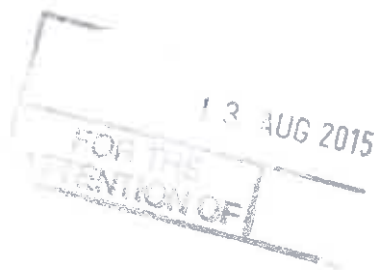




12 August 2015

Our ref AJN/AJD

fao Claire Booth  
Assistant Planning Officer  
Ribble Valley Borough Council  
Council Offices  
Church Walk  
Clitheroe  
BB7 2RA



Dear Madam

**Re: 3/2015/0473 – Meadow Bank, Stopper Lane, Rimington**

I write with reference to your email dated 30 July 2015, relating to the marketing of the subject premises. The request for additional information at this late stage has come as somewhat of a surprise. However, in view of the comment that the application will be refused as it currently stands, our response is as follows.

The Council requires further information to satisfy itself that the current use is not viable:

### **1. The Restricted Residential Use**

I would refer you to the 'Marketing and Attempts to dispose of the property' section in our Statement of Support. The opinion of value range was £400-£450,000 without the occupancy condition. Therefore let's assume we would have marketed at 'offers over £450,000'. We actually brought it to the market at £375,000 inviting offers, a reduction of approximately 17% although the initial online price for a number of months was £350,000. Allowing for negotiation, a realistic price would be nearer £350,000, had any demand been realised.

In addition to the advert and brochure attached to the Statement, we have also enclosed a copy of the Rightmove Property Performance Report (for the 28 days to 27 April 2015). A single viewing was undertaken on the 26 November 2014, with no response. No formal offers were received.

### **2. Renting of the Property for the Restricted Residential Use.**

Overt marketing to rent the premises ie brochure, board, advertising, was not undertaken. Low key efforts made by us and the clients, which resulted in interest from a Ms S Baier who rented the premises until 18 September 2014. Having vacated the premises, this was the only opportunity the Hackings had to occupy the premises and obtain some income, until a buyer came along. However, the tenant did not qualify as an occupier under the terms of the condition.

athertons  
property & land

company registration no. 3804105

whalley  
53 king street whalley lancashire bb7 9sp  
tel. 01254 828810 fax. 01254 824308  
email. whalley@athertons-uk.com  
sales  
tel. 01254 828810 fax. 01254 824308

lettings  
tel. 01254 828811 fax. 01254 824308  
email. lettings@athertons-uk.com  
rural & commercial dept  
tel. 01254 822722

www.athertons-uk.com

There are a number of additional reasons we feel undue weight should not be applied to an 'agricultural' or forestry letting.

- a) This substantial six bedroom property is not suitable for an agricultural/forestry related let, due to its size and a rental value that would be prohibitive, even at a reduced level.
- b) RVBC has never requested that such properties are marketed on a rental basis in these circumstances, so this has not been actively pursued.
- c) Due to the Hackings' personal circumstances (separation, illness and working abroad), the ultimate goal was always to sell the asset. Ongoing management of tenants leasing agreements is impractical and unrealistic, especially as the property is now subject to court proceedings.
- d) There is no demand. None of the specific or general enquiries received by the office for this type of property are from agricultural or forestry workers. In addition, enquiries with Athertons Lettings in Clitheroe reinforced our view. There is good demand for similar rural properties and from houses to let, without agricultural ties. They are too expensive for workers in these businesses. No such letting has been undertaken in the last 12 months either with or without a restriction.

### **3. Alternative Employment generating use, such as a holiday let**

No specific steps have been taken to explore such an alternative use, which would require change of use planning permission, at the very least.

Again, it is our opinion that such an option is unrealistic and impractical in our client's current circumstances.

The following additional reasons contribute to why undue weight should not be applied to this factor:

- a) Planning permission would be required for an alternative employment use and the restrictive condition would still have to be removed. It is envisaged that planning permission would be difficult to obtain.
- b) This is a residential dwelling on a moderate site, with gardens. Other than possible use for a holiday let, we fail to see how the premises could be utilised for employment purposes. No other viable uses come to mind in our experience of the rural economy and therefore were not considered.
- c) Realistically, a holiday let is a problem from an economic viability perspective, once the restriction is removed. Letting income is very irregular and seasonally sensitive, the property has to be actively managed by the owners. As previously mentioned this will not work in the present case.
- d) Additional employment opportunities would be extremely limited.

We trust this has fully answered the points raised. Due to the fact that this property is a major part of a court hearing on the 23 September 2015 a letter dated 4 August 2015 is enclosed from Quality Solicitors Mewies, acting on behalf of Deborah Hacking. You will note

the urgency of the matter, in relation to the revised decision date you have given us, of 24 September 2015. Currently this is after the hearing date.

We would therefore respectfully request that the Council's decision is brought forward by a matter of days in order that the decision can be passed on to the Court for the hearing.

Please let us know if this is possible as it has a major impact on their situation.

Yours faithfully

A handwritten signature in black ink, appearing to read 'John S. Atherton', with a stylized flourish at the end.

John Atherton