

From:

Sent: 29 May 2015 23:07

To: Ian Curtis

Subject: Town & Country Planning Act 1990 Article 4 Direction at Seaward Side of Victory Boulevard Lytham St Annes

Dear Sirs,

We write in respect of the Article 4 Direction at the Seaward Side of Victory Boulevard, Lytham St Annes as we protest in the strongest terms.

There are no justifications given in the letter from Andrew Stell dated 13th April 2015 as to why the Article 4 Direction has been made or upon what basis.

This area is not a conservation area and there is no loss of amenity to the Lytham Quays development since the Transitional Open Space to which this Article 4 Direction will apply is privately owned by each of the adjacent properties and has no right of public access or public use.

The land directly behind each property is owned and accessible by that property only but provides no security between neighbouring properties when residents are enjoying this land. A number of the owners have young children who simply cannot play safely on the land because it is so insecure with no boundary fencing, hedging or wall. Other residents own dogs, which again cannot use this land due to the lack of enclosure behind each property. The land has already been the subject of a costly planning appeal via Public Inquiry, at which we won and were granted a Certificate of Lawful Development to enclose our part of this land by means of a 900mm wall.

When we purchased our property in November 2009 the land was sub-divided into individual parcels of land by hedging but this was uprooted on 2011. The Planning Department had ample time to enforce the original landscaping scheme between November 2009 and 2011 to have this sub-dividing hedging removed but did nothing.

Furthermore, the Planning Department has allowed us to incur the costs of an appeal to the Planning Inspectorate and also allowed the Council to incur the costs in defending the appeal at a Public Inquiry, when they knew that in October 2014 the Council resolution for making the Article 4 Direction had been put into place. This was some 3 weeks before the opening of the Public Inquiry on the 5th November 2014. This is itself an abuse of process and a waste of money from the public purse.

The cost to the Council in further defending this position at judicial review will be indefensible to public scrutiny. Given the secrecy in excluding the Public from the committee hearing where the resolution to issue the direction was made, it was in the Public interest (i.e. myself and my partner and our neighbours) to know that an order was going to be made in order to negate the

need for the Public Inquiry, and more importantly to save the thousands of pounds that was wasted from the Public Purse.

This Article 4 Direction must be rescinded.

[Names and address]