Teresa Critchlow
Planning Officer
Staffordshire Moorlands District Council
Moorlands House
Stockwell Street
Leek
Staffordshire
ST13 6HQ

Mr Peter Hall & Mrs Janet Hall
House Martin cottage
Fernyhill,
Basford,
Cheddleton,
Nr Leek.
ST13 7ET
1st August 2016

Dear Teresa Critchlow,

Reference: Application for lawful development certificate SMD/2016/0386

Please accept this letter as formal notification that we wish to OBJECT to the application for a Lawful Development Certificate - SMD/2016/0386

My wife and I are the homeowners and neighbours of Mr and Mrs G Harrison Senior, ten metres to the west and Mr J Harrison Junior, thirty metres to the North.

Please consider the points below as to why we so strongly object to the Lawful Development Certificate. We have made our objections against the key criteria including-

- Planning History
- Policy & Guidance Local
- Design and Visual Impact
- Landscape and Ecology
- Loss of Amenity

This is a sizable ongoing development clearly visible from a public right of way footpath (see attached photos 1&2) and should not be considered as a standard garden project. It consists of multiple terraces which convenes paragraph 3 of the original property's conditions below.

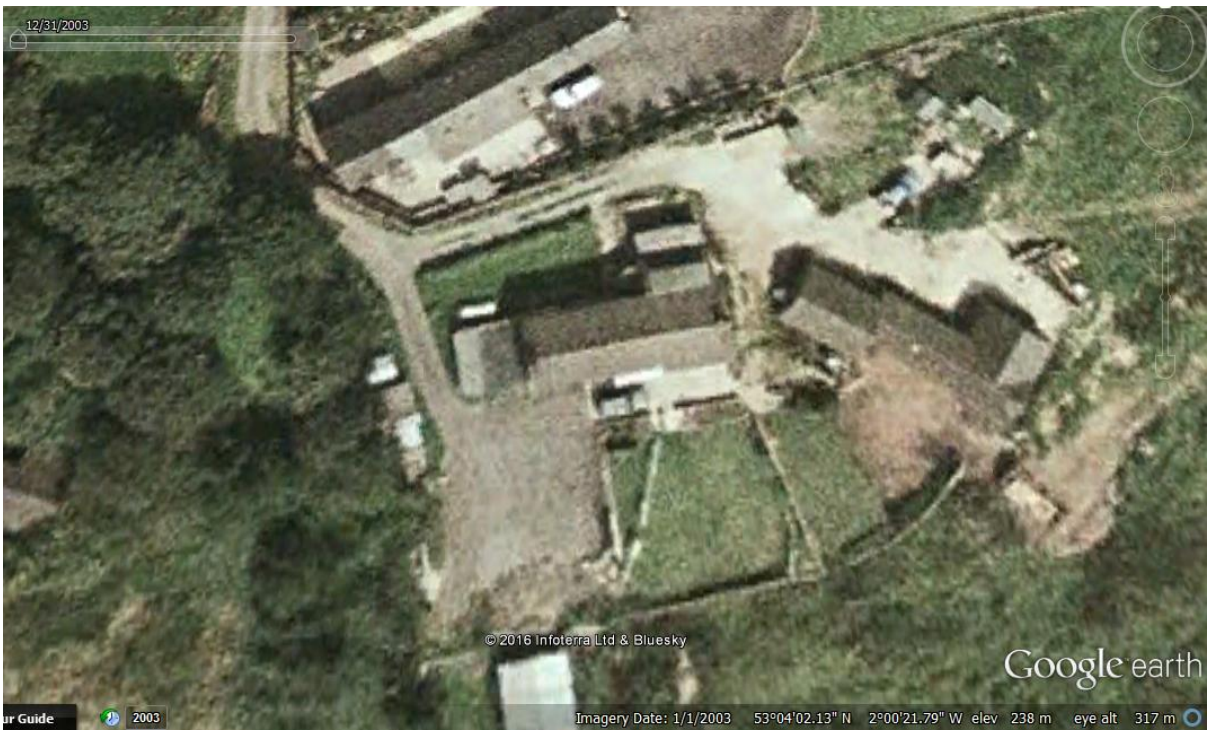
<u>Planning Application – 09/00167/FUL - Condition 3</u>

> 3.Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 1995 (as amended) (or any order revoking and re-enacting that order with or without modification), no development as specified in Part 1 Class(es) A, B, C, D, E, F, G, H and/or Part 2 Class(es) A, B and C, other than those expressly authorised by this permission, shall be carried out without express planning permission first being obtained from the Local Planning Authority.
> **Reason:-**
> To enable the Local Planning Authority to control the development and so safeguard the character and visual amenities of the area, including the character and appearance of the area and to ensure that adequate private open space is retained within the curtilage of the building.

As part of the ongoing work the extended garden terraces were recently connected to what was a rough pasture of approximately 3 acres with two small natural ponds. This has become an extended

lawn area with ornamental ponds connected by white limestone roadways. The raised terraces resulted in us losing our residential amenity of privacy.

Whilst Figure 3 of the consultants planning statement shows considerable unauthorised work has been carried out we would state that Figure 4 (of the same statement) taken sometime in 2011, only shows the old garden boundary. It does not prove "completion of substantial engineering works". The satellite image from Google Earth (below) from 2003 (a number of years before Harrisons and pension scheme purchased the property) shows the garden boundary much the same as the 2011 image. On this basis we believe it is very ambiguous to site it as proof of substantial completion of works.



However, it is not as ambiguous or misleading as Section 4.9 of the consultants statement which describes **"the facts"** set out by the two Harrison statements. When did the sworn statements by Mr Harrison and his son become factual? We note that no such statement by the applicant's builder Mr Ron Wheildon is present.

The satellite images show our property to the immediate east of the site. They do not show the fifty meters of timber fencing 2 meters high completed a few weeks ago as part of the ongoing unauthorised works. The fence runs along the south boundary of our property within a couple of meters of our lounge windows. It is not between our houses and has no other purpose than to block the view we enjoyed for many years down the Churnet Valley. The combination of the raised terraces, fence and the lost views can only be described as a serious loss of residential amenity. We hope that the planning authority will refuse this lawful development certificate and also go on to take enforcement action to have this unsightly fence removed.

The total appearance of the terrace and the fence is not remotely in keeping with a traditional Staffordshire Moorlands small holding and could not possibly be described as compliant with local

design and visual impact advice and guidance. This is even more poignant as the site is located within an area of open countryside designated in the local plan as a **Special Landscape Area**.

These policies seek to protect the countryside for its own sake and require development to be informed by the character of the landscape that forms its setting. They also seek to protect the Special Landscape Area from inappropriate development.

Please be advised that such is our level of concern, that we have copied this letter of objection to other members of the planning system in case they can provide useful input.

We are available for any further discussion or contact at anytime, but would like to request a visit from yourself at your convenience.

Best Regards,

Mr Peter and Mrs Janet Hall.

Photo 1



Photo 2

ELECTRIC ILLUMINATION VICTORIAN LAMPOSTS 2
VIEW FROM PUBLIC FOOTPATH