

Hi Chris,

Further to our call this morning, I can confirm we are happy for the application to be deferred, with the description amended to include the road. Please let me know if you need anything further in this respect.

In relation to the road, whilst we agree that it can be included within the description – it has always been there, though in part has been overgrown in places due to lack of use, as access until recently was agreed informally to continue through the centre of the site and via the garden centre's car park. The Kenworthy's have owned the land and buildings since 1970, this included the garden centre at the time which was subsequently sold. The garden centre owners at the time continued to allow Turbary House Nursery to access their land through the garden centre car park. This has ultimately changed recently, with the current owners of the garden centre closing the access with 2 weeks' notice. As such, our client and applicant opted to re-use the road in question – located along the eastern boundary. The title plans, whilst I don't have a copy, confirm this is their access to the land. I can provide if needed. The work involved removing vegetation and resurfacing and in our opinion would not comprise development, rather maintenance.

In terms of the objection letter received, in the first instance I would like to clarify the CLEUD. The CLEUD was invited by the council following pre-application discussions in relation to different development options at the site. Our client historically operated the site as agricultural, but as stated through various submissions, as the viability of that use faded, have over time looked to try and find other revenues as a means of an income. This involved selling off the buildings for the garden centre, and also includes the fisheries and birds of prey centre. They have over the years leased land for open storage for various local businesses. As per the CLEUD, this is something that first occurred in 1992. This has provided a useful income for the landowners, who also operated a landscaping business at the land. Over time, the leasing of land expanded and that is why the CLEUD was issued. The objection letter appears to claim that these uses have only occurred since the issuing of the CLEUD in 2018. This simply is not the case, rather, the certificate confirms that since 2008, the site has been used for the uses confirmed within it.

Our client has always tried to work with the council on the site and its potential development, responding to their comments and concerns. This has resulted in the CLEUD submission, extensive discussions over the years, enforcement visits and the willingness to assist and get matters regularised as needed, and amendments during the planning process. The result of which has led to the scheme to be presented to the planning committee, which in overall terms presents a betterment of the existing land use, and a solution for the client in terms of a viable business, plus improvements in relation to the impact on the openness of the Green Belt and reduced amenity impact on neighbouring properties, amongst other benefits as detailed within your report.

In terms of the query in relation to the storage of fairground equipment. As per the enforcement visit, the equipment is solely used for storage. Within the CLEUD, the onsite building has predominantly been used for storage, but during a period of time, whilst the fairground equipment was stored in there, maintenance occasionally took place as required. As per the submitted Planning Statement in Paragraph 2.2, this is cited as taking place within the building. It is not the intention of the proposed development for the fairground equipment to be stored in the building, nor for maintenance to take place on it within the building or within the new external consolidated open storage areas.

Turning briefly to other matters:

- **Logging Chopping:** this is not new to the site, and has been carried out in parallel with our the applicant's landscape business for over 10 years. As discussed with the enforcement officer, this takes place in a small part of one of the greenhouses at the centre of the site, and is to be relocated to a similar, but slightly further north location. It was not discussed within the CLEUD as predominantly the logs appeared to be largely stored. If needed a further CLEUD can be applied for, with evidence provided if necessary. However, the enforcement discussion suggested including and labelling within the proposed site plan for this application, this has been done.
- **Change of Use of the Existing Building:** concern is expressed over the change of use of the building. It is structurally sound, permanent and capable of conversion, meeting Green Belt policy. It will remain largely B8 as per the CLEUD.
- **Permitted Development to Dwellings:** I understand such rights are removed by Condition 11 of any approval.
- **Waterloo Tankers:** have extended slightly into the an area previously not developed, as a rough guess about 5m. The objection letter identifies this. As per the site visit this extension will be removed as part of any approved planning application. If the application is refused the applicant will work with the council to get the matter resolved.
- **Static Building:** was added to the permission at request of the enforcement officer. It's ancillary to birds of prey centre as an office. We're happy to accept controlling condition as needed, it's been included to regularise and assist the council. It's not used as residential.
- **Laser Clay:** it is claimed in the letter that clay pigeon shooting takes place. It is laser clay pigeon, so no sound. This takes place within the 28 day rule allowed for through permitted development rights.
- **Tarmac:** in overall terms, less tarmac will be on site, with more soft landscaping in total. Numbers can be attained if helpful.
- **Lighting:** this is to be controlled by Condition 6 of any approval.

More than happy to clarify other matters if required, however having taken a quick read through of the committee report – it seems to tackle the matters largely comprehensively.

Thanks,

**Daniel Hughes MRTPI** | Associate

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