



Gary Hoerty Associates

22 December 2015

Our Ref: Ain/431/1920/FG

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Dear Mr Birkett

Re: Our Clients: Mr J Ainscough, Chadswell Hall, Chipping Road, Chaigley, BB7 3LT. Re-submission of planning application 3/2015/0381 for the construction of an agricultural access track on land adjacent to Chadswell Hall to include the creation of a new access onto the public highway.

Further to your email dated 17 December 2015 and our subsequent telephone conversation on the afternoon of the 18 December, I am writing to confirm what we discussed on the telephone, as agreed with you.

I understand you require further clarification on the agricultural need for the additional access off Chipping Road onto the applicants land. The applicant owns approximately 130 acres surrounding Chadswell Hall and is therefore operating a large farm which he currently lets out on a licence basis to two parties. For clarity on what is included within a grazing licence agreement, I enclose a CAAV model grazing licence agreement..

As you will see from the model agreement, the licensee cannot carry out many typical farming operations as follows:

- TO carry out no other activities on the Land than grazing or mowing and removing the grass and those required of the Licensee being the keeper of the animals he has brought onto the Land
- NOT to apply any fertilisers or manure to the Land nor to apply any lime pesticides herbicides or other chemical treatment
- NOT to plough or re-seed any part of the Land
- NOT to erect or alter any building nor make any other alteration to the Land

It is therefore the applicants' responsibility to maintain the land which includes operations such as slurry spreading, muck spreading, applying fertilizers, hedge cutting, weed control, maintaining fences and hedges, re-seeding, lime applications and general maintenance of the land and this needs to be done all year round.



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A licence agreement does not give the licensee exclusive occupation of the property and only grants them rights to graze livestock and mow the grass and the licence period is for less than a year and the applicant has no obligation to continue letting the land to the current licensees and he plans to take the farm in-hand and farm the land personally in future years.

Mr Gornall of Armrydding Farm is one of the licensees that occupy the applicants land and you mentioned during our telephone conversation that one of the objections commented on the fact that Mr Gornall could access the applicants land on a track leading from his own farm to part of the applicants land. This is the case but we do not consider this to be relevant for a number of reasons, firstly that it is the applicants responsibility to maintain the land (as explained above) therefore he has to employ contractors who access the land from Chipping Road. Secondly, it is proposed the land will be taken in hand in the near future by the applicant, thirdly the land is currently occupied by two licensees, not only the one that you referred to during our telephone conversation and finally it is not possible to access all of the applicants land from that track without having to travel over grass which the applicant would not allow because of Cross Compliance regulations he is required to comply with.

The applicant purchased approximately 40 acres of additional agricultural land over the last two years therefore increasing the amount of land he owns surrounding Chadswell Hall by over one third. Due to the applicant significantly increasing the size of his farm, larger machinery is required for example larger slurry spreaders, muck spreaders and tractors to carry out these operations and the access track to Chadswell Hall is a narrow single track driveway around the south of Chadswell Hall leading to the land which does not have any passing places therefore machinery struggles to manoeuvre resulting in the tasks becoming more time consuming and difficult to carry out. Agricultural machinery and equipment is becoming larger due to the nature of modern day farming and contractors do not own small machinery anymore due to farms increasing in size. It is the applicants aim to keep increasing the amount of land he owns/ occupies therefore the requirement for larger machinery will continue.

In July 2014 the applicant entered into an Entry Level Stewardship Scheme which is a five year agreement and once this agreement expires, the applicant will look to enter into the new Countryside Stewardship: Mid Tier Scheme. Both these Environmental Stewardship agreements require the applicant to manage the land in a specific way to comply with certain options of the schemes and this requires farming operations to be carried out at specific times of the year and this is the applicants responsibility.

The applicant has recently planted five acres of broadleaf trees on the edge of his ancient woodland to form a wildlife corridor for mammals and this woodland requires maintenance in the form of weed control, re-planting and thinning. The site lies within the Forest of Bowland AONB and EC (NW) Bird Priority Area therefore the management of this woodland is crucial to preserving the AONB. The AONB Landscape Character Assessment (LCC, 2009) identifies the site as falling within land type 'wooded rural valley' and the creation of woodland area is helping to preserve this area. As a result of the site falling within a high priority area the Forestry

Commission allowed the applicant to enter into Wood Creation Grant agreement (Case Ref: 26973) and therefore Mr Ainscough has to maintain the woodland to a high standard to remain in the agreement as the Forestry Commission carry out inspections to ensure the agreement holder is adhering to the terms of the agreement.

Entering into the Entry Level Scheme Stewardship agreement and planting woodland demonstrates that the applicant wants to farm in a sustainable manner and improve the visual appearance of the AONB by attracting wildlife and preserving the countryside.

With regard to your comment regarding the approval of this application resulting in three accesses within 250m along Chipping Road, when we met with the Highway officer, Stewart Gailey, he did comment on the fact that the two existing accesses had poor sight lines and the proposed access would in fact have the best sight lines out of the three. As a result of the applicant purchasing additional land, entering into an Entry Level Stewardship Agreement, planting five acres of trees and possibly taking the farmland in-hand in May 2016 we firmly believe there is an agricultural need for an additional access into the applicants land for him to be able carry out farming operations more efficiently.

We also believe the fact there was an access into the applicants land through Plane Tree Farm off Chipping Road, which is only approximately 100m from the proposed access, is an important consideration as in the past this was used as an agricultural access into the land surrounding Chadswell Hall which linked to the existing track, as shown on the plans submitted hatched in pink and hatched in green where the original access was. When the estate was sold and divided, the right to access the applicants land off Chipping Road through Plane Tree Farm was lost and this application merely seeks to reinstate this previously existing facility.

With regard to your comments about protecting hedgerows, we propose to re-site and the hedgerow and not to remove the hedgerow as shown on the proposed site plan submitted. Our ecologist recommended this option as it would not harm any wildlife using this method. We have also amended the site plan to show additional hedgerow planting around the site access and I enclose this (drawing number Ain/431/1920/02B) which will reduce any visual impact of the development. We firmly believe that there would be no visual harm as the hedgerow is simply been re-sited and additional hedgerow planting is proposed.

I trust I have included all of the additional information you require to be able to approve the application however if you do require any additional information please let me know.

Yours Sincerely



Fiona Gardner
Encl'