

Magnolia Cottage, 7 William Allen Lane, Haywards Heath RH16 2SA

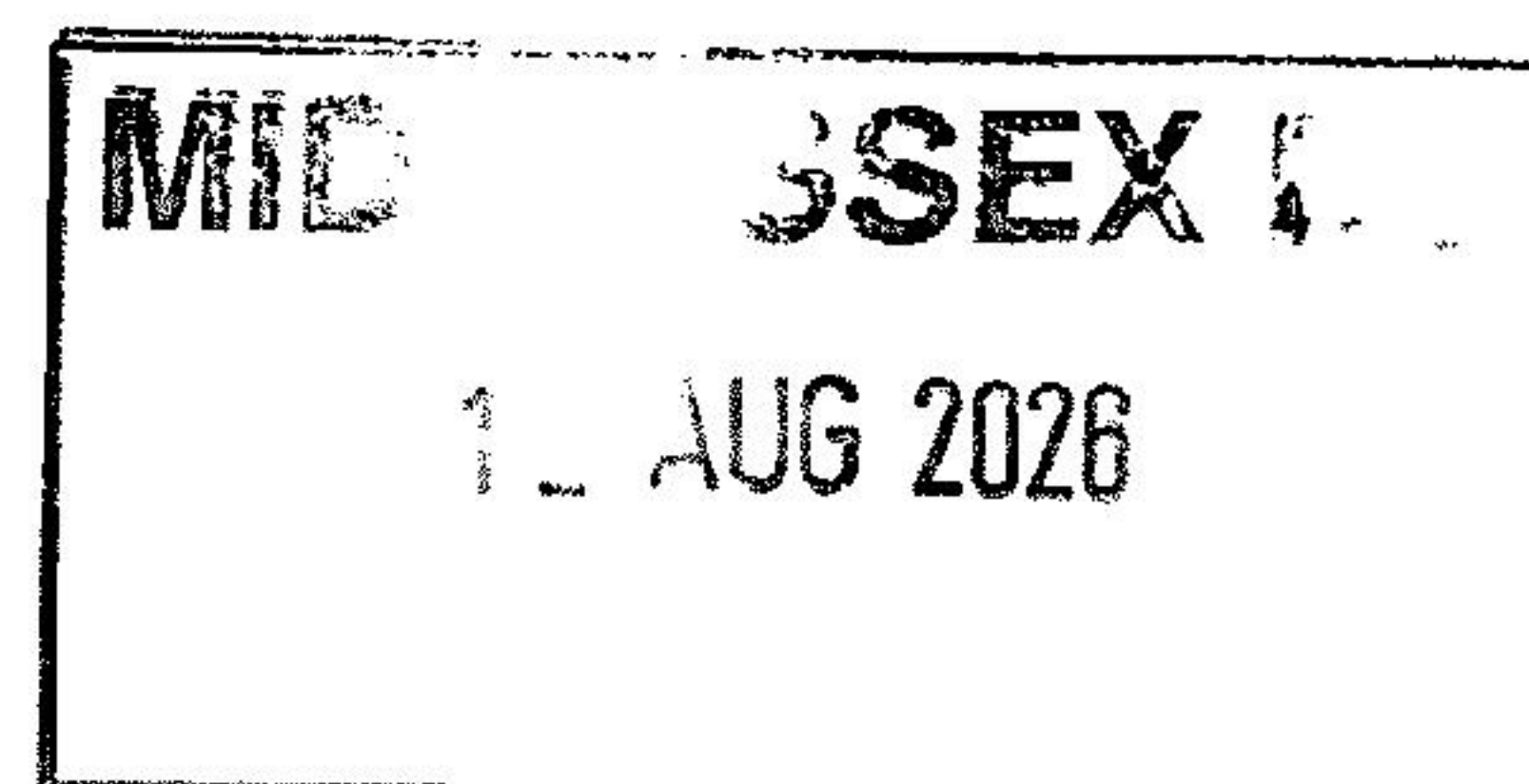


Mid Sussex District Council

Planning Department

Oaklands, Oaklands Road

Haywards Heath RH16 1SS



Dear Sir/Madam

Ref: Application No: DM/26/1597

Retrospective application to level rear garden and install patio area

5 William Allen Lane, Haywards Heath

Thank you for sending me the above document. I brought this situation to the Council's attention and have subsequently received an email from your Enforcement Officer advising me that the works carried out by my neighbours contravene planning laws.

When my neighbours [REDACTED] began the construction work on their extension, I was somewhat surprised to see they also commenced work on clearing the garden and began the landscaping works at the same time? These works commenced during the winter months, following receipt of their planning consent. It is fair to say I did not pay too much attention to what they were doing. [REDACTED]

[REDACTED] did share with them my house plans for the extension and gave them a copy of the boundary survey I had carried out when I first moved here.

I have extensively modernised and extended my home and completely landscaped the garden front and rear. I do have my landscaping plans and in this connection; we took soil away to create a lower level garden, although it dips considerably at the bottom and to the lefthand side of the

garden. In order to shore up the adjoining garden (No 5) we installed sleeper beds. Our adjoining gardens were therefore at the same level under the fence line, all the way down the boundary line. Their garden was on two levels, this is shown in their photograph (2 of 18) there is a retaining wall and a fish pond, along with an apple tree, also on this level is a summer house. I could not see any part of the summer house from any point in my garden. From this same photograph you can also see the two adjoining beds with the fence running down the middle (my builders installed the fence).

The amount of soil required to fully level their garden off is substantial, it would appear they have used the spoil from their footings and trenches. The trenches were dug in the winter months and kept collapsing, which meant they had to keep digging them out, according to limited conversations with the neighbours. The volume of the raised area is considerable, also taking into account the garden stepped down and is now completely level. The infill material could not be compost, in my opinion, as used in their newly created beds, as this would sink and not be a suitable foundation for the work to lay their large new terrace, greenhouse and shed, it would sink!

In Spring, they had a new lawn laid, again quite a surprise considering they had a large extension under construction, at the rear and workmen are not known to be respectful of gardens. During this time, I was cutting the lawn for the first time, when suddenly two heads appeared above the fence at the bottom of the garden. In truth I tried to ignore them as I was so shocked to see them and did not want to engage in conversation in the privacy of my garden when I was cutting the lawn. The following week [REDACTED] (my neighbour) said to me that we could not see each other in our respective gardens and not make eye contact and speak, it would be awkward. I was quite traumatised by the realisation that they could just stick their heads over the fence, I felt completely vulnerable as they could see my whole garden and into the rear of my home, my privacy has been completely stripped away. More recently, I had to take out a night scented jasmine, as it had died, it was standing in water, where a pooling had occurred and wild life started to visit to bathe and drink. Unbeknown to me they had installed

an irrigation system, whereas previously it would have naturally drained away down the footpath at the rear, as our gardens were level at all points, the new levels meant it drained and pooled down into my garden.

I met with [REDACTED] to say that I was really upset by their new terrace and the height of it, along with the greenhouse, as when they are inside the greenhouse, again it is so high up, they can see into the garden and I can see them in the greenhouse. They asked what I would like to do to resolve it, I suggested blocking in the trellis fencing I had put up? This didn't work as their heads were still above the fence. I further suggested a shed, this didn't work either as when they went into the shed I could see them? I could not put a fence my side as with the gravel board 6", the fence 6' and the trellis at 2' the total height is 8'6". At the height of 8'6" they are still standing on their side with their heads over the top of the fence. I cannot plant conifers and in truth do not want to. There was no privacy solution for me and my privacy is completely comprised, along with a drainage issue now that land levels have changed considerably. They appeared to believe that it was up to me to find a suitable solution to the privacy problem, unable to do so I felt that I had no option but to contact your planning department.

I can also prove that the application and drawings are not correct and misleading. As mentioned above, the total of the gravel board, fence and trellis is 8'6" if as claimed they had only raised the ground by 22" (550) (1'10"), they would at best only be able to peer through the trellis, their heads would not be above the trellis. (The measurement 8'6" less 1'10" is 6'6") We have measured the distance from the floor (bottom of my gravel board) to the top of their new patio from our side, this measures 44" (3'8"), to the top of the solid six foot fence is 6'6", therefore if I took the 2' trellis away, it would leave them standing over a fence which measures 2'10" on their newly formed terrace. I could remove the trellis, but I consider it would be a serious health and safety issue for them and their many grandchildren who visit as they would simply topple over the fence! All of the levels in their application are undermeasured and understated. I would politely ask that the Planning Officer visit my property and see the extent of

the mis-representation. All the way along their newly raised beds they can be seen head and shoulders above the garden fence.

Their greenhouse has also been built at this new level, although it would appear to have a base on top of the new level leaving it standing proud, their plans are a complete misrepresentation of the true extent of the works carried out.

We would therefore ask that this application is refused and our privacy restored.

With kind regards

