

Our Ref: [REDACTED]

26 February 2026

Ms M Cullen
Planning
Ribble Valley Council
Council Offices
Church Walk
Clitheroe
BB7 2RA

[REDACTED]

Dear Ms Cullen,

**Objection to planning permission Ref. 3/2025/0758
At land off Whalley Road, Hurst Green**

[REDACTED] is instructed by [REDACTED] to object strongly to planning application Ref. 3/2025/0758 by the [REDACTED] Mr Hickey. The application relates to land off Whalley Road, Hurst Green [REDACTED]. It proposes:

“Change of use of agricultural land to four no. 1 bedroom holidays lodges, relocation of site access, improvements to public footpath and associated landscaping”

[REDACTED] directly to the [REDACTED] application site which comprises the property known as [REDACTED] its surrounding curtilage. We have enclosed with this letter a copy of the registered title for the property. This is so the LPA and Highway Authority have clarity around land ownership matters and in particular, [REDACTED].

This plan is pertinent to our objections given that the application scheme continues to [REDACTED] and [REDACTED] outside of the applicants control over which he has no existing rights [REDACTED] and will not be granted rights) to deliver drainage and visibility splays,

Introduction

The application site is located to the east of the village of Hurst Green and beyond the settlement boundary. The site comprises a roughly square shaped parcel of land and is stated to extend to an area of circa 0.95 hectares. The land is located to the south of Whalley Road, which is a busy classified

[REDACTED]

road. The land slopes notably from north to south. The site currently has no established means of access from the public highway other than an existing field gate.

The site is currently in use for agriculture. The boundaries of the site are relatively well-defined comprising boundary planting, hedgerows and trees to the south, east and west and Whalley Road to the north.

Planning History

The site has a lengthy planning history which is summarised below. The planning history is relevant and material to the Council's consideration of this application:

- 3/2017/1213 – Change of use of agricultural land to D2 (assembly and leisure) and erection of eight holiday lodges with associated access, parking and landscaping. Withdrawn
- 3/2018/0685 - Change of use of agricultural land to D2 (assembly and leisure) and erection of eight holiday lodges with associated access, parking and landscaping (resubmission). Refused

Planning permission was refused for two reasons as follows:

1. The proposed development of this visually prominent site in the open countryside would have a visually detrimental impact on the visual character of the area and the setting of the adjacent Area of Outstanding Natural Beauty. The proposal is therefore contrary to Key Statement EN2 and Policies DMG1, DMG2 and DMB3 of the Ribble Valley Core Strategy which all seek to ensure development is in keeping with the character of the landscape and surrounding area by virtue of scale, siting, layout and design, as well as national guidance contained within the NPPF.
2. The access point to serve the development site off Whalley Road would not achieve acceptable visibility splays and is considered to be dangerous and insufficient for the numbers and types of vehicles that will utilise the development site. The highway implications of this proposal are considered to be harmful and thus the application is considered to be contrary to Ribble Valley Core Strategy Key Statement DM12 and Policy DMG1, as well as the relevant sections of the National Planning Policy Framework.

The application was subsequently subject to an appeal which was dismissed on 26 November 2019 with the Inspector concluding *"I have considered all matters that have been raised, but the benefits that would arise would not outweigh the harm caused by the proposal with regard to the character and appearance of the area and highway safety. The proposal conflicts with the development plan as a whole and there are no material considerations to outweigh this conflict. Hence the appeal should be dismissed"*.

Designations

The site is located outside of the defined settlement of Hurst Green and thus is within the 'Open Countryside'.

Whilst the site is located outside of the 'National Landscape' (former AONB), the boundary is directly to the north. As noted by the Inspector in the aforementioned appeal, its location "*would appear detached from Hurst Green, in particular as it would be separated by the woodland area bordering the site and further open land*" (para 8) and whilst it is located outside of the National Landscape / AONB "*it shares many of its attributes and is noticeably part of its setting*".

The Inspector went on to note the following which is highly material to the LPA's consideration of the application "*As a consequence, I do not agree that by virtue of the site lying just beyond the boundary that it limits its intrinsic value in this regard or that the proposal would not unduly impact on its natural beauty because it lies outside of this nationally protected designation. When observed from Whalley Road, the site does not have appreciably less of a landscape value than the AONB. Accordingly, the proposal would also harm its setting, and so it would not conserve and enhance its natural beauty. In this context, the proposal would fundamentally alter the AONB character in the vicinity of the site, even if the broader effects across the designation would be more limited*".

The site is in Flood Risk Zone I and thus is not considered to be at risk of fluvial flooding. The site is also not identified as being at risk of surface water flooding.

The site is not within a Conservation Area although Hurst Green Conservation Area is circa 440 metres to the northwest. Whilst there are no listed buildings on the site, there is listed building to the southeast of the site.

It is also noteworthy that the woodland directly to the southwest is 'Ancient Woodland and that part of the site is within a Mineral Safeguarding Area.

Planning Policy Context and Assessment

Section 38(6) of the Planning and Compulsory Purchase Act 2004 states that "*if regard is to be had to the development plan for the purposes of any determination to be made under the Planning Act, the determination must be made in accordance with the plan, unless material considerations indicate otherwise*". Any issue that relates to the use and development of land is capable of being a material planning consideration, this includes government statements of planning policy.

The Development Plan for Ribble Valley comprises the adopted Core Strategy (2014) and the adopted Housing and Development DPD (2019).

The following policies from the Core Strategy are considered applicable to this scheme:

- Policy DS1 *Development Strategy* – This notes Hurst Green to be a Tier 2 Village Settlement. New development within the settlement (and this scheme is outside) needs to meet proven local needs or deliver regeneration benefits.

Response - This development does not meet a need and undermines this policy. It would not be approved within the settlement boundary and thus should certainly not be approved outside of it.

- Policy DS2 *Presumption in Favour of Sustainable Development* – rehearses national policy and requires development to accord with the Development Plan.

Response - This scheme does not constitute sustainable development, and the adverse impacts of the scheme significantly and demonstrably outweigh any benefits. The scheme thus conflicts with this policy,

- Policy EN2 '*Landscape*' – states that the landscape and character of the Forest of Bowland AONB will be protected, conserved and enhanced. Development will need to contribute to the conservation of the natural beauty of the area. It goes on to state that "*The landscape and character of those areas that contribute to the setting and character of the Forest of Bowland Areas of Outstanding Natural Beauty will be protected and conserved and wherever possible enhanced*".

Response - The application scheme does not protect, conserve or enhance the setting of the Forest of Bowland AONB. By virtue of the introduction of built development into an area of open countryside and the adverse visual impact the scheme as a whole will have on the local landscape and natural beauty. It is considered that the scheme will have a negative and detrimental impact on the setting of the National Landscape/AONB and will fail to conserve and enhance its setting. The scheme is thus contrary to this policy.

- Policy DM12 '*Transport Considerations*' – requires new development to be located where it will minimise the need to travel and there is good access by foot and cycling and convenient links to public transport.

Response - The application site is an unsustainable location and is not readily accessible by non-car modes. The nearest bus stop is located in the centre of Hurst Green some 600 metres to the west. Footpath links to the village are sub-standard and of poor quality. Travel to the development is likely to be car dominated. The scheme thus conflicts with Policy DM12.

- Policy DMG1 '*General Considerations*' – requires development to meet a number of criteria with regards to design, access, amenity, environment and infrastructure, including the following:

- Be sympathetic to existing and proposed land uses in terms of size, intensity and nature as well as scale, mass, style, features and building materials.
- Consider density and layout with particular emphasis on visual appearance and relationship with surroundings, including impact on landscape character as well as the effects of development of existing amenities.
- Consider the potential traffic and car parking implications.
- Ensure safe access can be provided to accommodate the scale and type of traffic likely to be generated.
- Consider the protection and enhance of the PROW.
- Not adversely affect the amenities of the surrounding area.

Response - The application scheme is considered to be contrary to a number of criteria within this policy. The development will be visually intrusive and will have a negative impact on landscape character and local visual amenity. It will also be detrimental to the residential amenity of the occupiers of [REDACTED] be reasons of noise and light intrusion. In addition, the scheme has also not robustly demonstrated safe access and it will not enhance but rather have a detrimental impact on the PROW which runs through it. The scheme accordingly conflicts with Policy DMG1.

- Policy DMG2 '*Strategic Considerations*' – states that development within the open countryside will be required to be in keeping with the character of the landscape. With regard to the Natural Landscape, development will need to demonstrate it protects, conserves and enhances the landscape and character of the area.

Response - The application scheme fails to protect, conserve and enhance the landscape and setting of the Natural Landscape and thus conflicts with this policy.

- DMG 3 '*Transport and Mobility*' - states that the Council will assess proposals in the context of the development strategy but will also attach considerable weight to the availability and adequacy of public transport and associated infrastructure, including pedestrian and cycle infrastructure.

Response - The application site is not in a sustainable location and thus is in direct conflict with this policy.

- Policy DME6 '*Water Management*' – states that all applications for planning permission should include details for surface water drainage and means of disposal based on sustainable drainage principles.

Response - The applicant is unable to demonstrate a deliverable and viable means of draining surface water from the site. The application currently purposes a connection to the watercourse [REDACTED] which requires a drain across it. [REDACTED] have advised the LPA on numerous occasions that this is not acceptable to them and that consent will not be given to such a drain. As a result, the applicant should be requested to demonstrate how they propose to drain surface water from the site. They should also be required to evidence that the proposed solution is deliverable and viable.

The only option seemingly open to the applicant is a connection to the mains. However, having regard to the location of the connection in Whalley Road it would almost certainly need to be pumped which would require an onsite pump station. Having regard to the scale of development proposed this is not likely to be a viable solution. As such, the scheme conflicts with Policy DNE6.

- Policy DM3 '*Dwellings in the Open Countryside and AONB*' – this restricts the construction of new dwellings in the open countryside to agricultural works accommodation and housing to meet a local need.

Response - Whilst this policy is not directly relevant to the application scheme, it is referenced for two reasons. Firstly, consent would be unlikely to be granted for the development of this site for housing as such how can it be acceptable to develop it for holiday accommodation. Secondly, other similar sites within the Ribble Valley, such as Ribble Valley View in Old Langho have become housing by default due to the absence of any restriction on the holiday lodges. As a result, people are now living in them on a permanent basis as if they were a dwelling.

- DMB3 '*Recreation and Tourism Development*' – This states that planning permission will be granted for proposals that extend the range of tourism and visitor facilities in the Borough subject to compliance with a number of criteria. These include:
 - The proposal does not conflict with other policies in the Plan
 - The proposal is physically related to an existing main settlement or village, except where facilities are required in conjunction with a particular attraction.
 - The development does not undermine the character, quality or visual amenities of the plan area by virtue of scale, siting, materials or design.
 - The proposal is well related to the existing highway network.

- It is large enough to accommodate necessary car parking, servicing and landscaping.
- The proposals takes into account conservation impacts.

In the National Landscape/ AONB, the following additional criteria apply:

- The proposal should display a high standard of design.
- The site should not introduce built development into an area largely devoid of structures.

“In the AONB and immediately adjacent areas proposals should contribute to the protection, conservation and enhancement of the natural beauty of the landscape”

Response – the application scheme fundamentally conflicts with this policy, and it is difficult to see how the LPA can consider any form of development which involves built development to be acceptable as a matter of principle on this site, particularly having regard to the Inspector's comments at para 9 of the aforementioned appeal.

On a very basic level the site is not physically related to the village of Hurst Green and therefore any proposal on the site immediately conflicts this policy. Notwithstanding this fact, the scheme also conflicts with a whole range of other policies in the development plan and thus the plan as a whole. The scheme is also very clearly detrimental to landscape character and visual amenity and fails to protect, conserve and enhance the setting and thus the Natural Beauty of the National Landscape/ AONB. National Landscapes/ AONB are afforded the strongest protection.

Having regard to the above assessment, it is very clear that the application scheme fundamentally conflicts with the development plan. Given that there are no material planning considerations which would direct the LPA to grant planning permission contrary to the development plan, it is clear that planning permission should be refused for this scheme.

With regards the NPPF, which is material consideration in the determination of planning applications, this is relevant with regard to a number of matters but most notable in terms of development within and adjacent National Landscapes/ AONB. Paragraph 189 states that *“great weight should be given to conserving and enhancing landscape and scenic beauty of National Parks, the Broads and National Landscapes, which have the highest status of protection in relation to these issues”*. The scheme fails to comply with this requirement.

Note should also be taken of paragraph 116 in relation to highway safety matters which makes it clear that development should be prevented if there would be an unacceptable impact on highway safety.

Objections

Objection is raised to the planning application for a number of reasons as follows:

Invalid Application

Having regard to guidance contained in the National Planning Practice Guidance on ‘*Making an Application*’, we are of the firm and unequivocal view that the planning application as submitted and subsequently amended is not valid. The application should therefore not proceed to determination and should be returned to the applicant. Alternatively, the application should be refused without delay on grounds that it contains insufficient information to meet national validation requirements.

As we have already advised the Council on a number of occasions, the submitted site location plan does not contain the information required to meet national validation requirements, which are clearly set out in paragraph 024 of the NPPG. This states:

“The application site should be edged clearly with a red line on the location plan. It should include all land necessary to carry out the proposed development (eg land required for access to the site from a public highway, visibility splays, landscaping, car parking and open areas around buildings). A blue line should be drawn around any other land owned by the applicant, close to or adjoining the application site”.

Whilst notice under Certificate B has now been served [REDACTED], the site location plan and red line boundary continues to fail to include all land necessary to carry out the proposed development. In particular, the red line boundary fails to [REDACTED] required to construct a surface water drain to discharge surface water to the watercourse in our [REDACTED]. This is particularly important given it is the only practical, deliverable and viable means by which surface water can be drained from the site. Furthermore, the site location plan fails to meet the requirement to including visibility splays within the red edge. This is important as we consider that part of the visibility splay fall within [REDACTED] notwithstanding the applicant’s assertion that it doesn’t.

The LPA’s attention is also drawn to the fact that the northwest corner of the application site where it adjoins Whalley Road and the PROW is not in the applicant’s ownership, but rather [REDACTED] [REDACTED] (see enclosed title plan). [REDACTED] does not consent to the inclusion of this within the site. It should therefore be removed from the application site boundary. In addition, part of this land is within the visibility splay of the site access. As such, the applicant is unable to deliver the required visibility splay to the west entirely in land in his control.

Finally, it is considered that the application description fails to make clear the full scope of the development and therefore it should be amended to include:

- Laying of new surface water drain to adjacent watercourse.
- New access roads.

- Associated hardstanding.

Insufficient Detail and Supporting Information

Having reviewed the application submission in detail, it is our professional view that the application submission is wholly inadequate in a number of key areas and comprises insufficient information to enable the LPA (and the Highway Authority) to robustly assess the impacts and thus the acceptability of the development. The submission is high level and is vague and lacks detail in certain key areas. These also conveniently happen to be those areas relating to the most key and sensitive planning issues i.e highways, impact on the setting of the National Landscape/ AONB and visual and landscape impact more generally and amenity considerations.

We have listed below the areas where detail is lacking, and which is of significant concern:

- *Site Location Plan* – as set out above this does not satisfy national validation requirements.
- *Existing Site Layout Plan* – this contains no topographical information or site levels, but only vague contour lines. As such, it is not possible for the LPA to fully understand existing site levels to then be able to compare these to proposed site levels and then understand the proposed land regrading and level changes and thus the visual and landscape impact of the scheme.
- *Proposed Site Layout Plan* – This similarly contains no site levels. It also contains no details of the finished floor level of the proposed lodges. It is therefore impossible for the LPA to know and understand at what level any of the scheme will be built and therefore its landscape and visual impact and impact on the setting of the National Landscape/ AONB. No information is provided around the site spine roads and at what level and gradient they will be constructed. The plans also lack detail around materials for roads and other hard surfaces, boundary treatment and the new surface for the PROW. Given the sensitive location of the site and need to properly assess the landscape and visual impact of the development these matters cannot be dealt with by condition as they go to the heart of whether the development is acceptable in principle.
- *Site Access* – whilst there is a site access drawing contained within the Transport Note, no site access drawing has been submitted as part of the planning drawings for approval and to be secured via an approved drawing condition. In the absence of such a drawing, there is no mechanism for the LPA to secure implementation of the technical detail of the site access, including visibility splays required to protect highway safety.

Furthermore, having discussed the site access drawing with a Highway Consultant, it is their view that the detail of the site access has been ‘fudged’ and that required visibility splays cannot be achieved within land in the applicant’s control and public highway. Specifically, our Highway Consultant has voiced concerns that the access drawing (which is contained in Appendix E of

the Highway Note) is at too small a scale to allow robust assessment and scrutiny of the detail. They also expressed concern that it lacks a clear and accurate topographical base survey and an accurate and clear red line boundary to enable the boundaries of the application site and land ownership to be clearly differentiated. In addition, it does not define and illustrate the extent of the public/ adopted highway to demonstrate unequivocally that not part of the visibility splays are in third party land.

Having reviewed the plan, it is their view that once the access and visibility splays have been drawn accurately alongside topographical information and at an appropriate scale, with the extent of the adopted highway overlain, it is more likely than not that it will show the visibility splay from the site access to the west () over which the applicant has no control. This is even more likely given that there is land in the northwest corner of the site that is within the red edge but not in the applicant's ownership and control. My observation on site is the same is true for the visibility splay to the east which largely comprises third party land.

- *Site sections* – the submitted site section is entirely meaningless. Not only does it not contain any site levels or finished floor levels, but in the absence of existing site sections to compare it to it is impossible to understand how the land within the site will be regraded to accommodate the proposed development.
- *Landscape Details* – the landscape details on the site layout plan is different from the Softworks, Landscape Management and Maintenance Plan. As such, the detail of the scheme is unclear. It is therefore unclear if and how the scheme will be screened.
- *External Lighting Details* – it is assumed that the site will require external lighting, which given the open countryside location of the site will inevitably be intrusive and visible. It is also likely to be visible from our client's property. As a result, the impact of light from the site, including the lodges themselves should be considered now as part of an overall assessment of the acceptability of the scheme.
- *Planning Statement* – the application is not accompanied by a Planning Statement and therefore does not explain and demonstrate how the scheme accords with the development plan and national planning policy. Nor does it provide a justification for why the development is acceptable despite it being contrary to most applicable development plan policies. As set out above, we are of the firm view that it does not accord and therefore planning permission should be refused.
- *Landscape and Visual Impact Assessment, including verified views* – given the highly sensitive and visually prominent location of the development in the open countryside and on the edge of the Forest of Bowland National Landscape/ AONB (as noted by the Inspector who dismissed the 2019 appeal) and the likelihood of the development being highly visible and detrimental to the setting of the National Landscape/ AONB and local landscape character

and visual amenity, we are of the firm view that the application should be supported by a robust Landscape and Visual Impact Assessment, including verified views from key sensitive and important vantage points. The development is not well screened from any direction and will be highly visible from all directions, including from across the fields to the south and from [REDACTED].

Given the lack of detail around land levels and land regrading, it is impossible for the LPA to understand, let alone assess, the level and extent of the impact of the scheme. Failure to request such information amounts to a failure to properly and robustly consider the landscape and visual impact of the scheme and in particular, its impact on the setting and natural beauty of the National Landscape/ AONB.

- *Noise Assessment* – the site is located directly adjacent to a residential property and is likely to generate significant noise from people coming and going and occupants having ‘a good time’ outside of the lodges, which have terraces and hot tubs and across the site as a whole. As such, the application should be supported by a Noise Impact Assessment to enable a robust assessment to be made of the impact of the scheme on the amenity of neighbours. No details are also provided as to means of heating and cooling of the lodges and whether any external plant and equipment which may generate noise will be required.
- *Flood Risk Assessment* – whilst the site area is stated to be 0.95 hectares, once the red line has been extended to include land required for the surface water drainage connection and visibility splays, it is almost certain that the site area will exceed 1 hectare. As set out in the NPPG and NPPF, any site that has a site area of in excess of 1 hectare is required to be supported by a Flood Risk Assessment. We also query why given the size of the site and its proximity to watercourses, the LLFA have not been consulted as a statutory consultee.

Notwithstanding the above, we also raise questions about the accuracy of the stated site area within the application. The red line application area is the same as that under planning application Ref. 3/2018/0685 yet this application noted the application site area to be 1.42 hectares. We question whether the site area has been ‘fudged’ to fall under the threshold for a Flood Risk Assessment and presumed wider consultation with statutory consultees.

Principle of the Development

The application site is located in the open countryside and 335 metres outside of the defined settlement of Hurst Green making it entirely disconnected from the village. DMB3 ‘*Recreation and Tourism Development*’ sets out the criteria that development for new tourism accommodation is required to comply with in order to be considered acceptable. It is clear from reviewing these criteria that the proposed development does not accord with this policy, not least because it is in no way physically related to the settlement of Hurst Green. Rather it constitutes an isolated and incongruous development in the open countryside.

[REDACTED]

Notwithstanding this fact, we are also of the view that the proposed development by virtue of its visual intrusion will undermine character, quality and visual amenities of the area. Furthermore, as the Inspector in the 2019 appeal noted, the development's visual impact is about much more than the lodges themselves but also includes the visual impact of new roads and associated infrastructure, parked cars and associated holiday paraphernalia.

Accordingly, we consider the development to be entirely unacceptable as a matter of principle and therefore that planning permission should be refused.

Detailed Planning Issues

The scheme raised a number of detail planning issues, and whilst the application submission comprises insufficient information and detail to thoroughly and robustly assess the impacts of the scheme, sufficient information exists to strongly indicate that the development is wholly unacceptable for a number of reasons.

Impact on the setting of the National Landscape/ AONB and Landscape and Visual Impact

Although the submission contains no levels information and therefore it is not possible to determine the exact landscape and visual impact of the scheme, given the prominent, open countryside and highly visible location of the site, a common-sense approach points to the scheme being incongruous, out of keeping with the character of the area and visually intrusive within the landscape.

Furthermore, having regard to the Inspectors comments in the 2019 appeal with regards the relationship of the site with the Forest of Bowland National Landscape/ AONB, it is clear that the scheme will be harmful to the setting of the National Landscape/ AONB and that it will not protect, conserve or enhance its natural beauty. For these reasons the scheme is considered contrary to Policy EN2 as well as paragraph 189 of the NPPF and should therefore be refused.

Highway Safety

The Highway Authority have indicated that the development is acceptable from a highway safety perspective. However, it is our firm view that in the absence of a suitable site access plan, which is at an appropriate scale and accurately overlays the extent of the public highway and an up-to-date topographical survey with land ownership clearly marked (including a correction to the site boundary in the northwest of the site), it is not possible to comment with confidence that the access is acceptable. This is of significant concern given it appears more likely than not that some of the land needed to deliver the required visibility splays at the site access is in [REDACTED] over which the applicant has no control.

Planning permission was refused previously and the appeal upheld in part for exactly this reason. In the absence of the applicant being able to deliver the required visibility splays and demonstrate that the scheme is acceptable from a highway safety perspective, the application must be refused. The

[REDACTED]

site access must therefore be subject to more rigorous assessment following the submission of a more accurate and detailed site access plan.

In addition, it is my own observation from a visit to site that the location of the proposed access is not safe. Vehicles, which are travelling at speed, along Whalley Road from the west enter a hidden dip in the road and disappear completely from view immediately before they reach the proposed site access. In my professional view, it is very apparent that there is a high risk of a vehicle exiting the site, particular where the driver is unfamiliar with the local road network, colliding with a vehicle travelling west from Hurst Green. Whilst we appreciate the Highway Authority have looked at this, we respectfully request that they visit site and look at this again.

Drainage

It remains the case that the scheme is predicated on a new surface water drain being provided across [REDACTED] which they do not consent to and will not consent to. As a result, the applicant has failed to demonstrate that there is a suitable, feasible, deliverable and viable means of draining surface water from the site. This is a prerequisite of Policy DME6 and given it cannot be complied with planning permission should be reused

As previously set out, the alternative is a connection to the mains sewer in Whalley Road. However, this would appear to be cost prohibitive. This matter is however of great concern [REDACTED] due to local topography (the application site being much higher than [REDACTED]) and the risk that surface water drains directly off the application site [REDACTED].

Impact on Residential Amenity

The scheme proposes to create what can only be described as a holiday park in close proximity of a residential property. Despite this fact, absolutely no consideration has been given to the impact that the scheme might have on the residential amenity of the occupants of this property. A scheme of this nature will have a number of negative and unacceptable amenity impacts related to noise and light intrusion and overlooking and loss of privacy.

With regards noise, it is likely that background noise levels at the site are very low particularly at night. The development will introduce noise intrusion from a number of sources which have not been subject to assessment or consideration. They include noise from traffic and people coming and going; slamming of car doors; people talking; activities outside the lodges and servicing.

Light intrusion is also likely from site lighting, internal and external lighting at the lodges and car head lights.

In addition, whilst distances are such that there is no direct overlooking, due to the topography of the land and the lack of dense boundary planting, [REDACTED] are likely to have a sense of being overlooked [REDACTED].

Ecology

Whilst the application is supported by a PEA, no consideration seems to have been given to the ecological impacts of the development a field in the open countryside in terms of noise and lighting. Whilst it may be the case that there are no protected species on the site, the site is likely to be currently used by for foraging and commuting by bats and birds which the development will adversely impact.

PROW

The scheme proposes to upgrade the PROW to a gravel path. Having regard to previous schemes we have been involved in this is unlikely to be acceptable to the LCC PROW team or the Ramblers Association. We raise the question therefore as why neither of these parties have been consulted on the application and request that the Council do so.

Conclusion

To conclude, as we have been stating for a number of months this application has not been lawfully made and is not a valid planning application. As such, the application should either be rendered invalid and returned to the applicant or refused.

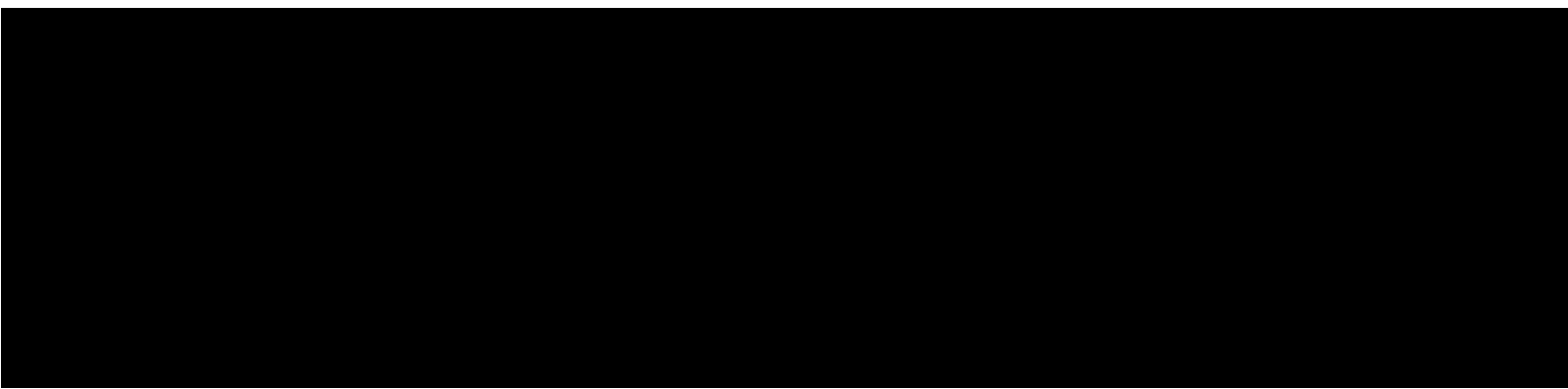
Notwithstanding this fact, the application submission and details of the scheme are light and vague at best, and the critical details and information the LPA require to enable a comprehensive assessment of the scheme are absent. As a result, it is simply not possible for the LPA, or Highway Authority, to undertake a robust assessment of the scheme. The application should therefore be refused on grounds of insufficient information and a failure to demonstrate a deliverable surface water solution and that land required to provide visibility splays is within the applicant's control.

Furthermore, the scheme is very clearly contrary to the Core Strategy and conflicts with a wide range of policies within it (set out above). No other material consideration has also been put forward to justify the development being approved contrary to the development plan. As such, having regard to Section 38 (6) of the Town and Country Planning Act the application should be refused.

We trust that the information contained in this letter is useful to you and that it will be detailed consideration and acted upon at the earliest possible opportunity. We also trust that a site visit will be made to view the development in person, including from [REDACTED].

This application and the way it is being handled by the LPA is causing unnecessary upset, distress and anxiety for our clients who feel that they are not being listened to and their views and concerns are not being taken seriously.

It is our professional opinion that there are very serious and obvious flaws with this application, and the applicant is very deliberately being vague and withholding information (and misleading the Council on certain matters) in the hope that certain issues do not come to light before planning permission is granted. The scheme is also very clearly contrary to the development plan. We thus respectfully request that it is refused without any further delay.



If you wish to discuss the contents of this letter further, I would be happy to do so and grateful if you would contact me at the earliest possible opportunity.

Yours sincerely,

