

Mr Scott Taylor  
Willow Croft  
Carlton-In-Cleveland  
TS9 7BB

Date: 13<sup>th</sup> August 2020

Dear Miss O'Mara,

Your Ref: **Carlton Grange, Carlton in Cleveland, TS9 7BB.**

**NYM/2020/0440/FL**

**OBJECTIONS TO PLANNING APPLICATION ON BEHALF OF SCOTT AND SUE TAYLOR**

Further to the above planning application, submitted by Mr Andrew Port, please treat this letter as our objections to parts of the proposed plans. We reserve the right to present legal objections to the proposals.

As the owners of Willow Croft, Carlton in Cleveland, TS9 7BB, the property directly behind Carlton Grange, the application by Mr Port adversely affects our property in a number of ways and would be seriously detrimental to the value and privacy of our home.

It is concerning that neither the owners of Carlton Grange or the planning department of the Council have spoken to or written to us to discuss matters despite the serious implications to the enjoyment of our property and potential negative impact on the value of Willow Croft.

Our major concerns are as follows, the list is not exhaustive and we reserve the right to present further information once we have taken advice from a surveyor etc.:

**Rear Extensions**

**NB: North West Elevation on drawing D420003/06 is incorrect. The drawing suggests that the back door and down pipes are slightly set back from the side of the house and all other drawings suggest this is not the case. I believe this drawing to be a mixture of original and**

**proposed plans. We would request a copy of the correct plans are sent so we can consider them further.**

The size of the proposed extension encroaches on our privacy and right to enjoyment of our home. The proposed two story extension with two full length windows and Juliet balcony's will look into our daughter's bedroom, down into our utility and have full unrestricted views over our garden.

This privacy will directly devalue our property and enjoyment of our home.

Coupled with the additional concern that in later years the Juliet balcony is removed and a balcony is placed from the proposed '*upstairs sitting room and ensuite bathroom*' to extend over the flat roof and become a full outside sitting area with total unrestricted views into our property and garden.

### **Full length glass windows and Juliet balcony to first floor sitting room and master ensuite**

All concerns include all stated above.

The removal of the summerhouse, which at the moment allows privacy to our property, will have direct consequences to the privacy to our garden, especially with the proposed first floor full length windows, which will then have even greater unrestricted views into our garden from the proposed extension.

### **Side Access from proposed rear extension:**

The driveway that the drainage and proposed side access opens out onto does not belong to the Carlton Grange it belongs to ourselves as the owners of Willow Croft. At present Carlton Grange only legally has one side access via a garden gate for pedestrian garden access only. This driveway is the only viable vehicle exit route from our property and used by vehicles to exit the property throughout the day. The proposed door not only seeks to create an access to the driveway to the property that does not exist it is seeking to impose a side entrance to the property that is potentially dangerous. The door would exit onto a driveway where the vehicle access is already tight with stone walls either side and no way of avoiding persons/dogs exiting the property. This has the potential to cause personal injury to those exiting Carlton Grange and those driving from Willow Croft.

In addition the imposition of the further right on our property reduces the value of our property and affects our use of the driveway and seeks to establish an entrance to the property and requires separate legal applications to establish the right, which will be resisted.

There is no legal right to install guttering and down pipe on our driveway thus restricting an already narrow driveway. Again any application for such permission will be resisted.

As the owner of the land that the access will open out onto, I would never give permission for an additional access across our land. As stated above the current access is for garden use only and not general day to day '*back door*' use. This door will directly open onto our drive which is already narrow and would be dangerous for both ourselves and Mr Port.

### **Lights on eaves**

The proposed lights will shine directly into our garden and impose on our privacy.

### **Garden Gate to garden**

Mr Port's proposed plan intends to move the garden access further up our drive towards our property and garden gate.

### **Installation of Electric Gates at the front of the property**

The installation of the proposed gates will directly restrict access to our property. Due to our own access restrictions we are only able to gain access to the property with large vehicles is by reversing up the drive.

Installing the gate currently proposed removes an established route into Willow Croft. Due to the restricted entrance to the driveway that is located between Primrose Cottage and Carlton Grange is tight and usually requires vehicles to reverse into it which means vehicles need edge forward into the area where the gate is to be located. The method of entry has been used by ourselves and the previous owners of the driveway for approaching 20 years establishing a right that this gate seeks to extinguish completely.

Secondly, the gate will be a permanent block for all deliveries. Those delivering to Carlton Grange and Far End Cottage will have to park at the gate thus blocking our exit. This impact is worsened due to the impact of the Covid 19 crisis and the increased shift to home deliveries. In winter months large vehicles reversing away from the gate with be potentially dangerous and cause potential collisions, especially with those exiting the driveway leading to Yonder Cottage/Willoe Croft.

The access to the field next to Far End Cottage will be stopped. The field is agricultural land used for sheep etc. The Farmer and land owner access the field with large farm vehicles and there is no other point of access other than the route and the route for removal of livestock would be blocked by the proposed gate.

The gate has no place in the village. It is designed to discourage those approaching from using it and is a public right of way. Those discouraged from using it will walk on the main road where there are no footpaths again increasing the risk of injury.

### **Triple Garage and Wood Store**

We have no objections to the relocation of the garage however the garage appears to encroach onto council land and is considerably larger than the one it replaces.

### **Materials suggested for ground floor rear extension**

Weathered zinc cladding, grey powder coated steel columns, grey powder coated aluminium windows are not in keeping with the property or the national parks regulations. The owners have proposed the front of the house to look and feel completely different to the rear. We only have sight of the rear of the house and our view would appear to have a completely different aesthetics, portraying a very modern property and not in keeping with the village or national parks.

### **CONCLUSION**

As stated above our property will be seriously compromised by the proposed plans both in value and privacy. I would request a site visit by a planning officer before any decisions are taken. The photos submitted, supporting Mr Ports application, conveniently do not show/include the side access or the views from his property as it would be clear from them the extent of intrusion to our home.

Please note we will be consulting surveyors and solicitors regarding these proposals.

Yours sincerely

SCOTT TAYLOR

Mr Scott Taylor & Mrs Sue Taylor

Willow Croft

Carlton in Cleveland

TS9 7BB

Date: 14<sup>th</sup> September 2020

Dear Miss O'Mara,

**Your Ref: Carlton Grange, Carlton in Cleveland TS9 7BB NYM/2020/0440/FL**

**OBJECTIONS TO PLANNING APPLICATION ON BEHALF OF SCOTT AND SUE TAYLOR OF WILLOW CROFT, CARLTON, TS9 7BB.**

Thank you for forwarding the amended plans for application number **NYM/2020/0440/FL**. The new amendments are minimal and do nothing to take into consideration any of our previous concerns. A copy of our original objections is attached and those objections are renewed. These additional comments should be added in support. Almost every aspect of these plans are detrimental to the enjoyment of and value of our property.

As the owners of Willow Croft (title number **NYK333950**), including the garden directly to the rear of Carlton Grange (title number **NYK217573**), the original/amended plans have serious consequences to the enjoyment of our home. The plans, in their amended form, seem to have been given a preliminary indication they would be passed. It would appear that the decision of the authority on granting any such application could not have taken into the account the proper objections we. and all of the other persons affected by these plans. have raised thereby rendering any such grant challengeable by Judicial Review, if necessary.

In addition to the comments in the attached letter we would wish to add the following

**Privacy.**

No thought has been taken to avoid the invasion of our privacy and the enjoyment of our home and gardens. The rear extension and the first-floor windows invade our privacy. No

consideration has been given to our home and the affect upon it and the occupants. The plans have floor to ceiling windows to a first floor sitting room and bathroom and will have an unrestricted view directly overlooking our garden, into our daughter's bedroom, our utility room and onto our patio area. Indeed, that is the only view those rooms would have. A proper site visit and consultation would have shown the issues should have been considered by any reasonable planning authority considering these proposals.

As a homeowner we have a legal right to privacy and the enjoyment of our home. The suggested plans breach our right to a private and family life and the private enjoyment of our property and its gardens and breach Article 8 of the Human Rights Act.

### **Intended Materials**

The materials to be used on the rear extension are not in keeping with the building, surrounding properties and area and detract from the original building. The suggested materials do not match the existing type, colour, and details along with the windows all materials are in complete contrast to the existing dwelling. The materials suggested for the rear extension exterior of the property are not in keeping/character with the village in which we live, which is situated in North York Moors National Park.

### **Access onto our drive**

As previously explained the current plans include a requirement that a side access door to the dwelling will open out onto is our land and we will not give permission for this. At present Carlton Grange has an access that allows them into their garden and for maintenance of the current cottage and that is their only right.

These rights do not extend to any additional building works and certainly not for builders to use our drive for access, for what will be months. Indeed, the plans as they stand will no doubt require scaffolding to be erected on the drive rendering it unusable for us to exit from our driveway/garage.

As this driveway is the only exit from our property we would never allow any further access onto the driveway by way of a doorway to the property as it would be a serious health and safety risk to all concerned. The driveway is narrow and there is no scope to avoid any persons or animals. A doorway directly onto the driveway would be subject to legal challenge as would the detrimental effect on our privacy. The agreeing of planning permission does not create a right of access.

## **Electric Gates**

We strongly object to the erection of these gates. The gates (as previously stated in our first letter of objection) are requested on common land and blocking the access to the only turn around point for any vehicles that drive up to the end of the housing along the road. Without the turnaround point all vehicles will be required to reverse about 100 metres on a downward slope past houses whose front doors step onto the road/parked cars/driveways/ stone walls and trees.

This road is especially hazardous in the winter as cars/delivery vans struggle to drive up the slope and if they were then required to then reverse away from the proposed gate this would be an unsafe highways hazard especially in winter. We cannot believe the planning authority would pass potentially dangerous planning requests.

All homes within the village are fuelled by oil and the tankers are required to be close to the homes to drop off the oil, this would not be possible to our home unless the tanker reversed up the slope, again this is a major hazard.

As previously stated, the gates also prevent access to the drive into our property. This access point has been in existence for decades.

## **Summary**

Having regard to the impact on our property it is unsurprising that we were not consulted about these plans. It is disappointing to note that conversations have taken place regarding the plans with those representing the applicants, without proper consultation with all of those affected. We reserve the right to submit further comments and confirm our intention to legally challenge any decision that is detrimental to our enjoyment of our property. The proposals seek to establish new rights/easements that do not exist, and extinguish other rights of way/easements.

Please keep us updated about any developments/meeting relating to this application.

Yours faithfully

**SCOTT TAYLOR**

**SUE TAYLOR**

Title Number : NYK217573

This title is dealt with by HM Land Registry, Durham Office.

The following extract contains information taken from the register of the above title number. A full copy of the register accompanies this document and you should read that in order to be sure that these brief details are complete.

Neither this extract nor the full copy is an 'Official Copy' of the register. An official copy of the register is admissible in evidence in a court to the same extent as the original. A person is entitled to be indemnified by the registrar if he or she suffers loss by reason of a mistake in an official copy.

This extract shows information current on 13 AUG 2020 at 13:57:11 and so does not take account of any application made after that time even if pending in HM Land Registry when this extract was issued.

REGISTER EXTRACT

Title Number	: NYK217573
Address of Property	: Carlton Grange, Carlton in Cleveland, Stokesley (TS9 7BB)
Price Stated	: £345,000
Registered Owner(s)	: SCOTT RICHARD TAYLOR and SUSAN JAYNE TAYLOR of Far End Cottage, Carlton In Cleveland, Stokesley Middlesbrough TS9 7BB.
Lender(s)	: None



## Title number NYK217573

This is a copy of the register of the title number set out immediately below, showing the entries in the register on 13 AUG 2020 at 13:57:11. This copy does not take account of any application made after that time even if still pending in HM Land Registry when this copy was issued.

This copy is not an 'Official Copy' of the register. An official copy of the register is admissible in evidence in a court to the same extent as the original. A person is entitled to be indemnified by the registrar if he or she suffers loss by reason of a mistake in an official copy. If you want to obtain an official copy, the HM Land Registry web site explains how to do this.

### A: Property Register

This register describes the land and estate comprised in the title.

NORTH YORKSHIRE : HAMBLETON

- 1 (15.04.1999) The Freehold land shown edged with red on the plan of the above Title filed at the Registry and being Carlton Grange, Carlton in Cleveland, Stokesley (TS9 7BB).
- 2 (30.07.2007) The land edged and numbered in green on the title plan has been removed from this title and registered under the title number or numbers shown in green on the said plan.

### B: Proprietorship Register

This register specifies the class of title and identifies the owner. It contains any entries that affect the right of disposal.

Title absolute

- 1 (04.04.2007) PROPRIETOR: SCOTT RICHARD TAYLOR and SUSAN JAYNE TAYLOR of Far End Cottage, Carlton In Cleveland, Stokesley Middlesbrough TS9 7BB.
- 2 (04.04.2007) The price stated to have been paid on 2 March 2007 was £345,000.

### C: Charges Register

This register contains any charges and other matters that affect the land.

- 1 (15.04.1999) The part of the land affected thereby is subject to the following right reserved by an Assent of the land in this title and other land dated 18 January 1999 made by Linda Smedley acting by Olive Patricia Diddams:-  
  
"except and reserving a right of way at all times and for all purposes over the land coloured blue on the said plan for the benefit of the land edged yellow on the said plan"  
  
*NOTE: Copy plan filed.*
- 2 (15.04.1999) The land tinted blue on the title plan is subject to a right of way (in common with all persons having a like right) on foot with barrows, bicycles and the like for the proprietor for the time being of Carlton Grange, her successors in title and their respective servants and licensees.
- 3 (30.07.2007) The land is subject to the rights granted by a Transfer of the land edged and numbered NYK341281 in green on the title plan dated 21 June 2007 made between (1) Susan Jayne Taylor and Scott Taylor and (2) Maureen Clinkard.

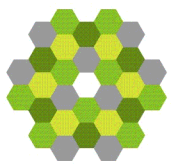
*NOTE: Copy filed under NYK341281.*

Title number NYK217573

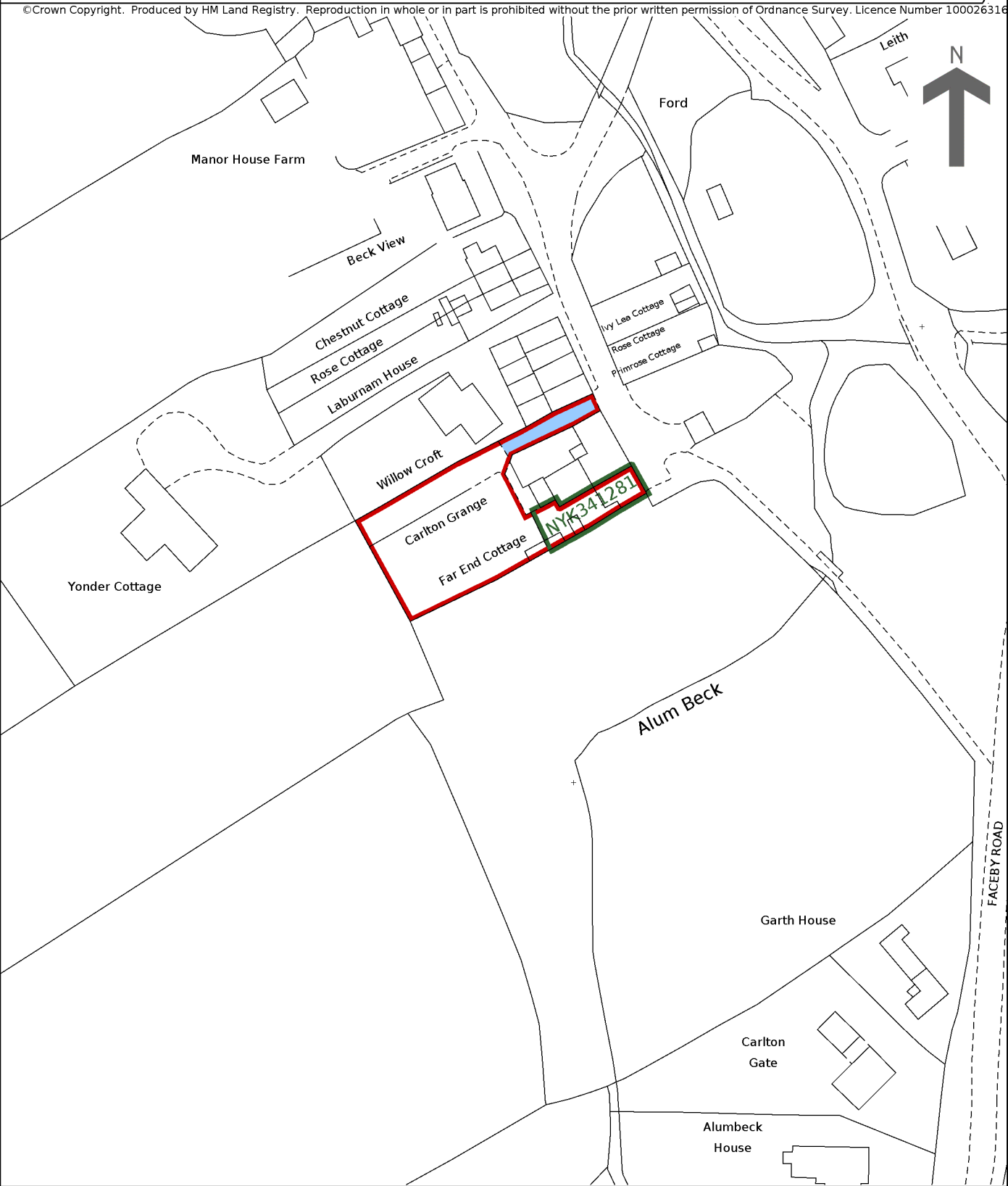
End of register

# HM Land Registry Current title plan

Title number **NYK217573**  
Ordnance Survey map reference **NZ5004SE**  
Scale **1:1250 enlarged from 1:2500**  
Administrative area **North Yorkshire :**  
**Hambleton**



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**HM Land Registry endeavours to maintain high quality and scale accuracy of title plan images. The quality and accuracy of any print will depend on your printer, your computer and its print settings. This title plan shows the general position, not the exact line, of the boundaries. It may be subject to distortions in scale. Measurements scaled from this plan may not match measurements between the same points on the ground.**

**This title is dealt with by HM Land Registry, Durham Office.**

**From:**  
**To:** [Planning](#)  
**Subject:** Comments on NYM/2020/0440/FL - Case Officer Miss Megan O'Mara - Received from Mr Alistair SUTCLIFFE at Church Farm, Church Farm, Carlton in Cleveland, Stokesley, Middlesbrough, TS9 7DJ  
**Date:** 13 September 2020 06:52:35

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As a farmer of the adjacent land I require access with large farm vehicles in and out of the gate to the land I farm, which requires me to drive across the area where the electric gates might be situated.

Comments made by Mr Alistair SUTCLIFFE of Church Farm, Church Farm, Carlton in Cleveland, Stokesley, Middlesbrough, TS9 7DJ

Preferred Method of Contact is Email

Comment Type is Further Information

**From:**  
**To:** [Planning](#)  
**Subject:** Planning application NYM/2020/0440/FL  
**Date:** 13 September 2020 19:17:12

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Dear Sirs,

Thank you for informing me of the revised planning application.

My apologies for the format of this email which is typed on my mobile phone as I am on holiday.

As stated in my first letter of objection my primary complaint is the blocking of the public highway in front of Carlton Grange, the highway which extends to the end of Far End Cottage. After checking with the previous owners of Carlton Grange this highway is not included on the deeds of the property as it is a public highway.

If this blockage is allowed it will prevent emergency vehicles accessing both Carlton Grange and Far End Cottage

All delivery vehicles will be unable to access and will require to reverse along the road, causing a dangerous situation. Oil tankers service Carlton Grange, Willow Croft and Primrose Cottage. These tankers straddle the end of the driveway to Willow Croft in order to run the delivery pipe straight up the drive, this will not be possible if gates are installed and will potentially cause a dangerous situation as the pipe will have to bend around the corner of my house.

The Conservation officer has rightly commented on the impact to fauna and wildlife with the construction of this very large garage. Perhaps this impact would be alleviated if the garage was not encroaching on council common land.

I would like to point out that the encroachment covers what was once a footpath going across Alum beck to the main road, although it has been allowed to become overgrown.

Yours sincerely

Mr Christopher Thornton  
(Primrose Cottage)

**From:**  
**To:** [Planning](#)  
**Subject:** Comments on NYM/2020/0440/FL - Case Officer Miss Megan O'Mara - Received from Mrs Diane Wilkinson at Old Rose Cottage, Carlton-in-Cleveland, North Yorkshire, TS97BB  
**Date:** 11 September 2020 18:14:50

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Our concern lies with the proposed installation of a permanent gate at the access area to Carlton Grange, Far End Cottage and farmland.

The implications of this are backed up traffic accessing the above properties and delivery vans which will be outside our property blocking access to our driveway. The access lane is narrow, the presence of the gate will render the vehicles unable to turn around in the gravelled area, and have to reverse down to a blind bend on an incline, with stone walls and vehicles parked, being at risk of being damaged.

Comments made by Mrs Diane Wilkinson of Old Rose Cottage, Carlton-in-Cleveland, North Yorkshire, TS97BB

Preferred Method of Contact is Email

Comment Type is Raise Concerns

**From:**  
**To:** [Planning](#)  
**Subject:** Comments on NYM/2020/0440/FL - Case Officer Miss Megan O'Mara - Received from David Marwood at The Barn, Hall farm, Carlton in Cleveland, Middlesbrough, N. Yorks, TS9 7BB  
**Date:** 11 September 2020 16:13:22

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As the owner of the agricultural land adjacent Far End cottage, I strongly object to the proposed electric gates as they would severely restrict my only access to the land with large agricultural machinery. The land is used for grazing at the moment but access is still required for machinery, some of which can be 3 metres, or more, wide. The existing access is already restricted and the placement of gates would further restrict access, especially if a pedestrian gap is placed alongside the gate.

Comments made by David Marwood of The Barn, Hall farm, Carlton in Cleveland, Middlesbrough, N. Yorks, TS9 7BB

Preferred Method of Contact is Email

Comment Type is Adverse Comments

Mr Scott Taylor  
Willow Croft  
Carlton-In-Cleveland  
TS9 7BB

Date: 13<sup>th</sup> August 2020

Dear Miss O'Mara,

Your Ref: **Carlton Grange, Carlton in Cleveland, TS9 7BB.**

**NYM/2020/0440/FL**

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Our major concerns are as follows, the list is not exhaustive and we reserve the right to present further information once we have taken advice from a surveyor etc.:

**Rear Extensions**

**NB: North West Elevation on drawing D420003/06 is incorrect. The drawing suggests that the back door and down pipes are slightly set back from the side of the house and all other drawings suggest this is not the case. I believe this drawing to be a mixture of original and**



**proposed plans. We would request a copy of the correct plans are sent so we can consider them further.**

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This privacy will directly devalue our property and enjoyment of our home.

Coupled with the additional concern that in later years the Juliet balcony is removed and a balcony is placed from the proposed '*upstairs sitting room and ensuite bathroom*' to extend over the flat roof and become a full outside sitting area with total unrestricted views into our property and garden.

### **Full length glass windows and Juliet balcony to first floor sitting room and master ensuite**

All concerns include all stated above.

The removal of the summerhouse, which at the moment allows privacy to our property, will have direct consequences to the privacy to our garden, especially with the proposed first floor full length windows, which will then have even greater unrestricted views into our garden from the proposed extension.

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In addition the imposition of the further right on our property reduces the value of our property and affects our use of the driveway and seeks to establish an entrance to the property and requires separate legal applications to establish the right, which will be resisted.

There is no legal right to install guttering and down pipe on our driveway thus restricting an already narrow driveway. Again any application for such permission will be resisted.

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Please note we will be consulting surveyors and solicitors regarding these proposals.

Yours sincerely

SCOTT TAYLOR

Mr. Chris Thornton  
Primrose cottage  
Carlton in Cleveland  
TS9 7BB

07 August 2020

Carlton Grange Planning Application

Your Ref. NYM/2020/0440/FL

Dear Miss O`Mara

I write to you with reference to the above planning application submitted by Mr. Andrew Port.

My main concern is the request to install electric gates across the public highway. This will make accessing my driveway in my vehicle very difficult. It will also mean that delivery vans, post office vans etc. will be unable to gain access to Carlton Grange (and Far End cottage) when the residents are not at home, resulting in congestion in front of my house.

The local farmer also has a field at the end of the road to which he transports sheep on a regular basis.

Mr. Port has stated in his planning application that the purpose of the gates is to increase security, however I believe the purpose is for his own privacy.

The two storey extension does not affect me directly, however I believe I will suffer from some light deprivation to the side and rear of my house, especially in the winter months when the sun is low in the sky.

Your Sincerely

Chris Thornton