

**New Agricultural Access onto Dolly Lane, Buxworth**

**Planning, Design & Access Statement**

March 2018

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## **1. Introduction**

This Planning Statement supports a full planning application for a new agricultural access onto Dolly Lane, close to its junction with Dollywood Close, Buxworth.

The new access is necessitated by the approval of outline permission HPK/2016/0108 which grants permission in principle for the development of a parcel of land at the eastern end of Dollywood Close for housing. This land currently provides access for agricultural vehicles to fields to the east of Dolly Lane.

The application is supported by an arboricultural survey undertaken in January 2018 by John Booth, and drawings produced by Blair Gratton Architects.

The statement will demonstrate that the proposal complies with Development Plan policy.

The key issues are as follows:

- Whether the new access will be safe;
- Whether the loss of trees is justified;
- Whether there will be any significant impact on landscape character or visual amenity as a result of the proposals;
- Whether the proposals comply with national and local policies relating to development within the green belt;
- Whether there will be any impact on residential amenity.

## **2. The Application**

The application proposes a new access, suitable for agricultural vehicles, on the eastern side of Dolly Lane circa 35m north of Dollywood Close. The access would allow farm vehicles to maintain three fields to the east of Dolly Lane which are currently accessed off the B6020 (Station Road) via an established route between Dollywood Close and Brierley Park.

As the speed limit on this section of Dolly Lane is 60mph, visibility splays have been provided at 48m in the northerly (critical) direction and 48m in the southerly direction 2.4m from the carriageway edge.

The proposals necessitate the removal of xx trees to enable adequate visibility to be established at the new junction.

The access would be bounded by dry stone clad retaining walls for the first 8m and then post and wire fencing for a further 12m. It would be secured by a standard, five bar field gate. Some excavation work would be required to bring the access out from the field onto the same level as Dolly Lane.

### **3. Background**

#### **Site & Surroundings**

Dolly Lane is an attractive country lane that runs approximately north-south from its junction with the B6062 at Buxworth until it meets Laneside Road to the east of Low Leighton. It is, for the most part, tree lined and punctuated by sporadic development of relatively isolated farmsteads and dwellings. The land the lane passes through is largely within the Green Belt.

There are numerous agricultural field accesses along its length that are generally low key and assimilated into the local landscape, with a few notable exceptions. More significant accesses occur at major farm complexes. The lane also has numerous passing places.

The proposed access point sits within a belt of semi-mature, self-seeded oak and sycamore trees. One of the oak trees within the belt is dead or dying and requires removal regardless of this application.

35m to the south of the proposed access is the bell mouth entrance to Dollywood Close. This access would be amended to allow for wider visibility splay once development takes place to the east of Dollywood Close.

To the east of the proposed access are 3 No. field parcels amounting to approximately 1.7 Ha which will not be capable of being accessed from the public highway or land in ownership once development occurs at Dollywood Close. These fields are occasionally grazed or mown once a year for hay. They sit approximately 1m higher than the road at their southern end and 2m higher than the road at their northern boundary.

To the west of the site is Dolly Lane. On the opposite side of the road there is a field gate and a pull-in place used by vehicles. The western side of Dolly Lane is much less densely wooded than the east.

#### **Planning History**

A planning application (HPK/2017/0594) was submitted in October 2017 for an agricultural access slightly further south than this current proposal. Objections were raised by the Highways Authority due to there being an impediment to the southern visibility splay as the entrance to Dollywood Close as amended by approval HPK/2016/0108. No tree survey was submitted with the application despite the proposed loss of trees. The application was withdrawn to allow amendments to be made to the scheme and a tree survey to be carried out.

Outline permission HPK/2016/0108 is relevant to this proposal in so far as it allows for the residential development of land that is currently used by farm vehicles to access the fields to the east of Dolly Lane. During the application process, objections to the continued use of the land by farm vehicles were raised by a resident of Brierley Park. In response, the applicants stated in writing that no farm vehicles would use the footpath to the east, adjacent to Brierley Park, should permission for the housing scheme be granted. Instead, an

alternative access would be sought. This was referenced in the committee report and a decision to approve the housing scheme was taken accordingly.

## 4. Planning Policy Context

### National Policy

#### *The National Planning Policy Framework*

The National Planning Policy Framework ('The Framework') was published on 27 March 2012 and has been a material planning considerations in planning decisions since then.

The key theme or 'golden thread' of the Framework is the presumption in favour of sustainable development.

Paragraph 32 of the Framework mentions the requirement for safe and suitable access. Paragraph 61 states that planning decisions should go beyond aesthetic considerations and should address the connections between people and places and the integration of new development into the environment.

Paragraph 66 states that applicants should work with those affected by proposals to evolve designs that take account of the views of the community. Proposals that can demonstrate this should be looked on more favourably.

Paragraph 80 sets out the five purposes of Green Belt, namely:

- to check the unrestricted sprawl of large built-up areas;
- to prevent neighbouring towns merging into one another;
- to assist in safeguarding the countryside from encroachment;
- to preserve the setting and special character of historic towns; and
- to assist in urban regeneration, by encouraging the recycling of derelict and other urban land

Paragraph 81 states that LPAs should plan positively to enhance the beneficial use of the Green Belt such as opportunities to retain and enhance landscapes; or to improve damaged and derelict land. Paragraph 90 clarifies that engineering operations are not, in principle, inappropriate in the Green Belt.

### Local Policy

The High Peak Local Plan was adopted on 14 April 2016. The proposals map shows the application site as being in the Green Belt; a Neighbourhood Plan area; and Dolly Lane as a long distance trail.

Policy EQ2 of the Plan states that the Council will seek to protect, enhance and restore the landscape character of the area for its own intrinsic beauty and for its benefit to the economic, environmental and social well-being of the plan area. In doing so, development should have regard to maintaining the aesthetic and biodiversity qualities of natural and man-made features within the landscape. Development that would be detrimental to the character of the landscape will be resisted.

Policy EQ3 states that within the Green Belt, proposals for agricultural development which help sustain existing, agricultural enterprises will be supported. Policy EQ4 states that development within the Green Belt will not be permitted unless it is in accordance with the NPPF.

Policy EQ9 relates to trees. The Council will protect existing trees, particularly ancient woodland, veteran trees and ancient or specimen rich hedgerows from loss unless the need for, and benefits of, the development clearly outweigh their loss. Compensatory tree planting in a 2:1 ratio will be required where development leads to a loss of trees.

Policy CF6 states that the Council will seek to ensure that development can be safely accessed in a sustainable manner.

### **Other Material Considerations**

#### **High Peak Landscape Character SPD (March 2006)**

The site is located within the Settled Valley Pastures landscape character type of the Dark Peak. Here the landscape is characterised by scattered farmsteads and a strong network of winding lanes and roads. The lanes and roads are well wooded.

Of relevance to this application, the SPD advises consideration of the impact of hardstanding. It also states that development should be contained in low, gritstone, drystone walls. New development should include appropriate tree planting of indigenous tree and shrub species.



## **5. Analysis of Proposals**

### **Highway Safety**

DCC carried out a speed reading on this section of Dolly Lane last year which resulted in passing vehicle speeds of 26.94mph travelling south and 26.26 travelling north. Therefore, emerging visibility sightlines of 2.4m x 48m are being proposed in this application. Unlike in the previous application (HPK/2017/0594), the required visibility can be achieved in both directions. The proposals therefore comply with highway safety requirements and policy CF6 of the Local Plan and paragraph 32 of the NPPF.

### **Loss of Trees**

The new access will involve the loss of trees both at the access point and within the proposed visibility splays. The trees are a mixture of sycamore and oak, with some holly. A total of 18 trees and shrubs of varying size will be removed as part of the development. 12 of these have trunk diameters of over 500mm and so will be replaced

In order to compensate for the loss of trees and to enhance the landscaping around the new access point, it is proposed that 24 new sycamore and oak trees are planted as shown on the submitted plans, consistent with policy EQ9 of the Local Plan.

### **Impact on Landscape Character**

The point at which the access will be located is seen in approaches from both the south and north as a transition zone from open countryside to the urban edge of Buxworth. Both the eastern and western sides of the road have traditional field gates and more significant farmstead access points within 1km of the proposed access. These access points do not necessarily detract from the appearance of the lane, but add to its character as a country lane still used for agricultural vehicle movements.

The eastern side of the lane is more heavily wooded than the west and the proposals will necessitate the loss of some semi-mature trees. In order to minimise impact, and in line with policy EQ2, a point has been selected which will allow for the necessary highway visibility, require the minimum amount of excavation works, and which has the lowest value in terms of tree cover. At the chosen point, the tree cover is thinner, is dominated by holly and contains the oak tree identified in the tree survey as being dead or dying and requiring removal in any event.

Without the new access point, and following development of the Dollywood Close site, agricultural vehicles will have to continue to pass through the housing site – something that local residents specifically objected to and that will conflict with footpath users – or the fields will be unmaintained. Lack of access to the fields for maintenance will have its own landscape impact and will erode the character of this otherwise active agricultural landscape. Paragraph 61 of the NPPF is relevant here because in order to integrate the new housing development into the environment, there needs to be a way for farmers to continue to make connections to the fields that will no longer be directly accessible.

Advice in the NPPF is that the ability to make these connections should go beyond aesthetic considerations.

The new access will be bounded by a drystone clad retaining wall. The Landscape Character SPD identifies low, gritstone, drystone walls as being an important part of the local landscape character and advises that new development should be contained within them. The use of drystone walls will assist in assimilating the new access into the existing landscape, in compliance with policy EQ2 of the Local Plan.

#### **Impact on Green Belt**

The proposals are for an access point for agricultural vehicles to enable the ongoing maintenance and management of open fields within the Green Belt. In terms of the five purposes of the Green Belt as set out in paragraph 80 of the NPPF, the proposals will have no adverse impact. The access will not lead to the sprawl of built up areas; will not lead to the merging of towns; will not be seen as encroachment into the countryside; will not have an adverse impact on the setting of any historic towns; and will not jeopardise urban regeneration. Compliance with the NPPF on Green Belt matters means that there is also compliance with policy EQ4 of the Local Plan.

As the NPPF clarifies at paragraph 90, engineering operations are not, in principle, inappropriate in the Green Belt, and the proposals will help to sustain an existing agricultural enterprise in the Green Belt, consistent with policy EQ3 of the Local Plan.

#### **Impact on Residential Amenity**

The undertaking given during the determination period for HPK/2016/0108 to seek an alternative farm access to that to the west of Brierley Park demonstrates the willingness of the applicant to find an access solution that takes account of the views of the community (NPPF para 66). The application proposals will relocate heavy vehicle movements from their current and established close proximity to residential properties and a public right of way to a more appropriate location removed from dwelling houses and with access straight onto the highway.

## **6. Conclusion**

Permission for the agricultural access is sought in order to avoid the need for farm vehicles to use the existing footpath to the west of Brierley Park once the housing approved in outline under HPK/2016/0108 is brought forward.

The access will be located along a country lane characterised by multiple agricultural accesses to both fields and farmsteads. The new access will allow for the continued maintenance of the fields to the east of Dolly Lane.

Although achieving the requisite visibility splays for highway safety purposes involves the loss of 18 trees and shrubs, the application proposes the planting of 24 trees to compensate. The access will be bounded by drystone walling, characteristic of the local landscape, and that will enable the development to become assimilated into the character of the area.

There will be an enhancement to residential amenity and pedestrian safety as a result of the proposals as they will take vehicle movements away from an existing public footpath in close proximity to dwelling houses.

There will be no adverse impact on the Green Belt as a result of these proposals, which seek to ensure that an existing agricultural enterprise can be sustained.

The proposals have been demonstrated to be fully compliant with both national and local policy and guidance and should therefore be approved.