

# Kirkby Ireleth Parish Council Planning Application Response

Planning Application Number: SL/2021/0492

Site Address: Land off A595 School Road KIRKBY-IN-FURNESS LA17 7TL

## Description:

Creation of a horticultural nursery including steel framed portal buildings, glasshouses and polytunnels, a temporary residential dwelling, landscaping works, the formation of a revised site access and access track to the nursery buildings (Part retrospective)

In principle the Parish Council is not against the establishment of a horticultural nursery on this site on the condition that the development is of an appropriate size, befitting to the local area and respectful to the rural setting of our village – this application is questionable in this respect - it clearly has potential to create an over industrialised development. With any development, and most importantly in relation to this development it is critical that the amenities of residents and the wider village are protected without fail, and any concerns or objections raised are addressed and mitigated within the planning process if the development is to be permitted.

The Parish Council is of the strong view that any development must be in keeping and to a scale that is befitting a rural village – such as Kirkby-In-Furness. This development, although it is of a horticultural nature and as such could be seen to have similarities to other local agricultural enterprises within our Parish, the development proposed is of a substantial scale and has the potential to create an industrial operation not usually seen within such a rural environment. This must be taken into consideration by the local planning authority when considering this application. It is noted that, if permitted the development has potential to create several employment positions, both full time and part time and that the principle of the application and development is to return a manufacturing and production process not only to the UK, but the local area – both points the Parish Council welcomes.

Regarding this application, the Parish Council has several areas of concern and does object to some parts of this application which are detailed as follows:

## Size & Scale:

The Parish Council objects to the current proposed size and scale of the development – as it will undoubtedly impact on residents and the character of the village. The planning authority must impose relevant restrictions upon the applicant to ensure that the development is not overbearing or over industrialised in an area of exceptional character and a rural setting.

## Entrance / Access:

The planning application details the formation of a new entrance from the site onto the current A595. This new entrance, albeit at the point of a current entrance, proposes a substantially larger entrance in an area of particular character and clearly visible to anyone entering or leaving KirkbyIn-Furness. The entrance, as planned, would appear to require the removal of a public bench, raised flower bed and stone sign, all of which are the property of the Parish Council and we have not been consulted on this. This area is maintained by volunteers and financed by a local charity which also provided the funds for the raised flower bed and the ‘Welcome to Kirkby’ stone sign. The Parish Council is gravely concerned that the planned entrance will present an industrialised entrance and will not be in keeping with the surrounding character and environment. The planning documents state that the intention is for HGVs to access the site via the A595 heading south from the A5092 at Grizebeck. We do not believe this should be considered suitable and suggest that any HGV access is required to be made along the A595 approaching from the south, utilising the

A590. With this it could be suggested that development of such an entrance of this size would not be required. If the development is permitted, we strongly recommend that the 30-mph limit on the A595 School Road is extended to a suitable point to encompass the site entrance. It is believed that the land, with the afore mentioned public bench, raised flower bed and stone sign is land which is owned by Cumbria County Council Highways and the planning documents appear not to refer to provision for this.

#### Log Cabin:

The Parish Council strongly objects to the formation of any form of dwelling whether temporary or not upon this site. Firstly, it is felt that the applicant fails to make a reasonable case for the need for any form of dwelling – the application documents allude to the need for a permanent on-site presence for purposes of maintaining horticultural products and general security. Security of both products, facilities and property are a high priority for any business, including those already established within the local area and those of a similar nature – all of which do not have a requirement to have a permanent onsite presence – indeed we do not believe the main business premises of the application in Dalton-In-Furness has a permanent onsite presence. Modern technology will quite easily provide both notification and security for the site. Secondly and most importantly there are several cases where residents of this parish have applied for permission to develop dwellings within the parish, and have been refused for varying reasons, one being most predominant is that any such development of a domestic dwelling is outside of the permitted development area, which would include this site. Although the development is for a temporary dwelling in the form of a log cabin it must be noted that the requirement for this is to ensure security of the site and products, if that is the case surely this would be a permanent requirement, one that cannot be best served by a temporary dwelling – which could prelude into an application for a permanent dwelling, including that over and above a log cabin. It is strongly felt that to permit a temporary dwelling would be unfair to others who have applied in similar circumstances and have been refused and will only prelude and set a precedent for further development or expansion of either log cabins or permanent dwellings – all of which the Parish Council would totally object on that basis. Operation: The planning documents allude to the operations of the site being a seven day operation – this would create potential to erode local residence amenities. If the development is permitted, then the planning authority must give due consideration to this and impose relevant and befitting restrictions to protect the amenities of residents. One suggestion would be to restrict the hours of operation and days in which HGVs can access site and reduce vehicle movements at certain times.

#### Noise / Pollution:

As with the above, the development, if permitted and once established – has the potential to create noise pollution in the vicinity of the site, again eroding the amenities of residents – this must be accounted for by the planning authority and relevant and befitting restriction applied. The application includes the installation of a biomass heating system, this has potential to increase pollution and have an impact on residents – this needs to be taken into serious consideration and if permitted, the planning authority must ensure residents amenities and health are protected – as well as those of the wider community. Archaeology Information has been provided that the area proposed for development is a former town field and has the potential for items of archaeological interest – no provision for an archaeological survey has been made within the application.

#### Current Development:

The site has been subject to several developments and works prior to submission of this application. Several concerns have been raised as to these developments and if they are permitted by the planning authority. It is understood that part of this current application is in

retrospect, but it is crucial that compliance with planning regulation is maintained, and relevant enforcement action taken by the planning authority if so required. The Parish Council requests that the planning authority, prior to considering this application, reviews the current compliance of planning regulation at the application site and reviews current ongoing enforcement enquiries.

#### Wildlife / Vegetation:

Despite the presence of an Ecology Report, including detailed surveys, local concerns have been raised regarding wildlife within the site and surrounding area and the loss and potential loss of wildlife. Consideration must be given to this by the planning authority and appropriate investigations undertaken. Several representations have been made both to the Parish Council and to the planning authority by residents who have serious and justified concerns and objections. These matters relate to potential erosion of amenities and matters like those listed above, but also include concerns regarding potential flooding, previously undertaken developments including moving of earth and potential disruption to surrounding properties.

South Lakeland District Council are the planning authority in respect of this matter and the Parish Council strongly implores upon the planning authority to ensure that local residents concerns are given serious consideration and if the development is to be permitted strong planning conditions are applied to the development to ensure that local resident amenities are protected. Equally the Parish Council requests the planning authority ensure that, if required, enforcement action is taken to ensure that the applicant remains compliant with planning regulation and any conditions stipulated by the planning authority.

As this is a substantial application, and with that potential for a substantial development the Parish Council requests that the application be considered at SLDC Planning Committee where local residents can be given opportunity to make further representation to the Planning Committee. With that, the Parish Council would request a site visit by both planning officers and planning committee to give full and factual consideration to this matter. Our position in this matter is supported by SLDC District Councillor Tracy Coward who the Parish Council has made a request to, to request that this planning application is heard at Planning Committee.