Comment

Consultee	Celia Geyer (1335079)
Email Address	
Address	
Event Name	Proposed Submission (Reg 19) West Berkshire Local Plan Review 2022-2039
Comment by	Celia Geyer (1335079)
Comment ID	PS560
Response Date	03/03/23 07:45
Consultation Point	Appendix 2 Settlement Boundary Review (View)
Status	Processed
Submission Type	Web
Version	0.4
Bookmark	Geyer, Celia

1. Do you consider the Local Plan Review is legally compliant?

Please see the guidance note for an explanation of what 'legally compliant' means

Yes

2. Do you consider the Local Plan Review is sound?

Please see the guidance notes for an explanation of what 'soundness' means.

The soundness of the LPR should be assessed against the following criteria from the National Planning Policy Framework (NPPF).

Please tick all that apply:

Positively Prepared: The plan provides a strategy which, as a minimum, seeks to meet the area's objectively assessed need and is informed by agreements with other authorities, so that unmet need from neighbouring areas is accommodated where practical to do so and is consistent with achieving sustainable development.		Yes
Justified: the plan is an appropriate strategy, taking into account the reasonable alternatives, and based on proportionate evidence.	•	No
Effective: the plan is deliverable over the plan period and based on effective joint working on cross-boundary	•	Yes

strategic matters that have been dealt with rather than deferred, as evidenced by the statement of common ground.

Consistent with national policy: the plan should enable . No the delivery of sustainable development in accordance with the policies of the NPPF.

Please give reasons for your answer

HAMPSTEAD NORREYS SETTLEMENT BOUNDARY:

- The Parish Council requested the inclusion of the land of properties that have received planning approval on land outside the village settlement boundary, such as development for 10 houses at Folly View, Springbank, The Old Smythy and development at Manor Farm. However, it is not including the land that has served Tree Tops as an access track and rear garden since 2006.
- We recognise that planning permission to formally pave this track has been disputed in the past, however, it is clear that this track has been in constant use since 2009, serving as the main vehicular access to the property Tree Tops. Evidence of this can be seen on the attached letters and photographs of various previous applications, whereby neighbours and nearby residents confirm its long term use. Further evidence can be seen from satellite images, such as google earth, where cars can be seen parked outside the back of the house. It is also clear from satellite imagery that the land to the rear has been used as a garden.
- . The last planning application ref 20/01914/FUL which was granted in 2020 for an extension of the house, approved the change of use of the lower part of this track to domestic curtilage.
- . Considering the evidence that this track and land behind Tree Tops has been in domestic use for over 10 years, we request the inclusion of this land to the village settlement boundary. We consider this approach would be consistent with the evidence base underpinning the emerging local plan, in particular the Settlement Boundary Review (SBR) background paper. Specifically Appendix 1 notes that locations which it is appropriate included curtilages which are contained, visually part of the built up area and are separated from the wider or open countryside. Please see attached on the plan, the land in the request is coloured in pink

4. Proposed Changes

Please set out what change(s) you consider necessary to make the Local Plan Review legally compliant or sound, having regard to the tests you have identified above (Please note that non-compliance with the duty to co-operate is incapable of modification at examination).

You will need to say why this change willmake the Local Plan Review legally compliant or sound. It will be helpful if you are able to put forward your suggested revised wording of any policy or text. Please be as precise as possible.

HAMPSTEAD NORREYS SETTLEMENT BOUNDARY:

Inclusion of access track and rear garden of Tree Tops, Forge Hill, Hampstead Norreys, RG18 0TE.

Please see attached document and map indicating in pink, the area to be considered for inclusion.

5. Independent Examination

If your representation is seeking a change, do you Yes consider it necessary to participate at the examination hearing session(s)?

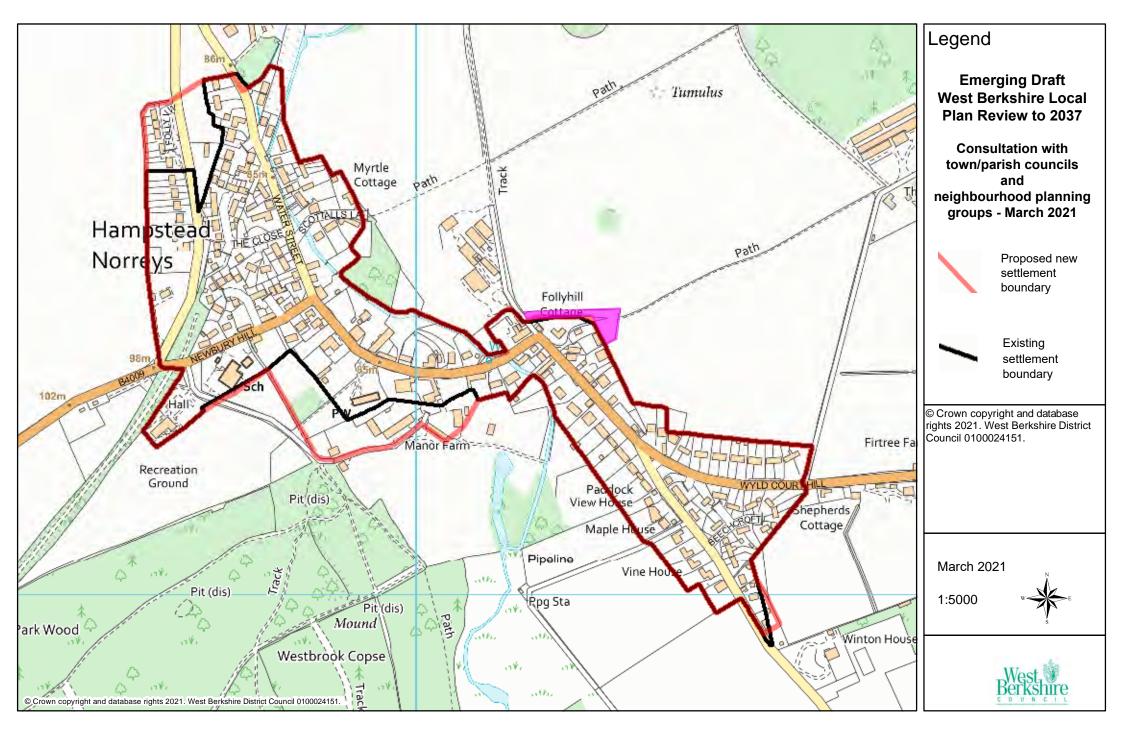
6. Notification of Progress of the Local Plan Review

Do you wish to be notified of any of the following?

Please tick all that apply

The submission of the Local Plan Review for Independent Examination	•	Yes
The publication of the report of the Inspector appointed to carry out the examination		Yes
The adoption of the Local Plan Review	•	Yes
Attached file 1	<u>PS5</u>	60 Celia Geyer Attachment (Redacted).pdf

Settlement Boundary Review - Hampstead Norreys



Google Earth Image - show car parked behind Tree Tops, circled in Red, the track is also visible and so is the rear garden.



Letters demonstrating use of track since 2006.

Zoe Powell

From:	Colin Layton
Sent:	09 September 2020 17:17
То:	Planapps
Subject:	<v9_smartsaved></v9_smartsaved> Planning Application 20/01914/FUL
Categories:	Yellow Category, SmartSaved

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Sirs

I write to express my strong objection to this application on the following grounds:

- 1. The application is misleading in that it describes a two-storey building above a basement. To my knowledge, there is no basement in front of the existing house the proposal is for a new, 3-storey extension.
- 2. The existing property has only one off-road parking space. This revised application now includes for two additional parking places on agricultural land which has been used for access and parking behind the existing property in total contradiction to an edict from the Secretary of State. Temporary use of this land was granted for the construction of the original development on the condition that it ceased on completion of the work and that an ancient hedge was restored. This latter is still outstanding many years later.
- 3. The delivery of equipment and materials for the proposed development can only be made via the very narrow and steep footpath from Forge Hill to the site which is very likely to cause aggravation for other residents who use it and further impede traffic on Forge Hill.
- 4. The existing building is already comparatively large and sits in a dominant position that makes it stand out from the other side of the village some distance away. The proposed extension will add to this rather than blending in with the rural community of which it is part.

Accordingly, II urge that the Council rejects this application.

Colin Layton

From:	publicaccess@westberks.gov.uk
Sent:	18 September 2020 21:50
То:	<u>Planapps</u>
Subject:	<v9_smartsaved></v9_smartsaved> Comments for Planning Application 20/01914/FUL

Follow Up Flag:	Follow up
Flag Status:	Flagged
Categories:	Yellow Category, SmartSaved

Planning Application comments have been made. A summary of the comments is provided below.

Comments were submitted at 9:50 PM on 18 Sep 2020 from Mr John Abbott.

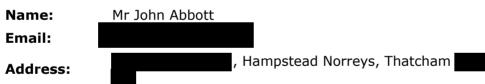
Application Summary

Address:	Hampstead Norreys Thatcham
Proposal:	Change of use of associated land to provide two additional ancillary parking spaces. Two-storey front and side extension over basement to create granny annexe and carers room.
Case Officer	Scott Houston

Case Officer: Scott Houston

Click for further information

Customer Details



Comments Details

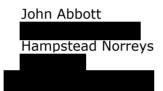
Commenter Type:	Objector
Stance:	Customer objects to the Planning Application
Reasons for comment:	
Comments:	As can be seen from the history associated with this address, the occupants have been refused all previous applications - they built a huge property in place of a small bungalow with no permissions in a protected area - it now dominates views from all around the village. They created an access track despite having no access permission. Since the refusals they were supposed to make changes to the building and nothing meaningful was done. They have continued to drive up the access track using multiple vehicles and parked them at the top of the hill behind the

house - despite explicit directions from the Council not to do so issued in 2009. Now they plan to enlarge the house further.

The likelihood is that they will build whatever they want without waiting for any approvals, and most likely expand on their plans without seeking further permission in the expectation that nobody will notice in time. The occupants are in the building trade and very familiar with planning rules and restrictions, and how to circumvent them.

As for the parking slots, there is not room on the ground for two such spaces without encroaching on adjoining land - our garden and drive, the farmer's land or the lane alongside, which is regularly used by walkers as it links up public footpaths. I believe that granting permission for car parking there will only encourage them to continue using the access road illegally.

For these reasons I object strongly to this application.



 From:
 24 September 2020 15:52

 To:
 Planapps

 Subject:
 <v9_SmartSaved/> Planning Application Ref 20/01914/FUL

Categories:

Yellow Category, SmartSaved

This is an EXTERNAL EMAIL. STOP. THINK before you CLICK links or OPEN attachments.

Dear Sirs/Madams,

Planning Application Reference

I am writing to strongly object to this application for the following reasons:-

1. This application is MISLEADING for the following reasons:-

- a) I believe it INCORRECTLY claims to be for a two story extension. It is for a THREE story extension because to the best of my knowledge, the current house does NOT have a basement where the proposed carer's accommodation is shown to be located.
- b) The completed CIL form claims that the current house has an existing gross internal area of 326.86m2. Given my knowledge of the house this implies that it too is on three levels and therefore also has a basement. I don't believe this to be accurate and therefore the current dwelling is more likely to have a gross internal area of TWO THIRDS of that claimed, namely around 220m2 rather than 326m2.
 At 124.44m2, the size of the proposed extension would therefore represents a 56% increase in the size of the gross internal area of the house. This would add significantly to what is already a comparatively large house in a dominant position in our rural village
- 2. The applicant has, over the years, deliberately ignored the order placed on him to restore to its previous agricultural state the "temporary access track to the house following the hedge line of the existing field boundary" that was given to him to allow the building to take place. The applicant had, on numerous occasions sought to get permission to convert the "Temporary" access to a permanent driveway to the house. On every occasion West Berks Council rejected the application. These rejections were upheld when the applicant appealed to the Secretary of State. See Reference 10/00041/WR.

Over the last ten years since the above ruling **West Berkshire Council** seems to have **done nothing** to enforce the Secretary of State's ruling for the strip of agricultural land, namely for it to be returned to its original state and for it to stop being used as a vehicular access to the house !! As can be clearly seen from the attached photographs the "**Temporary**" track has not been returned to its original agricultural state and is still very much in use and that cars are

being parked by the house at the top of the said "Temporary" track next to the house.



The applicant is now applying for a change of use of the strip of "Agricultural Land" to provide two car parking spaces. Achieving this would in my view be in violation to the Secretary of State's ruling and would be condoning the continued violation of the Secretary of State's Ruling.

3. There is lack of clarity as to the effect that the proposed extension will have on the "Public Right of Way" and whether the hitherto "Agricultural Land" will be used to deliver equipment and material to build the extension, Either way the building work is very likely to cause unacceptable aggravation for other residents who use the "Public Right of Way" and also further impede traffic on Forge Hill.

It is for these reasons that I ask West Berkshire Council to reject this application.

Yours faithfully

George Greenham

Yattendon Road Hampstead Norreys,

From:	
Sent:	24 September 2020 17:58
То:	<u>Planapps</u>
Subject:	<v9_smartsaved></v9_smartsaved> Planning Application Reference 20/01914/FUL
Subject.	

Categories:

SmartSaved

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Dear Sirs

Planning Application Reference 20/01914/FUL

I am writing to strongly object to this application for the following reasons:-

- 1. This application is somewhat misleading because I believe it incorrectly claims to be for a two story extension. It is for a 3 story extension as the current house does not have a basement.
- 2. The applicant had, on numerous occasions sought to get permission to convert the "Temporary" access to a permanent driveway to the house. On every occasion West Berks Council rejected the application. These rejections were upheld when the applicant appealed to the Secretary of State. **See Reference 10/00041/WR**. Nevertheless, the applicant has persistently ignored that ruling as they regularly use the track to drive their vehicles up it and park them close to the house. Granting permission to create 2 parking spaces on this "Agricultural Land" would be a violation of the Secretary of State' Ruling.

It is for these reasons that I ask West Berkshire Council to reject this application.

Yours faithfully

Jennifer Greenham

Yattendon Road Hampstead Norreys,

Sent from Mail for Windows 10

From:	
Sent:	17 September 2020 18:57
To:	<u>Planapps</u>
Subject:	<v9_smartsaved></v9_smartsaved> Ref: 20/01914/HOUSE

Categories:	Yellow Category, SmartSaved
SmartSaved:	wbcopentlappsrv_U677_D8_N1884279

This is an EXTERNAL EMAIL. STOP. THINK before you CLICK links or OPEN attachments.

I am writing to OBJECT to planning application 20/01914/HOUSE on the following grounds:

1. This application is very confusing not least because it involves two separate pieces of land. Whilst owned by the same person currently, they are not in combined curtilage. The application resurrects earlier applications dating back many years that were repeatedly dismissed by the Planning Inspectorate to use the associated land for domestic use. Incorporating this into another application, relating to Tree Tops, is confusing and potentially misleading. It's how information that isn't true becomes apparent fact and this application and the subsequent mandatory responses includes such information.

2. Reference the proposed front and side extensions. The description is misleading. It implies that there is already a basement, rather than that the application is for a two-storey front and side extension AND the basement below it, which from the submitted drawings doesn't look like a basement. It looks like a three storey extension as it's all above ground to the side. The latest application attempts to compare the proposals with the existing decking structure. Decking is temporary. Bricks and mortar are not. The proposed additional development, wrapping around the existing building is significant. In my opinion the ultimate size of the property is too big for the plot and prominence on the hillside and in an AONB.

3. There is no guarantee or enforcement that the proposed extension would be used for the proposed use. It could become a 5 bedroom house or an attached 'separate' dwelling used for letting. Any decision needs to bear this in mind, especially again regarding parking as the number of cars using the property under those circumstances could be more again when existing parking on the road is maxed out and driver and pedestrian safety is at risk.

4. Application for change of use of the associated land from agricultural to domestic has been ongoing on and off since 2002 and on all occasions been refused, including more than once on appeal by the Planning Inspectorate, most recently in November 2010. The land should have been returned to agricultural land. It never has been, in contravention of the conditions. As it is right now, it's a maintained tree-lined track, not agricultural land!

5. The 'associated land' is not an integral part of the Tree Tops site. The Conversation Officer, in her response to the application, describes the proposed parking spaces to be located at the 'access into the site' and 'access to the dwelling falls just outside of the CA', however this track is not permitted access to the site. The 'track' should not be there at all following previous appeals and conditions that have persistently been lied about, ignored and contravened. The track should have been restored to its previous state as agricultural land after the previous appeal was dismissed. This never happened and it continues to be used as if it were within domestic curtilage as can be seen from photos and, not surprisingly, leads officials even, to assume it is 'access into the site'! The public footpath in Forge Hill is the only permitted access to the site. Even if permission for these parking spaces were granted they would not be within the curtilage of Tree Tops, creating future issues were the property to be sold with it's single garage space. The proposal is not an enduring solution as far I can tell unless there is evidence the land in question is within the curtilage of Tree Tops which, as far as previous applications and appeals are concerned and the description of this one, referencing 'associated land', it is not. Given that the most recent appeal was dismissed on the grounds that the property did not need additional parking, I can see how this latest application, having determined a case for parking in July's withdrawn application, is designed to reopen that bigger question. The applicant knew when they purchased the original much smaller property that access was via the footpath and the property had one parking space. The applicant knew that there were insufficient parking spaces for the proposed development when they applied in July. The grounds for permission to be granted, in that instances, is potentially the provision of additional parking. The reason given by the Planning Inspectorate for not granting permission for the track to be changed from agricultural to residential in 2010 was that Treetops did not need additional parking. Via this planning application, grounds have been created for the reopening of a case dismissed in 2010. If even a small part of the land is granted for change of use, there is precedence for the rest to be.

6. Permitted change of use in this application sets a precedence and wheels in motion for remainder of the track/land and any other land on the edge of the village curtilage to be considered for development.

7. Parking as proposed is very remote from the property. I believe that residents of the property are still more likely to park on the road than these spaces, which are twice as far from the property as where they currently park an additional 2-3 vehicles. They are also potentially safer and more secure on the road than away from the residential road of the village. There have been numerous break-ins at the farm just beyond the gate and two parked cars, away from houses, will be likely targets for similar crime. How exactly the applicant proposes to make the parking spaces 'adequate [..] to reduce likelihood of roadside parking', in accordance with the conditions, isn't clear in the application. It isn't clear how the applicant could possibly meet the conditions of HIGH12 reference surfacing and marking out in what is basically some raised ground on the edge of the village, and not impact the AONB.

8. Proposed parking with conditional charging point will change dramatically what is a beautiful edge to the village - see attached photos. As no further design statement is included for the parking spaces, I assume they mean to park on the land as is, though that is unclear and it is quite steep, where they're proposing from the revised Block Plan. It will undoubtedly cause erosion to the land in this area, as you can see the continued use of the non-permitted track has done. This will create further detrimental visual impact on the rural character and special landscape qualities of this area of land which is a relatively undisturbed part of the AONB, and would be even less disturbed if the applicant had properly restored it and left it be as per the previous conditions.

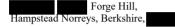
9. Personal reasons such as health should not be part of an enduring application for development.

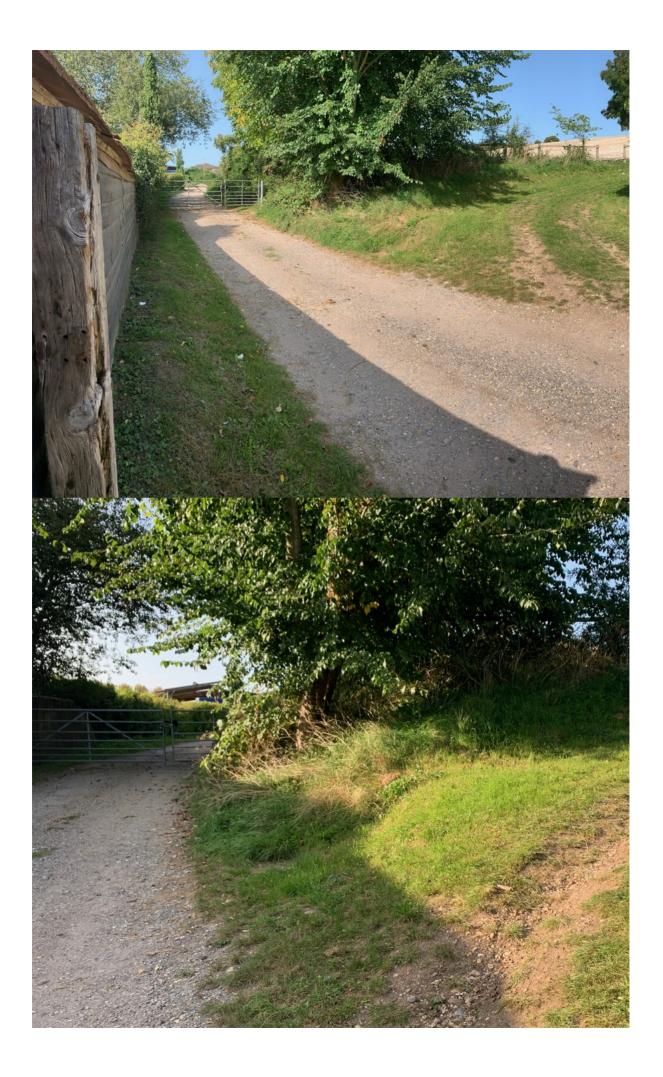
10. Given that there is no permitted access to the property other than the public footpath, there is no access for the building works or for any associated parking of contractors or delivering building materials. A public footpath is not designed or permitted for this purpose. It would also be very hazardous and disruptive to neighbouring residents. The previous temporary access granted for this purpose, when the current dwelling was built, was never returned to its previous state and I have no reason to believe the applicant would do this on another occasion either.

11. The applicant is not to be trusted. Based on previous history of this site and previous planning applications by this applicant, I don't trust them to comply with permissions or conditions. They have shown no regard or respect for the planning regulations, policies, process, the Conservation Area or AONB that they moved to. They didn't build the house they had permission to build so how could we possibly know if they'll build what they say this time? The existing house was built in contravention of the permission granted and only retrospectively granted on appeal, with modifications. The applicant has failed to comply with conditions from the Planning Inspectorate to return land adjoining the site back to agricultural use. They submit applications and then do what they want. Conservation Officers objected to this property in the AONB from the beginning and whilst there is now permission for it's existence and precedence for its design, it shouldn't automatically mean that further development of the property is right for the setting or the AONB. You earn the right to build and develop. Others have to comply with the planning application process, policies, guidelines and then any specific conditions with permitted development. The applicant does not respect or comply with the system that others are expected to. I appreciate you may have to decide each application on its merits. However, someone's reputation and past record surely has bearing on significant proposals and sites such as this.

For these reasons, it is my opinion that the application should not be permitted.

Natalie Roberts





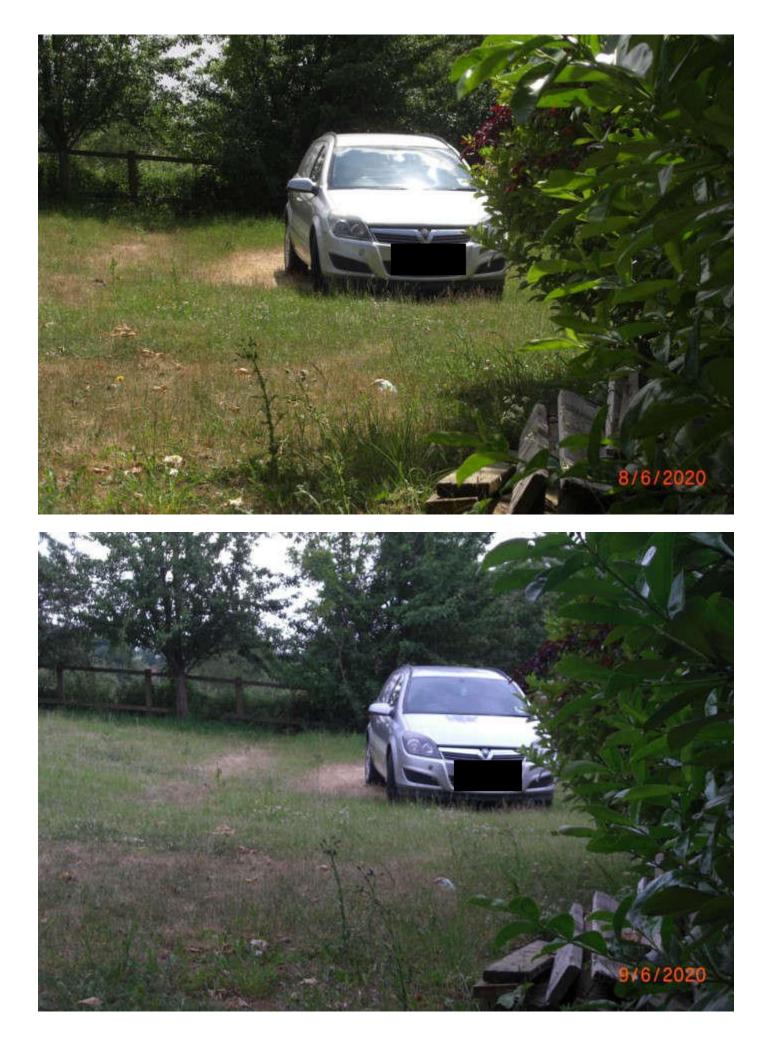
Zoe Powell

From:	George Greenham
Sent:	26 June 2020 20:25
To:	Planapps
Subject:	<v9_smartsaved></v9_smartsaved> Planning Application Ref: 20/01209/HOUSE
Categories:	SmartSaved

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Dear Sir/Madam

Planning Application Ref: 20/01209/HOUSE

I object to this application being granted a building permit.

The following are the reasons for my objection:

- a) The applicant claims that the proposed application is for a two storey front and side extension over basement, yet the plans submitted don't show a basement. If one does exist, the plans don't show how it will be affected by the extension.
- b) I believe that the dwelling as it now stands only has provision for only have one off-road parking space in a garage, with access only, over someone else's land, even though when its retrospective planning permit was granted, following a lengthy appeal process, this was set as requiring two. As a result they have to park their vehicle(s) on Forge Hill road.
- c) Adding two more bedrooms would require them to provide two more off-road car parking spaces. As the applicant does not seem able to provide those additional spaces, the additional vehicles will have to be parked on Forge Hill road, the B4009. As it is the road (B4009) at this point is already overcrowded with parked vehicles and cause a great deal of issues as it is regularly used by HGV traffic. Whilst I fully appreciate that people currently living in houses without any parking space have little alternative but to park on the road, given WBC's own "Residential Parking for New Development" requirement it would be totally irresponsible to knowingly add to the current parking problem on Forge Hill (B4009).

d) The applicant has, over the years, deliberately ignored the order placed on him to restore to its previous agricultural state the "temporary access track to the house following the hedge line of the existing field boundary" that was given to him to allow the building to take place; The applicant had, on numerous occasions sought to get permission to convert the "Temporary" access to a permanent driveway to the house. On every occasion West Berks Council rejected the application. These rejections were upheld when the applicant appealed to the Secretary of State. See Reference 10/00041/WR.

Please see the attached pictures which show that the "**Temporary**" track has not been returned to its original agricultural state and is still very much in use, that cars are being parked by the house at the top of the said "Temporary" track and a picture of the B4009 with cars parked on it.

e) There is lack of clarity as to the effect that the proposed extension will have on the "Public Right of Way".

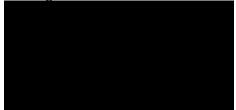
It is for these reasons that I ask West Berkshire Council to reject this application.

As an aside, when researching the history of the original planning application I have noticed that West Berkshire Council records (as accessible on its website) seems to be deficient in the following respects:-

- The ruling that was put in place, following the Secretary of State's upholding West Berkshire Council rejection for the "Temporary" access to the building site to be made a permanent driveway to the house does not feature anywhere that I could find. As I was involved in the case at the time I recall that the ruling was to have the "Temporary" track returned to its original agricultural state and for it to stop being used as a drive and that parking vehicles near the house should cease; clearly this ruling has been totally ignored !
- 2. The West Berkshire Website also does not show the fact that the "Retrospective" Planning Application for the "New Build" that was erected around 2007/8, whist rejected by WBC, had subsequently gone to appeal and was assessed by an "Independent" adjudicator/assessor who approved the plan with minor changes to the size of the terrace.

Yours faithfully

George Greenham



Zoe Powell

From:	Colin Layton
Sent:	01 July 2020 20:07
To:	Planapps
Subject:	<v9_smartsaved></v9_smartsaved> Re: Planning Application 20/01209/HOUSE
Categories:	SmartSaved

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Sirs

I write to express my strong objection to this application on the following grounds:

- 1. The application is misleading in that it describes a two-storey building above a basement. To my knowledge, there is no basement in front of the existing house the proposal is for a new, 3-storey extension.
- 2. The existing property has only one off-road parking space additional vehicles are parked along Forge Hill together with other residents' vehicles leaving only half of the carriageway for passing traffic. This frequently includes very large articulated grain lorries going to and from the Copas business at Curridge and a significant number of tractors, trailers and other agricultural machinery. As a consequence, Forge Hill becomes a single carriageway for much of its length from the very sharp bend at the White Hart to its junction with Yattendon Road.
- 3. In addition, vehicles regularly use the agricultural land to the north of the site for access and parking behind the existing property in total contradiction to an edict from the Secretary of State. Temporary use of this land was granted for the construction of the original development on the condition that it ceased on completion of the work and that an ancient hedge was restored. This latter is still outstanding many years later.
- 4. The delivery of equipment and materials for proposed development can only be made via the very narrow and steep footpath from Forge Hill to the site which is very likely to cause aggravation for other residents who use it and further impede traffic on Forge Hill.
- 5. The existing building is already comparatively large and sits in a dominant position that makes it stand out from the other side of the village some distance away. The proposed extension will add to this rather than blending in with the rural community of which it is part.

Accordingly, I I urge that the Council rejects this application.

Colin Layton



Ref. Planning Application No. 20/01209/House

Dear Sir/Madam

With reference to the above Planning application, whose notice was first displayed on June 19th, I would like to object to permission being granted for the following reasons:

The proposed extension appears to be a 3-story construction from ground level. The application seems to suggest an additional 2 stories over an existing basement construction.

As there is no initial access for building work from the rear of the property, access work will need to be conducted via the narrow public footpath that accesses Tree Tops, The Gables, and Folly Hill Cottage. This will mean materials, building equipment, and machinery being transported over the footpath. The disruption caused by this will be unacceptable over a Public Right of Way, together with the problems associated with parking on the dangerous bend where Church Street meets Forge Hill.

As the new application would result in the property becoming at least a 4bedroomed house, there is no provision for car parking as set out by the Highways Residential Parking Policy, which would require 3 driveway parking spaces. At present, the applicant has a single off-road parking space in a garage accessed over land owned by The Gables. The applicant parks 2 additional cars on the already overcrowded and busy B4009 Forge Hill where those residents have to park that have no parking spaces on their property.

At present the applicant has continued to park vehicles on agricultural land to the rear of the property despite an order placed on him to return the temporary access granted for building work back to its original agricultural state. Previous applications that have been made to convert this land into a permanent driveway have been refused, and these rejections finally upheld by The Secretary of State.

Yours sincerely

Kevin Scully

Zoe Powell

From:	Peter Roberts
Sent:	14 July 2020 21:19
То:	Planapps
Subject:	<v9_smartsaved></v9_smartsaved> Planning application 20/01209/House
Attachments:	Forge Hill parking.jpeg
Categories:	SmartSaved

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Planning application 20/01209/House

I object to this planning application on the following grounds:

- Insufficient parking for the current and proposed house size (the house could become at least a five bedroom house)
- Misleading planning application which constitutes a three storey extension: basement and two floors above
- The property is in a very visible location and would dominate the AONB

The addition of the extension would add further to the parking problems along the associated part of Forge Hill, which often has no free parking spaces (see attached photo). I am concerned that granting of this planning application would act as leverage to reopen the planning application for use of the track between 'Hillside' and 'Manor Farm', for additional parking. Vehicular access to the rear of Tree Tops via this track has continued despite planning refusal by the Secretary of State.

In the past, planning applications for Tree Tops have been salami-sliced and have not represented an accurate account of the overall intent. Furthermore, the construction of the property following planning permission has been wildly inconsistent with the approved design and has required retrospective planning application and modification.

PT Roberts



