

**Proposed development: Full Planning Application: Retrospective application for additional use of part of Woodland Cemetery for keeping / breeding of dogs. Retention of 3 no. related kennel buildings together with erection of 2 no. additional kennel buildings**

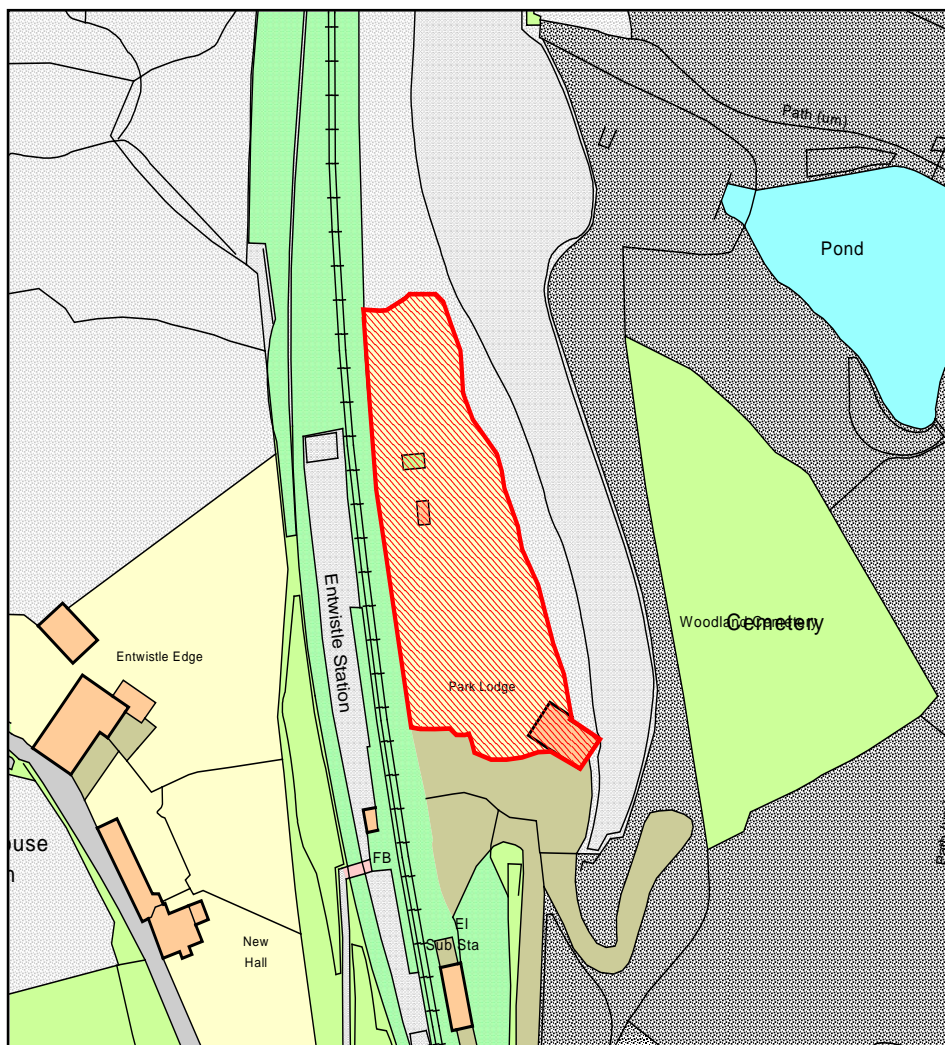
**Site address:**

**Park Lodge West Pennine Remembrance Park  
Entwistle Hall Lane  
Edgworth  
BOLTON  
BL7 0LR**

**Applicant: Mr Christopher Gore**

**Ward: North Turton with Tockholes**

**Councillor Colin Rigby  
Councillor Jean Rigby**



## **1.0 SUMMARY OF RECOMMENDATION**

- 1.1 **Temporary 12 month approval** – subject to conditions set out in paragraph 4.1 of this report.

## **2.0 KEY ISSUES/SUMMARY OF PLANNING BALANCE**

- 2.1 The proposal seeks to regularise the existing unauthorised dog breeding use and associated 3no dog kennels, together with the erection of 2no additional kennels.
- 2.2 The dog breeding use and kennels were erected in May 2016 by full-time residents of Park Lodge; a building situated within the wider Woodland Park cemetery known as West Pennine Remembrance Park. The breeding activity relates to the commercial breeding of German Shepherd dogs which are supplied on an accredited basis to various police forces throughout the country. The dogs are kept exclusively in the kennels and not in the Park Lodge building.
- 2.3 Following the intervention of the Council's Planning Enforcement Team, in response to complaints from local residents alleging disturbance from barking dogs, authorisation was granted to take enforcement action by the Planning and Highway's Committee in July 2017. During the Member's Site Visit discussions were held with the applicant about the business. Enforcement action was, however, held in abeyance pending pre-application advice offered as to the likelihood of regularising the use. The application is submitted following receipt of the pre-application advice; notwithstanding the acknowledged issues it highlighted, particularly with regard to addressing noise disturbance.
- 2.3 At the time of the submission, a total of 10 German Shepherd's were kept on site; consisting of 4no breeding bitches (aged 3-5 years), 5no adolescent bitches (aged 1 -2 years) and 1no. stud dog (aged 4).
- 2.4 The applicant submits that the dog breeding programme is an accredited scheme certified by The Kennel Club; evidence of which is provided. The programme requires bitches between the ages of 2 – 8 years. They are restricted to one litter per year – capped at 4 litters in a lifetime. In order to maintain a continuous breeding programme, certain puppies are retained and developed through to adolescence (6 months – 2 years), as part of the progressive breeding stock.
- 2.5 As a general principle, the successfully assessed puppies are taken at the age of 8 weeks by various Police Force Dog Units for further development and specialised training with 'retired' breeding bitches being re-homed in strict accordance with Kennel Club criteria. The specialist dog police dog breeding programme has historically been provided by each Force but recent financial restraint has led to either the closure or scaling-down of in-house breeding and the resultant reliance on out sourcing to specialist breeders.

2.5 The 5no kennels are to provide for the age cycle development of dogs from puppies through to adolescence to breeding bitches with capacity for both whelping and medical isolation when required. The 2no types of kennels cater separately for both adult and young dogs.

2.6 The key issues to be addressed in assessment of the proposal are:

- Principle of the development
- Noise impact on the Woodland Cemetery and nearby residential uses
- Accessibility and transportation
- Design

2.7 Careful consideration has been applied to the principle of the use / kennel buildings within the Green Belt setting and noise impact on the surroundings, as well as the design of the kennel buildings and the suitability of access, parking and manoeuvring arrangements; in full consultation with relevant Council consultees and neighbours. The principle of the use / kennel buildings is considered to be acceptable, consistent with the principle of the redevelopment of brownfield sites. Noise from barking dogs is recognised as potentially harmful to the surroundings, particularly the tranquillity of the Remembrance Park and nearby dwellings. The proposal has been considered in this context and proportionate weight has been applied to the likely effectiveness of the proposed noise mitigation. Given the absence of sufficient evidence that noise from the proposal will not prove excessively harmful to the surroundings and evidence to the contrary; it is considered reasonable to recommend a temporary 12 months permission, to allow the Council the opportunity to monitor the use over this course to establish whether or not generated noise is harmful to the surroundings. The proposal is otherwise acceptable in terms of design and accessibility / transport; in accordance with The Framework, the Council's Core Strategy and Local Plan Part 2 policies.

2.9 The dog breeding use has been granted a license by the Council.

2.10 It should also be acknowledged that personal / hobby level breeding of Miniature Schnauzers is also undertaken from within Park Lodge. This element is not, however, included in the assessment of the application.

### **3.0 RATIONALE**

#### **3.1 Site and Surroundings**

3.1.1 The application site of 0.25 hectares accommodates an open paddock area and Park Lodge building. It is situated to the east of the Blackburn to Bolton railway line and to the west of the operational Woodland Cemetery. The confines of the application site and the cemetery are collectively known as the West Pennine Remembrance Park. The Park is privately owned and offers a choice of final resting ground for burial, interment or scattering of ashes. It is

recognised as a place offering a scenic environment for remembrance and peaceful reflection.

- 3.1.2 The application site is defined by a mature tree belt along its eastern length, which separates it from the Woodland Cemetery and a tree belt to west, which lines the edge of the railway embankment. The site is accessed from Entwistle Hall Lane, to the east of the railway bridge.
- 3.1.3 The Remembrance Park lies outside of the urban boundary and is located with an area of open countryside designated as Green Belt; in accordance with the Site Allocations Map of the adopted Local Plan Part 2.
- 3.1.4 The application site does not provide for public access and, in this sense, is detached from the Woodland Cemetery. The site is also recognised as former railway goods sidings and, as such, features ground conditions that are stone based and unsuitable for future expansion of the established cemetery area.

### **3.2 Proposed Development**

- 3.2.1 Retrospective planning permission is sought for the additional use of part of the Woodland Cemetery for keeping / breeding dog's, including retention of 3no related kennel buildings together with the erection of 2no additional kennel buildings.

### **3.3 Development Plan**

- 3.3.1 In accordance with s.38 (6) Planning and Compulsory Purchase Act (2004), the application is to be determined in accordance with the development plan, unless material considerations indicate otherwise.
- 3.3.2 The Development Plan comprises the Core Strategy, the adopted Local Plan Part 2 – Site Allocations and Development Management Policies and the Darwen Town Centre Conservation Area SPD. In determining the current proposal the following are considered to be the most relevant policies:

#### **3.3.3 Core Strategy**

- CS1 – A Targeted Growth Strategy
- CS11 – Facilities and Services
- CS14 – The Green Belt
- CS16 – Form and Design of New Development
- CS18 – The Borough's Landscapes

#### **3.3.4 Local Plan Part 2**

- Policy 3 – The Green Belt
- Policy 7 – Sustainable and Viable Development
- Policy 8 – Development and People
- Policy 9 – Development and the Environment
- Policy 10 – Accessibility and Transport

- Policy 11 – Design
- Policy 41 – Landscape
- Policy 42 Equestrian Development

### 3.4 Other Material Planning Considerations

#### 3.4.1 National Planning Policy Framework (The Framework).

At the heart of the NPPF is a presumption in favour of sustainable development, which should be seen as a golden thread running through both plan making and decision taking. For decision taking, this means approving development proposals that accord with the development plan without delay (paragraph 14).

#### 3.4.2 Consistent with Local Plan Part 2 Policy 3, Chapter 9 of the Framework sets out the principles of the protection of Green Belt. Paragraph 17 identifies the effective reuse of previously developed land that is not of high environmental value and paragraph 123 emphasises that decision making should identify and protect areas of tranquillity.

### 3.5 Assessment

#### 3.5.1 Principle

The application site lies within the Green Belt. Local Plan Policy 3 reflects The Framework in setting out the general presumption against inappropriate development within the Green Belt which is, by definition, harmful. Local planning authorities should, therefore, ensure that substantial weight is given to any harm to the Green Belt and regard the construction of new buildings therein as inappropriate. Paragraph 89 of the Framework sets out the exceptions criteria to this which includes the partial or complete redevelopment of previously developed sites (brownfield land), whether redundant or in continuing use (excluding temporary buildings), which would not have a greater impact on the openness of the Green Belt and the purpose of including land within it than the existing development.

#### 3.5.2 The applicant submits that the existing dog kennels and those proposed are sited on “*previously developed land*”. The Framework offers the following definition of “*previously developed land*”: “*Land which is or was occupied by a permanent structure, including the curtilage of the developed land (although it should not be assumed that the whole of the curtilage should be developed) and any associated fixed surface infrastructure. This excludes: land that is or has been occupied by agricultural or forestry buildings; land that has been developed for minerals extraction or waste disposal by landfill purposes where provision for restoration has been made through development control procedures; land in built-up areas such as private residential gardens, parks, recreation grounds and allotments; and land that was previously-developed but where the remains of the permanent structure or fixed surface structure have blended into the landscape in the process of time*”.

- 3.5.3 Evidence submitted indicates that the application site was formally part of Entwistle Rail Goods Yard. Records reveal that the rail goods yard became disused in November 1959, save for a small section to the south that accommodates buildings to house electricity generators for rail signalling and provides open storage for Network Rail plant and machinery.
- 3.5.4 A walkover of the site reveals that the ground conditions are of a different character and appearance to those found in the area that accommodates the Woodland Cemetery on lower ground to the east. Although rail tracks have been removed, much of the ground still contains stone setts that formed roadways and paths through the site and platforms that secured hoisting equipment; consistent with submitted historic aerial imagery. The acknowledged contrast in ground conditions of the application site and the Woodland Cemetery are such that the two areas remain clearly discernible from one another, despite the length of time since the closure of the Goods Yard. Accordingly, the application site is accepted as '*previously developed land*', in accordance with the aforementioned definition.
- 3.5.5 Moreover, the ground conditions of the application site dictate its unsuitability for burial purposes, as an extension of the existing Woodland Cemetery.
- 3.5.6 Careful consideration should be applied to the impact of the existing and proposed dog kennels on the openness of the Green Belt, notwithstanding the acceptance of the previously status of the application site. The existing kennels are sited close to the eastern perimeter of the site, as defined by the mature tree belt that aligns its full length. The two additional kennels will infill the space between the two adult kennels and the puppy kennel; as indicated on the submitted site plan. The buildings are modest in scale, at circa 2.2 metres high at their highest point and circa 15 square metres in floor area. They are recognised predominantly from within the confines of the Remembrance Park. Views from elsewhere are largely obliterated by mature trees and the surrounding topography. Accordingly, within the context of the setting and having regard to the character and appearance of the former Goods Yard, the buildings are not considered to have any greater impact on the openness of the Green Belt or general landscape character than the former land use.
- 3.5.7 Proposed sound mitigation against barking dogs includes the erection of a 2 metre high close boarded acoustic fence which will shroud the kennels to the north, south and west at a distance of no more than 2 metres. The fence is recognised as benefitting from permitted development; in accordance with Schedule 2, Part 2, Class A of the (General Permitted Development) Order 2015 and is not, therefore, controllable under the planning application process.
- 3.5.8 The merits of the specialist police dog breeding programme being undertaken from the site is also considered to carry some material weight, as the only facility of its kind in the North West of England. It maintains an important service that has significantly diminished over recent years, due to budgetary pressures on Police Forces across the country. The breeders are

experienced dog handlers having formally been in the employee of Greater Manchester Police; assisting in the rearing of puppies and training both puppies and adult dogs. Moreover, the presence of occupiers of Park Lodge as resident overseers of the Remembrance Park is recognised as providing an important level of out-of-hours security.

3.5.9 Accordingly, the principle of the kennel buildings and the dog breeding use is considered to be acceptable.

3.5.10 Impact on surrounding amenity

Local Plan Part 2 Policy 8 requires development to secure satisfactory levels of amenity for surrounding uses, with reference to noise. The Framework, at paragraph 123 sets out that decisions should aim to identify and protect areas of tranquillity which have remained relatively undisturbed by noise and are prized for their recreational and amenity value for this reason.

3.5.11 A Noise Assessment was submitted in support of the application which identifies the amenity risks associated with barking dogs, in the context of the surroundings and offers and identifies proposed methods of noise mitigation. Findings as summarised as:

- 1) That noise from dogs barking when they are outside kennels and at exercise in the paddock area present greater potential for noise impact.
- 2) That despite particularly low levels of noise impact over the night-time period when there were higher noise levels at certain periods of the day when the dogs were in kennels.

3.5.12 The Noise Assessment has been reviewed by the Public Protection team who concur with the report's author that there is no clear guidance on how to assess dog noise and that the conclusions drawn, therefore, cannot be considered definitive.

3.5.13 The review concludes that physical mitigation of noise from barking whilst the dogs are outside will be difficult to achieve due to the sites topography. Mitigation options for reducing noise impact are as follows:

- A limitation on the number of dogs at exercise at any one time
- Supervision of dogs at exercise
- A limitation on the hours that the dogs would be permitted to exercise
- Introduction of noise mitigation measures to be incorporated into the kennel construction
- Introduction of a 2 metre high impermeable acoustic fence compound around the kennels
- Retention of the netted visual barrier along the boundary between the exercise area and the railway platform.
- No exercise (out of the kennels) during an interment service.

3.5.14 It is recognised that a significant number of objections have been received in response to the application, in addition to initial complaints received prior to its submission. The objections have a particular emphasis on dog barking and its impact on the tranquillity of the Remembrance Park and nearby residential

uses. Whilst the sensitivity of the cemetery use is very much acknowledged in the assessment of the application, proportionate weight must be applied towards the degree of intrusive noise generated and the benefits afforded by the methods of proposed mitigation. The Framework at paragraph 123 requires mitigation to be considered by use of appropriate conditions. Representations made alleging excessive dog barking is not currently supported by firm evidence of such. Public Protection colleagues have visited the site on a number of occasions when some barking has been observed. On one occasion 120 barks were observed during a 5 minute period. On other occasions no barking has been observed. Whilst it is accepted that persistent barking will have an adverse impact on the Remembrance Park and residential amenity, it is important to distinguish between audible noise and adversely audible noise; a level identified in policy as; “*significant adverse impacts on health and quality of life as a result of new development*”.

3.5.15 It is within the context of the rural setting, adjacent to a railway line and with regard to the proposed methods of mitigation that the assessment should be made. It is considered that the evidence currently available does not demonstrate a degree of harmful noise necessary to uphold a policy objection on grounds of unacceptable impact on neighbouring amenity. Similarly, the absence of evidence to the contrary does not lend full support to the application. Consequently, it is considered reasonable to recommend a temporary permission of 12 months, to be secured through application of an appropriately worded condition, to allow the Council the opportunity to monitor noise from the site and its impact on residential amenity and the tranquillity of the Remembrance Park; including the duration of interment services. It is argued that monitoring will form the evidence base of a future application at the end of the 12 month period to consider the suitability of a permanent use of the site for dog breeding. All proposed mitigation methods should be introduced to inform an assessment of their effectiveness within an appropriate timescale. The Council’s Public Protection team are in agreement with this approach.

3.5.16 Design / Landscape Character.

The moderate design and massing of the kennels and their siting against the bordering woodland, ensures a limited impact on the landscape character of the area; particularly considered in the context of the former Railway Goods yard land use.

3.5.17 The kennels, although utilitarian in appearance, are considered acceptable, given their limited prominence and their relationship with the Park Lodge building.

3.5.18 Impact on Highway Safety and Parking.

Vehicular access / egress at the site will be unchanged. The dog breeding use does not involve additional staffing and will not create a greater burden on the existing parking and manoeuvring area.



### 3.5.19 Summary

This report assesses the planning application for the proposed dog breeding use, retention of existing kennels and erection of two additional kennels. In considering the proposal, a wide range of material considerations have been taken into account to inform a balanced recommendation. In addition to the matters described above, local residents raised the following non material concerns:

Criticism of the management of the Remembrance Park.

Allegations of “Puppy Farming”.

The use of Park Lodge building; including a change in access arrangements to the welfare facilities in the building for visiting members of the public.

### 3.5.20 Other Matters

The alleged unauthorised occupation of Park Lodge building within the application site is acknowledged. The building benefits from planning permission for residential occupancy; in accordance with a floor layout approved in 2014, which includes two reception areas and an office that the general public have restricted access to. The permission is subject to the following condition:

*“The occupation of the dwelling shall be limited to a person solely or mainly working in The West Pennine Remembrance Park or a widow or widower of such a person, and to any resident dependants”.*

The current occupancy of the building is accepted as unauthorised by virtue of a departure from the aforementioned approved floor layout, due to one of the reception areas being permanently occupied as living space and unavailable to visiting members of the public. This situation does not form part of this assessment and will instead be addressed under consideration of a separate enforcement or application process, if the proposed dog breeding use is supported.

## 4.0 **RECOMMENDATION**

### 4.1 **Approve** – subject to conditions which relate to the following matters:

- Temporary planning permission - The approved use shall cease 12 months after the date of this permission. \*
- Within 2 months the erection of the acoustic fence shall be in place adjacent to the kennel buildings and thereafter retained.
- Within 2 months the upgrading of the kennel buildings to incorporate the noise mitigation measures identified at para.8.2 of the Supporting Statement.  
Retention of the visually restrictive netting between the Paddock area and the adjacent railway platform.
- A limit of no more than 6 dogs to be exercised at any one time within the Paddock Area and at all times under the supervision of the Kennel Operators.

- No use of the Paddock Area for the exercise of dogs outside the period of 0700 and 22.30 hours daily.
- No use of the Paddock Area for the exercise of dogs at any time during an interment service.
- Advanced written warning of scheduled interment service, to allow monitoring.
- Development to be carried out in accordance with the approved drawings.

\* A further application before the expiry of the 12 month period will have to be submitted to consider a permanent use.

## 5.0 PLANNING HISTORY

5.1 The following planning applications relate to the application site:

- 10/99/0123: Change of use to Woodland Cemetery.
- 10/11/1211: Improvements and extension of existing Reception Building .
- 10/14/0731: Change of use of Reception Building to include residential accommodation for park overseers.

## 6.0 CONSULTATIONS

### 6.1 Public Protection

Concern expressed at potential for noise disturbance. The Following recommendations are offered:

*Prior to determination, the developer should submit a written assessment of levels of noise from dog barking and the effectiveness of options for mitigating any adverse impact on users of the Remembrance Park.*

*That permission isn't granted for additional kennels, as this would increase the potential for more intensive use of the site and increase the likelihood of loss of amenity due to noise.*

*If the application is granted it is recommended that conditions are imposed requiring the works identified in 8.1 and 8.2 of the Supporting Written Statement, and an additional condition prohibiting the use of open-air fenced runs between the hours of 20:00 and 08:00.*

### 6.2 Highways

No objection.

### 6.3 Turton Parish Council

Objection for the following reasons:

- Noise impact on the tranquillity of the Remembrance Park

6.4 Public consultation has taken place, with 5 letters posted to neighbouring addresses and a Site Notice displayed. In response, 34 letters of objection including a formal objection from local ward councillor Colin Rigby have been received which are shown within the summary of representations below. In addition, one letter of support has been received. Section 9 includes a selection of the objections received and the letter of support.

**7.0 CONTACT OFFICER: Nick Blackledge, Planner - Development Management.**

**8.0 DATE PREPARED: 5<sup>th</sup> March 2018.**

## 9.0 SUMMARY OF REPRESENTATIONS

### Objection Barbara M Fairhurst

Dear Nick , please find this email as my objection to the developments of the west Pennines remembrance park , here I have laid my mother to rest along side my parent in laws . I do not believe this development is in keeping with the terms and conditions , originally that was sold to us as family to where we could mourn and visit our loved ones in peace . Kind regards

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### Objection David Comer, New House Farm, Edge Lane, Entwistle, Bolton

Dear Sir/Madam

Being unfamiliar with the planning process I have only just been made aware of the supporting documentation, notably the noise report by Miller-Goodall and the Frank Whittaker supporting document.

It is clear that Frank Whittaker & Mr Gore have had sight of the noise report & I would also like to comment on it & their supporting document.

With regards the noise document these are my comments:

1. THE NSR point is Mr Gore (the applicant's) mother-in-law's property. Therefore the noise assessment at both points was done in full knowledge of the applicant & they could have made every opportunity to suppress noise especially the night time/early morning noise.
2. There is no mention of puppy noise. Reasonable if there were no puppies at the time, but the noise is considerable & lasts in bursts of up to 30 minutes at a time & is significantly loud.
3. The report comments that the exercise noise is the worst & nothing can be done for this. Great. More dogs will mean this will get worse. I find weekends upsetting, as I can not sit in the garden without the noise of the dogs disturbing us throughout the day.
4. The tests recorded one short early morning noise. This is unrepresentative of what we normally notice. The early morning noise from the kennels can last for 30 minutes to an hour & is a dull/deep echoing noise. In the summer this is very disturbing and with the windows open wakes us up.
5. The report makes reference to unusual bird noise. I suspect this is from tawny owls which nest in the woods at the bottom of the garden.
6. The tests were done mid november. The longer days in the summer result in considerably more disturbance from a much earlier hour.
7. The ultrasonic suppressors are clearly ineffective.

With regards the report from Frank Whittaker I have these comments:

1. 5.3.3 - In my opinion the application meets none of these.
2. 6.1.2 Circumstance 1. Specialist Dog breeding whilst itself may be true can be no justification for siting a business in an incorrect location
3. The application to further increase the number of dogs & the amount of breeding will only make the current noise levels worse.

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Objection David Leicester, 28 Pole Lane, Darwen

I wish to formally object in the strongest of terms regarding the above application.

In 2006 I found out about the Remembrance Park due to a friend choosing to bury her mother there. I was very impressed with the whole place, it's facilities and more importantly, the peace and quiet.

I even asked my 92 year old mother whether she would agree to it being her final resting place as opposed to being cremated. She agreed and when she passed away in Jan 2007 I purchased a plot big enough for the two of us.

In the years since my mothers passing I've been many times, her birthday, anniversary of her death and Christmas. I've also attended a classical guitar recital on a summers afternoon. Mr Gore, who has since passed away, was very understanding and helpful. He always asked me in the cabin for a chat and a brew.

Sadly when I attended a funeral in May of this year I was appalled to hear from a gentleman that I was told lived there, that we couldn't use the toilets as "the dogs are out" !! I couldn't believe what I was seeing. I would like to know how this has been allowed to happen. What has happened to the reception building with seating and refreshment facilities ? There's also supposed to be a disabled toilet and an electric mobility vehicle.

Finally, I quote from the brochure that persuaded me to buy into this in the first place " the park offers a scenic environment of mature woodland and open spaces for remembrance and peaceful reflection " .

Peaceful reflection ??? I don't think so ! How has a complete change of use for this beautiful Park been allowed ? \_\_\_\_\_

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Objection Heather Anders

Please accept this email as my objection to the planning reference 10/17/1428 to build on West Pennines Remembrance Park.

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Objection David Comer, New House Farm, Edge Lane, Entwistle, Bolton

I would like to object to the planning application for kennels & their expansion at the Park Lodge West Pennine Remembrance Park.

Our garden although across from the railway is actually very close to the yard and I believe I am the closest neighbour.

My primary issue is with noise. I have had an ongoing noise complaint with the kennels since they first moved in. The dogs are either loose or in kennels & bark on & off all day, When the dogs are loose the barking can be very loud & aggressive indeed. When they are kennelled the noise is a deep echo. The barking is not all the time, all day but it is every day & it may be for 10-30 minutes, stop & then carry on again an hour later.

We are most affected in the summer months when we are in the garden or in the house & have the windows open. In the summer we regularly get woken up by the dogs barking from the kennels.

At the weekend we can get no peace in the garden with the dogs barking on & off throughout the day.

When they have puppies the crying from the puppies can continue for 30 minutes at a time, will happen several times a day & again is very loud.

The noise complaints with the council have come to no use because the service does not respond to out of office hours. The out of hours number is only for late on Friday & Saturday nights. We are at work weekdays 9-5.

Possibly anecdotal but I also have concerns about their animal husbandry.

1. In the time since they moved in I have never once met or seen them walk the dogs outside of the yard
2. We often hear them shouting & swearing at the dogs. This must be upsetting for people visiting the funeral park & does not strike me as how to care for dogs.

My second complaint is regards the retrospective planning. I would also like to raise the issue of the retrospective planning permission. I first raised this with the council back in 2016 via the noise complaints department. And yet it has taken this long & then only a retrospective planning request from the owner.

Thirdly I would like to register a complaint on behalf of the customers of the Remembrance Park. Having very loud and aggressive barking dogs both in the office & grounds can not enable visitors to have peace & be able to use the amenities that the original planning permission offered, including disabled access, toilets & refreshments.

Personally I have found this very stressful to the extent that every time I hear the dogs I have to leave the garden to get away from the noise.

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## Objection Katie Marsden

I am writing to voice my concern at proposals for the planned puppy farm on the West Pennines Remembrance Park. This is not a suitable proposal for the area and for the park.

In addition, the council will bear a financial cost for the dog warden. Puppy farms contribute to the problem of abandoned dogs across the country and opening more will worsen this problem.

Please accept this email as my objection to the planning reference 10/17/1428.

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Objection Kelly Garcia

Just writing to let you know that it's bad form to open a puppy farm outside a remembrance park. You wouldn't open a zoo outside a cemetery, it's common sense; well this is pretty much the same thing. Puppy farms treat animals like shite anyway, but if you do insist on opening one, please do it somewhere else.

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Objection Lynda Crawford

I am writing to oppose the permission to open a dog breeding facility. There are thousands of dogs in rescue centres all over the country and thousands being destroyed each year. How then can you justify allowing a dog breeding facility to open. Please listen to people and refuse permission for this facility to go ahead.

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Objection Melanie Middleton

- > Hi Nick
  - >
  - > Please take my email as strong opposition to the plan to have a dog breeding facility at Entwistle.
  - >
  - > Both my grandparents Tom and Barbara Middleton and buried at the remembrance Park, this was not what we signed up to.
  - >
  - > A place of beauty such as Entwistle to be used for such vile purposes as the mass breeding of puppies. Why is this necessary when healthy dogs and puppies are put to sleep every day. It's disgusting and not something we want to see when we pay respect to our deceased relatives
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Objection Mr M J Moores



I have been informed that planning permission for a dog breeding facility has applied for along with the conversion of the original offices and members meeting/gathering log cabin at the side of this woodland grave yard. I my parents and parents in law are buried there and are in possession of a 99 year lease on this land I would like to lodge a strong objection to this development. This park was won a national award when it was first opened and a development of this type is totally inappropriate for an area of quiet reflection, mourning and peace.

Constantly barking dogs is not what my parents signed up for!

We are not anti dog! Indeed the park excepts pet burials.

Can you please confirm

- 1) that this planning application has indeed been made.
- 2) If true please provide a reference number/full details for the planning application.
- 3) A reference for my formal objection.
- 4) Date and venue of planning meeting.

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### Objection North Turton Parish Council

The Parish Council objects to application 10/17/1428 for the additional use of a woodland cemetery for the keeping/breeding of dogs, and the retention and erection of kennel buildings, on the grounds that it is an inappropriate use in a peaceful and scenic memorial park, and that the noise from dogs barking is particularly intrusive.

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### Objection Peter Middleton

I wish to object to the planning application of a dog breeding facility ref 10/17/1428 at the entrance to the west penine remembrance park where my parents are buried, even though the access to the park may be screened, the noise and the facility itself will be totally inappropriate to the area in general, people were sold expensive plots for their loved ones in peaceful surroundings

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### Objection Mr & Mrs Platt, 39 Stope Road, Little Lever. Bolton

I am writing to formally object to the above application. My wife has both her parents buried there and we took extremely careful consideration when it came to choosing the perfect final resting place for them and when we did so we were shown the rest rooms with toilet facilities etc and we were also pleased when we were also shown an electric golf buggy type car which could be used to transport visitors down to the burial area and these things were all key factors in us choosing this location. When my mother in law passed away in 2003 my father in law would visit every single week and use the facilities whilst there, whether it was just to sit and reflect or to spend a little time chatting with the caretaker there. Sadly the caretaker passed away and over time all these extra touches have one by one disappeared and the facilities we were promised would always be there have now been replaced by a residential dwelling with substantial out buildings which are being used for dog kennels.

These developments have ruined what was sold to us as a quiet and tranquil location where we could visit our departed loved ones. We recently buried my father in law there and were shocked and upset on our arrival to see laundry hung out right next to where we were instructed to park which was quite obviously someone's house in fact the female homeowner was quite literally stood watching our every move and made every single one of us feel like trespassers and she made it obviously clear that our attendance wasn't appreciated by her in fact many of the mourners commented that they felt intimidated by her stood there especially as we were leaving as she was stood with her hands on her hips quite literally watching us leave. Leaving was not immediate as not only did we need to wish people all the best, thank them for coming and all the other unwelcome 'pleasantries' or duties one has to carry out following burying a loved one, the vast majority of us (children included) had to wipe copious amounts of dog excrement from our shoes before getting into our cars.

The barking of a large number of dogs during the actual internment was also upsetting as we expected to arrive to the 'quiet and tranquil' location we had previously attended funerals at but this was sadly not to be as due to the amount of dogs and their size the barking was very loud and constant. I am sure you can understand just how upsetting and a shock this was not only to myself and my wife but to all the other close family and mourners in attendance.

There is no doubt in my mind that the changes to the Memorial Park and the building of the dwellings has been carried out without the correct planning permissions in place and in the hope that the once the main buildings have been built that retrospective planning would be granted and the changes have very clearly changed the whole feel and peacefulness of what was once an idyllic location to grieve and remember.

We strongly urge you to look at the bigger picture here and understand just how upsetting it is for people like ourselves to visit this place and see just what is going on there, it is quite obvious that the current occupants / owners of the park are attempting to change the park for their own benefit

and the burial side of things is no longer their prime concern but what appears to be a dog breeding business is. Surely the breeding of loud noisy dogs alongside a nice quiet burial location do not go hand in hand and we ask that you consider those with deceased loved ones at this location and just how upsetting these changes are for them and we ask that you please help to keep this as a special location for our loved ones as that is what we 'bought into' when we entrusted them to this place.

At the end of the day The West Pennine Remembrance Park was sold to us and many others as a parkland burial area surrounded by natural and beautiful views over unspoilt countryside, it was not sold as a residential dwelling area with what appears to be a large thriving dog breeding business and as such we are at a loss as to how this has been allowed to happen and a residential dwelling built without the correct licences and approvals in place.

We sincerely hope that you understand our deep feelings and upset on this matter and seriously accept and understand our objections and therefore refuse the retrospective planning request on the grounds that the owner / tenant is attempting to change the purpose of the Remembrance Gardens and has already made a permanent residence and unrelated business here.

With appreciation and respect

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## Objection Pat Barton & Con Barton. 19 Connaught Road, Attleborough, Norfolk

It has been brought to my attention that there has been a planning application for the West Pennine memorial park, and that any objections to said application are to be received by 25<sup>th</sup> December 2017.

I wish to make a formal objection to this being allowed and not in any way granted.

It seems to be changing the use of the burial site to a breeding facility for dogs.

A change of use totally inappropriate, and absolutely NOT what my parents bought into and subsequently both are buried there.

My father, following the sudden death of my mother February 2003, made a difficult decision to purchase a double plot for my mum and himself. I was very impressed with the literature and promises stated and supplied and knew the idealology from the same set-up here in Norwich.

My father was made at ease from the previous owner (I believe to be Mr. Gore's father) Bill and Donald the designer, he and all our family were pleased to find such a peaceful and restful place to which we could visit and feel the necessary grief and solitude, to have our memories and visits to a lovely place of rest.

100 years was the term of time before the Remembrance park would be left to go back to nature.

My father died this year and we were mortified to find that everything was not as it should be i.e. no toilet facilities, no disabled golf buggy use, no refreshment and sitting area in the reception.

The place has been turned into a private dwelling and is being used as a dog breeding kennel, this was, to say the least not what we expected and not what should be happening.

We were told to use the toilets at the Strawberry Duck public house, do they know that is the arrangement, the carpark was full of dog mess and being a hot day, the smell of dog foul was most unpleasant. On our return the day after, we heard dogs yelping and barking which was almost threatening. This was unacceptable and very upsetting. The wild life will disappear as they too will feel threatened.

I see letters have been sent to the local residents but nothing to the families and those who have their loved ones' resident already at the Remembrance Park or having purchased plots to join their loved ones.

I have raised my concerns with Councillors' Rigby and the trading officer department who don't seem to have got any further with my concerns only to say some previous planning has been allowed and this was not investigated properly.

If this planning is allowed what next, a larger house on a prime site, no visiting for relatives to the park, closure of the park, no parking only at the Strawberry Duck and dogs having free reign around the graves so they can exercise.

Mr Gore should be ashamed with his actions; his father would be embarrassed by his own son to let such a beautiful place and the ethos of the whole thing be spoiled for one can only think is money.

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## Objection Gemma Sharpe

I write to formally object to the above application.

My Grandparents are buried in the West Pennine Remembrance Park.

When I attended my Grandads funeral I was shocked & disappointed at the state of the car park, reception area and entrance to the park, compared to my Grandmothers funeral. The car park was full of dogs mess and was tricky to avoid, especially for the children and older relatives. Also the smell was awful, not what you want to smell on the way to this type of service. Throughout the service there was constant interruption of dogs barking from the kennels whilst we were at the graveside - this was not what my Grandparents chose and paid for. The West Pennine Remembrance Park was chosen because of the peace and tranquillity of the setting, and this is sadly no longer the case.

Can you imagine attending a funeral of your loved one in such circumstances? I and many others were extremely upset.

If you allow this application it will only make matters considerably worse. It is already wholly unacceptable, and not what my family and many others chose for their final resting place, as well as a peaceful place for their families to visit, reflect and remember them.

I trust you will take my points into consideration regarding this Plannig Application.

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## Objection Peter Crompton

I would like to put forward my opposition to the plans for a dog breeding farm at the entrance to the west Pennine remembrance park. This was not what we signed up for when we buried Our loved ones at this park and I am totally opposed to it. Ref 10/17/1428

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## Objection Rebecca Moden

I am writing to state that I am opposed to the dog breeding facility.

I hope this plan is scrapped.

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### Objection Rachel Garvey

I am writing to vehemently oppose the proposed dog breeding facility at West Pennine Remembrance Park. I am incredibly angry that such a proposal has even been made, never made being considered! My Dad's ashes are buried at the Remembrance Park and my family made that decision on it being a calm, quiet, natural space as I am sure many other families did. I feel that such a facility would completely go against this and totally disrespect the memories of those laid to rest there and the families who go to pay their respects as I do along with my family. If the owners of the park believe this to be acceptable then they need to give the park over to someone else who could properly tend to it giving it the care, attention and respect it deserves! There are plenty of other places this puppy farm could go, if it needs to be so far out of the town centre I'd be questioning the legality of such an operation.

I feel that common sense needs to be used in order to avoid causing even more offense to bereft families and that your council would not want to be seen as to advocate such a controversial practice.

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### Objection Ruth Bradford

I write to express my anger at the plans to build a breeding facility at the entrance to the remembrance park at Entwistle. As a regular visitor to a family friend there it saddens me that the idea would even be entertained and I wholeheartedly oppose the plans.

A structure used for similar activities near my own home has just been demolished after years of complaints and campaigns by local residents and animal rights activists.

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### Objection Stephanie Chadwick

I wish to oppose the planning application to build a dog breeding facility near Entwistle reservoir.

I feel this is unsympathetic to people who have their relatives buried nearby and also because so many dogs are bred in similar places simply to end up put to sleep or if they are lucky in rescue.

Dogs housed in these facilities are treated appallingly and have numerous health problems which are passed onto their pups.

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## Objection Stewart Forsyth, 8 Knostrop Quay, Hunslet, Leeds

I would like to register my opposition to the proposed facility which the above reference relates to. I find the idea that a council would even consider allowing a facility like this abhorrent, and therefore request that the planning permission is rejected.

The Remembrance Park in this area is a special place for many people. It has already been left to ruin by the current owners, and allowing anything to be built there will take this place away from the families and friends of loved ones who rest in the park.

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## Objection Susan Morgan

With reference to the above subject ie the new dog breeding facility which is to open near the entrance to the West Pennine Remembrance Park, I would like to express my deep concern.

We bought a plot for my brother's ashes to be scattered there several years ago, and also bought the neighbouring plots for other members of the family who wished to be laid to rest next to my brother.

It is a beautiful and peaceful place to go to be close to him. We felt reassured by the fact that it would remain as it is- a peaceful and beautiful area, untouched by any form of commercialism.

You will understand our concern to hear about the new plans.

I wish to register my opposition to this plan and ask for some consideration for the families of the many people who like to visit the Remembrance Park regularly and who wish to keep it as it should be, a quiet, peaceful place of reflection with nothing around it to detract from its ethos.

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Objection Councillor. Colin Rigby OBE

**The West Pennine Remembrance Park. Entwistle Hall Lane. Turton. BL7 0LR 26/12/17**

The original planning permission in Oct. 1999, was for the use of the land as a cemetery, with an accommodation unit, to act as a reception area and office, to be used when funerals were taking place and relatives were visiting the graves of the deceased.

The application received in July 2014, was to change the use of the reception building to include accommodation for the park overseers. Specific conditions were imposed, planning permission was granted subject to these conditions. (The occupation of the dwelling shall be limited to a person solely or mainly working in the West Penning Remembrance Park, or a widow or widower of such a person, and to any resident dependants) Reason :- The proposal provides for substandard internal and external living arrangements, impinging on the amenity of prospective occupants, and is only supported in principle due to the linkage with the West Pennine Remembrance Park., in accordance with Policy H4 of the adopted Blackburn with Darwen Borough Council Local Plan.

Future use of the property and the grounds clearly break this condition.

The report by Adam Shaikh, dated July 12<sup>th</sup> 2017, clearly states that the above planning conditions had been broken. The Park Lodge originally available by funeral parties and members of the public, was not available and the building had been converted to a residential dwelling. At some time between July 2014 and July 2017 the owners had established a dog breeding business, planning permission had not been sought, and without the visit by a BwD officer, the current application would doubtless have been ignored.

In conclusion the site owner has broken imposed planning conditions, founded a business completely ignoring planning applications, until forced into a retrospective planning application. The original planning application was well received, and a number of burial plots were sold. Relatives with family buried in this rural location, are and have been distressed at the state of the site, primarily animal waste, the unavailability of toilet facilities, and the general attitude of the owners.

I recommend the issuing of an Enforcement Order, to cover the removal of any kennels or outbuildings associated with the breeding of dogs, and a reversion of the current residential building to that granted under Planning app.10/14/0731.

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## Objection Angela Garvey

To The Planning Dept,  
I strongly object to the proposed plans for a puppy farm at the Remembrance Park.  
In 2003 my family chose this tranquil beautiful place to lay my husbands ashes to rest.  
I myself have reserved a plot next to my husband when the time comes.  
I chose this park after being reassured that no building would take place for 100 years.  
My husbands ashes are buried in the area overlooking beautiful countryside amongst the trees.  
I find the proposed plans extremely upsetting and urge you to reconsider this application not just for me but for all the other families of people laid to rest there.  
Angela Garvey

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## Objection Andrew Worden

I write to formally object to the above application.

I have relatives buried in the remembrance park. I had planned to be buried there also. I have been visiting the park for almost 15 years now and seen the facilities and standards decline since the death of Mr Bill Gore who set up the park in 2003.

When I attended a funeral there in May of this year I was shocked and extremely upset with the experience at it appears the land now houses a dog breeding facility with purpose built kennels.

The reception facilities/meeting room had gone and we were told the toilets were no longer available and the attendees had to use the local pub - delaying the service.

We were refused access to the reception facilities which now appear to be a full-time dwelling, and other attendees complained the the car park they were directed onto was full of dog mess, one child slipped and fell in it!

Throughout the service there was constant barking of dogs from the kennels whilst we were at the graveside. Can you imagine attending a funeral of your loved one in those circumstances?

The West Pennine Remembrance Park was chosen because of the peace and tranquillity of the woodland setting and attached is the information provided by the park owners – focusing on the peace and tranquillity of the setting and the facilities that are no longer available - "Car parking, a reception building with seating and refreshment facilities, disabled toilet and mobility vehicle" - none of which are now provided to an acceptable standard. This lack of facilities could breach the disability discrimination act as the location of the gravesides is on an incline and to get to them, is over steep uneven ground, the brochure enclosed specifically points out provision of accessibility for all.

The level of dog noise is already to the detriment of the peace and tranquillity of those paying their respects to their loved ones in the park, not the neighbouring properties across the railway line who I believe were consulted prior to original. The users of the park are mostly non-residents and travel from far and wide to visit the park, I personally have a 30 minute drive to visit the park.

I am extremely upset with the situation and it displays a total disregard and disrespect for the park users who are there to attend their funerals or visit their loved one's final resting place.

The park is now run with questionable Health and Safety standards not only due to the dogs now on the site. There are partially buried glass vases that have been allowed to be used, originally there were strict guidelines on materials used for headstones and plaques as the whole idea of the park is to be in tune with nature. The reception facilities also used to house an emergency telephone and first aid kit, what happens if a visitor falls onto the glass and help cannot be called without going to the payphone at the pub? If this park would be considered a public area what provision is now in place for public liability and health and safety for it's users who are now prohibited access to said emergency facilities?

This application is a blatant scheme to re-purpose the site and make the users endure a less than ideal situation to shorten their stay at the park.

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### Objection Kelly Barton

I would like to formally strongly object to the planning at West Pennine Park ref: 10/17/1428 'dog breeding facility'.

This should be a place of peace, quite and natural beauty, but instead earlier this year when my family and I attend our Grandads/ Great Grandads funeral we were met with a place which smelt terribly of dog excrement when we got out of our cars. We then had to walk though the car park area dodging the dogs mess which was terrible and disgusting especially as there were many great grandchildren and elderly attending.

Then when by the graveside there was a constant barking throughout the service which I believe is not acceptable at a place where people are saying goodbye to loved ones and would like a peaceful send off, a time for their own thoughts unaccompanied by dogs barking and the smell of excrement.

The park had been chosen due to its peaceful and beautiful surroundings by both of my Granparents who are now buried together, and it breaks my heart that this is now being put at risk further by the plans submitted.

Please lodge my objection to this ridiculous proposal.

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## Objection Sharika Kotecha

I write to object to the application to proceed to breed dogs within the area of The West Pennine Remembrance Park.

I attended a funeral in the park earlier this year.

I was very surprised that there were no reception facilities and we were told to walk to the pub to use toilets.

A remembrance park should be for quiet reflection and in a peaceful setting.

Throughout the service the dogs in the kennels constantly barking. This was very upsetting, particularly for the relatives.

In the car park we were shown to next to the kennels there was dog foul all over the place and some guests were uneasy even getting out of their cars.

To permit dog kennels and breeding in this location would be totally inappropriate.

The whole funeral was made even more upsetting by the impact of kennels in an inappropriate location.

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## Objection Suzanna Moores

Please take this email as an objection to the dog facility at the West pennie remembrance Park.

When we signed a contract to lay my three grandparents to rest it was for the area to be maintained as it for 100 years. As you can see from their website what has been offered to families during such difficult times;

<http://westpenninepark.com>

A dog facility would not provide the peace and tranquillity promised to grieving families and would not allow a nice place to mourn.

The house at the entrance to the park is an eye sore and already covered in trinkets and tatty ornaments, which have already started to appear on burial plots, which again is against the rules. I could already hear dogs yapping and barking away when I laid flowers last weekend.

I hope you take in to consideration my reasons for the objection.

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## Objection John & Carol Foley

We write to formally object to the above application.

Two of our parents are buried in the park.

Both plots were purchased in 2003 when Carol's mum died.

When Carol's dad died in May and was buried there later that month we were aghast, shocked and deeply upset when we attended the funeral.

The reception facilities/meeting room had gone, we were told the toilets were no longer available and pointed in the direction of the Strawbury Duck public house – an inappropriate walk for elderly funeral goers and worst of all, the constant barking of dogs whilst we were at the graveside.

Attached is literature we were given when the plots were purchased – focussing on the peace and tranquillity of the setting.

The original park received planning permission in 1999. It's interesting that the lodge building itself didn't receive permission. BwD Council told them to apply and they didn't.

At the time the application for an extension was applied for in 2011 the Council's own officer's report conceded that it was then too late to take enforcement action. That application for an improved and extended reception facility was granted in 2012. Then in 2014 a further planning application was approved to change the use of the reception building to include accommodation for park overseers. That new permission did not as far as we understand allow the closure of the existing facilities, including the disabled facilities and the creation of a single dwelling house.

The land now subject to the application is referred to in the literature as a future burial area. That presumably was subject to the original planning approval? If so it is hard to see that as brownfield land? Part of it is also referred to in application 10/11/1211 as compensation land for the loss of habitat arising from the building of the extension to the reception building. The area subject to this application appears to cover part of the compensation land.

The rationale for the original building on this site was to support the remembrance park (albeit without planning permission). That was reinforced with the application for improvement and extension to the reception building (10/11/1211). A subsequent approval in 2014 was to include accommodation for overseers – again focussing on the park – its security. However, what appears to have happened is that has triggered the conversion of the property to a dwelling and this latest application which is nothing whatsoever to do with the original purpose of the park is a not so subtle attempt to justify the dwelling.

We have therefore moved from a building in the greenbelt without planning permission, legitimised by subsequent planning applications to be a reception building with accommodation for overseers, to a dwelling house without planning permission, to another retrospective application - for dog breeding/kennels. It doesn't take a genius to work out what will come next – another retrospective application for full planning permission to legitimise the dwelling house on the basis of needing to have someone there to look after the dogs at night.

Crucially, the noise report misses the whole point of the noise complaint. The complaint about the dog noise is to the detriment of the peace and tranquillity of those paying their respects to their loved ones in the park, not the neighbouring properties across the railway line (which may be a separate issue).

We assume that when the original planning application was granted, one of its unique selling points was the quiet setting and location for the benefit of those whose loved ones were to be laid to rest in the park. Indeed that is what attracted our family to the park. Unfortunately that peace and quiet has been lost by the dogs barking and if the numbers increase, will only get worse.

It's such a pity that this truly beautiful location is being spoilt.

We are sure that we are not alone in feeling this way and suspect the creator of the park would share the same view.

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## Objection John & Carol Foley

Further to my earlier email we have now found out there are a number of elderly people who are so scared of the barking dogs they won't get out of their cars at the park to visit the graveside.

This determined plan to get planning permission for a dwelling shows absolutely no respect for the original purposes of the park even less those who are buried there.

I am sure the Council never intended anything other than a remembrance park in 1999.

We chose this park for its peace and tranquillity which was their ethos back then or so it seemed.

It is totally inconsistent and inappropriate to have a dog breeding business/kennels in or adjacent to a remembrance park.

I'm sure it wouldn't be allowed next to a church yard.

## Support - Donna Hall, 5 Entwistle Hall Lane, Entwistle, Turton

I am writing to support the application for the above planning permission.

The small scheme is completely hidden from public view by trees, the railway line and the lay of the land. It is a family home in a rural area as well as a local business.

The development will only be seen by those visiting their loved ones in the private facility and not by close neighbours nearby of which I am one. It is invisible even from the train station.

My neighbours on Entwistle Hall Lane are supportive of the application and highly amused at the blatant hypocrisy played out on social media over recent weeks.

When it comes to their own personal financial gain, one vocal objector seems to have no problem with planning permission in the green belt metres away from the grade two star listed historic Entwistle Hall. In fact not only do they not have a problem with it - they actively write in to support it. Yet when they have nothing to gain financially they become self-righteous objectors.

A clear policy precedent has already been set by your Planning Committee approving the conversion of a modern garage to a large, out of character, dominant modern house directly opposite a historic hall despite the advice of your conservation officer at the time ("The Paddock", Entwistle Hall Lane - approved by Committee April 2017).

Thank you for your consideration of this letter of support for the application.