

DC Admin

From:
Sent: 19 January 2025 14:08
To: DC Admin
Subject: Application Number 2024/93556

I am objecting to this planning application and have the following comments to make regarding it.

On 24 October 2023 Bolster Moor Farm Shop/Café were granted a Certificate of Lawfulness for Proposed Temporary Use of Land for Parking (Reference No 2023/92537). This Certificate gave permission for temporary use of designated Green Belt land for car parking (for 22 spaces for primarily staff to use at busy times) for no more than 28 days in any calendar year and stated that any operations, including the surfacing of the land for the purposes of parking, would not be covered within the development certified. Since the grant the farm shop have allowed parking on this patch of land for well in excess of the 28 days per calendar year stipulated on the Certificate.

On 19 September 2024 work was carried out to extend the area of parking beyond the 22 temporary spaces allowed in the Certificate with a new entrance to this area being created by removing part of the landscaping and fence in the lower part of the permanent car park and an artificial hard surface being installed and marked with permanent car parking spaces – all completed without the relevant planning permission being sought. This work directly contravened the conditions imposed by the original Certificate. This area of land is in a designated Green Belt area.

Customers have been parking in this unauthorised car park extension since its completion on 19 September 2024 with no reduction in the number of cars parked on the surrounding roads. This is because the cars parked on the roads belong to farm shop/café staff and not to customers.

The applicant put barriers in place to prevent customers accessing this new area of parking during the period of time when the survey was conducted by Paragon Highways. Barriers had been put in place by 18 November 2024 and had been removed by 9 December 2024. Paragon Highways conducted their survey on 29 and 30 November 2024. Had the survey taken place whilst this area was being used, it would have been obvious to Paragon Highways that this car park extension was having no effect on the number of cars parking on the roads. Is it possible that these barriers were put in place by the applicant during the time of the survey in order to prevent this fact from being noted?

The applicant says he wants this car park extension to be granted in order to stop his customers from parking on the roadside. He is stating that the cars parked on the roads belong to customers which totally contradicts what his agent said in the Delegated Decision for Application for Certificate of Lawful Development dated 24 October 2023 which states “the applicant’s agent has confirmed via email on the 18th October 2023 that the additional parking will generally be used for staff only, of which there are over 80 who currently park on the road to make the car park more available for customers”.

It is well known that farm shop staff are explicitly forbidden from parking on any farm shop property with some of them being unaware of the 22 spaces available to them via the Temporary Certificate. Staff are told by the applicant that they must park on the surrounding roads, not on farm shop property. It is rumoured that the applicant does this in an attempt to annoy local residents in the hope that they will not object to any car park extensions in the belief that staff will then be allowed to park on-site and not on the surrounding roads.

These cars are regularly parked on Bolster Moor Road and Slades Road long before the farm shop and café open to the public and don't disappear until the end of the day. These same cars are parked on these roads on a daily basis and the people exiting these cars can clearly be seen to be wearing farm shop/café uniforms.

The applicant states that he did not realise that he had to obtain permission to change the use of a Green Belt field into a car park. He is an astute businessman who has continuously sought to extend his business since inception 15 years ago. It is laughable that he would be unaware of the need to obtain permission to build on Green Belt land.

Paragon Highways Technical Note

Appendix A shows that at 8.00 am on Friday 29 November there were a total of 73 available spaces in the car park, yet a total of 47 cars were parked on the surrounding roads. If, as we are led to believe by the applicant, that the only cars parking on the roads belong to customers, why would 47 customers be parked out on the roads so early in the day, and why would they feel the need to park there when there were 73 empty spaces in the car park?

There is no mention in the traffic survey of which cars parked on the road belonged to customers, which cars belonged to staff and which cars belonged to residents. There is also no analysis of the rate of change of cars parked on the road. Did the surveyor count the same car in the same parking position every 30 minutes?

Point 2.15 states that at 9.30 am on Friday 29 November there were no parking spaces available on Bolster Moor Road – yet there were 60 available spaces in the car park. Again, I ask the question – why would customers park up to a two minute walk away when there were plenty of available spaces on site? The answer is simple – it is because these cars parked on the roads belong to staff, not to customers.

The Google Earth image in Figure 2 clearly shows at least 20 empty spaces in the car park with approximately 37 cars parked on the surrounding roads – again, why would so many customers park on the roads when there were plenty of available spaces in the car park? Once again, the answer is because these are staff cars.

The traffic survey supplied in the application is biased towards the result being sought:

- 1 It makes no distinction between resident, staff and customer cars parking on the roads;
 - 2 It does not include rate of change of parked cars;
 - 3 The methodology used in the survey is flawed because a number of cars belong to residents;
 - 4 It seems to assume that customers would park on the road when the car park is all but empty;
- and
- 5 It does not state whether anyone exiting a car was asked why they were parking on the roadside. It just seems to assume that all cars belonged to customers.

I find it hard to believe that cars were queuing to get into the car park on the days Paragon Highways conducted a survey. I regularly walk past this farm shop on different days and at different times and have rarely seen cars queuing to get into the car park. Indeed, the only times I have seen this happen is if someone is trying to park in one of the parking bays near the entrance to the car park – cars obviously have to wait to enter the car park until the car moves out of the way. The only other times I have seen queuing is in the couple of days in the lead up to Christmas. In my opinion, from what I have seen, queuing is definitely not a regular occurrence.

Planning Statement Document

Point 3.2 – “.....on balance the benefits of the sustainable growth and expansion of the business outweigh the impact on the openness of the Green Belt”. I disagree with this statement. This business has now outgrown itself. Bolster Moor is a very small village, in a designated Green Belt area, and the continual growth of this farm shop and café has had a huge detrimental impact on the openness of the Green Belt and on local residents' peaceful enjoyment of their properties.

Point 3.3 states “Whilst the business has lawfully extended and diversified over the last 15 years, resulting in an increase in the number of visitors to the farm shop, the on-site parking has remained the same.” This statement is not true. When the farm shop first opened, there were approximately 25 car parking spaces

provided. This number has increased substantially over the intervening years whenever the farm shop and café have been extended – encroaching into the designated Green Belt each time, and now stands at 89, increasing even further to 126 if this further encroachment into the designated Green Belt is permitted.

It should be noted that a planning application made in 2022 (2022/93967) states there are 70 car parking spaces on-site, yet this application states there are 89. Where is the planning application for these additional 19 spaces – I am unable to find one on the Council's planning portal. Is this further building work that has been completed by the applicant without the applicant first obtaining planning permission?

Point 3.6 states “the on-street parking situation creates a dangerous environment for both pedestrians and vehicles.” The car park extension has been in use for the last four months and there has been no reduction in the number of cars parking on surrounding roads. This is because these cars belong to staff who are not permitted to park on the farm shop premises. Therefore, given the evidence seen over these four months, it has been proven that this “dangerous environment” has not been alleviated by this car park extension and giving permission to make it permanent will obviously have no effect whatsoever. The only way this “dangerous environment” will be mitigated is for the applicant to allow his staff to park on the premises.

Point 3.9 states that “the proposed development comprises a flat car park”. This is incorrect as the area of Green Belt land in question is sloped. This means that cars parked higher up the slope can clearly be seen from the roadside, thereby having a detrimental impact on the openness of the Green Belt. Moreover this sloping man-made surface is likely to add to drainage problems.

Point 3.10 states that the “impact on the openness created by the parked cars is only temporary and at quieter times of days.....there is no impact created by parked cars” yet the survey conducted by Paragon Highways shows that the cars parked on the road are parked there all day long – even when there are more than enough empty spaces in the car park.

Point 3.11 - I dispute this statement. An increase in parking spaces **will** increase the number of cars coming into the area. The farm shop/café will attract even more visitors when customers realise there are many more parking spaces available. I repeat, the cars currently parking on the roads belong to staff **not** to customers and these cars will continue to be parked on the roads no matter how many car parking spaces are provided on site. No matter how many parking spaces are created the applicant will always force his staff to park on the roads. More parking spaces will never be the answer to this problem. There are a number of Grade 2 listed buildings in Bolster Moor, with the nearest one being directly opposite the exit to the farm shop car park. Additional traffic will generate additional pollution which can only have a detrimental effect on these historic buildings.

More car parking spaces will attract more customers, more customers will require more staff to service them, more staff means more staff cars parked on the road – see my previous points about the applicant banning staff from parking on farm shop property. Will the applicant then put in another planning application to convert yet another Green Belt field into car parking using the same excuse as he is making in this application?

Point 4.2 – I disagree with this statement. It has been proven over the last four months that this proposed development **does not** reduce the number of cars parked on the roads.

Point 4.4 – I disagree with this statement. Based on my comments above, this proposed development certainly **does not** accord with the National Planning Policy Framework (NPPF). This new area of car park can be deemed as inappropriate development – especially, as proven over the last four months, it is not alleviating the problems relating to the parked cars on the surrounding roads. In fact, allowing this extension to become permanent will only serve to have the effect of drawing even more traffic into the village with obvious adverse impacts on local residents' amenity. Staff will still be told to park on the surrounding roads and the village will continue to suffer from the traffic hazards as described in the Planning Statement.

In the original Outline Application for Erection of Farm Shop references are made to ensuring that “the development is suitably sized as a Local Shop” and “to safeguard the amenities of nearby residents”. A “Local Shop” does not need 126 car parking spaces and the traffic this farm shop and café now generates has had deleterious effects on the amenity of local residents. Any actions that would add to the size of the farm shop and café (extra car parking or further extensions to buildings) should be strongly rejected.

The original Outline Application for Erection of Farm Shop explicitly stated that no less than 67% of the produce sold in the farm shop should come from Harden Road Farm and it referenced the Unitary Development Plan (now called the Local Plan) stating that farm shops should primarily stock produce from the host farm or neighbouring farms. Given the huge expansion of this particular farm shop it is very difficult to believe that these two conditions are still being adhered to.

Before any consideration is given to whether or not this planning application should be approved, it must be noted that the NPPF states “Before concluding that exceptional circumstances exist to justify changes to Green Belt boundaries, the strategic policy-making authority should be able to demonstrate that it has examined fully all other reasonable options for meeting its identified need for development.”

Reasonable options that should be examined are:

- Reduce the opening hours – especially for the café. The opening hours for the café appear to have increased since the first planning application was submitted and granted.
- Improve the speed of service in the café. On the few occasions I have been it has taken staff over half an hour to supply a cup of coffee and a hot chocolate. No wonder car parking is at a premium if customers are having to spend so long in the café.
- Farm shop/café staff should be allowed to park on the premises, and not ordered to park on the surrounding roads.

This expansion, which is driven by greed not by wanting to improve the safety on the surrounding roads, must be stopped and this planning application must be rejected. The applicant is not interested in road safety or the congestion of surrounding roads, he is solely interested in attracting even more customers to his farm shop and café. If he was concerned about road safety and congestion, he would allow his staff to park on the premises not on the surrounding roads.

The applicant should remove all building materials that have been used illegally to convert this Green Belt field into a car park and the land should revert back to grazing land. As the applicant has contravened conditions in the Certificate of Lawfulness for Proposed Temporary Use of Land for Parking, this Certificate should be removed too.