**LIST OF SUGGESTED PLANNING OBJECTIONS.**

* The proposal for residential development is in direct conflict with HBBC **Core Strategy Policy 9** – Rothley Brook Meadow Green Wedge as residential development is not one of the acceptable planning uses in the Green Wedge.
* The Application does not meet the criteria set out in **Policy DM1** of the HBBC Local Plan DPD 2016 “Presumption in Favour Of Sustainable Development as the proposal fails to meet the 3 elements of sustainability as identified in the NPPF, e.g. on **Economic:** residential occupation within 250 metres of the adjacent quarry boundary would sterilise valuable mineral reserves. **Environmental:** a modern permanent brick built dwelling house would not enhance or be consistent within the existing surroundings. **Social:** the proposal would not support the identified need to restore the land to a proper planning purpose (consistent with the acceptable uses set out by Core Strategy Policy 9)
* The application is not consistent with the objectives of **Policy DM4** of the HBBC Local Plan DPD 2016 to safeguard the countryside and settlement separation.
* The application does not meet the majority of the requirements of **Policy DM10** of the HBBC Local Plan DPD 2016, in particular b). *“The amenity of occupiers of the proposed development would not be adversely affected by activities in the vicinity of the site”.* Immediately adjacent to the application site is an operational quarry that has an extant planning permission (to 2034) for the extraction of minerals. There is also permission for a new HGV access road to the quarry which will be in close proximity to the proposed dwelling. It was confirmed by the 2006 Appeal Inspector, that an environmental impact assessment produced for the appeal confirmed that any occupiers in this vicinity would be adversely affected by the operation of mineral extraction activities.
* The application does not meet any of the requirements of Policy **DM14** ofthe HBBC Local Plan DPD 2016, e.g.: a) The proposal does not enhance the immediate setting which **is** consistent with its surroundings and would be conspicuously inconsistent with the character of the area; and b) The new dwelling illustrates no garden/amenity area which could not be provided within the existing cartilage; and c) The proposed development does not accord with **Policy DM10**. It should also be noted when a Certificate of Lawful Development was granted for the existing structure at a recent appeal, the Appeal Inspector **EXCLUDED** residential use from the planning permission and therefore this application should be determined on its own merits in the proper context of relevant planning policy and the Development Plan as this is **NOT** a like for like replacement which is the purpose of Policy DM14 – more like a chalk for cheese one, i.e. this is effectively the replacement of a dwelling house consistent with allotment use (occasional occupation) with a dwelling for permanent residential use.
* The planning application form makes a number of incorrect claims that could be prejudicial in the consideration of the proposal, e.g.:10. Vehicle Parking -There are no existing useable parking spaces in the existing cartilage, therefore there will be a difference of +2 not 0 as claimed, 13. Biodiversity and GeologicalConservation -The application site lies immefiately adjacent to a SSSIfalse answers of “NO” are given on all 3 questions. 15. Treesand HedgesAgain false answers are given and a full survey should be requested. 17. Residential Units -Yet again, a deliberately false answer is given, the applicant is fully aware as it was stressed in the appeal decision, there is currently NO residential consent on the site and therefore the proposal would include the gain of ONE residential unit. 23. Hazardous Substances – There are no mains services on the site (prohibited by a 2011 Injunction) the existing dwelling house relies on a generator for electricity and gas bottles for heating etc, yet no safe storage or housing for a generator is shown on the application.
* The Planning Statement accompanying the planning application contains numerous false statements/claims:
1. INTRODUCTION - The application is for the replacement of an existing dwelling house without proper foundations which does NOT have residential permission with a permanent dwelling with residential planning permission.
2. PLANNING HISTORY – Only a very selective planning history is listed despite all the information having been provided to the applicant during the course of the recent appeal.
3. SITE CONTEXT, DESCRIPTION AND PROPOSAL – General misrepresentation containing a suggestion that the use of the dwelling house (not dwelling) was considered to be lawful at appeal – it was NOT!.
4. RELEVANT PLANNING POLICIES **–** The proposal which is for a residential dwelling to replace a dwelling house without permission for residential use id not consistent with Policy DM14
5. PLANNING ASSESSMENT – A Certificate of Lawful Development only was issued by the Appeal Inspector who stressed on the certificate that it was not for Lawful Use, This should have been properly represented by the applicant. The proposed replacement dwelling is most definitely not more in keeping with regards to the character and appearance and will not enhance the immediate setting or general character of the area. There is a FALSE claim that there would be no increase of residential units on the site when there is currently NO residential consent on the site. The proposal would NOT provide the benefits claimed and being within 250 metres from the Quarry boundary would cause harm by sterilising the valuable mineral reserves in the adjacent quarry as confirmed by the 2006 Appeal Inspector. The proposal is NOT in accordance with Policy DM10 and NOT compliant with Policy DM14
6. CONCLUSION – It is clear that the proposal is NOT consistent with the relevant policies of the adopted development plan and that the material inconsistencies CANNOT be addressed by conditions.