

LOWER BACHE HOUSE  
KIMBOLTON  
Nr. LEOMINSTER  
HEREFORDSHIRE  
HR6 0ER

Mr. Rob Nash,  
Room 3/09,  
The Planning Inspectorate,  
Temple Quay House,  
2, The Square,  
Bristol,  
BS1 6PN  
16<sup>th</sup>. March, 2015

Appeal Reference: APP/W1850/15/3003614

Dear Mr Nash,

With reference to the above appeal in relation to Planning Permission Application No: P141889/F, being an Amendment to Condition 2 of original Planning Permission DCNC0009/1980/F.

This application is spurious, vexatious and totally without substance or merit.

The facts are as follows:

On or around 1900, what was one property was divided into two, known as The Bache and Lower Bache Farm.

The boundary between the two properties was in part the wall of the outbuilding now known as The Bache Barn.

There was an access rear door to the outbuilding which then ceased to have any function and was permanently sealed with fixed boarding.

A letter from Mr. A. Williams [Document No. 1 attached] confirms that this was the case between 1930 and 1960 when Lower Bache Farm was owned by his family.

I can also confirm that during my 28 years of occupation of that property [now known as Lower Bache House] the aperture has been permanently sealed with the same material and no right of access existed for either freeholder.

The boundary between the two properties has always been the wall of Bache Barn.

This is demonstrated by the following documents:

The reference to the boundary contained in the statement by Mr. A. Williams in attached document No. 1 referred to above.

The boundary plan supplied by Ordnance Survey contained in the planning permission decision to application P141889/F [document No. 2 attached]

The Land Registry title plan for Bache Barn number HE37636 [Document no. 3 attached]

The Land Registry title plan for Lower Bache House number HE8819 [Document no. 4 attached]

Ordnance Survey map showing the boundary between the two properties. [Document no. 5 attached]

These conclusively demonstrate that the boundary between the two properties is the wall of The Bache Barn, and any claim to the contrary is bogus and without foundation.

It should be noted that, irrespective of the irrefutable evidence documented above, having for over 28 years utilised this area, in common with my predecessors, unfettered and unquestioned, for the grazing of stock - and latterly as an amenity - the land is in any case mine by right of Adverse Possession.

On the original approved Planning Application NC09/1980/F, the aperture in question is shown as a closed extension of the brick section of the wall. [Document no. 6 attached] No suggestion of a door is indicated in this submission.

An application was submitted dated 5<sup>th</sup>. March 2013, for a Non-material Amendment to the original permission.

This falsely referred to 'retention of existing door', and failed to note that it would open directly onto my property.

This brazen misrepresentation of the facts resulted in permission being granted without consultation or onsite inspection.

The permission, in accordance with the application plan, was for an inward opening door. In blatant disregard of the planning decision, an outward opening door was installed, and has yet to be removed.

I only became aware of the situation when the door was installed. Following my representations, Mr. Rowsell was required to resubmit the application. It was refused. Planning Permission document to Application P141889/F paragraph 3 dated 16<sup>th</sup> October 2014 refers.



The requirement is to board up that section of the wall and proposals as to the method by which it should be done submitted.

COMMENTS ON SECTION H OF THE APPEAL.

The suggestion that the boarding should be TEMPORARILY [sic] is not satisfactory or acceptable.

The provision of light to the property was covered in the original planning application and was approved in conformity with the requirements of the Planning Authority and Building Regulations.

No land belonging to The Bache Barn can be accessed through that aperture as it does not exist.

It should be noted that I have advised Mr. Rowsell that I will co-operate in providing adequate access to my land for the purpose of maintenance of his property should the need arise.

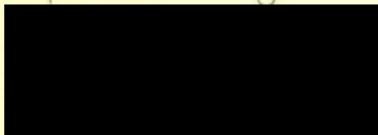
SECTION I [part two] AGRICULTURAL HOLDINGS.

Lower Bache House including the land that abuts the Bache Barn is an agricultural Holding. Holding Number 17/170/0115

In the light of the above overwhelming documentary evidence I submit that the Planning Departments decision that the aperture remain permanently closed should be upheld.

As the area in question can only be viewed adequately from my property, may I suggest that the Inspector contacts me to arrange a site viewing.

Yours sincerely,

A large black rectangular box redacting the signature of Leslie Wiles.

Leslie Wiles.