

Penhow Community Council Consultation Response

25/0061: Retrospective Application for retention of new access, creation of track and installation of gates and fences affecting Public Right of Way 402/4/1

Land North West of and adjacent to Homelands, Pen-y-worlod Road, NP26 3AJ

Council have seriously considered this retrospective planning application, noting that they highlighted (to the Planning Authority) the development taking place some time in April 2024 when the bank, hedgerow and a substantial Ash tree, were taken out, having probably been in place some 200 years.

This is a new entrance on to a single track lane. The Wales Planning Inspectorate have in the past refused additional/new agricultural access on to single track lanes, and therefore this particular application should be carefully investigated before any final decision is made.

The ancient native hedgerow served to stabilise the bank preventing landslides onto Penyworlod Lane, especially during adverse weather. The large Ash tree, within the hedge line has also been removed. This Ash tree identified in a recent survey was at least 180 year old (which incidentally was FREE of ash die-back disease at the time of the survey).

The access created within the hedge line now causes a 'camber' for agricultural vehicles accessing/egressing the adjacent existing agricultural gateway which could result in the toppling of equipment and/or loss of load. Whilst the field access/farm gate may be used infrequently, it is still a vehicular access/egress in to/off the single track lane which could now cause a Health and Safety issues for any passing pedestrians/cyclist/horses etc if a vehicle is in the process of going in to/coming out of the gateway. The new access is also not conducive to walkers using the adjacent PROW stile.

Further the trackway laid down within the site, seems rather excessive for mere access to the permanent stable block and Council have concerns that this initial development is the precursor to further proposed development. So at present, Council can only presume that the hardcore trackway, to the stable and beyond is for the access of a horse trailer/lorry

The entrance and track on the new development seems excessive for what is potentially a 'pony paddock'. The track seems to be made up of various types of hardcore/rubble, and Council would ask the question whether permission has been sought from Natural Resources Wales for a permit/licence to use such materials within a green field site?

The visual splay when egressing site needs to be sufficient to cope with safely joining the single track lane, which is busy with walkers, horses, cyclists and other motorised and agricultural vehicles. Health and Safety for users of the lane is

paramount. Council question whether the visual splay is currently sufficient and suitable for a vehicle pulling a horse trailer – if that is what this access is all about?

After careful consideration Council **cannot support this application.**

If however, the planning authority are minded to approve this application, the Community Council would hope that several conditions of the planning are put in place:

- That the applicant needs to plant, just within the site a substantial sized (*ie 8/10m tall - bare-rooted with a girth of 8/10 cm*) native tree such as an English Oak (replacement by an Ash, at the moment is not viable due to Ash die-back disease) and that growth is monitored over several years to ensure the tree establishes itself.
- That this land remains as a 'pony paddock' or agricultural land.
- That the type of materials for the track way are acceptable to NRW
- That the visual splay is sufficient to ensure safety of pedestrians/cyclists/horses/other vehicle users of the single track lane and has no adverse affect on the adjacent agricultural gateway and PROW pedestrian stile.

Penhow Community Council