

From: Contact Centre (CRM) <contact@ribblevalley.gov.uk>
Sent: 06 June 2021 19:54
To: Web Development <webdevelopment@ribblevalley.gov.uk>; Planning <planning@ribblevalley.gov.uk>
Subject: Planning Application Comments - 3/2021/0391

Title: [REDACTED]

First Name: [REDACTED]

Surname: [REDACTED]

Is your address in Ribble Valley?: Yes

Enter a postcode or street: [REDACTED]

Choose Address: [REDACTED]

Selected address: [REDACTED]
[REDACTED]
[REDACTED]

Locality:

County: Lancashire

uprn: 10070403476

usrn: 31800687

ward: 30ULGH

Planning Application Reference Number: 3/2021/0391

Address of Development: 14 Waverley Road, Ramsgreave.

Your Comments: Re: 3/2021/0391 14 Waverley Road, Ramsgreave. BB1 9BN

Dear Adam Birkett,

The builders who have purchased number 14 Waverley Rd, Ramsgreave have raised the level of the land without planning consent, and have now, after the work is done, submitted a retrospective planning application.

I write to state my objections to the this retrospective planning application for the following reasons:

1

Privacy

Previous situation:

We have a 6 foot fence all around the side of the property between ourselves and number 14. This was in place well before the house was purchased by the builders. This fence provided us total privacy and importantly, the builders could clearly see that before they purchased the house and started any works.

New situation:

By the builders raising the level of their land in the top third of their garden, our 6 ft fence has effectively become a 3 foot fence. Now anyone walking on this top section is visible to us as we are to them.

Key point:

The builders have created a viewing platform over our garden and this situation is totally unacceptable. Everybody is entitled to privacy whether that is through fencing, hedges, a curved drive etc. We find the idea ridiculous that a building developer can just ignore something so obvious just to follow their own garden design.

2

Legal/Compliance

Previous situation:

Our new fencing was installed in February 2020.

This means everything (concrete posts, base panels and wooden fencing) was brand new and painted.

A path existed alongside our fence on the side of number 14. This enabled us to maintain the fence. According to the builder who built our property, a covenant on number 14 exists to ensure that we are able to continue to maintain the fence.

New situation:

Without permission the builders have built concrete foundations and a wall and attached them to our fence foundations and fence posts.

The builders have raised the land on their side to the point that it is now impossible to maintain the fence, without moving the panels out of position, which is a much bigger job than painting them in situ.

Key Points:

The builders broke the Party Wall Act by not giving due notice and commencing and completing their work.

The builders may have broken a covenant.

The builders have made it harder for us to maintain and make changes to our fencing should we wish to.

3

Process

Previous Situation:

Gradual rising slope from the house.

Same incline for generations

New situation:

Huge excavation, possibly to enable the building of an extension in the future.

Some earth removed.

Huge quantities of earth and other materials pushed up the garden by the bucket of the digger to produce a three tier garden.

Additional materials then added.

Key Points:

This is a major project and planning permission should have been requested in advance.

The builders were then slow in applying for retrospective planning permission.

The builder's retrospective planning application was incomplete, labelled as 'invalid' and sat on file for 7 weeks until with just one week to go, when the application was finally verified.

During this delayed process, despite the lack of urgency and without any consent granted, work continued on the disputed area.

This all shows a lack of respect for the planning process.

4

Security

Previous situation:

Our 6 foot fence provided visible security.

New situation:

A 3 foot fence does not provide the same security

5

Safety

Previous situation:

Our 6 foot fence provided zero risk of anyone behaving normally, falling over the top.

New situation:

There is a real risk that someone, perhaps a child running, could topple over the fence not realising that there is a 6 foot drop on the other side.

Key Point:

This ill thought-through garden design has created a real life-threatening accident risk.

To remedy their design with a fence on their side would effectively create a NINE foot fence as viewed on our side. (Six feet on our side with a three feet incremental on theirs).

6

Stability

Previous situation:

The land at number 12, 14 and  were all at roughly the same level where the fences are.

New situation:

By raising the land at number 14, a huge amount of earth and builders' debris has been created and held back by some walling and in the case between numbers 12 and 14, the earth is actually held back by a wooden fence panel.

Key points:

The weight of the materials with water added could create pressure and added risk to our fencing and land.

The water table will have changed and this may create negative drainage issues in the future.

7

Visual

Previous situation:

Our fencing looked normal from either side.

New situation:

If you are at number 14 and are looking from the house up the garden and allow your eyes to drift to the right, you will see how odd it looks.

If you are at our house,  look to the left and see how odd it looks.

Key point:

This imposing and domineering garden design is not in keeping with the area.

Summary

We would like to make the point that when the builders started work, we were on good terms. We were excited about them investing in the house and garden. At the time their water had not been connected, they needed a lot of water for their new fencing and we were happy for them to use ours. However, that all quickly changed when their diggers moved in and created the new tiered garden.

At the time we were told that the cost of removing the earth was too high. They actually put the figure of £5,000 as the cost to remove it. We were then assured that the height would come down, despite the fact that as I was being told this, behind him, his men were borrowing extra earth up the slope. Then a different story followed, that the design had been there all along and that they would have their way no matter what. Then there were all the delays in getting valid retrospective planning into the council.

The builders at number 14 have, despite our concerns, protestations, and without the necessary approvals, executed a plan to create a garden design which is domineering, out of place, and violates our privacy.

We ask you please to consider our objections carefully and reject the planning request completely.