

RECOMMENDATION FOR APPROVAL

07/0051	18.01.07
Mr Raymond Emmerton	Brockwell Farm, Durham Road, Lanchester.
Permanent permission for existing log cabin for the sale of agricultural produce	Lanchester Ward

The Application

1. This application seeks planning permission for the permanent retention of an existing log cabin for the sale of agricultural goods at Brockwell Farm Lanchester. The cabin has been on site in the car park area adjacent to the A691 Lanchester to Durham Road since 2005 when it was originally granted temporary planning permission. The wooden cabin measures 6m by 3.65 with the frontage facing up into the valley away from the roadside. Two staff are employed on the site when it is in operation on a seasonal basis.

History

2. In 1993 planning permission was granted for car parking and an access onto the classified road (reference 1/1993/0157/DM).

Retrospective Planning permission for the erection of a building for the sale of agricultural produce was granted in 2005 for a temporary period of 6 months (reference 1/2005/0766/DM).

Temporary planning permission for the retention of the building for a further four months was granted in July 2006 (reference 1/2006/0459/DM).

Policy

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

General Development Principles (GDP1)
Development within Areas of High Landscape Value (EN6)
Agricultural Development (AG3)
Retailing in the Countryside (CO7)

Consultations

4. County Highways Development Control Officer- some form of sales building (or lock up) has been in existence here for a number of years.

There is a protected right turn facility opposite the entrance, on the A691, and sight visibility is good. I am not aware of highway problems having arisen from this facility therefore I have no objection to the application.

5. Environmental Health- have not commented to date (consulted 22nd January 2007).
6. Lanchester Parish Council – Members approved the application subject to such sales being restricted to seasonal sales of soft fruit etc, as in previous years. Also that full account be taken of Page 21 of the Village Design Statement with particular reference to the heading therein – ‘Aspirations’ which states that opportunities should be found through refurbishment or redevelopment to remedy those buildings that have an unsatisfactory appearance. Design Guidelines 4A to 4I apply to this section but need to be applied with great care.
7. Neighbours have been consulted and a site notice posted and one letter of objection has been received from a local resident their concerns are summarised as follows:
 - Permission for the wooden chalet to remain on site was renewed for 4 months only until October 2006 subject to a condition for its removal if no further application was made and granted within that period. The applicant is in breach of this condition. Please will the Council take steps to enforce this condition.
 - The building, being of impermanent materials may deteriorate having an impact upon the visual impact of the area.
 - Its visual impact on the area is significant and adverse. It is sited in a prominent position on an untidy, unattractive car park with its sides and back in full view from the highway A691. This is harmful to the character of this part of the Browney Valley Area of High Landscape Value.
 - The building has no drainage. It is not of sufficient standard to be occupied and used for unlimited hours, on a seasonal basis.

Officer Assessment

8. The main issues to consider in relation to this application is whether the retention of the building and its use would have unacceptable impacts upon local amenity, is necessary for the operation of the farm, whether it would be detrimental to the local landscape which is an Area of High Landscape Value.
9. Local Plan policy AG3 seeks to protect local amenities from agricultural development that causes nuisance. In this instance the cabin farm shop is a significant distance from the nearest housing estate with the closest isolated properties being some 140m away. Given these distances from residential properties and the fact that the location is just off a busy main road with good access and within the same locality as a sewage works the operation is not considered detrimental to residential amenity.

10. Agricultural development such as this should be required for the operational needs of the unit and designed for the purposes of the unit to comply with Local Plan Policy AG3. The wooden log cabin is necessary for the operational needs of this small farm unit in order to provide an area to display and sell the farm goods and to protect both the staff and produce from weather elements.
11. Both Local Plan Policy AG3 and The Village Design statement require farm buildings in the countryside to not form intrusive elements in the countryside and to accord with their surroundings. The building has been designed in appropriate natural materials to blend in with the landscape behind. The building is sited at the bottom of the valley within a car park along a busy roadside with the majority of views coming from the passing traffic, this is considered to be an acceptable location on the site as it is not encroaching into the valley and the surrounding countryside. The concerns of the objector with regard to the prominent siting of the building alongside the main road are noted, however, the building is relatively small and your officers consider it to be fairly unobtrusive. It is located adjacent to the boundary of the site and it would be difficult to argue that its retention would be detrimental to the appearance of the area, or the Area of High Landscape Value.
- 12.

Although the views of the Parish Council are noted it is not considered necessary to restrict the sale of goods to seasonal soft fruits given that such a condition has not been considered necessary before and that there would be no significant greater impact from the sale of other seasonal farm produce than the sale of soft fruits alone and that the building is unlikely to be used all year round but only within the harvesting season. The sale of produce from the farm throughout the year would be at a relatively low level and is considered to be acceptable and would be beneficial to the local economy selling local produce. Policy CO7 of the Local Plan allows limited retail development in the countryside where it is limited to the sale of agricultural produce only with limited ancillary sales. A condition is recommended to restrict the sales from the premises to agricultural produce and ancillary sales only if members are minded to approve the application.

- 13.

The retention of this building and its use on a permanent basis is therefore considered acceptable and in accordance with Local Plan Policies GDP1, EN6, CO7 and AG3 and The Lanchester Village Design Statement.

Recommendation

14. Conditional Permission
 - Retrospective Permission (ST02)
 - The goods to be sold from the premises shall be limited to the retail of agricultural produce grown on land at Brockwell Farm. Any other sales must be ancillary to the sale of the agricultural produce.

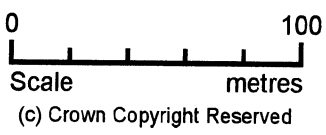
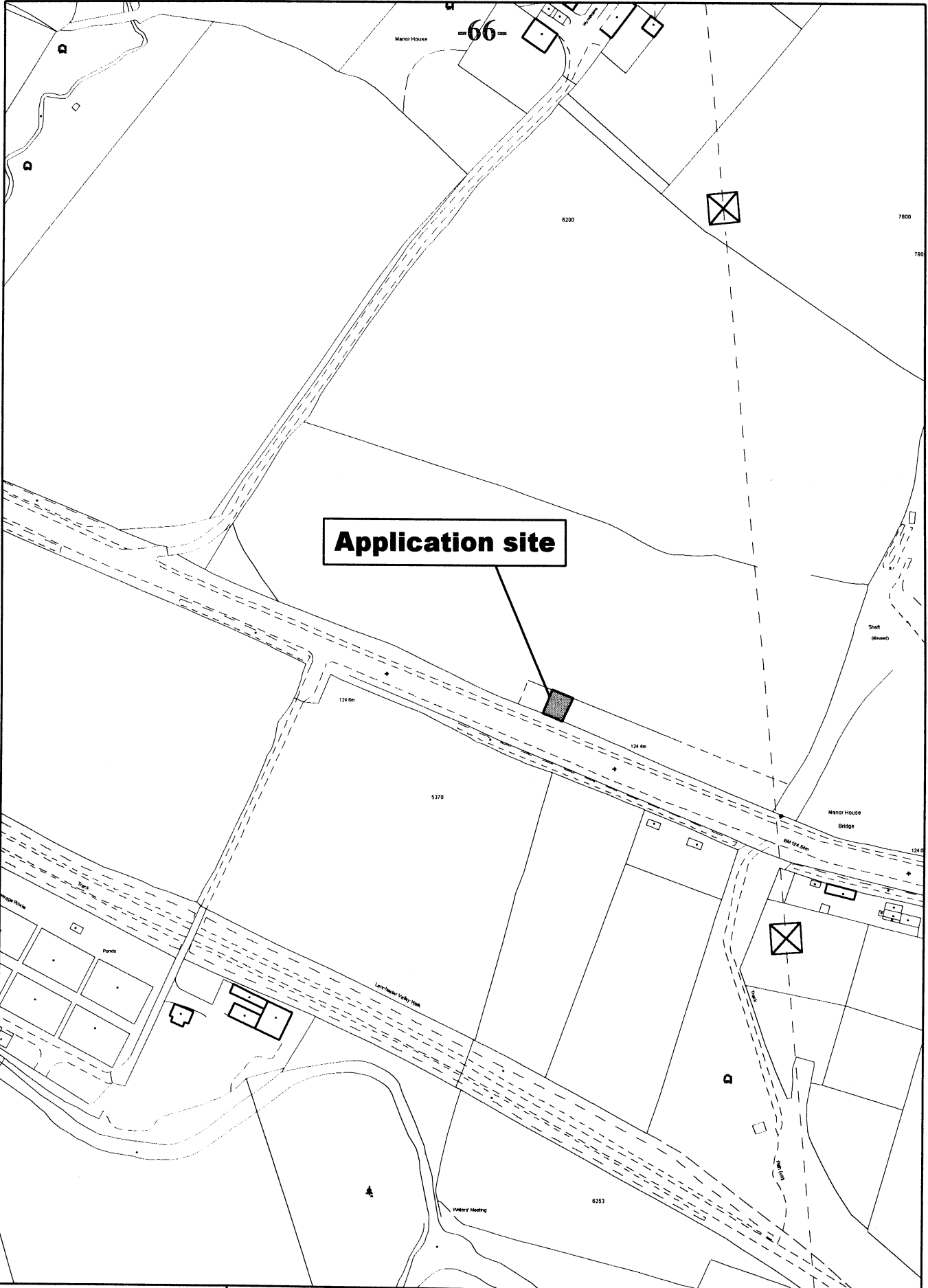
- Reason- To restrict the range of goods sold in order to prevent an inappropriate retail use within the countryside in compliance with Policy CO7.

Reason for Approval

14. The decision to grant planning permission has been taken having regard to policies GDP1, EN6 and AG3 of The Derwentside District Plan and The Lanchester Village Design Statement 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 Louisa Fleming, Area Planning Officer.

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Permanent permission for the sale of agricultural produce
 Brockwell Farm
 Durham Road
 Lanchester

07/051



RECOMMENDATION FOR APPROVAL

07/0096	01.02.07
Mr T Ord and Mr R Ord	Garage site to the South of 14 Palmer Road, Flint Hill
Erection of Two Garages	Dipton Ward

The Application

1. This application seeks permission for the erection of two garages on land to the South of Palmer Road, Flint Hill. The proposed garages would have a combined footprint of 6.934 metres x 6.515 metres, with a height of 2.9 metres to eaves and 5 metres to the ridge. The materials used for the construction of the garages would be brick and tiles to match the existing garage block.

History

2. Planning permission was granted in 1997 for the erection of four garages (reference 1/1997/133/DMFP).

Policy

3. The Local Plan contains the following policies that are relevant to the application:

Policy GDP1 (General Development Principles)
Policy HO19 (Extensions and Alterations to Existing Dwellings)
Policy TR2 (Development and Highway Safety)

Consultations

4. Neighbours have been consulted and a site notice posted. Three letters of objection have been received together with one anonymous e-mail and a 19 name petition (copy attached). Concerns in summary are:
 - The garages would be positioned directly opposite my front window, compromising our privacy inside the house and in the garden.
 - If cars are parked in the street turning access to the garages will be very limited, increasing the risks of accidents and vehicles being damaged.
 - The Four garages currently owned by Mr T Ord are used for commercial and domestic use, and are primarily the base for his Beechway Landscape Business. There is currently a noise issue because of the types of gardening equipment including industrial petrol lawn mowers, strimmers and other landscape gardening equipment that is being used, repaired and tested. Leading to further noise pollution if the garages go

ahead.

- Parking problems in the area.
- The garages would have a major effect on the selling potential of my property.
- Concerns over the ownership of the land.
- There is already enough disturbance with the loading and off-loading of mobile tools to transits and trailers to warrant any further building. These premises and this company would be better suited to a local industrial estate and not a quiet residential area.

5. County Highways Development Control Officer

- No objection subject to a condition regarding the use of a garage door type that doesn't project forward when either closing or opening.
- A Section184(3) vehicular crossing of the highway will be required opposite the new garage entrances.

Officer Assessment

6. The application seeks planning permission for the erection of two garages which would be built adjoining an existing row of four garages. The four existing garages were built in 1997 and are also owned by the applicant. The current proposals would seek to erect a further two garages of the same design and size which would be used for the purpose of storing private motor vehicles. The garages would be designed with pitched tiled roofs and constructed in brick and would be in-keeping with the character of this residential area. Although not strictly an extension or alteration to a dwellinghouse the development would accord with Policy HO19 of the Local Plan.
10. The existing garages have a condition attached which restricts their use to the storing of private motor vehicles only, and for no business or trade purposes. It is therefore recommended that members attach the same condition again to prevent the garages being used for any form of commercial activity which would not be appropriate in this residential area.
14. Some of the objectors are concerned that the existing garages are being used for some commercial activity in relation to the applicants business. Your officers have inspected the garages and can confirm that at the time of inspection, two were occupied by cars another had a small quantity of roof tiles which the applicant indicated would be used for the proposed garages. The final garage contained some clay pigeon equipment, some scaffolding equipment and a cement mixer, along with a small quantity of building materials which the applicant again confirmed would be used solely for the building of the proposed garages. Based upon this evidence it would appear that the garages are not being used for any commercial activity and as all building equipment would be removed once the proposed garages are built this would satisfy the condition attached to the permission previously granted for the existing garages.

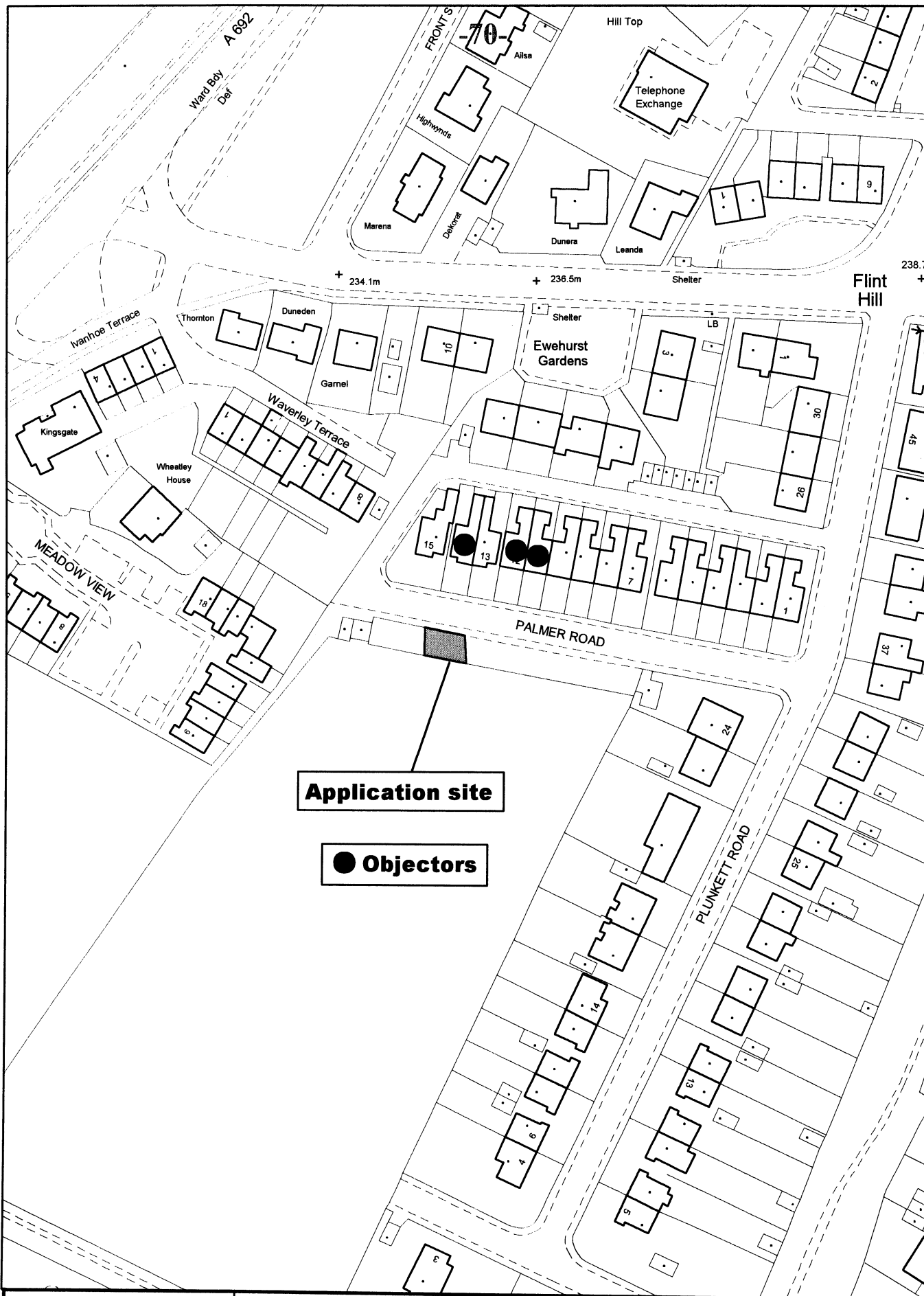
15. Other objections raise concerns regarding potential problems of access to the garages and parking. Whilst it is appreciated that vehicles parked in the street may potentially cause some problems for access to the proposed garages, the highways officer has raised no objection and therefore the application could not be refused on this basis.

Recommendation

15. Conditional Permission
- Approved Plans (ST01)
 - Time limit (ST)
 - Materials (AO5)
 - Private Use (H05)
 - The garage door used in this development shall be of a type which does not project forward when either closing or opening.
 - Reason: In the interests of highways safety in accordance with Policy TR2 of the Local Plan.

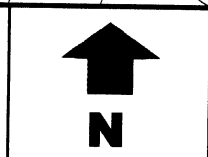
Report prepared by Charlie Colling, Area Planning Officer

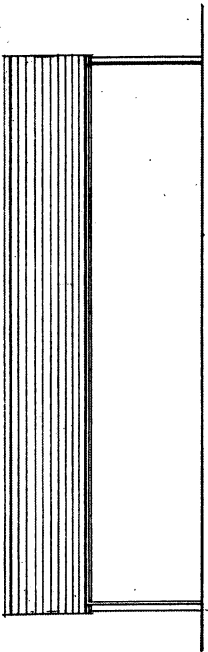
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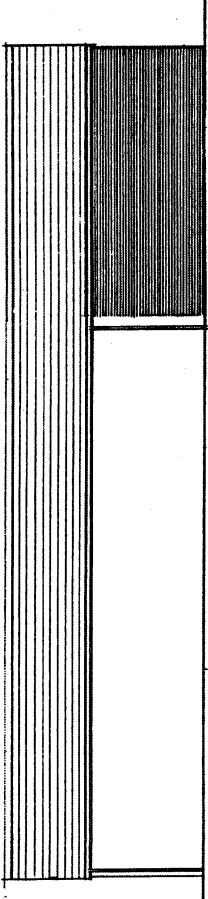
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Erection of two garages
 Garage site south of 14 Palmer Road
 Dipton
 07/096

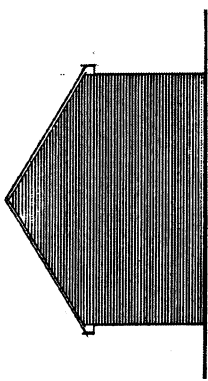




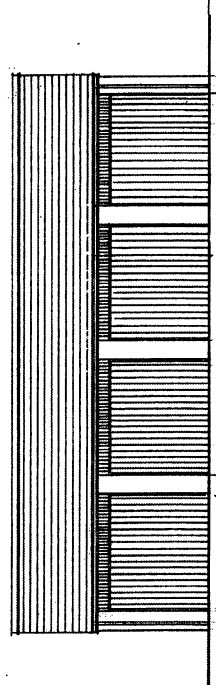
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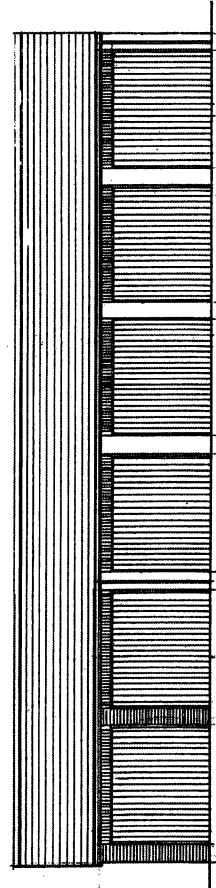
REAR ELEVATION AS PROPOSED



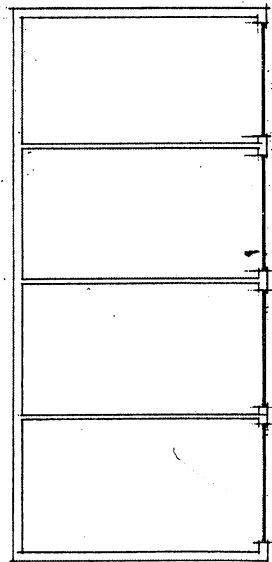
GABLE ELEVATION



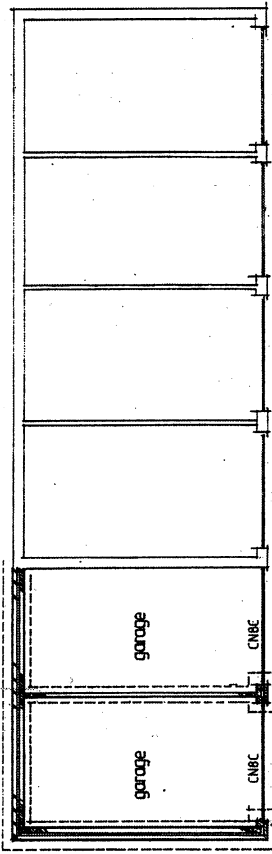
FRONT ELEVATION AS EXISTING



FRONT ELEVATION AS PROPOSED



PLAN AS EXISTING



PLAN AS PROPOSED

Erection of two garages
Garage site to the south of
14 Palmer Road
Dipton 07/096