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NORTH WEST LEVEN  
- 4 DEC 2023  
DISTRICT COUNCIL

## Design + Access Statement - 1/12/23

My mum is in her 70's and not able to do all of this, so I am completing for her.

As advised by Peter White and staff I spoke to in Planning.

This is a retrospective application for a change of use of land to residential, and the erection of 1.8m fence enclosing the land. It has been determined by Peter White that the land enclosed was not part of the residential curtilage of the dwelling house and, irrespective of ownership, has changed the use of the land.

My mum has her deeds, and the plans show that the land is hers, a small plot behind her fence, at the rear of the property. The neighbour, David Mantley at Number 10 Windermere Avenue, actually dug it up, built a soakaway, built on the land, removed grass + stoned it, regularly trespassing, and it's taken a year of litigation to get him to remove it all, so mum could replace her rotting fence + gate.

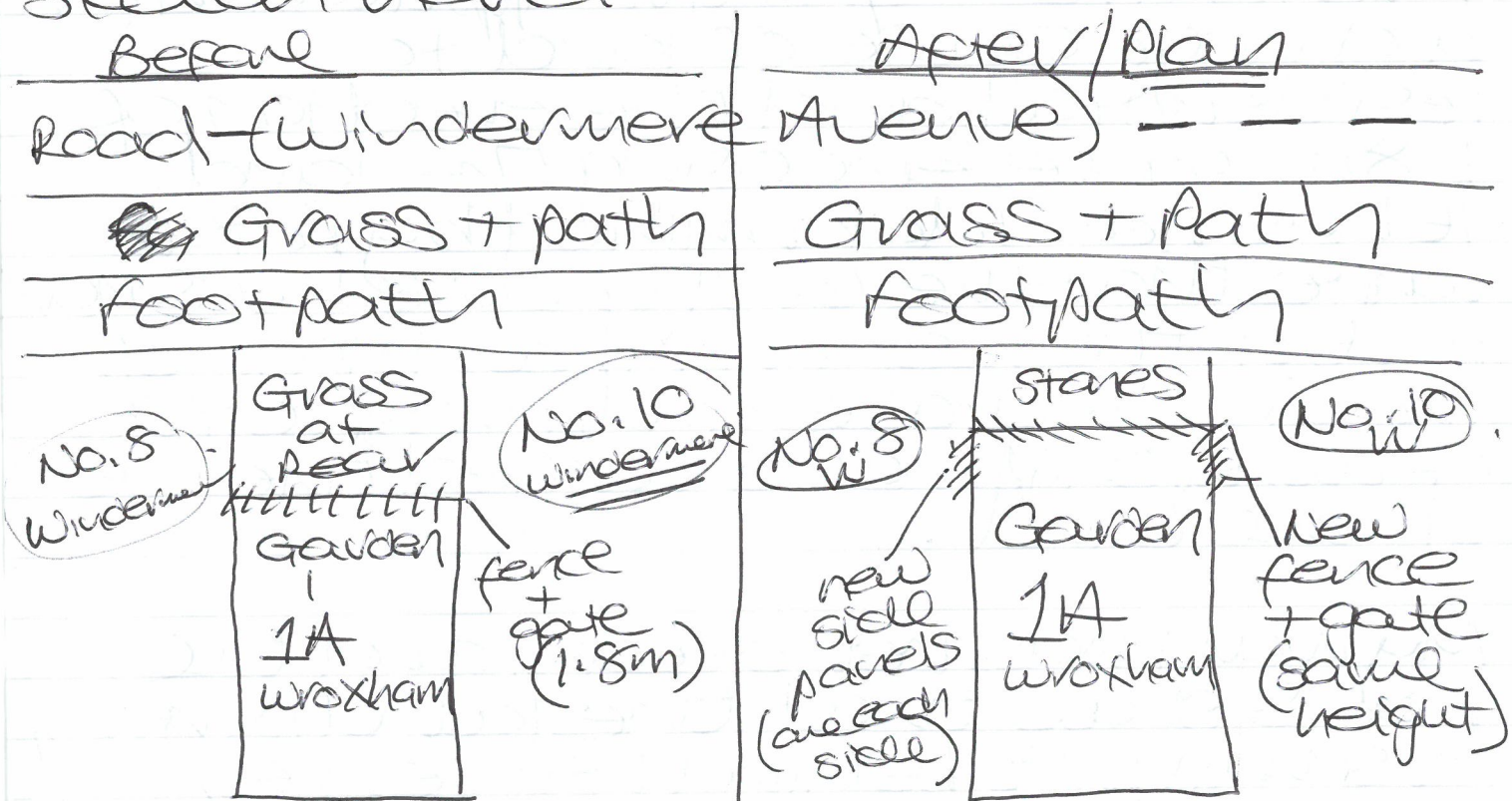
She wanted to feel secure + safe, + wanted to protect her land from the



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neighbour and his ongoing Anti-social behaviour and harassment. We were naive and didn't realise she needed this planning permission to move her fence on her land.

I will highlight areas and details on plans as requested - but a sketch here! -



Very basic sketch to give an idea.

Numerous people, all over the estate have built new walls, fences, extended fences onto their grassed areas e.g. - 2 properties on the corner of Wroxham Close - as you enter the close both sides have moved fences all, narrowing the view down the street, and man doesn't recall/isn't aware of any planning permission. My →



⑧

elderly man moved here to secure her property, due to her new neighbor who's caused her months (over 2 years) of upset by the way he does things and trespassing all over her property, and it's now costing her a lot of money - as a pensioner - to shut him out + feel safe. She needed to replace her rotting fence and gate, that haven't been replaced in the 38 years (approx) that she's lived there.

It has taken a year of litigation and a solicitor - to get David Marley to remove his building, soakaway and reinstate the land, and as soon as it was completed, she wanted the fence replacing - as it had been an hold since last summer (2022).

She chose composite fence, and wants slabs and stones - so it's low maintenance - as she's a pensioner and no longer able to manage the maintenance.

She extended by one panel, to secure land and prevent further trespass.

In hind sight - he'd already breached planning permission on the land himself! Unbeknown to us, He finally removed his soakaway October/November 2023 - recently after a final solicitors letter, we can provide photos and copies



④

of letters to him, from him  
evidencing all of this.  
I have also called the N.I.C. ASB  
team and will continue to do so if  
he continues upsetting my mum.

Regarding the plans - I am  
sending location plan and  
details as requested - with  
details highlighted.

We hope and pray this application  
can be considered, to help mum  
feel safe again.

She's paid £2000 for the work  
so far, and has again had to put  
it on hold.

She hopes to complete the work  
inside and out, so she can enjoy  
her garden again.

The site in question - at rear of  
fence is adjoining to the footpath,  
with grass the other side - in  
between the path and road.

I have had to rush this application  
to try and meet the deadline  
before price rises - because my  
mum is a pensioner, and this is  
already a lot of money for her.

Please let me know if anything  
further is required, but hopefully  
I've covered it all.



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Please see my draft maps

- original maps copied from MMS Deeds.

- Map ① - Labelled properties, roads  
- existing fence before work  
- Boundary of property highlighted

- Map ② - Proposals - with new fence, staves, slabs + New shed.

~~##~~ The adjustments and extended fence - doesn't cause any hazard to the highway - as far as we can see / are aware.

We can provide photos if required + upload direct - if further evidence required.

ENC - Map ①

- Map ②

- Location map to scale

- Design + Access notes.

- Application

- CIL form

- Cheque for £462.

