

Briefing Note

Planning Application PA25/07375

5 minute read

1.0 Background

1.1 Parish councils are consulted by planning officers to give a local perspective on applications within their boundary. Councillors are not expected to have detailed knowledge of the legal, technical and policy aspects of any application, but are expected to give a reasoned view and a clear decision (supporting or not supporting) on applications.

1.2 Decisions on planning applications are usually made within the agenda of the monthly public meeting. The Clerk can guide councillors through the material considerations needed to make an objective assessment of the application. Councillors should also take into account any special reports that the CC Planning Officer has commissioned, and consider any comments that have been posted on the planning portal. *Comments posted by members of the public may not always be completely relevant to the application, and should be scrutinised in the light of known planning policies (and the neighbourhood plan where appropriate).*

1.3 The planning application that you are being asked to comment on was originally presented at the public meeting on 12 November 2025. Councillors agreed to postpone a decision until after a site visit had been made, and a new Extraordinary Public Meeting has now been scheduled for 4 December 2025. This note sets out the methodology for making that decision, together with further background information and commentary.

2.0 What is an Extraordinary Public Meeting?

2.1 An extraordinary public meeting for a parish council is a special meeting called to address urgent or unforeseen business that cannot wait until the next scheduled meeting. Your next scheduled meeting is on 14 January 2026, and the planning officer needs your response by 2 December 2025. This EGM will take place at Trewidland Village Hall at 7pm on Thursday 4 December 2025. The Planning Officer has agreed to grant the parish council an extension in order to agree a response to the application in a public meeting.

2.2 The format of the meeting is identical to that of a regular, monthly meeting. The main difference is that the agenda is much shorter. This one will include only two planning applications: one for PA25/07375 (Valley Views) and PA25/05811 (stables at Higher Reedy Mill).

2.3 Cllr Whiting will chair the meeting - welcoming councillors and visitors, accepting apologies and then asking those present to make any declarations of interest, that is, reasons why they feel unable to participate in the discussion and decision making because of real or perceived knowledge or previous actions that might appear to influence their contribution. Your recent Code of Conduct training will have covered 'declarations' and is located on page 10, Part 5B of the Code. This is the critical part:

Part 5B – Non-registerable interests

You have a non-registerable interest where a decision in relation to a matter being

determined or to be determined:

(i) might reasonably be regarded as affecting the financial position or wellbeing of you; a member of your family or any person with whom you have a close association; or anybody or group which you are a member of more than it might affect the majority of council tax payers, rate payers or inhabitants in your electoral division or area; and

(ii) the interest is such that a reasonable person with knowledge of all the relevant facts would consider your interest so significant that it is likely to prejudice your judgement of the public interest; (my italics)

So where a councillor is aware of conflicts relating to planning consent, they are expected to comply with section (ii) and declare the interest. The Clerk's role (in section 2.15 of the same code) is to advise councillors on the best way to manage the conflict. My current understanding is that at least one councillor may declare a potential conflict of interest that would preclude them for participating in the meeting.

3.0 Is the meeting quorate?

3.1 In order to make lawful decisions and responses, it is a legal requirement that a minimum number of councillors are present in the meeting room when an agenda item is being discussed and voted on.¹

3.2 Because Trewidland is a small community with close social and other relationships, it is possible that once all potential conflicts of interest have been declared, there may be insufficient numbers of councillors remaining for the meeting to be quorate. (Councillors should also be aware that not all potential conflicts are relevant to the meeting). For this parish council, that is a minimum of four councillors being present in the meeting room. The Clerk has taken advice from CALC and, should these circumstances arise, will explain the following: that because the meeting is inquorate, the response to the agenda item can only represent the opinion of individual members of the council, such opinion having been identified through consultations and representations. This opinion would not constitute a formal consultee response because it had not been agreed at a quorate meeting but members of the public would have been invited to be present and may have contributed to the consultation before the response was agreed.

3.3 The Clerk's advice (which will be delivered at the meeting) is for all potential conflicts to be declared, and for members to decide whether or not they have the capacity to influence their decision making. These declarations, and their reasons, will be minuted.

4.0 Site Visit

4.1 These are formal occasions, and guidance notes have been distributed to applicant and objectors. Your copy is in Appendix 1. The critical point is that the applicant/objector must not use the visit to lobby you, present new information or ask you questions. The correct venue for this is the public meeting when all parties can see for themselves what is being discussed. A site visit to view the property and its immediate neighbours took place on 23 November 2025. The Clerk attended and was satisfied that all conditions were complied with.

5.0 The 4 December 2025 meeting

5.1 After declarations have been made and recorded, members of the public are asked for their comments. The Clerk may, if asked, explain the terms under which questions and comments are made in this section.

¹ Local Government Act 1972, sch 12, Part II, para 12.

5.2 The Chair will lead a discussion between councillors, and take a vote of those present. If the vote is equally split, the Chair has the final decision. The Clerk will minute the decision and record the constraints under which any decision has been made, and then forward the notification to the Planning Officer.

Author: John Hesketh, Parish Clerk

Date: 28/11/25

Guidance for Councillor Site Visits

2 min read

1. Purpose and Focus

- **Fact-Finding Only:** The sole purpose of the site visit is to **familiarise Members with the site, its surroundings, and the key factual aspects** of the proposal (e.g., boundaries, levels, relationship with neighbouring properties).
- **No Decision/Discussion of Merits:** **Do not discuss the merits** (pros and cons) of the application or express a view on whether it should be approved or refused. The appropriate place for this discussion and decision is the Public Meeting.
- **Keep it Factual:** Focus on visualising the development and seeking **factual clarification** from officers.

2. Conduct and Impartiality

- **Maintain Impartiality:** Councillors must take care to **maintain their impartiality** and avoid any action, word, or deed that could create the perception of **predetermination** (i.e., having already made up your mind).
- **Stay Together:** The visiting party (councillors and officers) should **stay together as one group** throughout the visit. This ensures everyone receives the same information.
- **Chaired by Chair:** The visit is usually led by the **Chair**, who is responsible for the conduct of the visit and directing questions.
- **Questions via the Chair:** Any questions from councillors should be directed through the Chairman or Officer and should only seek **clarification on factual matters**.

3. Interaction with Other Parties

- **The Public (Objectors/Residents):**
 - The site visit is typically **not open to the public**.
 - If opponents are present on public land, **do not be drawn into discussion or lobbying**. Refer them to the public meeting where formal representations can be made.
- **Applicant/Agent:**
 - The applicant or agent may be present to **provide access and factual clarification** when asked by the Chair.
 - They **do not have the right to address** the councillors on the merits of the application.
 - **Avoid informal discussion** with the applicant or agent.
- **Gifts and Hospitality:**
 - **Promptly decline** any gifts or hospitality (e.g., food or drink) offered by the applicant or any other party.

4. Preparation and Recording

- **Preparation:** Councillors should **read the officer's report and relevant plans** before the visit to familiarise themselves with the application's details and key issues.
- **Record Keeping:** The officer or a nominated member should keep a **record of the visit**, detailing attendees, areas visited, and any factual questions asked/replies given. This record will typically be reported back to the full Committee meeting.
- **Interests:** Councillors must ensure they **do not have a clear and substantial personal, prejudicial, or pecuniary interest** that would prevent them from attending.

Public Comments

30 min read

Mrs Carolyn Hurdwell

Comment submitted date: Mon 24 Nov 2025

My husband and I would like to reply to the objections put forward to our application. It is our view that the concerns raised have been significantly amplified and embellished in order to give greater weight to the objections. Several of the claims made do not reflect the factual impact of the development and instead seem designed to portray the situation in the most negative possible light. There are several points made which are misleading, some complete untruths and a great deal of vilification which we believe should be addressed.

I have made notes / added clarification and explanation to each of the points raised by both Mr and Mrs Carver at Moordown and Mr Watts at Duffus House. (Please note we are aware of the changed name of Moordown to Isere but have referred to it as Moordown in order to avoid confusion as on all planning documents the property is referred to as Moordown.)

Objections raised by Mr and Mrs Carver at Moordown / Isere.

Objection:

In the Description of the Proposed Works section of the Application, Mrs Hurdwell explains that "When building the extension we re-assessed the space allocated for the balcony and wanted to utilise it to provide a bigger internal kitchen and dining area, but knowing we had permission for a balcony we added it on to the end of the extension"

In other words, the reason for the breach of the permission granted, was not a mistake or necessary but simply because she and her husband wanted an even bigger kitchen and dining area. Surely an even bigger kitchen dining area cannot reasonably considered to be a "housing need".

Reply:

Our intentions for the changes we have made to our building have been significantly misrepresented in these comments. As with many building projects, adaptations are made along the way when buildings and living spaces materialise and a better option presents itself. We realised we could make much better use of the space if we made the end section an internal rather than an external area. The balcony would have / will be only be utilised during the warmer spring and summer months and then it is recreational, somewhere to sit and enjoy lunch as a family or to relax at the end of a working day and enjoy the view across our adjoining land and onto the valley beyond. Internalising the space has provided us with a dining area we can use all-year around and is big enough so we can enjoy special occasions such as Christmas and birthdays with our wider family in our own home. The motivations for the alterations were solely in making the most of the space in our home for our family.

Objection:

Mrs Hurdwell goes on to state "but knowing we had permission for a balcony we added it on to the end of the extension, with the intention of complying with the condition in the original application to build an opaque end."

This comment appears disingenuous as it seeks to deflect attention from the fact that the balcony is 2.3m further into the garden than permitted. Building an "opaque end" to the

balcony does not serve the purpose originally intended under the planning permission granted because of its new position, even further into the garden. To describe this as a way of complying with the planning permission is misleading - especially when the permission granted states "the balcony area at first floor level would be enclosed by solid walling to the south western elevation....and would therefore not allow views back towards the adjoining property".

Reply:

We have always been aware of the condition placed on our original planning permission with regards to the need to provide privacy to our neighbours at Moordown - the purpose of the solid wall mentioned in our original planning was to serve that purpose and the opaque end we propose in our new application serves exactly that purpose. We have attempted to discuss the concerns raised with Mr and Mrs Carver but they have been unwilling to find a solution despite many different options being suggested by us.

The fact that the balcony does now extend by 2.3m (which is smaller than the original balcony at 3m) actually means that we have a reduced view of the garden at Moordown. The setting of the two houses means that the dwelling on Moordown sits further back than our dwelling at Valley Views, meaning that the extension of the balcony takes it further away from the dwelling and with the end panel in place, significantly reduces the view - we are only able to see approx. 2-3 metres at the very end of their garden (and that is only if we stand at the very end of the balcony).

Objection:

Mrs Hurdwell continues with "The balcony is smaller than the one in the original application (sic) at 2.3 metres wide."

These two statements taken together could create a misleading impression that the now slightly smaller balcony in some way mitigates the breach, whereas in fact the solid building extends 7.5m into the garden beyond our home and the balcony another 2.3 metres is further out.

Reply:

The wording in this comment is very misleading. We have planning permission for the entirety of the 'solid building' (the 7.5m referred to in the comment) and this in no way breaches our original planning permission. Mr and Mrs Carver were completely aware of the size of our planned building when they purchased their property.

Objection:

In the Application, in relation to the balcony states -

"It is positioned to overlook the land we own directly behind our property, it has been directed away from Moordown and the view of this property has been reduced."

As a matter of fact, the balcony now has three sides, facing east, south and west, allowing direct oversight of both immediate neighbours' homes, windows and gardens, whereas the balcony in the original application was enclosed. To describe this as "directed away from Moordown" is plainly false and misleading. The extension of the elevated position of the balcony increases the view of "Moordown" (please note Moordown is incorrect - the house is known as Isere and has been since before we purchased the property and we understand that the name was changed more than 20 years ago).

Reply:

The statements in this comment are again incorrect and misleading. Please see the plan drawings to clarify this point - the end section of the extension does not follow the line of the boundary with Moordown as the rest of the building does, but is redirected in a westerly direction. This was purposefully designed on our original application, to ensure the direction of view was over our adjoining land and the valley beyond and to offer privacy to Moordown. The new balcony also faces in the same westerly direction.

With regards to the position of the balcony; it is no more elevated than the original balcony would have been, and as stated above, with the opaque end panel significantly reduces the view of the garden at Moordown because it goes out further.

Objection:

In the Trees and Hedges section of the Application, it states "we have added some trees to our garden along our south westerly boundary, with Moordown. This has been done to provide a screen between the two properties, ensuring that during and after construction of the balcony we have maintained privacy for both the occupiers of Moordown and ourselves." As can be seen from the accompanying photographs, the "trees" (planted after the balcony was finished not during the construction as stated) are in fact small trees and shrubs, planted in moveable wooden planters, which are too small for trees to grow healthily or fully. Further, the trees do not provide adequate privacy screening due to their small size. Once the winter storms and winds have taken their toll and the leaves have fallen there will be very little privacy by this "screening" at all.

Reply:

The statements made here are wholly false and misleading:

- The trees are Photinia (Red Robins) which will / can grow to 6m. The ones we have planted range from 3.5m (at the time of planting, but now reach approx. 4m) to 2m - we have planted a selection at different heights to provide a full screen (at a significant financial cost).
- The trees have been planted in a raised bed - this was done to provide additional height, but also to ensure that the trees could be suitably cared for with regards to the nature of the soil, PH levels, fertiliser, etc. We have sought advice on the care of these trees and appropriate size and depth of the bed needed for. The bed is 3m x 1m in size and is filled with approx. 2.5 tonnes of soil and manure - this does render it completely immovable.
- Photinia are evergreen and therefore will not lose their leaves.
- The intention of the trees is to provide some additional privacy, but mainly to reduce any overbearing felt by Mr and Mrs Carver. With the trees in place they can no longer see the balcony from their house or patio area.
- Finally, the balcony is still under construction so the trees have been planted 'during' the construction as we originally stated.

Objection:

The application continues "The new trees are also an aesthetic consideration and to ensure that the occupiers of Moordown would not be able to see the balcony in any position in their garden, except where it would have been visible on the original planning permission, to avoid any of it being overbearing (please see the attached photographs showing the trees on the south westerly boundary labelled 'Boundary Trees'). "

As a matter of fact, since the balcony is now differently positioned than permitted under the planning permission, to claim that it is not possible to see the balcony "except where it would have been visible on the original planning permission". is obviously wrong. As the balcony extends further into the garden they are more in view than they would have been and adding some small trees in planters cannot disguise this.

Reply:

As per my comments above the new position of the balcony is completely obscured by the tree screening from the house and patio area in Moordown (please see the photo on the application). The coverage offered by the trees will increase as they continue to grow. The balcony can only be seen by Mr and Mrs Carver if they are in the lower part of their garden and from this position, they would have always been able to see the balcony in its position on the original plans.

Objection:

The application then says "The trees will continue to provide a screen even when the balcony is finished with an opaque end; this will continue to ensure the additional panel will not be over-bearing for the occupiers."

As already noted, we dispute that the planter with small trees will provide an adequate screen but in any event, putting an additional barrier (the planter with trees) in front of an already overbearing solid building and extended balcony does not change the overbearing nature of those structures.

Reply:

As stated above the trees provide a complete screen and will continue to grow. It is hard to understand how something can be over-bearing if it can't be seen, which is the case with new balcony. We have taken the action to plant the trees out of consideration for our neighbours - as mentioned above, we did attempt to discuss various options for this with Mr and Mrs Carver (types of tree or plant, or other options for the end panel) but they were not willing to accept any offers made.

The raised bed in which the trees have been planted is completely obscured from view as it is behind a garden house in the garden at Moordown and sits entirely on our side of the boundary.

As previously stated, the rest of the solid building already has planning permission and Mr and Mrs Carver were aware of its size when they bought their property - comments about the building are simply irrelevant to this application.

Objection:

In the Application it states "The balcony is positioned further away from the house building at Moordown; further down the garden, which actually ensures we see less of their garden from the new position of the balcony, then would have previously been the case with the original planning permission."

The claim that the Applicant can see less of Isere's garden from the new position of the balcony is untrue as will be easily observed from a site inspection.

Reply:

Please note that the title of the application has changed.

It is completely apparent that the fact that the balcony does now extend by 2.3m (which is smaller than the original balcony at 3m) actually means that we have a reduced view of the garden at Moordown. The setting of the two houses means that the dwelling on Moordown sits further back than our dwelling at Valley Views, meaning that the extension of the balcony takes it further away from the dwelling and with the end panel in place, significantly reduces the view - we are only able to see approx. 2-3 metres at the very end of their garden (and that is only if we stand at the very end of the balcony). This is also mentioned above.

Objection:

The extension of the main building with the attached balcony means that we are now considerably more overlooked than we would have been had the breach of planning not been made. Anyone standing on the balcony now has clear sight into our garden, the whole of the back of our house can be seen from this new vantage point, and it is possible to look into our home. This is extremely unsettling, knowing that at any time we may be being watched and it has had a significant negative impact on our enjoyment of our home and on our health and well-being.

Reply:

This statement is false as it implies incorrectly that we have extended the main building which is not the case. Additionally it does not take into consideration the planned opaque end panel. The trees planted have already significantly reduced the view of the Moordown

and once the end panel is in place will block any view of the house and patio area leaving a reduced view of the very end of the garden.

We appreciate that this was not the case whilst the initial construction phase of the balcony was being undertaken in July and August on 2024 and prior to the erection of the trees in May 2025. However, during this period the balcony was not in use as a recreational space and has only been used minimally since then (due to its unfinished nature).

During the construction phase we tried on several occasions to discuss the balcony with Mr and Mrs Carver, with regards to the nature / materials of the end of balcony particularly and to offer them choices with regards to screening. Despite our best efforts, they were unwilling to accept any suggestions we made.

Objection:

The increased size of the main building and attached balcony is material, creating a structure that extends some 10 metres beyond the end of our home, the construction is oppressively overbearing and overshadowing, adding to significant reduction in our enjoyment of our home and associated impact on our health and well-being. A site visit will put any doubts about this to rest.

Reply:

As noted above, the main building has not been extended at all or increased in size and meets with our original planning permission, so the above statement is very misleading. When Mr and Mrs Carver purchased their property, we were in the process of constructing the extension but they had full access to the plans and knew how far our building would extend in comparison to their own. It is unfortunate that after construction they do not like our extension however we have not breached any planning permission with regards to the building.

The use of the term 'overshadowing' also implies a loss of light which is again misleading; the sun passes over our properties to the south and west and therefore there is absolutely no loss of light as a result of our building.

Objection:

It is reasonable to assume that at the time that original planning application was under consideration, the incursion into our privacy was considered and was deemed to be a sufficient concern such that a condition was attached to the permission granted; namely that the side of the balcony facing our property must be solid walling. If the application to regularise the planning permission is approved, this will significantly erode our privacy in direct conflict with and undermining the original planning approval decision.

Reply:

Please refer to my comments above with regards to our intention to meet the purpose of the condition placed on our original plans with regards to privacy with the opaque end panel - that renders this comment void.

Objection:

The breach of the current planning permission means that the internal volume of the extended building acts as a huge amplifier. The Applicant's family include young children and dogs. Naturally any family like this will be noisy and will enjoy noisy activities - we do not take exception to this. However, the creation of this vast echo chamber unfortunately causes further erosion of our quiet enjoyment of our home and garden.

Reply:

The changes we have made to our building have not changed the nature of the space; all our original plans show a large upstairs room with a vaulted ceiling. When they purchased Moordown Mr and Mrs Carver were aware that we had young children and dogs and they continued to make the choice to live there. In the multiple conversations I have had with Mr

and Mrs Carver about the changes, they have never previously mentioned any concerns at all about noise from our property. Our use of our home is completely reasonable.

Objection:

The wall of Valley View's kitchen dining room, overlooking the garden and leading onto the balcony has extremely large glazed sections. At night this room is brightly lit, there are no curtains or blinds used with the consequence that a vast wall of light shines across our garden. Due to the extension of the building further into the garden than is permitted by the current planning permission, proportionately more light floods across our garden than would have been the case. The effect of this is like having a giant search light constantly shining across our garden. That combined with the oppressive and overbearing extended construction is reminiscent of a prison environment.

Reply:

- The change to our property has not altered the position of the lights.
- The claim that our lights 'flood across the garden' is completely false - photographs (which we hope to add to our application documents) taken from the rear looking back at the houses show the lights in our home, but our own garden is not even illuminated and given that the direction of our windows is away from Moordown the light does not shine over their garden (light does not bend).
- Please also note that we do intend to place blinds over all windows in the extension in the future. The blinds we would like come at a significant cost due to their insulating and energy saving nature and as they would be integrated to preserve the aesthetics of our home. Our house is still under construction and our finances are limited; we have to prioritise making the remaining rooms in our home safe and compliant with building regulations and therefore we are simply not in a position to purchase blinds yet but intend to in the future.
- In the multiple conversations I have had with Mr and Mrs Carver about the changes, they have never previously mentioned any concerns at all about the light from our property or asked us about blinds / curtains. If they had we would have outlined our plans as above.

Objection:

If the application for regularisation is granted, it will call into question and undermine confidence in the [Council's] planning decision making.

Reply:

We also feel it is important to note that Mr and Mrs Carver have objected to the retrospective planning process itself, in addition to the actual circumstances of this application. The planning system expressly allows for retrospective applications, but this objection is driven more by opposition to the principle of retrospective permission than by any genuine or proportionate planning harm arising from what has been included in our application. While some may disagree with that principle, it is not a valid basis on which to oppose this case.

Objections raised by Mr Watts at Duffus House

Objection:

Contrary to the wording of the proposal in the retrospective planning application this application relates to a new exterior balcony which did not feature in the original planning application ref PA20/00218 and is not for the repositioning of a balcony in that application.

Reply:

Our original planning permission did include a balcony and our current application is to regularise that permission due to the altered position of the balcony.

Objection:

I am an immediate neighbour to the applicant having purchased the house next door to the

NE last year. During the purchase of my property I investigated the planning situation with regard to the neighbouring property and was happy with the protection of my privacy. To have it so clearly breached by the construction of the exterior balcony has been very upsetting and caused me great stress.

Reply:

The balcony in its current position was constructed in July / August 2024. Mr Watts purchased and moved into Duffus House in 2024 ; therefore he was completely aware of the new position of the balcony and continued to purchase the property anyway. This would suggest that the position of our balcony was not distressing enough to prevent him buying the house or being willing to live in it.

Objection:

The retrospective application deals to some extent with the question of privacy for the neighbour on the other side of the applicant's house but gives no consideration to protection of privacy for my house which is considerably more affected as the extension to my neighbour's house is angled much more in my direction. The new wrap-around balcony greatly increases their vision into my property with the sliding glass door providing an instant and unavoidable overview of my house and garden to anybody stepping outside onto the balcony.

Reply:

This statement is simply untrue. The view of Duffus House and gardens has not changed at all as a result of the extended nature of the position of the balcony. It faces in the same direction and its new position does not offer any increased view.

At no point has Mr Watts shared his 'upset' or 'stress' with us in person since he moved in in October or when we added the glass to the balcony in May 2025. When the glass was added to the balcony I actually went around to see Mr Watts to check that he was happy with the situation. After an amicable discussion we agreed that the addition of a trellis screen would increase the privacy Mr Watts has in his conservatory. This was constructed and when I then visited Mr Watts again to check he was happy with the screen and to ask if there was anything further we could offer, he assured me that he was completely satisfied with the balcony. It is therefore incredibly surprising to us that he has objected at this stage.

Objection:

The window and door onto the wrap-around section of the new balcony have a direct line of sight and provide an unimpeded view into my bedroom from the applicant's kitchen and dining area. The new exterior balcony affords not only the same view into my bedroom but also has a direct line of sight into my sitting room, dining room and over 95% of my garden.

Reply:

- The window and door Mr Watts refers to are on the original planning permission for the extension in the same position. The only alteration is in fact to reduce the size of the window.

- The wording in Mr Watts statement is misleading, he suggests there is an 'unimpeded' view into 'his' bedroom. Firstly, the view is not unimpeded as he has net curtains in this room which prevent us from seeing anything in the room at all. We have also commented above of our intention to add blinds to this window when we are able to. Secondly, this room is not 'his bedroom' but is a spare room which is rarely used by Mr Watts.

- The nature of the two rooms in question are different; ours is a dining area and his a bedroom, therefore these rooms are likely to be used at different times of the day which will significantly limit the opportunity for any view of each other.

- On the opposing side of his property Mr Watts is in the same position with views from his bedroom looking directly in the bedroom and living room of Mr and Mrs Lloyd at Greystones.

- Also with regards to the privacy of his garden; Mr Watts has objected to our view of his garden and implied that this causes him stress. Yet, the boundary between Mr Watts' garden and his other neighbours at Greystones, is only a wire fence, meaning that they not only share a completely open view into each other's gardens, but they can see into each other conservatories and other living spaces completely unimpeded. Mr Watts has made no objection about this to his neighbours at Greystones or spoken to them about a different fence to increase privacy. On the other hand the boundary between our properties has a very high fence and we have added to that with the trellis. This suggests his comments about our view of his garden and the stress they cause are completely disingenuous.
- It is also worth noting the inaccuracy of his comments about the amount of his garden we can see. Mr Watts' dwelling sits in the middle of his property, with garden at the front and rear. From our balcony we can see approximately 30% of the overall garden; this is to the rear. Much of this view was previously protected by trees in the garden but Mr Watts has chosen to have those removed or reduced in size since he moved in.
- From the same bedroom window Mr Watts has a completely unimpeded view of our back garden. It is in the nature of the housing on this street that one overlooks the other on both sides to a certain degree - Mr Watts has a far greater view of our garden from his window than we do of his from our balcony.
- Mr Watts claims that we have "a direct line of sight into my sitting room, dining room" which is completely false as we have no view of either of these rooms.

We have offered this reply to provide clarity, correct inaccuracies and add further detail. We are deeply saddened by the nature of these objections and the way in which they have attempted to vilify our decisions, motivations and actions. We have worked incredibly hard to build ourselves a family home over the past 5 years, whilst working full time and raising our young children. It would be unreasonable to suggest that alterations to such a project would not occur and it would have been nonsensical to ignore opportunities to make changes which would offer a better way of living for our family. We have made those changes with every intention of upholding the original conditions of our planning permission and with consideration for our neighbours. This is our forever home; we simply want it to be the best we can make it and enjoy living in the village which is our ancestral home.

Mr Michael Watts

Comment submitted date: Thu 20 Nov 2025

Contrary to the wording of the proposal in the retrospective planning application this application relates to a new exterior balcony which did not feature in the original planning application ref PA20/00218 and is not for the repositioning of a balcony in that application.

I am an immediate neighbour to the applicant having purchased the house next door to the NE last year. During the purchase of my property I investigated the planning situation with regard to the neighbouring property and was happy with the protection of my privacy. To have it so clearly breached by the construction of the exterior balcony has been very upsetting and caused me great stress. The retrospective application deals to some extent with the question of privacy for the neighbour on the other side of the applicant's house but gives no consideration to protection of privacy for my house which is considerably more affected as the extension to my neighbour's house is angled much more in my direction. The new wrap-around balcony greatly increases their vision into my property with the sliding glass door providing an instant and unavoidable overview of my house and garden to anybody stepping outside onto the balcony.

The window and door onto the wrap-around section of the new balcony have a direct line of sight and provide an unimpeded view into my bedroom from the applicant's kitchen and

dining area. The new exterior balcony affords not only the same view into my bedroom but also has a direct line of sight into my sitting room, dining room and over 95% of my garden.

I regard the newly constructed balcony as having an over bearing impact on my property and of being an intrusion of my privacy contrary to the County Council and national policies intended specifically to protect privacy and avoid overbearing impact. I submit that the application should be rejected.

Mrs Caroline Carver

Comment submitted date: Mon 17 Nov 2025

We ask the Cornwall council to note the following points, which form the basis for our strong objection to this application.

We understand that local planning authorities have responsibility for taking whatever enforcement action may be necessary, in the public interest. We understand that in deciding whether enforcement action is taken, local planning authorities should, where relevant, have regard to the potential impact on the health, housing needs and welfare of those affected by the proposed action, and those who are affected by a breach of planning control.

1. In the Description of the Proposed Works section of the Application, Mrs Hurdwell explains that "When building the extension we re-assessed the space allocated for the balcony and wanted to utilise it to provide a bigger internal kitchen and dining area, but knowing we had permission for a balcony we added it on to the end of the extension" In other words, the reason for the breach of the permission granted, was not a mistake or necessary but simply because she and her husband wanted an even bigger kitchen and dining area. Surely an even bigger kitchen dining area cannot reasonably considered to be a "housing need".

2. Mrs Hurdwell goes on to state "but knowing we had permission for a balcony we added it on to the end of the extension, with the intention of complying with the condition in the original application to build an opaque end."

This comment appears disingenuous as it seeks to deflect attention from the fact that the balcony is 2.3m further into the garden than permitted. Building an "opaque end" to the balcony does not serve the purpose originally intended under the planning permission granted because of its new position, even further into the garden. To describe this as a way of complying with the planning permission is misleading - especially when the permission granted states "the balcony area at first floor level would be enclosed by solid walling to the south western elevation....and would therefore not allow views back towards the adjoining property".

3. Mrs Hurdwell continues with "The balcony is smaller than the one in the original application (sic) at 2.3 metres wide."

These two statements taken together could create a misleading impression that the now slightly smaller balcony in some way mitigates the breach, whereas in fact the solid building extends 7.5m into the garden beyond our home and the balcony another 2.3 metres is further out.

4. In the Application, in relation to the balcony states -

"It is positioned to overlook the land we own directly behind our property, it has been directed away from Moordown and the view of this property has been reduced."

As a matter of fact, the balcony now has three sides, facing east, south and west, allowing direct oversight of both immediate neighbours' homes, windows and gardens, whereas the balcony in the original application was enclosed. To describe this as "directed away from Moordown" is plainly false and misleading. The extension of the elevated position of the

balcony increases the view of "Moordown" (please note Moordown is incorrect - the house is known as Isere and has been since before we purchased the property and we understand that the name was changed more than 20 years ago).

4. In the Trees and Hedges section of the Application, it states "we have added some trees to our garden along our south westerly boundary, with Moordown. This has been done to provide a screen between the two properties, ensuring that during and after construction of the balcony we have maintained privacy for both the occupiers of Moordown and ourselves." As can be seen from the accompanying photographs, the "trees" (planted after the balcony was finished not during the construction as stated) are in fact small trees and shrubs, planted in moveable wooden planters, which are too small for trees to grow healthily or fully. Further, the trees do not provide adequate privacy screening due to their small size. Once the winter storms and winds have taken their toll and the leaves have fallen there will be very little privacy by this "screening" at all.

5. The application continues "The new trees are also an aesthetic consideration and to ensure that the occupiers of Moordown would not be able to see the balcony in any position in their garden, except where it would have been visible on the original planning permission, to avoid any of it being overbearing (please see the attached photographs showing the trees on the south westerly boundary labelled 'Boundary Trees'). "

As a matter of fact, since the balcony is now differently positioned than permitted under the planning permission, to claim that it is not possible to see the balcony "except where it would have been visible on the original planning permission". is obviously wrong. As the balcony extends further into the garden they are more in view than they would have been and adding some small trees in planters cannot disguise this.

6. The application then says "The trees will continue to provide a screen even when the balcony is finished with an opaque end; this will continue to ensure the additional panel will not be over-bearing for the occupiers."

As already noted, we dispute that the planter with small trees will provide an adequate screen but in any event, putting an additional barrier (the planter with trees) in front of an already overbearing solid building and extended balcony does not change the overbearing nature of those structures.

7. In the Application it states "The balcony is positioned further away from the house building at Moordown; further down the garden, which actually ensures we see less of their garden from the new position of the balcony, then would have previously been the case with the original planning permission."

The claim that the Applicant can see less of Isere's garden from the new position of the balcony is untrue as will be easily observed from a site inspection.

The extension of the main building with the attached balcony means that we are now considerably more overlooked than we would have been had the breach of planning not been made. Anyone standing on the balcony now has clear sight into our garden, the whole of the back of our house can be seen from this new vantage point, and it is possible to look into our home. This is extremely unsettling, knowing that at any time we may be being watched and it has had a significant negative impact on our enjoyment of our home and on our health and well-being.

The increased size of the main building and attached balcony is material, creating a structure that extends some 10 metres beyond the end of our home, the construction is oppressively overbearing and overshadowing, adding to significant reduction in our enjoyment of our home and associated impact on our health and well-being. A site visit will put any doubts about this to rest.

It is reasonable to assume that at the time that original planning application was under consideration, the incursion into our privacy was considered and was deemed to be a sufficient concern such that a condition was attached to the permission granted; namely that the side of the balcony facing our property must be solid walling. If the application to regularise the planning permission is approved, this will significantly erode our privacy in direct conflict with and undermining the original planning approval decision.

The breach of the current planning permission means that the internal volume of the extended building acts as a huge amplifier. The Applicant's family include young children and dogs. Naturally any family like this will be noisy and will enjoy noisy activities - we do not take exception to this. However, the creation of this vast echo chamber unfortunately causes further erosion of our quiet enjoyment of our home and garden.

The wall of Valley View's kitchen dining room, overlooking the garden and leading onto the balcony has extremely large glazed sections. At night this room is brightly lit, there are no curtains or blinds used with the consequence that a vast wall of light shines across our garden. Due to the extension of the building further into the garden than is permitted by the current planning permission, proportionately more light floods across our garden than would have been the case. The effect of this is like having a giant search light constantly shining across our garden. That combined with the oppressive and overbearing extended construction is reminiscent of a prison environment.

Overall the combined effects of the breach of the planning permission are a material and significant intrusion into our private life and deterioration of our enjoyment of our home, our health and well-being.

Before we bought Isere, we took the precaution of checking all planning applications and recent decisions in the local area. We noted the planning permission that had been granted to Valley View and relied upon the scope of the permission that had been granted and the planning officer's decision making that led to it.

It is incumbent upon officers involved in making planning decisions to ensure that their decisions are grounded in facts, are reasonable and rational, proportionate and fair. We assume that this was the case when the original planning permission was applied for, considered and granted. We assume that there were good reasons for limiting the extent to which the build could be extended and how far the balcony would reach into the garden and, as explained above, why the impact on the privacy of our property had to be mitigated by the addition of the solid walling.

We do not consider there to be any reasonable basis to change the original permission. There has been no material change in circumstances that could justify granting the regularisation applied for. The Applicant's application makes it very clear that they just want a bigger room than they have permission for, as well as the balcony.

As we have explained above, this breach of planning is not a trivial or technical breach of control which causes no material harm or adverse impact on the amenity of the site or the surrounding area. The impact is significant and material. If the application for regularisation is granted, it will call into question and undermine confidence in the [Council's] planning decision making. It will send a signal to everyone in the area that you don't have to worry about breaching planning permission because you can just get it regularised after the fact for no good reason and regardless of the intrusion into the affected neighbours' private life and the deterioration of their ability to enjoy a peaceful life at home.

Mrs Julia Lloyd

Comment submitted date: Wed 12 Nov 2025

We can see the balcony from our property (Greystons) we are not concerned by its appearance & have no objections to the changes. In fact we feel that the extension and balcony have improved the overall appearance of Valley Views. We compliment Mrs Hurdwell on the foliage introduced that ensures privacy for us all. We do not consider the extension & balcony to be overbearing. As we look toward Valley Views from the end of our garden we can see the house and extension but only if we make an effort to see it. It isn't obviously visible and isn't intrusive in any way. The property & extension appears to be angled more in the direction of our property & away from the neighbouring property but we have no concerns at all about our privacy.

We do use the footpath that passes through the property on a regular basis. The house is quite some distance from the footpath and again it is not overbearing as it is shielded by an oak tree. There is no sense of feeling overlooked as we use the footpath.

Comment submitted date: Mon 10 Nov 2025

As a close neighbour we fully support this application.

(Please note we have already offered this support but under the wrong category as a member of the public - apologies for this)

Comment submitted date: Mon 10 Nov 2025

As close neighbours we wish to confirm our support for this application.