

WHIMPLE
(Whimple)

07/0598/FUL

Target Date: 20.04.2007

Applicant: Mr and Mrs White
Location: Northcott Farm, Whimple
Proposal: New access and driveway

CONSULTATIONS

County Highway Authority

No objection but recommends that the following conditions shall be incorporated into the grant of any permission:

1. At the proposed access there shall be no obstruction to visibility greater than 900mm above adjoining road level within splays based on minimum co-ordinates of 2.4m x 70m in the westerly direction and 2.4m x 215m in the easterly direction. such visibility shall be fully provided before the access hereby permitted is first brought into use and shall thereafter be maintained at all times.
2. The proposed access shall have a minimum width of 5.5m for the first 20m as measured from the carriageway end and shall incorporate radii not less than 6.0m. Any entrance gates shall be erected a minimum distance of 20m from the carriageway edge and shall be hung to open inwards. The access way from the entrance gates to the edge of the carriageway shall be properly consolidated and surfaced (not loose stone or gravel).
3. In accordance with details that shall have been previously submitted to and approved in writing by the local planning authority, provision shall be made within the site for the disposal of surface water so that none drains on to any county highway.
4. The gradient of the proposed access shall not be steeper than 1 in 14.

PARISH COUNCIL

No objections

WARD MEMBER(S)

No comments have been received at the time of writing this report.

REPRESENTATIONS

Objections

1 letter has been received raising the following points:

- If development is allowed the old access should be closed – it is only a right of way and bisects neighbour's land ownership
- The existing access causes harm to amenity, obstruction of access to neighbouring day nursery, reduction to child safety

Support

No letters have been received raising the following points:

RELEVANT PLANNING HISTORY

App.No:	Proposal	Decision	Date
06/3491	Amendment to approval 06/1816	Approved	09.02.2007
06/1816	Part demolition and extension	Approved	19.09.2006
05/P0081	Extension	Withdrawn	31.03.2005
02/P0321	Alterations extension and erection of 6 garages	Refused	27.09.2002
95/P0208	Provision of squash court	Approved	23.03.1995
94/P1781	Multipurpose storage building and loose boxes	Approved	04.11.1994
94/P1373	Provision of hard tennis court	Approved	03.10.1994
93/P1943	Provision of lock of three stables	Approved	14.02.1994
93/P1821	Provision of hard tennis court	Approved	31.01.1994
93/P1275	Provision of framed building for agricultural store	Refused	08.09.1993
93/P0444	Extension to provide additional living accommodation, swimming pool and garaging	Approved	18.05.1993

PLANNING POLICIES

Government Guidance

PPS1 – Delivering Sustainable Development

Devon Country Structure Plan (2001-2016)

Policy C01 - Landscape character and Local Distinctiveness

East Devon Local Plan (1995-2011)

Policy S4 - Countryside Protection

SITE LOCATION AND DESCRIPTION

Northcotts Farm is a previously extended substantial dwelling located within a large garden plot on the edge of the village of Whimble. The property is set in semi mature landscaped grounds with a sweeping driveway from a higher ground level where there is

highway access. The access itself is located on the old A30 and passes an existing children's nursery, which has itself been recently extended.

The existing property comprises an old farm which has been linked with renovated and extended outbuildings now used for residential purposes (main area of accommodation), an internal swimming pool, and a detached triple bay double garage and store building. This cluster of buildings is located within a U shaped form and provides an open courtyard area with views out to the countryside beyond.

PROPOSED DEVELOPMENT

The proposed development relates to the provision of a second access that would cross the applicants land from the south east corner of the site to the cluster of buildings thereby joining the existing access to the front of the dwelling.

The new additional access would traverse the landscaped grounds linking with the old A30 by cutting through the boundary hedge and utilising the existing grass verge for visibility splays. The driveway would predominantly be single width but with built in passing bays and would be surfaced in tarmac.

CONSIDERATIONS AND ASSESSMENT

The main issues with the application concern the visual impact that would result from the driveway, its traversing land designated as open countryside and highway safety implications.

In terms of visual impact, the site itself, is fairly enclosed sitting within a natural dip in the landscape. This means that the primary impact will result from the new opening where the access would feed directly onto the old A30. In this regard, it will be recognised as a new opening within an open countryside setting and is considered harmful to the character of the area and the integrity of the hedgerow. The length of the new driveway between the old A30 access and the main dwelling only serves to emphasise the impact that the proposed development would have on the character and appearance of the open countryside. The proposed access with its tarmac surface would also have a significant urbanising impact to the detriment of the visual amenities of the area.

In terms of highway safety, it is noted that the speed limit on the old A30 is 60 mph but close to the junction speeds are generally lower. On the submitted plans it has been demonstrated that a suitable visibility splay can be achieved. However, the land required to achieve such splays involves substantial areas outside the control of the applicant. Therefore the splays cannot be conditioned unless the plans are amended or the applicants and 3rd party(s) enter into a legal agreement.

Comments made by the near neighbour are noted. However, the existing access and right of way has been in place for many years and as such the issues raised are a civil issue between the respective land owners. There would no highway benefit from ensuring the closure of the existing access and therefore this issue should not be conditioned.

CONCLUSIONS

Irrespective of the lack of objections concerning highway safety, the impact on the character and appearance of the open countryside that would result from the development is considered contrary to policy which seeks to protect such landscape. In the absence of any highway safety reasons there is no justification for this new access sufficient to override the detrimental impact on the landscape. The concerns raised by the owner of the day nursery have also been considered, but again, do not provide sufficient justification for the new access works.

RECOMMENDATION

REFUSE for the following reason:

The proposed development represents intrusive and harmful development in the open countryside which undermines the character and appearance of the area. The application is therefore considered contrary to the aims of national planning guidance (PPS 1) and Policies S4 (Countryside Protection) and D1 (Design and Local Distinctiveness) of the adopted East Devon Local Plan.

Refused plans

Location Plan, 30713/SK/01A, 02B, SD/01A,

List of Background Papers

Application file, consultations and policy documents referred to in the report.