

# **Whatstandwell & Alderwasley Community Action Group (WACAG)**

## **Proof of Evidence**

### **1 Introduction**

1.1 I have lived in Hindersitch Lane, Whatstandwell, since September 1995. I lived less than a mile away in Crich from December 1978; so altogether more than 40 years near to Haytop Country Park. I am a retired Principal Administrator and Rural Development Adviser.

1.2 I represent WACAG, local residents and supporters from various parts of the country, including some of those who previously owned caravans at Haytop Park.

1.3 Haytop Park is clearly visible from my house. It is directly opposite, about 600m across the valley.

1.4 To the best of my knowledge any factual statements I make are true.

1.5 I became involved with the Haytop issue when I reported to the council that illegal tree-felling was taking place on 17 March 2017. Other villagers did likewise and Derbyshire Wildlife Trust also told me a few days later that they had received several emails and phone calls about it.

### **2 Haytop in the local context**

2.1 There have been caravans at Haytop since 1952. The George family managed the site as a naturalistic, seasonal, weekend and holiday location. Appendices 1 and 2 have supporting descriptions and pictorial records from users. We would have no objections if the park was to continue to function in such a manner.

2.2 The usage patterns and extensive tree cover meant there was no negative impact on the local communities, as mentioned several times in our SoC [e.g. p24, Remarks concerning Ground A under Section 174(2)(a)]. We were unaffected by the inconspicuous campsite users. I know of no complaints about the site or activities thereon prior to 2017. Historically most caravans were of the small touring type. Some were larger but nevertheless had wheels and tow bars so could be pulled behind a vehicle, unlike the new lodges.

2.3 That was the situation when Haytop Park was included in the DVMWHS buffer zone in 2001.

2.4 Following the illegal removal of more than 150 trees in 2017 it became clear that HCPL was planning wholesale restructuring of the site. More than 95% of adults in our two villages supported a petition to AVBC in 2018 objecting to the development. WACAG was formed to coordinate further actions, as indicated on page 6 of our SoC.

### **3 Matters arising from the appellants' submissions**

3.1 Issues that most concern local residents and other supporters relate to the consequences of the activities to date, and those proposed, on the visual amenity and heritage value of Alderwasley Hall, Alderwasley Conservation Area and the WHS. They also negatively affect the environment and wildlife in and around the park, including the adjacent Shining Cliff Wood SSSI. A qualifying "reason" attached to the 1966 approval (BER/964/39) stated that the LPA's intention was to protect the area's scenic attractiveness. Another was to prevent permanent residences in an area that was deemed unsuitable. If the Ground A appeal is allowed then we do not see how the creation of what is essentially a housing estate could contribute to those goals.

3.2 Caravans and campers on the site were unobtrusive due to the screening provided by trees, together with low-key infrastructure. That reflected the intention behind condition 7 of the 1966 planning approval. Even in winter the framework of the trees served to break up the outlines of caravans visible from outside the park. That is no longer the case after the removal of many trees.

There were rarely any signs of traffic or people movement around the site, whereas now lodges, vehicles and lighting are very obvious. Moreover, in the past caravans were used on a seasonal basis and mostly at weekends (Ref. Appendix 1). It is doubtful if all the units were ever occupied simultaneously for any length of time.

3.3 The negative visual impact on the valley will be exacerbated if there are 60 residential park homes stationed across a much more extensive area than in the past, but with far fewer trees. Following the removal of many trees the site is already conspicuous from a wide area, contrary to the appellant's claims. From Whatstandwell the view previously was of caravans in woodland with a clear central green but now the whole area is much more open, with large lodges, obvious concrete structures, and asphalt roads. It is generally regarded as detrimental to the locality. We think it unlikely that planning permission would be granted for the construction of 60 houses on this land but siting 60 lodges there will have much the same effect as permanent buildings. Instead of looking at a well-wooded, unlit, rural campsite we will see a prominent housing estate with all the hard landscaping, night lighting, traffic, etc., associated with it. WACAG therefore cannot accept that such a development will "enhance" the nearby area in any way, as HCPL claims it will.

3.4 HCPL indicated that several environmental impact studies might have been available by now but they are not so we have been unable to properly address HCPL's case. These studies are of critical importance for WACAG and we regret their absence.

3.5 Natural England and Derbyshire Wildlife Trust are also concerned by the environmental impacts (Ref. Appendix 3). The DWT Planning and Policy Manager recently emailed "Please send me copies of any additional submissions by RPS that relate to ecological issues at the site. I will review these and respond accordingly." That has not been possible.

3.6 As stated in our "Comments on HCPL's SoC", more than 150 trees illegally removed by the appellant is not "a very limited number". Without their removal it would have been impossible to lay the 27 concrete bases and it is inescapable that many more trees will have to be removed to lay 33 more. To conclude that this "...would not have a detrimental impact on the visual amenity, landscape quality and character of the SLA appearance.." is a remarkable assertion.

3.7 We fully support the heritage evidence presented by other participants and disagree that the development will be of public benefit. Negative impacts on local tourism could cause disbenefits.

3.8 Regarding ground D we are unaware that there has been any breach of condition in Area B for more than 10 years or not. Local residents had no reason to query the situation before HCPL's redevelopment so have no relevant records. I can say that over the years there were caravans near the central green and amongst the trees between the green and the river bank. Those in that lower area were mostly tourers, not statics. Occasionally there were visiting tourers and tents on the green and tents on the river bank during the camping season.

3.9 We do not agree with the Ground G appeal that the time for compliance should be extended to 18 months. HCPL gave the former caravan owners only one month to relocate. The present lodge owners should not be occupying an unlicensed site but their tenure is a matter between them and HCPL. That was supported by the judge at the Upper Tribunal hearing ( UTLC Case Number: LRX/116/2019) who stated that "*...the absence of a licence is a problem for the current residents but that is a problem that the respondent (HCPL) has created...*"

3.10 Six months is more than adequate time to restore the site to its former physical state. However, it may be necessary to replace all the trees removed since 2016 at a different, more appropriate time of year to ensure their survival.

3.11 We think that the meanings of the two extant planning permissions and the conditions attached to them are clear and we support the council's position. These matters may be addressed by our advocate.

## 4.0 Miscellany

4.1 HCPL repeatedly ignored council instructions to cease certain activities, complying only

when faced with legal actions. The company's owners have behaved in similar ways at parks they own or have owned elsewhere, as indicated in Appendices VI and VIII of our SoC. Treatment of site residents elsewhere has generated negative publicity for their various companies, e.g. from a total of 28 Trustpilot reviews 27 rate CWPH as "bad".

**4.2** We question the likelihood that HCPL would abide by conditions attached to any permission for them to operate at Haytop. They have shown scant regard for the preservation of TPO trees, the conservation and special landscape areas, adjoining SSSI, etc., so we would ask if the WHS listing itself might be endangered by them in the future?

**4.3** Appendix 1 has declarations from four former caravanners describing the site and how they used it.

**4.4** Appendix 2 contains some pictorial descriptions of the site with timelines and transcripts of the video commentaries therein.

**4.5** Appendix 3 has correspondence from the Wildlife Trust and Natural England concerning environmental factors.

(December 2020)