

Planning Committee Updates Sheet – 10th June 2021

Item 6 Planning application 07/2020/00774/FUL – Turbary House Nursery, Chain House Lane, Whitestake

A late letter of representation has been received from a neighbour advising requested amendments and/or additional conditions should the application be approved. This is detailed on the following sheets with Officer comments in red.

Requested conditions for the Turbary House Nursery site:

Touring Caravan Site (IF permission is given)

What	Explanation
Western field in entirety categorised 'nil use', apart from existing Bird of Prey viewing platform. To include both parts of the field when/if the field is split by hedgerow.	<p>This will help prevent any development in this field.</p> <p>The purpose of Condition 25 is to ensure that the field remains as 'nil use', with the birds of prey element to remain in it's existing lawful use.</p>
New hedgerow proposed in 'nil use' field, separating bird of prey centre, is hedge/tree only; no wooden/iron fencing.	<p>To help maintain openness and character of GB.</p> <p>No fencing is proposed along this line, landscaping only – the details of which would be secured under Condition 3</p>
New treeline at eastern side of 'nil use field', where tankers currently sit, to be mature hedging/trees.	<p>This will create an instant shield between the touring caravan site and neighbouring properties. Smaller hedges/trees will take a number of years to establish and provide the intended screening.</p> <p>The details of landscaping would be secured under Condition 3 in consultation with the Council's Arboriculturist to ensure appropriate specie and size of trees</p>
A solid wooden fence, 2m in height, is erected directly behind the tree/hedgeline above, creating a boundary between the touring caravan site and neighbouring properties.	<p>This will prevent trespassing into the 'nil use' field and will shield neighbours from noise, light and visual disturbance.</p> <p>Will prevent trespassing.</p> <p>The purpose of Condition 26 is to secure boundary fencing details along this specific boundary in the interest of neighbour amenity. If Committee are minded this condition can be amended to include reference to the required height of the fence.</p>

<p>The fence and hedgerow/treeline above is installed before any works begin.</p>	<p>To shield neighbours from noise created by changes to the site.</p> <p>Condition 3 would require planting within the first planting season following use of the caravan pitches. If Committee are minded this condition can be amended to require planting prior to first use.</p> <p>Condition 26 would require the agreed fencing to be installed prior to the first use of the caravan pitches.</p>
<p>The 'nil use' field is cleaned and restored to field before any works begin.</p>	<p>To ensure the field in cleaned up.</p> <p>If Committee are minded to impose such a condition this would need to specify a timeframe for the clearance and restoration works to be complete given the application is part retrospective.</p> <p>Officers would recommend the imposition of the following additional condition:</p> <p><i>Within 3 months of the date of this permission all external storage, waste and hardstanding within the western field labelled as 'To be returned to field' on the submitted Master Site Plan (ref. 1891.02.P4), excluding the section of field labelled 'Existing Owl & Bird of Prey Sanctuary', shall be removed from the site with the land restored to field.</i></p> <p><i>REASON: To retain control over the development in the interests of the open character of the land as required by Policy 19 in the Central Lancashire Core Strategy and Policy G1 in the South Ribble Local Plan.</i></p>
<p>Gate to access 'nil use' field is solid and kept locked at all times, apart from when maintenance is taking place.</p>	<p>To prevent trespassing.</p> <p>It is the Officer's view that Condition 25 provides sufficient control over the use of the 'nil use' field and can be enforced if necessary.</p>

<p>New western boundary is marked with Planning Officers before development begins.</p>	<ul style="list-style-type: none"> • To ensure that the area of the current tanker use that has exceeded the 2018 CLEUD permissions is returned to field; • To ensure that a further 3m is measured, as proposed by the applicant, to create a greater distance between the touring caravan site and neighbouring properties. <p>Condition 2 requires the development to proceed in accordance with the approved plans. This can be enforced if any breach of permission occurs.</p>
<p>If the touring caravan site is unsuccessful in business terms, the site is returned to existing use (open storage/agricultural).</p>	<p>This will prevent further development of the site.</p> <p>Condition 2 requires the development to proceed in accordance with the approved plans. Any possible future development/change of use that requires planning permission would need to be considered on it's own merit</p>
<p>Restrict construction, demolition and site preparation to 9am – 5pm Monday to Friday only. No work on Saturday or Sunday.</p>	<p>The hours of construction set out in Condition 19 are standard hours that are applied to all commercial developments across the Borough. Committee would need to be of the view that there are exceptional circumstances in this case to warrant the amendments of the hours set in Condition 19.</p>
<p>Touring Caravan Site to be classified as 048G CARAVAN SITES AND PITCHES.</p> <p>Caravan Storage Site to be classified as 047G - CARAVAN PARKS (LEISURE).</p>	<p>This accurately describes the site and is in line with government advice: https://www.gov.uk/guidance/rating-manual-section-6-part-3-valuation-of-all-property-classes/section-185-caravans-caravan-sites-parks-and-pitches</p> <p>Descriptions should be as precise as practicable.</p> <p>The following Special Category Codes should be used, as Unit Generalist Classes the appropriate suffix letter is G: 047G - CARAVAN PARKS (LEISURE) - where static vans present; 048G - CARAVAN SITES AND PITCHES - where no static vans, includes 5CLs and camping sites;</p>

	<p>054G - CHALET PARKS.</p> <p>Condition 21 provides clarification on the type and number of pitches permitted.</p>
<p>Conditions to control use of the Pitches.</p>	<ul style="list-style-type: none"> • Stay limited to 2 weeks; This would be unreasonable and would not meet the Tests for Conditions • No fires; Controlled under Condition 22 • No dogs (potential for dog fouling and trespassing; noise implications of barking dogs); This would be unreasonable and would not meet the Tests for Conditions with statutory noise issues controlled under Environmental Health legislation • 8pm noise curfew restrictions are put in place at the touring caravan site, so that loud music does not disturb the peace and quiet of the area; This would be unreasonable and would not meet the Tests for Conditions with statutory noise issues controlled under Environmental Health legislation • restrictions are put on the arrival/departure times of touring caravans so that motorised activity is limited at unsociable hours, eg. arrival by 5pm. This would be unreasonable and would not meet the Tests for Conditions with statutory noise issues controlled under Environmental Health legislation • 5mph speed restriction on road for all vehicles to and from touring caravan site. Such a condition has not been recommended by Lancashire County Highways and would be unenforceable

Recreation

<p>Clay pigeon shooting to be granted permission for nil sound only.</p>	<p>The applicant refers to the use of lasers only for the clay pigeon shooting activity. Each rifle has a volume control, from low to high. Any use of the volume to be disallowed so that the activity can run in the way described by the applicant: laser only.</p>
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	<p>Video footage from the Turbary Clay Pigeon Shooting facebook page, showing a shoot on the site, illustrates the actual noise levels:</p>
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<https://www.facebook.com/111902727309214/videos/367792501069038/>

(please unmute the video when watching)

If noise issues do occur as a result of the leisure and recreational uses these could be investigated by Environmental Health as a potential statutory noise nuisance

Mr and Mrs Keller
6th June 2021