

SOUTH CAMBRIDGESHIRE DISTRICT COUNCIL

REPORT TO: Northstowe Joint Development Control Committee 25 February 2015
AUTHOR/S: Planning and New Communities Director

Application Number: S/0036/15/FL
Parish(es): Longstanton
Proposal: Agricultural Access to land east of Hatton's Road with associated swing gate
Site address: Hatton's Road, Longstanton
Applicant(s): Mr Andy Lawson, Gallagher Longstanton Ltd
Recommendation: Approve with conditions
Key material considerations: Highway safety
Committee Site Visit: No
Departure Application: No
Presenting Officer: Andrew Phillips
Application brought to Committee because: Officers' believe that this application along with Hatton's Road Ponds would benefit from members input, in accordance of Part 1 (f) of the Northstowe Joint Development Control Committee Scheme of Delegation
Date by which decision due: 16 February 2015

Planning History

1. **S/0388/12/OL** – Outline consent for Northstowe Phase 1 application, determined on the 22 April 2014.
2. **S/0038/15/RM** – Reserved matters application for Hatton's Road Ponds, currently under consideration.

Planning Policies

3. **National Planning Policy Framework**
National Planning Policy Framework (NPPF)
4. **Local Development Framework Development Control Policies 2007**
DP/1 Sustainable Development

DP/2 Design of New Development
DP/3 Development Criteria
NE/6 Biodiversity

5. **Northstowe Area Action Plan, July 2007**

NS/21 – Land Drainage, Water Conservation Area, Foul Drainage and Sewage Disposal

Consultations

6. **Longstanton Parish Council** – Having considered the plans, the council have recommended this development for approval with the comment that the new access is very close to the junction.
7. **Local Highways Authority** – It states that the minimum distance between the carriageway and the gate should be 15 metres in order to allow a tractor and trailer unit to stand clear of the carriageway whilst operating the gate. If this provided it is satisfied that the proposal will have no significant adverse effect upon the public highway.
8. It also requests that conditions are added to control the surface material, details of construction, control of drainage and ensuring the access remains free of obstruction.
9. It requests informatives to cover highway legislation.

Representations

10. None received.

Planning Comments

Site and Proposal

11. The application site is located outside the village framework and is within Floodzone 2. There is a drain (not awarded) located to the south of the site and a hedge that runs along the eastern boundary; 5 metres of the hedge will need to be removed.
12. The proposed access is needed in order to maintain access to farmland if/when the Hatton's Road Ponds are constructed (planning reference S/0038/15/RM).
13. The developer has amended the application on the 13 February 2015 in order to give clarification that it will comply with the 15 metre set back from the carriageway as required by the Local Highways Authority.

Highway Safety

14. The application benefited from pre-application discussions with Ian Dyer (Lead Highways Development Management Engineer) at Cambridgeshire County Council who considered the access acceptable.
15. The access will be used infrequently though the amount of usage is likely to increase during the harvest season.

16. The developer has confirmed that the gate will be set back 15 metres from the edge of the carriageway and that it will swing away from the public highway, as shown in the amended drawing 0481-SK-004 Rev F.
17. It is not possible to condition that there will be no unbound material within 15 metres of the public highway, as the entire site is within the highway. A condition can be added to state that there will be no unbound material within 15 metres of the carriageway to stop loose material being dragged onto Hatton's Road. The condition relating to surface water and preventing obstruction can be added to ensure highway safety.
18. The request regarding the construction specification of the access will be added as an informative, as this is already controlled by the Local Highways Authority. The other informatives requested by the Local Highways Authority will be duly added to ensure the developer is aware of the relevant legislation.
19. With the access being so rarely used and the required visibility splays being provided there is no concern over the location or details of the access, subject to the above conditions being added.

Ecology and Landscaping

20. The proposal will lead to the loss of approximately 5 metres of hedgerow. The loss of this small amount of hedgerow is not considered to be detrimental to the character of the area or the ecology in the local area. An informative will be added to ensure the developer is aware that it cannot disturb/harm nesting birds.

Conclusion

21. It is considered that the proposed agricultural access will have no detrimental impact upon highway safety, ecology or the character of the area. It will also allow the construction of the Hatton's Road Ponds (if approved), which will in turn reduce the risk of flooding in Longstanton. It is an essential part of the infrastructure underpinning Phase 1 consent and has no significant adverse impact. The merits of the application heavily outweighing the potential harm it is considered that this application should be approved.

Recommendation

22. That full planning consent be granted, subject to the following conditions –

Conditions

1. **The development hereby permitted shall be begun before the expiration of 3 years from the date of this permission.**
(Reason - To ensure that consideration of any future application for development in the area will not be prejudiced by permissions for development, which have not been acted upon.)
2. **The development hereby permitted shall be carried out in accordance with the following approved plans: Dwg no/155316Q/001, 0481-GA-112 Rev B and 0481-SK-004 Rev F.**
(Reason - To facilitate any future application to the Local Planning Authority under Section 73 of the Town and Country Planning Act 1990.)

- 3. The agricultural access road, hereby approved, shall remain free of an obstruction in perpetuity.**
(Reason - In the interest of highway safety.)
- 4. The access shall be constructed with adequate drainage measures to prevent surface water run-off onto the adjacent public highway.**
(Reason - In the interests of highway safety by preventing water discharging onto the public highway.)
- 5. No unbound material shall be used in the surface finish of the access within 15 metres of the carriageway boundary.**
(Reason - In the interests of highway safety.)

Informatives

- This development involves work to the public highway that will require the approval of the County Council as Highway Authority. It is an OFFENCE to carry out any works within the public highway, which includes a public right of way, without the permission of the Highway Authority. Please note that it is the applicant's responsibility to ensure that, in addition to planning permission, any necessary consents or approvals under the Highways Act 1980 and the New Roads and Street Works Act 1991 are also obtained from the County Council.
- Prior to the commencement of the first use the vehicular access where it crosses the public highway shall be laid out and constructed in accordance with the Cambridgeshire County Council specification.
- No part of any structure may overhand or encroach under or upon the public highway unless licensed by the Highway Authority and no gate/door/ground floor window shall open outwards over the public highway.
- Public Utility apparatus may be affected by this proposal. Contact the appropriate utility service to reach agreement on any necessary alterations, the cost of which must be borne by the applicant.
- The developer is advised of the Wildlife and Countryside Act 1981 and must not disturb any nesting birds between the months of March to August.

Background Papers

Where [the Local Authorities \(Executive Arrangements\) \(Meetings and Access to Information\) \(England\) Regulations 2012](#) require documents to be open to inspection by members of the public, they must be available for inspection: -

- (a) at all reasonable hours at the offices of South Cambridgeshire District Council;
- (b) on the Council's website; and
- (c) in the case of documents to be available for inspection pursuant to regulation 15, on payment of a reasonable fee required by the Council by the person seeking to inspect the documents at the offices of South Cambridgeshire District Council.

The following list contains links to the documents on the Council's website and / or an indication as to where hard copies can be inspected.

- National Planning Policy Framework

- <https://www.gov.uk/government/publications/national-planning-policy-framework--2>
Local Development Framework, Development Control Policies, Adopted July 2007
<http://www.scambs.gov.uk/content/local-development-framework>
- South Cambridgeshire Local Plan, Proposed Submission July 2013
<http://www.scambs.gov.uk/localplan>
- Planning File Ref: S/0036/15/FL

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