

DELEGATED

**AGENDA NO
PLANNING COMMITTEE**

DATE 31st OCTOBER 2007

**REPORT OF CORPORATE DIRECTOR OF
DEVELOPMENT AND NEIGHBOURHOOD
SERVICES**

07/2440/REV

Hilton House Farm, Manor Drive, Hilton

Revised application for construction of public fishing lakes and associated car parking.

Expiry Date: 13TH November 2007

Summary

Planning permission is sought for the creation of two fishing lakes and a wildlife pond. Ancillary development includes an access, car park, portaloos and a storage cabin, whilst landscaping and earthworks are also proposed.

Letters of objection and support have been received in respect to the proposed development. Main points of objection relate to noise generation, highway safety, intensification of traffic and potential flooding of adjoining areas. Main points of support relate to the benefits of such a use in this location to the local community and for wildlife.

The use relates to land based recreation, the principle of which is supported by both local and national planning policy. The use is immediately adjoining a village which is served by public transport and is within close proximity to large urban areas. As such, it is considered to be a suitable use for an edge of village. The proposal is considered to adequately provide for its anticipated demand through the provision of access, parking and wc's. It is considered that the development would not unduly compromise the privacy or amenity of adjoining properties, because of distances from adjoining properties, the scale of the development and further mitigation measures through structure planting proposed as part of the scheme.

RECOMMENDATION

Planning application 07/2440/REV be approved subject to

01 *The development hereby approved shall be in accordance with the following approved plan(s); unless otherwise agreed in writing with the Local Planning Authority.*

<i>Plan Reference Number</i>	<i>Date on Plan</i>
<i>SBC0001</i>	<i>14th August 2007</i>
<i>NW6 – 003 – P01 rev I</i>	<i>14th August 2007</i>

Reason: To define the consent.

02. *No works shall commence until an assessment of the affect of the development on the hydrogeology and hydrology of the area has been prepared by a suitable*

qualified person. The findings of this assessment shall be agreed in writing and any identified programme of works implemented to the satisfaction of the Local Planning Authority.

Reason: To reduce the risk from flooding and to ensure adjacent landowners riparian rights are not affected.

- 03. No works shall commence until full details of the design of the lakes and their methods of filling and discharge has been agreed in writing with the Local Planning Authority. The lakes shall be constructed and maintained in accordance with the approved details.**

Reason: To reduce risk of flooding and to ensure adjacent landowners riparian rights are not affected.

- 04. No development shall commence until the developer has produced a bird management plan and the plan has been submitted to and approved in writing by the Local Planning Authority. The site shall be operated in accordance with the approved management plan.**

Reason: In order to ensure the water bodies do not have a detrimental impact on aviation associated with Durham Tees Valley Airport.

- 05. Notwithstanding details hereby approved, the access track and car park associated with the development shall be laid out and surfaced in accordance with a scheme to be submitted to and approved in writing by the Local Planning Authority. The approved scheme shall be maintained for the duration of the use of the development hereby approved unless otherwise agreed in writing by the Local Planning Authority.**

Reason: In order to ensure the access and car park are suitable in their design and appearance for their location in order to comply with Policy GP1 of the Stockton on Tees Local Plan.

- 06. No development hereby approved shall be brought into use until a footpath has been provided in accordance with a scheme to be submitted to and agreed in writing by the Local Planning Authority linking the site to the bus stop to the east of the access. The submitted details shall indicate the precise location of the path and its construction detail.**

Reason: In order to ensure persons using the site can access the site safely when travelling by public transport and to comply with Policy GP1 of the Stockton on Tees Local Plan.

- 07. The barrier at the site access shall be maintained in an operational state at all times and shall be in a horizontal position, preventing vehicular access into the site during times when the site is not open to visiting members of the public.**

Reason: In order to prevent inappropriate use of the site beyond its open hours thereby limiting any detrimental impact to the surrounding residential properties in accordance with Policy GP1 of the Stockton on Tees Local Plan.

- 08. No development shall take place until there has been submitted to and approved in writing by the Local Planning Authority, a scheme for landscaping. Such a scheme shall detail the following;**

a) Hard and soft landscaping, including hedgerow planting adjacent to the access and screen planting within the south eastern corner of the site.

b) Soil depths, plant species, numbers, densities, locations, and sizes, planting methods, maintenance and management.

The development shall be carried out in accordance with the approved details. Planting works shall be carried out prior to the development being brought into use and any trees or plants which within a period of five years from the date of planting, die are removed or become seriously damaged, shall be replaced with others of a similar size and species in the next planting season unless the Local Planning Authority gives written consent to any variation.

Reason: In the interests of visual amenity and in order to ensure the site is adequately screened from surrounding properties in order to comply with Policy GP1 of the Stockton on Tees Local Plan.

- 09. No external lighting shall be used at the site other than that which is in accordance with a scheme of external lighting to be submitted to and approved in writing by the Local Planning Authority. The approved scheme shall include details such as number of lights, locations, methods of shielding glare and the lumens intensity of the light.**

Reason: To prevent light pollution of the semi rural environment in accordance with Policy GP1 of the Stockton on Tees Local Plan.

- 10. Notwithstanding details hereby approved, the development shall not be brought into use until all pumps and other mechanical parts associated with the development have been installed in accordance with details to be submitted to and approved in writing by the Local Planning Authority. The submitted details shall include the pump specification, noise emission details and method of noise attenuation where necessary.**

Reason: To prevent undue loss of amenity in accordance with the requirements of Policy GP1 of the Stockton on Tees Local Plan.

- 11. All works involving the removal or moving of hedgerows shall not occur during the period 1st March to the 31st July inclusive.**

Reason: In order to avoid damage or disturbance to nesting and breeding birds and in order to comply with Policy GP1 of the Stockton on Tees Local Plan.

- 12. The use hereby approved shall not be open to visiting members of the public outside the hours of 6:00a.m. to 8:00 p.m.**

Reason: In order to ensure the use does not unduly compromise the residential amenity associated with nearby residential properties and their occupiers in accordance with the requirements of Policy GP1 of the Stockton on Tees Local Plan.

- 13. The site shall hold no more than one organised event in any calendar month.**

Reason: In order to control the use of the site with respect to numbers of visitors, traffic and noise generated by such events in order to ensure the residential amenity of surrounding residents is not unduly compromised over prolonged periods in accordance with the requirements of Policy GP1 of the Stockton on Tees Local Plan.

- 14. Notwithstanding details hereby approved, the precise design and colour of the access barrier, portaloos and cabin shall be submitted to and approved in writing by the Local Planning Authority prior to the structures being placed on site. The approved details shall be maintained in perpetuity.**

Reason: In the interests visual amenity.

- 15. Within 3 months following cessation of the use hereby approved the portaloos and cabin and their associated bases, pipe work and tanking shall be removed from site.**

Reason: In order to limit the impact of the development following its cessation.

Informative

It is considered that the proposed development would have a limited impact on surrounding residential properties, would adequately provide for the use with regards to access and parking provision whilst should have no significant detrimental impact on the character of the area, thereby according with Policy GP1 and EN13 of the Stockton on Tees Local Plan. It is considered that there are no material considerations which suggest the application should be determined otherwise.

THE PROPOSAL

1. Planning permission is sought for the creation of 2no. fishing lakes and 1no. natural pond within an agricultural field on the edge of Hilton Village. The two fishing lakes are proposed to be used for course fishing and only normally open during daylight hours.
2. The fishing ponds are shown having maximum depths of approximately 2m, with islands in the centre and mounding around the edge. The natural pond is shown as being approximately 3m in depth. A proposed track is shown running round both fishing lakes and the pond with a total of 68no. fishing pegs located around the combined perimeter of the two lakes. It is advised that native landscaping is intended within and around the site whilst the applicant has advised that he has applied for an English Woodland grant to plant 7.4 hectares of native broad leaved trees and shrubs to the north and west of the lakes which will provide a natural habitat for wildlife as well as act as a screen from the A19 in years to come.
3. Other ancillary development includes an access into the site, 51 space parking area (including 4 disabled bays) associated fencing, a 6.1m x 3.05m storage cabin and 2no. porta loos.
4. Maintenance and running of the ponds will be carried out by the family residing at Hilton House Farm adjacent. Payment for fishing would be collected on a daily rate.
5. Planning permission was previously submitted for the same under application reference 06/1919/FUL although this was withdrawn following a requirement to amend the site layout details. This application has been submitted following amendment of these details.

CONSULTATIONS

The following Consultations were notified and the comments they made are set out below:

Hilton Parish Council

6. The main concern was the entrance to the scheme in light of the new traffic calming measure that are now in place. There were concerns that accidents could occur. Two councillors expressed concerns about the viability of the scheme and concerns that if it failed a residential development would result (apparently expressed by residents of the village). Two councillors raised queries about the car park, one that it would disturb neighbouring properties and another that adequate screening should be provided.

The Environment Agency

7. We have no objection in principle to the construction of fishing lakes from a flood risk point of view. However, no information has been provided on how the lakes will fill and overflow, nor has there been confirmation that other landowners riparian rights will not be affected. Experience has shown that excavating lakes can adversely affect the hydrogeology and hydrology of an area, causing flooding and/or reducing the flow in watercourses, and this should be assessed by an appropriately experienced person before any works commence. Therefore if planning permission is to be granted conditions should be included relating to full details of the design of the lakes and an assessment of the affect of the development on the hydrogeology and hydrology of the area has been assessed.

Tees Archaeology

8. There are no known archaeological sites in the area indicated. I therefore have no objection to the works and no further comments to make.

Natural England

9. Insufficient Information to comment on.

Durham And Tees Valley Airport

10. No objection subject to an acceptable Bird management plan being agreed.

Environmental Health Unit

11. No objection to this application.

Urban Design - Engineers

12. Highways Comments

This proposal is for a revised application for construction of public fishing lakes and associated car parking. An unobstructed visibility splay of 2.4 x 70metres must be achieved from the access in both directions onto the C129. It will be necessary for the hedgerow to be relocated on both sides of the access in order to achieve this. A plan showing this should be submitted for further consideration. A section 106 contribution must be requested in order to fund the implementation of a footway from the site access to the nearby-located bus stop. This would encourage the use of public transport to the facility. Parking should be in accordance with SBC SPD. A segregated footpath from the public highway into the site should be included in the scheme in order to minimise pedestrian / vehicular conflict.

Urban Design - Landscape

13. Landscape & Visual Comments

I refer to your memo dated 20/7/07 and comment as follows (plan ref. NW6-003-PO1 rev1): These comments are in addition to my last comments in January. The car park has moved very near to the road and will not be that easy to screen with planting when viewed from the road due to the narrow gap existing between the south west corner of the car park and the road. The car park is also very linear and structured in design. To suite the rural surrounds the car park should be designed to a more curved sympathetic shape and moved to at least

10 metres from the road to allow adequate screen planting to be provided. The scheme is still designed without any use considered for the majority of the awkward spaced small areas of land to the east of the site toward the village and as stated in my previous comments these areas are very small for farming and should be used for be natural grassland interspersed with some native tree planting. Landscape details of the proposed hard and soft landscaping and boundary treatments are required

14. The following were consulted although no comments were received.

Tees Forest

Councillors

Northumbrian Water Limited

Sport England

PUBLICITY

A total of 21 letters have been received in respect to the application. 7 letters of support, 9 letters of objection and 5 letters making general comments.

15. Comments have been received from the following addresses.
Sunningdale High Leven Yarm, Oaklands Farm Cottage, Low Lane, 5 & Novacastria House
Manor Drive, 15 Fir Tree Close Hilton, 33 Falcon Walk, 10 Ivy Cottage Hilton

16, 49, 57 Falcon Walk, Meadowcroft Hilton, The Silver Birches Yarm Road Hilton, 1, 8
Manor Drive Hilton, 3 Ivy Cottages Hilton

24, 28 Manor Drive, Dovedale Manor Drive

16. Support comments are as follows

- The re alignment of the hedge to the front of the site will make a big improvement to the traffic calming as a result of increasing the sightline.
- It will be a lovely place to spend time when finished
- Beneficial facility to have on the outskirts of the village providing a safe and peaceful place to have a walk.
- Will result in extra trees, increasing birds and wildlife,
- Disabled access is excellent
- It will encourage people to appreciate the countryside
- Increase in traffic will be small in comparison to existing levels
- Generally see no reason why it should be dismissed.

17. Objections raised are as follows;

- The occupiers of the adjoining property require assurances that the scheme will not adversely affect existing land drainage or their septic tank.
- The car park and access should be on the western side of the access, in a more visible location and further away from residential properties.
- It is considered that the car park may represent an over provision.
- Query is raised in respect to the noise made by the bore hole pump and its impact on the village
- Impact on amenity, concerned about noise of cars and outlook onto a car park with portalos.
- The new hedge may change the current view from adjoining properties
- There is already flooding occurring from the field and this may be worsened by the current situation.

- Concern over the access and the impact of increased traffic flow through the village which will cause a hazard in view of nearby junctions and recently installed traffic calming.
- The field is still productive and should be used for growing crops in view of recent advice that there is a wheat storage and food prices are rising as a result.
- The deep lakes will create a danger for children
- Out of character with small village community
- Possible crime issues with car parks
- Concern that it will alter the status of the farm pond and enable other development to occur which may lead to applications for club houses and timber structures.
- There are other fishing venues in Teesside, will this scheme be viable and if not will it be expensive to return it to agriculture.
- Concern that the area will become uncared for and a problem for the village
- The footpath should be relocated as pedestrians tend to use the other side of the highway
- The footpath to the bus stop encroaches on to land which is not in the applicants ownership.

18. General comments made in respect to the application are as follows;

- The plans are drawn on an old map which does not accurately show surrounding development.
- The plans show the pond outlet going to the road drains not the field drains as stated and the road is already flooded previously
- The site must maintain a leafy tranquil environment
- One resident of 60 years in Hilton remembers ponds in these fields some years ago

PLANNING POLICY CONSIDERATION

The relevant development plan in this case is the adopted Stockton on Tees Local Plan. Where an adopted or approved development plan contains relevant policies, Section 38(6) of the Planning and Compulsory Purchase Act 2004 requires that an application for planning permissions shall be determined in accordance with the Development Plan(s) for the area, unless material considerations indicate otherwise. In this case the relevant Development Plans are :- *the Tees Valley Structure Plan (TVSP) and the Stockton on Tees Local Plan (STLP)*.

The following planning policies are considered to be relevant to the consideration of this application:-

Policy EN11

The planting of trees, of locally appropriate species, will be encouraged within the area indicated on the proposals map as community forest. In considering applications for planning permission in the community forest area, the Local Planning Authority will give weight to the degree to which the applicant has demonstrated that full account has been taken of existing trees on site, together with an appraisal of the possibilities of creating new woodland or undertaking additional tree planting. In the light of the appraisal the Local Planning Authority will require a landscaping scheme to be agreed which makes a contribution to the community forest.

Policy EN13

Development outside the limits to development may be permitted where:

- (i) It is necessary for a farming or forestry operation; or
- (ii) It falls within policies EN20 (reuse of buildings) or Tour 4 (Hotel conversions); or

In all the remaining cases and provided that it does not harm the character or appearance of the countryside; where:

- (iii) It contributes to the diversification of the rural economy; or
- (iv) It is for sport or recreation; or
- (v) It is a small scale facility for tourism.

Policy GP1

Proposals for development will be assessed in relation to the policies of the Cleveland Structure Plan and the following criteria as appropriate:

- (i) The external appearance of the development and its relationship with the surrounding area;
- (ii) The effect on the amenities of the occupiers of nearby properties;
- (iii) The provision of satisfactory access and parking arrangements;
- (iv) The contribution of existing trees and landscape features;
- (v) The need for a high standard of landscaping;
- (vi) The desire to reduce opportunities for crime;
- (vii) The intention to make development as accessible as possible to everyone;
- (viii) The quality, character and sensitivity of existing landscapes and buildings;
- (ix) The effect upon wildlife habitats;
- (x) The effect upon the public rights of way network.

PPS 7 – Sustainable development in rural areas

SITE AND SURROUNDINGS

- 19. The application site is an agricultural field located immediately adjacent to the north western corner of Hilton Village. Agricultural fields lie to the north and west with the A19 beyond. Residential curtilage bounds the site to the south east which is formed by a high hedge with a paddock area adjoining the eastern boundary. The highway into Hilton from Ingleby also adjoins the southern side of the site, the boundary of which is formed by a low hedge.
- 20. The field is level with the adjoining highway at the southern edge of the site although has areas which are lower and higher, averaging towards a gentle rise toward the north and west.

MATERIAL PLANNING CONSIDERATIONS

Principle of development

- 21. The site falls outside of the defined 'village limits' for Hilton with no specific land designation other than under Policy EN11 of the Local Plan which relates to the planting of the Cleveland Community Forest and encourages the planting of locally appropriate species as community forest.
- 22. In addition to Policy EN11, Policy EN13 controls development outside of the Limits of Development. The policy advises that development may be permitted in such areas where, amongst other things, it is for sport or recreation, or where it contributes to the diversification of the rural economy. Both policies EN11 and EN13 are saved policies of the Local Plan and therefore material to any decision.
- 23. The proposed development is considered to constitute a farm diversification scheme which would change the use of the land from agriculture to a recreational fishing area, falling within Use Class D2. The proposal is intended to operate as a business, attracting fees for

fishing. As such, it is considered that the proposal would comply with the allowances within Policy EN13 for development outside of the limits of development.

24. In addition to Local Plan Policy, national guidance within PPS 7 advises that harm to the countryside should not be justified unless a clear need has been established. PPS 7 guides on development within the largely undeveloped countryside that separates cities, towns and villages, considering that planning has an important role in supporting and facilitating development and land uses which enable those who earn a living from, and help to maintain and manage the countryside, to continue to do so.
25. Paragraph 15 of PPS 7 advises that '*Planning policies should provide a positive framework for facilitating sustainable development that supports traditional land-based activities and makes the most of new leisure and recreational opportunities that require a countryside location. Planning authorities should continue to ensure that the quality and character of the wider countryside is protected and, where possible, enhanced. They should have particular regard to any areas that have been statutorily designated for their landscape, wildlife or historic qualities where greater priority should be given to restraint of potentially damaging development.*'
26. PPS 7 Further advises that a supportive approach to farm diversification should not result in excessive expansion and encroachment of building development into the countryside. Planning authorities should:
 - (i) encourage the re-use or replacement of existing buildings where feasible, and
 - (ii) have regard to the amenity of any nearby residents or other rural businesses that may be adversely affected by new types of on-farm development.
27. It is considered that a farm diversification scheme which creates a recreational use which has a countryside locational or land based need and which results in limited built development needs to be considered differently to a proposed business use which does not result in farm diversification and which results in dominant built form, particularly as farming can often operate on a subsistence basis which results in low apparent incomes, although, which results in the effective management of the landscape. In view of the guidance of PPS 7, as the proposal relates to farm diversification, the continued use of the land and a recreation use, it is considered to accord with this guidance, subject to it not detrimentally impacting on the natural environment and limiting new built development which is considered later in the report.
28. The land where the proposed development and use would operate is adjacent to Hilton House Farm which is within the same ownership as the application site. As such, this will offer adequate provision to operate the site without pressure for any further residential development.

Impact on land form and landscape character

29. As a result of the use of the land, the associated mounding and planting, it is considered that the creation of the lakes themselves and the ancillary works would not result in any significant detrimental impact on the character and appearance of the landscape. Indeed, these works should be a positive addition within the urban fringe, creating an area of relatively diverse habitat.
30. The car park and associated access would have limited impact on the surrounding landscape, subject to the control over surfacing and scale and it is the overall use of the car park which would be more likely to result in a change to the character and appearance of the surroundings, particularly as it lies beyond the visual limits of the village. However. The

mounding and landscaping should offer partial screening of the car park and prevent visual impact being a significant issue.

31. Other ancillary development includes 2 no. portaloos, a cabin store, an access barrier and associated fencing. The portaloos are a necessary provision at the site as would be the barrier and subject to appropriate siting, design, colour and screening it is considered that these features, although being visible, would not unduly compromise the character of the area. In order to ensure the proposed buildings on site do not have any lasting impact on the environment should the use cease, a condition has been recommended to gain their removal upon cessation.
32. The surfacing of the car park and access track should blend with its surrounding as much as possible, being somewhat informal as against having a tarmac or paved finish. Appropriate finishes may include crushed stone or grass reinforced with a plastic mesh. In order to achieve a suitable surface, an appropriate condition has been recommended.

Flooding

33. The Environment Agency have raised no objection to the principle of the lakes construction from a flood risk point of view although advise that no information has been provided in relation to how the ponds fill and overflow. The submitted details do show a borehole pump and an outflow pipe although there is no detailed information in this regard. It is advised by the Environment agency that excavating lakes can affect hydrology and hydrogeology of an area causing flooding and or reducing the flows in watercourses and this would need to be assessed prior to excavation works commencing. The Environment Agency has recommended conditions are attached in order to address these matters.
34. Several objections have been received in respect to the potential for flooding and the discharge or over flow from the lake. In view of the comments of the Environment Agency and the conditions proposed, it is considered that the details which would require agreement prior to commencement on site would address these matters.

Landscaping scheme

35. The submitted details indicate proposed tree planting around the lakes as well as a 130m wide area of structure planting to the south east corner of the site. The planting should assist in breaking up views of the development and assist in screening the car park from the adjoining property although precise planting details are required. The applicant has advised that there is to be a 7.4 ha planting scheme on the adjoining land to the north and west which is part funded by the woodland grant trust.

Highway related matters

36. The Head of Technical Services has advised on the required visibility splay for the site and that the existing hedgerow would need to be relocated on both sides of the access in order to achieve this. It is further advised that a footpath would be required leading from the existing bus stop into the site in order to allow safe passage of visitors from the bus stop to the site. The Head of Technical Services is satisfied that the access and footpath details can be adequately achieved although a more detailed plan is required. In order to achieve adequate provision, conditions have been recommended preventing the need for a section 106 agreement to be entered into.

37. Several objections have been received in respect to the location of the access, over provision of parking and increased traffic flows through the village. The Head of Technical Services is satisfied with the access, which could not be located closer to the village due to land ownership and being located further to the west would result in it conflicting with a recently implemented traffic calming scheme on the entrance into the village. The provision of 51 car park spaces for 68no. fishing pegs is considered to be adequate taking into account the likelihood of some visitors coming in groups and sharing vehicles as well as those visitors travelling by public transport. It is also considered that over provision of parking would be entirely inappropriate in such a location and for a use which is likely to have limited use for prolonged periods during the winter months and during times of adverse weather conditions. It is considered that the type of use is likely to attract visitors for several hours at a time as against having a rapid turnover, therefore, visitor vehicle movements are likely to be restricted and form only a small part of existing traffic through the village.

Impact on residential privacy and amenity

38. The nearest dwelling lies approximately 100m from the nearest section of the lakes and approximately 40m from the access track and car park being on the opposing side of the highway through the village. A landscaping scheme is to be provided which will include hedgerow planting and structure planting which will assist in screening the car park from this and other adjoining properties. In view of the distances involved, the landscaping works which would take place and the limited use of the car park, it is considered that the development would not unduly compromise the amenity or privacy of these nearby properties.
39. The nearest dwelling on the same side of the road as the proposed development is located approximately 90m away from the car park and slightly further away from the fishing lakes. The proposed development proposes a significant area of structure planting along the boundary with this property and as such it is considered that the development would not unduly compromise privacy or amenity associated with this property.
40. The impact on the surrounding residential amenity can be further controlled through conditions by limiting events days to no more than one per month, placing a control barrier at the access to prevent inappropriate use of the site outside of controlled hours, limiting the hours of use to 6.00 a.m. until 8.00 p.m., and requirement to agree noise levels from the borehole pump.
41. Objection has been received in respect to the location of the access and the car parks. It is considered that these should be located on the western side of the existing access, further away from residential properties. Although this would reduce impact on residential amenity it will result in the more visually intrusive areas of the site being distanced from the edge of the village, thereby having a greater impact on the character of the area. Furthermore, it will not allow the car park to have a backdrop of existing hedgerows currently achieved.

Other Matters

42. Natural England have advised that there is insufficient information for them to comment on. However, the site is an agricultural field, with no existing ponds or areas of significant wildlife habitat within the area which is proposed to be developed apart from small sections of poor quality intermittent hedgerows. It is therefore considered necessary to condition the time for hedgerow removal works although all other areas of the proposal are considered to improve the potential for a variety of wildlife.

43. Concern has been raised in respect to the future use of the site, what would happen if the use ceased or whether there may be additional development proposed as a result. Any revised use of the site would be likely to require permission and as such, would be considered accordingly. In order to address possible cessation of the use, a condition is recommended requiring the removal of buildings from the site at such a time, however, it is generally considered that the ponds and landscaping would be acceptable landscape features whether the fishing of the lakes were in operation or not.
44. Concern has been raised about the lakes being a danger for children. This is an issue for all water bodies and if this were perceived to be a significant risk then the only solution would be to have a high enclosure around the entire site. The operation of such sites throughout the country rely on common sense and people who are visiting the site being of an age where they understand the associated dangers. In view of the sites location it is considered that particularly young children would be unlikely to be unaccompanied. Furthermore, the lakes are of limited depths, have sloped sides and a degree of surveillance. As such, the areas of open water are not perceived as being a significant risk.
45. Concern has been raised in respect to the potential for crime to occur at the site, however, in view of the nature of the site, its location away from large urban areas and their being a requirement to barrier the access, it is considered that crime at the site should not be a significant issue.
46. Concern has been raised that the proposal will result in the loss of arable land and that there is currently a shortage of wheat which is driving up food prices. This land is however not protected land for arable production and as such it is considered that this matter does not indicate the proposal is unsuitable on these grounds.
47. Comments have been made regarding the location plan submitted with the application, that this does not show all surrounding properties. As with all applications, a site visit has been undertaken to assess the impacts on the surrounding properties and the Local Planning Authority have assessed the scheme against this current layout.
48. There has been a diagrammatic error made on the submitted plan which shows a footpath running across the land of the adjoining property connecting the site with the nearby bus stop. The line of this footpath is incorrect and is intended to run from the site entrance along the highway verge. A revised plan is to be submitted in order to resolve this matter whilst a condition has been recommended which requires the applicant to submit relevant details.

CONCLUSION

49. The proposed development relates to a sport and leisure use and farm diversification. Such a use specifically requires land in an urban fringe or semi rural location which maintains some links to the urban area with regard to public transport. It is considered that the scale of the use, its precise siting in respect to surrounding properties and the mounding and landscaping which will be achieved should ensure the proposal does not significantly affect surrounding residential amenity.
50. It is considered that the scheme can adequately provide a safe access, adequate parking on site and turning facilities and should therefore not unduly compromise highway safety whilst adequately provide for the demands of use approved use.
51. It is considered that the works will improve the wildlife habitat on the area and generally add positive interest to the character of the landscape at the edge of the village.

HUMAN RIGHTS IMPLICATIONS

The provisions of the European Convention of Human Rights 1950 have been taken into account in the preparation of this report

Corporate Director of Development and Neighbourhood Services

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Financial Implications

As report

Environmental Implications

As Report

Legal Implications

As report

Community Safety Implications

As Reported

Background Papers

Adopted Stockton on Tees Local Plan (June 1997)

Planning Policy Guidance Note 7 'Sustainable development in rural areas'

Ward

Ward Councillor

Ward Councillor

Ward Councillor

Ingleby Barwick East

Councillor K C Faulks

Councillor D C Harrington