

Planning Department
Rutland County Council
Catmose
Oakham
Rutland
LE15 6HP

Our ref: 1181307.2.BM
Your ref: PP-10501067

11th January 2022

Dear Planning

TOWN AND COUNTRY PLANNING ACT 1990 (AS AMENDED)

PLANNING, DESIGN AND ACCESS STATEMENT

Planning application for the creation of a new access to serve the existing farmstead

At Manor Farm, Main Street, Stoke Dry, Oakham, LE15 9JG

1. We write on behalf of our client, Mr Tom Joule (“the applicant”), and can confirm submission of the above planning application electronically today via the Planning Portal (ref: PP-10501067) to Rutland County Council (“the Council”). This letter, acting as a Planning, Design and Access Statement to the application, is to be read in conjunction with the following documents and drawings, prepared by Highway Access Solutions:
 - Site Overview, drawing no. HAS/21-017/15
 - New Farm Access (Inc. Internal Forward Visibility Splays), drawing no. HAS/21-017/12
 - New Farm Access (Western Visibility Splays), drawing no. HAS/21-017/13
 - New Farm Access (Eastern Visibility Splays), drawing no. HAS/21-017/14
 - Transport Note
2. This Planning, Design and Access Statement sets out the planning background of relevance to this application, provides a description of the site and the surrounding area and of the proposed development. The planning policy context against which the proposals will be assessed is then identified, before setting forth our conclusions that demonstrate why planning permission should be granted for the proposed development.
3. This planning application has been submitted alongside a BACS payment for the sum of £234.00 plus the £28.00 admin fee, the correct fee for an application of this type.

Background and Site Description

i. Background

4. The wider application site is a working farmstead, consisting of agricultural barns, pig sheds, a grain store and just under 114 hectares of land (approximately 102 of which is arable land). The farmstead has an existing point of access onto Main Street, which is shared with the residential access of the associated Farmhouse. The concrete surfacing of the existing access track has begun to deteriorate in recent years, particularly along the boundary with the Farmhouse. This prevents passage by two-way traffic, and is potentially hazardous to light vehicles. As the track joins the farmstead it has severely limited forward visibility, owing to the positioning of a nearby hedge. Additionally, there is poor intervisibility between the track and access to the adjacent Farmhouse. The applicant would therefore like to separate the two types of traffic by creating a new access for agricultural traffic to utilise that is separate from that of the associated Farmhouse.

ii. Site Description

5. The entirety of the wider application site is classified as countryside, as it is located outside of the settlement boundary of Stoke Dry. The application site is located within a field that is bordered by the existing farmstead to the north and the Farmhouse to the west, with further agricultural land beyond. Main Street, a typical country road whereby it has one lane in each direction with a 60mph speed limit imposed, lies to the south, and the A6003 to the east.
6. The field in which the new access track is proposed is currently arable land, which is intended to be drilled to pasture by the Applicant.
7. There are no heritage assets in the immediate vicinity of the application site, nor is the site subject to any other formal designations within the Development Plan.

iii. The Surrounding Area

8. The area surrounding the application site is rural in nature. Stoke Dry is classified as a 'restraint village' within the Development Plan for the county, entailing that development will be strictly controlled. The site is located *circa.* 2 miles and 7.5 miles from the nearest large settlements of Uppingham and Oakham respectively.

iv. Planning History

9. No planning history of the application site appears to be available on the Council's public access page.

v. Pre-Application Enquiry

10. A pre-application enquiry regarding a proposal for a replacement dwelling and new farm access track was submitted to Rutland County Council on 13th October 2021, and

subsequently assigned ref: 2021/1283/PRE. The Case Officer responded via email on 15th December 2021, and stated the following regarding the proposed new access track:

“The LHA have reviewed the information supplied with this pre-app and confirm that the LHA would be minded to support an application of this nature should a formal full application be submitted. The LHA would agree with the conclusions of their assessment of highway matters and that the proposals would result in improvements to both the replacement dwelling and the newly located farm access. It is likely that the LHA's support will be caveated with conditions by generally compliance conditions, not restricted to, but including the vehicle to vehicle splays”.

11. The proposed new access track has not altered in design since the submission of the pre-application enquiry, and it is on this basis that this separate, full application for a new farm access track is submitted.

The Proposed Development

12. The Applicant would like to create a new point of access onto Main Street, further to the east of the existing access, as identified on the attached plans. The new access track would be utilised by agricultural traffic, with an upgraded specification compared to the existing track that traverses the immediate eastern boundary of the Farmhouses' residential curtilage. The majority of this existing access track will be greened over, with the exception of a concrete pad at the entrance to maintain access to this newly-created section of field.
13. The new access point would have sufficient visibility splays in both directions, as confirmed by the accompanying Highway Access Solutions drawings. The proposed new access track is 5.5m in width, and will have visibility splays of 59m in both directions. The accompanying New Farm Access (Inc. Internal Forward Visibility Splays), drawing no. HAS/21-017/12, illustrates the internal arrangement of the access track, with a section of land reserved to ensure that sufficient forward visibility splays are achieved.
14. In terms of material, the surfacing of the track would utilise hard-bound material. This is to ensure that the specification of the track is suitable for use by agricultural vehicles.
15. A new agricultural access track can be created under permitted development rights (Part 6, Class A of the GPDO), providing that it does not come within 25m of the metalled part of a highway. However, as the new access point is proposed onto Main Street the proposed development does not meet this criteria, entailing the submission of this full planning application.

Planning Policy

16. The Planning and Compulsory Purchase Act 2004 (Section 38(6)) requires that applications should be determined in accordance with the Development Plan, unless material considerations indicate otherwise.

17. The Development Plan for the application site consists of the relevant policies of the adopted Core Strategy (adopted July 2011) and the Site Allocations and Policies DPD (adopted October 2014). The National Planning Policy Framework (July 2021) is also a material consideration in the determination of this application.
18. The Core Strategy adoption predates the original Framework and its latest three revisions, whilst the adoption of the Site Allocations and Policies DPD predates the latest three revisions. In accordance with Annex 1, paragraph 219 of the Framework, due weight will be given to the policies contained within the Development Plan according to their degree of consistency with the Framework (the closer the policies in the plan to the policies in the Framework, the greater the weight that may be given).
19. The following policies from the Core Strategy are considered to be relevant to this application:
 - Policy CS1 – Sustainable development principles
 - Policy CS3 – The Settlement Hierarchy
 - Policy CS4 – The location of development
 - Policy CS16 – The rural economy
 - Policy CS18 – Sustainable transport and accessibility
 - Policy CS19 – Promoting good design
 - Policy CS21 – The natural environment
20. The following policies from the Site Allocations and Policies DPD are considered to be relevant to this application:
 - Policy SP1 – Presumption in favour of sustainable development
 - Policy SP7 – Non-residential development in the countryside
 - Policy SP13 – Agricultural, horticultural, equestrian and forestry development
 - Policy SP15 – Design and amenity
 - Policy SP19 – Biodiversity and geodiversity conservation
 - Policy SP23 – Landscape character in the countryside
21. The following Sections of the Framework are considered to be relevant to this application:
 - Section 2: Achieving sustainable development
 - Section 6: Building a strong, competitive economy
 - Section 9: Promoting sustainable transport
 - Section 12: Achieving well-designed places
 - Section 15: Conserving and enhancing the natural environment

Planning Policy Assessment

i. Principle of Development

22. Policy CS1 of the Core Strategy, Policy SP1 of the Site Allocations and Development Management Policies DPD and section 2 of the Framework are all concerned with achieving sustainable development. At paragraph 11 sub-point (d) of the Framework, it is stated that:

“where there are no relevant development plan policies, or the policies which are most important for determining the application are out-of-date, granting permission unless:

- i. the application of policies in this Framework that protect areas or assets of particular importance provides a clear reason for refusing the development proposed; or*
 - ii. any adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies in this Framework taken as a whole”.*
23. The application site is located within the open countryside, and the proposed new access would allow farm traffic to access the farmstead more safely, by providing improved visibility splays internally and on to the public highway. Agriculture is a clear acceptable use within the countryside, and is supported within Policies CS4 and CS16 of the Core Strategy, Policies SP7 and SP13 of the SADMP and sections 2 and 6 of the Framework. The new access, if approved, would assist with ensuring the continued safe operation of the farm, whilst also improving upon the safety of domestic traffic to the associated Farmhouse.
24. The proposed development would have a positive impact upon highway safety, due to the increased western visibility splays of the proposed new access point. It is important to note that the quantity and volume of vehicular movements to and from the site will not alter under the proposed development, as the proposed new access track will be ancillary to the existing and established rural business at Manor Farm. The proposed development is therefore considered to accord with Policy CS18 of the Core Strategy and sections 2 and 9 of the Framework.

ii. Design

25. The proposed access track has been carefully designed to ensure that the width of the access point and access track fully comply with local and national guidelines. The proposed access track is 5.5m in width, and will be hardbound to ensure that no deleterious material is transferred to the highway. Despite the speed limit for Main Street being 60mph, a speed survey conducted by HAS found the 85th percentile speed to be 28.5mph for westbound traffic, and 29.7mph for north-east bound traffic. The proposed access can achieve visibility splays of 59m (suitable for approaching speeds of up to 37mph) and therefore exceeds highway standards.
26. Paragraph 127 of the Framework states that development should:

- a) “will function well and add to the overall quality of the area, not just for the short term but over the lifetime of the development;*

- b) *are visually attractive as a result of good architecture, layout and appropriate and effective landscaping;*
- c) *are sympathetic to local character and history, including the surrounding built environment and landscape setting, while not preventing or discouraging appropriate innovation or change (such as increased densities);*
- d) *establish or maintain a strong sense of place, using the arrangement of streets, spaces, building types and materials to create attractive, welcoming and distinctive places to live, work and visit;*
- e) *optimise the potential of the site to accommodate and sustain an appropriate amount and mix of development (including green and other public space) and support local facilities and transport networks; and*
- f) *create places that are safe, inclusive and accessible and which promote health and well-being, with a high standard of amenity for existing and future users⁴⁶; and where crime and disorder, and the fear of crime, do not undermine the quality of life or community cohesion and resilience”.*

27. The proposed access track will utilise hard bound material, which is standard for an agricultural access track. The appearance of the access track would therefore not contrast with the character and appearance of the application site and surrounding area, due to its rural, agricultural nature. The proposed design is considered to be appropriate for the intended use of the new access, whilst respecting the rural nature of the surrounding area. Notwithstanding this, the proposed access track would be screened from views from the north and south by the existing established vegetation in the vicinity of the application site, therefore ensuring the assimilation of the development with the surrounding natural environment. The proposals are therefore also considered to accord with the relevant aspects of paragraph 127 of the Framework, as well as Policy CS19 of the Core Strategy and Policy SP15 of the SADMP.

iii. Biodiversity and Landscape

28. To facilitate the creation of the new access point, no vegetation removal is required as there is no boundary treatment between the field and highway boundary. The proposed route of the access track, which traverses over what is currently arable land, is shown on the attached plans. Due to the limited ecological value of the arable land and the lack of vegetation removal required, the development proposed under this application is considered to have a negligible ecological impact. The proposed development therefore does not conflict with the objectives of Policy CS21 of the Core Strategy, Policy SP19 of the SADMP nor section 15 of the Framework.

29. In terms of landscape, Policy SP23 of the SADMP states that “*proposals to develop on land in the countryside will only be permitted where the development complies with either Policy SP6 (Housing in the countryside) or Policy SP7 (Non-residential development in the countryside) and Policy SP15 (Design and amenity) and Policy SP19 (Biodiversity and geodiversity conservation)*”. The proposed development accords with the latter three of the aforementioned Policies. Notwithstanding this, the proposed access track is located in a field with flat topography, and would not be raised above ground level; the track would

therefore not be abundantly visible within the landscape. The proposed development is therefore in accordance with Policy SP23 of the SADMP.

iv. Heritage and Archaeology

30. There are no heritage assets in the vicinity of the application site that would be affected by the proposals, due to the intervening natural and built environment. The proposed development therefore does not conflict with the objectives of Policies DM11, DM12 nor DM13 of the SADMP, nor section 16 of the Framework.

v. Other Matters

31. There are no other material considerations, such as flooding, that should prevent planning permission for the proposed development from being granted.

Conclusion

32. The existing site access experiences conflict between domestic and agricultural traffic, as there is currently only one shared access for the farmstead and Farmhouse. The creation of a new access associated with the existing farmstead would allow for the continued and safe operation of the rural business, whilst eliminating conflict between differing users.
33. We respectfully invite Rutland County Council, as the Local Planning Authority, to assess the development proposals and subsequently grant planning permission.
34. If there are any queries that arise concerning the proposed development, please do not hesitate to contact Brian Mullin or Megan Simpson at this office.

Yours sincerely



MARRONS PLANNING

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