



December 19th, 2023

Planning Application No. 3/2023/0881
Grid Ref: 373799 441149
Location: 4 Reeford Grove, Clitheroe. BB7 1DA

This letter is in regards to the planning application no.3/2023/0881.

The 'backs' or 'back street' in which the applicants electric gate application opens onto is an unclassified/unadopted road. It is not maintained by the Local Authority but at the property owners expense. Unadopted roads do have ownership, and the back street has existed together with the terraced houses on Victoria Street since their original construction c.1910s. It is part of a area of purchased land that included the back street and the Victoria Street properties. This area is shown on numerous Ordnance survey maps as such, and as they are terraced properties they have always had unrestricted access and use of this back street. Beyond this back street were areas marked as allotments/gardens. (Source: National Scottish Library).

The back street itself had until the applicants commencement of work been a quiet, very enclosed, clean and well maintained area, but has now suffered the removal of trees, walls being partially demolished and damage to the road surface through overuse by the applicants continuous building work.

4 Reeford Grove bungalow itself had planning approval c.1957 (as did no. 2). Actual construction date is unknown. All Reeford Grove properties had approval based only on access 'to and from Reeford Grove' as stated on each application, and all were built with a solid rear boundary wall/fence (Source: RVBC Planning Dept.). This boundary wall separated two areas of owned land (Reeford Grove bungalows from Victoria Street and its back street), and all had very clear location, boundary and plot outlines with no rear access points at all into the back street. It was never the intent of the architects and developers for this boundary wall to be breached, taken down or to have any form of access into or via the back street.

Reeford Grove properties themselves have no access issues via their own unadopted road to their frontage, no parking issues, and via the front and sides of each property there is access to their rear garden areas. The applicants property is one of two with easements and restrictive covenants attached. (Source: HM Land Registry)

As to the applicants statement:

1. The applicant had in early 2022 taken down a large percentage of their rear boundary wall that had existed since its original construction. This wall removal was without warning, and with no consideration for the residents it would affect. The applicant himself made comments at this time about his intention to use the rear area for several parking spaces via use of the back street, and had no intention of putting the wall back to its previous state. The applicant was made aware that it was an unadopted road, and that residents would have concerns and objections. These comments about the intended use were of such serious concern that the Planning Department was contacted, with a Planning Officer visiting shortly after (Spring 2022). The Officer was told by both the applicant and builders onsite that the boundary wall would actually be reinstated after the extension was finished. This information was relayed to myself and other residents. After over 18 months of living with an open and exposed area this reinstatement was never done, and then without warning once again the rail and gate were installed (Sept/Oct 2023). All of this work was contrary to the applicants previous statement to the Planning Officer in 2022. Planning was contacted, and again asked to visit the site with residents concerns, which has now resulted in the current planning application.
2. **Wall taken down for construction work.** Millions of detached and semi detached houses/bungalows have access via their own front and side access of their properties to the rear area, and no doubt have had similar work done without breaching boundary walls. I would question why it had to be taken down at all, as work previously done at this property did not necessitate wall removal, as would be the case if it actually backed another property. Nobody would breach a boundary wall, then use it for access via somebody else's property without permission.
3. **Garages at the rear of Victoria Street.** Absolutely of no relevance or concern of the applicant as to what sits at the back of each terraced property or for what purpose. Victoria Street owners have always had unrestricted access and use of the back street to the rear of their own properties as a right for over 110+ years, and this use has never affected or interfered with anything beyond the back street including the later Reeford Grove bungalows, as they were separated by the boundary wall.
4. **6 Reeford Grove.** The rear gate access was done by previous owners at an unknown time. No use for vehicle access has even been witnessed by myself. However this particular area floods consistently to the detriment of the rear of the properties on Victoria Street, due to both the partial wall removal and the garden area being partly surfaced. This then collects and diverts excess water into the back street and towards the Victoria Street properties, and with no drainage facilities the excess water has nowhere else to go but towards and into other

properties. This breach would not now be seen as acceptable, and would have similar objections and opposition to any wall removal and potential gated access due to the risk of damage to other properties.

I am putting forward the following objections to this planning application:-

1. It is a retrospective application and not proposed as the applicant has submitted.
2. The plans and measurements are incorrect and misleading. The gated entrance is far larger than indicated and is proportionally larger to the remaining wall than illustrated on plans.
3. The gated entrance is out of character for the area, is larger and more imposing than any other existing entrance, and is an unwelcome overdevelopment in an area the applicant has no right of access to.
4. At nearly 5 metres in width (the width of two vehicles) and being electric, it is evident by the applicants submitted statement, and his original comments in 2022 as to its intended use for off street parking. This use will cause further disruption, anger and objections as well as road safety issues and air/noise and light pollution/ nuisance for all surrounding residents.
5. The applicant has not reinstated the wall as he led RVBC Planning and residents to believe he would do in 2022. The wall had already been taken down before residents knew of work being started, or the applicants intentions (trees were also later removed).
6. The applicant has chosen on his own accord to put in the electric gated entrance regardless of residents concerns, objections or the problems this would cause and even after a subsequent visit from a planning officer in 2022.
7. This proposal has no benefits for the area, community or residents, and only benefits the applicant themselves. It will be of financial detriment to owners if allowed to remain, due to increased more regular maintenance costs.
8. There is no legal right of access to Reeford Grove bungalows via the back street and especially for motor vehicles. The original approved plans and construction included a rear solid boundary wall with no right of access or use via the back street. It was built intending to clearly define two areas of separately owned land. It also served as a form of flood control and retention, as the Reeford Grove properties were built on what was previously drainable land used as allotments/gardens.
9. The removal of part of the wall raises serious concerns for the nearest properties directly affected by this application, with the increased risk of flooding into the back street and directly into [REDACTED] properties. As is the case with 6 Reeford Grove's wall removal, more excess water gaining access into the back street will affect more properties. This is already bad enough to often become unpassable by foot due to the depth and area of flooding regularly occurring, without having further breaches of the wall making the situation worse. The properties on Victoria Street do also sit lower down than Reeford Grove, which increases the amount of excess water moving towards them.
10. That the existence of this gated entrance has led to the persistent and continuing abuse of the back street for access by contractors and vehicles, very often restricting and blocking access to our own properties for over 18 months now, which would be considered an offence by itself. No permission or authorised use has ever been given to the applicant or to contractors to access or in anyway use the back street for the purposes they continually use it for.
11. This continual use by the applicant up to now can be classed as trespass and an actual offence, as again there is no right of access or use via the back street to the Reeford Grove bungalows. It is essentially crossing into and using someone else's property without any form of permission.
12. The constant use by the applicant and contractors work has led to the disrepair of the road surface, as well as building debris being left. No attempt has been made to repair any of this damage since work commenced over 18+ months ago.
13. That after over 110+ years of use and unrestricted access to the rear of our properties on Victoria Street, this planning application by the applicant has now started to restrict our use and access, and will continue to do so if allowed to remain.

Final Note

The boundary wall needs to be fully reinstated as the applicant stated he would in 2022. It should be put back to a solid boundary wall, preferably with no access point or breach to stop any excess water from entering into an area with no drainage facilities. With the applicant continuing to surface more and more of their rear garden, it greatly increases the risk of collecting and pushing excess water into the back street and towards the rear of the properties on Victoria Street. Any form of exit or breach in a boundary wall risks damaging numerous properties and all at a financial loss to the property owners affected, and which would have to be attributable to someone. Consequent continual flooding could then highlight this area as a flood risk, with consequential financial loss through increased insurance costs and a lowering of property prices.

Yours faithfully