



RIBBLE VALLEY BOROUGH COUNCIL

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Dear Mr N. Patch,

RE – Appeal by Phillips Property Limited against the failure of this Council to determine the application within the appropriate period. Outline planning permission is sought for the proposed re-development of land for residential purposes at 51-53 Knowsley Road, Wilpshire, Lancashire, BB1 9PN.

Due to a number of inaccuracies within the Appellant's Appeal Statement, please accept this letter as Ribble Valley Borough Council's final comments on this statement.

1. With regards to paragraph 1.4 of the appellant's statement, the Council disagree with the statement that officers were disproportionately swayed. Any opinions given by officers at a Pre-application stage are always an officer opinion only, and are made without prejudice to any final recommendation to Committee or indeed the Council's final decision. Discussions were held with the agent following concerns raised by the Planning Department after the submission of the planning application. The Planning team were fully cooperative with the agent in seeking to find a positive solution to these issues, a point not fully endorsed within the statement.
2. With regards to paragraph 2.2 of the appellant's statement, the Council wish to make it clear that there are no objections to the principle of the development of this site. At the time of the pre-application site visit, any opinions given by officers at this stage were an officer opinion only and made without prejudice to any final recommendation to Committee or indeed the Council's final decision.
3. With regards to paragraph 2.4 of the appellant's statement, it seems the appellant fails to highlight that this amendment was requested firstly in order to make the plans accurate, not to 'more accurately portray the position of no. 45'. The plans failed to adequately highlight an accurate streetscene view, and as such this delay was clearly caused by the appellant.
4. With regards to paragraph 2.5 of the appellant's statement, the statement relating to the Council's request for a revised S106 agreement is factually incorrect. This was request on the 28th of June 2012, not on the 19th of July 2012. This is clearly highlighted by checking the dates on the e-mails within Appendix 1.
5. Again with regards to paragraph 2.5 of the appellant's statement, the statement relating to the meeting on the 31st of July 2012 and the response from the Council on the 19th of September 2012 is also factually incorrect. After the meeting on the 31st a revised plan was promised however the Council still had not received it by the 7th of September 2012. An e-mail from the Agent (included within the Council's Statement Appendix II) was sent on the 7th advising that 'the architects were

preparing a revised layout on the back of comments made last month'. Again, clearly an example that the delay in dealing with this application can also be attributed to the appellant.

6. With regards to paragraph 3.4 of the appellant's statement, and more importantly the photographs supplied within Appendix 2, the Council wish to request that the Inspector ignore these examples and seek to assess the properties around the appeal site. This is due to them being inaccurate portrayals of the character of Wilpshire. In fact it is also worth highlighting that the first photograph is a picture of a commercial property not a dwelling. This is The Homestead on Whalley Road, and is a Children's Home that has been significantly extended over time.
7. With regards to paragraph 5.6 of the appellant's statement, whilst the appellant states that with units 2-5 they could quite easily have no habitable rooms windows at first floor facing north, clearly if these properties are to be three bed units, this would make it extremely hard to achieve.
8. With regards to paragraphs 5.10 to 5.12 of the appellant's statement, the Council have fully considered the relationship between the two sites and the reason for refusal reflects this. It is considered that the proposed development would result an unacceptable increase in actual and perceived loss of privacy, and the landscaping proposed would not overcome the harm. The proposed development would cause unacceptable harm to the living conditions of nearby occupiers, through overlooking and intrusion. It would conflict with LP Policy G1 and the Planning Policy Note and Design Guidance: Extensions and Alterations to Dwellings, which require development to not adversely affect the amenities of the surrounding area or neighbours. It would conflict with the similar principle set out in the Framework, that planning should secure a good standard of amenity for occupants of land.
9. With regards to paragraph 5.13 of the appellant's statement, the Council disagree with the assumption implied by the appellant, and contend that the submitted reasons for refusal reflect the Council's opinion of the proposal.
10. With regards to paragraphs 5.14 to 5.21 of the appellant's statement, the Council's supporting statement letter is considered to fully outline the considerations in relation to the second reason for refusal.
11. With regards to paragraph 6.2 of the appellant's statement, the Council disagree with the sweeping statement made by the appellant. Officers did not consider the proposal to be wholly inappropriate, a fact highlighted by on-going discussions between the agent and officers. Members of the Planning and Development Committee supported the suggested reasons for refusal at the meeting held on the 11th of October 2012, and these are considered by the Local Planning Authority to be clear, specific and adequately highlight the main issues surrounding this proposed development.

The Council wait to receive the Appellant's final comments, if they have any, in due course.

Yours sincerely,

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SENIOR PLANNING OFFICER

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