

IPFI/112/CASE3

References to a proposed “access road” having been excluded from the red edge of Planning Office-registered Site Location Plans.

OBSERVATIONS & REQUIREMENT

presented to Hyndburn Borough Council (Planning)

on

19 August 2019

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→ In correction of HBC's past errors, it should be observed that 112 Whalley Road is not only adjacent to the red-edged Application Site, it

- (1) extends South to its boundary with Network Rail

and

- (2) includes the narrow * set-and-paved street ⁶ between the gable end of 106 Whalley Rd (which is not adjacent to the Application Site) and Network Rail land.

* narrower than the Fire Service Minimum Requirement for an access street/road.

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→ Although this privately-owned street between Whalley Road and Back Whalley Road is **not included within the Application**, I note that it is proposed to be developed

- (1) contrary to the terms of the relevant, registered 1890 Lease,
- (2) regardless of the Fire Service Minimum Width Requirement of 3.7m kerb-to-kerb

and

→ (3) without completion of a Certificate of Ownership.

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→ **EXTENT OF THE SITE**

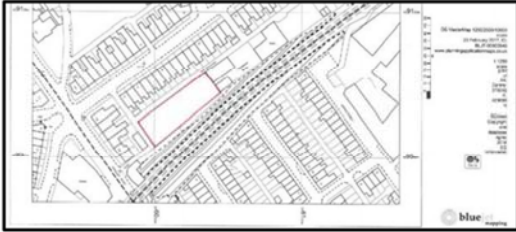
I have not managed to speak to the Police with this regard, but other Consultees - public officers and Network Rail - whose responses have already been uploaded to the HBC website have agreed with me, in conversation, that

→ • there has been no Application or Certificate of Ownership filed in respect of the proposed access * to the site.

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With this regard, I refer to the so-called Location Plan (a re-used plan⁹):

- <http://planning.hyndburnbc.gov.uk/WAM/doc/OS%20Extract-536654.pdf?extension=.pdf&id=536654&appid=1001&location=VOLUME2&contentType=application/pdf&pageCount=1>



⁹ Copyright & Maps – How to get maps for a planning application:

- https://www.cheshireeast.gov.uk/planning/view_a_planning_application/making_a_planning_application/plans_for_applications/copyright_and_maps.aspx
- <https://www.ordnancesurvey.co.uk/blog/2011/07/how-to-get-maps-for-a-planning-application/>

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DESIGNS & ACCESS STATEMENT

These filed plans do not show how the site is to be accessed:

- <http://planning.hyndburnbc.gov.uk/WAM/doc/CAD%20drawing-536631.pdf?extension=.pdf&id=536631&appid=1001&location=VOLUME2&contentType=application/pdf&pageCount=1>
- <http://planning.hyndburnbc.gov.uk/WAM/doc/CAD%20drawing-536632.pdf?extension=.pdf&id=536632&appid=1001&location=VOLUME2&contentType=application/pdf&pageCount=1>

This filed plan does show how the site is proposed to be accessed, but no such access yet exists and the proposed access is not within the red edge of the Application Site:

- <http://planning.hyndburnbc.gov.uk/WAM/doc/CAD%20drawing-536629.pdf?extension=.pdf&id=536629&appid=1001&location=VOLUME2&contentType=application/pdf&pageCount=1>

The Designs & Access Statement presents a withdrawn plan showing the formerly-proposed access from Owen Street and Back Owen Street. **It does not contain a replacement plan showing the access as currently proposed.**

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CONCLUSION

The Application does not appear to be in order for validation purposes, let alone *bone fide* Decision-making purposes.

REQUIREMENT

The relevant land-owners, past and present, whom I represent, seek appropriate acknowledgement of the rights, title, interests and restrictions in respect of the leasehold and freehold aspects of land **adjacent to the Application Site**.

- * land which the Applicant has repeatedly demonstrated an intention to materially alter without having any right, title or interest therein and without including it within the red edge of the Planning Application.

Landownership is an issue - the Applicant should consider why development has not taken place at Ironbridge Works¹¹, in spite of two successful planning applications.

Yours sincerely, Andrew Hall.

26 February 2020, Inspector appointed by the Secretary of State: “33. Whilst ownership matters have been raised with respect to works taking place along the access road, the submitted plans include it within the red edge and the Council determined the planning application on that basis”.