

June/July 2011 Newsletter

Public Inquiry report

Before I start on the update, I would like to express my thanks to all of you who attended the Public Inquiry. Your support and your objections to the Planning Application and the Appeal showed the Inspector the strength of feeling against this development. Also, a very big thank you for your 465 letters of objection. This is a massive show of support for no development on the golf course.

14th – 17th June - Public Inquiry – week one.

The week started with boxes and boxes of evidence being loaded onto tables sited down both sides of the room. Northern Trust (the Appellants) on one side and Preston City Council (LPA – Local Planning Authority), Taylor Wimpey and IGVRA on the other. To close off the tables to a “U” shape, the Planning Inspector was set up at one end of the room. The public gallery opposite, therefore facing the Inspector.

Starting at 10.00am on the dot, Mr Cookson, the Inspector opened the Inquiry. Mr Manley for Northern Trust began the proceedings with their opening Statement of Case, followed by Mr Cannock for Preston, Mr Tabachnik for Taylor Wimpey and then last but not least Tim Brown for IGVRA. With a change in order, due to witness availability, Preston started with their witnesses followed by Taylor Wimpey and then Alan Brookes for IGVRA. Northern Trust was moved from first to last in order to fit in with their Expert Witnesses’ availability.

Preston lead off with two Expert Witnesses, Mark Smith on golf course viability and Chris Hennessey on Marketing. Mark Smith is the key witness that IGVRA employed, but passed on his contract to Preston CC. He put up an exceptional case in proving that Ingol Golf Course should be viable if managed and run correctly and came out well on top during cross examination. Chris Hennessey also put forward a powerful case on the marketing of the golf course by Northern Trust, which he described as woeful. Preston CC’s own witnesses did not fare so well. Taylor Wimpey’s witnesses were next up, covering golf course viability, marketing and landscape design. All did extremely well and defended their Witness Statements under cross examination. In the midst of Taylor Wimpey’s witnesses, Alan Brookes for IGVRA took the stand and put forward the history of the golf course, the sale to a “leisure development company” based in Chorley, the extent of public access we had and still have and why the golf course is our community asset to use and enjoy. Mr Manley for Northern Trust declined to cross examine Alan, who’s statement can be found on the IGVRA web site.

In our view, we ended week one slightly on top.

21st – 24th June – Public Inquiry – week two.

Taylor Wimpey started off the week with their final two witnesses, who did not let us down in their evidence and under cross examination.

From Tuesday lunchtime until the close on Friday afternoon, Northern Trust put forward their expert witnesses. Now it was our turn to put them under the microscope.

First up was Mr Dolan who spoke on highways and sent most people to sleep discussing traffic flow in technology terms, but this witness was quickly dismissed as they had omitted to include in their assessments the planned development of 1300 dwellings at Cottam Hall.

Mr Simpson of Savills was drafted in to speak on the Marketing of the golf course as the person in charge of the actual marketing exercise was unavailable due to a pre planned holiday. Cross examination showed that Mr Simpsons own Witness Statement carried little weight, as he could not properly answer any questions on the original marketing exercise, only express opinion.

Wednesday was fully taken up with the examination and cross examination of Mrs Hinsens of Pan Leisure, Northern Trust’s Expert Witness on the golf course viability. By the end of the day, not only was Mrs Hinsens’s evidence fully dissected and proved to be, in our estimation, worthless, but also her credibility as an Expert Witness was brought into question.

On Thursday, Northern Trust brought in a Mr Smith on Landscape and Design and Mr Hesketh on Ecology. Mr Hesketh's statement was soon made out to be questionable when he made the comment that the future of the Great Crested Newt could only be guaranteed if their habitat was managed and maintained. It is strange that their numbers grew from non to several centres of habitat whilst being totally ignored by the current golf course management!

Mr Smith's evidence that the landscape to the North of the site, where most of the development was proposed, is classed in their eyes as poor quality was soon demolished using their own photographic evidence which made the golf course look very picturesque. Which of course, it is.

The last witness for Northern Trust was Mr Stock from Driver Jonas Deloitte, who gave evidence on Planning. Cross examination lasted for most of Friday, due to Mr Stock's insistence on giving negative/neutral answers, 'stonewalling', which irritated the Planning Inspector greatly.

Again, in our view, we ended week two still slightly on top.

28th & 29th June – Public Inquiry – week three.

Week three, started on Tuesday afternoon, with the site visit. Mr Cookson, the Inspector, was not interested in seeing the housing estates that surround or are in the heart of the course as he had visited them on his own during the past two weeks in the evenings. What he wanted to see was the areas of the golf course that were proposed for development. It was "surprising" to see so many members of the community walking, cycling and generally enjoying the "countryside" on our doorstep.

Wednesday, was the last day of the Inquiry, which started off with the Statement of Common Ground, then the Section 106 Agreements and finally the Closing Statements. Tim Brown for IGVRA led off, with a comprehensive statement, but did leave room for the others. Mr Tabachnik for Taylor Wimpey pulled no punches and left the Inspector with no doubts that the Appeal should be rejected. Mr Cannock, representing Preston City Council, finished off for the objectors, covering the missed items and trying not to cover ground already mentioned by Tim and Mr Tabachnik. Closing for Northern Trust, Mr Manley left the Inspector to read his Closing Statement rather than reading from the complete document himself, as the others had done. This was either a clever ploy, or a submission that he could not defend the case strongly enough to influence the inspector.

This left not only IGVRA, but Taylor Wimpey and Preston City Council feeling quietly confident.

Local Development Framework - Public Hearing

As our inquiry was closing, the hearing into the Local Development Framework at the Gujarat Centre was starting. Two sections were of major interest to IGVRA. These were:

Matter 3: Housing – General Needs, Deliverability, Density and Quality.

Matter 6: The Built and Natural Environment.

Your committee agreed that it would be prudent to retain Tim Brown's expertise and for him to represent IGVRA at this hearing so that we could maintain our position with regards to the housing requirement in Preston and to Policy 19 which aims to protect the Major Open Space between Ingol/Tanterton, Greyfriars and Cadley. Northern Trust through Mr Stock from Driver Jonas Deloitte was objecting to the proposed wording and wanted to include "development" in the proposed protected areas. Following an open and frank exchange, a slight modification to the wording was agreed, which in our view, if adopted, would protect the Major Open Space for the life of the LDF.

Again we are feeling quietly confident that this amended version will be adopted.

So, what now? Well, we must first wait for the inspector to make his recommendation, which will be sent to the Secretary of State, Mr Eric Pickles, by September 2nd. **Mr Pickles will then publish the final decision on or before 7th November.**

The LDF should be finalised by late next year, but in the mean time, the area of the "Major Open Space" has to be defined which is planned for later this year.

If you have any questions, please contact me via the routes below.

Thanks for your support – Bruce Ellison (Chair IGVRA)