

Application No: W 10 / 1168

Registration Date: 14/09/10

Town/Parish Council: Shrewley

Expiry Date: 09/11/10

Case Officer: Steven Wallsgrove

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Pasture Land (Lot 6), Old Warwick Road, Shrewley, Warwick. CV35 7AA

Construction of widened access with hardstanding (retrospective) FOR Mr J
Clarke

This application is being presented to Committee due to an objection from the Parish Council having been received.

SUMMARY OF REPRESENTATIONS

Shrewley Parish Council: Objects to this application on highway safety grounds, as this new entrance/exit is on a very busy narrow road. The Parish Council has already expressed our concerns to WDC Planning Department about the proliferation of developments - see letter dated 9th May 2010 - since this pasture land was sold by splitting it up into a number of small plots. The increase in the number of entrance/exits is one of the problems which has been created by this.

WCC Highways: No objection subject to access construction and visibility conditions, and the gate being set back at least 7.5m from the edge of the carriageway.

RELEVANT POLICIES

- DP1 - Layout and Design (Warwick District Local Plan 1996 - 2011)
- DP2 - Amenity (Warwick District Local Plan 1996 - 2011)
- DP6 - Access (Warwick District Local Plan 1996 - 2011)
- Planning Policy Guidance 2 : Green Belts

PLANNING HISTORY

The only previous approval was for a feed and hay store.

KEY ISSUES

The Site and its Location

The property consists of a single original paddock, now divided into smaller paddocks, which lie in the Green Belt to the north of Shrewley Common. It is surrounded by similar paddocks, some now with stables on them.

Details of the Development

The proposal is to widen the original gate and to construct a hardstanding, the application being retrospective.

Assessment

The application has been the subject of objection and concern since, originally, it was thought that there had been no vehicle access into the site from the road. It has now been confirmed, however, that there was an original fieldgate, and ditch crossover, but that they had been disused and had become overgrown.

On this basis, the Highway Authority have now raised no objection, subject to conditions. It is considered, however, that many of these conditions cannot, or should not, be imposed since the access applied for exists so a condition saying it shall only be constructed in the position on the plan is irrelevant. In addition, the visibility splays required lie entirely within the highway verge, the ditch crossing already exists so there are no proposals to reconstruct it, and the gate lies in the hedge line, which is beyond the 7.5m specified by the Highway Authority. The only remaining condition, therefore, is that the access should be surfaced with a suitable bound material. However, field accesses are normally finished in hardcore, rather than tarmac or some similar material, and this is the case here. It is considered, therefore, that the surfacing requested is not essential and should not be required in this case.

In view of the Highway Authority's "no objection" comment on the application, I am unable to agree with the Parish Council's objection. Whilst the Parish Council may regret the sub-division of the land, each application has to be judged on its merits.

RECOMMENDATION

GRANT.

INFORMATIVES

For the purposes of Article 22 of the Town and Country Planning (General Development Procedure) (England) (Amendment) Order 2003, the following reason(s) for the Council's decision are summarised below:

In the opinion of the District Planning Authority, the development achieves acceptable standards of layout and design and does not give rise to any harmful effects in terms of highway safety which would justify a refusal of permission. The proposal is therefore considered to comply with the policies listed.
