
APPLICATION NO.	P10/E0351
APPLICATION TYPE	Full
REGISTERED	16 March 2010
PARISH	Harpsden
WARD MEMBER(S)	Malcolm Leonard, Robert Peasgood.
APPLICANT	A.M. Thiel and R Bartels
SITE	The Old barn, Kings Farm Lane, Harpsden.
PROPOSAL	Replace field gate in new position off Kings Farm Lane
AMENDMENTS	None
GRID REFERENCE	472944/180719
OFFICER	Mrs H Moore

1.0 **INTRODUCTION**

- 1.1 The application is referred to Committee as the officer's recommendation conflicts with the views of the Parish Council.
- 1.2 The site lies in an isolated position within the Area of Outstanding Natural Beauty. Kings Farm Lane is a single track lane, unclassified, which also serves as a Restricted Byway. It provides access to several residential properties, stabling and farmland, and links into surrounding unsurfaced track ways.

2.0 **PROPOSAL**

- 2.1 The proposal is to close one access into a field and create a new larger access in a more convenient position to the south of the existing access. The development involves the removal of a section of hedgerow, which has already been undertaken, the erection of gate posts some 1.3m in height and a set of double galvanised steel gates. The gated access would be some 7.2m wide and the crossover from the lane to the field would be formed in compacted crushed stone. Hedging which has been removed would be replaced with mixed species hedging and two more trees are proposed to be planted within the hedge line. The existing access is proposed to be closed by the planting of mixed hedging.
- 2.2 In support of their application and in response to Parish Council objections to the proposals the applicants have advised –
- They own 20 acres of land and need safer access to our fields for tractors, farm equipment and we also own a horse lorry.
 - They have no intention of creating a driveway or hard standing in the field.
 - The existing access is steep and situated on a blind turn to the left.
 - The hedge which has been removed was in a very poor condition, and will be replaced with hedging of a mixed species.
 - Whilst they objected to an application relating to this field in 2004, that application involved not only the widening of the access, but also the erection of stables, the formation of a hard standing/driveway and the widening of the existing access.
- 2.3 A location plan and details of the proposals are **attached** at Appendix 1, whilst other documents relating to the application can be found on the Council's website, www.southoxon.gov.uk.

3.0 **CONSULTATIONS & REPRESENTATIONS**

3.1 **Harpden Parish Council** – Objection raised. Comments include -

- The applicants objected to widening of this access in 2004 on the grounds that it would only be needed for large lorries which should not be using Kings Farm lane. The Parish Council consider that the same objection applies to this proposal.
- The fields and woods either side of Kings Farm Lane are quintessential AONB and should be carefully protected from unsuitable development.
- Objection is raised and the roadside hedge should be reinstated.

3.2 **OCC – Highways** – No objection subject to imposition of a condition that the gates open inwards, away from the lane.

3.3 **OCC Countryside Service** – No objection subject to the addition of informatives relating to no obstruction of the lane and the repair of any damage caused to the lane.

3.4 **Forestry Officer** - No objection subject to imposition of a landscaping condition.

3.5 **SODC Countryside Officer** – Under the Hedgerow Regulations, a landowner can remove a hedgerow in order to make a new opening in substitution for an existing opening subject to the owner planting a new hedge to fill the existing opening within 8 months of the new opening being created. Accordingly, no objection to removal of the hedge, subject to a condition requiring re planting to be undertaken within a specified period.

3.6 **Neighbour responses** – one local, one non local. The objections raised include the following points –

- Kings Farm Lane has bridleway status. As well as being used by vehicles, it is also used by cyclists, horse riders and walkers. It is already overused and becoming dangerous to all users. This proposal would put users at further risk.
- A wider access indicates it would allow for much larger vehicles to gain access to the land which at present is only used for grazing.
- There is a question as to whether the existing gate is authorised.
- Is there likely to be a change of use of the land as a result of this proposal, and has permission been obtained for the removal of the section of hedge?

4.0 **RELEVANT PLANNING HISTORY**

4.1 P04/E0960 – Erection of block of 3 stables and a tack room. Widening of existing access to 4 metres. Area created for hard standing of vehicles. Refusal of planning permission.

5.0 **POLICY & GUIDANCE**

5.1 South Oxfordshire Local Plan 2011 – Policies G2, G6, C2, C6, C9, D1, T1, R8 PPS7 – Sustainable development in rural areas.

6.0 **PLANNING CONSIDERATIONS**

6.1 The main issues to be considered are –

1. Whether the detailing of the development is acceptable within an Area of Outstanding Natural Beauty.
2. Whether the development would detract from the safety of users of Kings Farm Lane.

Detailing of the development.

- 6.2 The site lies within an Area of Outstanding Natural Beauty wherein the primary aim is to conserve and enhance the natural beauty, special landscape quality and distinctiveness of the area. To be acceptable, development must be of a scale and type appropriate to the area and be sympathetic in terms of its siting, design and materials used.
- 6.3 Kings Farm Lane is a narrow, single width lane serving several residential properties, stabling and farmland. The lane has a very rural character and is bounded on both sides with hedging of mixed species. The proposal is small scale, involving formation of a cross over from the lane into the field and the erection of gate posts and gates. Whilst the gates are somewhat wider than usual, the lane is narrow, and manoeuvring is awkward. The replacement of lost hedging with mixed species hedging and the planting of two additional trees, together with the closing of the existing access would ensure that the landscape quality of the AONB would be preserved.

Highway issues.

- 6.4 Kings Farm Lane is an unclassified road. With regard to highway safety, concern has been expressed by the Parish Council and objectors that the wider gate access would encourage use of the lane by larger vehicles which would be dangerous. However, the County Council's Highways Officer has advised that this width of access (7.2m) is specified in a rural setting to render the facility suitable for the movement of animals. He has also advised that these wider gates are used in similar locations within South Oxfordshire without incident, which is a good indication of safety. In addition, as the lane is not a classified road, it would not be possible for the Highway Authority to raise an objection on highway safety grounds and be able to substantiate that objection at appeal. In these circumstances, no objection is raised to the proposals by the Highways Officer subject to the imposition of a condition requiring that the gates open inwards.

7.0 CONCLUSION

- 7.1 The proposal complies with the relevant Development Plan Policies and it is considered that, subject to the attached conditions, the proposed development would preserve the landscape quality of the Area of Outstanding Natural Beauty, and would be acceptable in terms of highway safety.

8.0 RECOMMENDATION

- 8.1 That planning permission be granted subject to imposition of the following conditions:
1. Commencement 3 years.
 2. Reinstatement of hedge/landscaping scheme.
 3. Gates to open inwards only.

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