

29 December 2016

Dear Sir/Madam,

Comments of Eaton Gates Management Company on Application No. 2016/2818

Eaton Gates (Keswick) Management Company Limited is responsible for the management, maintenance, security and safety of all communal elements of the Eaton Gate development, including common boundaries, private road, footways etc. The Management Company, therefore, has a strong material interest in the current retrospective planning application for the erection of a five bar timber gate (application number 2016/2818) and, in accordance with its responsibilities and objectives, submits the following comments under three broad headings.

Boundaries

An existing deed of covenant states that the Management Company is responsible for all boundary walls and fences, yet no approach was made to the Company by the applicant - who is not a resident of Eaton Gate - to discuss their plan to erect a gate. Without any consultation this action has also resulted in the removal of sections of the hurdle fencing panels which commonly form the internal and external boundaries of the development.

The high quality visual amenity of Eaton Gate has thereby been compromised by the inappropriate and unauthorised erection of a gate which breaks up the continuity and sense of enclosure provided by the hurdle fencing.

In addition, the privacy and security of Eaton Gate is weakened by the removal of sections of boundary fencing and its replacement with an opening and climbable five bar gate. Not only can dogs and children now “escape” into the adjoining land, but the creation of a second gate into the development undermines the level of security provide by the electric entrance gates.

The Company wishes to point out the important precedent regarding boundary treatment in that an application in 2004 to replace the existing willow fencing with close boarded timber fencing adjacent to no.1 Eaton Gate (Ref: 2004/2102) was refused by South Norfolk Council because of its inappropriateness and the loss of continuity.

Access

There does not exist, nor has there ever been, a point of access into the neighbouring land from Eaton Gate. This fact is reinforced by the layout of the private road - designed to serve the five properties - which does not include any drop kerb provision at any point along this section of the boundary. Access to the neighbouring land has always been provided via a track off Mill Lane and a field gate to the north.

The gate has been positioned directly to the rear of Eaton Gate's visitor/trades vehicle communal car parking area - provided as part of the original planning approval for the barn conversions to five dwellings (Ref: 1996/0290). The use of the gate for vehicular access would impact adversely on the form and function of the visitor car parking provision. It is therefore detrimental to the design, layout and amenities of the private estate.

Condition No. 3 of the planning approval states that "the erection, construction or alteration of any gate, fence, wall or other means of enclosure shall not be allowed without the granting of a further specific permission". This was included to protect the character and appearance of Eaton Gate and reduce adverse impact on the environment of the locality - a matter which has been breached by the erection of the gate and the associated creation of a secondary access point.

Strategy

The Management Company is currently preparing a site strategy that is consistent with the original planning approval for the Eaton Gate development. This will address issues of parking, security and access and retain the amenities currently enjoyed by residents. Included in the plan is the phased improvement to the site's security and safety through the installation of further kerb side lighting bollards around the visitor car parking area. This element will be materially compromised by the unplanned provision of the current access gate, which is not part of this site strategy.

In terms of the applicant's longer term strategy, the Management Company believes that the creation of an access point into the neighbouring land from the private estate road is directly linked to the applicant's aspiration to develop his land for housing. This is evidenced by the fact that this land has been put forward as a potential housing site (up to 4 dwellings) under the "call for sites" stage of the Greater

Norwich Local Plan process and that the existing access via a track off Mill Lane will not provide the standard of access required for such a development.

In summary, the applicant has shown a complete disregard to the residents of Eaton Gate, the role of the Management Company and to the Local Planning Authority. For the reasons stated above, the Management Company formally objects to the proposed retention of the unauthorised gate and calls upon South Norfolk Council to reject the current retrospective planning application and instigate the necessary enforcement proceedings to ensure that the gate is removed and replaced with woven hurdle fence panels - thereby restoring the boundary with the approved and common form of treatment.

Yours sincerely,

Jeremy Cocks

For, and on behalf of, Eaton Gates (Keswick) Management Company Limited