

SAVE ECCLESBOURNE GLEN

∞ CAMPAIGNING TO PROTECT & RESTORE HASTINGS' HISTORIC LANDSCAPE ∞
Save Ecclesbourne Glen Campaign Group, PO Box 378, Hastings TN34 9HY

Dear Mr Hubbard

Rocklands Caravan Site – Compliance Audit by RH Environmental Ltd. dated 20 August 2014

I am writing on behalf of the above group to provide our formal comments on the Compliance Audit undertaken for the Council by RH Environmental Ltd. The audit is referred to below as “the report”.

We welcome the report, and are pleased to see clear recommendations.

We are in broad agreement with its conclusions and look forward to the implementation of its recommendations, which we hope the Council will undertake as a matter of urgency.

However, we have reservations arising from certain errors of fact in the report, and from the impact of some matters referred to in the report on the adjacent Country Park, in particular Ecclesbourne Glen. Our particular concerns relate to the drainage of waste water and sewage.

For ease of understanding, this letter is divided into sections.

- Section 1 deals with the Recommendations set out in the report.
- Section 2 summarises the action we would now expect to see from the Council.
- Section 3 summarises our reservations in relation to the report.

There are then three appendices:

- Appendix 1 sets out further action we believe the Council should now take.
- Appendix 2 corrects certain errors of fact in the report
- Appendix 3 covers omissions from the report.

1 The Recommendations

On pages 5 and 6 of the report there are a number of recommendations to address compliance with the site licence and its conditions. We agree with and support all of them. The following recommendations are in our view urgent and essential: 1 (new licence application), 2 (establishing whether the lower south-eastern part of the site remains suitable for use), 4 (new site plan), 5 (prior approval for changes), 6 (spacing between caravans).

As regards recommendation 9 (amendment of condition regarding roads), we consider that greater attention should be made to run offs, particularly into the Country Park. Licence conditions should stipulate appropriate drainage using sumps to protect run offs into the Country Park.

As regards recommendation 15 (car parks), we would wish to see the unauthorised car park on the southern slopes removed.

As regards recommendation 16 (recreation space) we would wish to see it stipulated that this area cannot be used for caravans or other infrastructure, since it is the area closest to the Country Park.

In addition to these we believe that the following should be added to the site licence terms:

The area on the southern slopes should be explicitly protected from any use in the site licence terms:

- Tree maintenance and protection should be included in the site licence terms
- Lighting which affects the Country Park should be controlled

2 Action to be taken by the Council

The report makes it clear that the licence is now entirely inadequate in a number of respects, and that the owners of Rocklands are in breach of many of the existing provisions. The findings in respect of breaches are such that there are clearly offences under the Caravan Sites and Control of Development Act 1960. In these circumstances we expect the Council to enter into immediate discussions with the owners, specifying all identified breaches, what must be done to rectify them and the timescales expected. If the owners do not resolve the breaches identified in the report then the Council should take the case to the Magistrates Court.

There are further matters on which we would wish to see the Council take action, since they have or may have a direct impact on the Country Park and both past landslides and the prospect of any further ones. They are set out in Appendix 1 to this letter.

3 Reservations regarding the report

The publication date of the final report is the 20/08/2014. The report was not released until 23/10/2014. This raises the question of why the report was delayed for nearly 2 months. During a meeting with Council representatives on the 08/10/2014 we were told the document was still in draft form and we could not have copies. This appears inconsistent with the date of the report.

Although we welcome the report and its conclusions, we have reservations regarding parts of it. These are summarised below

3.1 Planning issues

Although the report is a compliance audit for the purposes of the existing licence, it highlights several new planning issues which should be investigated by the Council's Planning Department, and which are likely otherwise to be neglected. These are set out in Appendix 1. RH Environmental appears to be unaware of the planning conditions that restrict caravans and infrastructural works on the lower slopes. The sketch of the site set out in Appendix 4 of the report shows the unauthorised row of caravans, in which No.s 74 and 78 have been marked, as if these are authorised standings.

3.2 Factual errors

These are set out in Appendix 2 to this letter. They may well have arisen as a result of the complexity surrounding planning issues on the site. They include the status of the southern slopes and the terracing.

3.3 Omissions which we believe require further investigation.

These include our view that drainage and run offs from the car park and roads on the lower slopes have not been fully investigated. They are set out in Appendix 3.

The report has also omitted to cover the fact that the Council has failed to inspect the site for 20 years. We have added our recommendations on this, in Appendix 1.

I would be grateful for your confirmation that this letter will be placed with the report when the report falls to be considered by the Cabinet on December 1.

Yours Sincerely

Chris Hurrell

13/11/2014

APPENDIX 1

Action and investigation

In addition to the implementation of the recommendations of the report, we believe the following further actions/investigations need to be taken.

1 Drainage

The report is defective in particular as regards recommendations on drainage, which is our main concern, because of the possible impact on Ecclesbourne Glen. The specific omissions are set out in Appendix 3.

Further investigation and clarification is needed to establish:

- how waste was disposed of for the unauthorised caravans on the lower slopes;
- what was done before 2012 when the sump and pump system were installed;
- the exact location of the sump and pumps, and whether they are in an area which prohibits any development;
- a plan to determine the location and route of the pumping system;
- the precise location of the connection to the main sewer;
- the method by which water runs off the large car park and roads, and the location and effectiveness of soakaways.

2 Removal of unauthorised structures on the lower slopes

These comprise the “temporary road”, which is referred to in Appendix 2, and is unauthorised, and the equally unauthorised car park.

3 Lighting

The lighting from the camp site is having a deleterious effect on the SSI/SAC. We believe an investigation into this light pollution and its effects on wildlife should be made.

- All lighting on the lower slopes should be removed.

4 Restoration of the recreation space/amenity area

- The recreation space/amenity area needs to be returned as far as practically possible to its previous condition with substantial replanting of trees on a 1 by 1 like for like basis.

5 Planning issues

The report mentions a number of matters that need to be investigated by the Council's Planning Department, since it appears at present that they contravene planning regulations:

- Current Planning Permissions state that one third of the site should be for touring caravans. There are no touring caravans on the site.
- The conversion of the toilet block into a workshop.
- Waste Drainage – the installation of a sump and pump, apparently in 2012
- The installation of lighting on the lower slopes, for the unauthorised caravans.

6 Future policy regarding inspection of caravan

We note that the site has not been inspected for 20 years. This is a very serious omission and against all best practice. It is usual practice for such sites to be inspected on an annual basis. We believe that if the site had been inspected annually many of the issues affecting the site would have been discovered and stopped before they became a problem. The failure to inspect is a major reason why so much unauthorised development, including, we submit, tree removals and damage to Ecclesbourne Glen, has occurred.

- HBC should in the future inspect all caravan sites on an annual basis.
- HBC environment team should be investigated to discover why no inspections have been made for 20 years.
- An on the spot unannounced inspection during the closed period to confirm the site is not occupied.
- The terracing and 2m drop on southern slope needs to be investigated to confirm it is man-made (not a product of the landslip as stated in the report) and to assess its stability.

Appendix 2 Factual errors

1 The landslide

Paragraph 4.0 of the report, headed Ground stability, refers to a landslide that *“had affected the lower south-eastern section of the site. The 2007 plan shows a row of six hard standings on this area. The landslide had resulted in a drop of about 2 metres in the area in front of the hard standings and there was some undermining of the leading edge of the hard standings.”*

The suggestion that the drop of two metres was caused by a landslide is scarcely credible: it should be apparent even to the untutored eye that the straightness of the line between upper and lower levels shows that it is manmade. As the Council itself acknowledges on its website, the bottom row of caravans shown on the 2007 plan was in contravention of planning conditions. It is accepted that the site was affected by the 2014 landslide in Ecclesbourne Glen, but the landslide referred to here is not accepted by us as a natural phenomenon.

2 The “temporary road”

In the same section 4.0 of the report there is a reference to a “temporary road”, allegedly for the removal of the unauthorised caravans on the lower slopes. The section of “temporary road “was an unauthorised road built to give access to the unauthorised caravans. It was built around 2008. It does not conform to construction standards stipulated by the caravan site licence or construction standards permitted under PDR. In conversations with the Council it has been suggested that this road fell within “permitted development rights”, which is blatantly wrong. The Town and Country Planning (General Permitted Development) Order 1995 provides that, as regards caravan sites, permitted development rights will comprise “development required by the conditions of a site licence for the time being in force under the 1960 Act”. **Since the conditions of the site licence do not extend to the unauthorised caravans, the provision of access to them is similarly unauthorised.**

3 Re-instatement of the ground affected by the landslide

In the sixth paragraph of section 4 of the report (again under the heading “Ground Stability”), it is recommended that the Council should determine whether “the ground affected by the landslide can be stabilised and the land re-instated for use as a licensed caravan site”. It is unclear whether this refers to the alleged “landslip” referred to above or the larger and more important landslide affecting Ecclesbourne Glen in 2014. In either case, however, it cannot be a case of the land being “reinstated for use as a licensed caravan site” since it was never authorised to park caravans in that area.

4 Waste in Ecclesbourne Glen

On page 12 of the report, in paragraph 9.0, under the heading Condition 5 Waste, it is stated *The site was maintained in a good condition. It was in a tidy state and there were no obstructions for vehicles or problems for pedestrians wanting to move around the site”.*

However true this may be of the site itself, the periphery of the site was used as a dumping ground for all sorts of waste including asbestos. The effect of the 2014 landslip was to remove this waste into the Country Park where it remains today.

Appendix 3

Omissions from the Report

Apart from the Council's failure to inspect the site for the past twenty years, which is dealt with in Appendix 1, the report makes no reference to the following:

1 Questions of drainage and the impact on Ecclesbourne Glen

1.1 Drainage/sewage on the lower slopes of the site

The report makes no reference to the existence of drainage/sewage pipes (such as the yellow pipe) on the lower slopes. These still need to be investigated to see what their purpose was and how they might have affected drainage into Ecclesbourne Glen.

1.2 The move away from touring caravans

Current planning permissions require one third of the site to be for touring caravans. There are no touring caravans on the site. We understand from the licence that the toilet facilities were originally required for these touring caravans. The fact that there are none such necessarily means that further sewage arrangements have been made.

1.3 Connection with main sewer

Paragraph 9.0 of the report, headed Condition 5 Waste reviews the arrangements for mains water and drainage connections. Waste water is drained to a sump at the bottom eastern corner of the site, installed in 2012. *"The waste is then macerated and pumped to the main sewer. ...At the time of the visit the pump was in operation and the system was working effectively."*

The report does not cover:

- the question of whether these arrangements extend to the unauthorised caravans on the lower slopes;
- what was done before 2012 when this system was installed
- the precise locations of the sump and pumps and whether these are in an area which prohibits any development. The location of the pumping system is unclear. A letter from the Council to Mr Don Wise states that it is in the middle of the site, but again the precise location is unclear.
- the location of the connection to the main sewer, which is stated in one letter to be at the top of the site and in another in Barley Lane.

The campaign group took soil samples during the week starting 20/10/2014 with GPS coordinates. The Council disputes our claim that sewage and other pollutants may be in the

Country Park from Rocklands. They have agreed if we are able to supply evidence that they will pursue the case. Should our samples test positive we expect the Council to carry out further investigations.

1.4 Roads

We consider ponding and flooding of the Country Park, next to the caravan site, to be a major problem that may well have contributed to the 2014 landslide, and which has so far not been adequately investigated. The Licence conditions state “The road surface shall be laid to suitable falls to facilitate the run-off of surface water and positive drainage shall be provided where necessary to prevent ponding or flooding of adjacent property” and There shall be adequate surface water drainage for carriageways, footpaths and paved areas for the site generally and details shall be to the satisfaction of the Council.” .

Paragraph 11.0 of the report, headed Condition 7 Roads, reinforces our concerns regarding drainage. Any road construction needs to take into account the effect of run-offs on the Glen. We would hope this to be covered in the owners’ engineers’ report.

The ninth paragraph of this section describes the roads as being “laid to falls”, with drains being connected to “soak aways at the top of the site”. This means surface water just runs off the roads, the effect in the large car park and roads on the lower slopes being to increase the flow of water into the Glen at the point where the landslip occurred.

It is also unclear how drains can be connected to soak aways at the top of the site. There is no mention of a pump., nor of where these soak aways at the top of the site discharge the water,

A further inspection should be done unannounced during a period of heavy rainfall. Failing that could the drainage from the lower car park be assessed using controlled release of water?

2 Lighting

“Lamps on lighting columns were present through the site. The visit occurred in the daytime so the adequacy of the lighting was not assessed. ”

- This lighting is having a deleterious effect on the SSI/SAC. We believe an investigation into this light pollution and its effects on wildlife should be made.
- All lighting on the lower slopes should be removed.
- Was planning permission obtained for the lighting on the lower slopes?