

Sent: Monday, August 7, 2023 2:04 AM

Subject: Re: 164 Weston Park (Ref: HGY/2023/0870) - 6th submission

Mr Coffie

1/ Thank you for the revised plan dated 20th July 2023. I have studied this over the weekend and am compelled to object to this latest plan also,

2/ I return again to the previous planning application for 164 Weston Park (Ref: HGY/2014/3485). The decision notice in that case prohibited the use of the ground floor extension roof as a roof terrace. That should have been the end of any consideration of the ground floor extension roof being used for any purpose other than maintenance. Whatever the intention, this revised plan would enable much of the roof space to be used to stand and sit on. The Juliet balcony is the only way to prevent people gathering on the roof and this would be removed under the new plan.

3/ This revised plan still retains the essential elements of a roof terrace. Unlike the original plan, the whole of the Juliet balcony would be removed, rather than just enough of it to allow access to the stairway. The area outside the double doors could act as a balcony and would have room for chairs or stools. Although the whole roof space cannot be accessed, the full width of the roof space can be. There is enough room for people to stand and lean on any part of the railings and there is nothing to stop them remaining there for as long as they like. There is enough room for chairs or stools to be placed by the railings on a nice day.

4/ The plan also contains a planter and a trellis fence, rather than an ordinary fence. These are features associated with patios and roof terraces. What is the point of these additions, which make the roof space more attractive and which will have to be maintained by someone, if the roof is to be used purely for access to the garden? Panoramic views will be available over our garden from the flat roof, the stairway and the platform at the top of the stairway. I enclose a further copy of the photograph taken from the bottom of our garden, which illustrates this.

5/ An indoor gathering would inevitably spill out onto the roof space on a nice day and there is enough space for it to do so. None of the attendees would stop to check whether there is a decision notice on the Council's website prohibiting this.

6/ The applicants cannot police what goes on on the roof or stairway or how long people spend on them. I do not want to be told that, if the residents of the flat or their guests use the ground floor extension roof as a

roof terrace, then I can complain and ask for enforcement action. How long does someone have to loiter on the roof space before it can be said that this constitutes use of the roof space as a roof terrace? How long a conversation can two people have while leaning over the railings? Where is the line to be drawn? The decision notice in the earlier case should prevent any backsliding or discussion over the extent to which the ground floor extension roof can be used. If the earlier decision notice is to be respected, the roof cannot be used at all. This development would inevitably lead to disputes between ourselves and our neighbours in the future.

7/ The trellis fence might block views into our rear bedroom. However, as I stated in paragraphs 3 and 4 of my email dated 20th July 2023, due to the increasing number of violent storms due to climate change, the trellis fence may not be a permanent structure in any event.

8/ We have thought of one alternative solution. As I understand it, the alleyway between 166 and 168 Weston Park is owned by the applicants or is held by them on a long term lease, I believe that the alleyway was bought or is leased from the Council. The residents of the flat at 164 could access their own separate garden via the alleyway. There is already a door leading from the alleyway into the garden of 166. A fenced off pathway could lead from the existing door or a new door along the alleyway wall down to their own separate garden. This would avoid any need for a staircase and is the only solution we can think of which would protect the privacy of both 166 and ourselves.

9/ As I have stated a number of times, the only solution involving a staircase which will not harm our privacy is for the stairway to be on the far side of the ground floor extension between 164 and 166. In my email dated 20th July 2023 I set out this proposal in detail and asked if there was any possible explanation for the applicants' resistance to this proposal other than that it would affect their own privacy. I would still like an answer to this question.

10/ A stairway to the garden will inevitably infringe on the privacy of either the occupants of 162 or 166 Weston Park. It cannot be acceptable or in accordance with Council policy that the loss of privacy is borne by ourselves in 162 rather than by those who want the staircase. I remain at a loss to know why the the Council has not insisted that in any revised plan the stairway be located between the applicants' two properties (164 and 166), as I suggested in my earlier comments. If the Council were to rule that the loss of privacy should be suffered by us rather than the applicants, it would not give the impression that the Council was discharging its' duty impartially.

I look forward to your response.

Regards

Francis Fleming

