

SUMMARY INFORMATION FOR PLANNING AND REGULATORY COMMITTEE MEMBERS: 10.11.20

Application P200500/F: Crumplebury WR6 5SG

Change of use from barn to office space

Creation of car park from riding arena

Creation of access road

All works commenced and/or completed without planning permission, applications are retrospective.

This summary provides an overview of objections to Application P200500/F and recommends refusal on the following grounds:

- All three elements have been developed without planning permission being sought at any point prior to being reported as unlawful development to HC Planning Enforcement
- Any development of the barn should have been preceded with the correct bat surveys and ecological impact studies.
- The glazed end of the barn is a substantive change from the previous brick, and will further increase the light pollution from this venue
- HC Highways have objected to the car park and access road
- The car park creates light and noise nuisance from early morning until late and all sounds are clearly audible across the valley. It bears no resemblance to the impact of the original small riding arena.
- The access road is on a gradient, headlights are intrusive and the cattle grids create a substantial noise nuisance
- Extra car parking for staff and delivery vehicles should have formed part of the original application and have been assessed correctly

1. BARN

No application was submitted before work commenced even though the Applicant was aware he should apply for a change of use and adhere to correct process.

As work started in the winter during bat hibernation season and without any ecological survey separate to the 2017 surveys on the rest of the venue, there is no way of knowing if bats were in residence and forced to break hibernation – a significant risk to their survival.

It is not acceptable that a building like the barn should have been tampered with in the winter without prior investigation into wildlife habitation.

HC Ecology commented: *'As a retrospective application on a site already known to support bat roosting (Bat survey report June 2017 - for Cow Green Kitchen Application 163902) the LPA can only hope that no breach of the Wildlife & Country Act occurred. The previous ecology report did not cover this additional development area...'*

The barn will have a glazed end (currently exposed) in between the timbers, adding another large expanse of glazed area to the extensive run of glass which is detrimental to dark skies and local nocturnal wildlife.

2. CAR PARK

The application form states that the application is for *'Permission for change of use from riding arena to car park. Whilst the area in the centre of the site has been used as a parking / storage area for a number of years, we would like to regularise to confirm that the area will be used as staff and estate office car parking.'*

Originally, the area was a 'Riding for the Disabled' arena with an occasional stored car or caravan. The riding sessions caused no nuisance to the neighbours, being of short duration and during day/working hours. The parked cars/caravan were stationary for long periods and there were no lights.

The car park is used in a radically different way and is very intrusive within this (previously) dark and silent area: the use of the area as a storage area in the past should not be viewed as a pre-existing use that merely needs 'regularising'.

Staff will always be the first people on a hospitality site to arrive and the last to leave, potentially in the early hours of the morning. Staff conversations can be clearly heard. Car headlights shine directly into properties opposite the car park and the noise of cars and delivery lorries over cattle grids is audible over a significant distance.

Deliveries are made to this area, often earlier than the legal start-point of 8 am. The area generally is busy throughout the day as deliveries and staff arrive and leave.

The original Crumplebury application included a number of parking spaces. This area was not mentioned in the application as a potential parking area at any time.

HC Highways have objected to the application: *'the applicant has submitted no evidence that additional car parking is required. The original planning application (ref: 163902) including adequate parking for staff and visitors therefore evidence is required to show a need for the additional car parking. Until such evidence is provided the LHA object to this element of the application due to the additional car parking potentially increasing traffic to and from the development.'*

3. ACCESS ROAD

The access road is only there to enable vehicles to reach the car park. The access road is on a gradient and so all headlights point directly across to houses opposite. To access the car park via this road involves crossing two cattle grids which are intrusive and noisy, particularly at night and in the early morning. HC Highways' objection, above, covers the access road as well as the car park.

4. DISREGARD FOR THE PLANNING PROCESS

This application P200500/F is the fourth retrospective planning application connected with the Crumplebury venue that has been brought about either through planning breaches, or not seeking planning permission in the first place. If issues had not been bundled together, as in P200500/F, the numbers of applications would have been greater.

Additionally, important highway safety conditions which should have been discharged before the venue opened have not been discharged (and cannot currently be discharged as stated in the decision on planning application P200858/XA2).

It appears that there has been an overall disregard for planning rules with regard to this venue throughout the application, construction and operation. Granting retrospective permission for this application (and others) just because the development exists or the actual use of the development

has happened, creates a very dangerous planning precedent in our county, particularly when the area around the venue was so unspoilt. No one should be above the law.

Document prepared by Elizabeth Kershaw on behalf of local objecting residents 31.10.20.

Photograph (below) of the impact of a single staff car in the context of an otherwise dark valley.

