

Objection to Planning Application:  
07/2020/00774/FUL

at

TURBARY HOUSE NURSERY, CHAINHOUSE LANE,  
WHITESTAKE, PR4 4LB.

**Original Description:**

Proposed redevelopment for open storage (Use Class B8), caravan storage (Use Class B8), caravan site (Sui Generis) and recreation (Use Class E).

**Amended to:**

07/2020/00774/FUL | Proposed redevelopment for open storage (Use Class B8), caravan storage (Use Class B8), caravan site including erection of ancillary building (Sui Generis) and recreation (Use Class E), change of use of existing building to workshop/storage (Use Class B2/B8) and ancillary caravan site/recreation use (Sui Generis), retention of existing building for log store and processing (Class E), and siting of static caravan as ancillary office to existing birds of prey centre (Sui Generis). AMENDED DESCRIPTION | Turbary House Nursery Chain House Lane Whitestake Preston Lancashire PR4 4LB

Objection Submitted by:

Mr and Mrs Keller, 80 Newgate Lane, Whitestake, Preston, PR4 4JU

Re-submission: February 2021, in response to the applicant's updated description and the Planning Enforcement Officer's response to current breaches of the CLEUD (attached).

***“...the submission of the application helps hand the Council back some control over the site through the formal planning permission, allowing the authority to attach suitable conditions to control the future impact on the openness of the Green Belt, which they currently have limited control over.”***

(Mr. Kenworthy, Planning Statement, 8.9)

***“...through attain(ing) a planning permission for the site, it will allow the council to attach suitable planning conditions to any approval to control the site in the future, whether from an amenity perspective, or to help control future impact on the openness of the Green Belt. The site is currently unrestricted in this sense.”***

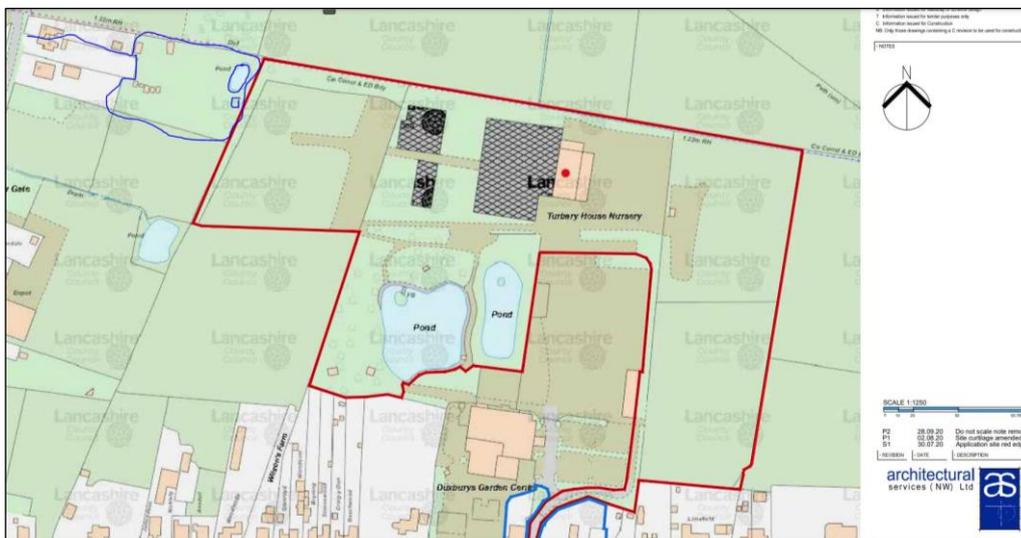
(Mr. Kenworthy, Planning Statement, 8.1.5)

# Contents

Planning Application Context .....	page 4
Turbary House Nursery planning breaches .....	page 5
Inaccurate statements on the Planning Application .....	page 12
Planning Application – Overview .....	page 14
Planning Policy .....	page 19
Evaluation of Policy .....	page 22
Conclusions and Recommendations .....	page 37
Appendix 1: Photos of pond and wildlife zone in progress at adjoining property .....	page 41

# Planning Application Context

The proposed Application Site borders our property, 80 Newgate Lane, PR4 4JU as outlined blue (top left) on the plan below. The site is close to other gardens on Newgate Lane and Chain House Lane. This site is Green Belt and the west of the site forms a **key wildlife corridor** linking a number of ponds, which support a wide variety of species, in addition to providing a habitat for deer and hedgehogs. We were granted Planning Permission in May 2020 to develop a pond and wildlife zone, directly next to the Turbary House Nursery western border. The fields that comprise the west and east of the site remain true 'Green Belt' and are an important part of the peace, quiet and darkness of the residential amenity of ourselves and our neighbours.



This Planning Application is eclectic, and proposes over-development and geographical spread of the site, incorporating a number of uses, introducing B2 (change of use of building), Class E (log processing) and Sui Generis (touring caravan site, static caravan use) to the site. This increases the industrial use of the site and opens the possibility of automatic rights to C3 dwelling house use via the current General Permitted Development Order (GDPO), September 2020.

As residents of Newgate Lane, and bordering the western edge of the proposed site, we have experienced **noise disturbance, loss of privacy and a visible, ugly site** since the CLEUD was granted in 2018, affecting our residential amenity on a daily basis. This has led to two Planning Enforcement visits to Turbary House Nursery, identification of breaches of Planning Permissions, and consequent enforcement actions.

Having experienced this disturbance for 2.5 years, we ask the Planning Committee to consider our points and recommendations in this document **very seriously**, especially in relation to any permission that is granted to the west of the proposed site, our (wildlife

zone) border with Turbary House Nursery and the eastern part of the site which is currently undeveloped.

## **Turbary House Nursery Planning Breaches**

The current Planning Application is based strongly on the CLEUD that was granted to Turbary House Nursery in 2018. All elements of the Planning Application build on this CLEUD and it forms the key rationale for further development of the site.

This CLEUD was granted for B8 use (storage). There have been a **number of breaches of this CLEUD** since 2018; these have led to enforcement action by the South Ribble Planning Enforcement team in February 2020 and December 2020.

This is important as it demonstrates:

- 1) The applicant is prone to breaches of Planning Permission;
- 2) The existing site use has already proven to be detrimental to the residential amenity of neighbours.
- 3) A disregard for the integrity of the Green Belt.

An Enforcement Officer from South Ribble Borough Council (SRBC) wrote a report with recommendations for the existing site in February 2021 (attached). These recommendations have vaguely been incorporated into the current Turbary House Nursery Planning Application (07/2020/00774/FUL) via a **change of description only** (see cover page of this document), rather than by updating the Planning Statement with the detail requested.

We feel that the enforcement recommendations have been dealt with lightly by Turbary House Nursery, and need to be explored fully as part of this application. Please see our comments below. Points in italics are the recommendations of the Planning Enforcement Officer, followed by our comments:

- *“There is an extension outside of the area of the CLEUD for the storage of tankers. ... the extension of the use outside of the area of the CLEUD is a breach and I have been informed that this it to be returned to agricultural, (or nil use), as part of application 07/2020/00774/FUL for the proposed re-development of the site.”*

This is the part of the proposed site at the most westerly point. The Turbary House Application Statement **has not been updated** to specify this field as agricultural (or nil use) and this needs to be documented as part of any planning permission in this area. Otherwise, this field could become an extension of any activity at the western most edge of the proposed plan (proposed touring caravan site).

The B8 use here (storage of tankers) involves sewage tankers moving in and out of the site regularly and on a daily basis. It is a noisy site, with the noise of reversing vehicle alarms and cleaning/processing of sewage (which smells). **We welcome the proposal to move this activity further the east, as proposed in the Planning Application, as this will relieve residents of the noise and smells. It will return privacy to our property.**

- A static caravan on the western part of the site often is lit overnight and we believe it may be used for residential use. The light from this caravan is visible from our house; previously, the Turbery site was completely dark at night. This was investigated by the South Ribble Enforcement Officer and a recommendation has been made that this caravan “*would require permission for continued permission. It is detailed on the plan as part of 07/2020/00774/FUL for the proposed re-development of the site. However, its use needs to be made clearer as part of the application.*”

Precise written detail as to this caravan’s situation and use has not been provided by Turbery House Nursery. It is shown on the existing site plan (circled in blue below):



... and is shown in a different position in the proposed plan (see below): This static caravan is not referred to in the Planning Statement. The only update to the application is in the amended description to: “...siting of static caravan as ancillary office to existing birds of prey centre (Sui Generis).” The precise situation and use of this ‘office’ needs to be specified and the use categorised as: **047G - CARAVAN PARKS (LEISURE)** (Sui Generis is too general), to avoid any further breach, should planning permission be granted. This will ensure that the static caravan is not used for residential use, and that the classification granted is **not Sui Generis**, which could allow automatic change of use to C3 (dwelling house).



- Following our complaint of loud, regular noise coming from the site, South Ribble’s Enforcement Officer states: *“Mr Kenworthy showed me to an area **further within** the site that they have used as storage for over ten years including for the **processing of logs**. They say that this activity **does in fact take place regularly**, I have advised therefore that this activity should be included on application 07/2020/00774/FUL or in the alternative as a separate CLEUD application. The response was to include this use without prejudice as part of 07/2020/00774/FUL.”*

Mr. Kenworthy has amended the description to include Class E use: “...retention of existing building for log store **and processing** (Class E)”. The Planning Statement **has not been updated** with any further details.

**This activity has been a constant source of noise pollution since 2018, when the CLEUD was granted.** Prior to 2018, there was no noise from the site. We have provided SRBC with several short videos to illustrate the level of noise from this activity. We ask that this B2 use for the processing of logs be rejected, or moved even further away from residential receptors and strongly regulated. The precise situation and use needs to be specified and noted, to mitigate any further breach of planning permission, and any further impact on residential amenity.

- There has been wider noise pollution from this site *since the CLEUD was granted* and this is likely to be from the ‘repair’ of fairground equipment on the site. It sounds like scaffolding being thrown. South Ribble’s Planning Enforcement Officer writes: *“The fairground equipment appears to **be outside the area of the CLEUD** however the owner has advised it is storage only and there is no evidence of repairs taking place. I have advised that this area be included for storage as part of the new application or that the fairground equipment be moved to the newly proposed storage areas on the east side as part of application 07/2020/00774/FUL. Actions Required – as advised above – Mr Kenworthy to clarify his position on this proposal.”*

Mr. Kenworthy has not clarified his position on this proposal. As it stands, Mr. Kenworthy’s Planning Statement contradicts his own testimony to the Planning Enforcement Officer that the fairground equipment is ‘storage only’. The Planning Statement describes this use as: “...for **maintenance** and storage of fairground

rides.” It is the noise pollution and impact on residential amenity from this ‘maintenance’ that needs to be addressed by the Planning Committee. Based on Mr. Kenworthy’s account to the Planning Enforcement officer, the ‘repairs’ or ‘maintenance’ need to be taken out of any planning permission, and this activity moved (as the Planning Enforcement Officer suggests) to the ‘east side’, away from its current position and with restrictions in place to mitigate further breaching of any planning permission.

- As a major breach of planning policy, **a new road has been built on the site** (2020), running along the site (west to east), and along the full eastern edge of the site to the road junction of Chain House Lane. The building of this road is fully documented on the Turbary House Nursery facebook page with photos and videos. The Planning Enforcement Officer recommends that:

*“The road is included as part of application 07/2020/00774/FUL.*

*Action required – as proposed as part of application 07/2020/00774/FUL.”*

The picture below shows the road in construction:



The picture below, from the Risk Assessment attached to this Planning Application, shows the extent of the new road (green arrows); it is described as the ‘Site Access Road’ (built Spring 2020).



**Figure 1: Site Zone Plan**

**This road was built without planning permission and this application does not seek permission for building this road.** Current local and national Planning Policy would not have allowed the building of a road within the Green Belt. This needs to be addressed by the Planning Committee. Mr. Kenworthy makes no mention of this road in his Planning Statement, as requested by the Planning Enforcement Officer, which inaccurately states:

5.8 Parking and Access

*“As discussed, the access to the site will remain as per the existing arrangement, which has proved to be a safe point egress over numerous years.”*

**In addition, the building of this road brings into question the applicant’s intention for future use of the site.**

- Clay pigeon shooting. The current application includes this activity as part of the proposed recreation use. The applicant has **already installed this facility** and it has been operating since September 2020. Please see the website and facebook pages:

<http://turbaryhouselaserclay.co.uk/>  
<https://www.facebook.com/pages/category/Sports---Recreation/Turbary-House-Laser-Clay-111902727309214/>

The website shows a key target group for this activity is stag parties. This is the first photo on the facebook site, dated 2<sup>nd</sup> September 2020:



The Planning Enforcement Officer states, February 2021:

*“Clay Pigeon Shoot on the east side.*

*This activity is a laser clay pigeon shoot and is included as part of application 07/2020/00774/FUL*

*Action required – as proposed as part of application 07/2020/00774/FUL.”*

The Applicant has falsely declared on the application form that any work or change of use has **not** been started. The clay pigeon shooting facility is up and running; log sawing has been taking place for approximately 2 years; a new road has been built:

<b>5. Description of the Proposal</b>	
Please describe details of the proposed development or works including any change of use.	
If you are applying for Technical Details Consent on a site that has been granted Permission In Principle, please include the relevant details in the description below.	
Proposed redevelopment for open storage (Use Class B6), caravan storage (Use Class B6), caravan site including erection of ancillary building (Sui Generis) and recreation (Use Class E), and change of use of existing building to workshop/storage (Use Class B2/BB) and ancillary caravan site/recreation use (Sui Generis).	
Has the work or change of use already started?	<input type="radio"/> Yes <input checked="" type="radio"/> No

The Planning Enforcement Officer concludes (letter, Feb 2021):

***“... it is clear that a number of breaches in planning control are taking place on site however, where such breaches have been identified as taking place, they have been discussed in detail and are to be addressed as part of the wider application for the proposed redevelopment of the site. In respect of this, it should be noted that whilst the owner proposes to regularise some of the outstanding breaches within the wider application for the proposed re-development of the site, there is no guarantee that planning permission will be given and they will be***

*assessed against both local and national planning policy against the restraints afforded by the Green Belt location.”*

It is clear that the Applicant has not acted fully on the advice of the Planning Enforcement Officer (see above); he has not addressed the planning breaches other than alter the planning description and he has not mentioned the building of a road across the site.

Since the CLEUD was granted in 2018, the noise from the site has consistently affected our, and our neighbours’, residential amenity, with vehicles coming and going, wood sawing and vehicle cleaning on both weekdays and weekends, the maintenance/repair of fairground equipment. The noise is so loud sometimes that we can’t hear each other speak in our garden. Please note that this has been also recognised by the South Ribble Planning team and we are pleased to note that this is to be addressed via this planning application: in the Turbary Planning Statement, pre-planning advice has led to the directive that the B8 use (tanker storage) is being relocated from the western edge, **“away from existing residential receptors.”** (4.3, p9).

**We would ask the Planning Committee to pay particular attention to this clause, especially as the applicant proposes to replace the current B8 use with a 27-berth touring caravan site, toilets, shower and laundry facilities.**

## Inaccurate statements on the Planning Application

The Applicant has made a number of false statements in his planning application form:

- A) The Applicant states that none of the proposed activities are currently taking place, whereas in fact he has built a new road, begun the clay pigeon shooting activity, is already undertaking B2 use (wood sawing).

**5. Description of the Proposal**

Please describe details of the proposed development or works including any change of use.

If you are applying for Technical Details Consent on a site that has been granted Permission In Principle, please include the relevant details in the description below.

Proposed redevelopment for open storage (Use Class B8), caravan storage (Use Class B8), caravan site including erection of ancillary building (Sui Generis) and recreation (Use Class E), and change of use of existing building to workshop/storage (Use Class B2/B8) and ancillary caravan site/recreation use (Sui Generis).

Has the work or change of use already started?  Yes  No

- B) The Applicant states that there is no contaminated land. The Risk Assessment attached to this Planning Application outlines 'significant pollutant linkages' on this site (see p.22, 5.6 onwards)

**6. Existing Use**

Please describe the current use of the site

Open storage and agricultural.

Is the site currently vacant?  Yes  No

**Does the proposal involve any of the following? If Yes, you will need to submit an appropriate contamination assessment with your application.**

Land which is known to be contaminated  Yes  No

Land where contamination is suspected for all or part of the site  Yes  No

A proposed use that would be particularly vulnerable to the presence of contamination  Yes  No

- C) The Applicant has falsely answered 'no' to the question about new access from the public highway?

**8. Pedestrian and Vehicle Access, Roads and Rights of Way**

Is a new or altered vehicular access proposed to or from the public highway?  Yes  No

Is a new or altered pedestrian access proposed to or from the public highway?  Yes  No

Are there any new public roads to be provided within the site?  Yes  No

Are there any new public rights of way to be provided within or adjacent to the site?  Yes  No

Do the proposals require any diversions/extinguishments and/or creation of rights of way?  Yes  No

D) The Applicant has ignored the 'good' ecological assessment:

**12. Biodiversity and Geological Conservation**

Is there a reasonable likelihood of the following being affected adversely or conserved and enhanced within the application site, or on land adjacent to or near the application site?

To assist in answering this question correctly, please refer to the help text which provides guidance on determining if any important biodiversity or geological conservation features may be present or nearby; and whether they are likely to be affected by the proposals.

a) Protected and priority species:

Yes, on the development site

Yes, on land adjacent to or near the proposed development

No

b) Designated sites, important habitats or other biodiversity features:

Yes, on the development site

Yes, on land adjacent to or near the proposed development

No

c) Features of geological conservation importance:

Yes, on the development site

Yes, on land adjacent to or near the proposed development

No

E) The Applicant is asking for industrial and commercial use (wood sawing, B2), yet answers 'no' to the question about industrial or commercial activities:

**20. Industrial or Commercial Processes and Machinery**

Does this proposal involve the carrying out of industrial or commercial activities and processes?  Yes  No

Is the proposal for a waste management development?  Yes  No

If this is a landfill application you will need to provide further information before your application can be determined. Your waste planning authority should make it clear what information it requires on its website

**21. Hazardous Substances**

Does the proposal involve the use or storage of any hazardous substances?  Yes  No

F) In addition, there is no response to the question about foul sewage:

**13. Foul Sewage**

Please state how foul sewage is to be disposed of:

## Planning Application - Overview

It is evident from the proposed site plan that the Applicant wishes to **significantly develop the site and increase the geographical spread**. There are three new classes proposed: B2, Class E, Sui Generis, which will increase the type of activity (industrial, tourism) and pave the way for further development (current potential for automatic upgrade to C3, dwelling houses, for Sui Generis and B2). The proposal will create an intensified over developed site which will lead to both social and environmental problems (breaching both national and local planning policy).

1. The material increase in size of the Application Site will lead to **the merging of Farington and Penwortham** (by developing the eastern and western parts of the site). As such the proposed application breaches Local and National Planning Policy.
2. The description of the proposed development in the Planning Statement at 5.1 **makes no reference of the change of use from B8 to B2**. B8 and B2 use are significantly different. B8 use is outdoor storage and is currently permitted under the existing CLEUD. B2 use is for industrial processes. This significantly changes the character of the site, adds to the impact on residential amenity and is unsuitable for Green Belt.
3. The application also introduces Class E use (recreation) and two Sui Generis classifications. Both Class E and Sui Generis (touring caravan site and ancillary building; static caravan) currently benefit from a General Permitted Development Order (GDPO) which permits change of use to C3 (dwelling houses). **This would potentially allow the applicant to build dwelling houses** at the western and eastern areas of the site, the Green Belt areas currently grassed and unused.

Class E has several sub-categories. The most likely to apply to this application is:

- **E(g)(iii)** Industrial processes (log processing)

Please note that this category **E(g)** can only “be carried out in a residential area **without detriment to its amenity:**” The Planning Enforcement Officer and Mr. Kenworthy have already recognised the noise disturbance caused by log processing and its impact on residential amenity and this permission should be refused.

4. The touring caravan site is proposed to replace the current B8 activity (sewage tanker business). This part of the site is too close to residents; this part of the site needs to be de-contaminated and rewilded and permission for the touring caravan site refused.

- The planning application introduces tarmac to a **large part** of the site (see images below showing the existing site and proposed site. Grey shading on the right hand image show where the tarmac is proposed):



It is unusual to tarmac a touring caravan site and a caravan storage site; these are typically grassed areas. **Both of these areas should remain grassed, or returned to grass.** This will allow the applicant to protect and conserve the biodiversity of this Green Belt site through this application, in line with the **Central Lancashire Core Strategy (Policy 19, Policy 21 and Policy 22)**. Please see also **Policy 29** with regard to the risk of flooding that the introduction of so much tarmac would create.

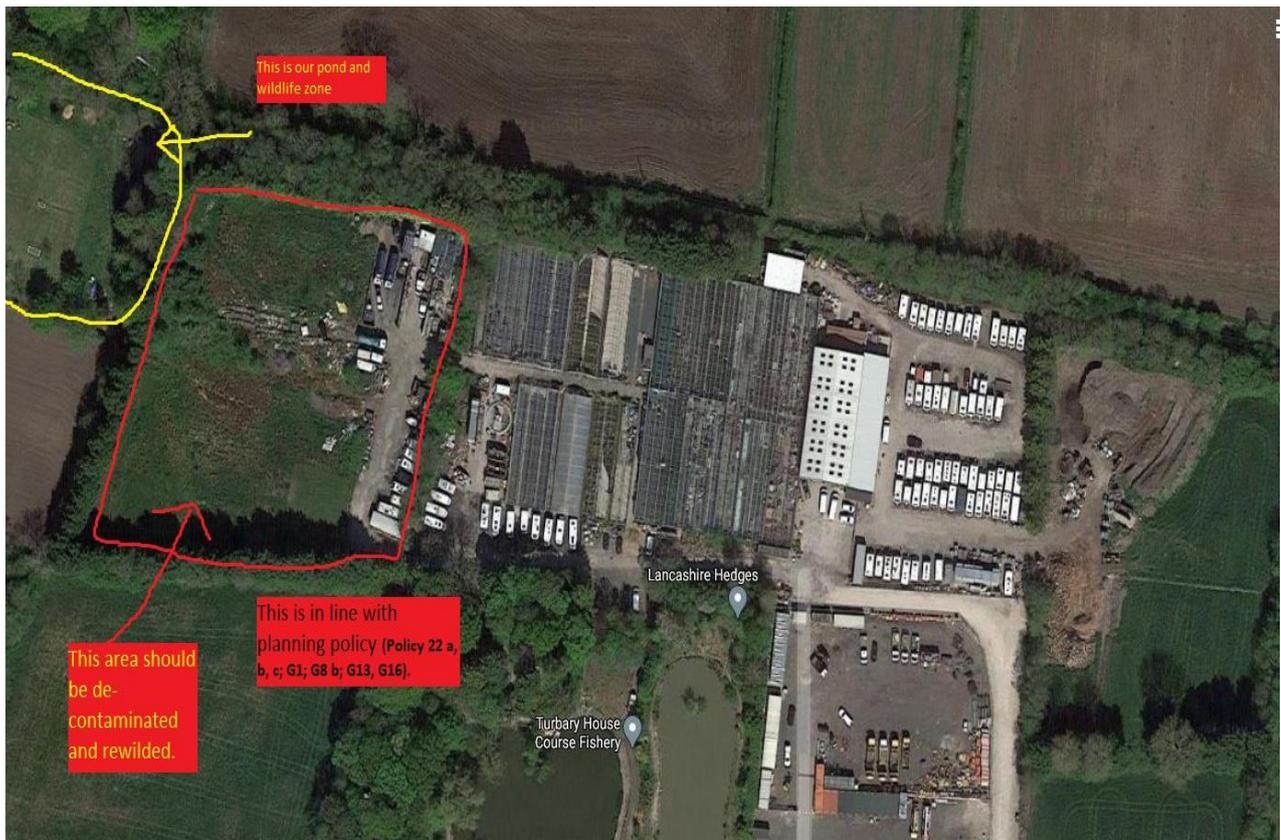
- The noise pollution created from the proposed application (**B8 and B2** use, touring caravan site, selected recreation activities) will have a **negative impact on residential amenity and wildlife unless it is carefully planned and strongly regulated**. The touring caravan site is proposed to sit on the part of the site that is being cleared, moving existing use “away from existing residential receptors.” (4.3, p9), as B8 use here has affected the residential amenity of neighbours for over two years. In addition the log processing and fairground repair/maintenance has created ongoing noise disturbance. It is clear that **noise from the site travels easily** to residential receptors and this application creates an opportunity for the Council to regulate this.
- Light pollution created from the proposed application will have a **negative impact on the residential amenity and local wildlife**. For example, a touring caravan site is required by law to be lit overnight; this will affect the residential amenity of all properties on Newgate Lane with gardens that face this part of the site. It will also disturb local wildlife, particularly bats, hedgehogs, deer and owls, all of which inhabit this area. We are aware of other applications within South Ribble Borough Council that have been required to provide a lighting assessment. In the absence of a lighting

assessment this application cannot be approved. We ask that a lighting assessment directly addresses the impact on our, and our neighbours', residential amenity, in addition to the obvious impact on wildlife, as outlined above.

8. Part of the proposed development (the touring caravan site included) is to be situated on **contaminated land** (please review the Planning Application Risk Assessment).
9. The touring caravan site is likely to facilitate anti-social behaviour (this is common on touring caravan sites; see past and present complaints to Local Councils and legal cases). This will directly and significantly affect our residential amenity.
10. The ecological survey submitted with the application **underplays the ecological value** of key parts of the site, overlooking the 'good' assessment of parts of the site for the habitat and breeding of Great Crested Newts and other wildlife. The ecological survey assesses the site **as a whole**, rather than considering the different land uses across the site; it glosses over the most western and eastern green field areas, which are still of **high ecological value**.

In particular, the current ecological survey is incongruous with our own ecological assessment of March 2020. As a neighbouring property, the pond and wildlife zone we are developing just the other side of our boundary with the Turbary site was granted planning permission in May 2020, with the key aim of **increasing ecological net gain**. **It would represent a 'conflict of interest' for South Ribble Planning to grant permission for a busy, commercial touring caravan site just the other side of this boundary** with constantly moving traffic, new toilets/showers/laundry facility, constant overnight lighting in addition to the noise created by the occupants of 27 caravans very close to our pond, ditch, treeline, garden and also in view of our neighbours.

**We ask that the planning committee consider the location of our pond as the point from which to measure any 'stand-off' distance for activity on the Turbary site. We use/tend the pond and wildlife zone daily and, due to the amount of wildlife our zone is already attracting (amphibians, including newts; hedgehogs, deer) we ask for a stand-off zone of 100 metres (well below national guidance). Please see Appendix 1, photos of our pond and wildlife zone, and the image below; the area within the red boundary should be rewilded:**



11. The application proposes to increase the site activities significantly, which will have a detrimental impact on highways. In addition to **unlawfully building a road across the entire site in Spring 2020**, the Applicant states there will not be a significant increase in traffic accessing the site and as such there will not be an unacceptable impact on highways. However, the applicants have not commissioned a highways impact assessment. Until a highways impact assessment has been provided this application cannot be approved.
  
12. In addition to the recommendations by South Ribble’s Planning Enforcement Officer, please note the following irregularities in the current Planning Application:

**Parking.** The existing CLEUD does not include any parking. Yet in the current planning application, Mr. Kenworthy states that there are currently 50 parking spaces and the request is to increase this to 100. Please see below:

**9. Vehicle Parking**

Does the site have any existing vehicle/cycle parking spaces or will the proposed development add/remove any parking spaces?  Yes  No

Please provide information on the existing and proposed number of on-site parking spaces:

Type of vehicle	Existing number of spaces	Total proposed (including spaces retained)	Difference in spaces
Cars	50	100	50

The applicant is therefore further in breach of the existing CLEUD, having introduced 50 parking spaces without any planning permission since being awarded the CLEUD.

With parking spaces proposed at all areas of the site, we object in particular to the 22 car parking spaces at the most western edge of the site as this would impact greatly on the residential amenity of our property and our neighbours on Newgate Lane.

Appendix 4 of the South Ribble Local Plan allows 1 parking space per 100m sq in B8 areas and 1 parking space per 60m sq in B2 use. So we need to calculate the *actual area* of B8 and (if permission is granted) B2 uses and limit any parking spaces **to these areas only**. So the touring caravan site, recreation use, log store and processing (Class E) and static caravan site should have **no parking** allocated. It should also be considered whether parking is needed at the B8 areas if these are purely storage?

# Planning Policy

Local and national planning policies, which are applicable to the proposed application, are set out below along with our commentary on the respective aspects of the application.

<b><u>Planning policy - Central Lancashire Core Strategy</u></b>
<p><b>Policy 1</b> Locating Growth: (b) The Key Service Centres of: i. Leyland / Farington, focussing on regeneration of <b>Leyland Town Centre*</b> and <b>brownfield sites</b>.</p>
<p><b>Policy 11: Retail and Town Centre Uses and Business Based Tourism</b> (d) Maintaining and improving the vitality and viability of Leyland town centre, in particular the accessibility, design and environmental improvements put forward in the Leyland Town Centre Masterplan. (e) Maintaining, improving and controlling the mix of uses in the existing District and Local Centres and <b>proposed centres at Strategic Sites and Locations, so as to appropriately serve local needs.</b></p>
<p><b>Policy 17</b> Design of New buildings: The design of new buildings will be expected to take account of the <b>character and appearance of the local area</b>, including the following: (a) siting, layout, massing, scale, design, materials, building to plot ratio and landscaping. <b>(c) being sympathetic to surrounding land uses and occupiers, and avoiding demonstrable harm to the amenities of the local area.</b> <b>(d) ensuring that the amenities of occupiers of the new development will not be adversely affected by neighbouring uses and vice versa.</b> <b>(g) providing landscaping as an integral part of the development, protecting existing landscape features and natural assets, habitat creation, providing open space, and enhancing the public realm.</b> (m) <b>ensuring that contaminated land</b>, land stability and other risks associated with coal mining are considered and, where necessary, <b>addressed through appropriate remediation and mitigation measures.</b></p>
<p><b>Policy 19</b> Areas of Separation and Major Open Space: Protect the identity, local distinctiveness and green infrastructure of certain settlements and neighbourhoods by the designation of Areas of Separation and Major Open Space, to ensure that those places at greatest risk of merging are protected and environmental/ open space resources are safeguarded. <b>(f) Farington, Lostock Hall and Penwortham; ...</b></p>
<p><b>Policy 21</b> Landscape Character Areas New Development will be required to be well integrated into existing settlement patterns, appropriate to the landscape character type and designation within which it is situated and <b>contribute positively to its conservation, enhancement or restoration or the creation of appropriate new features.</b> ... the variety of landscape character within Central Lancashire and, whilst not all are nationally significant, they are recognised as locally distinct and highly valued</p>
<p><b>Policy 22</b> Biodiversity and Geodiversity Conserve, protect and seek opportunities to enhance and manage the biological and geological assets of the area, through the following measures: (a) Promoting the conservation and enhancement of biological diversity, having particular regard to the favourable condition, <b>restoration and re-establishment of priority habitats and species populations;</b> <b>(b) Seeking opportunities to conserve, enhance and expand ecological networks;</b> (c) Safeguarding geological assets that are of strategic and local importance.</p>
<p><b>Policy 29</b> Water Management Improve water quality, water management and reduce the risk of flooding by:</p>

<p>(d) Appraising, managing and reducing flood risk in all new developments, avoiding inappropriate development in flood risk areas particularly in Croston, Penwortham, Walton-le-Dale and southwest Preston;</p> <p><b>(g) Encouraging the adoption of Sustainable Drainage Systems;</b></p>
<p><b><u>Planning Policy - South Ribble Local Plan 2015</u></b></p>
<p><b>Policy AD1 Developer Contributions</b>  The types of infrastructure that developments may be required to provide contributions for include, but are not limited to:</p> <p>a) Utilities and waste (where the provision does not fall within the utility providers’ legislative obligations);</p> <p>b) Flood prevention and sustainable drainage measures;</p> <p><b>c) Transport (highway, rail, bus and cycle/footpath/bridleway networks, canal and any associated facilities);</b></p> <p>d) Community infrastructure (such as health, education, libraries, public realm);</p> <p>e) Green infrastructure (such as outdoor sports facilities, open space, parks, allotments, play areas, enhancing and <b>conserving biodiversity</b>);</p> <p>f) Climate change and energy initiatives through allowable solutions;</p>
<p><b>Policy B1 Existing Built-Up Areas</b>  Within the existing built-up areas, as defined on the Policies Map, proposals for the re-use of undeveloped and unused land and buildings, or for redevelopment, will be permitted provided that the development:</p> <p>a) Complies with the requirements for access, parking and services, as set out elsewhere in this Plan;</p> <p><b>b) Is in keeping with the character and appearance of the area; and</b></p> <p><b>c) Will not adversely affect the amenities of nearby residents.</b></p>
<p><b>Policy G1 Green Belt</b>  The area covered by Green Belt is shown on the Policies Map. As set out in the NPPF, planning permission will not be given for the construction of new buildings unless there are very special circumstances. Exceptions to this are:</p> <p>b) provision of appropriate facilities for outdoor sport, outdoor recreation and for cemeteries, <b>as long as it preserves the openness of the Green Belt and does not conflict with the purposes of including land within it;</b></p>
<p><b>Policy G1 Green Belt</b>  10.21 The main Green Belt objectives are to ensure the control of development in certain areas. Green Belts are mostly designated on open land in rural areas to protect it from development, maintain the openness and character of the area and restrict urban sprawl. There is a general presumption against inappropriate development in the Green Belt.</p>
<p><b>Policy G8 Green Infrastructure and Networks – Future Provision</b>  All developments should provide:</p> <p><b>a) Appropriate landscape enhancements;</b></p> <p><b>b) Conservation of important environmental assets, natural resources, biodiversity and geodiversity;</b></p> <p>c) For the long-term use and management of these areas; and</p> <p>d) Access to well-designed cycleways, bridleways and footways (both off and on road), to help link local services and facilities.</p>
<p><b>Policy G13 Trees, Woodland and Development</b>  <b>c) Where there is an unavoidable loss of trees on site, replacement trees will be required to be planted on site where appropriate at a rate of two new trees for each tree lost;</b></p>
<p><b>Policy G16 Biodiversity and Nature Conservation</b>  The borough’s Biodiversity and Ecological Network resources will be protected, conserved and enhanced. The level of protection will be commensurate with the site’s status and proposals will be</p>

<p>assessed having regard to the site's importance and the contribution it makes to wider ecological networks:</p> <p>In addition development should have regard to the provisions set out below:</p> <p>a) The need to minimise impacts on biodiversity and providing net gains in biodiversity where possible by designing in wildlife and by ensuring that significant harm is avoided or, if unavoidable, is reduced or appropriately mitigated and/or, as a last resort, compensated;</p> <p>b) The need to promote the preservation, <b>restoration and re-creation of priority habitats, ecological networks and the protection and recovery of priority species populations;</b></p>
<p><b>Policy G17</b> Design Criteria for New Development</p> <p>Planning permission will be granted for new development, including extensions and free standing structures, provided that, where relevant to the development:</p> <p>a) <b>The proposal does not have a detrimental impact on the existing building, neighbouring buildings or on the street scene by virtue of its design, height, scale, orientation, plot density, massing, proximity, or use of materials. Furthermore, the development should not cause harm to neighbouring property by leading to undue overlooking, overshadowing or have an overbearing effect;</b></p> <p>c) <b>The development would not prejudice highway safety, pedestrian safety, the free flow of traffic,</b> and would not reduce the number of on-site parking spaces to below the standards stated in Policy F1, unless there are other material considerations which justify the reduction such as proximity to a public car park. Furthermore, any new roads and/or pavements provided as part of the development should be to an adoptable standard;</p> <p>e) <b>The proposal would not have a detrimental impact on landscape features such as mature trees, hedgerows, ponds and watercourses.</b> In some circumstances where, on balance, it is considered acceptable to remove one or more of these features, then mitigation measures to replace the feature/s will be required either on or off-site.</p>
<p><b><u>National Planning Policy Framework</u></b></p>
<p><b>Paragraph 134</b> Green Belt serves five purposes:</p> <p>a) <b>to check the unrestricted sprawl of large built-up areas;</b></p> <p>b) <b>to prevent neighbouring towns merging into one another;</b></p> <p>c) <b>to assist in safeguarding the countryside from encroachment;</b></p> <p>d) to preserve the setting and special character of historic towns; and</p> <p>e) to assist in urban regeneration, by encouraging the recycling of derelict and other urban land.</p>
<p><b>Paragraph 143</b> Inappropriate development is, by definition, harmful to the Green Belt and should <b>not be approved except in very special circumstances.</b></p> <p>Paragraph 143 states that inappropriate development is, by definition, harmful to the Green Belt and should not be approved except in very special circumstances. In such circumstances, Paragraph 144 provides guidance in that when considering any planning application, local planning authorities should ensure that substantial weight is given to any harm to the Green Belt. 'Very special circumstances' will not exist unless the potential harm to the Green Belt by reason of inappropriateness, and any other harm resulting from the proposal, is clearly outweighed by other considerations.</p>
<p><b>Paragraph 145</b></p> <p>b) the provision of appropriate facilities (in connection with the existing use of land or a change of use) for outdoor sport, outdoor recreation, cemeteries and burial grounds and allotments; <b>as long as the facilities preserve the openness of the Green Belt and do not conflict with the purposes of including land within it;</b></p>

# Evaluation of Policy

The planning proposal seeks to increase the use of the land within the Green Belt from 14,400sqm to **60,000sqm**, which represents 400% increase in the size of site. We object to the overall increase in size of the site as this will:

- Significantly reduce the Green Belt corridor between Farrington and Penwortham;
- Negatively impact the identity and local distinctiveness of the area, and; contravenes National and Local planning Policy (**Policy 19** of the Central Lancashire Core Strategy and **Paragraph 134** of the NPPF):

## Planning Policy: Touring Caravan Site

The proposed touring caravan site use is not in keeping with the local character of Whitestake, which is predominantly residential and agricultural. South Ribble Council does not have a tourism policy and tourism is not part of the South Ribble Local Plan. Whitestake is not a tourism centre. Furthermore, any visitors to the area are well served by existing touring caravan parks that are much better sited (**Brylea Caravan Park**, PR4 ORN; **Royal Umpire Caravan Park**, Leyland, PR26 9JB). This shows there is no requirement for further sites in the immediate locality (**Policy 11 E**).



Furthermore, in the Planning Statement, the applicant refers to pre-application advice with South Ribble Planning, and the recommendation that the current B8 activity to the west of the site (where the touring caravan site is proposed to sit) be moved '**away from residential receptors**'. We are **strongly in favour of moving this B8 use to the eastern side**, as it will take the heavy vehicle use away from our property boundary with the site; this will return the peace and quiet we have

previously enjoyed, *unless this site becomes a touring caravan site: this would simply replace one negative impact on residential amenity with another.* (Policy B1, C).

This part of the Planning Application is most critical to ourselves and neighbours on Newgate Lane; having been subject to noise disturbance constantly and consistently since 2018, with a massive detrimental impact on our residential amenity (noise, loss of privacy, ugly site).

Furthermore, we have invested in developing this part of our property (directly behind our border with Turbery, to the west – see our Planning Reference number: 07/2020/00049/FUL) extending our pond and creating a wildlife zone. This wildlife zone is already attracting a range of wildlife species (amphibians, hedgehogs, deer) that use the adjoining field of the Turbery site as a migration zone between the ponds and, for the deer, between the woodland areas. (Policy 22 a, b, c; G1; G8 b; G13, G16). This is a highly important ecosystem in this part of the existing Green Belt and needs to be protected. It is wholly unsuitable for a touring caravan site, new building with laundry, constant traffic.

In summary, the touring caravan site should be refused permission for the following reasons:

1) The Central Lancashire Rural Development Plan states:

*“E. Tourism 33. Applicants will need to show that this type of development can be sited unobtrusively and landscaped to minimise impact. Consideration must be given to the impact on neighbouring properties including traffic movement, noise and safety. The provision of services, including fire safety, water supply and sewerage facilities, must also be taken into account. Where planning permission is granted for such a use, it is likely that conditions will be imposed relating to the occupation of the site.”*

- 2) The obtrusive impact on neighbouring residential properties. Neighbours have already experienced over two years of negative impact on their residential amenity due to the growth in use of the current B8 use on this site, and unauthorised B2 use.
- 3) Trespassing is common when touring caravan sites are situated close to residential houses. There would also be fire risks and pollution. This part of the site has not been managed well; it is littered and contaminated: see Planning Statement (Risk Assessment). In addition, the overnight light from one static caravan is clearly visible from our property; any additional caravans on this site would have a detrimental effect on both our residential amenity and a negative impact on local nocturnal wildlife: deer, owls, hedgehogs, etc. (Policy 17m; Policy 19f; Policy 21; Policy 22; G1; G16; G17a).
- 4) The proposed plan for this site places the toilets, showers and clothes washing facility (a new building) at the western most edge. This is the closest point to neighbouring gardens and will present noise and light pollution, affecting the residential amenity of several properties. The Council has advised that this part of the site is cleared and activity here moved ‘**away from residential receptors.**’ (G16)
- 5) We note the pre-application advice provided by South Ribble Planning highlights the importance of **the impact on the openness of the Green Belt.** The proposed site for the

touring caravans has high ecological value as a migration zone for amphibians, hedgehogs and deer. This is an opportunity for the Council to apply conditions to preserve the ecology, biodiversity and openness of the Green Belt (**Policy 19f; Policy 21; Policy 22; Policy G1**).

- 6) The Planning Statement's assessment of potential noises at the touring caravan site is based on a noise assessment that contains discrepancies. We note the noise assessment is based only on an artificial pitch at the east of the site; it does not consider any of the **actual** noises from this entire site (wood sawing, vehicle/tanker movement, laundry facilities, clay pigeon shooting) or noise receptors to the west of the application site, where there are further residential properties. A 24-hour touring caravan site will generate noise from moving vehicles, shower, toilet and laundry facilities, parties/recreation. This will have a negative impact on the quiet and peaceful residential amenity previously enjoyed by all properties on Newgate Lane with gardens facing the proposed touring caravan site.
- 7) The proposed plan for the layout of the touring caravan site shows groups of four and six caravans situated directly next to each other; this contravenes **national policy with states that caravans should be spaced by a minimum of 6 metres (fire risk)**. In line with national policy, the number of caravans on this sized site would need to be reduced by 75%, to approximately 6 caravans.
- 8) The proposed location of the touring caravan site itself is unsuitable for tourists as there is a small recreation area in the proposed application. This adjoins the field that sits outside the caravan park plans but within the overall site plan; this field must be returned to nil use (Planning Enforcement). Undoubtedly tourists would spill into the field to play, walk dogs, light fires, play music etc. The field sits between the small park/recreation area of the caravan site and a number of residential properties (including our own). The implications of the above would be negative on the surrounding residential amenity (**Policy 17**).
- 9) There is little detail for the sewage and water waste from this facility. We note that the entire site is to be tarmac. The ditches that surround this site are highlighted as suitable refugia for Great Crested Newt and other wildlife and specific detail is needed to show how the existing ditches/land will be contaminated by the sewage/water waste (**Policy 29**).
- 10) Planning **Policy G1** of the local plan & **Paragraph 143** of the NPPF requires '*very special circumstances*' for new buildings to be constructed within the Green Belt. We disagree with the planning proposal, which states that the ancillary building for the touring caravan site complies with **Paragraph 145b** of the NPPF. The definition of 'outdoor recreation' is **an outdoor sport or activity**, not a touring caravan site. The proposed ancillary building can therefore not be permitted at the proposed site.
- 10) The Applicant's Planning Statement, 8.1.5, states: **"...through attain(ing) a planning permission for the site, it will allow the council to attach suitable planning conditions to any approval to control the site in the future, whether from an amenity perspective, or to help control future impact on the openness of the Green Belt. The site is currently unrestricted in this sense."** We agree with the Applicant here. In its entirety, this is a large,

eclectic development. Whilst permitting wider aspects of this application, with conditions, this is possibly the last opportunity for South Ribble Council to protect and conserve this particular part of the proposed site.

- 11) The Applicant is prone to consistent planning breaches. A touring caravan site in this area, with the added new building and facilities, directly next to a field that is nil use, creates a host of opportunities for breaches of planning policy. These would have a direct impact on neighbouring properties and would create an ongoing string of complaints and Enforcement actions with the Council, and possible legal action.
- 12) At its proposed location, visitors to the touring caravan site must drive/walk past the B8/B2 storage and industrial areas, which will include the sewage tankers and the processing of waste, wood sawing, fairground repairs, in addition to as yet unidentified use; then past the caravan storage area, to a cramped tarmac site, with a tiny recreation area. This makes the proposed location of the touring caravan site wholly unsuitable and dangerous for any visitors.
- 13) The applicant states in point 8.9 of the Planning Statement, that “**...the submission of the application helps hand the council back some control over the site through the formal planning permission, allowing the authority to attach suitable conditions to control the future impact on the openness of the Green Belt, which they currently have limited control over.**” Again, this presents an opportunity for the authority to reclaim and repair the Green Belt area that is the proposed site for the touring caravan park; for this contaminated area (6.16 Land Contamination) to be cleaned up and restored, to protect the integrity of the Green Belt and the wildlife that uses it.
- 14) Further, in his Planning Statement, the applicant makes reference to:

*“7.16. Policy G16: Biodiversity and Nature Conservation seeks to protect, conserve and enhance the borough’s ecological network. This includes protecting designated sites and ensuring development proposals **conserve ecological networks**. Proposals should also minimise impacts on biodiversity and **providing net gains in biodiversity** where possible.”*

**There is no evidence, anywhere in the Planning Statement and supporting documents, of *where and how* the applicant will deliberately “protect or enhance biological assets of the area.” Rewilding the western point of the proposed site, where the touring caravan site is currently proposed, would allow the applicant to demonstrate his intention with regard to protecting biodiversity and geodiversity and would represent a fair compromise alongside the potential expansion of use and spread of the B8 use and potential industrialisation of the site via B2, Class E and Sui Generis proposed use of the site.**

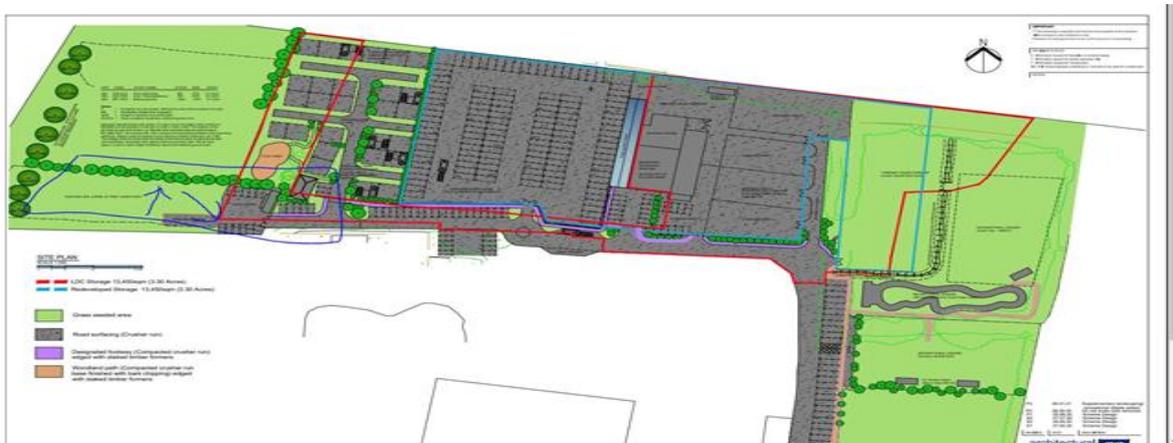
- 15) The proposed touring caravan site is described as being 0.35 hectares in size. This is an **overstatement** of the actual size of this piece of land, unless the Applicant has included the area of grassland that the Enforcement Officer has deemed must be returned to agricultural (or nil) use.
- 16) Anti-social behaviour: In 2020 The Royal Umpire Caravan Park, Southport Road, between Croston and Ulnes Walton applied to turn its touring caravan site into a static site due to “crime and anti-social behaviour associated with users of the touring pitches.” This is not uncommon with touring caravan sites. Anti-social behaviour at touring sites includes loud music, raised voices and appalling language, often to the early hours of the morning. Complaints to Local Councils are common, often leading to legal action being taken.
- 17) In line with the Planning Enforcement Officer’s stipulation that the field to the west of the site is categorised as **nil use**, a suitable boundary should be put in place along the full eastern edge of this field, to prevent noise and light disturbance, dumping of waste (as is customary in this field) and trespassing. The applicant has proposed mesh netting only to run along the eastern edge (see below). This should be replaced with a 3-4 metre high solid wooden fence to mitigate noise, light, waste, trespassing. If the proposed site for the touring caravan site is rewilded, this boundary will move further east, to border the static caravan park and the fence should be erected here.



- 18) Can the applicant please confirm that the boundary between the bird of prey centre and the existing field (see blue **arrow below**) has not been moved northwards? On the proposed site plan below, the hedge/treeline has encroached on the field designated for nil use by the Enforcement Officer. Could Mr. Kenworthy please confirm that the existing field will remain as nil use **in its entirety**?



The image below shows the existing site boundary in red, and the hedgeline between the field and the bird of prey centre has clearly moved northwards (see blue box and arrows on the left), encroaching on the field to be assigned nil use.



We ask the Planning Committee to record the field at the west of the site agricultural (nil use) as part of this planning application, in line with the Planning Enforcement Officer’s recommendation (February 2021). We ask that a solid boundary (3-4 metre high, solid wooden fence) is erected at the eastern edge of this field, to establish a sound/light barrier between our property and the Turbary site. We ask that this part of the site is awarded protected status to protect and conserve this valuable ecological and biodiverse part of the Green Belt.

*“6.17: The report identified the proposed petting zoo, caravan storage and caravan site are unlikely to generate significant noise level.”*

A variety of noises can be created from the above uses for example: moving vehicles; toilets and shower blocks; use of the play area; parties; disputes between families. **Policy B1** looks to prevent applications that adversely impact the amenities of nearby residents.

As open fields and gardens dominate the land surrounding the application site, relatively low volume noise is amplified and travels easily. A lighting assessment has **not** been commissioned therefore we cannot comment on the implications the unnatural light will have on both residents and local wildlife.

19) Please note the findings of the Preliminary Risk Assessment included as part of this planning application, identify areas of ‘contamination’ of the site:

Extract

#### 5.4 Receptors

5.4.1 Potential site specific receptors that may be affected by contamination at the site are listed below:

Future Site Users

5.4.2 Future guests of the campsite/tourer caravan park, recreational visitors to the site and leasees of the storage area and employees of the camp site could **be at risks from contamination at the site.**

5.4.3 Potential risks are associated with **ingestion of soil as well as inhalation of contaminated dust (including asbestos) and dermal contact with contaminants of concern.** These risks are all associated with the landscaped areas of the new development.

5.4.4 There are also **risks associated with the indoor inhalation of vapours and/or ground gas within the buildings encompassing the toilet/showering facilities and the shop/cafe on site.**

**Point 6 of this report makes specific recommendations to assess the risk to humans at the proposed touring caravan site.**

This area of Green Belt has clearly been contaminated by the use of the site to date. This is another strong opportunity for South Ribble Council to take "...control over the site through the formal planning permission, allowing the authority to **attach suitable conditions to control the future impact on the openness of the Green Belt, which they currently have limited control over.**" (Planning Statement, 8.9).

Further investigations should be undertaken to ensure neighbouring residential properties are not at risk of the contamination. Efforts should also be made to mitigate any contamination risk (**Policy 17**).

*"Policy 22: Biodiversity and Geodiversity seeks to conserve, protect and **seek opportunities to enhance biological assets of the area.** The policy states this will be achieved using three separate measures:*

- 1. Promotion of conservation and enhancement of biological diversity;*
- 2. **Actively seek opportunities to conserve, enhance and expand ecological networks;** and*
- 3. Safeguard geological assets."*

## Planning Policy: B8 and B2 Use

**We are in favour of the existing B8 use at the westerly edge of the site being moved to the east, as this has been a key cause of the noise disturbance that has severely affected our residential amenity.**

As the Applicant has breached planning policy with regard to B8 use (see Planning Enforcement Officer's report, Feb 2021), more detail is needed from the applicant about the **precise use** that is planned for the site under the B8 and B2 classifications. Does this include the existing sewage tankers and the contamination they bring? What are the noise and light pollution implications for local residents and for potential visitors to the touring caravan site? Is B8 and B2 use incongruous with a touring caravan site and recreation zone? For example, can industrial use and tourism be placed next to each other? As neighbours, we have been recipients of the noise pollution from vehicles/tankers moving in and out, wood sawing; would this not also cause noise pollution to visitors to a touring caravan site?

Specifically, we disagree with points 6.5, 6.8 and 8.12 of the planning statement:

*"6.5. The site dimensions, topography and minimal ecological value combine to create an appropriate location for the development. The proposed location and design of the proposal ensures the development is in keeping with the surrounding context and countryside area."*

The site is central to an area of high ecological value (see our Ecological Survey, attached). The proposed development is over-bearing, out-of-scale and out of character in terms of its appearance compared with existing development in the vicinity (**Policy 21**). It proposes over-intensification of the application site (**Policy G17**). Further details on the ecology are set out later on in this report.

*"6.8. The site is of a suitable size to accommodate the layout illustrated on the Proposed Site Plan without impacting upon the amenity of neighbouring properties."*

The current B8 (and unauthorised B2) activity has breached planning policy and the terms of the CLEUD. This has created negative visual and noise impacts for residential receptors, leading to investigations and Enforcement Actions by the Local Planning Authority (LPA).

The Applicant has built a road on Green Belt land without planning permission, running from Chain House Lane, travelling the full length of the east and west boundaries of the site.

The Planning Statement states:

*"8.12: In relation to the environment the proposal will make effective use of land, helping to improve biodiversity, mitigating and adapting to climate change and minimising waste and pollution. The supporting ecological surveys demonstrates the site is of a low ecological significance and that any impacts can be sufficiently mitigated...The proposed development therefore meets the environmental aims of sustainable development."*

The planning statement does not provide evidence on how the proposed development will 'improve biodiversity' or mitigate against 'climate change and pollution' (**Policy 22**). Therefore the statement does not hold any weight and is not in line with planning policy (please see **Policy G16** set out above).

The design of the proposed application site is overbearing compared to the appearance of surrounding residential properties. As such the development impedes the residential amenity of the area (**Policy 17** detailed above). **It introduces a substantial volume of tarmac to the site**; it is useful to view the existing layout and proposed plan together to appreciate the impact on this Green Belt site.



Steps should be taken to ensure that ‘centralising’ current B8 activity does not lead to ‘**expansion**’ of B8 activity. For example, the current planning application asks to centralise 130 sites for caravan storage whereas, according to the existing CLEUD, there are only 80 caravans stored on the site. **This use of the site should be limited therefore to 80 caravans, which would accurately represent the centralising of existing use.**

## **Recreation and Employment**

The Planning Statement highlights a potential positive impact on the local area: recreation; job creation yet scant detail is given to these aspects. The site is eclectic and scrutiny needs to be applied, to verify the integrity of these claims. A high number of valid objections have been raised by neighbours to the site, opposing the touring caravan site and the noisy recreation activities (as opposed to the more amenable activities suggested, such as archery); these objections directly contrast any claims by the applicant that the development will improve the area.

Letters supporting the development focus almost entirely on the recreation activities, even though detail about the recreation zone is vague: Planning Statement, 5.6: “Activity **will likely** comprise or a mixture of archery, bazooka ball, laser tag, zorb games, air soft, archery, laser clay shooting, mini tanks and mini jeeps.”

The applicant has stated in the press that the petting zoo would be **out-sourced**, and may therefore be difficult to source/install. Letters of support for this planning application also mention an increase in employment, although no detail with regard to the number and nature of jobs is given.

Employing ten people could entail ten casual, part-time, occasional seasonal roles. **Employment is definitely a ‘hook’ for a planning application and should be a condition attached to any planning permission granted.**

**As the Applicant has breached the existing CLEUD a number of times in various ways, it is important that any planning permission granted is specific and detailed, with clear restrictions as necessary. The proposed site is complex, with numerous proposed uses, and so careful consideration of each aspect of the application is necessary and essential.**

### **Employment**

Employment policy (18) states *“Employment development proposals should be conveniently located in relation to the surrounding road network, provide a safe access, be adequately serviced or can be serviced at a reasonable cost. Applicants seeking planning permission should also demonstrate that the proposed use would not be **detrimental to local amenities and the use of neighbouring land**. In order to protect visual amenity, signage should be kept to a minimum. The use of large and/or illuminated signs will not be appropriate in the countryside. **Uses that involve outside storage or large numbers of parked vehicles are also unlikely to be acceptable, as again these are likely to be visually intrusive in the countryside.**”*

The large caravan storage area and B8 uses (sewage tankers, fairground equipment maintenance, log sawing) are visually intrusive. These uses will create minimum new employment and will **not** outweigh the detriment to local amenities and neighbouring land. The planning statement states that the recreation zone and caravan site will create employment, 10 alone for caravan site. There are no details about and of these jobs. We struggle to believe that a caravan site with 27 pitches can sustain 10 full time employees.

### **Recreation**

The planning statement is vague on the plans for the recreation zone and petting zoo.

#### 5.6 Recreational leisure area

*“The proposed activities will likely comprise or a mixture of archery, bazooka ball, laser tag, zorb games, air soft, archery, laser clay shooting, mini tanks and mini jeeps. A noise assessment has been undertaken for the full site, **including these activities**. The assessment confirms the activities could take place within the necessary noise limits and satisfy the council’s noise and amenity planning policies.”*

We propose a noise assessment for the precise activities to be offered in the recreation zone, including the touring caravan site, and B8/B2 use, is undertaken. This will ensure that any agreed recreation activities are in line with **Policy 11**. As Whitestake is not a tourist area, this policy does not support any introduction of isolated recreation/tourist activities.

## H. Recreational development

46. Buildings should be clustered together to reduce their impact on the openness and character of the countryside and any built features should **avoid harm to the local environment or residential amenity (particularly through noise)**.

### Recreation - Clay pigeon shooting

The inclusion of laser clay pigeon shooting as one of the recreation options is of significant concern to us. This is a residential area and the shooting will disturb the tranquillity of the Green Belt area and will create noise disturbance for local residents and wildlife.

There is a clay pigeon shooting range located in Longton, set away from residential properties. It is open for two hours on Sundays only and in the summer (April to Sept) 7-8.30 only on Wednesday evenings.

The proposal to include laser clay pigeon shooting places no restrictions on days and times of operation. This could in effect run from early morning to late evening 7 days a week. Here's a link to a video of laser clay pigeon shooting, which demonstrates the noise levels:

[https://www.youtube.com/watch?v=LUXttBp0EBw&feature=emb\\_err\\_woyt](https://www.youtube.com/watch?v=LUXttBp0EBw&feature=emb_err_woyt)

The Applicant insists that the volume on the rifles used in clay pigeon shooting can be turned down. We struggle to see how a group (stag groups are targeted on the website) would turn the volume of their rifles down for this activity, and how this could possibly be monitored and managed (especially if the employee in charge is a teenager).

### Petting Zoo

We would ask for further details on the proposed Petting Zoo. This should include animals to be kept, stocking rates, waste-bedding storage and disposal methods, opening hours, target audience. This application must be refused unless the applicant provides further details or the LPA imposes restrictive conditions on the application.

### Noise pollution

*"A noise buffer zone of at least 1.5 kilometres in the general direction of shooting and not less than 1 kilometre in the rearward arc is advisable" (Chartered Institute of Environmental Health, 2003)*

*"Animals in zoos can adapt to many noises they hear on a regular basis. However, construction noise that is intense or occurs unpredictably may negatively impact the welfare state of some animals and induce a chronic stress response."*

[\(https://www.ncbi.nlm.nih.gov/pmc/articles/PMC6721009/\)](https://www.ncbi.nlm.nih.gov/pmc/articles/PMC6721009/)

We request the LPA refuse the laser clay pigeon shooting, bazooka ball, mini tanks and jeeps uses based on the noise disturbance highlighted above.

## **Ecological Assessment**

It should be noted that there are a number of ponds in the immediate locality which provide an ideal habitat for Great Crested Newts. One of the ponds is situated within our ownership, very **close** to the boundary of the application site. This is the pond that we are currently developing as a swimming pond and wildlife zone (See Appendix 1).

We are in the process of rebuilding our pond, to attract wildlife. We have planted 130 trees and installed 20+ hedgehog boxes around the boundary. We have applied to the Lancashire Wildlife Trust to be a receptor pond for relocated Great Crested Newts; this will likely increase the GCN population in all 4 local ponds. We do not expect to see planning permission granted for a development that does not comply with planning policy and will impact on the habitat improvements we are making (**Policy 22**).

The Lancashire Biodiversity Action Plan (LBAP) lists key local species/habitats considered to be rare or declining in the area. These include Great Crested Newts, common toads, common frogs, bats, hedgehogs and water voles.

The eDNA test to detect Great Crested Newts in our pond, undertaken in April 2020, was negative; it should be noted that the eDNA test is **not conclusive**. The ecological survey of our pond confirms that the pond represents 'good' suitability as a GCN habitat and our ecological consultants agree that the improvements we have made/are making to the pond will create an 'excellent' habitat for GCNs, common toads and common frogs, the highest ecological grading. We have already seen common toads and common frogs on the site (in addition to hedgehogs and bats). We have started to see regular deer sightings at our boundary with the Turbary site (see photo above).

### **Preliminary Ecological Survey**

The Preliminary Ecological Survey of this planning application contains the following discrepancy:

- 1) 4.6.1: "The site has no refugia suitable for reptiles and given its location within an area of **dense residential development** it is considered unlikely that reptiles will be present within the site."

This is inaccurate. The proposed site is surrounded by agricultural fields, ponds and residential gardens and cannot be viewed in isolation from its surroundings. Please review the attached survey, the findings of which are contrary to the above statement.

We disagree with the summary of the Preliminary Ecological Assessment at 6.14 of the planning proposal:

*"The report concluded the site is of low conservation value, with no evidence of badgers or great crested newts within or in close proximity to the site."*

This contradicts the Ecological Survey we commissioned in February 2020 from Tyrer Ecological Consultants, when seeking planning permission to update our pond, which rates the ecology of the area highly:

**Tyrer Ecological Consultants undertook an ecological survey (attached). This survey of our pond at 80 Newgate Lane assesses our pond, and the surrounding area, as a suitable habitat for Great Crested Newts.**

7.4: The surrounding **environment offers good connectivity and features a range of semi-natural habitats and areas capable of supporting a wide variety of species throughout the year for which the survey aimed to highlight, including amphibians.**

7.7: There are three ponds present within a 250 metres range of 80 Newgate Lane, whilst a fourth is noted just outside that distance (see Figure 4). The nearest of which is located 170 metres to the south; **all ponds within the search buffer have reasonable habitat interconnectivity by way of adjoining ditches, linear rows of connecting woodland and only minor barriers present to affect dispersal.**

8.3: Bats 8.3.1 The surrounding habitat and extending environment is highly favourable for bats such as Pipistrellus sp., and they may use the pond for occasional foraging, subject to presence.

#### 8.4 Breeding Birds

8.4.1 Four Mallard (*Anas platyrhynchos*) ducks (male and three females) were observed using the pond upon arrival.

8.6.1 Given the results of the desktop study, in order to assess risks to GCN a number of factors need to be considered. Factors include:

- Proximity to potential breeding ponds and any other additional ponds,
- Habitat linkage / barriers between potential breeding ponds and the site,
- Nature and extent of available terrestrial habitat (50-100m) around the pond,

Great Crested Newt (GCN) Pond Suitability: **0.70 / 1.0 = Good**

Pond at 80 Newgate Lane:

The water body is a freshwater oval shaped pond of approximately 210 sq. metres, with a leaf litter base. The banks are gradual inclined and the pond contains a deep centre as it features a historic rectangular swimming pool (see adjacent pics); marginal vegetation (for species see Table 4) was evident around the peripheries and is likely present within the Spring, water quality was clear/very low turbidity with no foul smells or pollutants noted. Four Mallard ducks were disturbed at the beginning of the survey indicating use the pond by this species, though no significant impacts are anticipated by waterfowl. It is understood that fish are absent and use of the pond and invertebrate assemblage is considered to be low-moderate.

**There are 5 ponds within 1.0 kilometre** which offer good interconnectivity. Refugia exists around the site. NB: English Nature's (now Natural England) Great Crested Newt Mitigation Guidelines (2001) states ponds within 500m of a proposed development site should be considered for **their respective potential to support GCN.**

8.6.3 Results of the HSI assessment indicate Pond 1 is of **'Good' suitability and therefore has the potential to support GCN, including for breeding use.**

8.6.4 In respect of terrestrial habitat **the surrounding environment should be considered favourable for amphibians**, featuring a heterogeneous mix of woodland, wet ditch, grassland, marsh and hedgerow with an abundance of deadwood, leaf litter, tree roots, mammal holes and refuge opportunities such as piles of chopped wood, wood chipping piles, garden sheds etc.

### **Schedule 6 of the Wildlife & Countryside Act 1981**

(Protected species include Western European Hedgehog and 20 species of bats, both of which are present in abundance in our garden and therefore highly likely on the proposed site):

**"The species listed are also protected from the following activities: ...device for illuminating a target ... artificial light, mirror or other dazzling device, sound recording ..."**

This makes light from a touring caravan site, mirrors on vehicles on the site, music from the site and – illuminating a target – the laser clay pigeon shooting all prohibited under this Act.

The Act goes on to say:

**"... Wildlife Corridors ... are an important part of the network of nature conservation sites and will be protected from development that will cause fragmented networks or isolate habitats."**

The planning proposal states that the two large ponds situated close to the owl sanctuary have fish in them and will therefore not house great crested newts. Tyrer Ecological Consultants tell us that fish and Great Crested Newts can live together and that a survey should be carried out at all four ponds.

Paragraph 109 of Central Lancashire Rural Development Plan sets out what applicants should incorporate into planning applications in the rural area:

- protecting and **enhancing valued landscapes**, geological conservation interests and soils;
- **recognising the wider benefits of ecosystem services;**
- **minimising impacts on biodiversity and providing net gains in biodiversity** where possible, contributing to the Government's commitment to halt the overall decline in biodiversity, including **by establishing coherent ecological networks** that are more resilient to current and future pressures;
- **preventing both new and existing development from contributing to or being put at unacceptable risk from, or being adversely affected by unacceptable levels of soil, air, water or noise pollution or land instability;...**

We find no evidence of any of these measures in the application.

## Parking

The applicants have set out the requirement for 100 parking spaces. However, there is no explanation / justification for the number of parking spaces. We would ask the Planning Committee to investigate the discrepancy around the number of parking spaces identified in the 2018 CLEUD (nil parking spaces) and the 50 parking spaces mentioned in the current application. We would ask that any permitted parking spaces are limited to the B8 areas of the site, a good distance from neighbouring gardens, to prevent environmental and noise pollution. We notice that there are several parking places proposed to the west of the site, surrounding the proposed touring caravan site, and **we see no reason why parking would be needed here (this is in addition to the parking slots on the touring caravan site). The western area is the area we propose is protected as a key wildlife migration zone and keeping traffic noise and pollution away from this area makes good sense.**

## Conclusions and Recommendations

This objection shows the proposed application does not fall in line with planning policy and falls short on a number of major issues including:

1. Adverse effect on the residential amenity of neighbours (noise disturbance, light disturbance; loss of privacy, 'ugly' site);
2. Intensification of industrial use;
3. Unacceptable high density/over-development of the site; loss of Green Belt;
4. Effect of the development on the character of the neighbourhood;
5. Impact on the Green Belt including the biodiversity and rare species.

Based on the above and without significant changes, clarification or strict planning conditions this application cannot be approved. Without prejudice to the above, please find detailed below a summary of our proposed recommendations / conditions which should be imposed on the application:

<b>Touring Caravan Site</b>	
<b>1</b>	<p>The 27-berth touring caravan site should be refused permission at the proposed site. This creates an opportunity for the Applicant to fulfil his intention to hand back some control of this Green Belt site to the Council. This part of the site should be rewilded to a distance of 100m from the wildlife pond at 80 Newgate Lane.</p> <p><b>If permitted, the touring caravan site needs to be classified as 048G CARAVAN SITES AND PITCHES, rather than be given a Sui Generis classification.</b> This is in line with Government guidance that "Descriptions should be as precise as practicable. The following are recommended, with or without "and premises", as appropriate (see <a href="https://www.gov.uk/guidance/rating-manual-section-6-part-3-valuation-of-all-property-classes/section-185-caravans-caravan-sites-parks-and-pitches">https://www.gov.uk/guidance/rating-manual-section-6-part-3-valuation-of-all-property-classes/section-185-caravans-caravan-sites-parks-and-pitches</a>)</p> <p>The static caravan could be classified as: <b>047G - CARAVAN PARKS (LEISURE).</b></p> <p>If permitted, the touring caravan site should be relocated to sit at the far eastern edge of the site plan, to the north of the recreation zone, moving from A to B as shown on the image below:</p> <div style="text-align: center;"></div>

	This will position the touring caravan site <b>away from residential receptors</b> , in a cleaner and more appropriate location and next to the recreation activities that tourists will be able to enjoy (petting zoo, archery).
<b>2</b>	The western area of the site currently classed as B8 use (and the proposed location for the touring caravan site) should be decontaminated (see Risk Assessment) and restored to green field to encourage wildlife ( <b>Policy 22</b> Biodiversity and geodiversity). This is in line with the LPA requesting the Applicant to move B8 use from this site, away from 'residential receptors'. This also brings congruence to the use of land directly next to the Turbary site western boundary as a wildlife zone. In addition, the applicant has written of his intention to increase biodiversity and geodiversity through this application and this is a means of doing so.
<b>3</b>	The campsite needs to be classified as <b>048G CARAVAN SITES AND PITCHES</b> – where there are no static vans, includes 5CLs and camping sites. The touring caravan site should not be granted Sui Generis use, as this will potentially lead to C3 use quickly (dwelling houses).
<b>4</b>	Conditions should be imposed relating to the occupation of the touring caravan site, to ensure it is used for tourism, as detailed within the Planning Statement. It is normal for restrictions to be placed on caravan site use. Restricting the length of stay between 2 days-3 weeks, restricting the months they are able to be open (1 April until 30 September) Minimum distances between pitches should also be incorporated to reduce fire risks. A lighting survey is needed.
<b>5</b>	The boundary between the bird of prey centre and the western field is to remain intact (not moved northwards/into the field) and this is to be documented as part of any permissions.
<b>6</b>	Once this area has been rewilded, a 3-4 metre high solid wooden fence should be installed between the green site (nil use) and the caravan storage area.
<b>7</b>	No parking should be assigned to this part of the site as it has nil use.

<b>B8 Use</b>	
<b>1.</b>	Existing B8 activity is estimated at 14,400sqm; we suggest that an external audit is undertaken to confirm this as the existing size of B8 use across the site. For example, the current audit (CLEUD) of <b>80 caravans</b> for storage should be the maximum number set.
<b>2</b>	B8 activity is 'centralised' as outlined in the plan, away from 'residential receptors', contained in the 14,400sqm (or confirmed B8 use size following audit). This is in line with the planning application 3.2: "The quantity of open storage in the proposal matches that approved in the certificate (14,400sqm), but consolidates it to a central location, reducing the impact on the surrounding area and importantly the openness of the Green Belt." The certificate registers 80 caravans as storage, not the 130 proposed by the applicant.
<b>3</b>	The operating times of B8, B2 and Class E use need to be regulated, to mitigate further impact on residential amenity. As it stands, no detail has been provided around working hours (see application form below):

<p><b>19. Hours of Opening</b></p> <p>Are Hours of Opening relevant to this proposal? <input checked="" type="radio"/> Yes <input type="radio"/> No</p> <p>Please add details of the use classes and hours of opening for each non-residential use proposed (if the relevant use class is not shown, please select 'Other' and provide details; if you do not know the hours of opening, select the use class and then select 'Unknown' in the popup box)</p> <table border="1"> <thead> <tr> <th>Use</th> <th>Monday to Friday</th> <th>Saturday</th> <th>Sunday and Bank Holidays</th> <th>Unknown</th> </tr> </thead> <tbody> <tr> <td>B8 - Storage or distribution</td> <td>Start Time: End Time:</td> <td>Start Time: End Time:</td> <td>Start Time: End Time:</td> <td>X</td> </tr> <tr> <td>Other Class E</td> <td>Start Time: End Time:</td> <td>Start Time: End Time:</td> <td>Start Time: End Time:</td> <td>X</td> </tr> </tbody> </table>					Use	Monday to Friday	Saturday	Sunday and Bank Holidays	Unknown	B8 - Storage or distribution	Start Time: End Time:	Start Time: End Time:	Start Time: End Time:	X	Other Class E	Start Time: End Time:	Start Time: End Time:	Start Time: End Time:	X
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<b>4</b>	The range of B8 activity to be centralised needs to be specified in detail, to avoid any further breaches of planning policy by the applicant. This will involve an audit of B8 use already spread around the site; this will avoid any expansion of the B8 area. For example, log 'storage' is different to 'processing'; fairground 'storage' is different to 'maintenance'; there are noise disturbance implications, dependent on use. We ask that B2 use is refused.																		
<b>5</b>	We ask that a second audit is made of current B8 use and that any activity considered harmful to the environment and likely to cause further contamination or pollution (see Risk Assessment) is <b>not permitted</b> . We ask that this audit considers residential receptors too, to mitigate against large vehicles moving around the site causing noise disturbance. The limits of B8 use should be specified, in detail, in any planning permission/s.																		
<b>6</b>	Height restrictions are placed on storage and B8 use is limited to the height of a caravan.																		
<b>7</b>	The B8 use is restricted to storage only in line with the current CLEUD (bearing in mind the applicant has consistently breached existing planning permissions).																		
<b>8</b>	Clarity needs to be provided on section 6.7 of the planning proposal: "6.7. The development consists of up to 78.5 sqm of new build floorspace." Would this involve losing natural habitation to tarmac/concrete? We propose that any planning permission specifies <b>no concrete or tarmac</b> to be added for the use of caravan storage or a touring caravan site. Introducing tarmac would represent the intention to build on permitted use.																		

<b>Ecological Assessment</b>	
<b>1</b>	A new independent ecological survey is undertaken to detect Great Crested Newts in all four ponds and all connecting ditches. The survey could also assess the impact of storage, B8 use and a touring caravan site on wildlife corridors and other protected wildlife as outlined above ( <b>Policy G8</b> ).
<b>2</b>	A stand-off zone of 100m, should be implemented from our pond in line with policy/law specifying the protected area around a GCN habitat. This will significantly reduce noise and light pollution. It will align any planning permission granted as part of this application with the planning permission granted to ourselves in April 2020 to develop a pond and wildlife zone. It will demonstrate the importance placed by the applicant on improving 'biodiversity'.
<b>3</b>	A tree planting scheme should be implemented within the stand-off zone to mitigate against future development. The planting scheme should span the entire rewilding area and incorporate trees subject to Tree Preservation Orders to protect against any future proposals ( <b>Policy G13</b> ). This proposed condition will help the Applicant fulfil the obligations noted in the pre-application advice, taking the noise (and light) disturbance 'away from existing residential receptors. ( <b>Policy AD1</b> )

<b>Recreation</b>	
<b>1</b>	Restrictions on operating hours should be placed on the recreational activities to minimise the detrimental effects the proposal will have on the residential amenity. If clay pigeon shooting is given permission, we propose similar restrictions to those operating at Longton Clay Shooting Ground (two hours on Sundays only and in the summer (April to Sept) 7-8.30 only on Wednesday evenings).
<b>2</b>	The Petting Zoo should also be restricted to weekdays only, excluding Bank holidays, again to minimise any negative impacts on the residential amenity.

<b>Employment</b>	
<b>1</b>	Creating ten new jobs should be a pre-condition of this Planning Application.

<b>Static Caravan</b>	
<b>1</b>	Static caravan to be classified <b>047G - CARAVAN PARKS (LEISURE)</b> , rather than Sui Generis, which would allow further change of use to C3 (dwelling house).

<b>B2 use/Class E/Sui Generis</b>	
<b>1</b>	B2 use should be refused as this would lead to the development of industrial use at the site. If B2 or Class E or Sui Generis use is granted, a condition is applied that prevents the change of use to C3 (dwelling house) under the current GDPO.

<b>Road</b>	
<b>1</b>	The building of the road is contrary to local and national planning policy and planning permission should be refused and the Green Belt integrity restored. If this prevents access to existing use of the site, this creates an opportunity to restore areas of the site to Green Belt nil use. <b>Other owners of Green Belt land in Whitestake abide by the same policy.</b>

<b>Parking</b>	
<b>1</b>	This should be limited to the areas of B8 use only; consideration should be given to the need for parking at the caravan storage site and other B8 uses and kept to a minimum. No parking should be permitted at the western part of the site as it is not needed or lawful.

### **Support and objections for this application**

There are a large number of letters of support and objections for this application. I hope you are able to see the demographics of supporters and objectors. I understand that those neighbouring the proposed site have all objected; supporters may come from further afield.

**As a parting shot, there are many other landowners in Whitestake and the surrounding area who would like to develop their land. All adhere to the same policies and restrictions; this application is no different.**

## **Appendix 1**

We were granted planning permission in May 2020 to develop our pond as a wildlife and swimming pond, and a wildlife zone encompassing trees, shrubs, wildlife refuges. This area sits directly next to our border with Turbary House Nursery. We spend time each day tending the pond and surrounding area. We are working with Concept Landscapes to develop the pond and wildlife zone. Work started in August 2020 and is ongoing. The photos below were taken in January and February 2021.

This all strongly supports the South Ribble Local Plan (**G1, G8, G13, G16**) and the Central Lancashire Core Strategy (**19, 21, 22**).

So far we have reshaped the pond and moved it further into the sunlight, to help attract amphibians and newts. We have planted 150 trees and 15 shrubs and introduced a wealth of plants into the pond to attract wildlife. We already have plenty of frogs, newts, all types of insects and bugs living in the pond, even though there is some way to go before it's finished.

This is a peaceful spot, busy with wildlife, with deer visiting daily and a nesting white owl. There are plenty of bats dipping by the pond at night and foxes, squirrels, a visiting heron and a diverse crowd of visiting birds. The pond is already proving to be a magnet for wildlife.

This wildlife zone is disturbed on a daily basis by the moving of tankers in and out of the Turbary site. This started in 2018; beforehand, the Turbary site was very quiet. We hope that this planning application leads to the right thing being done: **the tankers moved away from this part of the site; the touring caravan site refused permission here; a stand-off from the pond of 100m and this part of the Turbary site rewilded to support the migration of wildlife visiting and living in our wildlife zone.**

Here are some pictures showing what's happening as we create and consolidate the wildlife zone:

The pond in development:



Some of the hedgehog and wildlife refuges we've created:



Some of our new inhabitants:



Spot the deer behind the tree at the back of the pond (Turbary boundary):



Planting in progress:



Pond still taking shape:

