

# DUDDINGTON-WITH-FINESHADE PARISH COUNCIL

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Attention: Mr Graham Wyatt

30<sup>th</sup> October 2014

Dear Mr Wyatt,

**14/01704/FUL: ERECTION OF SEVENTY CABINS AND ASSOCIATED BUILDINGS AND INFRASTRUCTURE AND CONSTRUCTION OF NEW ACCESS ROAD AND PROVISION OF MITIGATION AND ENHANCEMENT AREA (REVISION TO WITHDRAWN APPLICATION 14/01156/FUL). FINESHADE WOOD, TOP LODGE, FINESHADE, NORTHAMPTONSHIRE.**

Duddington-with-Fineshade Parish Council has now had the opportunity to consider the above application and **strongly objects** to the proposed development on the following grounds.

## **Traffic and highways**

Fineshade Top Lodge is accessed via a single track road with passing bays from a junction with the A43 Oxford to Stamford road at Wakerley crossroads. These crossroads have been the scene of numerous accidents, both reported and unreported and consequently have been covered by a vehicular activated sign on its approaches warning motorists of the hazard.

There are already traffic issues generated at the weekends, bank holidays and when special events are held at Fineshade. Visitors with touring caravans often have problems when meeting traffic on the single track road and it should also be remembered that Fineshade is a working wood with lorries hauling timber from time to time. Again, during special events, visitors park indiscriminately on roadside verges further obstructing the access road. The vehicle movements generated by the development, both by holiday makers and support vehicles will only exacerbate the situation.

The applicants state that visitors to the site will be spending their money in the locality, but as there are few facilities within easy walking distance of the site, then this will inevitably lead to more vehicle movements in and out of the access road, often during the hours of dusk and darkness increasing the risk of collision.

The potential obstructions to the road serving the site raise major concerns over the ease of access for emergency vehicles. There is a high fire risk from barbeques and the consequences of fire appliances being unable to reach the scene of a fire in the middle of the forest require no explanation.

In just the last few weeks there has been an incident when a child was reported lost in the forest which resulted in four Police emergency response vehicles, an ambulance and a helicopter being called out. Fortunately this event was not at peak times nor were there any events on at the time. Had the timing been different then the emergency response would have been seriously hampered.

The additional traffic and ensuing congestion will have an adverse effect on the existing visitor centre, car park and caravan site.

The single track access road is not salted during winter conditions and in times of snowfall quickly becomes impassable without the benefits of four-wheel drive vehicles. Visitors to the site without the benefit of such vehicles and probably unaccustomed to these conditions will soon get into difficulties which may result in the road becoming obstructed to all.

The Parish Council is further concerned over the proposed use of the bridleway known as Duddington Lane as an emergency access in the event of flooding of the existing access to Fineshade Top Lodge. Aside from the fact that it is a criminal offence under section 34 of the Road Traffic Act 1988 to drive a mechanically propelled vehicle on a bridleway without lawful authority (and by doing so, trespass is committed against the land owner), in its present condition, the lane is totally unsuitable as an emergency access. It has a steep gradient with no positive drainage and consequently is susceptible to scour in times of heavy rainfall. Its surface is uneven and would prove damaging to patients in an ambulance and the axles of a fully loaded fire tender. To make the track usable would require extensive reconstruction along with the provision of an effective drainage system. Given the unsatisfactory junction with the A43, a new junction would be required and there is then the fear that it would become an alternative access route to serve the development.

### **The impact on the small community of Fineshade Top Lodge**

The influx of several hundred additional visitors at any one time to the area will have an unacceptable impact on the permanent residents of Top Lodge. While there are large numbers of visitors to the area already as stated previously, the majority of these come at weekends, bank holidays and to attend special events and are not there day-in and day-out. The proposed development will result in a population equal to a small housing estate being in the area possibly throughout the year. It should be noted that the potential number of visitors far exceeds the permanent population of many of the villages in the locality.

With the proposed access road being close to the cottages at Top Lodge, the full impact of the vehicle movements in and out of the site will be felt by the residents who will be affected by noise and pollution at all hours.

The development includes a shop, café, licensed bar and reception area, (the "Retreat"), in close proximity of two of the cottages. This facility has the potential of being the centre of all activities and will generate noise from vehicles, visitors and air-

conditioning and chiller units creating an unacceptable nuisance for the residents of Top Lodge.

### **Environmental impact**

The Parish Council is very concerned that the developer has not felt it necessary to undertake an Environmental Impact Assessment, (EIA), nor has East Northamptonshire Council considered it necessary to request one.

The proposed development will have a devastating effect on the forest and the resident species of wildlife, including the recently discovered dormice in the area, many of which are protected. The issues surrounding these aspects are comprehensively covered by the representations made by The Wildlife Trust and the Parish Council supports these comments.

### **Economic issues**

The applicant has failed to make the case that there will be a substantial economic benefit to East Northamptonshire as a result of visitor spending or increased employment. In particular the applicant takes no account of the geographical position of Fineshade, which is on the extreme north-west boundary of East Northamptonshire.

The only published document that refers to economic benefit is the applicant's *Planning Statement*. This contains a short list of claims (Section 5.22-24 *Economic Impact*) summarised by "*the proposed cabins will help to boost the local economy through sustaining employment and generating visitor spend.*"

Fineshade's position on the road network is crucial to an understanding of its socio-economic links, which are mainly across the county boundary into Rutland, north to Stamford and south to Corby. There is no immediate road access with the major towns and villages of East Northamptonshire. The obvious commercial links are with villages such as Barrowden in the Welland Valley, with towns such as Stamford, Uppingham and Corby and with the city of Peterborough. These are the primary areas where Fineshade residents shop and work, and where caravanners who stay at the Top Lodge caravan site spend their money. There is no reason why Forest Holidays' visitors would behave any differently.

If a circle of radius 10 miles is drawn around Fineshade, only about 1/5 of the area of the circle lies in East Northamptonshire. Repeat it with a radius of 20 miles or 30 miles and the fraction gets smaller. The nearest local shops are at Kings Cliffe and Barrowden in Rutland, the nearest town and large supermarket are both in Stamford, the nearest petrol station is Morcott in Rutland and nearest major shopping centres are Corby and Peterborough. Not one of these locations is in East Northamptonshire.

Tourist hotspots where FH visitors might spend money are mainly out of the county. A survey among caravanners staying on the Top Lodge Caravan Site has shown that their most frequent day trips entail visits to:

- a) Rutland Water (Walking, bird watching, fishing, water sports)
- b) Stamford (Shops and market, historical interest, Burghley House)
- c) Peterborough (City centre, cathedral.)
- d) Barnsdale Gardens in Rutland

The only tourist attraction mentioned in East Northamptonshire is Kirby Hall.

Forest Holidays claim in their Transport Assessment that their visitors tend to stay on site but also claim that they will visit local hostelrys. Within a 6-mile drive of Top Lodge there are 12 pubs serving meals but only half of these are in East Northamptonshire. The nearest restaurants and take-away food outlets are all in Stamford. Even the visiting Fish and Chip van is not Northamptonshire based.

It is conceivable that there will be an increase in trade at some of these public houses as a result of the FH development, but it would be stretching credulity to suggest that more than 1 part-time job might be created in each. FH's claim of 42 full-time-equivalent jobs as a result of increased visitor spending seems highly dubious.

Fineshade's geographical location will also affect the likely home of the FH staff who will work on the site. Currently, very few staff working at the Forestry Commission Visitor Centre and their Top Lodge Offices live in East Northamptonshire. The businesses currently occupying the Visitor Centre are based locally, but again not in East Northamptonshire (e.g. the cycle hire facility is part of Rutland Cycling). Even the Applicant's own *Transport Assessment and Travel Plan* acknowledges (in Section 4.10 Staff Travel plan) that "Perhaps staff may live in the Stamford or Corby areas" and therefore car sharing may be possible.

For all of these reasons any economic benefit associated with Forest Holidays planned development is likely to accrue not to East Northamptonshire but rather to the other counties and towns that largely surround Fineshade. We therefore urge East Northamptonshire Councillors to reject the unverified claims for economic benefit.

### **National Planning Policy Framework; North Northamptonshire Core Spatial Strategy; Rural North, Oundle and Thrapston Plan and Supplementary Planning Documents.**

Forest Holidays' Planning Statement (FHPS) fails to make the case that the development satisfies the criteria set out in both the National Planning Policy Framework and in the relevant Development Plans as laid out in the North Northamptonshire Core Spatial Strategy (June 2008), the Rural North, Oundle and Thrapston Plan (July 2011) and in Supplementary Planning Documents.

#### A) The National Planning Policy Framework (NPPF)

(i) Is it sustainable development? The applicants refer to NPPF para 28 namely: "*Planning policies should support economic growth in rural areas in order to create jobs and prosperity by taking a positive approach to sustainable new development.*"

The Parish Council is of the opinion that this development is not sustainable as it considers that the proposed development fails to reach the required standards for any of the three elements required for sustainability.

(ii) Enhancement of the environment. The applicants point to the core planning principles outlined in NPPF para. 118 in particular that planning should: "*contribute to conserving and enhancing the natural environment and reducing pollution. Allocations of land for development should prefer land of lesser environmental value, where consistent with other policies in this Framework*"; NPPF para. 7 points out that the planning system has to fulfil an environmental role (among others). "*contributing to protecting and enhancing our natural environment; and, as part of this, helping to improve biodiversity.*"

The applicants state in their plans that they are proposing to conserve the existing environment and to enhance it. The objections to this planning application from the district council's own ecological advisor (the Wildlife Trust), local environmental groups and many knowledgeable individuals point out there is no proposed

enhancement and inadequate re-assurances to conserve or protect this rich environmentally sensitive site.

(iii) Failure to take into account views of the community.

NPPF para 66. states “*Applicants will be expected to work closely with those directly affected by their proposals to evolve designs that take account of the views of the community*”. Fineshade is used regularly by local people for walking, birdwatching and cycling but Forest Holidays have made no attempt to take account of their views. The only consultations that the applicant claims were two meetings for residents (invitation by letter to 11 householders) and attendance at two Parish Council meetings. At the meetings with the Parish Council presentations were brief, unprepared and full of errors that were later admitted under questioning.

(iv) Other instances where NPPF criteria are not fulfilled.

NPPF para 123 states that planning policies and decisions should “*identify and protect areas of tranquillity which have remained relatively undisturbed by noise and are prized for their recreational and amenity value for this reason*”.

NPPF para 28 supports leisure development where identified needs are not met by existing facilities in rural service areas. However, there are already two Forest Holiday sites just over one hour’s drive from this location, a very similar complex of holiday lodges at Rutland Water (described by the applicant as 5.5 miles away) and numerous other holiday facilities in Rutland, Northamptonshire, Leicestershire, Lincolnshire and Cambridgeshire. Center Parcs have also just opened a site at Woburn, 56 miles and around an hour away. This new site has 725 chalets and many more facilities. In the immediate area are the new family campsite at New Lodge Farm, Bulwick, and 84 caravan spaces at Top Lodge itself.

NPPF para 32 requires cumulative transport impacts of new developments to be taken into account. The planned developments at Collyweston Quarry and Wakerley Quarry as well as the Fineshade Glamping site are not mentioned in the applicant’s Transport Assessment and Travel plan. Developments at Corby and the recent opening of the Corby Link Road are likely to increase the use of the A43.

NPPF para 35 requires that plans should have access to high-quality public transport, but at Fineshade there is none. Plans are also required to minimise conflict between traffic, cyclists and pedestrians. Forest Holiday’s Transport Assessment does not even mention the many cyclists who currently use the single-lane track.

NPPF para 42 encourages the development of high-speed broadband technology and other communications networks. The applicant plans to use existing telephone lines and offers nothing new to the community.

NPPF para 99 requires plans to take into account climate change and flood risk. The plans take no account of the flood risk for the sole access route to the site, a point taken up in comments from the Environment Agency. The development itself also reduces the volume of CO2 absorbed by the forest, removes land-binding forest-floor plantation and increases the risk of potential flooding down-stream.

## B) Core Spatial Strategy (CSS)

(i) The applicants claim the support of the Core Spatial Strategy for the development. However, in their Planning Statement (FHPS) they choose to highlight the following particular sections:

*FHPS 4.4 Policy 9 of the CSS, ‘Distribution of Development’, seeks to ensure that preference is given to locations that are accessible by a choice of means of travel and town centres will be the focus of retail, employment, leisure and other uses attracting a lot of people.*

In fact at Fineshade Wood there is no choice of means of travel (no public transport or cycle route) and, of course, it is no-where near a town centre.

*FHPS 4.5 Policy 13, 'General Sustainable Principles', states that developments should be of a high standard of design, architecture and landscaping, respect and enhance the character of its surroundings, be in accordance with the environmental character of the area, and not have an adverse impact on the highway network or prejudice highway safety.*

By proposing to build 2 miles of vehicle tracks through the site, the applicant shows no respect for the semi-natural and ancient woodland of the surroundings. As mentioned above there is no detail about how they will enhance the environment. The potential and adverse effect on the highway network is covered under Traffic and Highways above.

(ii) Policy 1 (pp. 23-25) includes this guiding principle for all developments:

*"In the remaining rural area, development will take place on sites within village boundaries, subject to criteria to be set out in development plan documents. Development adjoining village boundaries will only be justified where it involves the re-use of buildings or, in exceptional circumstances, if it can be clearly demonstrated that it is required in order to meet local needs for employment, housing or services. Development will be focussed on those villages that perform a sustainable local service centre role."*

The development site is clearly in a rural area and does not fall within a village boundary. (Note: The Rural North, Oundle and Thrapston Plan (2011), section 4-10 named Fineshade as one of the Category B Network Villages, without a defined village planning boundary, where allowed development will involve the re-use of buildings).

The policy as it is written, and as it was adopted by the Council, is quite clear: *"In the remaining rural area, development will take place on sites within village boundaries."*

Also, point 12 of the introduction to NPPF states: *"This National Planning Policy Framework does not change the statutory status of the development plan as the starting point for decision making. Proposed development that accords with an up-to-date Local Plan should be approved, and proposed development that conflicts should be refused unless other material considerations indicate otherwise."*

#### C) Rural North, Oundle and Thrapston Plan (RNOTP) and Supplementary Documents

In sections 4.7 to 4.21 the applicants refer to the broad range of planning policy documents that have been produced to guide planning decisions in Northamptonshire. While some of their references support their case for the development, others oppose it as below:

(i) Local Wildlife Sites FHPS 4.8 referring to RNOTP states: *"In respect of site specific policies the Plan's Proposals Map identifies the whole of the development site area as falling within a 'Local Wildlife Site' (Policy 10)." In fact RNOTP Policy 10 states: "Development that may destroy or affect adversely (either directly or indirectly) a designated or proposed Local Nature Reserve or other Local Site, will not be permitted unless planning conditions or obligations secure practicable, effective and appropriate mitigating measures."* One of the Targets for the policy is: *"No permissions granted that adversely impact LNRs, sites of local conservation interest, or other sites of biodiversity or geological interest."* (Note that Government Planning Practice Guidelines support Local Wildlife Sites being treated as Sensitive Designations. See Paragraph: 032 Reference ID: 4-032- 20140306).

(ii) Transport Networks FHPS 4.10 referring to RNOTP states: *“Policy 5, ‘Transport Network’ requires new commercial development of over 0.5Ha to include attractive and direct walking and cycling routes, connecting into the existing and planned bus and community transport network.”* In fact targets for Policy 5 are:

(i) Increase in bus service provision

(ii) Increase in community transport provision and use

Although acknowledging the paucity of the public transport provision (Transport Assessment and Travel Plans section 4.9), the application makes no reference to connecting to it or improving it, concluding that *“buses do not realistically provide a transport alternative”* and *“the opportunities to use public transport are very limited.”* It also explicitly rejects the option of a pick-up shuttle service from railway stations.

(iii) Protection and enhancement of natural environment FHPS 4.7 referring to RNOTP:

*“This plan includes the vision and detailed policies for the sustainable development of communities in the rural north of East Northamptonshire and is based upon the framework set by the CSS. The vision for the plan contains reference to: support for local businesses and diversification/strengthening of the local economy; a strong focus of tourism, leisure and green infrastructure; and protection and enhancement of the area’s landscape character and its valuable natural environment.”* The element missing in the application is protection and enhancement of the area’s landscape character and its valuable natural environment. This is exemplified by the incomplete ecological surveys and complete lack of detail concerning enhancement of the natural environment

(iv) Biodiversity FHPS 4.17, referring to North Northamptonshire Biodiversity (2011) *“The document provides advice on how biodiversity should be addressed in all proposals to ensure that the requirements of legislation and policy are met. It includes a guide to the process of preparing the relevant information for a planning application plus advice on the use of planning conditions, and good practice methods during construction and aftercare.”* The advice from this Supplementary Planning Document has been ignored. For example, steps 1 and 2 in the document’s flowchart require the completion of a biodiversity checklist and carrying out required surveys as detailed in the appendices. However, the applicants have chosen to only carry out a desktop and preliminary survey of some groups of animals and plants.

(v) Fire and Rescue There is no evidence that reference has been made to the advice document produced for Northamptonshire Fire and Rescue Department for developers. (Fire and Rescue Pre-application information, advice and guidance for Developers designing new Residential and Commercial Development Schemes in Northamptonshire, Jan 2013). In particular the application ignores requirements for access for emergency vehicles and provision of fire hydrants. Forest Holidays also ignore the county’s recommendation for the installation of sprinklers – a particular concern since they are installing wooden buildings in a remote site where there is a substantial risk of forest fire.

D) Comments on FH Planning Statement, section 5: Assessment. Having referred to the relevant planning policy statements in section 4, in this section the applicant seeks to relate some of them to the various technical reports that accompany the application. Many of these are themselves the subject of detailed objections both from the Council’s consultees and from individual specialists in the fields.

## **Clarity of Application Documents**

The applicant plans to erect three semi-permanent accommodation units for members of staff. "The maintenance area, services and managers accommodation are located in a less intrusive location, positioned away from the cabins." (Design and Access Statement, page 4). From various maps within the application it is possible to see that there are three such buildings proposed, yet there are no plans or details of these buildings in all the many pages of application documents. For example, in the Sustainable Design Checklist in answer to the question "Do buildings exhibit architectural quality" it is stated that the cabins and retreat building "have been designed exclusively for the applicant with the specific objective of harmonizing with a woodland environment". Is it to be assumed that this staff accommodation has also been exclusively designed? If so, where are the designs for perusal? The Parish Council objects to this lack of clarity in the application documents and request that as with any other application, the applicants should make clear their plans for these three buildings before the application is determined.

From the foregoing, Duddington-with-Fineshade Parish Council has determined that the application does not take account of many of the requirements and recommendations in the National Planning Policy Framework and the government's Planning Practice Guidance. It is of the opinion that there are many instances of the application failing to comply with the local Development Plan and failing to take account of local advisory documents. In addition, it considers that the proposed development will have a serious adverse effect on the community of Fineshade Top Lodge, the forest and its environment and the safety of road users both accessing the site and travelling along the A43. It therefore **objects strongly** to this application and **recommends that the application be refused.**

Yours sincerely

Richard Reed  
Clerk to the Council