

Agenda Item A7	Committee Date 20 April 2009	Application Number 09/00024/CU
Application Site Berrys Farm Conder Green Road Conder Green Lancaster	Proposal Change of use of agricultural land to form commercial fishing lake	
Name of Applicant Mr T Lawson	Name of Agent Mrs Julia Pye	
Decision Target Date 7 May 2009	Reason For Delay None	
Case Officer	Mr Martin Culbert	
Departure	No	
Summary of Recommendation	Grant permission with conditions.	

1.0 The Site and its Surroundings

- 1.1 The site is located on the north side of the road between Galgate and Conder Green, to the west of the access road junction to Parkside Farm and adjacent to the existing holiday cottage barn conversion development at Berry's Farm. The site is a relatively flat open field surrounded by hedgerows and further open fields, on the edge of the wider River Conder floor plains. The surrounding land rises to the north and east but is flat to the south and west.

2.0 The Proposal

- 2.1 This proposal is a full application to excavate and develop two small lakes, (Total area: 3 acres), for the purposes of recreational fishing but on a commercial basis to aid the agricultural diversification of the applicants holding. Revised plans have been requested with both lakes located towards the western side of the site where the land is very flat and the boundary hedges will provide screening. Gentle mounds of 1-1.5 metres in height will be erected around the southern sides of each lake, feathered out into the surrounding field, with small areas of grouped tree/shrub planting to give a natural appearance to the development. Access would be directly from Berrys Farm, across the intervening existing 5 van certified caravan site field, all parking would be within the existing farm yard area on existing hard standing and would utilities the existing vehicular access. The land surrounding the lakes would continue to be grazed by sheep and cattle to retain character and quality of landscape.

3.0 Site History

- 3.1 The site has no relevant planning history.

4.0 Consultation Responses

4.1 The following responses have been received from statutory consultees:

Statutory Consultee	Response
County Highways	No objections subject to access visibility improvements.
Environment Agency	No objection subject to the site being surveyed for newts.
Environmental Health	No objections.

5.0 Neighbour Representations

5.1 No third party representations have been received within the statutory consultation period.

6.0 Principal Development Plan Policies

6.1 The principal development plan policies are Lancaster District Local Plan (2004) Saved Policies E4, which seek to protect the designated Countryside Area from inappropriate development; and E21, which promotes agricultural diversification in the form of business and tourism uses.

7.0 Comment and Analysis

7.1 In its revised form, this is a relatively minor development on the edge of Conder Flood Plain. In this location the landscape impact will be minimal and being located just outside and above the defined flood area of the river, will not interface with river flood flows or generate other flood risk issues. Being a very low key use, the proposals are not likely to have any significant impact on the residential amenities of the nearby dwellings at Conder House or Parkside Farm. All surplus excavation arising will be used within the holding to fill existing man made hollows created by previous agricultural drainage works etc to restore the agricultural workability and landscape quality of the holding.

8.0 Conclusions

8.1 It is considered that this proposal is compliant with development plan policies and can be supported.

Recommendation

That Planning Permission **BE GRANTED** subject to the following conditions:

1. Standard full Planning Permission.
2. Amended Plans
3. Development and use to be retained and operated by the occupier of Berrys Farm in conjunction with the operation of the associated agricultural holding, 4 holiday cottages and certificated 5 van caravan site.
4. Development in accordance with approved plans.
5. Ecological survey and mitigation measures to be agreed.
6. Landscaping, access paths, gates and fences to be agreed.
7. Maximum number of fishing pegs to be agreed.
8. Details of any fishing peg structures to be agreed.
9. All car parking to take place within the walled farm yard.
10. Access visibility to be improved.
11. Motor cycle, cycle parking and disabled spaces to be agreed.

Human Rights Act

This recommendation has been reached after consideration of the provisions of The Human Rights Act. Unless otherwise stated in this report, the issues arising do not appear to be of such magnitude to override the responsibility of the City Council to regulate land use for the benefit of the community as a whole, in accordance with national law.

Background Papers

1. None.