



## **APPLICATION FOR LAWFUL DEVELOPMENT CERTIFICATE**

***USE OF LAND AS A GARDEN AND THE CONSTRUCTION OF A  
GARDEN SHED IN CONNECTION WITH DAIRY COTTAGE***

**Dairy Cottage  
Hough Clough Lane  
Chipping  
PRESTON  
PR3 2NT**

**17/09/2020**

020200775P



## 1. Background

- 1.1. This application for a Lawful Development Certificate, is to establish the curtilage of Dairy Cottage and the presence of a garden shed.
- 1.2. My clients acquired the property in 1996. Appendix 1 confirms the area of land acquired. Appendix 2 is the Surveyor's report confirming the presence of the garden extending to the other side of the lane, when the property was acquired in 1996.
- 1.3. Before this date, plus since this time, the area has been used as a domestic garden with a timber shed. This is evidenced by the Google Earth image dated 2003 (Appendix 3). The Council will be able to verify this from its own historic aerial photographs.
- 1.4. A letter confirming the fact that the land has been used as a garden for over 10 years and the shed was constructed more than 4 years ago has been provided by John Amery, a close neighbour ( Appendix 4).

## 2. Conclusions

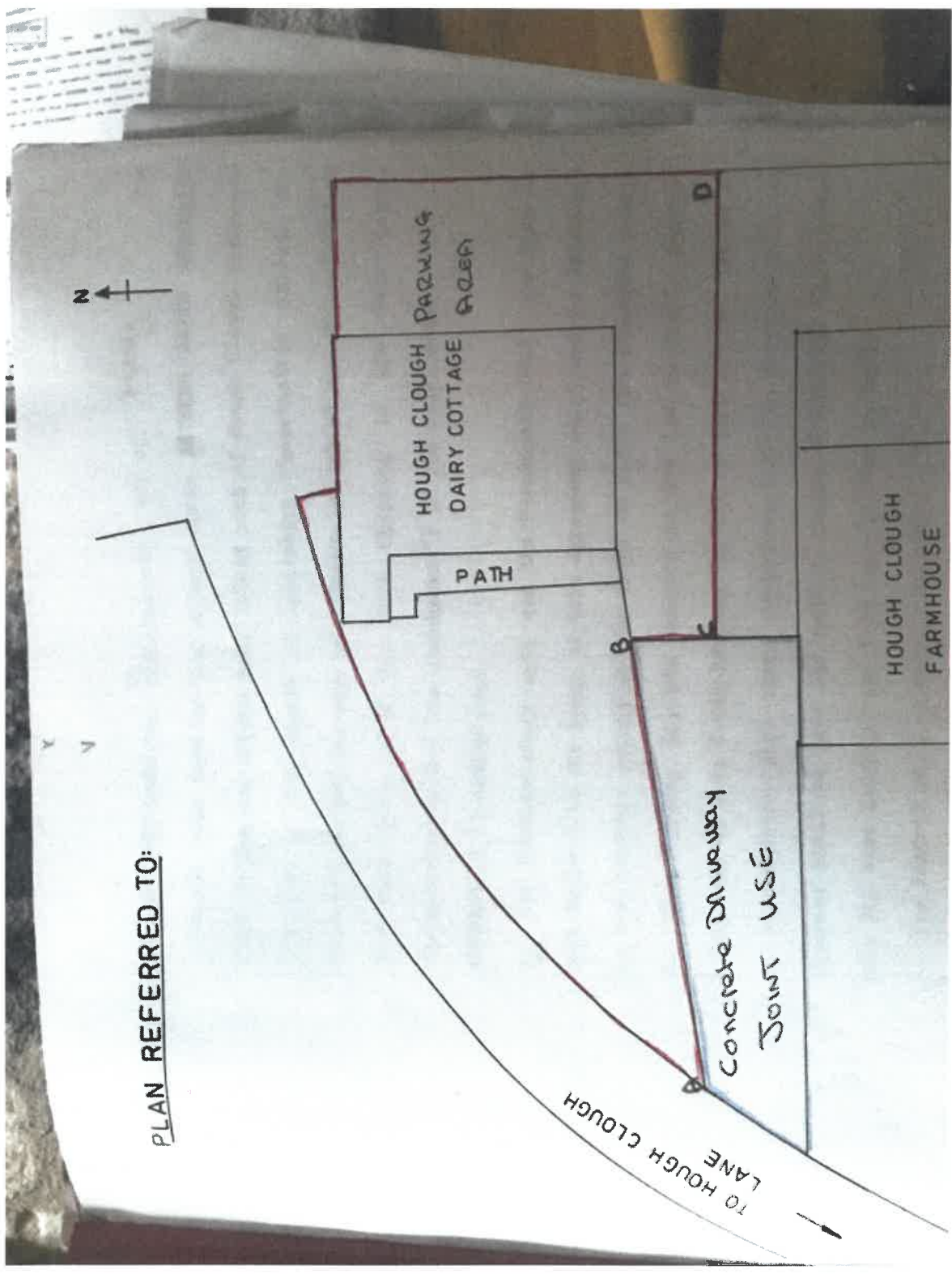
- 2.1. It is clear that the area outlined in red on the application has been used as a garden in connection with Dairy Cottage for well in excess of 10 years. In addition, the shed has been on site for well in excess of 4 years.
- 2.2. The local authority is respectfully requested to confirm without delay, that beyond reasonable doubt, the area identified in red has been used as a garden of Dairy Cottage for over 10 years, plus the shed was constructed more than 4 years ago. As such a Lawful Development Certificate should be granted in relation to the use of the land for a private garden and the presence of a garden shed.



## Appendix

1. Title Plans
2. Surveyors Report 1996
3. Aerial Photograph 2003
4. Letter from John Amery

Appendix 1 Area of land purchased in 1996



3.702007/3P



St

CB

Adrian, here is a series of photographs of the 1997 surveyors report in respect of our purchase of Dairy Cottage. I have included all relevant pages. You will see the area of land is referred to as the side garden or similar at least three times. In addition there is a Labeled photograph showing the garden as it was at the time. Finally in several places a shed or outbuilding is mentioned as being located on the site. Finally I shall send a recent photograph of the garden as it is now showing some planting that we have undertaken in the intervening period to show domestic use.  
I hope this is of value.  
Carol

Sent from my iPad

Begin forwarded message:

320200775P

Sent from my Huawei phone

Side and rear view of property



Additional side garden





**Black Horse  
Surveying Services**

G2

**Buildings Insurance**

I recommend that insurance cover is not less than £127,000 (One hundred and twenty seven thousand pounds).

G3

**Valuation**

In my opinion the current open market valuation is fairly reflected in the sum of £114,000 (One hundred and fourteen thousand pounds).

G4

**Signature**

Signed

Print Name

Qualification

Date

:ARICS

:2 April 1997

C6

#### External Joinery

External joinery has been replaced in the course of refurbishment and no signs of significant rot or other timber defects were evident at the time of inspection. Comments in section C7 should, however, be borne in mind.

C7

#### External Decoration

The woodwork has been affected by weathering and would benefit from re-staining.

C8

#### Garage / Outbuildings

There is no garage.

There is a detached timber shed on the left hand portion of the garden in basic condition. Whilst the item has been re-roofed there is rot to the woodwork. There is an attached metal dog pen. The shed was not inspected in detail internally.

There is an attached small boiler house to the left hand side of the property, of block construction which appeared in generally satisfactory order, other than comments made earlier.

C9

#### The Site

The site is somewhat irregular in shape and is split into two portions with the garden area and parking attached to the main property and a further garden area housing the shed/dog pen, separated from the property by an access road. It is essential that all boundaries and rights of way are confirmed by your solicitor prior to exchange of contracts, along with liabilities for maintenance of roads and boundary fences etc.

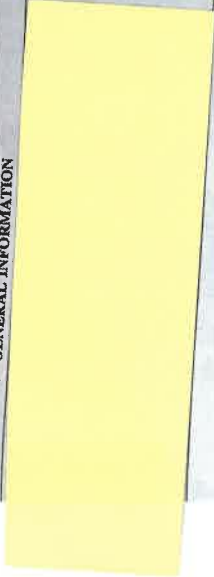
The concrete driveway at the side of the property is uneven, cracked and pitted as is common with this form of construction and would benefit from relaying.

The front garden area is bounded by a basic timber post fence in satisfactory order. There are no significant trees within influencing distance of the property.



**BLACK HORSE BUILDING SURVEY**  
Dairy Cottage, Houghclough Lane, Chipping

**A - GENERAL INFORMATION**



**Address of Property Inspected**

Dairy Cottage  
Houghclough Lane  
Chipping  
Lancashire  
R3

**Date of Inspection**

April 1997

**Weather**

weather was overcast and dry at the time of inspection.

**Notes**

tenanted freehold and free from rent charge.

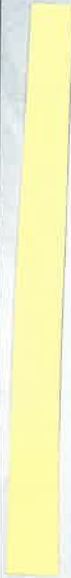


**BLACK HORSE BUILDING SURVEY**



Dairy Cottage, Houghclough Lane, Chipping

**On Behalf of**



**Prepared By**

P J Sowden  
Black Horse Surveying Services  
91a Fishergate  
Preston  
Lancashire PR1 2NJ  
Tel: 01772 555553

**Date**

2 April 1997



A6

**Roads**

Houghclough Lane is both made up and adopted by the local authority. The access road to the property is a farm track with assumed rights of way.

**B - DESCRIPTION**

B1

**Description**

The property appears to have been originally constructed in the mid 1800s as a farm outbuilding. I understand that it was then converted to holiday accommodation in 1988 and subsequently refurbished in 1995. It is assumed that all necessary planning consents for change of use and any building works were obtained.

B2

**Location / Amenities**

The property occupies a rural position on a small farm redevelopment with other barn type conversion properties in the immediate vicinity. Main amenities are available in the town of Longridge approximately 4 miles away and minor amenities in the village of Chipping approximately 1½ - 2 miles away.

B3

**Accommodation (Internal)**

**Ground Floor**

Entrance Hall and Stairs, Lounge, Kitchen, Dining Room, Bedroom, Bathroom (containing pedestal wash hand basin, panel bath, low flush WC and separate shower)

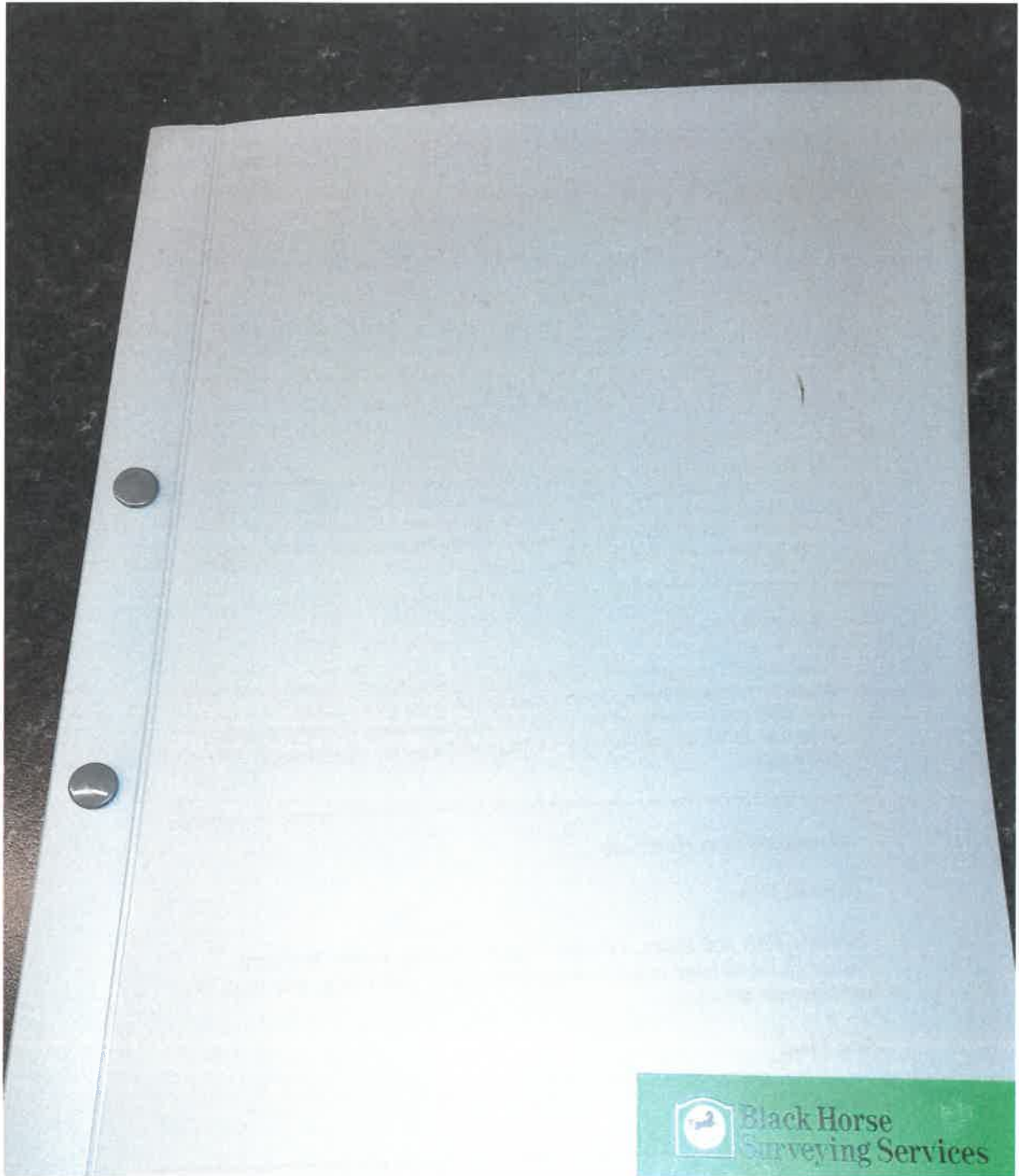
**First Floor**

Landing, 2 Bedrooms

**Outbuildings, Parking, Site**

The property has a garden area to the front and separate garden area to the side with timber shed and dog pen.





Black Horse  
Surveying Services

Appendix 3  
aerial photo 2003

Google Earth Pro

File Edit View Tools Add Window Help

12/13/2003

PR3 2NT

Search

PR3 2NT

ex: Computer repair near Boston

Get Directions History

PR3 2NT

Places

My Places

- Sightseeing Tour
  - Make sure 3D Buildings
  - Halifax HX3 5AX
  - Halifax
  - Halifax HX3 5AX
  - DN149EJ

Layers

- Primary Database
- Announcements
- Borders and Labels
- Places
- Photos
- Roads
- 3D Buildings
- Weather

m.ebay.co.uk

Car Window Tir

Film 300x50cm

3202075P

Google Earth

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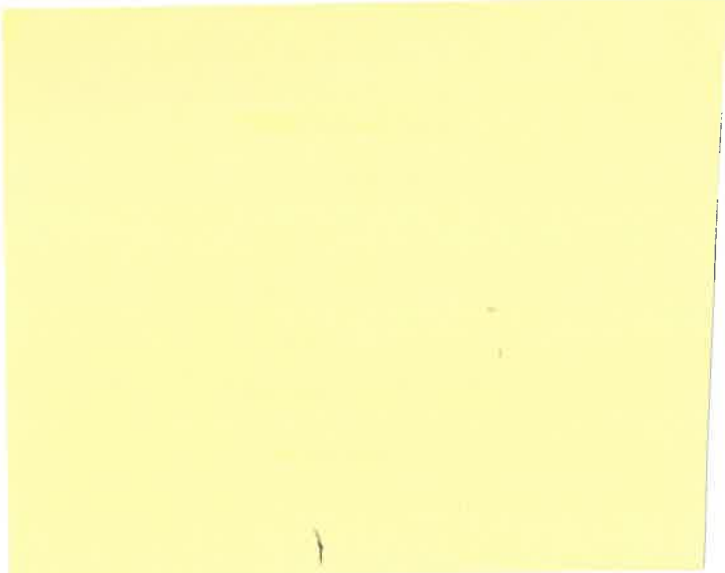
Imagery Date: 1/1/2003 53°52'34.60"N 2°36'47.74"W elev 166m eye alt 266m

100%

updates

100%

320200775 D



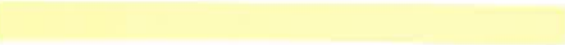
Dear Sir/ Madam

Re: Garden at Dairy Cottage, Hough Clough Lane, Chipping. PR3 2NT



I can confirm that the land identified on the attached plan has been continuously used as a private garden for all this time and the shed has been there since 2000.

I have also signed a photograph of the area including the shed,

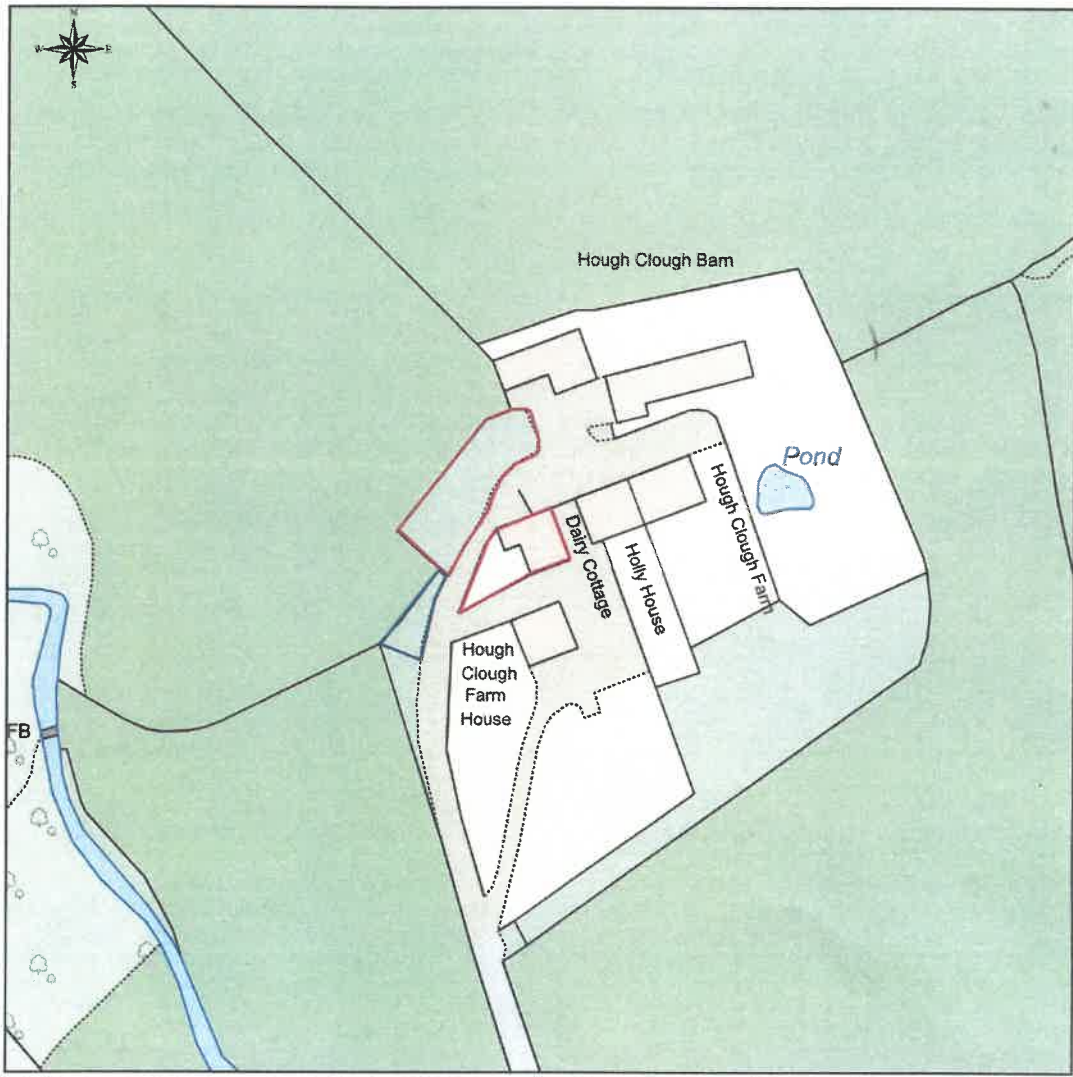


Yours sincerely



John Amery

# Location Plan near Dairy Cottage Hough Clough Lane Chipping PRESTON PR3 2NT



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0m 20m 40m 60m 80m 100m

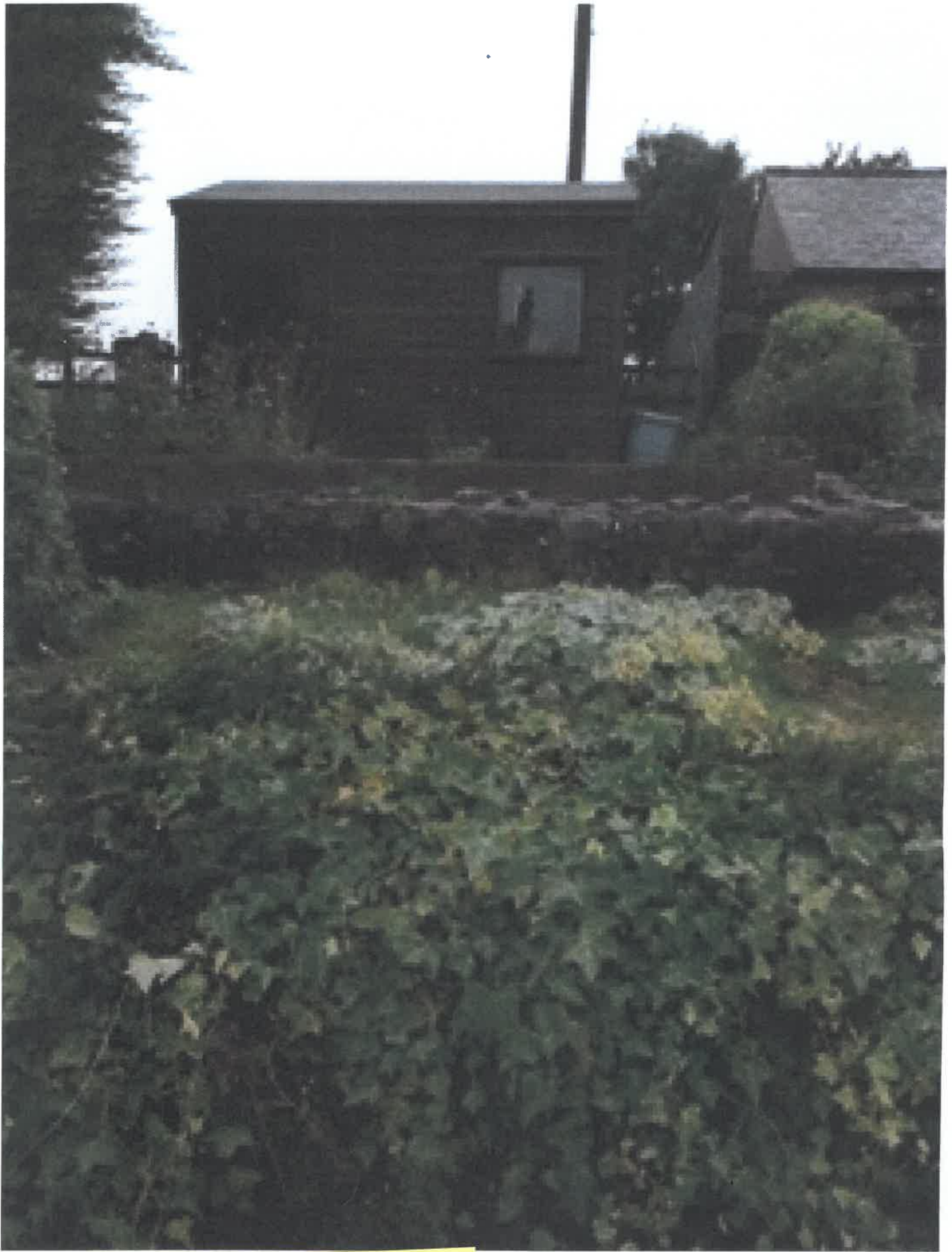
Scale: 1:1250, paper size: A4

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emapsite™  
plans

Prepared by: Adrian Rose, 13-09-2020



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