

RECOMMENDED FOR APPROVAL

07/0202

28.03.07

Esh Group

Area G, Tanfield Lea North
Industrial Estate, Tanfield Lea

Erection of an eight unit
incubation business centre
including shared meeting
rooms, reception and toilet
facilities

Tanfield Ward

The Application

1. This application seeks Planning Permission for the erection of an eight unit incubation business centre at Tanfield Lea North Industrial Estate, Stanley. The site measures 4752 square metres in area and is currently vacant, it is located to the eastern corner of the Industrial Park adjacent to the junction with the C128 and New Front Street.
2. The proposed business incubator unit would have a gross internal floorspace of 701 square metres. The scheme has been designed to incorporate 30 car parking spaces and 6 vans spaces.

Policy

3. The following policies of the adopted Local Plan are relevant in determining this application-

General Development Principles (GDP1)
Development within General Industrial Estates (IN4)
Development within Landscaped Areas (IN6)
Wildlife Corridors (EN23)
Development and Highway Safety (TR2)

Consultations

4. County Highways Development Control Officer- Subject to the following condition, I have no objections to the application.

Prior to the building hereby approved being brought into use a plan shall be submitted for approval which depicts secure cycle parking facilities in close proximity to the main pedestrian entrance to the building. Such facilities shall be installed prior to the occupation of the building.

Reason: In the interests of encouraging alternative travel modes to the private motor car.

5. Environment Agency- We have no objections to the proposal in principal but we request that any approval includes the following formal conditions:

Prior to being discharged into any watercourse, surface water sewer or soakaway system, all surface water drainage from parking areas and hardstandings shall be passed through trapped gullies installed in accordance with a scheme previously submitted to and approved in writing by the LPA.

Reason: To prevent pollution of the water environment.

The surface water run-off from this site shall be restricted to that of the equivalent greenfield run-off rate of 3.5 litres per second per hectare of development

Reason: To prevent exacerbation of existing flooding problems downstream in the receiving watercourse.

Building footprint should be located outside of Flood Zone 2 (as detailed in Flood Risk Assessment point 5.0 and site plan, drawing no. 05039/C/102/D dated 06.2005)

Reason: To protect the development from flooding

We have received a Flood Risk Assessment, (FRA), provided by CK21 Consultants which we understand has been provided to support the planning application. The Environment Agency is reliant on the accuracy and completeness of the FRA in undertaking our view, and can take no responsibility for incorrect data or interpretation made by the authors. However, based on these reports we can confirm that we consider the details meets our requirements.

6. Northumbrian Water – Views awaited.
7. One North East – copy of response attached.
8. Neighbours have been consulted and a site notice posted no letters of objection have been received.

Officer Assessment

9. Tanfield Lea North Industrial Estate is designated within the Local Plan as a General Industrial Estate. The proposed use of this centre would be B1 in the use classes order and would therefore in principle be acceptable for this location, which is within the limits of the designated industrial estate.
10. Policy IN4 seeks to ensure a good design is achieved especially where units are on a frontage plot. Criteria A of Policy IN4 requires units to be of a good specification and appearance. The proposed unit is of a good design and is a considerable improvement compared to those existing units on Tanfield Lea North Industrial Estate. The application site is fairly well screened by existing mature planting. The applicant has indicated that

there would be trees removed from the screening bund in order to accommodate the new development. Given the good design and specification of the building it is not considered necessary that the frontage needs to be screened. A condition attached would however ensure screening is retained in other areas, where it is more important, in order to block views of the parking areas and service yard. The applicant has also indicated that sympathetic planting would be provided where trees have been removed in accordance with Policy IN6 of the Local Plan.

11. The business incubator centre is comprised of a central hub with a wing to either side running at right angles. The entrance is the main feature of the building which would be timber clad at ground floor level and then largely glazed at first floor level. Each wing consists of four units with glazed pavilion frontages. The building is fairly contemporary in style and of a good standard of design in accordance with Policy IN4 of the Local Plan.
12. Local Plan Policy TR2 seeks to ensure that development incorporates a clearly defined and safe vehicle access and exit and manoeuvring, turning and parking space. The Highways officer has raised no objection to the proposals which have been amended to show a 10 metre junction radi, along with a pedestrian footway link from the main entrance of the building and the C128 (Causey Road). The Highways officer has requested that cycle parking facilities are provided which could be controlled by way of condition. The proposals are therefore considered to accord with policy TR2 of the Local Plan.
13. The business incubator centre is estimated to employ 26 staff initially. Car parking would be provided on site for staff and visitors. The function of this centre has a direct relationship to another application for a residential development for 206 dwellings at The Middles, Stanley which is also being considered at this meeting. It is intended that the incubator centre would provide training and teaching facilities for new starters in the construction industry to meet the construction needs of The Middles Development. One North East have commented that as the council is developing a managed business centre at Tanfield Lea Industrial Estate, they would wish the council to be satisfied that there is sufficient evidence to justify the additional incubator centre. In response to this, it should be noted that the council's business centre is aimed more toward providing office space and facilities for businesses to operate from, whereas the incubator centre would be aimed more toward the actual training and teaching of new starters to the construction industry. As such it is considered that the need for an incubator centre is justified.
14. The application site is situated to the north of a wildlife corridor. Policy EN23 states that developments which would impinge on a wildlife corridor should include compensatory measures to enhance or restore nature conservation interest in the area. The proposed development would not be sited in a wildlife corridor and it is considered that the removal of any trees would be compensated for through a scheme of re-planting.

15. The proposed development would facilitate the training and teaching for the construction requirements of new starters in relation to the residential development at the Middles, Stanley. Tanfield Lea North is designated in the Local Plan as a General Industrial Estate, as such the proposed use as B1 industrial is considered acceptable and would accord with Policy IN4 of the Local Plan.

Recommendation

16. Conditional Permission

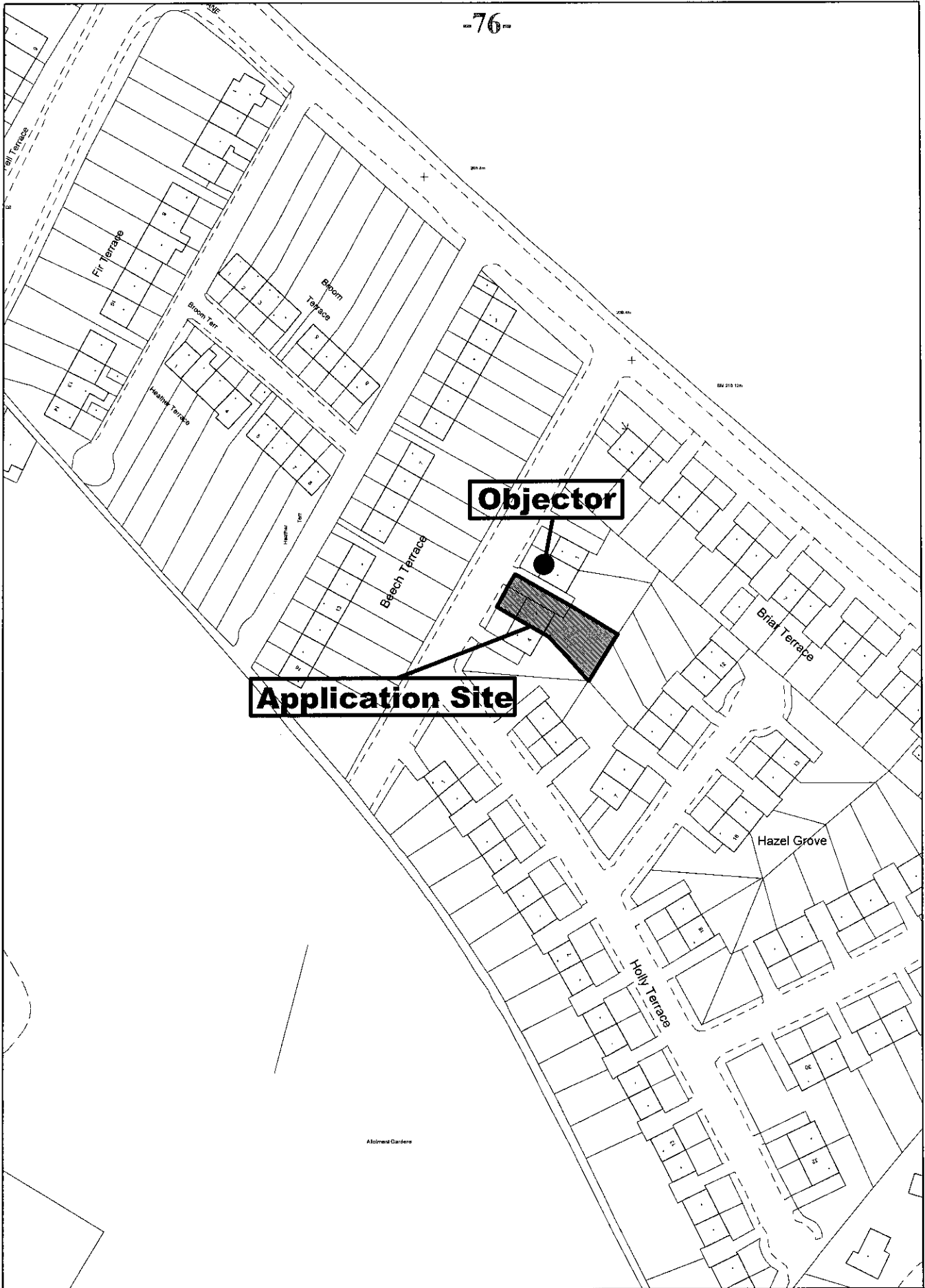
- Time Limit (ST)
- Approved Plans (ST01)
- Amended Plans (G04)
- Materials (AO3)
- Landscaping (L01)
- Prior to the building hereby approved being brought into use a plan shall be submitted for approval which depicts secure cycle parking facilities in close proximity to the main pedestrian entrance to the building. Such facilities shall be installed prior to the occupation of the building.
- Reason: In the interests of encouraging alternative travel modes to the private motor car.
- Prior to being discharged into any watercourse, surface water sewer or soakaway system, all surface water drainage from parking areas and hardstandings shall be passed through trapped gullies installed in accordance with a scheme previously submitted to and approved in writing by the LPA.
- Reason: To prevent pollution of the water environment.
- The surface water run-off from this site shall be restricted to that of the equivalent greenfield run-off rate of 3.5litres per second per hectare of development.
- Reason: To prevent exacerbation of existing flooding problems downstream in the receiving watercourse.
- Building footprint should be located outside of Flood Zone 2 (as detailed in Flood Risk Assessment point 5.0 and site plan, drawing no. 05039/C/102/D dated 06.2005)
- Reason: To protect the development from flooding

Reason for Approval

17. The decision to grant planning permission has been taken having regard to policies GDP1, IN4, IN6, EN23 and TR2 of the Derwentside District Plan, and relevant supplementary planning guidance and material considerations, as detailed in the report to the Development Control Committee. In the view of the Local Planning Authority no other material considerations outweigh the decision to grant permission.

Report Prepared by Mr Charlie Colling, Area Planning Officer

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Application Site

Objector

Erection of two storey side and single storey front extensions incorporating garage (Resubmission)
3 Hazel Grove
Crookgate

07/220

N

RECOMMENDATION FOR APPROVAL

07/0324

11.04.07

Mrs D Clarke

Land to the west of 19
Denesyde, The Dene,
County Durham.

Erection of stable block,
improvements to the surface of
existing access track
(resubmission).

Ebchester and Medomsley
Ward

The Application

1. This application seeks planning permission for the erection of a timber stable block for private use on land to the west of 19 Denesyde, The Dene, near Medomsley. As part of the proposal the applicant wishes to upgrade the existing field access track east of the site which runs from the C132 (Medomlsey to High Westwood road) and to the rear of 13-40 The Dene and 23-30 Denesyde.

History

2. In December 2006 planning permission was granted for the erection of a concrete stable block on land to the west of 19,21 and 23 Denesyde (reference 1/2006/0746/DM).

In 2007 a planning application for the erection of a timber stable block was withdrawn as the applicant intended to carry out upgrading of the access track which would need to form part of the application (reference 1/2007/0243/DM).

Policy

3. The following policies of the adopted Local Plan are relevant in determining this application-

General Development Principles (GDP1)
Development in the Countryside (EN1)
Development and Highway Safety (TR2)
Protection of Rights of Way and Recreational Paths (RE4)

Consultations

4. County Highways Development Control Officer- The junction of the track with the C132 road is narrow, immediately adjoins a bus stop, and has a wholly substandard visibility splay, and in that context it is regrettable that

the opportunity has been missed of ensuring the 2006 permission (for stables) did not extend to commercial use given the latter would be likely to increase vehicular movements to and from the site, to the detriment of highway safety.

I am unclear as to why there is a legitimate need for another stable, thereby totalling 8 loose boxes, when there is to be no commercial use. Neither is it apparent why access is being taken along (and money spent on the surface of) a 300m single lane track when access would appear possible to the north east of the applicant's field, where an adopted road is very close by, or may even immediately abut.

I note however that the applicant has verbally stated that this latest proposal is for private family use only, and subject to this being conditioned in any approval there is little scope for me to lodge an objection that is likely to be sustained. Please note that in the absence of such a condition I recommend that the application be refused.

5. Environmental Health- We would have no adverse comments to make regarding this application.
6. Neighbours have been consulted and a site notice posted and six letters of objection have been received alongside a petition from 101 residents of The Dene whose concerns are summarised as follows:
 - There are 2 possible access points in the estate (at 1 Denesyde and 23 Denesyde) much more suited to vehicular access to these stables than the quiet country lane at the back of our property, subject to Derwentside District Council who own the land, allowing the applicant to do the necessary work for any access.
 - What is the intention for the use of the stables: private or commercial? If planning consent is granted on the basis that it is private what redress would we have if the use eventually became commercial?
 - There should no allowance to use vehicles on the track be it for private or commercial use.
 - If the stables were to be used for commercial purposes and this track is used for access this would raise issues of noise and parking and loss of privacy for homeowners used to the peace and quiet at the back of their homes for which we have bought our properties in the first place.
 - Who would own the track and maintain it?
 - Has the applicant considered the security concerns that owners of properties backing onto the track would have, given that vehicular access is possible that wasn't previously?
 - Is a gate to be erected at the top of the path preventing usage of the track for vehicles other than that of herself? Will pedestrian access be allowed though this gate?
 - Will pedestrian usage of the track still be possible?
 - Who will have right of way when a pedestrian is walking along the track?

- How is the track to be surfaced?
- There is a bus stop at the top of the track, is the applicant aware of safety concerns of a vehicle merging from behind those waiting at a bus stop or of those alighting from the bus to walk down the track.
- There are safety issues concerning a vehicle wanting to turn right at the top of the track when a bus may be stationary at the bus stop?
- It is important to property owners (especially the elderly) at the Dene to have the bus stop exactly where it is at present?
- Is a speed limit to be imposed on vehicles using this track, given that the elderly and young children have been used to using this track.
- Possible structural damage to property from motor vehicles and also possible devaluation of the same properties.
- Horses are not agriculture so this track cannot be put into that category.
- Our living rooms face this lane and we would not like to have traffic going past each day
- There are no lights to light up this lane in the dark nights which is dangerous for access.
- The stables will attract rats which will be a danger to health.
- The traffic will disturb the peaceful nature of the locality.

Officer Assessment

7. This application seeks planning permission for the erection of a stable block within a field currently used for the keeping of horses to the west of 19 Denesyde , The Dene, Medomsley. As part of this application the applicant wishes to upgrade the existing field access track with crushed stone or similar materials. The applicant already has planning permission for the erection of a concrete stable block and tack room adjacent to this proposed stable block.
8. The proposed stable block would measure 12.69m by 4.46m and would be 2.74m in height with a timber and felt pitched roof. The block would be comprised of 4 stables which are intended to accommodate the applicant's family's horses and the intended use of the stables is for private family use only. The stable block would be located approximately 39.5m from the rear gardens of the closest properties at Denesyde and 58m from their rear elevations. The proposed upgrading of the access track would involve importing crushed stone to improve the condition of the track which is to be used to provide easier access to the stables for both vehicles and horses, the access track lies approximately 4m to the south of 9 houses on this estate.
9. The main issues to consider for this application are whether there would be unacceptable impact on the local residential amenity from the stables and upgrading and use of the access, whether the stables are of an appropriate design within the landscape and whether the access is satisfactory and safe for the proposed development.
10. Policy GDP1 seeks to ensure that the amenities of neighbouring occupiers

are protected from the impacts of development. The main potential impacts upon the neighbouring occupiers from the proposed stables would be from odour, noise and visual impact, the main impacts upon the residential amenity from the access upgrade would be from the noise and disturbance associated with horses and vehicles. The stables would be sited an acceptable distance from houses with the openings facing away from the direction of the houses therefore it is considered that any impacts of odour or noise from the stables would not be significant and it should be noted that Environmental Health have not objected to the proposal. In terms of impacts of noise from vehicles and horses using the access track it is recognised that the use of the access track in connection with the stables may increase the traffic using this road to a level greater than when it was previously used as an agricultural field access. However, given the size of the stables and the fact that the stables are only for private and not commercial use the number of vehicles and horses that would use this track would not be considered to be significant and would not give rise to unacceptable levels of noise and disturbance.

11. In terms of visual impact whilst the stables would be visible from 12 properties at Denesyde the positioning of the stables would ensure that the closest houses would look onto the smaller gable end which would have less of a visual impact than the already approved concrete stable block which will when completed would face onto these properties.
12. With regards to the design of the stables Local Plan Policies GDP1 and EN1 seek to ensure that a high standard of design is incorporated which is in keeping with the character and appearance of the area and that the form, mass, layout, density and materials are appropriate to the site's location and serve to maintain or enhance landscape character and are sensitively related to wildlife resources of the area. The stables are a common stable design of an acceptable scale in this valley location which slopes down from the south to the west. The fact that the stables would be located within a valley and that there is an existing tree belt to the south of the site means that the stables would not be visible in the wider landscape from the main roads to Medomsley and to Ebchester with the main views being from the rear of the properties at Denesyde. The siting of the stables adjacent to other stables also reduces the visual impact upon the landscape. The use of the traditional timber material for construction is suitable within this locality. Both the design and location of the stables are therefore considered to be acceptable.
13. Derwentside Local Plan Policy TR2 seeks to ensure that all developments incorporate a clearly defined and safe vehicle access and exit. The applicant proposes to upgrade an existing field access which has access taken from the road that leads from Medomsley to High Westwood. This access has been used by farm vehicles for a number of years but does suffer from a narrow junction which immediately adjoins a bus stop, and the junction also has poor visibility. In response to local concern over the use of this track and comments raised by the County Council's Highways Officer two alternative accesses were suggested to the applicant, one

being access from a former garage site to the side of 23 Denesyde and an existing access track to the north of the site. However the applicant has raised concerns over feasibility of the former garage access and the implications for the neighbour adjacent to this access and of the safety of the second access for horse box vehicles given the drop in levels and flooding that occurs at that site and safety implications for people given that it is the main access for the football pitch and woodland. Whilst the County Council Highways Engineer does have concerns he recognises that the limited private use can be conditioned in connection with these stables and with such a condition there would be no objection from the Highways Officer. Therefore, as other options have been considered but have been found unsuitable for this purpose the use of the existing field access whilst not ideal is considered acceptable providing that a condition is imposed to limit the use of the access track in connection with the stables to private use only.

14. Local Plan Policy RE4 seeks to protect Rights of Way and other recreational paths. It is recognised that the objectors are concerned about the proposed use and prevention of access to this track as it has been used by the community at The Dene for many years. Although the owner of the access may have allowed public access, this track is not a designated Public Right of Way and future access issues should ownership be transferred to the applicant will be a matter for the public to raise with the County Council Rights of Way Section who are responsible for designating Rights of Way. Members should be aware that access disputes are not a material consideration for planning applications.
15. It is therefore considered that the proposed stables and upgrading and use of the access track would not be significantly detrimental to residential amenity or the landscape and the limited vehicular use of the access in connection with the private stables is acceptable in terms of highway safety. The proposals are therefore acceptable and in accordance with Local Plan Policies GDP1, EN1, TR2 and RE4.

Recommendation

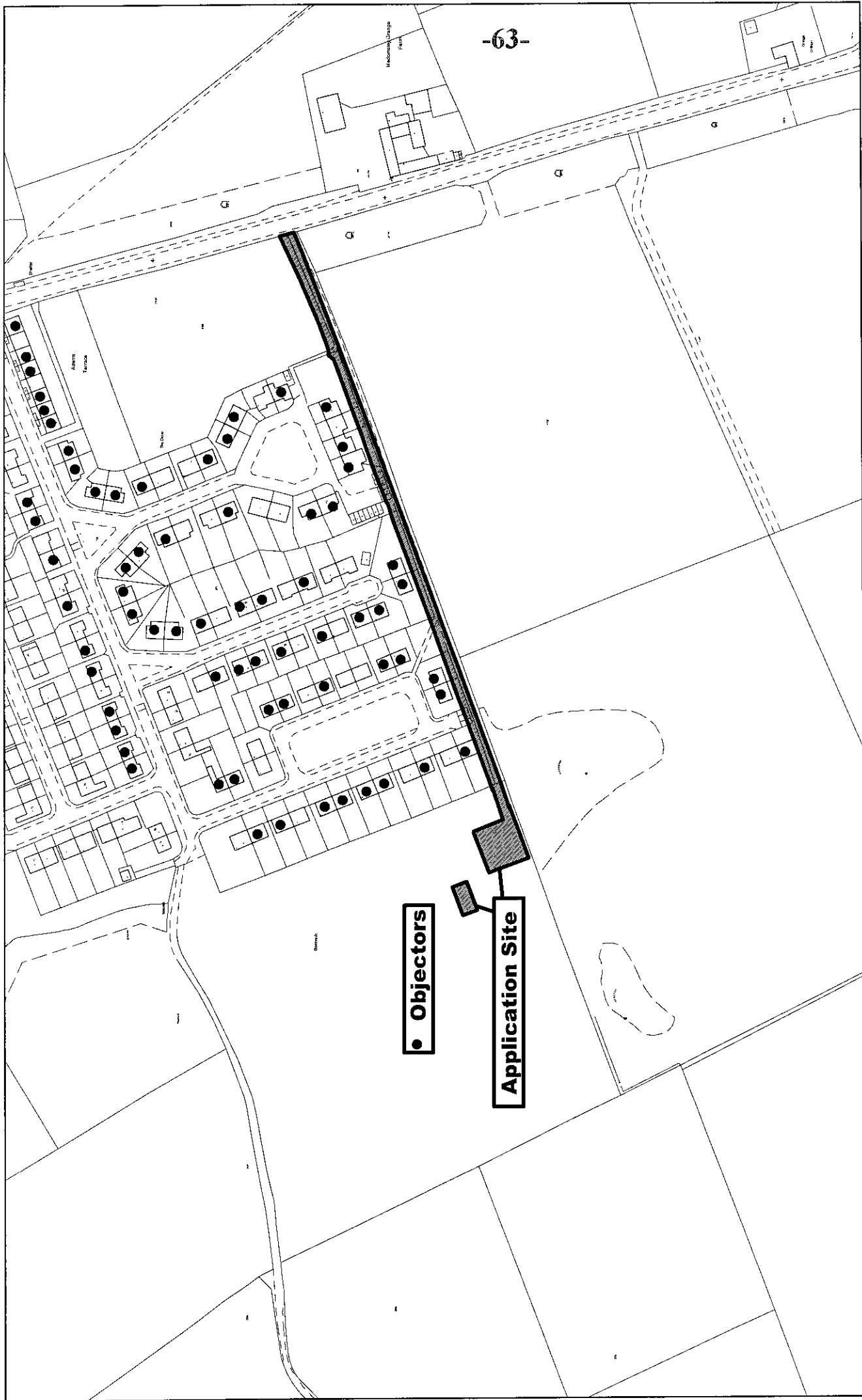
16. Conditional Permission
 - Time Limit (ST)
 - Approved Plans (ST01)
 - This permission relates only to the siting of stables on the application site. No other structures are to be placed on the land without the further written approval of the Local Planning Authority.
 - Reason: In order to prevent further buildings being sited in the land in the interests of the appearance of the area in accordance with Policy GDP1 of the Local Plan.
 - The use of the stables hereby permitted is for personal use and no commercial use of the stables.
 - Reason: In order to define the consent and in the interests of highway safety.

Reason for Approval

17. The proposed stables and upgrading and use of the access track are acceptable and in accordance with Local Plan Policies GDP1, EN1, TR2 and RE4 as neither would be significantly detrimental to local residential amenity, the stables are of an appropriate design within this landscape and the limited private vehicular use of the access is satisfactory for the proposed development.

Report Prepared by Louisa Fleming, Area Planning Officer

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● Objectors

Application Site

Erection of stable block, improvements to the existing access track (Resubmission)
Land to the west of 19 Denesyde
The Dene

07/324

N