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18 MAY 2021



Oxenhurst Farm  
Back Lane  
Slaidburn  
BB7 3EE

14 May 2021

Planning and Building Control  
Ribble Valley Borough Council  
Church Walk  
Clitheroe  
BB7 2RA

Dear Sirs

**Re – Planning application 3/2021/0404 - proposed erection of a timber outbuilding to provide for garaging, storage and first floor home office at Oxenhurst Cottage, Back Lane, Slaidburn.**

I am writing to object to the above-mentioned planning application that has been submitted by my neighbour Ms Louise Randles.

The planning application proposes a very large domestic building on a parcel of agricultural land which is situated in the Forest of Bowland Area of Outstanding Natural Beauty and in relatively close proximity to a listed building.

The application does not seek the change of use of agricultural land to land for ancillary domestic purposes and we would therefore suggest that the description of the proposed development is incorrect. It is acknowledged by the author of the Heritage Statement that the proposed building is sited on a rising enclosure located to the north side of the houses. The enclosure is a field parcel situated some distance from the applicants dwelling. However, we note that at paragraph 4.1 the Statement says that the site of the proposed building is used in connection with Oxenhurst Cottage, the applicant's dwelling, as curtilage.

We strongly dispute the applicant's claim in this regard as we have not seen any use of this land which would constitute it being used as curtilage, notwithstanding that if they are claiming they do use it in this way this does not mean that it has become part of the residential curtilage. We are aware that for a change of use of land to be immune from enforcement action ten years continuous use is required and this is not the case. Although they have strung some lights up in the field which is causing light pollution as are the lights installed contrary to planning condition on the stable building. If the building were to be allowed there would be a great deal of light spillage from the eight rooflights that are proposed.

The proposed building measures 22.6m (74') long x 6.3m (21') wide and it would provide at ground floor an area large enough to accommodate six cars, notwithstanding the fact that only two bays are proposed for parking, and within the roof space 1,554sq ft of office accommodation. In order for the roof space to be useable the roof has a steep pitch which results in a ridge height of 6.11m (20') which is close to that of a two-storey building.

The proposed building provides three times more floor area than the applicant's modest cottage which provides circa 1,000 sq ft of accommodation. The cottage currently accommodates three adults, and we have genuine concerns that the proposed building is actually required to provide the applicant and her family additional living accommodation given the constraints of their existing property.

The previous owners of Oxenhurst Cottage undertook unlawful development in the same location as the proposed building some years ago and were required to reinstate the land and stop the work that they were doing, this clearly confirmed that the Council considered ancillary domestic development in the location of the current proposal to be unacceptable and contrary to policy.

We note that the application is accompanied by a Heritage Statement, however it does not discuss the possibility of the applicant's cottage and the adjoining barn conversion being curtilage listed and the impact that this might have on the assessment of the proposed development which if approved would sit on higher ground and have an overbearing effect on the existing group of properties.

The application is not accompanied by a Planning Statement setting out why the development accords with the adopted local plan, presumably because the Planning Statement would not be able to reach such a conclusion.

We are aware that the Council does not generally allow curtilage extensions and Policy DMH5 of the adopted Core Strategy 2008 – 2028 sets out the policy against which any such applications will be considered, and it states:

**POLICY DMH5: RESIDENTIAL AND CURTILAGE EXTENSIONS**

**10.22** *PROPOSALS TO EXTEND OR ALTER EXISTING RESIDENTIAL PROPERTIES MUST ACCORD WITH POLICY DMG1 AND ANY RELEVANT DESIGNATIONS WITHIN WHICH THE SITE IS LOCATED. PROPOSALS THAT ARE FOR THE EXTENSION OF PROPERTIES TO PROVIDE ACCOMMODATION FOR ELDERLY OR DEPENDANT RELATIVES WILL ALSO BE SUBJECT TO THE FOLLOWING CRITERIA:*

*1. THE DEVELOPMENT MUST BE CAPABLE OF INTEGRATION INTO THE MAIN DWELLING OR A USE THAT IS ANCILLARY TO THE USE OF THE MAIN DWELLING HOUSING WHEN CIRCUMSTANCES CHANGE.*

*2. THE EXTENSION SHOULD GENERALLY SPEAKING PROVIDE ONLY A MODEST LEVEL OF ACCOMMODATION. PROPOSALS FOR THE EXTENSION OF CURTILAGE WILL BE APPROVED IF:*

*1. THE SITE IS WITHIN A SETTLEMENT, OR,*

2. THE SITE IS ON THE EDGE OF A SETTLEMENT PROVIDING:

- THE NEW CURTILAGE BOUNDARY FOLLOWS AN EASILY IDENTIFIABLE FEATURE SUCH AS A ROAD, STREAM OR HEDGEROW, OR BRINGS THE BOUNDARY INTO LINE WITH EXISTING ADJACENT PROPERTIES.
- THE EXTENSION WILL NOT CAUSE VISUAL HARM TO THE LANDSCAPE.
- THE EXTENSION IMPROVES THE VISUAL QUALITY OF THE SITE.

ANY EXISTING NATURE CONSERVATION ASPECTS OF THE EXISTING STRUCTURE SHOULD BE PROPERLY SURVEYED AND WHERE JUDGED TO BE SIGNIFICANT PRESERVED OR, IF THIS IS NOT POSSIBLE, THEN ANY LOSS ADEQUATELY MITIGATED. PROPOSALS TO EXTEND A CURTILAGE IN OTHER CIRCUMSTANCES WILL NOT BE APPROVED OTHER THAN WHERE IT WILL SUPPORT THE HEALTH OF THE LOCAL ECONOMY OR FOR HIGHWAY SAFETY REASONS.

*The extension of curtilages can have a significant impact upon visual amenity and patterns of land use. The Council's approach serves to ensure the impact of any proposals can be clearly assessed.*

It is clear from this policy that the change of use of the land upon which the proposed development is sited from agricultural to domestic use could not be approved by the Council. Furthermore, in light of the fact that it would not be approved if in the event it had as a consequence of long user become residential curtilage by default it would be entirely inappropriate for the Council to grant planning permission for the proposed building which would on the face of it reward the applicants for their past unlawful use of land. The purpose of restricting residential curtilage in areas such as the AONB is to stop the proliferation of inappropriate development that is harmful to the visual amenity of the area, which clearly the proposed development would be.

We note that domestic permitted development rights are removed for dwellings within the AONB and this is for reasons similar to those set out above and again highlights the inappropriateness of the application.

We are firmly of the opinion that the Council must refuse this planning application which proposes inappropriate and large-scale domestic development on agricultural land for which there is no policy support.

Yours faithfully

