
Delegated report Officer: Neil Thompson

Application ref. DMPA/2021/0171

The installation of a new agricultural access at Stanton House Farm, Bridle Lane, Stanton, Swadlincote, DE15 9TQ

Valid date: 27/01/2021

Consults expired: 16/11/2021

EIA development? No

Section 106 agreement? Not required

This decision is delegated to officers under the terms of the current Scheme of Delegation.

Relevant planning history

No relevant planning history.

Responses to consultations and publicity

The County Highway Authority requested further information and amendments to the scheme. This was submitted by the applicant. The Highway Authority are satisfied with the amended scheme subject to the imposition of appropriate conditions.

The Environment Agency note that the site is in flood zone 1 and has no objection to the proposal.

The Ramblers Association notes the crossing of footpath 102 by the access. It is not clear if the path will be obstructed in any way. The line of the footpath should be shown and show how access will be maintained. Should diversion be considered the Rights of Way department should be consulted.

Trent and Northern Footpath Society has no objection to the proposal, and notes that the Highway Authority will pick up on the issue regarding the severing of the junction of footpath 102 with bridleway 101 and the management of this.

Two neighbours have commented on the proposal. These can be summarised as follows:-

- The re-positioning of the access seems a sensible improvement to the historic access. There would be no real impact on the houses to the north even with some night time working during harvest time.
- We fully support the proposals as residents of the existing road used by this farm traffic. it makes the Bridle Lane safer for other users. The current arrangements are dangerous where there is poor visibility out of the access on a bend.

Relevant policy, guidance and/or legislation

The relevant Development Plan policies are:

- South Derbyshire Local Plan Part 1 2016 (LP1): Policy S1 Sustainable Growth Strategy; Policy S2 Presumption in Favour of Sustainable Development; Policy S3 Environmental Performance; Policy S6 Sustainable Access; Policy S8 Green Belt; Policy SD1 Amenity and Environmental Quality; Policy SD3 Sustainable Water Supply, Drainage and Sewerage Infrastructure; Policy BNE1 Design Excellence; Policy BNE4 Landscape Character and Local Distinctiveness; and Policy INF2 Sustainable Transport.
- South Derbyshire Local Plan Part 2 2017 (LP2): SDT1 Settlement Boundaries and Development; BNE5 Development in Rural Areas; and Policy BNE6 Agricultural Development.

The relevant local guidance is:

- South Derbyshire Design Guide Supplementary Planning Document (SPD)

The relevant national policy and guidance is:

- National Planning Policy Framework (NPPF)
- Planning Practice Guidance (PPG)

Planning considerations

Taking into account the application made, the documents submitted (and supplemented and/or amended where relevant) and the site and its environs; the main issues central to the determination of this application are:

- The effect of the proposal on the character and appearance of the Green Belt;
- The effect on the proposal on adjacent residential amenity;
- The effect of the proposal on the highway network; and
- The effect on the water environment.

Planning assessment

The effect of the proposal on the character and appearance of the Green Belt

The proposed access track goes across land which is identified as being within the Green Belt. This is the small area of land on the south side of the A444 which separates Burton On Trent from the Swadlincote area and stretches across the existing urban ribbon development at Stanton, north of Newhall and out towards Bretby to the north east.

The principle of Green Belt policy is generally one of restriction. The aims of the greenbelt is to retain the openness of the land and continue to show the separation between different land uses and built up development.

In this instance, the proposals show the provision of a new access road which would go from just north west of Woodlands Road, and opposite Manor Close. The access road is considered necessary due to wanting an improvement to the historically poor access onto Woodland Road from Bridle Lane. There is a incline along Bridle Lane to the carriageway. At this location there is an acute view to traffic coming from Swadlincote. The Lane is also on the inside of the bend. Visibility splays are limited.

Bridle Lane is considered sub standard and the applicants want to address this with the new access to continue to develop their 1400 acre farm in mixed arable and dairy use. The access is used by both the businesses along Bridle Lane and the residential properties off Woodland Road. Historically there has been some crossing of farm vehicles onto the highway verge and over the kerbs near Bridle Lane to make the turns into and out the access. It is concluded that the new access would provide better visibility.

Once the initial turn has been made into the field adjacent to the A444, the access runs closer to the north west boundary of 200 Woodland Road and the existing footpath running generally parallel to the path, until it joins land within the applicants ownership close to the location where there is an existing gate which enters Bridle Lane.

Local policy for the Green Belt is the same as national policy as described within the NPPF. This proposal is for a new vehicular access onto the A444. It is considered that the proposal would retain the general openness of the Green Belt due to the relatively low level effects of the new access road. There would be some minor visual detrimental impact initially from the additional tarmacking of the first section of the access over the highway verge. This will reduce as the land drops down to the field level, and from there on would be a crushed stone surface. The proposal involves no buildings and therefore would retain the gap between Swadlincote and Burton on Trent. It would not result in encroachment on the countryside, and would not result in visual harm to the gap between the two areas of urban development.

A landscape scheme including new hedgerow and trees can be planted either side of the access track as indicated on the draft landscape plan, subject to the imposition of a detailed planting scheme, to improve the appearance of the development and to help with biodiversity.

The road would be used by the applicant only to access the farm and its adjacent fields. It would be ancillary agricultural use. The use of the land in itself would not change. On this basis, the proposal is considered to preserve the aims of the Green Belt and would comply with policies S1, S2, and S8 of the South Derbyshire Local Plan Part 1 2016 and policies BNE4, BNE5 and BNE6 of the South Derbyshire Local Plan Part 2 2017.

The effect on the proposal on adjacent residential amenity

There are houses opposite the site where the new access would be created. Residents would notice the new access visually directly from their houses. They would notice the additional tarmacking over the highway verge and the creation of the access into the field. However, the houses are generally well set back, and the A444 is a very busy road. Visually there would be little impact if there are no vehicles coming into and out of the access. In terms of noise and disturbance, the number of additional vehicles would be very minor given the overall number of vehicles travelling along the A444 daily. It is unlikely that vehicles from the farm would cause detrimental impact on the residents as a result of noise.

There would be some minor detrimental impacts also on residents who are closer to the rest of the stone track as the road comes closer to Bridle Lane. There would still be a 10m gap between the access road to the farm and the boundary with the disused footpath. Visually there would be little impact on these properties. There would similarly an effect from vehicles driving along the access to the A444. Similar to the effects on other properties on the A444, these would be marginal due to the low level of vehicular access compared with the amount of traffic noise generated from the A444, or for the properties on Bridle Lane, this would be comparable as farm vehicles would be using the new access instead of Bridle Lane itself. There would be improvements for dwellings closer to the access onto Woodlands Road as there would be a slight reduction in noise disturbance.

In conclusion, the overall impact of the change from Bridle Lane to the new access onto the A444 would be neutral. It is concluded that the proposal is therefore acceptable and complies with policy SD1 of the South Derbyshire Local Plan Part 2 2016.

The effect of the proposal on the highway network

The proposal has been assessed by the local highway authority. There were initial concerns expressed and additional information was required along with some amendments to the scheme. The amended plans were submitted and the scheme re-assessed. It is considered that the proposed new access onto the A444 is acceptable to the highway authority and it is recommended that the proposal is considered acceptable subject to the imposition of appropriate conditions regarding the construction of the new access. An informative has been added regarding the presence of the footpath which crosses the site. It is not envisaged that this would cause a problem with blocking of the footpath. It is concluded that the proposal complies with policy INF2 of the South Derbyshire Local Plan Part 1 2016.

The effect on the water environment

The application includes details for drainage of water from the tarmaced section which would run off back into the site and fall, via an acco drain, into an area identified for soakaway in the field adjacent to the drive.

This is considered to be adequate to deal with surface water. The rest of the driveway is porous and would result in water soaking through the ground in the same way it would now. On this basis there is a neutral impact on the water environment and would comply with policy SD3 of the South Derbyshire Local Plan Part 1 2016.

Conclusions

The proposal would result in highway improvements to the existing farm and a better visibility splay and safer access than the existing one from Bridle Lane. On this basis, it is recommended that planning permission be granted subject to the imposition of appropriate conditions.

Recommendation

Approve with Conditions

None of the other matters raised through the publicity and consultation process amount to material considerations outweighing the assessment of the main issues set out above, noting that conditions or obligations have been attached where meeting the tests for their imposition. Where relevant, regard has been had to the public sector equality duty, as required by section 149 of the Equality Act 2010 and to local finance considerations (as far as it is material), as required by section 70(2) of the Town and Country Planning Act 1990 (as amended), as well as climate change, human rights and other international legislation.

Recommendation made:	18/11/2021
Report agreed:	19/11/2021
Authorised officer:	Steffan Saunders
