



# **PLANNING COMMITTEE REPORT**

**TO:** Planning Committee South

**BY:** Head of Development

**DATE:** 21 November 2017

**DEVELOPMENT:** Proposed creation of new vehicular access into woodland from Rock Road, laying of hardstanding to form stacking area, loading bay and access track associated with forestry management activities.

**SITE:** Longbury Hill Wood Rock Road Storrington West Sussex

**WARD:** Chantry

**APPLICATION:** DC/17/2117

**APPLICANT:** **Name:** Mr Julian Hanbury-Aggs **Address:** Little Thakeham Farm Merrywood Lane Storrington RH20 3HE

**REASON FOR INCLUSION ON THE AGENDA:** More than 8 representations have been received of a contrary view to the Officer recommendation.

**RECOMMENDATION:** To approve planning permission

## **1. THE PURPOSE OF THIS REPORT**

1.1 To consider the planning application.

### DESCRIPTION OF THE APPLICATION

1.2 The proposal is for the the creation of a vehicular access off Rock Road to form a loading bay / stacking area which would be used to facilitate the wider forestry works on the site.

1.3 The proposed new access / loading bay would be sited some 85m west of Gorsebank Close, and would be 40m in length and 7.5m wide with a timber stacking area indicated along its eastern side. A 15m x 5m wide turning spur would be formed along the western side to allow vehicles to turn within the site and exit onto Rock Road in forward gear. The proposed access would be provided with a 10m wide bell-mouth access to the road, to a depth of some 2.5m into the site, allowing visibility splays in each direction of in excess of 120m.

1.4 The proposed new access / loading bay would be formed of a geotextile membrane under 0.175m depth of compacted MOT type 2 sub-base with a 0.05m top layer of MOT type 1 top surface (limestone aggregate). The spur and access would be formed with a camber and drainage gulleys, which would maintain the existing gully running alongside Rock Road. The road edge would be reinforced with granite setts to prevent degradation through use.

- 1.5 No building up or excavation of the site is required and the access / loading bay will have an expected height variation above the natural ground level of some 0.25m. No gates are proposed and a simple timber barrier would be used to prevent unauthorised access to the site.

#### DESCRIPTION OF THE SITE

- 1.6 The application site is a small part of a larger area of privately owned and maintained woodland set on the southern side of Rock Road and to the east off Hampers Lane, amounting to an overall area of about 10ha. The wider site lies adjacent to the defined built-up area boundary of Storrington along its western and northern sides, and for planning purposes, lies within the rural area.
- 1.7 The smaller area concerning the current planning application proposal is located along the northern edge of the site, abutting Rock Road, amounts to an area of some 395sq.m. There are two residential properties which lie directly opposite the application site, Welmdene and Spring Cottage, both of which are screened from the road by reasonably robust vegetated front boundaries.
- 1.8 The wider site includes an existing vehicular access off Hampers Lane, a private single track road which serves a large number of residential properties within the Heath Common area, and was formerly used in association with the sandpit quarry located within the site along its western side. The applicant also indicated during the site visit, that there is a right of vehicular access to the site from the south, along a single-width residential access drive to 'Rosebay' which leads off Hampers Lane.
- 1.9 The wider site includes a plantation of Scots Pine which are some 50 years old and were intended as a forestry 'crop'. Historic maps depict this area within the site as a 'plantation'. Also evident across the site was an understory of sprawling *Rhododendron ponticum* with some heathland habitat returning to previously cleared areas.
- 1.10 There are no designations on the land in terms of tree preservation orders, ancient woodland or archaeological areas of interest. The site does not lie in a designated flood zone, and there are no public rights of way or bridle paths through the site, although it is noted that Hampers Lane forms a public footpath which runs along the wider site's western boundary.
- 1.11 It is noted that there is a Forestry Commission Felling Licence for the site (FLA/019/180/17-18) covering the felling of the commercial forestry crop consisting of mature Scots Pine plantation that was established approximately 50 years ago within the central swathe of the site, and which is ready for harvesting. The Felling Licence is conditional on the areas being re-stocked to maintain woodland cover.
- 1.12 In addition, the works set out under the Felling Licence also involve the coppicing of Chestnut, Birch and Oak trees within the northern sectors of the site, which will regenerate the woodland. The maintenance works will seek to eradicate the non-native invasive *Rhododendron ponticum* growth that has spread throughout the understory of the site, at the expense of the native species.
- 1.13 Currently, the only access in to the site is via the private Hampers Lane to the west of the site, which is narrow and has limited passing places, as well as a narrow junction onto Rock Road at a blind summit off the public highway, presenting problems with large forestry trucks accessing the site in order to carry out maintenance and improvement works. It would appear that some of the neglect to the woodland over the last 50 years has been in response to access difficulties from Hampers Lane.

- 1.14 In September 2017 an Agricultural Prior Notification (DC/17/1727) was refused on account of the works not complying with the criteria of Class E of Part 6 Schedule 2 of the Town and Country Planning (General Permitted Development) (England) Order 2015. In essence, the proposed creation of the forestry access track required full planning permission, as it would adjoin a classified public highway. This type of Prior Notification is not subject to a public / neighbour notification procedure. The formal planning application has therefore been submitted for full consideration.

## 2. INTRODUCTION

### STATUTORY BACKGROUND

- 2.1 The Town and Country Planning Act 1990.

### RELEVANT PLANNING POLICIES

2.2 **National Planning Policy Framework:**

NPPF1 - Building a strong, competitive economy

NPPF4 - Promoting sustainable transport

NPPF7 - Requiring good design

NPPF10 - Meeting the challenge of climate change, flooding and coastal change

NPPF11 - Conserving and enhancing the natural environment

2.3 **Horsham District Planning Framework (HDPF 2015)**

HDPF1 - Strategic Policy: Sustainable Development

HDPF25 - Strategic Policy: The Natural Environment and Landscape Character

HDPF26 - Strategic Policy: Countryside Protection

HDPF31 - Green Infrastructure and Biodiversity

HDPF32 - Strategic Policy: The Quality of New Development

HDPF33 - Development Principles

HDPF40 - Sustainable Transport

### RELEVANT NEIGHBOURHOOD PLAN

- 2.4 The Storrington, Sullington and Washington Neighbourhood Plan is currently subject to another pre-submission consultation and therefore has limited weight

2.5 PLANNING HISTORY AND RELEVANT APPLICATIONS

DC/17/1727

Prior approval for the creation of a forestry access track and stacking area

OBJECTION to Notification on 25.08.2017

## 3. OUTCOME OF CONSULTATIONS

- 3.1 Where consultation responses have been summarised, it should be noted that Officers have had consideration of the full comments received, which are available to view on the public file at [www.horsham.gov.uk](http://www.horsham.gov.uk)

### INTERNAL CONSULTATIONS

- 3.2 Arboricultural Officer: No Objection:-

- Longbury Hill Wood is a tract of woodland measuring around 10 hectares in square area and constitutes primarily a plantation of Scots pine trees. Along its northern boundary, abutting Rock Road, are two roughly delineated areas containing a high

proportion of coppiced Sweet chestnut, standard Silver birch and other mixed broadleaves trees; the two largely peripheral areas abutting its eastern and western boundaries would be more accurately described as mixed woodland.

- This woodland is not subject to any constraint or designation. It is not subject to a tree preservation order; it does not lie within a conservation area or Area of Outstanding Natural Beauty (AONB); nor is it considered to be ancient woodland. As a plantation, it is inevitable that the time will come when it is set to be harvested.
- The woodland is presently unmanaged and in very poor condition, primarily on account of an intensive colonisation by rhododendron. The Scots pine is now semi-mature and in a condition, and at a size, making timber extraction viable. It is understood that a felling licence has been applied for from the Forestry Commission to clear fell the central area of Scots pine (approximately half the square area of the site), subject to a re-stocking order. At the same time the areas of coppice stool, abutting Rock Road, are to be re-coppiced, and the rhododendron on the whole site cleared. In general terms, these actions represent standard beneficial woodland management, improving the area's biodiversity, though the specific matter of the determination of the felling licence application, and compliance with the re-stocking order, are under the jurisdiction of the Forestry Commission.
- Should a licence be granted, an off-road loading bay will clearly be required somewhere on the site enabling timber extraction to be carried out, without causing obstruction to the local highways abutting the site. The position selected will require a measure of levelling, importation of roadstone, and the clearing of a relatively small number of trees. Within the context of the works as a whole, this will not result in any damage to the woodland, nor any long-term alteration of the natural hydrological patterns in the locality. It should be noted that the design for the loading area is recommended as best practice as set out in the **UK Forestry Standards Operations Note 25 'Forest Roads and Tracks'** (Aug 2011). Some cutting back of the boundary trees abutting Rock Road will be required to create suitable visibility splays in each direction from the access; but this is readily achievable without requiring the removal of any large roadside trees and will also not result in any harm to the area.
- In terms of this stand-alone application, the activities required for creation of the access, visibility splays, and internal works, including minor tree felling and creation of a loading and turning area, will not result in any long-term damage or harm to the wooded area, nor to its overall visual contribution to the local area. In terms of what the proposal facilitates, it contributes to the overall long-term enhancement of the site, making a positive contribution to biodiversity in compliance with policy 31 of the Horsham District Planning Framework (November 2015).

3.3 Drainage Engineer: Any comments will be reported at Planning Committee.

#### OUTSIDE AGENCIES

3.4 West Sussex Highways: No Objection:-

- Additional information demonstrating the Vehicle Tracking Plan has been submitted and the details considered to be sufficient;
- No Highway Objection is raised subject to the inclusion of conditions regarding provisions of visibility splays and turning space prior to first use of the access.

### 3.5 Washington Parish Council Consultation: No Objection:-

- It was noted that the felling of the mature Scots Plan plantation in Longbury Hill is subject to licence by the forestry commission and is not the subject to this application, with a restocking order to maintain woodland cover;
- It was also noted that the existing Hampers Lane access is inadequate with poor visibility onto Rock Road, and has resulted in the woodland becoming neglected and infested with invasive non-native Rhododendron;
- No Objections to the principle of the proposed Rock Road access, owing to concern that refusal of the proposal would result in access to the site via Hampers Lane by large lorries, which is considered dangerous, particularly due to the blind junction.

### 3.6 Thakeham Parish Council Consultation: No Objection:-

- Council notes that the forestry aspects of this proposal are subject to a separate license, and that the proposal addresses key ecological aspects including the requirement to replant the area and to control rhododendron infestation;
- Officers are requested to further review and advise on appropriate measures to mitigate risks particularly relating to eastbound vehicles on Rock Road cresting the blind ridge, some 150m from the proposed access point, where vehicle speeds are frequently in excess of 40m.p.h;
- Concern particularly relates to the logging period (some 2-3 months) so there may be a role for temporary signage;
- Measures to tackle muddy surface water run-off from the new hard-standing onto Rock Road – can permeable design be utilised to address this?
- Council requests HDC and WSCC Highways officers to engage with the applicant to put in place an explicit logistic plan for vehicles carrying logs from the site. The strongly preferred direction of vehicle movements is via the easterly section of Rock Road to access the A24. It was noted that (dependent on expected length of timbers being carried) there may be a problem with the sharp bend at Muttons Farm; however, it may be possible to navigate around this issue via Newhouse Lane and Muttons Lane. The route north-westwards via Merrywood Lane and the B2139 northwards is problematic and should be ruled out, as long vehicles already regularly get stuck in the narrow/steep-sided bends over Dukes Hill. If there is no alternative to vehicles moving west along Rock Road, they need to be directed south along Water Lane to the A283 (although that junction may be problematic), and not through central Storrington. And if this route is to be used, then timing of lorry movements should be restricted to between 9.30am and 2.30pm, to avoid clashing with peak vehicle movements around the Rock Road school site. The applicant has signalled flexibility on these issues.

## PUBLIC CONSULTATIONS

### 3.7 Letters of objections from 90 properties have been received citing the following concerns:-

- destruction of old / ancient woodland
- change of character from natural woodland reserve to intensive commercial forestry site is unexpected at this site
- Scots Pines are good for wildlife - not good for commercial purposes

- Space designated as a 'green space' in the emerging Neighbourhood Plan / site to be enjoyed and conserved as an 'unmanaged site' in Storrington, Sullington & Washington 2016 'Local Green Spaces Report'
  - radical impact on wildlife arising from clearance of trees - no appropriate wildlife / habitat survey conducted
  - large-scale habitat destruction from tree clearance works
  - worrying use of herbicides to 'eradicate' Rhododendron - has not taken over the site
  - moral obligation to maintain woodland cover
  - focussing on the harvesting of the plantation crop of Scots Pine overlooks irreplaceable value of woodland trees
  - how much useable timber is there on the site and what will it be used for?
  - Will work be phased to maintain tree cover throughout the site and avoid gaps in the woodland?
  - Works to TPO's in nearby / adjacent residential gardens often met with resistance in terms of 'character' - proposal to remove thousands of trees will permanently affect rural character
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- coppicing required to provide visibility splays but will open site to fly-tipping, anti-social behaviour such as moto-cross, and security issues
  - removal of vegetation will allow wildlife to exit onto highway - increased risk to highway users
  - existing access to the woodland should be used
  - loss of Anglo-Saxon boundary bank onto Rock Road
  - loss of character
  - increased noise from intensive forestry activity and loss of a sound barrier
  - historically, land-owner has allowed Hampers Lane residents to access the woodland site for amenity purposes - hence it is covered in 'well-trodden paths' - loss of amenity in event of woodland clearance
  - proposed timber barrier may not be sufficient to prevent unwanted activity occurring within the site
  - potential plans to redevelop the site
  - site has great amenity value and provides families and dogs with an area to exercise
  - loss of peace and quiet to local residents overlooking the site
  - question on the need for an area of hard-standing as large as proposed when it is for a temporary period of works
  - potential for remaining trees to fall on homes during storms if natural windbreak in the form of the woodland is removed
  - increased water run-off to properties north of the site - properties in Melrose Place and Gorse Bank Close have high water table resulting in standing water -
  - use of tarmac in woodland area is inappropriate
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- loss of tranquil amenity value and environment
  - any new homes on the site will increase traffic
  - no idea on length of time required to undertake works - so potentially an ongoing level of disturbance
  - loss of view from properties opposite proposed access - proposed industrial site
  - loss of privacy to nearby neighbours on account of people / workers coming and going
  - residents may have purchased properties on the understanding of the site being identified as a wooded area rather than a commercial plantation site
  - no evidence of felling licence
  - lack of security could encourage trespassing
  - distress to nearby residents awaiting uncertain future of cleared site
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- unsuitable exit onto Rock Road
  - HGV traffic is not encouraged along Rock Road

- speeding traffic in excess of 40mph limit
  - provision of access will encourage people to use it to pull in, increase in litter, noise and other unwarranted activities
  - scale of access proposed is not commensurate with the woodland size and poor quality of crop
  - visual impact of new access once works are complete
  - additional 100+ vehicles will impact on local traffic, pollution and congestion issues
  - slow-moving and turning trucks along fast stretch of road will cause accidents
  - Rock Road used by school children / drop-offs along road from coaches
  - concealed driveways opposite - poor location along Rock Road
  - damage to road surface from turning vehicles
  - provisions for wheel cleaning at the site?
  - more suitable site directly opposite Gorsebank Close and within Scots Pine plantation
  - increased visibility along Rock Road from clearance works will encourage speeding along road
  - scale of proposed industrial-sized logging operation unsuited to Rock Road
  - WSCC comments should take account of make-up of the new roadway, how speeds will be reduced along Rock Road off the brow of the hill, how mud / debris will be prevented on the public highway
  - inappropriate to allow a new access into Longbury Hill Wood from Hampers Lane at the blind summit
  - lorries waiting to turn will block driveways opposite and block the whole road
  - increased risk to pedestrians and horse riders along Rock Road
- Queries on whether there will be operation time limits on works, restriction on vehicle size to prevent damage to road surface, whether the site would be locked / secured once clearance works has finished
  - Whether this is precursor to other development of the site, and if the track is temporarily needed, could surface be removed once no longer needed?
  - Concern that the proposal was not more widely notified / publicised – leading to concern that there was insufficient notice and time for more affected residents to comment on the proposal
  - Assurances necessary that woodland management means the nature of the woodland is unchanged

#### **4. HOW THE PROPOSED COURSE OF ACTION WILL PROMOTE HUMAN RIGHTS**

- 4.1 Article 8 (Right to respect of a Private and Family Life) and Article 1 of the First Protocol (Protection of Property) of the Human Rights Act 1998 are relevant to this application, Consideration of Human rights forms part of the planning assessment below.

#### **5. HOW THE PROPOSAL WILL HELP TO REDUCE CRIME AND DISORDER**

- 5.1 It is not considered that the development would be likely to have any significant impact on crime and disorder.

## 6. PLANNING ASSESSMENTS

### Background:

- 6.1 The application does not seek planning permission for felling or coppicing of the woodland, and no permission would be required for such works. The works instead require a 'Felling Licence' from the Forestry Commission, such a licence exists (under ref: FLA/019/180/17-18) covering the felling of a commercial crop of mature Scots Pine that was established approximately 50 years ago within the central swathe of the site. It should be noted that the Felling Licence is conditional on the areas being re-stocked to maintain woodland cover. Although outside the scope of this application the Felling Licence represents best practice in terms of the long-term woodland management, with the previous lack of management of the woodland resulting in the incursion of the *Rhododendron ponticum*, which is an invasive and non-native species that can have some very negative impacts on woodland habitat as it excludes other native species.
- 6.2 The planning application seeks only to install / construct a vehicular access and loading bay off Rock Road, which would facilitate vehicular access to the site, thus assisting with planned forestry management works across the site. The proposal would therefore support the needs of forestry and would be essential to the countryside location, thereby according with policy 26 of the HDPF.

### Impact on trees / biodiversity:

- 6.3 HDPF policy 31 requires proposals to 'maintain or enhance' existing green infrastructure networks. Proposals that result in the loss of existing green infrastructure would be resisted unless the proposal demonstrates that new mitigating opportunities will be provided to retain the wider ecosystem. Furthermore, this policy sets out support for proposals which retains and enhances significant features of nature conservation interest.
- 6.4 The proposed track would affect some 0.4% of the wider site, resulting in the loss of some trees in the location of the proposed access track. The area covered by the proposed access and loading bay would therefore be minimal in terms of the wider site, and is considered to represent benefits to the overall long-term positive management strategy for the woodland site, which the current owner appears to be implementing. As such, the proposed access track would facilitate this positive management approach, and the loss of trees in what is a very small proportion of the wider site would not be considered contrary to the aims of policy 31 of the HDPF.
- 6.5 The Council's Arboricultural Officer has raised no objections to the proposal, noting that the site is not subject to a TPO / woodland protection order or Ancient Woodland status, with most of the woodland comprising reasonably 'young' stock of Scots Pines, planted around 50 years ago.

### Visual Impact:

- 6.6 There would be a loss of approximately a 9m width of vegetation to facilitate the required bell-mouth access. This loss would be viewed in relation to the wider site, which encompasses a retained road frontage of some 180m to the west and some 200m to the east. Therefore, in relation to the scale of woodland maintained along the site's northern boundary, the proposed vehicular access track would represent a reasonably modest break in the continuous vegetated site boundary, and no adverse visual harm is judged to occur as a result of the proposal.



- 6.7 The proposed access would be constructed in a manner that seeks to provide a visually recessive surface of aggregate, rather than tarmac, which would be commensurate with the woodland location. The proposal does not seek permission for gates across the access, only a timber bar to prevent trespassing and other vehicular access. This light-weight barrier would also been considered to be commensurate with the woodland site and the overall rural appearance of the area,
- 6.8 Furthermore, it is noted that the siting of the loading bay and access would be set opposite a vegetated front boundary of residential properties Welmdene and Spring Cottage. Visually, the staggered positions of the respective vehicular accesses off Rock Road would maintain the rural aspect of the area.

Neighbour Impact:

- 6.9 Policy 33 of the HDPF requires that proposals do not lead to unacceptable harm to the amenities of neighbouring occupiers / users, for example, through overlooking or noise.
- 6.10 The volume of representations received in response to the proposal is noted, along with comments made, many of which refer to the loss of woodland and habitat, noise and environmental impact arising as a result of the felling works, rather than the proposed access track / loading bay itself. The coppicing works and wider clearance / felling works to the Scots Pine plantation do not require planning permission and cannot therefore be considered as part of the current application. If complaints did arise from these works they could potentially be investigated under separate, Environmental Health, legislation.
- 6.11 The planning application deals with the merits of the proposed access / loading bay which would assist in facilitating the wider works, but are not essential to the implementation of the felling licence. The use of the access would not be expected to generate significant or harmful levels of noise or disturbance for adjoining properties given existing traffic flows and vehicular background noise levels in this section of Rock Road. The proposal is not therefore considered to be contrary to the above policy.

Impact on Highways:

- 6.12 HDPF policies 33 and 40 both require safe and suitable access, parking and integration with existing routes.
- 6.13 The site has an existing gated access to the western section of the site from Hampers Lane, a private lane with limited passing places. This part of the site appears to be significantly lower than the area of land which is to be coppiced and felled, and is sited within the area of mixed woodland which is to be retained at the site. This access was not deemed suitable to provide access to the site in association with the required forestry works; this proposal therefore seeks permission for the access onto Rock Road.
- 6.14 Washington and Thakeham Parish Councils accept the limitations of accessing the site as it currently stands and consider a new access directly off Rock Road would be desirable. The proposed access directly off the public highway along Rock Road, which is straight and provides for optimal visibility in each direction, is considered to represent the most favourable option in terms of facilitating the imminent and any future forestry maintenance works across the sider site.
- 6.17 The applicant has provided swept path analysis, drawn to incorporate a lower turning speed of the vehicles entering the site, to demonstrate sufficient space within the site to manoeuvre a forestry vehicle and exit the site in forward gear. There would be visibility splays of 120m in both directions along this straight section of road and this would prevent any safety hazard for users of Rock Road. The Highway Authority has raised no objection to the proposal, which is considered acceptable in terms of highway impacts.

Other Matters:

- 6.18 The site is not subject to any statutory designation and there are no identified archaeological sites within the application site. The works do not propose ground disturbance works with the exception of drainage ditches along the edges of the storage / loading bay.
- 6.19 While the site is not defined as being at risk of flooding under Flood Zone the Environment Agency has recorded instances of surface water flooding along Gorse Bank Close, to the south-east of the site, resulting in a 'low' risk along this nearby roadway. The nature of the proposal is not though anticipated to adversely affect a current 'low' risk area situated some 100m to the north-east.

Conclusion:

- 6.20 The proposed new vehicular forestry access track of some 40m depth and turning spur to facilitate the stacking and loading of logs and associated forestry trucks, which would facilitate imminent and future forestry maintenance works at the 10ha privately-owned woodland site, accord with the local and national planning policies. Accordingly, the proposal is recommended for approval subject to the following conditions.

## 7. RECOMMENDATIONS

- 7.1 To approve the application subject to the following conditions.

1 **Approved Plans Condition**

- 2 **Standard Time Condition:** The development hereby permitted shall be begun before the expiration of three years from the date of this permission.  
Reason: To comply with Section 91 of the Town and Country Planning Act 1990.

- 3 **Pre-Occupation Condition:** Prior to the first use of the hereby approved access the vehicle turning space shall be constructed in accordance with the approved site plan. The turning space shall thereafter be retained at all times for its designated use.  
Reason: In the interests of road safety in accordance with Policy 40 of the Horsham District Planning Framework (2015).

- 4 **Pre-Occupation Condition:** Prior to the first use of the hereby approved access visibility splays of 120 metres by 2.4 metres shall be provided either side of the vehicular access onto Rock Road. Once provided the splays shall thereafter be maintained and kept free of all obstructions over a height of 0.6 metre above adjoining carriageway level or as otherwise agreed.  
Reason: In the interests of road safety in accordance with Policy 40 of the Horsham District Planning Framework (2015).

- 5 **Regulatory Condition:** The materials to be used in the development hereby permitted shall strictly accord with those indicated on the Loading Bay drawings submitted on 20 September 2017.  
Reason: To enable the Local Planning Authority to control the development in detail in the interests of visual amenity and in accordance with Policy 33 of the Horsham District Planning Framework (2015).