

From: [REDACTED]

Sent: 22 April 2021 17:19

To: Planning <planning@ribblevalley.gov.uk>

Cc: [REDACTED]

Subject: Brockhall Farm, Brockhall Village BB6 8BB - Planning application number: 3/2021/0311

Dear Sirs,

We are instructed to act on the behalf of our client Brockhall Village Limited regarding the above planning application. Our clients are aware of the application and the fact that the proposed development will make use of access over land within the ownership of our client.

As you will be aware, our client is the owner of land to the West of the proposed development and continues to manage and maintain the common areas at Brockhall Village. The access to the proposed development is over land which falls within the land owned by our client, which is registered at HM Land Registry.

We would wish to object to the proposed application on the following grounds;

- 1 We do not consider that the current access is adequate for the proposed use. The width of the access that is across the land within the ownership of our client is limited to a width of 12 feet. This is specified in the legal title documents. Whilst this is probably sufficient for agricultural use it is not felt to be sufficient for a largish residential development. The access is probably not sufficient for construction traffic and the anticipated number of vehicle movements for the proposed completed development.
- 2 The roadway is not in a great state of repair although it is probably adequate for current use. It is not designed for residential use. As part of the access is within the ownership of our client having a right of way does not imply a right to carry out substantial improvement works.
- 3 The extent of the access on the location plan forming part of the application is misleading. As noted in point 1 above, the access is limited to 12 feet wide. The location plan suggests that it is the entire width of the land between the rear boundaries of the residential properties forming part of Brockhall Village and the eastern boundary of the track. This is not the case.
- 4 There is no land available for passing places on the access within our client's land or that adjoining Larkhill Cottages.
- 5 The use of the access road for a further residential development would increase vehicle movements which would be a danger to the local residents and walkers who make use of this land. The potential for accidents will rapidly increase. Traffic safety is therefore a major issue. The increase of use would be a considerable danger to the local population and those entitled to use the land in which the access is situated.
- 6 There will be a substantial increase in air pollution, noise and dust caused by the additional vehicle movements, especially during construction. This would be exacerbated by the fact that the current road surface is not sealed. This would be detrimental to the local area. The development and increased use of the access road would see a loss of amenity for the local area.
- 7 As the access road would be unlit, the increase in vehicle movements during night-time hours would see potential intrusive light pollution into the houses on Brockhall Village. In addition, there would be increased danger for pedestrians using the access during night-time given the width of the access track.

We trust that this information is helpful and will be taken into account in determining the application.

In addition, we would be grateful if correspondence relating to this application and our clients could be sent to this firm's address;

Forbes Solicitors
Rutherford House
4 Wellington Street (St Johns)
Blackburn
BB1 8DD

Yours faithfully

forbessolicitors.

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Pending formal exchange of contracts, neither this communication nor any other correspondence between us shall be deemed to have satisfied the legal formalities for a disposition of land or any interest in land pursuant to Section 2 of the Law of Property (Miscellaneous Provisions) Act 1989.

