

COMMITTEE REPORT

Committee: East Area
Date: 14 June 2007
Ward: Strensall
Parish: Earswick Parish Council

Reference: 07/00617/FULM
Application at: Greystones Farm Towthorpe Moor Lane Strensall York YO32 9ST
For: Formation of two ponds for amenity and fishing purposes
By: Mr G Chapman
Application Type: Major Full Application (13 weeks)
Target Date: 15 June 2007

1.0 PROPOSAL

This application seeks planning permission for the creation of two ponds at Greystones Farm which is off Towthorpe Moor Lane in Strensall. The two ponds would be located on a parcel of land which runs adjacent to Towthorpe Moor Lane and is bounded on all sides by mature hedges. The ponds would be used for amenity and fishing purposes by users of the existing caravan park and new customers.

2.0 POLICY CONTEXT

2.1 Development Plan Allocation:

City Boundary York City Boundary 0001

DC Area Teams East Area (2) 0005

2.2 Policies:

CYGB1
Development within the Green Belt

CYGB13
Sports facilities outside settlements

CYNE7
Habitat protection and creation

3.0 CONSULTATIONS

3.1 Internal

Countryside Officer - No objections to the revised plans showing the fishing ponds being moved further away from the roadside and the removal of the bund bordering the site. A condition should be used to ensure a suitable landscaping scheme and to maximise wildlife interest.

Highway Network Management - The development would produce a minimal increase in traffic generation. No objections.

Environmental Protection Unit - No objections.

City Development - No policy objection. The proposal for the creation of two fishing ponds is in conformity with both national and local guidance relating to the Green Belt.

3.2 External

Parish Council - No objections.

York Natural Environment Panel - Approve of the general principles of ponds for fishing, amenity and wildlife. There is potential, by creating the ponds, to enhance the landscape and create a worthwhile recreation resource whilst at the same time increasing biodiversity. The tree mix should better reflect the species in that part of York. Considerations should be given to the density of trees and the proximity to the ponds as Autumn leaves will end up in the pond which could lead to enrichment. Part of the pond bank should be set aside for habitat creation, with no human access. There should be a raised island for waterfowl nesting and shallow areas for invertebrates and amphibians. The pond should be stocked with wildlife friendly species of fish.

Foss Internal Drainage Board - Comments pending on revised plans.

Response to Site Notice - No correspondence received.

4.0 APPRAISAL

4.1 Key Issues:

- Principle of development in the Green Belt
- Impact on landscape character of the area
- Highway issues

4.2 Local Plan Policies:

- Policy GB1 states that within the Green Belt, planning permission for development will only be granted where the scale, location and design of such development would not detract from the open character of the Green Belt and it is for one of a number of purposes including essential facilities for outdoor sport and outdoor recreation.
- Policy GB13 which refers to sports facilities outside settlement limits, requires that proposals for the development of ancillary facilities will have to demonstrate that very special circumstances exist and the facilities are essential to supplement the outdoor sports provision; and there are no opportunities to provide the built facilities in adjacent settlements; and any new buildings or structures do not detract from the openness of the Green Belt.
- Policy NE7 stipulates that development proposals will be required to retain important natural habitats and, where possible, include measures to enhance or supplement these and to promote public awareness and enjoyment of them.

4.3 The Application Site - Greystones Farm has expanded its operations and diversified into new areas in recent years. This has included a nine hole golf course and a golf driving range, a caravan park, and holiday lets. The whole site is accessed from a single access road off Towthorpe Moor Lane. Greystones Farm has an existing car park for visitors located near the golf driving range club shop.

4.4 The Proposal - The proposal is to create two ponds to be used for amenity and fishing purposes. The ponds would be located side by side on a piece of land at the front corner of Greystones Farm next to the access road and Towthorpe Moor Lane. Two ponds of irregular shape are proposed with a small island in the middle of them. Existing trees and hedges are to be retained with new green planting proposed for the site. Car parking for day visitors is to be available adjacent to the site on an existing gravelled area. This can accommodate up to 15 cars. Overspill parking is available at the main car park located close to the golf driving range. There would be approximately 20 fishing positions around the ponds. It is anticipated that the majority of users of the ponds would be existing users of the site, predominantly those staying at the caravan park.

4.5 Principle of development in the Green Belt - Greystones Farm is located within York Green Belt. Outdoor sport and recreation is one of the land uses within the Green Belt which is considered acceptable. There are no ancillary facilities associated with the fishing ponds. Changing and toilet facilities are already available at the golf driving range and therefore no new structure is needed which could harm the openness of the Green Belt. The fishing ponds have the potential for providing a sporting facility whilst enhancing the landscape and biodiversity quality of the area without conflicting with the purposes of including land within the Green Belt.

4.6 Impact on the landscape character of the area - The proposal uses an existing access track and gravel car park. The pond has been designed to appear as a natural feature with an irregular shape and it would sit well within the landscape with existing hedges and trees retained and new green planting incorporated in the plans. A condition can be included with any approval to ensure that suitable green landscaping is provided on site.

4.7 Highway issues - Approximately 20 fishing spots would be available at the pond. It is considered that a proportion of users of the ponds would be people who use Greystones Farm already for golfing or are staying at the caravan park. The ponds would attract some new customers to the site, however given the modest availability of fishing spots it is not considered that the proposal would have significant highway implications.

5.0 CONCLUSION

No significant harm to the landscape value of the area or the Green Belt.

6.0 RECOMMENDATION: Approve

1 TIME2

- 2 The development hereby permitted shall be carried out only in accordance with the following plans:-

Revised Plan Number C29/02/02 A received by The CoYC on 08/05/07

or any plans or details subsequently agreed in writing by the Local Planning Authority as amendment to the approved plans.

Reason: For the avoidance of doubt and to ensure that the development is carried out only as approved by the Local Planning Authority.

- 3 No development shall take place until there has been submitted and approved in writing by the Local Planning Authority a detailed landscaping plan which shall illustrate the number, species, height and position of trees and shrubs. The plan should show how the landscaping and green planting would add to the wildlife interest within the site. This scheme shall be implemented within a period of six months of the completion of the development. Any trees or plants which within a period of five years from the completion of the development die, are removed or become seriously damaged or diseased shall be replaced in the next planting season with others of a similar size and species, unless alternatives are agreed in writing by the Local Planning Authority.

Reason: So that the Local Planning Authority may be satisfied with the variety, suitability and disposition of species and for the promotion of wildlife habitat at the site.

- 4 ARCH2

7.0 INFORMATIVES: Notes to Applicant

1. REASON FOR APPROVAL

In the opinion of the Local Planning Authority the proposal, subject to the conditions listed above, would not cause undue harm to interests of acknowledged importance, with particular reference to the impact on the landscape character of the area and the Green Belt. As such the proposal complies with Policies GB1, GB13, and NE7 of the City of York Draft Local Plan.

2. Demolition and Construction - Informative

If, as part of the proposed development, the applicant encounters any suspect contaminated materials in the ground, the Contaminated Land Officer at the council's Environmental Protection Unit should be contacted immediately. In such cases, the applicant will be required to design and implement a remediation scheme to the satisfaction of the Local Planning Authority. Should City of York Council become aware at a later date of suspect contaminated materials which have not been

reported as described above, the council may consider taking action under Part IIA of the Environmental Protection Act 1990.

The developer's attention should also be drawn to the various requirements for the control of noise on construction sites laid down in the Control of Pollution Act 1974. In order to ensure that residents are not adversely affected by air pollution and noise, the following guidance should be attached to any planning approval, failure to do so could result in formal action being taken under the Control of Pollution Act 1974:

1. All demolition and construction works and ancillary operations, including deliveries to and despatch from the site shall be confined to the following hours:

| | |
|--|----------------|
| Monday to Friday | 08.00 to 18.00 |
| Saturday | 09.00 to 13.00 |
| Not at all on Sundays and Bank Holidays. | |

2. The work shall be carried out in such a manner so as to comply with the general recommendations of British Standards BS 5228: Part 1: 1997, a code of practice for "Noise and Vibration Control on Construction and Open Sites" and in particular Section 10 of Part 1 of the code entitled "Control of noise and vibration".

3. All plant and machinery to be operated, sited and maintained in order to minimise disturbance. All items of machinery powered by internal combustion engines must be properly silenced and/or fitted with effective and well-maintained mufflers in accordance with manufacturers instructions.

4. The best practicable means, as defined by Section 72 of the Control of Pollution Act 1974, shall be employed at all times, in order to minimise noise emissions.

5. All reasonable measures shall be employed in order to control and minimise dust emissions, including sheeting of vehicles and use of water for dust suppression.

6. There shall be no bonfires on the site.

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