

From: Stephen Mair < >
Sent: 19 May 2021 12:32
To: Johnstone Matthew < >
Subject: RE: Matthew Johnstone (Ref: E/21/0048) - Brand Hill House, Brand Hill, Woodhouse Eaves

Hi Matthew

Following our telephone conversation of today, Wednesday 19 May, I write in response to the points raised in your below email of Thursday 6 May. You will be aware that my colleague, Adam Murray, has now left the company so I would be grateful if all/any future correspondence on this matter could be sent for my attention.

My client confirms that the track is used solely for the purpose of accessing the paddock and woods, and is not used to access the residential property (Brand Hill House). The gates and intercom were installed to provide ease of access and for the purposes of ensuring the paddock and woods are secure and to remove unwarranted trespassing across the property. This is of paramount importance to the landowners and most likely of importance to the village and Parish Council in protecting the surrounding area i.e. ensuring that the paddock is secure and not accessible to unwanted visitors.

Furthermore, the property owner has a xxx at home. The intercom allows those inside the main house to open the gates to the paddock and woods without having to leave the property, which would not be ideal with young children. Access to the paddock and woods is on an open and flexible basis, occurring two to three times a week during the summer and at least once a week during the winter. In addition, there is a separate intercom at the access to Brand Hill House.

The signage ensures that people know the paddock and woods belong to Brand Hill House and that the areas are privately owned, not publicly accessible areas. The owners have delivery drivers and visitors to Brand Hill House and they use the main access as means of visiting the residential property and have confirmed that no one visits Brand Hill House via the agricultural access.

The lights were installed, again for security, but also for the purposes of accessing the paddock and woods during the winter months. They are on a timer setting and assist the maintenance team to access the property safely, especially when access is required with larger vehicles.

We believe there is a clear delineation between the residential and agricultural areas. The clients are keen to avoid root damage to the protected lime trees, which sit between the two aspects of the property.

To confirm, the access in question is solely used for the purpose of accessing the paddock (circa 5 acres) and woods (circa 16 acres) by a maintenance team and woodsmen and the addition of the intercom, lighting and signage is for security and ease of access. Please see attached correspondence from Mervyn Greenhalgh who is part of the team who visits the property on a regular basis for the purposes of management and maintenance.

Kind regards

Stephen

Stephen Mair BSc (Hons) MSc MRTPI
Director, Planning & Development
for Andrew Granger & Co. Ltd.

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Tel: 01858 439090

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Phoenix House, 52 High Street, Market Harborough, LE16 7AF

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From: Johnstone Matthew <Matthew.Johnstone@charnwood.gov.uk>
Sent: 06 May 2021 15:55
To: Adam Murray <adam.murray@andrewgranger.co.uk>
Subject: FAO: Matthew Johnstone (Ref: E/21/0048) - Brand Hill House, Brand Hill, Woodhouse Eaves

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Dear Mr Murray,

Apologies for the delay in response.

Thank you for your response in regard to the PCN sent to the owner of Brand Hill House.

I believe there are still some issues that remain unanswered and of concern in regard to this matter and I hope you can assist further.

The Council's main concerns were that the track in the agricultural field was being used for residential purposes. It has been alleged the access into the field is being used on a regular basis to access the property. The domestic appearance of the gates, the sign on the gate saying Brand Hill House and the intercom system adds to the level of evidence suggesting the track is being used in association with the domestic property. Can you please ask your client to confirm that the track is not and has never been used for access to the residential property, rather only to allow access between the two parcels of land for the maintenance of both of the properties.

In order to move on from the matter and once the Council is satisfied with the response received I must request the owners cooperation in resolving some issues. On my site visit to the property I noticed lights have been installed in the agricultural field alongside the track creating the appearance of a domestic driveway, I must request that the lights are removed as they are considered to lead to a domestication of the agricultural field by their appearance. There is no requirement or justification for lighting within an

agricultural field and planning permission would be required for their installation and retention.

I must also request the owners cooperation to remove the intercom and sign for the house from the gate and if it is required they should have it installed on the residential entrance to the property. The siting of the intercom on the gates and the name plates again leads to the conclusion the gates are in use as an access to the residential property and will encourage visitors to use the access when leaving the highway creating a hazard on the road.

Thirdly I would request the owners install a gate between the residential areas of the land and the agricultural land in order to delineate the difference between the two and to prevent regular use of the track as a driveway in the future.

If your client wishes to apply for planning permission for the use of the track as access into the residential property then a planning application should be submitted. You will of course be aware of the policies and restrictions in terms of the limits to development within the village and of the likelihood of success of any application that is submitted. I also note the previous application a few years ago where planning permission was refused because of the concerns regarding harm to the protected trees on the land.

I look forward to your clients response in regard to these matters and his cooperation in resolving the Council's concerns voluntarily.

Kind regards,

Matthew Johnstone, Planning Enforcement Officer
Planning and Regeneration, Charnwood Borough Council
Mobile: 07834335381
E-mail: matthew.johnstone@charnwood.gov.uk

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From: Adam Murray <adam.murray@andrewgranger.co.uk>

Sent: 25 March 2021 11:30

To: development.control@charnwood.gov.uk

Subject: FAO: Matthew Johnstone (Ref: E/21/0048) - Brand Hill House, Brand Hill, Woodhouse Eaves

Dear Mr Johnstone,

I am writing to you on behalf of our Client, Mr G Mattu, in response to the Planning Contravention Notice served by Charnwood Borough Council on 10th March in relation to an alleged change of use of land to residential including the construction of a residential driveway to access the dwelling at Brand Hill House, Brand Hill, Woodhouse Eaves.

Please find enclosed a letter providing our rebuttal to the allegations, including the requested further information.

I trust that the information enclosed is sufficient to satisfy any concerns of an alleged breach. However, should you have any questions or wish to discuss further, please do not hesitate to contact me.

Yours Sincerely,

Adam Murray BSc (Hons) MSc MRTPI
Planner
for Andrew Granger & Co. Ltd.

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