

Heaton Bank
Heaton
Rushton Spencer
Staffordshire
SK11 0SJ

Tel:
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18th August 2021

Dear Sir/Madam,

APPLICATION NUMBER: SMD/2021/0235

LOCATION: Rose Cottage, Back Lane, Heaton, Rushton Spencer.

Further to my original letter of objection in relation to this application, I have examined the amended plans for the proposed roof terrace at Rose Cottage and come to the clear conclusion that the revised details do nothing to address my initial concerns.

The report on the original submitted plans acknowledged that the elevated terrace would overlook a large part of the garden of our property. Furthermore the report was unequivocal in concluding that the proposal did not comply with Policy DC1 with regard to the protection of residential amenities.

In particular the report stated at para 7.7 “... it is considered this would lead to a **significant** level of harm to the occupants of Heaton Bank.” At para 7.8 the report stated, “the new terrace ... would **significantly** increase the scope of overlooking into the rear garden of Heaton Bank and add to the level of intrusion experienced by the occupants.”

At para 7.10 the report continued, “Overall, due to the level of overlooking ... from the raised terrace/balcony, the levels of privacy enjoyed by the occupants would be **significantly** affected leading to **significant** harm of the residential amenities...”

At para 8 the report stated, “The proposed raised roof terrace/balcony due to its height above ground and siting, would lead to a **significant** degree of overlooking into the private outdoor amenity areas of the two adjacent properties ... leading to an intrusive and unneighbourly form of development affecting the levels of privacy enjoyed at those properties and leading to **significant** harm to the overall residential amenities of both properties.”

The amendments now proposed incorporate a low “privacy screen” 1.4 metres in height reducing to 1.1 metres for approximately half its length and made of “decorative metal.” The screen is set back by 0.5 metres on the western elevation

which may benefit the occupants of Ivy Cottage but does nothing to reduce the impact on Heaton Bank.

The nature of the “decorative metal” screen is not precisely specified. However, as illustrated on the submitted plans, it appears to be of an open, lattice-work design and the submitted drawing shows a person clearly visible behind the screen and looking over the structure. This being the case, the screen would appear to be virtually see-through and thus it would do little to obscure the view across our garden.

Furthermore, the maximum height of 1.4 metres (approximately chest height for the average person) means it could easily be overseen by a person standing – an effect exacerbated at the lower height of 1.1 metres. Thus the protection afforded by the privacy screen would depend entirely upon the whim or discretion of our neighbours as to whether they choose to sit or stand.

Given the **significant** degree of detriment highlighted in the previous report it is impossible to accept that the amendments do anything to ameliorate this harm.

In conclusion I would submit that the incorporation of a low, lattice-type screen does nothing to justify overturning the initial, unambiguous, recommendation that the application should be refused on the grounds that it is contrary to Policy DC1 (protection of residential amenity) of the council’s Local Plan and also to Section 12 of the government planning guidance in the NPPF.

Yours faithfully,

Mark Harrison.