

From: planningcomments@highpeak.gov.uk
To: [Planning Comments \(HPBC\)](#)
Subject: Comment Received from Public Access
Date: 06 March 2023 14:33:10

Application Reference No. : HPK/2023/0035 Site Address: Land Opposite 5 Haywards Close Glossop
Derbyshire Comments by: David Smith

From:

Kelwick House
North Road
Glossop
Glossop

SK13 7AX

Phone:

Email:

Submission: Objection

Comments: Dear James,

Ref HPK/2023/0035

Dear James Stanard,

Ref HPK/2023/0035

Land Opposite 5 Haywards Close Glossop Derbyshire

We wish to make you aware of a number of strong objections that we have with regard to the proposed development of an additional property on open space to the side of 5 Ha

wards loseGlossop, application number referenced above. As an immediate neighbour to the site of the proposed development, we are of the view that the proposed development will have a serious impact on our standard of living. Our specific objections are as follows:

1: This development would severely impact my right to privacy 3.4 Loss of privacy and overlooking. I have noted the developer has not addressed any issues with overlooking to my property and the property at 100 Brindle House.

Loss of privacy and overlooking District Wide Local Plan, Policy 6.8: New developments will be expected to (ii) provide a high standard of layout and design that ensures adequate privacy for the occupants of the building and of adjacent residential properties. The proposed site of development is at such an angle that the primary amenity area of our garden, a raised terrace with seating, would be severely overlooked from the top rooms of the new development, resulting in a serious invasion of our privacy. We believe that the proposed development is a direct contravention of Policy 6.8 of the District Wide Local Plan. The design of the proposed development does not afford adequate privacy for the occupants of the building or of adjacent residential properties, particularly with regard to their right to the quiet enjoyment of garden amenities. We would urge you to consider the responsibilities of the council under the Human Rights Act in particular Protocol 1, Article 1 which states that a person has the right to peaceful enjoyment of all their possessions which includes the home and other land. We believe that the proposed development would have a dominating impact on us and our right to the quiet enjoyment of our property. Article 8 of the Human Rights Act states that a person has the substantive right to respect for their private and family life. How to object to a planning application Ruth Allen March 2010 | © 26 In the case of Britton vs SOS the courts reappraised the purpose of the law and concluded that the protection of the countryside falls within the interests of Article 8. Private and family life therefore encompasses not only the home but also the surroundings.

2: Human Rights Act, in particular Protocol 1, Article 1.

This states that a person has the right to peaceful enjoyment of all their possessions, which includes the home and other land. Additionally, Article 8 of the Human Rights Act states that a person has the substantive right to respect for their private and family life. In the case of Britton vs SOS the courts reappraised the purpose of the law and concluded that the protection of the countryside falls within the interests of Article 8. Private and family life therefore encompasses not only the home but also the surroundings.

3: The proposed development is on land higher than mine, and the close proximity combined with the height may mean that it would substantially overshadow my property.

4: The plan doesn't correctly show all of the trees on the boundary. There are a significance number of trees within the site so it might be useful for the developer to submit an arboricultural survey with their application. Kelwich House is not currently overlooked.

5: I have a culvert in my Garden which services properties along Haywards Close. Adding another property to this system will likely cause flooding to my garden.

Thanks for taking my point into consideration.

Do you really need to print out this Email? Be green - keep it on the screen.

This email is intended for the addressee(s) only and may contain sensitive, privileged or confidential information that could be protectively marked. If you are not the addressee please do not use the information in any way. If you have received this email in error please notify the sender immediately and delete it from your system. Thank you.

The Council may be required to disclose this email or any responses to it under the Freedom of Information Act 2000. The way in which we handle personal information is set out in our privacy notice and is available at <https://www.highpeak.gov.uk/YourData>
