

High Peak Borough Council

Consultation on planning applications HPK/2023/0510 and 0511

Thank you for the opportunity to comment on these applications. I would like to raise several objections to both these planning applications.

Background

This background provides important information that demonstrates the future use of the proposed build.

For the last few years the applicant has held many party events in a large marquee (approx 8m x 4 m in size) at the side of the land, away from our boundary.

After I had helped the applicant over several hours in September 2022 remove trees and bushes in his garden, the applicant showed me and my wife around the marquee. The marquee had seating for approximately 25 people and had a large television at one end. There were several drink dispensers at one end of the marquee too.

He told me these parties included events such as the live screening of football, rugby, and tennis matches and he also ran wedding receptions in the marquee as his wife was a registrar of marriages for Derbyshire. He told me the very first wedding he ran paid entirely for the marquee which he said had cost £1000 and was a heavy duty marquee.

Later on, in speaking to a person I assumed to be his wife (Josie Warhurst), I asked if she actually marries people in the marquee and she told me that would not be legal, they just hold the receptions there. Outside the marquee they had seating and tables too and a metal archway covered in flowers that they referred to as a “wedding arch” for photographs. **(NB In April 2023 - see below - the applicant changed his mind and told me he has never held a commercial wedding reception. I accept this updated statement from the applicant but he would not explain why both he and his wife had originally told me something very different.)**

Although the marquee was on the other side of his land to our house, I could still hear the events going on during the afternoon and late into the night, but did not raise this with the applicant as I try to act reasonably at all times. This

marquee would stay up from around April through to November and parties were held throughout this period and could last for up to 12 hours.

In April 2023, I noticed the applicant starting to erect the marquee in a completely new location, right up close to our hedge and boundary, about 20 feet from our conservatory and house, so I went out to have a friendly chat with him to see if he was actually going to place it there and if so, for how long. I assumed (wrongly as it turned out) that as I had helped him for many hours a few months earlier with his trees and shrubs, with no benefit to me whatsoever, that he would be receptive to a discussion.

Although I remained very calm and polite throughout our conversation, he actually became abusive almost immediately and even threatened to “punch my lights out”. I asked him whether he needed planning permission and he said he did not know, but clearly he did not seem bothered by this at all.

After trying to reason with him for a few minutes, I realised that it was pointless and finished the conversation. A few minutes later, he started throwing large branches and wooden pallets into my hedge in a fit of anger and these are still there today.

Over the following few months he held parties in the marquee and had seating and tables right outside too for around 25 people, who would spill out of the marquee and continued drinking and making noise at the outdoor seating. He played loud music only interrupting it to put sporting events on the television such as the FA cup final. There was no attempt as far as I could tell to keep the noise levels down. In particular during the football, it was like having a mini-crowd roaring and screaming a few feet away during the game.

As it became dark, he had many flashing lights in the tent and numerous floodlights and up-lighters around the garden too. Some of these stay on all night.

At no stage did he ever attempt to let me know about these events or show any concern about the noise his parties were making or the distress it may have been causing us.

In September 2023, we noticed several men with a JCB and a dumper truck digging footings about 3 feet deep in the shape of a marquee, slightly further away from us than where the marquee was sited. I overheard the men talking about planning permission and whether it was required or not, but one said he was assured by the applicant that it wasn't.

All work stopped in late October and then on 5 December 2023 we received notification of 2 planning applications from the applicant.

Summary of objections to the planning applications

1. All the evidence from the last few years demonstrates that this proposed building will not be used as a typical genteel “summerhouse” as claimed and implied on the planning application. It will be an events venue for holding large parties, all year round, for up to 12 hours at time, with lighting, music, live televised sporting events, drinking and loud and unrestrained music and noise.
2. The commercial size of the proposed building, over 64 square metres, with a height of 3.8 metres (well over 12 feet) which is wholly disproportionate for a domestic setting and is surely unacceptable for use in any domestic garden that has neighbours very close by.
3. The size of the proposed building appears to be approximately twice the size of the floor space of the marquee (which I estimate was 8m x 4m and held 25 people approx). I suggest, therefore, that the new building could be capable of holding significantly more than 25 people and possibly up to 50 people. Adding the outdoor seating that has been used this year, that would increase the capacity for the venue to some 75 people.
4. The commercial size and cost of the proposed build surely raises concerns around the use of this building for commercial purposes, particularly now the applicant has retired or is about to retire, as he told me in September last year.
5. The applicant has not provided any reasonable explanation of why a room of such a commercial size is necessary in such a domestic setting and small area of land.
6. At present, we are faced with parties up against our garden boundary in the marquee for 7 months of the year. With the approval of this building, we will be faced with parties all year round as this “summerhouse” will absolutely not be used just for “summer”.
7. A few months ago the applicant cut down a number of trees in the area of the new build and particularly 2 large trees right next to our border. Both of these trees would have acted as good sound breaks (one was approx 125 feet tall and 30 feet plus wide) but clearly this was another example of the applicant showing no concern for the noise he makes, the impact on a neighbour or making no attempt to ameliorate the noise.
8. The covering letter to the application states that the land has been used as a garden for some time without causing harm and regularisation of it would not continue any known problems. This is not the case as we have had problems with the applicant this year in his erection of a large

marquee for parties, right up against our boundary that caused considerable noise.

9. The covering letter also states that the new building would not create any noise or disturbance that which would be expected anyway by the occupiers of the house. This is simply untrue as witnessed by us over the last summer with the level of noise and lighting from the party events held in the marquee.
10. As I had already raised the issue of planning permission with the applicant back in April, I am sure that most reasonable people would simply have checked with the Council before commencing the building works on such a large scale.

I can provide photographs and documentary evidence to support this note if required.

Finally, good neighbours understand that it is within everyone's interest to try and respect each other and show consideration and empathy. Unfortunately, as the applicant's house is nowhere near mine, he behaves like he can make whatever disturbances and noise he wants, safe in the knowledge that he can simply walk away and go back to his house where he is in no danger of being disturbed.

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6/12/2023