

28 FEB 2024

Ribble Valley Planning Department,
Council Offices,
Church Walk,
Clitheroe,
BB7 2RA.



27th February 2024.

Dear M/s Hughes,
Re: Mr and Mrs Stummer, Appn. 3/2002/0841.

We strongly oppose this application for the following reasons.

The "site plan and view points" submitted with the application demonstrates that it is currently impossible for the site to be described and used as an allotment as approximately two thirds comprise a pond, (which constitutes unauthorised groundwork) decking, a rockery and mature shrub/flower beds. All this results in a formally laid out ornamental, residential garden which has been constructed, without permission, purely for leisure purposes on a plot of land that was originally agricultural meadow land in contravention of the planning rules and policies and constitutes urbanisation of the countryside. This plot immediately abuts two long standing, substantial, detached country properties and is an invasion of their privacy.

The "existing site plan" submitted with the application shows a plot of land to the rear of Greystones and incorrectly describes it as an allotment to that property. This area does not belong to Greystones.

Section 22(1) of The Allotment Act 1922 as amended as recently as 2020 defines an allotment as "... land which is wholly or mainly cultivated by the occupier for the production of vegetable or fruit crops for consumption by himself or his family." The definition of 'allotment' in The Oxford Learners dictionary is "a small area of land in a town that a person can rent in order to grow fruit and vegetables on it." This plot is clearly not in a town and appears not to have been laid out to grow such produce nor been managed in any way that resembles these clear definitions. These definitions also have an application to the adjoining plot owned by the applicants and granted permission in late December 2019 as an allotment under reference 3/2019/0912. This plot doesn't appear to have been run as an allotment either nor used solely for agricultural purposes as was specifically granted so this would be strong evidence the same would be likely to continue to happen with the plot in the current application.

There is further clear evidence of the applicants true intentions when again considering this adjacent original plot. The unlawful oversized chalet type structures there (which should only be a permitted small shed and a greenhouse) continue to be altered during daily work on the site because the applicants wish for all these plots seems to be to use them for holiday homes or for their own leisure or both. Various other structures have appeared there as well so there is every possibility this could occur on the plot the subject of this application, if granted, including the siting of the Tiny House there which has still not left the adjoining site some eight months after appearing despite the authorities telling them months ago that it should be removed. So now a commercial, work use has appeared on the sites with continual groundwork, building and joinery work and the possible construction of a second Tiny House. The sites therefore constitute a business and commercial use and sales pitch as the Tiny House is also offered for sale online and the concern is these activities would extend and continue on to the new plot behind Greystones.

Lights have appeared all over the various plots - on the front gate facing the road but recently turned inwards, around the stables, on fence posts on the long easterly boundary and on the plot the subject of this application in the form of powerful floodlights. (See the attached photograph from the field side.) These lights are seen on here in partial daylight yet they still shine brightly but after full darkness they are exceptionally bright. This creates light pollution, nuisance and invasion of privacy for the adjoining residents at Greystones and the wider neighbourhood as well. Just as

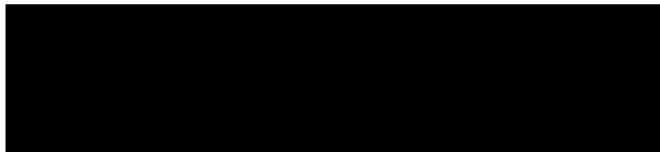
disturbing is the effect of these lights on wildlife. This is an area rich in birdlife and particularly nocturnal bats, a protected species and owls, both of which are severely impacted by light pollution together also with other wildlife that frequents the area such as deer, badgers, foxes, rabbits and birdlife generally. All of which will be permanently frightened away not just by the light but also by the constant ongoing human activity contrary to policy DME3. You would never expect to see such lights on a true allotment and its likely none like these would ever be allowed. So this is another indication that the applicants here have simply laid out this plot as an ornamental, residential garden for their own personal use and enjoyment as a relaxing area which, inappropriately, is immediately adjacent to the boundary of Greystones and overlooking it.

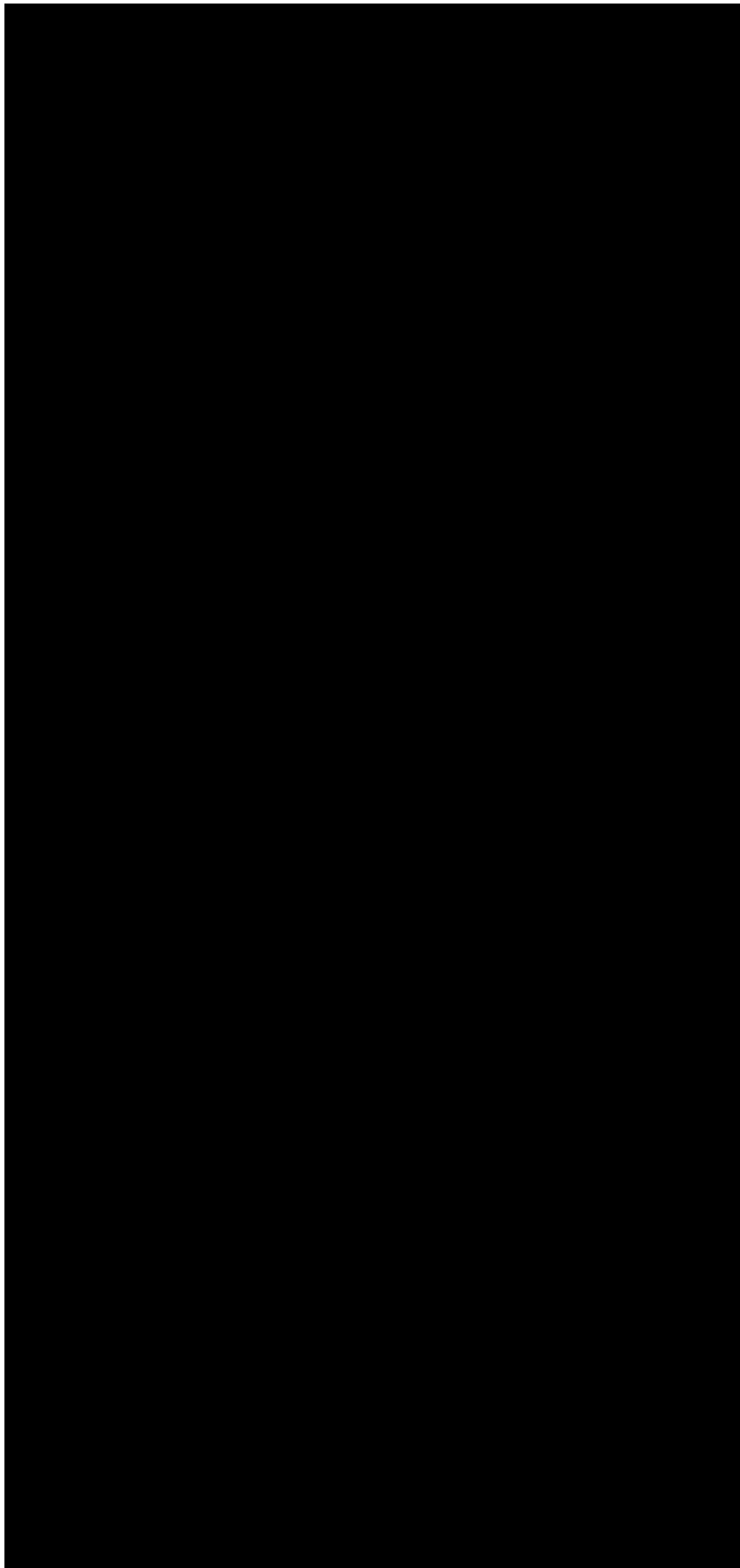
In the application form the applicants say that disposal of foul sewage and any existing drainage system is "unknown." This is misleading because this site with decking and a pond will need drainage and the owners must be aware of any pipes and tanks they have laid under their plots and their location and these should be identified on their plans.

The site in this application is an attempt to develop it for accommodation or associated use as a garden in potential contravention of various planning rules and policies. This application, if granted, would constitute urbanisation of the countryside resulting in continued harm to its character and appearance contrary to policies DMH5,DMG1,DME2 and key statement EN2. The applicants have shown continued disregard for the wildlife, beauty, flora and fauna of the countryside as again evidenced only recently on the 13th February by the felling of a large, mature tree at the entrance to their site just on the left hand side inside the gate contrary to policy DME1.

All we would ask is for the applicants to strictly abide by the planning rules as everyone else in Dinckley has done instead of constantly keep doing as they please and this would create greater respect and tolerance all round. However, this application should be refused and the owners required to restore the plot to its original state of agricultural meadowland.

Yours sincerely,

A large black rectangular box redacting the signature of the sender.



Dear Kathryn Hughes

Re: 3/2022/0841

We object to this application for the following reasons;

1. The land described as an "Allotment" which adjoins the strip of land outlined in this application has been subject to number of Planning Applications and a number of visits by the Planning Enforcement Officer.
2. The involvement of the Planning Enforcement Officer indicates that there have been breaches of Planning Regulations on this site.
3. The creation of the pond in this particular position on the site appears to be very close to the course of the Roman Road which runs through Dinckley.

A previous application 3/2020/0462 from an adjacent neighbour was objected to by [REDACTED] Planning Officer (Archaeology), Historic Environment Team and refused by RVBC Planning Office.

His letter dated 20 August 2020 states;

"Whilst we are aware that the above application (3/2020/0462) has been refused, we wished it to be noted that the site of the proposed development is a section of the line of the Roman road from Ribchester to Elslack. This section is noted in the Lancashire Historic Environment Record (PRN31254) as particularly well preserved, with an intact cobbled surface having been found just under the turf of this field, which had apparently never been ploughed. The proposed development would have a negative impact on these remains, which are considered to be of national importance and worthy of preservation in situ, and would therefore either need to be refused or located away from the remains. Any further application which impacted the Roman road line here would also attract a recommendation for refusal on heritage grounds."

4. The original application for this site reference 3/2019/0912 was granted on 19 December 2019 and was granted for the "Erection of a timber shed and greenhouse in association with use of land as an allotment" with the condition that "The buildings hereby permitted shall solely be used for agricultural purposes (as defined in Section336(1) of the Town and Country Planning Act 1990)

Reason; To ensure that the buildings are used solely for agricultural purposes and to clarify the nature of the consent hereby approved.

I can state that contrary to the assertion in the current application, the site can be seen from a public road, and it is clear that it has never been used as an allotment. The buildings which were approved in the original application were a shed and a greenhouse as noted on the current plan.

The "greenhouse" has glass on one side only and furniture and fittings can clearly be seen. Outside the greenhouse is an area of decking which hosts an outdoor dining table and chairs. The "greenhouse" is also fitted with a satellite dish. The "greenhouse" is directly adjacent to the pond and decking which are the subject of this current application.

5. A further application, number 3/2022/1038 for a holiday cottage was rejected. This application would have effectively joined the "greenhouse" and the "shed" with an exceptionally large, circa 106 sq metres living area, to form a residential unit.
6. Since July 2023 a very large, ugly black building has been positioned on the "Allotment" directly adjacent to the site referred to in the current application. This can clearly be seen from the road and in spite of a number of calls to and visits from the Planning Enforcement Officer, remains in situ. Very recently this building has been moved so that it is now between the "greenhouse" and "shed" close to the perimeter fence of Greystones. The building is now in a perfect position for "links" to be erected to achieve that which was refused in the application for a holiday cottage 3/2022/1038.
7. Under the heading Foul Sewage the Applicants state that it is "unknown" how foul sewage is to be disposed of and whether or not they propose to connect to the existing drainage system.

During the construction of the unlawful buildings on the "Allotment" a septic tank was installed in the adjoining field which is now home to a number of Alpacas. Presumably this is the means of disposal of foul sewage for the buildings on the site.

8. I am not aware that the "Allotment," the site in question and the adjoining paddock and stable have been licensed or been granted permission for commercial use.

On the website eventbrite.com there is an advertisement and an invitation to purchase tickets for "Alpacas at Twilight: (Adults edition) by Knowhaus Tiny House and Alpaca Events.

Described as "Alpacas @ Twilight including Meet Our Alpacas, Luxury Indoor Picnic, Followed by Fire-pit and S'mores under the stars, date and time Sat 25 November 2023 16:00 - 20:00 GMT, £75 for two. Event runs Friday Saturday and Sunday beginning 3 November 2023."

The narrative describes "After bidding our fluffy friends goodnight, it's time to retire to

our cosy cabin. With views of Hurst Green and Longridge Fell, you'll be treated to a sumptuous indoor picnic with a complimentary bottle of bubbles. Our cabin and table are decked out with seasonal themes, adding a touch of magic to your evening."

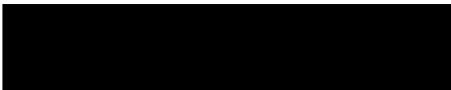
9. The site, subject to this application and the adjoining "Allotment" have a large amount of lighting installed which is lit in the evening until approximately 23:00hours.

This is totally unacceptable as Dinckley enjoys the benefits of dark skies with the absence of any street lighting.

It is worthy of note that work started on this project 3/2022/0841, on 2 May 2022 and was completed on 31 July 2022. It appears that it was only due to recent negotiations with the Planning Office regarding other matters on this site that the Applicants agreed to apply for retrospective permission for their unlawful project.

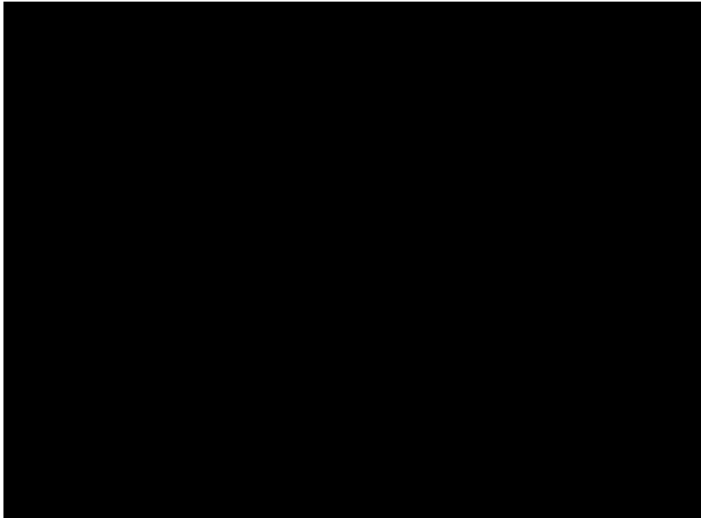
All things above considered it is fair to assume that the Applicants believe that they are above the law in respect of Planning Regulations and that the Regulations do not apply to them.

Yours sincerely

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[REDACTED]

From: [REDACTED]
Sent: 29 February 2024 15:07
To: Planning
Subject: FW: Objection 3/2022/0841



Ribble Valley
Borough Council

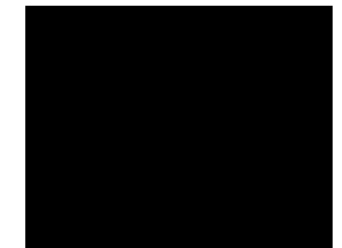
www.ribblevalley.gov.uk

Further information and additional advice on permitted development rights and submitting planning applications can be found at www.planningportal.co.uk

From: [REDACTED]
Sent: Thursday, February 29, 2024 12:31 PM
To: [REDACTED]
Cc: [REDACTED]
Subject: Objection [REDACTED]



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29th February 2024

Planning Application 3/2022/0841

Objection

Dear [REDACTED]

I wish to have on record my formal objection to the above application. The history of unauthorised development of this site and others in the same ownership exposes the application for allotment use is bogus. I see nothing to be gained by repeating to you the compelling points which the Parish Council and others have presented to you and to which I concur but I would however highlight one issue of significant concern to both myself and [REDACTED] the unauthorised creation of a recreational patio abutting the boundaries of both [REDACTED] Greystones.

Invasion of Privacy

Not only does this feature have no allotment characteristic/s and should be removed but if allowed to persist in use it will subject the occupants [REDACTED] and Greystones to an unreasonable [REDACTED] not experienced by its historical use.

Nuisance

Whilst attending [REDACTED] from a [REDACTED]

[REDACTED] Inevitably the use of this item will cause nuisance from loud music and people congregating.

I hope that our Planning Office readily acknowledge the conflicting nature of this patio relative to allotment use along with the upset it will cause its immediate neighbours and take swift action to have it removed.

Yours sincerely