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7<sup>th</sup> April 2022

**By E-mail only**

Our Ref: JH/KP/HH/032A

Mr S Hunt  
Head of Planning & Development Management  
East Riding of Yorkshire Council  
County Hall  
Beverley  
East Riding of Yorkshire  
HU17 9BA

Dear Mr Hunt,

RE: **PRIOR APPROVAL APPLICATION: PROPOSED FORMATION OF A  
PRIVATE WAY FOR AGRICULTURAL USE**

Please find attached an application for the above with supporting plans and photographs identified at the foot of this letter. The application seeks a determination on whether prior approval is required for the creation of a new access into agricultural land to the west of Laytham Road, Foggathorpe. The proposals involve only the formation of a cross-over of the highway verge to a standard suitable to accommodate farm vehicles and machinery and the breaking through of the fence and hedge forming the eastern boundary of the land to which access will be provided.

Please note the application does not involve the hardcored track leading westwards from the proposed new access which is the subject of a separate application also submitted today.

Laytham Road is not a classified road. Please see attached ERYC road classification plan.

The land immediately to the west of the application site is part of Grange Farm which is farmed together with Mallard Grange Farm, in the same ownership, which lies to the east of Laytham Road opposite the proposed new access. The farm buildings at Grange Farm are used for the storage of agricultural feed, produce and machinery. Cattle are housed in buildings at Mallard Grange Farm. The land on both sides of Laytham Road comprises grassland used for stock grazing and the production of hay and silage and arable crops.

The existing access to Grange Farm lies to the south and is in different ownership. The Applicant has rights of way along it. The track varies between 2.7 metres wide (eastern half) and 2.5 metres wide (western half). The eastern half is tarmaced: the western part is unmade. The access is owned by the owners of The Grange, a freestanding house lying immediately to the south of the track.

Photographs are attached showing the existing access track and in particular the substantial hedges, dropped verges and insized dyke which form its boundaries. Currently, the only

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access into the field to the west of Laytham Road is via a 3m wide gate with overhanging tree branches accessed from the existing access track which is 2.7m wide at that point. It is not possible to turn vehicles and large pieces of agricultural equipment from the 2.7m wide track into the field at this point.

The condition of the verges, the adjoining dykes and significant vegetation preclude widening the existing access track sufficiently to accommodate modern agricultural traffic but, in any event, it is unlikely the owner of the track would agree to the works which would have a significant impact on the character of the locality.

The formation of the proposed access will enable agricultural vehicles and machinery to run between the two farms without having to make right turns in Laytham Road and cattle to be “walked” to and from the buildings to the east and grazing land to the west. Therefore, in addition to the direct benefits to the landowner/farmer, the proposed new access will improve highway safety in Laytham Road.

It will also avoid the sort of accidents which have occurred in the current access track as a consequence of its condition and the increasing size of agricultural machinery and equipment. The Officer’s report on the previous application (LPA Ref: 21/04447/PLF) suggests that the Applicant’s references to the causes of accidents along the track lack clarity. With one exception, all of the accidents were the result of misjudgements by drivers of agricultural machinery about the width of the track and the condition of the verges along side leading to vehicles partially slipping in to the adjacent ditch or becoming “beached” on the bank tops. The accidents were solely agriculture-related: not the result of conflict between agricultural vehicles and private cars.

Please let me know if you require any further information in connection with this application.

Yours sincerely,

*Jennifer Hubbard*

Jennifer Hubbard

Enclosures:

Application form

Drawing No: 2903-15-03      Location Plan with New Access Road  
Detail

ERYC Highway Classification Plan

Photographs of existing access arrangements