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**ITEM 3b - 21/00072/FUL – 2 Heath Paddock, Hut Lane, Heath Charnock****The recommendation remains as per the original report**

(1)No. further letter of support has been received raising the following issues:

- The legitimacy of granting a further temporary consent.
- The site should be granted on a permanent basis.
- Permissions have been recently granted for other development in the Green Belt.
- Hope the planning committee actually read the report and question the condition rejecting it for a permanent unencumbered permission in accordance with the application as described

A further letter has been received from the applicant's agent, which reflects recent comments provided by the applicant and contains the following content:

The Linfoots have had three temporary permissions on Hut Lane, four if you count 18/00024/FUL and 18/00905/FUL as separate permissions. A further temporary permission would be a fourth (or fifth). Government policy is that it will rarely be justifiable to grant a second temporary permission. The rationale for the sequence of temporaries, is that with the development of the new site at Cowling Farm, the Linfoots could relocate from Hut Lane.

The report recommends yet another temporary permission at Hut Lane for 3 years 3 months until 31 March 2025. The thinking behind this is at paragraph 84 of the report. A planning application for Cowling Farm would be submitted in the New Year. Negotiations with Homes England would be concluded early in 2022. Work on site would start in mid-2023, with completion in the middle of 2024 and the site operational early in 2025.

This is highly optimistic. What is the evidence it is realistic? Or is it just something someone has jotted down? We would like to see a much more detailed breakdown which gives confidence it might be realistic.

There is no allowance for slippage, even though progress up to this point has been glacially slow. There are many risks. They include:

- obtaining planning permission for Cowling Farm against strong local opposition;
- negotiations with Homes England over funding;
- the high implementation costs (which mean the site is likely to prove poor value for money);
- shortages of building materials;
- agreement with the Linfoots over the tenure of the site; and
- all the delay which may occur because of the pandemic.

Every time we applied for previous permissions, we made the case that the time period proposed by the Council was too short, and each time we were proved right.

The uncertainties mean three years and three months will not be enough, and that we will all be back in three years' time arguing about yet another permission.

In the background is the likelihood that the Cowling Farm site will never be developed. We have never seen any evidence that its development will be viable.

To avoid unnecessary expense and stress for all concerned, we would propose that planning permission is granted on a permanent basis, or, at the very least, a more realistic temporary permission is granted, of at least five years.

*Officer comment:*

*The Local Planning Authority relies on the evidence of Chorley Council's Director of Commercial Services, responsible for Development and Business, who has confirmed the Council's commitment to delivering the Cowling Farm site and has submitted a timeline for the delivery of the site and intention that an alternative Gypsy and Traveller site at Cowling Farm will be available for occupation in three years time.*

**The following conditions have been amended (*include reason*):**

<b>No.</b>	<b>Condition</b>												
1.	<p>The development hereby permitted shall be carried out in accordance with the following approved plans:</p> <table border="1"><thead><tr><th><b>Title</b></th><th><b>Drawing Reference</b></th><th><b>Received date</b></th></tr></thead><tbody><tr><td>Location plan</td><td>N/A</td><td>15 March 2021</td></tr><tr><td>Proposed site plan</td><td>N/A</td><td>15 March 2021</td></tr><tr><td>Utility block plan</td><td>N/A</td><td>15 March 2021</td></tr></tbody></table> <p><i>Reason: For the avoidance of doubt and in the interests of proper planning.</i></p>	<b>Title</b>	<b>Drawing Reference</b>	<b>Received date</b>	Location plan	N/A	15 March 2021	Proposed site plan	N/A	15 March 2021	Utility block plan	N/A	15 March 2021
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Utility block plan	N/A	15 March 2021											
2.	<p>The permission shall expire on the 31 March 2025, following which the use shall cease and the land restored in accordance with the requirements specified in condition 4 of this permission.</p> <p><i>Reason: To reserve to the Local Planning Authority control over the long-term use of the land, as the use is inappropriate development in the Green Belt and not acceptable on a permanent basis.</i></p>												
3.	<p>Within 3 months of the expiry of this permission or the land becoming vacant prior to the expiry of planning permission the following works shall be carried out:-</p> <ul style="list-style-type: none"><li>a) Excavate the hardstanding laid on the site and remove all the hardcore material laid to form the hardstanding from the land.</li><li>b) Demolish the utility block and its concrete base and remove the materials resulting from the demolition from the land.</li><li>c) Excavate the septic tank and remove the tank from the land.</li><li>d) Demolish the electricity supply housing box and remove the materials resulting from the demolition from the land.</li><li>e) Demolish the entrance pillars and gates from the vehicular access in the north west corner of the application site and remove the materials resulting from the demolition from the land.</li></ul> <p><i>Reason: To give the Local Authority control over the long term use of the land as the operations are inappropriate development in the Green Belt and not acceptable on a permanent basis.</i></p>												
4.	<p>The occupation of the site hereby permitted shall be carried on only by the following and their resident dependants: Mr Michael Linfoot and wife Mrs Patty Linfoot and dependent children. Mr Walter Bird and Mrs Sylvia Bird and grandson Clonus John Boswell. (Born 1994). Mr John Bird and Mrs Jacqueline Bird and dependent children.</p> <p><i>Reason: Weight has been given to the personal circumstances of the applicant as a very special circumstance in granting permission for inappropriate development in the Green Belt.</i></p>												
5.	<p>No more than 7 caravans, as defined in the Caravan Sites and Control of Development Act 1960 and the Caravan Sites Act 1968 (of which no more than 2</p>												

	<p>shall be a mobile home) shall be stationed on the site at any time.</p> <p><i>Reason: For the avoidance of doubt and in the interests of proper planning.</i></p>
6.	<p>No commercial activities shall take place on the land including the storage of materials, plant or equipment.</p> <p><i>Reason: In order to protect the amenities of the area and the residential occupiers of dwellings in the vicinity.</i></p>
7.	<p>No commercial vehicles in excess of 3.5 tonnes shall be stationed, parked or stored on the site.</p> <p><i>Reason: In order to protect the amenities of the area and the residential occupiers of dwellings in the vicinity.</i></p>

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