hard standing proposed would be adequately screened behind the replacement hedge, ensuring that that the proposal does not significantly harm the visual appearance or character of the area. Condition 3 requires details of a landscaping scheme to be submitted and approved prior to the commencement of the works.
- 8.12 It is concluded that the proposed access would not have a harmful impact on the character and appearance of both the immediate and wider area and would therefore accord with Policy DM9 and DM10.

Residential Amenity

- 8.13 The proposed access would be sited approximately 25m from the rear boundary of the properties along Beech Road and 7.5m from the front boundary with Priam Lodge. Due to its siting, size, scale and design the proposed access would not harm the outlook of neighbouring occupants; it would also not harm the daylight or privacy of neighbouring occupants.
- 8.14 The applicant's agent has submitted details of the possible vehicular movements, which might come about due to the use of the site for agriculture. It is anticipated that there would be a frequency of approximately 30 movements per year.
- 8.15 While it is noted that the frequency of movement might change over time, the applicant's agent has confirmed that the applicant has retained the field for agricultural purposes and therefore it is not considered that the proposal would cause significant noise and disturbance to neighbouring occupants.
- 8.16 The proposed scheme would therefore accord with Policy DM10.

Parking/Access

- 8.17 The proposed access would have visibility splays of 2.4 metres x 46 metres – south-eastwards and a 2.4 metres x 47 metres – north-westwards. The visibility splays would ensure that the proposal would not be hazardous to highway safety.
- 8.18 The Highway Authority has no objection to the development.

Ecology

- 8.19 Policy DM4 of the Development Management Policy Document states that every opportunity should be taken to secure net benefit to the Borough's biodiversity.

- 8.20 The Council's Ecology Officer has assessed the proposal and has not raised any significant objections to the proposal. However, he has noted that the existing hedges could be used by breeding birds in certain months of the year. He has therefore requested the imposition of a condition requiring that there be no removal of hedgerows, trees or shrubs that may be used by breeding birds at certain times of the year.
- 8.21 In view of the above and subsequent to a suitably worded condition, the proposed scheme would be in accordance with Core Strategy Policy CS3 and Policy DM4.

9 Conclusion

- 9.1 The proposal seeks to create a vehicular access and a field gate in a location which is considered appropriate. The proposal would include the creation of approximately 60m² of hard landscaping at the front of the access. Due to the limited nature of the development the proposal would not harm the wider character of the area, nor lead to a loss of neighbouring residential amenities. In light of the above it is recommended that planning permission is granted.

10 Recommendation

- 10.1 Planning permission is granted subject to the following conditions:

Conditions:

- (1) **The development hereby permitted shall 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 as amended by Section 51 (1) of the Planning and Compulsory Purchase Act 2004.

- (2) **The development hereby permitted shall be constructed entirely of the materials as detailed on the schedule of materials on the planning application form**

Reason: To secure a satisfactory appearance in the interests of the visual amenities and character of the locality in accordance with Policy CS5 of the Core Strategy (2007) and Policies DM9 and DM10 of the Development Management Policies 2015.

- (3) **No development shall take place until full details, of both hard and soft landscape proposals, including a schedule of landscape maintenance for a minimum period of 5 years, have been submitted to and approved in writing by the local planning authority. The approved landscape scheme (with the exception of planting, seeding and turfing) shall be implemented prior to the occupation of the development hereby approved and thereafter retained.**

Reason: To ensure the provision, establishment and maintenance of an appropriate landscape scheme in the interests of the visual amenities of

the locality in accordance with Policy CS5 of the Core Strategy (2007) and Policies DM5 and DM9 of the Development Management Policies 2015.

- (4) No removal of hedgerows, trees or shrubs that may be used by breeding birds shall take place between 1st March and 31st August inclusive, unless a competent ecologist has undertaken a careful, detailed check of vegetation for active birds' nests immediately before the vegetation is cleared and provided written confirmation that no birds will be harmed and/or that there are appropriate measures in place to protect nesting bird interest on site. Any such written confirmation must be submitted to, and approved by, the local planning authority.

Reason: To preserve and enhance biodiversity and habitats in accordance with Policy CS3 of the Core Strategy (2007) and Policy DM4 of the Development Management Policies 2015.

- (5) Any trees proposed to be felled as a result of the development hereby permitted shall be replaced by other trees in accordance with a scheme to be submitted to and approved by the local planning authority, and all planting in accordance with such an approved scheme shall be completed within a period of twelve months from the date on which the development of the site is commenced or shall be carried out in the first planting season following completion of the development.

Reason: The trees within the site make a substantial contribution to the visual amenities enjoyed by residents in the area and the felling of any trees without replacement would be detrimental to such amenities and contrary to Policies DM5 and DM9 of the Development Management Policies Document 2015.

- (6) The development hereby permitted shall be carried out in accordance with the following submitted plans and documents:

Location Plan

17/01 REV A

17/02 REV A

17/03 REV A

Design and Access statement received 28.02.2017.

Reason: For the avoidance of doubt and in the interests of proper planning as required by Policy CS5 of the Core Strategy 2007.

- (7) No vehicle shall access the Land opposite Priam Lodge from Burgh Heath Road unless and until the proposed vehicular access hereby approved has been constructed and provided with visibility zones in accordance with the approved plans and thereafter the visibility zones shall be kept permanently clear of any obstruction over 0.6m high.

Reason: To ensure that the development does not prejudice highway safety or cause inconvenience to other highway users in accordance with Policy CS16 of the Core Strategy (2007) and Policy DM35 of the Development Management Policies 2015.

- (8) A pedestrian inter-visibility splay of 2m by 2m shall be provided on each side of the access, the depth measured from the back of the footway and the widths outwards from the edges of the access. No fence, wall or other obstruction to visibility between 0.6m and 2m in height above ground level shall be erected within the area of such splays.

Reason: To ensure that the development does not prejudice highway safety or cause inconvenience to other highway users in accordance with Policy CS16 of the Core Strategy (2007) and Policy DM35 of the Development Management Policies 2015.

Informatives:

- (1) The Council confirms that in assessing this planning application it has worked with the applicant in a positive and proactive way, in line with the requirements of paragraph 186-187 of the National Planning Policy Framework 2012
- (2) The applicant should note that under the terms of The Conservation of Habitats and Species Regulations 2010, Wildlife and Countryside Act 1981 and Countryside and Rights of Way Act 2000, it is an offence to disturb nesting birds or roosting bats which are also European Protected Species.
- (3) You should note that the work hereby granted consent does not override the statutory protection afforded to these and other protected species and you are advised to seek expert advice if you suspect that the demolition would disturb any protected species. Please note that a European Protected Species Licence will be required to allow the proposed development to proceed lawfully. Further details can be found at:
- <https://www.gov.uk/environmental-management/wildlife-habitat-conservation>
- (4) The developer is advised that as part of the detailed design of the highway works required by the above condition(s), the County Highway Authority may require necessary accommodation works to street lights, road signs, road markings, highway drainage, surface covers, street trees, highway verges, highway surfaces, surface edge restraints and any other street furniture/equipment.