



19 August 2015

Dear Sirs

Re: Planning Application 13/15/0327P Land at Trough Laithe Farm, West of Barrowford.

I strongly object to the above planning application for the following reasons:

1. The application is invalid.

The submitted plans, evidence, supporting documentation, statutory consultation responses, aerial photographs, contain site boundaries that are sometimes at variance with the “site boundary” submitted with the application form in the vicinity of Laund and Trough Laithe. This leads to confusion and uncertainty in where the actual application site boundary lies.

Additionally, as the plans are only available electronically and therefore cannot be scaled, and no measuring tool is provided, it is impossible to measure the distance of lines on a map from fixed reference points on the ground.

2. Number of houses

The application form states that this outline application is for “up to 500 dwellings with associated infrastructure”. The “public consultation” that the applicant performed at Homefield House showed their vision of a housing layout. If I were to be generous I would say that only 200 to 250 dwellings were shown on their vision displays.

Inconveniently the display board images that are contained with the supporting documentation are blurred and illegible and so I am prevented from verifying what I saw.

Moreover, in his emails of September 2014 to the utility companies, Daniel Percival refers to an application of 500 to 600 houses. Again the applicant has submitted contradictory evidence to which I object most strongly.

3. Brownfield sites.

It is a given that developers say that brown field sites are more difficult

and expensive to develop than Greenfield sites. Nevertheless such sites seem to be available in no short measure in Pendle and national guidance states that these sites should be brought forward for development in preference to green field sites. The extra cost of overcoming site constraints associated with brown field sites is offset by the lower land values and therefore the often used argument about economic viability isn't necessarily as black and white as it may at first seem.

Brownfield sites also tend to exist within the existing urban and are therefore more suitable to higher density and perhaps low cost housing, where proximity to public transport and amenities is readily available. There are social and economic costs to consider. There are also environmental and visual costs to consider of NOT developing brown field sites. The Council's decision makers should not simply be swayed by the developer's development cost lament.

If the cost of development of brown field sites is seen as a constraint, it should be remembered that it will not get any cheaper to develop in the future. Councils should therefore bite the bullet and force developments onto brown field sites, rather than squander green fields by approving applications such as this. A Kenyan proverb is appropriate here - *"Treat the earth well. It was not given to you by your parents. It is loaned to you by your children."*

John Whittaker (and Family), the owners of the Peel Group and therefore the person(s) ultimately responsible for this application is listed in this year's Sunday Times Rich List as being the "King of Regeneration". He has achieved some fantastic examples of regeneration in the north west of derelict and brown field sites. It would be more appropriate for the applicant to use these tremendous skills to regenerate the brown field sites of Pendle rather than despoil the green fields at Trough Laithe. What a legacy that would be!

4. The ecology report seeks to minimise, through omissions, the ecology in the area.

The ecology report makes light of the species that exist on the site and I would question its accuracy and the diligence of the author. In the last few weeks I have seen the following:

Rabbits, stoat(s), mice, foxes, roe deer, a small water based rodent (vole?) in our garden pond, squirrel, sheep. Last year a badger was seen on the lane leading to Wheatley Lane Road from Laund.

Swifts (or swallows), starlings, wrens, blue tits, coal tits, other tits, bullfinch, blackbirds, sparrow, dunnock, robin, thrush, crows, rooks, jays, sparrowhawk, magpies, herons, woodpecker, doves. We hear owls most nights and see bats a few times a week.

Frogs, toads, (newts in my neighbours' gardens in the last couple of years), grass-hoppers and many flying insects.

The proposed development would be detrimental to the ecology of the area due to disturbance and loss of habitats. It would lead to the further loss of traditional dry stone walls, another important habitat, which the applicant has allowed to collapse due to their very poor husbandry of the land since its acquisition several years ago.

5. Traffic and Car Parking

Access to the site is proposed through a business park that currently has insufficient car parking. Cars are parked on both sides of the road and on the public footways. It is now proposed to build houses which will generate, say, 1000 cars, and goodness only knows how many vehicle movements per day through the business park, past the parked cars and on to a roundabout affected by the aforementioned parked cars. Sitting in a stationary car trying to join or leave the motorway isn't my favourite pastime. These proposals will only make matters worse.

It makes little sense siting a housing development *en masse* so close to a motorway junction because of the "attractiveness of a convenient access to a motorway" factor. The proposals will degrade the existing access especially during peak periods, when the additional 1000+ cars will be trying to scurry back and forth, but will instead become gridlocked thus making one of the reasons for siting the houses here void and anything but convenient.

Modern day houses are usually built with garages of only a sufficient width and length to accommodate cars built in the 1960's. They are not big enough for the cars built today. The parking clutter that occurs as a result is therefore exacerbated beyond what planners predict because the assumption that one of the household's cars will be hidden away in a garage is void. If this development is approved please include conditions to ensure that houses have garages that are of sufficient size to be fit for purpose in the interests of the visual and residential amenities of the area.

6. Land drainage,

The site is criss-crossed with stone culvert land drains the location of which I have not seen on supporting evidence. Development works would inevitably destroy these culverts to the detriment of the Laund settlement. There is a dyke, or berm, within the application site, running across the rear of the properties at Laund, which diverts surface water run-off (eastwards) away from the rear of the properties. Poor stewardship and heavy agricultural equipment have lessened the effectiveness of the culverts and dyke in recent years.

There is a very real danger that the proposed development would lead

to flooding / water-logging of properties within the Laund settlement especially given that the existing drainage regime seems not to have been recognised by the applicant.

7. Treatment of Public Footpaths.

There are public footpaths that cross the site. The applicant has made play of their vision to enhance these paths. Whilst this may be laudable, the applicant has not submitted any proposals to this effect and does not mention maintenance and management of the paths thereafter. The applicant improved an existing footpath, to the east of housing on Parrock Road, during the construction of the business units on Barrowford Road to the south of the application site. The path was maintained for a number of years. In recent weeks it has become impassable due to lack of maintenance. A vision comes to naught if the paths are not maintained.

By their nature paths link places. There is no recognition of this in the proposals. Any public footpath outside the application site that links to the “enhanced” public footpaths within the site will suffer through more intensive usage if they too are not “enhanced”, and thereafter maintained. The applicant may well say that such paths are outside their jurisdiction and control. However, a precedent is set if the applicant improves Junction 13 of the M65, due to the increased traffic arising from their proposals. If the development is approved the applicant should be asked to state now, in their vision, how the issue of increased usage of public footpaths will be managed.

8. Scant Recognition of the Historic Settlement of Laund.

Whilst the various reports refer to the settlement at Laund and the claimed mitigating measures the developers will take to protect the historical merits of this part of the conservation area, it seems to be little more than lip service. The applicant will not be the developer and has chosen NOT to apply for appearance, landscaping, layout or scale as reserved matters. Therefore, the applicant is in no position to comment on detailed proposals and their effect, or otherwise, on Laund. The applicant’s hyperbole is nothing more than a deception.

The applicant has said that the historic setting will be protected by their vision of public open space. That is nonsense. Their vision shows public open space directly under the constraint of overhead electricity cables. The pylons and power lines are their constraint to development, not the conservation area, listed buildings and historic settlement. The applicant’s design philosophy is anything but altruistic in this regard.

The submitted supporting evidence primarily refers to there being only two (occasionally three) properties at Laund. There are actually four properties and an ancient barn. This is another reason to question the

integrity of the applicant's so called vision – they haven't done their homework!

9. Dry Stone Walls

The applicant has never maintained their boundaries across and around the application site since it fell into their ownership. Given that the land is farmed and has livestock on it, it is the duty of the landowner to prevent such livestock from escaping on to adjoining land if the livestock could cause damage or nuisance by doing so. (*Rylands v Fletcher*). As I write this, sheep again escaped overnight, and have been wandering about freely.

The dry stone walls are an integral part of the landscape, particularly in the vicinity of the Laund settlement and its approaches via the unmade track from Wheatley Lane Road where they add to historic importance of the environs. Any consent to this application should contain condition(s) which seek to improve and thereafter maintain the dry stone walling within the application site, near to the Laund settlement and its approaches. Boundary treatments, to any new properties where they abut or are on the line of existing dry stone walls, should ensure that the existing walls are improved and maintained rather than allow "urban style" timber or concrete post and timber panelled fencing. Any such condition(s) should prevent the loss of the dry stone walls and their replacement by timber fencing, with or without concrete posts, along the only vehicular route to the conservation area and listed and historic buildings at Laund.

10. Site Compounds

Site compounds are unsightly, noisy, busy, dirty centres of activity in any development. Their location should be restricted by condition(s) such that they do not impose on existing residents and upon the historic setting of Laund. Their location should not interfere with the use of public rights of way. Any vehicle parking associated with the construction work should be away from existing residents and subject to enforceable conditions to prevent visual, residential or environmental harm.

Any such restrictions should apply equally to storage areas for building materials and the stockpiling of topsoil, subsoil and overburden.

11. Public Open Space

The proposed public open space in the applicant's vision is naïve. It is one of the few aspects of the proposals that can be commented upon despite being a reserved matter because the applicant has chosen to use the constraints on the site as his template.

The main corridor of POS traverses the site from north-west to south-

east and is directly underneath the main electricity cables. The amenities whilst flying a kite, throwing a frisbee, kicking a football, might be a little hazardous whilst the views to those sitting or walking will be anything but idyllic.

The public footpath from Laund, north-eastwards to Wheatley Springs forms another open space corridor, again defined by another existing constraint (the footpath). Given the indicative road layout in the applicant's vision, and the position of the housing clusters, again in the applicant's vision, it is obvious that the applicant's vision is for the rear of housing to back on to their vision of public open space / public right of way. This will lead to 2m high timber rear garden fencing hemming in their vision of open space, with wheelbarrow loads of garden debris randomly thrown over the aforementioned fencing.

Therefore the Council, if it is minded to approve this wanton destruction of the environment should think very carefully about the provision and preservation of any land that is not to go under bricks and mortar, but instead used for public open space.

As a rule any development that turns its back on public open space and public footpaths inevitably lead to those places becoming forbidding, neglected and unused within very few years. Neither the applicant, nor the developer would maintain the land in perpetuity and Council's tend to find the cost prohibitive despite any provisions of a Section 106 Agreement or some other such device.

12. Deceptions

a) An outline planning application is a valid method of establishing the principle of development. When an applicant has a "Vision" of how he would like a site to be developed, and accompanies this with a smoke screen of hundreds, if not thousands, of pages of supporting evidence, but does not have the grace to apply for any single element that might make the Vision a reality, that is a deception.

b) All the glossy reports and statements about the best thing since sliced bread mean nothing. The applicant will argue that planning conditions attached to an outline consent are sufficient to ensure that the vision is created. It is not. That would firstly, rely upon a planning officer writing one hell of a set of conditions, and secondly upon the eventual developer agreeing 100% to every element of the vision without any changes or deviations throughout the 10 year construction period.

Governments and their initiatives, market forces, demand, climate change, financial instability will all change during the lifespan of the development. There will be many more factors that will change. The developers will say that they can't afford to build the approved houses and will have to increase the numbers, or that the large houses aren't

selling and they will have to increase the numbers **and** chop a few more trees down. The public open space will not be maintained, become of little value and will be built on. The access will *have* to be on to Wheatley Lane Road for some, as yet, unknown reason.

Things will change. The local authority will be powerless to do anything but accept revisions to the approved plans because cast iron reasons for acceptance will have been devised. The Vision will not survive. It cannot be protected by the planning system.

The only way to ensure that the applicant's Vision is put into practice should this application be approved is for the applicant to sell the land to the developer subject to caveats, terms and conditions, legal agreements, penalty clauses and a bevy of other methods of legally binding strictures designed to enforce and maintain the creation of the Vision. The applicant however, will not put any such conditions on the sale of the land. The Council cannot impose a condition, or many conditions, that would force a Vision to be created. Therefore the Vision is nothing more than a publicity deception.

c) Another deception is photography. Photographic evidence of fields and trees in full leaf showing how existing residents will not be affected by the proposals is a deception. For over 6 months of the year trees are not in full leaf. Existing residents will be affected more than the photographs purport to show and the reports that say otherwise simply strive to deceive.

Photographs towards the settlement at Laund showing that the settlement can hardly be seen proves, according to the reports, that the residents of Laund will not see the development. That is utter nonsense and deception. If the photographer stands under a tree, in a hollow, behind a hummock or to the side of a hedge whilst taking his photograph of the Laund settlement whilst the trees are in leaf he can prove the settlement cannot be seen. The residents of the dwellings, on the other hand, needs to do nothing more than glance in the direction from which the photograph was taken, to see several trees and hedgerows, dry stone walls, undulating fields, sheep feeding, public footpaths with walkers.

The applicant has been preparing his case and supporting evidence for years. He has commissioned a photographer to take pictures of the site in the summer. There are three other seasons when the picture(s) would have told a different story.

The applicant uses his photographs to "prove" the historic setting of the Laund settlement will not be adversely affected by the proposed development. The photographs simply deceive the truth. The only way to assess the impact on the historic setting of the Laund settlement and the historic land around upon which its origins depended, is to assess the siting, layout, design AND proximity of any

new buildings in conjunction with landscaping and screening.

d) The publicity boards that the applicant used at Holmefield House stated that the proposed development is infill development. My estimation is that less than 25% of the entire perimeter of the site has existing developments (housing). Only the boundary to the north-east of the site has any significant housing where it abuts the application site. The applicant again seeks to deceive by saying this is infill development.

e) It is claimed that this is poor quality agricultural land. It was certainly of better quality when it was bought by the applicant. Over the years since its purchase poor stewardship has led to 5' high thistles and nettles growing across the site. Dry stone walls and fences have been allowed to collapse without repair. Gulleys and culverts have not been kept clear causing the once well drained land to become waterlogged and unproductive. Hedgerows have not been layered allowing stock to escape. Agricultural plastic bags, bins, buckets, pallets and assorted agricultural paraphernalia litter the site whilst the snapped and partially submerged barbed wire of abandoned fences causes injury to those that it lacerates. It is the applicant's mismanagement and poor stewardship that has led to the land's poor agricultural condition and yet he seeks to deceive us that his Vision will be "just what we've always wanted" and better than what we have now.

f) The applicant claims to have informed / consulted everyone in the vicinity of the application site of their proposals and publicity campaign at Holmefield House. This is yet another deception. The residents of Laund were not informed or consulted. I found out about it quite by chance, whilst in my garden, from a passerby at about 4pm on the date of the event.

Thank you for reading this objection letter and I trust that you will bring all matters raised to all appropriate decision makers.

Ivan Firman