

Comments re Planning Application 2020/91092 re land adj to 81 Common End Lane

1. We question the legitimacy of the Geographical Report as it is not specifically procured for this application at 81 Common End Lane and appears to be employed only for the property and former planning application number 2019/90144, therefore we understand that it should not and cannot be used for this application.

1.1. In spite of this invalid desktop report - its conclusion states any exploration and underpinning of the mining works - were these explorations and also remedies actually carried out?

1.2. The report indicates a severe/moderate risk of instability - potentially putting our property at risk, both in terms of our property and drainage pipework to the underground septic tank.

1.3. With 30m deep bore hole investigations and also likely resultant tunnel concreting, we believe that these will impact upon our land and home and particularly the disruption is likely to be a contravention of the Party Wall Act because to date we have not received any notification under the Party Wall Act.

Additionally we note that the Coal and Brine Report provided for the Application 2019/90144 shows a disused mineshaft adjacent to Jumble Wood. We would request that this be considered in any exploration report.

2. There appears to be little or no dimensions to the plans (other than a site area of 1500sqm) so it is difficult or impossible for us to assess almost anything.

2.1. Please request many additional dimensions to be added to all plans; sections; elevations and perspectives so we can accurately assess the impact upon our home?

2.2. Surely without these necessary dimensions judgements may well be inaccurate and impact severely for the planners' ability to assess the application.

2.3. Our rights of view will be seriously impacted but without dimensions we cannot ascertain this - please provide more dimensions?

2.4. Based on the existing type of local development and in keeping with the local landscape character - and based on like for like

property comparisons within the drawings - there appears there could be a serious overdevelopment.

2.5. We would request site wide sections and also 3D perspectives showing the relationship to our home and land as well as all surrounding properties, highlighting particularly the main reception room and bedrooms relationship to our reception rooms and bedrooms?

2.6. It is crucial for the application to provide a site section to provide proof the minimum view to view distances both on the horizontal (21m) and incline (24m) and also the view to side distances too?

2.7. The proposals house location and ridge height will impact severely upon the beautiful view we have enjoyed of Castle Hill from our patio area:-

2.7.1. Castle Hill is a Listed Monument and is significant to its entire local environment and also has national relevance.

2.7.2. Historic Environment - Policy DLP 36

2.7.3. National Planning Policy Framework (paragraph 185)
- "any plan should set out a positive strategy for conservation and enjoyment of the historic environment including Heritage Assets" and we believe this includes Castle Hill and views of Castle Hill - Please respond?

2.7.4. National Planning Policy Framework (paragraph 189)
- In our opinion we agree with and vehemently uphold the benefit our property enjoys of the views of Castle Hill (a Listed Monument) as the 'selling point of our home (when we bought it)' is these fantastic views which will be completely destroyed if this application is allowed to be approved in its current state (see Figures 03; 04 and 05 in which we have tried to illustrate, however crudely, the potential loss of Castle Hill's view) - the view we currently enjoy will effectively be completely obscured by this development, and stolen away from us and our enjoyment. This is grossly unfair. The sole reason we purchased this home was because of these wonderful views of arguably the best example of a Listed Monument in the whole of Yorkshire. We assert our right to maintain such well established views - Please respond?

2.7.5. Also see and comment upon the photographic evidence in Figures 03; 04 and 05?

3. We also consider that there may be an issue with our right to light, which may be seriously affected with the proposed development. We request that a 'Sun-Study' be undertaken to supplement the application to prove/ disprove our concern that a reduction of light would result to both our property and rear garden to allow us to continue to enjoy privacy and direct sunlight throughout the year?
4. We suggest the development would put further pressure on existing access to and from the public highway – Common End Lane.
 - 4.1. We note that although a previous application 2019/90144 required a widening of the existing private driveway entrance onto common end lane (See Figures 01 and 02, also Paragraph 7 of the Decision Notice), this has to date not taken place as per those plans and, impacting on the ability of wagons/cement mixers etc. to enter the drive and causing unnecessary damage to our property during this development, ie damage to front wall and tree has occurred on more than 1 occasion. We understand that the development 2019/90144 is almost complete and the new owners are preparing to take residence so we believe this widening should have occurred already - "prior to occupation". Please respond?
 - 4.2. Therefore, as a result of item above and the apparent lack of planning compliance - we trust that the current application 2020/91092 should receive the same planning conditions at the beginning of any development relative to the entrance widening, particularly as this would once more increase local vehicle traffic by several more vehicles.
5. We also notice there appears to be no Design and Access Statement submitted as part of this application and in particular regard to this "Historic Setting" of a nationally significant "Heritage Asset" and it's impact upon the local properties and Castle Hill views. Please respond?
6. We believe there are bats habituating the local trees and we are concerned for their well-being. Please respond?
7. We further notice and bring your attention to several significant trees that surely warrant protection as part of the setting of Jumble Wood? Please respond?

8. Other observations:

- 8.1. We are concerned about the steepness of the site notably because it could increase the amount of excavation required. This may require the movement of substrater which could indirectly affect our property/established trees and neighbouring woodland.
- 8.2. It could affect the underground watercourse in the locality.
- 8.3. It could further require the reinforcement of any detailed Mining investigations (see point 1 above).
- 8.4. The construction of a building may create tremors within our property as experienced by us in the development of the property in Application 2019/90144. This Application 2020/91092 is closer to our property and could potentially create substantial problems.
- 8.5. It may add to any Party Wall agreement.

We request your reply to all of the points above as soon as possible and in time to enable us to consider your responses and also enable a period of time for us to further reply before the deadline of 4th June 2020.

Needless to say we oppose this application on several fronts and for valid reasons and look forward to your reply and in particular the clients responses to our many items above.

Kind regards,