

Proposed development: Full Planning Application for Use as garden (retrospective).

Site address:

**Land to the rear of 29 Greenhead Avenue
Blackburn
BB1 5PR**

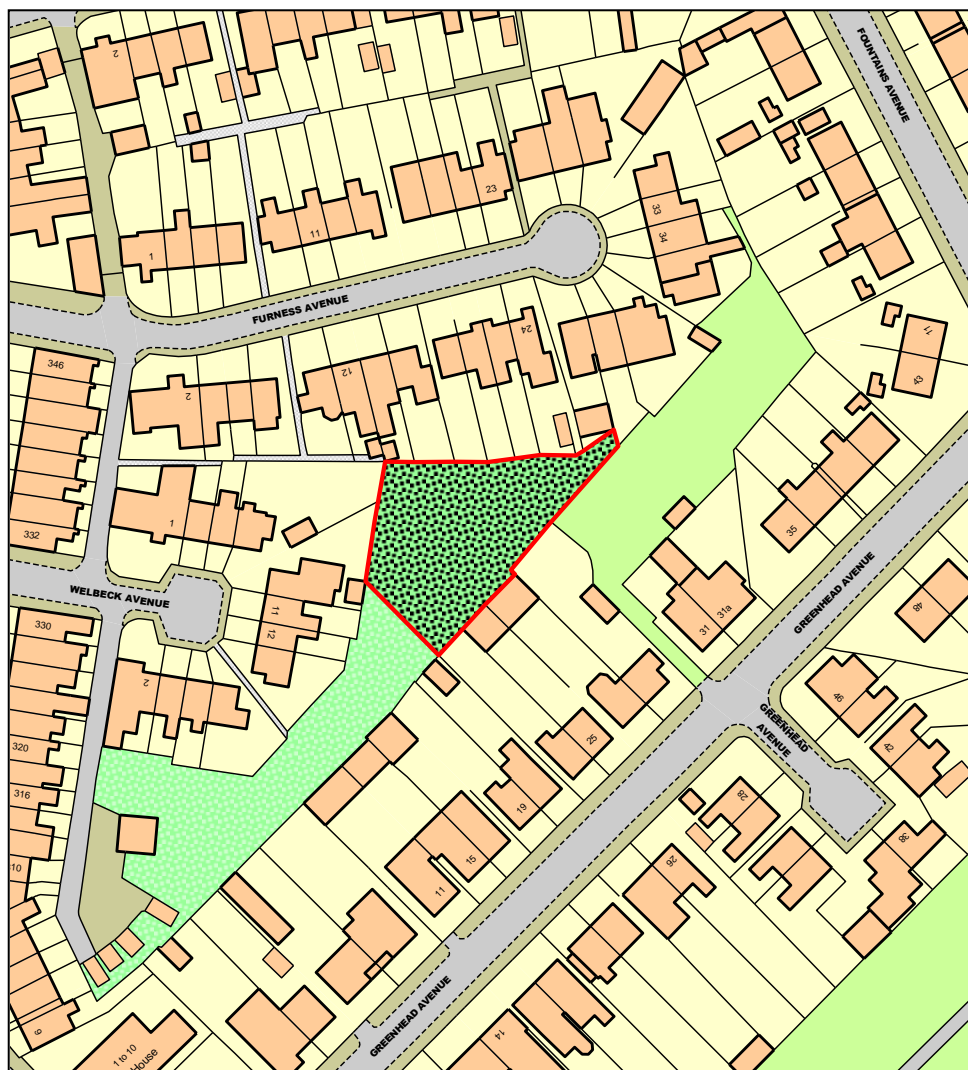
Applicant: Mr Haider Khan

Ward: Little Harwood & Whitebirk

Councillor: Pat McFall

Councillor: Abdul Patel

Councillor: Mustafa Ali Desai



1.0 SUMMARY OF RECOMMENDATION

1.1 APPROVE – Subject to conditions, as set out in paragraph 4.1.

2.0 KEY ISSUES / BACKGROUND & SUMMARY OF PLANNING BALANCE

- 2.1.1 The application is reported to the Committee due to the volume of objections received from local residents, in accordance with the Council's adopted Scheme of Delegation.
- 2.1.2 The application is submitted following receipt of complaints from local residents alleging unauthorised works and occupation of the land. Complaints include a 48 signature petition which was reported to July's Committee. Initial complaints were received in March 2019, at which time Planning Enforcement and Public Protection officers visited the site to establish the extent of activity. This was revealed as clearance of trees and Japanese Knotweed, as well as erection of a fence. The works were carried out by the applicant.
- 2.1.3 Subsequent to the site visit, a Planning Contravention Notice (PCN) was issued on the applicant, requesting information pertaining to land ownership interests and intended future use. Answers provided revealed the land to be outside of the applicant's ownership and otherwise unregistered. The intended future use was stated as residential garden associated with no. 29 Greenhead Avenue; a property accepted as being within the ownership of the applicant. The Council's planning enforcement team continued to monitor the site.
- 2.1.4 Complaints expressed serious concern about the extent of a Japanese Knotweed infestation and attempts by the applicant to remove it. In response, the Council's Public Protection team issued a Community Protection Warning (CPW) notice on 12th July 2019, in accordance with the Anti-Social Behaviour Crime and Policing Act 2014, on account of legal responsibilities for the disposal and management of Japanese Knotweed. The CPW required the applicant to submit a written program for control of the Knotweed, within 28 days, for approval by the Council's Public Protection team. No such program was received. The applicant then appeared to leave the site and very little further activity occurred, resulting in suspension of CPW proceedings.
- 2.1.5 In May 2020, further complaints were received alleging further site clearance and general activity. Complaints also alleged noise disturbance and intimidation towards local residents. Following advice to the applicant that the use of the land as residential garden would require planning permission, this planning application was submitted on 12th May 2020. The application is described as retrospective, on account of the works undertaken to date, including clearance, erection of a boundary fence with lockable gates and removal of the boundary fence to the rear of no. 29 Greenhead Avenue, which allows unfettered access onto the land from this property. Occasional activity associated with a typical domestic use has also been observed, including the

siting of a small chicken pen and keeping of chickens. It is, however, arguable as to whether a material change of use of the land has, to date, occurred, given the level of use / activity. Any such uncertainty in this regard should not, however, influence the outcome of the application.

- 2.1.6 As well as the aforementioned works / activity, local residents have expressed serious concern that the land is not within the ownership of the applicant. This is accepted by all parties and is confirmed by current Land Registry records, which confirm the land to be unregistered, though it does not necessarily follow that the land is not owned by an alternative individual or individuals. The applicant, however, claims to have 'occupied' the land for 15 years, a claim informally contested by local residents. Notwithstanding disputed land ownership / occupancy, the planning application is submitted in accordance with the statutory requirements of the Town and Country Planning (Development Management Procedure) (England) Order 2015. With reference to land ownership, this requires the applicant to sign Certificate D of the application form and publish the intention to develop the land, for the purposes described in the application, in the local press for a minimum of 14 days; thereby affording the opportunity for an owner to make representation. No such representation has been received and the application is accepted as procedurally correct, enabling it to progress to determination.
- 2.1.7 It is understood that the applicant is seeking to gain adverse possession of the land, through the relevant legal recourse with the Land Registry. Members are advised that this is a private matter beyond the influence of the planning process and the Council in general. At the time of writing this report, no formal application has been submitted to the Land Registry, and the onus is on the applicant to show that the legal requirements to satisfy an application for adverse possession are met. In view of the local community interest in relation to the site, the Council will be writing to the Land Registry asking to be informed and be consulted upon any subsequent adverse possession claim application. If such application is considered by the Land Registry then initially, a land registry surveyor attends the site in order to assess whether there is an evidential basis for adverse possession to be seriously considered by the land registry. If it is considered that there is evidence, this will then lead to a formal consultation process. At this stage, the Council would have to submit its own statutory declarations based on its own direct knowledge of the site from its own officers, which would be considered along with the applicant's statutory declaration. In addition, local residents will be invited to submit their comments. Members are advised that the Council cannot advise the local residents with regards their submission and comments, they will have to seek their own independent legal advice.
- 2.1.8 The application is limited to the area defined by the red edged site plan; that being the area proposed as additional garden space associated with no. 29 Greenhead Avenue. The applicant also occupies adjacent, unregistered land to the south west, to the rear of nos. 3-27 inc. Greenhead Avenue and nos. 2-12 inc. Wellbeck Avenue. Although not included in the application, this land has also been cleared of trees and Japanese Knotweed.

2.1.9 In response to receipt of a very significant volume of complaints from local residents about the applicants conduct, including alleged anti-social behaviour and intimidation, the Council's Community Safety team, in conjunction with Police colleagues, have taken a targeted and pro-active approach to managing the situation in order to deescalate tensions, under the title of 'Operation Paradise'. This involved community wide dialogue with residents of Greenhead Avenue, Wellbeck Avenue and Furness Avenue. No criminal activity was established and the operation has now concluded. Agencies will, however, continue to monitor the situation.

2.1.10 The key issues in the assessment of the application are the impact of the development on neighbouring amenity and upon landscape character. In arriving at the recommendation, all material matters have been considered, in the context of relevant Development Plan policies and The Framework, as set out in the Assessment section of this report. It is considered, on balance, that the development is consistent with those policies. It is also satisfactory from a technical point of view with the issue of Japanese Knotweed management / eradication having been addressed through the application process and appropriately further controlled through a planning condition.

2.1.11 Member's are respectfully advised that the following non-material matters should not influence the outcome of the application:

- Land ownership / adverse possession
- Alleged anti-social behaviour and intimidation
- Alleged activity on land adjacent to the application site, to the immediate south west
- Alleged illegal activities at no. 29 Greenhead Avenue.

3.0 RATIONALE

3.1 Site and Surroundings

3.1.1 The application site relates to a parcel of enclosed land to the rear of properties along Greenhead Avenue, Wellbeck Avenue and Furness Avenue, Blackburn, as defined by the submitted red edged site plan.

3.1.2 The land is appropriately described as vacant. It was, up until the involvement of the applicant, most recently covered by vegetation, including low level trees and Japanese Knotweed. This is supported by Google aerial imagery (see extract below). Historic aerial photograph's support anecdotal representations that the land formerly hosted domestic garages.

3.1.3 The wider area is characterised by its urban pattern, featuring a mix a terraced and semi-detached dwellings.



Google aerial image view of the application site to the rear of Greenhead Avenue



Google street view image of access from Greenhead Avenue to application site.

3.2 Proposed Development

- 3.2.1 A change of use of land to residential garden associated with no. 29 Greenhead Avenue is proposed. No building operations are proposed. A fence has been erected around the perimeter of the site, as well as a chicken run within the site. As both form a means of enclosure under 2m in height, they need not be included in the development description as the works are permitted development.



Photo 1: application site also show chicken run.

3.3 Development Plan

3.3.1 Section 38(6) of the Planning and Compulsory Purchase Act 2004 requires that applications be determined in accordance with the development plan unless material considerations indicate otherwise.

3.3.2 The Development Plan comprises the Core Strategy and adopted Local Plan Part 2 – Site Allocations and Development Management Policies. In determining the current proposal the following are considered to be the most relevant policies:

3.3.3 Core Strategy

- CS13 – Environmental Strategy
- CS16 – Form and Design of New Development
- CS18 – The Borough's Landscapes

3.3.4 Local Plan Part 2

- Policy 1 – The Urban Boundary
- Policy 7 – Sustainable and Viable Development
- Policy 8 – Development and People
- Policy 9 – Development and the Environment
- Policy 10 – Accessibility and Transport
- Policy 11 – Design
- Policy 25 – Residential Curtilages

3.4 Other Material Planning Considerations

3.4.1 National Planning Policy Framework (The Framework)

- Section 2: Achieving sustainable development
- Section 12: Achieving well-designed place

3.5 Assessment

3.5.1 In assessing this full application the following important material considerations are taken into account:

- Principle of the development
- Amenity impacts
- Landscape character impacts
- Environmental impacts
- Design / character and appearance impacts

3.5.2 Principle

As an undesignated site located within the Inner Urban Area of Blackburn, the development is consistent with Policies CS1 and 1 of the Development Plan which state that the urban area is the preferred location for new development. In land use terms, therefore, the principle of a change of use to residential garden is supported.

Amenity

3.5.3 Assessment of visual amenity impact of the development is a key consideration, particularly in the context of local resident objections. The Council has a bespoke policy for residential curtilage development, in order to protect the character of an area from the unacceptable introduction of domestic features and maintained land to an otherwise unaltered area. Policy 25 sets out the following requirements:

An extension to a residential curtilage will only be permitted where it will not, in isolation or in combination with other committed or completed development, lead to any detriment to visual amenity or to the character of the surrounding landscape. In appropriate cases the Council will remove permitted development rights in order to protect the character and amenity of the landscape.

3.5.4 The site is enclosed by adjacent residential gardens, save for its south western boundary, and is largely hidden from public vantage points. Views in from adjacent residential properties are mainly limited to those from upper floor bedroom windows. For these reasons it is considered that no significant detriment to visual amenity or landscape character arises as a consequence of the development.

3.5.5 Should permission be granted, it is considered prudent to remove permitted development rights relating to development within the curtilage of a dwelling house, in order to control future development of the site. This would be secured through application of an appropriately worded condition.



Photo 2: application site



Photo 3: application site

- 3.5.6 Safeguarding amenity should also be considered in the context of Policy 8, which requires a satisfactory level of amenity and safety is secured for surrounding uses and for occupants or users of the development itself; with reference to noise or other nuisance, privacy / overlooking and the relationship between buildings.
- 3.5.7 The application site has a back-to-back relationship with neighbouring gardens that is somewhat typical within an urban context; notwithstanding the scale of the site in contrast to the existing garden at no. 29 Greenhead Avenue and other gardens which back onto it. A circa 2m high close boarded fence surrounding the application site forms a physical delineation adjacent to boundary treatments that define the domestic limits of neighbouring gardens.

Overlooking arising from the site is considered to be minimal and typical of neighbouring gardens within the local context and the urban area in general.

3.5.8 Local residents have objected to noise nuisance arising from the site and have expressed concern at the prospect of the extended garden being used for large gatherings. As aforementioned, the sites relationship with neighbouring gardens is typical of the urban environment and occasional nuisance in this context may arise. Nuisance should not, however, be excessive nor persistent. Members are advised that use of the extended garden must be for the benefit of occupants of no. 29 Greenhead Avenue and not the applicant and his associates, if he is not residing at the property. A condition is recommended to reinforce this position. In the event of permission being granted, residents should be assured that evidence of a subsequent unauthorised use of the land would be subject to enforcement action.

3.5.9 Local residents have also expressed concern about the ability to access and maintain the rear of their properties. Of the properties that back on to the application site, from the evidence of multiple case officer site inspections, no established pedestrian or vehicular access is impacted. Domestic garages within those properties are all accessed from the highway on which they are located. Maintenance of boundary fences is typically undertaken from the inside a property, given the common back to back garden relationships found within the urban environment. Notwithstanding this, the boundary fence erected by the applicant is positioned circa 1m away from the rear boundaries of properties on Furness Avenue and Wellbeck Avenue, thereby allowing sufficient space to carry out basic maintenance from the outside, should the need arise. In this context, it should also be recognised that over the years the site has become overgrown with vegetation, including semi mature trees that prevent practical access to the rear of these properties. The circumstances arising from this application do not, therefore, directly alter the pre-existing ability to access rear boundaries of adjacent properties.



Photo 4: demonstrating position of new boundary fence with existing boundary fencing

3.5.10 Access to the garage at no. 23 Greenhead Avenue, whilst unaffected by the application site, is affected, by virtue of the applicant having erected temporary fencing across the point of access into adjacent land to the south west. However, as this land sits outside the application site, it is beyond the scope of this assessment. The matter is, therefore, a private dispute between the affected householder and the applicant.

3.5.11 Environment

Policy 9 requires that development will not have an unacceptable impact on environmental assets or interests, including but limited to climate change (including flood risk), green infrastructure, habitats, species, water quality and resources, trees and the efficient use of land.

3.5.12 Prior to the submission of the application, the site was cleared of trees and vegetation, as enabling works for the proposed domestic garden. Members are advised that the trees were low value, self-seeded specimens that were not afforded protection by Preservation Order. Accordingly, no objections are offered towards their removal.

3.5.13 Vegetation clearance includes cutting back of Japanese Knotweed. As an acknowledged problematic invasive species, this is a significant cause for concern to local residents. Public Protection colleagues have been pro-actively involved in seeking a solution to the problem, from the aforementioned service of the CPW notice and throughout assessment of this application. This has culminated in the applicant appointing a specialist contractor who has produced a Japanese Knotweed Management Plan to target and eradicate the infestation. The plan sets out a 4 year strategy which is intended to be introduced with immediate effect, should the application be approved. The strategy includes targeting the Knotweed within the application site, vacant land adjacent to the south west and encroachment onto neighbouring private gardens. Upon completion of the 4 year treatment plan, a further 6 year monitoring exercise is included with a view to addressing residual infestation. Public Protection colleagues consider the plan to be robust and support its implementation. Adherence to the plan would be secured by condition. Extracts from the submitted Management Plan now follow, which demonstrate the extent of Japanese Knotweed on the application.

Section 1.5 – Documentary Photographs



Japanese Knotweed covers an extensive area to both the land that the client owns and to adjacent properties. The client has, with the best of intentions, tried to remediate the problem themselves but have decided that it is best for both the environment and to neighbouring property owners that a professional and accredited company deal with the infestation.

Extract from the “Inspectas Report – Knotweed Management Plan – 25th June 2020.

- 3.5.14 The notion that support of the application would afford the Council a greater degree of control over the land should be considered, with specific reference to land use as residential garden associated with no. 29 Greenhead Avenue and Japanese Knotweed eradication. If planning permission were refused, such control would be limited, meaning that local residents may be left with an untreated Japanese Knotweed infestation adjacent to their properties. Nuisance arising from occasional gatherings would also be difficult to control, unless an unauthorised material change of use of the land could be established.

Section 1.4 - Location of Japanese Knotweed.



Map Key:

- Yellow** represents the approximate site boundary.
- Red** represents the infestations of Japanese Knotweed identified on the site survey.
- Blue** represents the infestations of Japanese Knotweed identified neighbouring land.
- Purple** represents the rhizome exclusion zone.

Extract from the "Inspectas Report – Knotweed Management Plan – 25th June 2020.

Residents have raised concerns that the Japanese Knotweed is being disturbed by the applicant. Photographs taken by the case officer on the 22nd September, clearly show no disturbance has occurred. Photographs are shown below.



Photographs taken 22nd September 2020



Photographs taken 22nd September 2020

3.5.15 Local residents have also raised concern about drainage, alleging infill of a watercourse. Drainage colleagues have visited the site and noted the existence of a gully located, primarily, within rear gardens of properties on Greenhead Avenue, adjacent to the application site and adjoining land to the south west. Moreover, the watercourse is referenced on historic maps. Buildings within rear gardens of these properties appear to have been historically erected over the watercourse. There is no evidence that works undertaken by the applicant has resulted in any adverse impact on surface water drainage. BwD Drainage (as Lead Flood Authority) raise no objection to the development, providing no structural works are undertaken within proximity to the watercourse, without the ability for the Council to assess the impact of such works. As aforementioned, it is recommended that permitted

development rights relating to development within the curtilage of a dwelling house should be removed.

3.5.16 Highways

Policy 10 requires that road safety and the safe and efficient and convenient movement of all highway users is not prejudiced. This includes development that should not directly affect any public rights of way, unless the right of way is maintained or the proposal provides for its replacement by an equally attractive, safe and convenient route.

3.5.17 Local resident objections include reference to so-called public footpaths into the site from Greenhead Avenue, Furness Avenue and Wellbeck Avenue. Only the identified footpaths from Greenhead Avenue and Furness Avenue have a direct relationship to the site. These paths appear to lead into the site, according to Ordnance Survey records. The path off Furness Avenue leads onto land outside of the application site, to the south west. The Council's Public Rights of Way (PROW) officer has confirmed that the area contains no legal PROW's. Although an application process exists for residents to attempt to claim a right of way, by means of evidencing that a legal right already exists (normally a previous legal order or act) or that the public at large (not the local land owners) have had long standing uninterrupted public access, no such application has been received. In response to such concern raised by local residents, the PROW officer has advised that, based on the available evidence, a PROW claim would not be applicable or successful in this instance.



Extract from constraints map showing no PROW across the application site.

3.5.18 Some local residents claim to have legal right of access into the site, as a legacy of the sites historic use as a garage colony. However, no evidence to support such claims has been submitted to the Council. Notwithstanding this, the issue of land ownership and alleged right of access into the site are outside of the scope of this assessment. They are, instead, matters that would need to be pursued privately between to the applicant / land occupier and affected local residents.



Photo 5: Access from Greenhead Avenue- No.29 is property on the left.

3.5.19 Design

Policy 11 requires a good standard of design and will be expected to enhance and reinforce the established character of the locality and demonstrate an understanding of the wider context towards making a positive contribution to the local area.

3.5.20 As a garden extension enclosed by adjacent residential development and bounded by a c.2m high close boarded timber fence typical to the locality, the proposal appropriately demonstrates an understanding of the wider area.

3.5.21 The applicant has provided photographic evidence of domestic waste items removed from the site during clearance works. It is alleged that the site, on occasion, was a targeted waste ground. Whilst no evidence exists of any persistent issues of fly tipping, it may be argued that a positive contribution to the local area arises from the clearance of the site and future intentions to maintain the land as domestic garden space.



application site.

Photo supplied by applicant of waste removed from the

3.5.22 Summary

This assessment takes into account a range of material matters associated with the full planning application for a change of use of vacant land to domestic garden, to the rear of 29 Greenhead Avenue, Blackburn. On balance, the application is considered to demonstrate compliance with the Development Plan and The Framework, subject to imposition of conditions in order to make the development acceptable in planning terms.

4.0 **RECOMMENDATION**

4.1 Delegated authority is given to the Director for Growth and Development to approve planning permission, subject to conditions which relate to the following matters:

- Standard time limit
- Development approved in accordance with submitted details
- Use of land limited to occupants of no. 29 Greenhead Avenue
- Implementation of Japanese Knotweed Management Plan

- Removal of permitted development rights relating to development within the curtilage of a dwelling house.

5.0 PLANNING HISTORY

5.1 No relevant planning history exists for the site.

6.0 CONSULTATIONS

6.1 Public Protection

No objection subject to implementation of approved Japanese Knotweed Management Plan.

6.2 Drainage

No objection subject to control of future development of the site (achieved via removal of permitted development rights).

6.3 PROW

Confirmation that no PROW's are located adjacent or across the site and that any PROW claim would be unlikely to be successful.

6.4 Public consultation

Public consultation has taken place by means of 56 letters posted to neighbouring addresses on 3rd June 2020 and display of site notices. Additional letters were sent as a reconsultation on 11th September 2020, following receipt of an amended site plan. A petition report was reported to the 15th July 2020 Committee, noting the receipt of a petition containing 48 signatures objecting to the proposed development. The objections related to the following:

- Reject any plans to close the access
- Stop work on the unregistered land
- Stop anti-social behaviour
- Evict the current occupiers of the land
- Consult with residents on how to make use of the land
- Enforce the removal / management of Japanese Knotweed

In addition, a letter was received by the Local MP dated 9th June 2020, acting on behalf of the local constituents who live on Greenhead Avenue, Welbeck Avenue and Furness Avenue, regarding the planning application. A response letter was sent to the MP on the 22nd June 2020, which is included in the summary of representations below.

In response to the public consultation, a total of 35 objections have been received, although some of these are repeat objections. A summary of these objections are shown below in the summary of representations section.

7.0 CONTACT OFFICER: Nick Blackledge Senior Planner, Development Management.

8.0 DATE PREPARED: 2nd October 2020

9.0 SUMMARY OF REPRESENTATIONS

Objection – Sadia Mushtaq, 25 Greenhead Avenue Blackburn. Received 18.05.2020

Hi ,

Mr Khan has put up fences behind our garage which we need access to from back. My husband went to him when he was putting the fences up but he started arguing with him and was aggressive to the point that he was about to punch him !! I cannot believe this is actually happening, he as only bought the house(no 29 Greenhead Avenue) just about 6-9 months ago and he has decided to take all the land behind and close off all access.

How is this even allowed?? You can clearly see they have just put up these fences and haven't "owned" this land as they would say from before.

I need access to my garage at the back and they have blocked the Pathway next to 29 Greenhead avenue that lead to the back of the land too.

We want to put a garage door for car access at the back and would like the council to give them notice to remove the fences which they have put all the way on the back of the garage boundary wall.

It has come to my attention that they are making a planning application which I fully object and want to make a formal objection to this.
I await Your response.

Objection – Seema U, Unknown Address Received 18.05.2020

Hi Nick,

I am writing to you with a formal objection with regards to the Planning Application reference number 10/20/0434 which is currently awaiting further information prior to going live on the portal.

I am a resident of Furness Avenue where this application for an extended garden area will have an impact on me and my neighbours.

The owner of property 29 Greenhead Avenue has recently began fencing off this area of unregistered land which he would like to claim. To request this large area as an extended garden is not a feasible option due to the large area this covers and the number of residents across three streets this will affect.

As a number of trees and the knot-weed has been removed to a certain extent this has brought up a privacy issue where anyone in this land can overlook my property due to my property being raised at an incline to the land the fences do not cover visibility into my property along with my neighbours.

Also, the large area of land being requested is not a reasonable request for someone to extend their garden. The current size of the garden at 25 Greenhead Avenue looks to be more than enough for a property of that size. The land that is being requested also used to house a number of sheds which were built with asbestos materials and could also be in the soil.

The owner of the property does not reside at the property and looks he would like to occupy this land for other reasons which have not been disclosed.

The large concerns from a number of residents are the huge implications this could have on our lives in the area moving forwards and the detrimental impact this will have on the house prices in the area which will likely drop due to the activities planned in this piece of land.

As I am aware this land is unregistered and cannot be legally owned by a party unless they have looked after this land for a period of 10-12 years. Legal proceedings have begun by the occupant however the land has only been worked on since last year which would not be enough to take registered ownership of the land. The owner of this property has no concerns for any of the residents as this will not impact him with him not being a resident however, we as residents are going to see this land being used for all sorts of gatherings in the future were permission to be granted. Land grabbing like this should not be allowed to happen and I trust the council will make the correct decision on this application.

Objection – Unknown Address Received 18.05.2020

Hi Gavin and Nick,

I am a resident of Greenhead Ave and have been given your contact by a neighbour.

I write to you both to complain about activity behind my property. I also have questions related to this issue. I will begin in chronological order beginning from as far back as I know.

Pre 2000 - area was a walkway to get from Welbeck Ave - Greenhead Ave

2000 - 2019 - Many residents used the boundary of our homes as entry to our garages & still used as walkway.

2019 - Mr Khan of 29 Greenhead purchases a house on the street, realises there is abandoned land and decides to fence the whole area off and claim it, however the council put a notice on him as there is knotweed and he clears off.

2020 - He has made more fences and lied to everybody that the land is his - land registry have confirmed it isn't. Any resident who approaches him and asks for access to their garage is threatened and one person even physically attacked. We have no choice but to stay off the land or he will do same to us. Residents can't get their cars out their garages anymore. The knotweed issue is getting worse and has entered 3-4 properties, he has got an estimate from a company, but has no intention of getting it treated properly so the council have backed off from that 21 day notice. Fences still up, lots of noise and men hanging around cars in the area.

What can you as our council do to help?

Is it okay to block access to garages?

Is it okay to block the path from Welbeck to Greenhead?

Can I take the land behind my house and put in planning application?

Can you contact Land registry to tell them the truth according to us 26 residents? -

He is claiming to have looked after the land for 10 years - but we can all vouch against that!

As a result of this behaviour, all the residents on the 3 streets remain helpless and have to live in fear until any thing happens. Surely, 26 residents against one must earn some sort of help and support from our council - we do pay a considerable amount of council tax. We urge you to take action, we know you can support us. I would like to remain anonymous as I know Mr Khan can be very violent with anybody opposing his plans, hence why you may not have already had other complaints.

Possible ways forward include:

1. The council sorting the land and sharing it equally between us residents so we all have bigger gardens (including Mr Khan).
2. Serving a notice for knotweed.
3. Enforcement action to allow us access to the back of our properties.
4. Enforcement action to leave the pathway open between both streets.
5. Auction the land off.

Please do your utmost best to help us, we are helpless as of now. My daughter has refused to sit in the back garden for the past 6 weeks as all she can hear is swearing and arguing between these men! I hope you will take all my points on board and I will feel obliged if you could contact me to update with me any progress.

Objection – Unknown Address Received 18.05.2020

Dear Sirs,

I live on Greenhead Ave, I believe you are dealing with Mr Khan of 29 Greenhead Ave who is illegally taking all our privacy away from us and getting away with it! The land in the picture which begins at Greenhead and end at Welbeck ave has been fenced off by him. For the past 30 years I take my dog for a walk through there. Surely he cant block public footpaths! Also, my neihgbour has a garage and that is blocked so he cant get out. We feel our privacy is being taken, all these men stood

looking and can see straight into our homes. He says he owns the land, but we have rang land registry who confirm its not his its nobodys. They hit another resident because he wanted to build a garage and needed access. I was in process of putting in planning permission with a garage as there isnt much parking at front nowadays but how can i when it is all blocked off! Actually myself and a few other residents on my street and welbeck do an anuual clean up coz its full of flytipping! PLEASE HELP and get these thugs out of our sight. Please see pics and walkway i use. I await a response from you and hope this can be sorted asap. it is causing distress among all us residents, i am so fed up i have been looking to sell my house!





Objection – Unknown Address Received 18.05.2020

Hi Gavin and Nick,

I am a resident of Greenhead Ave and have been given your contact by a neighbour. I write to you both to complain about activity behind my property. I also have questions related to this issue. I will begin in chronological order beginning from as far back as I know.

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access to their garage is threatened and one person even physically attacked. We have no choice but to stay off the land or he will do same to us. Residents can't get their cars out their garages anymore. The knotweed issue is getting worse and has entered 3-4 properties, he has got an estimate from a company, but has no intention of getting it treated properly so the council have backed off from that 21 day notice. Fences still up, lots of noise and men hanging around cars in the area.

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Regards,

Resident of Greenhead Ave.

Objection – Objector wants to stay anonymous Received 05.06.2020

To whom it may concern,

I have received a letter of planking application and wish to object to the plans. Firstly, I would like to mention I wish to remain anonymous.

The application includes a declaration by Mr Khan stating he has occupied the land for 15 years. He wishes to extend his garden.

However, I know for a fact and all the residents will confirm he has only purchased a house here last year and is trying to steal the land since then. Before that nobody here had seen Mr Khan. The local councillor will agree with that and so will land registry. IT IS NOT HIS LAND.

In addition to this, I am not happy him taking this land as he is taking away my privacy. My children usually like to sit in our garden, however since last year they have stopped as these men can see straight over! Our blinds remain closed 24 hours a day as they look through our windows.

The area has been used for anti social behaviour in the last year- the fire brigade have been out here numerous times as they have been making fires.

Also, There is japanese knotweed coming into my garden and they are making it worse by pulling out at the root, causing it to grow more wildly! My friends garage is next to mine and he cant take his car out as he is fenced in. Also, for 40+ years I used this area for walks and an access to get to Greenhead Ave and Welbeck Ave, I can no longer do this!

I am so unhappy at having these people behind my house it is making me depressed! They make so much noise I can't rest all day.

In summary, these are my main points to object against this proposal. I hope you understand my frustrations. I would be grateful if you could confirm this objection has been received and will be taken into consideration. Once again, please keep my personal information anonymous.

Objection – Mr Patel, Unknown Address Received 05.06.2020

Dear all,

I am resident of Greenhead Ave and got a letter today about planning permission for Mr Khan.

I want to object for the following reasons:

1. Land is not his and has only been here 4-5 months.
2. He is not treating knotweed on it which is coming to my garden.
3. I have no privacy anymore last 4-5 months been nightmare
4. Lots of noise coning from back.
5. Fires all the time bad smell and lots of smoke.
6. He has blocked access to the rear of my house meaning if there was fire behind my house we would not survive
7. I cant build a garage anymore because access blocked

Please confirm receipt and acceptance of this objection.

Thank you

Objection – Seema U, Unknown Address Received 05.06.2020

Dear Gavin,

I am writing to you with a formal objection with regards to the Planning Application reference number 10/20/0434.

I am a resident of Furness Avenue where this application for an extended garden area will have a significant impact on me and my neighbours.

Following review of the documentation issued on the Planning Application Portal; I have a number of major concerns against this development. Please see comments against the items raised by the applicant Mr Khan below:-

Existing Site Plan

The site plan which has been issued and marked up on AutoCAD by the applicant highlights a large area where no dimensions are listed. The existing chicken shed and existing concrete slab and shed were put in last year however due to chickens being in the land your enforcement team at the council had to attend site and inform the applicant that no further use would be possible and enforcement action would be taken if chickens were to continue in the area. These sheds have not been used since that date.

There were a large number of trees in the effected land which have recently been cut down by the applicant. I am not sure if this is allowed as they do not have legal ownership of this land. The cutting of at least 6 large trees has caused a huge negative effect on my property particularly due to a complete loss of privacy. Even though the area is fenced off; as my property is higher up than the land you can clearly overlook into my property when accessing this land. This has had a significant negative/adverse visual impact of the area. I cannot even open the blinds

in my property as there are usually a number of youths in the land which make it very uncomfortable to live in my own home.

The marked up drawing also requests land which goes behind number 26 Furness Avenue. This land is privately owned land which is fenced off so cannot be claimed. There are also a number of trees missing to the rear of 24 Furness Avenue which have not yet been chopped down.

The site is also full of Japanese Knotweed. The applicant keeps removing the knotweed by hand however it will keep growing back until this is treated correctly. A clear plan to remove this needs to be outlined in the proposal for the land.

I am also extremely concerned with regards to noise, disturbance, nuisance and anti-social behaviour which will be carried out if the applicant is successful. There has already been a significant nuisance increase since work has been carried out by the applicant over the past few months. A bonfire in the land was also lit a few days ago where I believe the fire brigade had to be called out a couple of times before they put the fire out. Police also have a history of attending this address for anti-social behaviour issues.

Newspaper Article- Certificate D NPD

This was added on 18th May 2020 giving 21 days for residents to write in. The portal advises comments are until 24th June 2020. Please ensure comments can be accepted until 24th June 2020.

Application Form NPD

The first point I notice is that the applicant Mr Khan does not live at the address 29 Greenhead Avenue. The owner has no concerns for any of the residents as this will not impact him or his family with him not being a resident however, we as residents are going to see this land being used for all sorts of gatherings in the future were permission to be granted.

The proposal for an extension to garden is not a reasonable request for someone to extend their garden by such a large area. The current size of the garden at 29 Greenhead Avenue looks to be more than enough for a property of that size. The land that is being requested also used to house a number of garages/sheds which were built with asbestos materials which may lie within the grounds which will need reviewing.

The comment below is false. A number of trees have been chopped down, a bonfire has taken place, fences have been installed, a gate has also been added and chicken sheds added. The land previously was unoccupied and members from Blackburn Council have been on this site over the past few years so will be able to advise on how the land used to be.

Has the building, work or change of use already started?

☐ Yes

☒ No

If Yes, please state the date when building, work or use were started (DD/MM/YYYY):

(date must be pre-application submission)

The below comment is also false. The existing use of this unregistered land is vacant. It has only in the past few months been taken over by the applicant without any planning permission or legal documentation to work in the land.

14. Existing Use

Please describe the current use of the site:

garden

Is the site currently vacant?

☐ Yes

☒ No

The below are also incorrect as the land used to house asbestos garages which could have contaminated the land. A full survey will be required to review this. Also there is Japanese Knotweed throughout the land.

Does the proposal involve any of the following?

If yes, you will need to submit an appropriate contamination assessment with your application.

Land which is known to be contaminated?

☐ Yes

☒ No

Land where contamination is suspected for all or part of the site?

☐ Yes

☒ No

A proposed use that would be particularly vulnerable to the presence of contamination?

☐ Yes

☒ No

The below statement is false. A number of trees have recently been cut down by the applicant which has had a severe impact on the local landscape and character.

15. Trees and Hedges

Are there trees or hedges on the proposed development site?

☒ Yes

☐ No

And/or: Are there trees or hedges on land adjacent to the proposed development site that could influence the development or might be important as part of the local landscape character?

☐ Yes

☒ No

If Yes to either or both of the above, you may need to provide a full Tree Survey, at the discretion of your local planning authority. If a Tree Survey is required, this and the accompanying plan should be submitted alongside your application. Your local planning authority should make clear on its website what the survey should contain, in accordance with the current 'BS5837: Trees in relation to design, demolition and construction - Recommendations'.

The below statement is completely false. The land has been unoccupied for a number of years and only since the resident purchased 29 Greenhead Avenue in December 2018 was this land trespassed on. For the applicant to say they have occupied this for 15 years is clearly false and there is no evidence to back this up. There are members at Blackburn Council who have visited this site over the past few years and will be able to confirm this land has not been occupied as well as each resident in the area.

CERTIFICATE OF OWNERSHIP - CERTIFICATED

Town and Country Planning (Development Management Procedure) (England) Order 2015 Certificate under Article 14

I certify/ The applicant certifies that:

- Certificate A cannot be issued for this application
- All reasonable steps have been taken to find out the names and addresses of everyone else who, on the day 21 days before the date of this application, was the owner* and/or agricultural tenant** of any part of the land to which this application relates, but I have/ the applicant has been unable to do so.

* "owner" is a person with a freehold interest or leasehold interest with at least 7 years left to run.
 ** "agricultural tenant" has the meaning given in section 65(8) of the Town and Country Planning Act 1990

The steps taken were:

checked with local councillors and land registry have occupied for over 15 years	
Notice of the application has been published in the following newspaper (circulating in the area where the land is situated):	On the following date (which must not be earlier than 21 days before the date of the application):
lancashire telegraph	03/06/2020
Signed - Applicant:	Or signed - Agent:
	
Date (DD/MM/YYYY):	
03/06/2020	

As I am aware this land is unregistered and cannot be legally owned by a party unless they have looked after this land for a period of 10-12 years. Legal proceedings have begun by the applicant however the land has only been worked on since last year which would not be enough to take registered ownership of the land. Land grabbing like this should not be allowed to happen and I trust the council will make the correct decision on this application.

Regards

Objection – Objector wants to stay anonymous Received 05.06. 2020

Dear Sirs,

I live on Greenhead Ave, I believe you are dealing with Mr Khan of 29 Greenhead Ave who is illegally taking all our privacy away from us and getting away with it! The land in the picture which begins at Greenhead and end at Welbeck ave has been fenced off by him. For the past 30 years I take my dog for a walk through there. Surely he cant block public footpaths! Also, my neihgbour has a garage and that is blocked so he cant get out. We feel our privacy is being taken, all these men stood looking and can see straight into our homes. He says he owns the land, but we have rang land registry who confirm its not his its nobodys. They hit another resident because he wanted to build a garage and needed access. I was in process of putting in planning permission with a garage as there isnt much parking at front nowadays but how can i when it is all blocked off! Actually myself and a few other residents on my street and welbeck do an anuual clean up coz its full of flytipping! PLEASE HELP and get these thugs out of our sight. Please see pics and walkway i use. I await a response from you and hope this can be sorted asap. it is causing distress among all us residents, i am so fed up i have been looking to sell my house!

Regards



Objection – Objector wants to stay anonymous Received 08.06.2020

Sorry now I have been round to have a look, I have noticed all 4 accesses have been blocked by them! I have no way out from the back of my house! What if i had to escape a fire or emergency?

Please add to my objection. Also a reminder to remain anonymous.

Objection to planning for reasons:

Noise

Fires

Knotweed

Chopped trees

Not been on land for more than 6 months nevermind 15 years!!

No privacy in my home

Please keep my identity private.

Dear Sir

A planning application has been submitted. It is, however, currently invalid due to outstanding information. Once valid, the application will be registered and local residents adjoining and close to the site will be consulted by letter and display of a site notice. I would suggest that public representation on the merits of the application should be submitted following consultation. If, however, you wish me to treat your communication as a formal objection at this stage, I'm happy to do so.

Please be assured that all material issues, with reference to the use of the land and the impact of such will be considered during assessment of the application.

Kind regards

I believe the planning application went live today, I previously posted my objections to you and want to make them formal, however I really want to stay anonymous and I am also sending this from my Business address, I can guarantee that all residents will want to stay anonymous as Mr Khan is known to be a very aggressive bully. Do I need to write a letter or is my objection accepted over email like this? I am happy to write a letter up.

Objection – Objector wants to stay anonymous received 08.06.2020

Hi,

My name is xxxxx and I wish to object to the above planning proposal. I am a neighbour of Mr Khan, and have been threatened by him so really wish to remain anonymous!

My first and most poignant objection is the fact he does not own any of this land and has never looked after, I will post a picture at the bottom as reference. Mr Khan claims he looked after this land for 15 years - this is a false declaration!

Secondly, the trees shown in the picture were trees with bees nests, bees are protected species. The bees have now moved to all of our gardens!

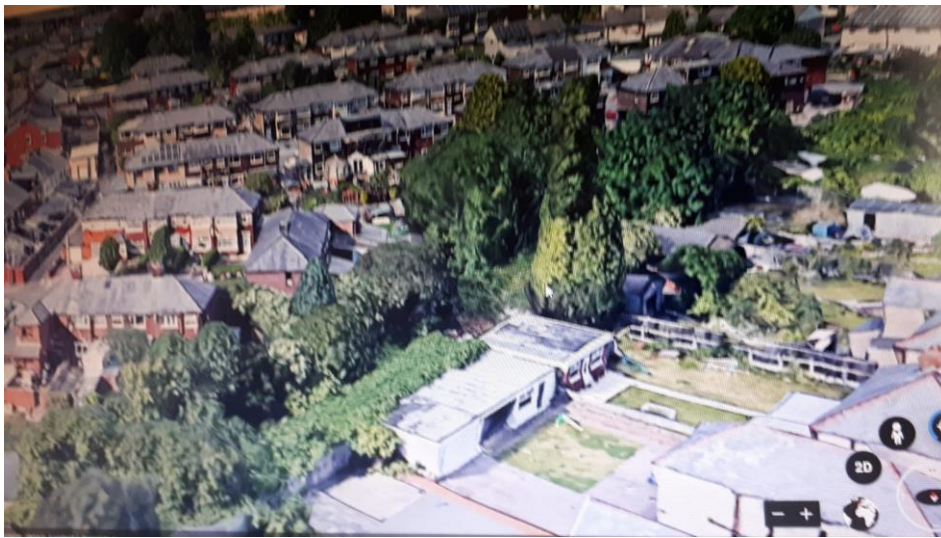
The pollution caused by continuous burning of trees and knotweed makes our gardens a horrible place to sit in. We have not used the garden this year.

For the past 15 years it has remained private and peaceful. In the past 3 months it is loud and lots of peeping eyes on all our homes. 3 of us homes have now installed cameras.

We hope that as our council you would reject this plan, and enforce Mr Khan to clear this land. From there, we also want to push that you could consult with all residents around the area and work with us to sort this land out. It is causing sleepless nights and unrest in the community.

Khalid

Objection – Objector wants to stay anonymous Received 08.06.2020





Objection – Mr Mohammed Raza, 21 Greenhead Ave Rec 08.06.20

Dear all,

My name is xxxxxx and got a letter today about planning permission for Mr Khan.

I want to object for the following reasons:

1. Land is not his and has only been here 6 months or so.
2. He is not treating knotweed which is growing at the back of my garage.
3. I have no privacy anymore last 4-5 months been nightmare
4. Lots of noise coming from back.
5. Fires all the time bad smell and lots of smoke.
6. He has blocked access to the rear of my house, I have a garage at the end of my house.
7. I can't use my garage anymore he has blocked my access.
8. We no longer have a walkway between Greenhead ave welbeck ave and furness — this used to be a walkway.

Please confirm receipt and acceptance of this objection.

Thank you,

Objection – Objector wants to stay anonymous Received 08.06.2020

Hi Nick,

I am writing to you regarding the planning application regarding the land to the rear of 29 Greenhead Avenue in Little Harwood.

My main concern is that the land does not belong to the Applicant. Nobody has ever maintained this land all this time ever since I have moved in my property. It was overgrown with trees and bushes which they have recently cleared and chopped most of the trees and put fencing around the area in the last 3 months.

My main issue is since clearing area there is a lot of noise, and fires and invasion of privacy over our garden wall.

Land in question is unregistered land and does not belong to anyone they have just started work slowly in last few weeks to say it's theirs but clearly it's not theirs. Why can't council intervene in this matter as all neighbours have already complained about this.

Give this land to people around equally to make it fair. It should not be that people can go and take what they want.

I would like to remain anonymous as I don't want any trouble. Please take into account the above concerns as issues have already started.

Thank you

Objection – Objector wants to stay anonymous Received 08.06.2020

Dear Nick,

Following on from our phone call this morning, I wish to clarify my comments towards the planning application above. Before I begin, I must state I want all my details to stay confidential as I teach Mr Khan's daughter!

Mr Khan wishes to extend his garden; however the shape of his application shows clearly it isn't following the line of his home, he is being greedy and trying to take the land behind 6 other houses. The land isn't his and he has declared false information by saying he has occupied it for 15 years. I have lived here for more than 15 years and can confirm he only arrived on the scene last year.

Since his arrival, he has taken away our privacy by occupying this land which oversteps into our gardens and our homes. He has a big family and a large group of friends who make a lot of noise, something we are not used to at all! He has changed the land use, it was a land with beautiful trees separating the streets and giving us privacy, he has now chopped the trees changing the landscape of this area.

Our primary concern is the way Mr Khan has fenced the whole land. We feel suffocated with his fences tight against ours, and he has blocked every access into the land which is unfair. These were used as walkways to get from one street to another, they were used for us to get our cars to our garages and also used a few times by the fire services.

The application outlines the area at the top of Greenhead Ave, but he has also fenced in the land at the bottom, surely this must be part of his application?

To add to my objection, as far as I can recall, there was a lovely stream running through the land from top to bottom, in the past year Mr Khan has soiled up and covered the stream. He has moved soil to flatten what was a slightly slanted piece of land. Currently he has a digger here moving more soil around which is contaminated with Japanese Knotweed. Mr Khan has proposed he will be tarmacing the area - over a stream, over knotweed?!

On the point of Japanese Knotweed, Mr Khan was issued a CPN last year. Since then he has pulled the weeds out burned them and just made it worse! He has failed to comply with the notice served on him. My neighbour now has the knotweed encroached onto his property - it is actually growing through his garage wall! In conclusion, the whole neighbourhood are against Mr Khan's proposal and I am sure there will be lots of objections. We wish the land can remain how it was, with the stream and the trees a beautiful land which gave us privacy that could be walked through by all of us. Please take into consideration my objection points.

Objection – Sarah Harding, Unknown Address Rec 08.06.20

To whom it may concern,

I live on welbeck ave and got letter today about this plan. Theres no way you can give them all that land to build a garden! Ill tell you what they do in there, they smoke drugs and park the cars there at night organise fights and store stolen cars. If you are gna put a camera there then go ahead but the minute u allow them they will do illegal things this is all they want. There is 100s of them around not fair! I feel vulnerable as a single lady!! I like how it was before this is my objection!!

Objection – Objector wants to stay anonymous Received 08.06.2020

Dear Mr Councillor Mustafa Desai,

I hope this letter reaches you in good health during difficult times. We, as residents of Little Harwood, urge you to help us with an escalating matter leaving us helpless, upset and now trapped in our own homes. The matter regards the land between our homes and how it is being taken.

Firstly, the land which is highlighted in an attached file, belongs to nobody we believe. It has been left empty and untouched for 80 years, I have lived here for 43 years. In the past year, MR KHAN of 29 Greenhead Ave and of Whalley Old Road has claimed this land. Last year he gated it off and now in the past week has fenced it off. The land itself has Japanese Knotweed running through it, hence the reason we haven't touched it or tried claiming it.

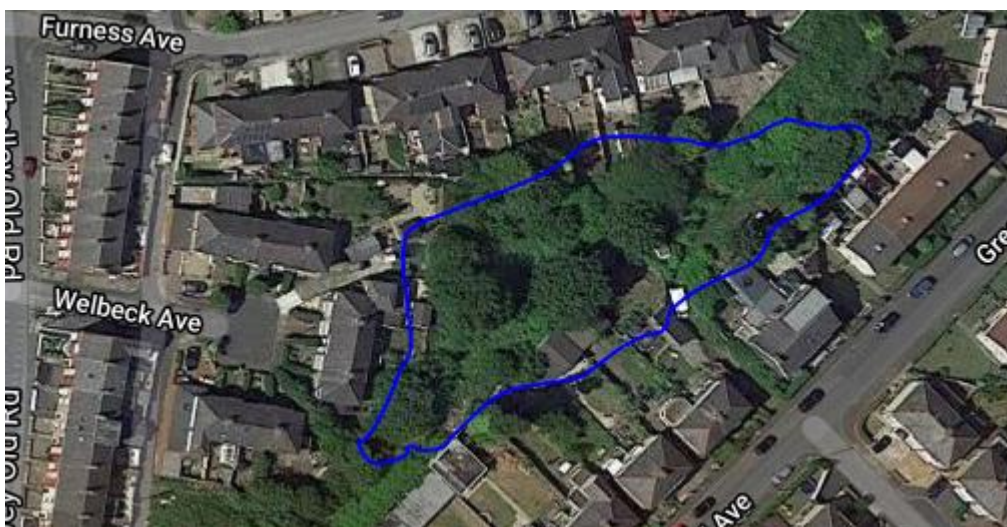
This issue was raised with the council last year, and we believe it was urgently dealt with. Mr Khan was given a penalty of £20,000 to treat the knotweed. Since, he left it

untouched and now has returned to the area. We, as a community, feel vulnerable to deal with Mr KHAN as he has threatened many of us, and even assaulted one of the neighbours. All the residents this issue affects are unhappy, however feel scared to approach Mr Khan.

MR KHAN should not be taking this land as he is breaking a lot of law and making us unhappy for the following reasons:

1. There are up to 20-30 asian men hanging around the area already – during lockdown.
2. They are chopping trees down – beautiful trees I have lived my life with.
3. Stealing land which doesn't belong to them.
4. Stopping us access to our garages.
5. Taking away privacy from our back gardens.
6. Occupying land which has Knotweed in, the knotweed is coming into our gardens and therefore he should be liable for that.
7. Blocking right of way to one neighbours land.

All 22 residents feel trapped and want a stop to this, we all feel like moving from the area as we feel unsafe and trapped. We have told you who we are but need to stay anonymous as these people are violent. Mr Surve, the previous councillor, did nothing last time and instead told MR KHAN we were unhappy which led to him threatening us individually. We would like you to deal with this confidentially, keep us residents informed of what you are doing and help us at a time when we are feeling helpless. Please contact me via email or you are free to contact any of the residents on the names streets.



Objection – Fatima Cola, Unknown Address Rec 09.06.2020

Dear members of the council,

My name is Fatima and I live on Greenhead Ave. I write to you with an urgent plea of help and support. I am a pensioner who has lived here for 40 years. For the past 39 years I have had a peaceful and private life within the perimeter of my home.

This has all changed in the last year, causing me depression and anxiety. Behind my home was an alleyway separating the streets with bushes beautiful trees and chirping birds. There was a lovely stream which ran down and added to the nutrients of my garden.

But in the past few months a group of thugs have come and settled on this land.

Fight after fight, argument after argument and they've made it sound like a playground with at times 50 children playing on there. I have a little door to the rear of my land which they have fenced in so I can no longer go for my daily walks I was so used to! The land is not there's but they are stealing and using all of it!!

I used to walk to the shop this way as it was easier for me. I can't do that now. I can't sit in my garden anymore because it is like world war 2 out there. I no longer feel safe in my own home. I don't want this at my age, I want it back to how it was. I went the people behind here gone! I urge you to take action because I am getting more depressed not able to go out into my garden. I have been shielding now 3 months and just been witnessing these thugs swarming around my house. They walk up and down and look over my fences I hate it!

I wish I could sell house and move but I'm too old for a move. I wish I could sit with Kate and personally talk to her and express my worries about having these thugs here. If they were travellers in caravans all lingering around here it would be bad and I'm sure the council would be able to do something to get them out - this is worse!!

Please assure me something is going to be done we are all worried and nobody - not one of all the residents here - wants them here. We are all so unhappy and need you to act. ACT FAST PLEASE!!!

I don't mind you using my name in my objection but please don't share my email address. Thank you for listening.

Objection – Edmund Redfem, 7 Welbeck Avenue Rec 09.06.20

Sir

I refer to the above planning application and would submit the following information.

My residence since 1982 has been and still is 7 Welbeck Avenue, Blackburn, BB1 5SF.

When I purchased the property it came with two garages, one sited to the side of my residence and another behind the fence on the land now claimed by the owner of 29 Greenhead Avenue. I used the garage until it was destroyed when vandals set fire to it.

The concrete base is still there and recently a wooden fence has been erected to the rear of my property so cutting off any access to it.

The most direct access to the garage was a right of way between numbers 8 and 10 Welbeck Avenue, however this path has been removed by combining the paths of numbers 8 and 10 into a common garden area and constructing a high breeze block wall. The only other access was to the rear of numbers 2,4,6 and 8 Welbeck Avenue but recently this access has also been closed. There was access to the land by a narrow road adjacent to 29 Greenhead Avenue but this has now been closed with the erection of a stout wooden fence.

My objections to this planning application are:

That there was no consultation before the wooden fence was erected.

That my garage base is now not accessible for the use that it was originally intended.

That all access points to my garage base are now closed.

That no approaches have been made to discuss the purchase of my property, namely the garage base

Objection – Objector wants to stay anonymous Received 10.06.2020

To whom it may concern,

We absolutely object to this plan and any movement on the land.

It is a great shame that the 'occupiers' have been allowed to freely roam on to this area and in 12 months do as they wish whilst threatening, bullying and creating unrest amongst the whole community.

Blocked access routes, theft of privacy and peace, demolished trees and wildlife, growing cases of anti social behaviour and the list goes on.

There is a petition being sent to Kate Hollern and further demands within the council asking why we are being ignored and that no stops, sanctions or enforcements have been carried out until now.

Please keep our objection and details as anonymous

Objection – Objector wants to stay anonymous Received 10.06.2020

To whom it may concern,

In receipt of your letter referenced 10/20/0434 I would like to make a strong objection against it. My name xxxxxx. I would like to keep my name anonymous.

The reason I look to keep my name anonymous is because Mr Khan threatened me and kicked my car. I have reported to police. Since then I live in fear and do not use my back garden.

My biggest objection is the fact the Mr Khan has an incomplete planning application; size unspecified, use of materials, he has fenced it up and put drainage in and also electrical cables. he says he has looked after the land 15 years, we can all vouch this is not the case. All us neighbours are unhappy with Mr Khans presence he is a bully.

Another objection and quite important is the fact he has blocked me in, theres no access for me to get my car to the back. For 10 years i used that as access to load and unload my tools - i am a builder!

I also feel vulnerable as if there was a fire, I wont get out from the back. A few times the fire brigade used the access to come round the back.

My land has japanese knotweed just behind it, how can that be okay? He must sort it. Why does his garden need to extend behind all our houses as we need access to the back of our garages?! He will be asking to extend his garden round Blackburn next! It is selfish it isnt even his land!

My children are aged between 9-14 and love the garden space. In the past year since Mr Khan has adopted this land -which isnt even his- we have no privacy in our gardens and no peace it is too loud!

Last year there was a meeting the councillor organised but we werent invited so thats not fair! How and why did the councillor only call the Khan family! I believe the councillors are scared of Mr Khan!

Finally, what makes me sad is I can no longer walk through this land to Welbeck avenue. Since I moved here that was my daily route to the shop. On the way there was a beautiful habitat with trees a stream birds and now it has all been ruined! I hope you can help us as we are not happy and want to sell our properties if Mr Khan is granted permission. I cant live in fear forever with a person behind me peeping into my house. He may hit me or do worse- he is capable!

Objection – Objector wants to stay anonymous Received 10.06.2020

I would like to add to my objection please:

Having analysed the application, I am quite befuddled to see the application has been registered, it is incomplete; dimensions haven't been covered, any use of materials? No was ticked however, There are fences and today Mr Khan installed drainage pipes and cables. There was also a stream there and now has been covered up with soil, he ticked no flood risk! I really think this application needs to be assessed before going to committee! It seems like Mr Khan can do what he wants and you aren't stopping him, albeit he has not been given planning permission!

Petition – Multiple Addresses Received 11.06.2020 (wants to stay anonymous)

3 Greenhead Ave
5 Greenhead Ave
7 Greenhead Ave
9 Greenhead Ave
11 Greenhead Ave
13 Greenhead Ave
15 Greenhead Ave
17 Greenhead Ave
19 Greenhead Ave
21 Greenhead Ave
23 Greenhead Ave
25 Greenhead Ave
27 Greenhead Ave
1 Welbeck Ave

3 Welbeck Ave
5 Welbeck Ave
7 Welbeck Ave
9 Welbeck Ave
11 Welbeck Ave
14 Furness Ave
16 Furness AVE
18 Furness Ave
20 Furness Ave
22 Furness AVE
24 Furness Ave

To Whom it may Concern,

I write this letter beseeching some help and support when we all feel helpless and trapped. 23 residents of Blackburn with Darwen who pay council tax and are law abiding are in desperate need of urgent help. We live in an area which has land between the named streets above. For the past 40 years this land has been open, allowing us to take our dogs for walk, allowing us to enter our streets via this path and also allows us access to our garages on the rear of our gardens. What was a blissful and peaceful area has now become a place of anti social behaviour where trees are being chopped and burned every single day! This land belongs to nobody yet MR KHAN of 29 GREENHEAD AVE is claiming it and has fenced it in. We can no longer walk through or get our cars out as he has fenced us in. Also, when he has been asked he has threatened 4 or 5 of us. We no longer want to use our names as the last councillor told MR KHAN who was unhappy and I was threatened as a result by MR KHAN! My daughter no longer sits in the garden as all she can hear is swearing and fighting! I and all 23 residents have all agreed if MR KHAN continues and nobody does anything to help, we will have no choice but to all sell our houses, but then again who will want to buy a house when there is a group of vile and dangerous people squatting We have taken legal advice, as been suggested by many councillors who have already looked into the matter. However, as Mr Khan is not the legal registered owner we cant do anything. The worst problem with this land is it is filled with Japanese Knotweed. Our gardens are being affected too as it is growing into our properties. We have called experts out who have told us it will cost

£30,000. We are happy to pay this however we cant even get into the land! We urge you as our council to mediate this and allow us to live peacefully once again. We suggest the following:

- The council enforces MR KHAN to leave the land alone
- The council fences the area
- Us residents pay to remove knotweed
- The council shares the land between the home owners who can ALL extend their gardens
- Leave a 2m access through the land so we can get into our garages

All 23 residents have met and agreed this is our best way forward. I hope you can reply to my email asap and also write to us all with action taken. We are all having sleepless nights at the moment due to the anti social behaviour and unfair treatment of the land by MR KHAN.

Yours

Unhappy residents of Little Harwood, Blackburn

Objection – Mohamed RAVAT, 7 Greenhead Av Received 12.06.2020

I wish to object to the planning application 10/20/0434 for 29 Greenhead Avenue, Blackburn.

I have lived at 7 Greenhead Avenue since 1993 and the land behind my house has always been waste land/unadopted / unregistered land when I have made enquiries with the council as to who is responsible for the upkeep of the land. I do not believe this land is owned by the occupant of 29 Greenhead Avenue.. The applicant has not provided adequate proof of any ownership and the land registry document is not clear.

The site as shown in the planning application is not directly behind my property however the land behind my property has been cleared of all trees, without consulting me, which provided me with privacy. My property and garden is now overlooked by properties which it was shielded from previously. Who has given permission to the applicant to clear the land behind my property. Is this simply a land grab? The entire area from 29 Greenhead to 3 Greenhead Avenue has been cleared; why? Who has provided the authorisation for this work to commence? Is there a separate planning application that I am not aware of?

The waste land behind my property and in fact the land that is subject to the planning application is infested with Japanese Knotweed. The applicant has cleared this by simply digging it out using a large excavator!!! Where has the rubbish been dumped? There now appears a large skip on the land directly behind my property. I believe that the unlawful removal of the Japanese Knotweed will now increase the invasion into my garden. What pre-approval site assessment did the council carry out? Why has Japanese Knott weed not been mentioned on the application by the applicant? Over the past few months, even prior to the planning application a large portion of the land has been partitioned off by building a large perimeter wall. Has the council authorised this partition? Is it subject to a separate planning application as it appears to be extremely high, in excess of 2.5 meters.

I am directly affected and have been directly affected due to the loss of privacy, why was I not consulted prior to this application since my garden backs onto the land? This was shoddy work on the councils part in supposedly consulting with local residents who may be affected.

I strongly object to this application on the grounds that It is a land grab, it affects my privacy as the applicant has removed trees behind my property and the applicant has cleared beyond the scope of the application and has unlawfully removed Japanese Knott Weed.

Should you wish to see the change in view and the loss of privacy, I will have photographs taken in the garden since I moved into the property, I will gladly share these with you.

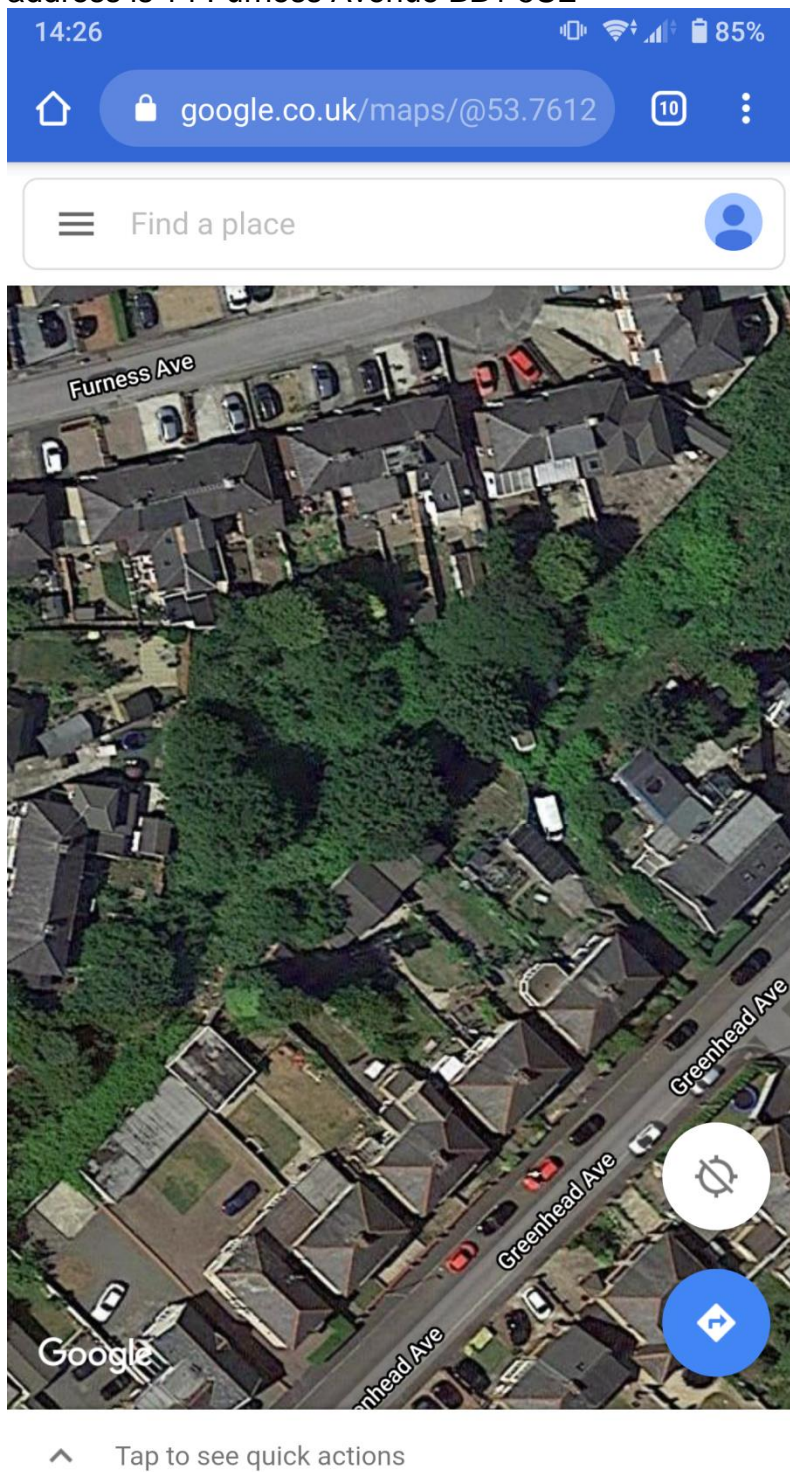
The Council must ensure that any further work is ceased immediately until the matters I have raised are addressed.

Objection – Objector wants to stay anonymous Received 12.06.2020

Hi Nick

Further to my previous email about the land behind Greenhead Avenue or my house Furness Avenue this has never been maintained by anyone until last year. Mr Khan started cleaning it and people objected it and he stopped work last year around August 2019. As u can see he has dumped chopped trees behind my garden. He's never been near this land before so he can't say he's been maintaining it for 15 years. You can see it on Google map that it's been never maintained by anyone. This picture is on Google maps currently which looks like it has been taken after March 2018 as the new extension to my property and new shed in my back garden work was completed in March 2018. You can verify this by my

planning application and completion of work before I got certificate from council. My address is 14 Furness Avenue BB1 5SE



None of the councillors have contacted any neighbours regarding this issue. He should never be allowed to go in that land as he's doing something which is causing problems to people around this land.
Thanks

Objection – Objector wants to be anonymous received 12.06.2020

The reason I look to keep my name anonymous is because I am scared of the ones this email is about. I am aware of their bad reputation and threatening nature and would like to stay safe for me and my family.

Mr Khan as I am aware, has an incomplete planning application. This is my biggest objection because of the size unspecified, use of materials. The fact that he states he has looked after the land for 15 years is not true. I've been living here for 20 years and there are people on this street that have been living here for longer like 40 years. There is proof and knowledge that no one has been maintaining the land as we all thought it belonged to the council.

Us, as neighbours do not like his presence.

Another objection is the fact that my fire exit exists at the back. We have a specific exit route in case of a fire and we need access at the back. How would me and my family get out from the back?

My children are aged between 7-19 and love the garden space, they spend a lot of time there. In the past year since Mr Khan has adopted this land which isnt even his, we now have no privacy in our gardens and no peace it is too loud! There is always chattering and sometimes, use of foul language.

Last year there was a meeting the councillor organised but we werent invited so thats not fair! How and why did the councillor only call the Khan family? I believe the councillors are scared of Mr Khan.

Finally, we maintain our fences by painting and taking care of them. We don't have access to paint and take care of the fences due to the land adoption. How would we be able to take care of them or replace them?

Also, if you look at the map of the houses at the back of the fence. There is a garage shown behind the garden. It was owned by Welbeck Avenue. Therefore, he has no right to that land if the garage was owned by Welbeck Avenue.

I hope you can help us as we are not happy and want to sell our properties if Mr Khan is granted permission. I cant live in fear forever with a person behind me peeping into my house.

Objection – Objector wants to stay anonymous Received 12.06.2020

I'm sure you have had numerous complaints regarding the adverse possession of land behind Greenhead Ave. Today dispute having given the council forewarning - Mr Khan the owner of 29 Greenhead Ave has moved land from heavily infected areas and deposited it behind other residents houses. He has had a CPW issued regrading this matter 12 months ago and failed to act.

Japanese knotweed is classed as 'controlled waste' under the Environmental Protection Act 1990. This requires disposal at licensed landfill sites. This action is surely illegal.

I have copied in my father who you may recall from Response Clothing on Bay St who is a resident at no 11. Please could we an urgent meeting to discuss this matter.

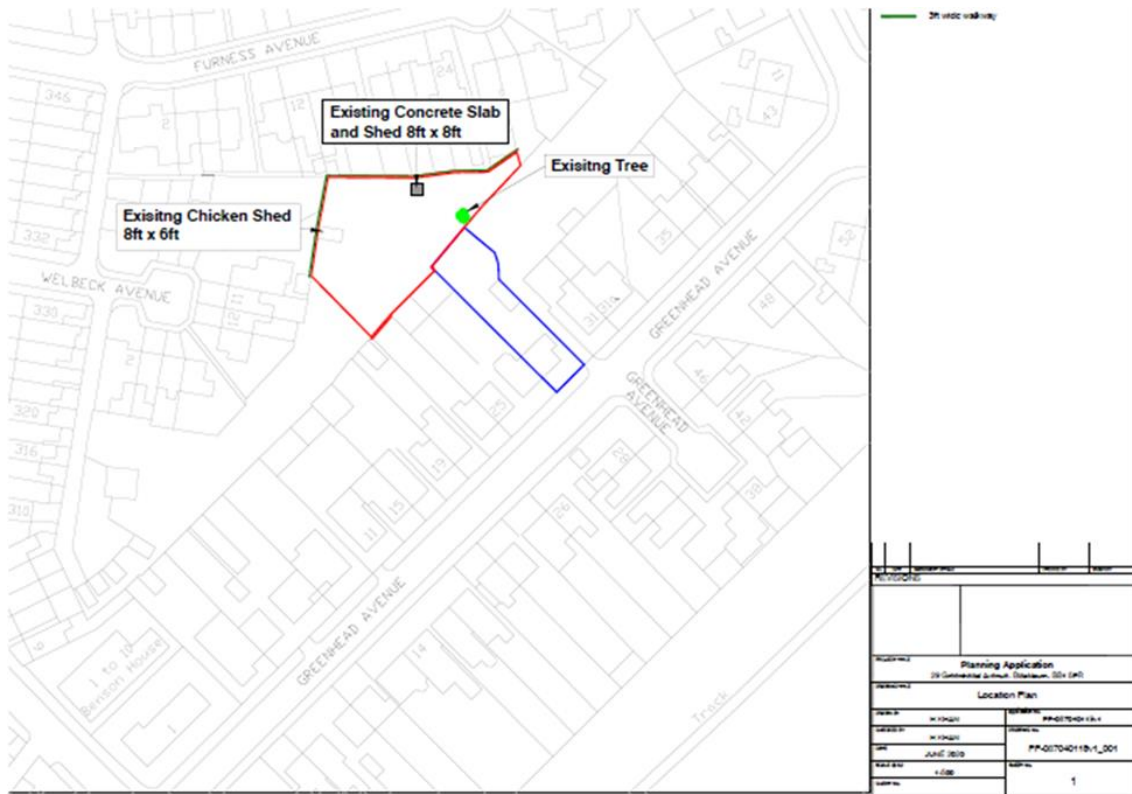
Dear Kate/Martin,

It is with regret that I have to contact you again however the development of the site with industrial machines (diggers) to the rear of 1-25 Greenhead Ave continues for a 4th day, yet no action or communication has come from the planning department to these residents.

I wish to highlight that in the letter to Martin Kelly issues raised by 3-21 Greenhead Ave residents are referred to as matters relating to the planning application ref 10/20/0434. Whilst the two are related, the area in question is not included the application. The activity is therefore outside of the planning application scope and yet the land is being transformed unrecognisably with no enforcement of regulations.

Please see maps below of land and the application area:





This area has deliberately been omitted from the application due to the overgrowth of Japanese knotweed and the encroachment onto neighbouring properties. There are numerous reasons for objection of all activity to be permitted on this site. However due to COVID-19 restrictions the resident are unable to meet and coordinate a response and civil servants are overrun and seen as being ineffective.

To give you one example of this there is clear evidence of flood risk to the area, via a water stream, which is referred to in my title deeds. I have attached a conveyance report of my property that confirms this. There is a large communal land drain besides no 3 Greenhead Avenue (photo attached) with links directly to the sewer. Up until Monday there was clear ditch and evidence of pipework to ensure water drained from the top of the street down into this land drain. Over the years residents have on occasions cleaned and maintained this drain. The industrial ground works being allowed to continue by the council have enabled this ditch to be filled with soil and the water system potentially significantly debilitated. Coupled with the removal of trees and shrubs, we are now at more risk of flooding and given my experience of water flooding into gardens and damp to outbuildings in previous years, a period of heavy rainfall will test this area.

You will be aware that the Council as lead local flood authority is required, under section 21 of the Flood and Water Management Act, to maintain a register of structures and features that are likely to have a significant effect on flood risk in their area. As such, the Council has a duty to investigate flood risks within its area and determine which individuals have responsibility for taking remedial action.

We are in the early stages of instructing a litigation lawyer and will need to add this to the growing list of areas we need take legal advice on both in relation to the adverse possessor and the council's role in allowing this despite it being reported.

Once again, I would like to repeat my request from my previous emails in the trail below;

In the best interest of the boroughs residents, to avoid escalation of the matter and to avoid major civil disturbance and hate crimes, the current application should be put on hold and ALL on site work must be paused. After COVID-19 restrictions are lifted a full formal consultation should be commissioned that is under senior executive and MP supervision. Everyone should have a fair opportunity to have their say. Expert legal opinion will also be encouraged and supported.

We have so much more evidence and photos but it appear senior council planning and enforcement management do not have time for us. There are 30-40 households in despair and suffering for a 4th day..



Save our neighbourhood

Petition to Kate Hollern, MP for Blackburn – 10/6/20

We, the undersigned, are opposed to the claiming and inappropriate use of Land between Greenhead Ave, Welbeck Ave and Furness Ave, which was used by hundreds of local people for access for garages, used as a walkway and worked as a privacy barrier between the 3 streets. We call on Blackburn Council to:

- reject any plans to close the access
- stop work on this unregistered land
- use your authorities to put a stop to anti-social behaviour
- evict the current occupiers who are taking adverse possession of the land
- consult with residents on how to make use of the land
- enforce action to sort Japanese Knotweed from the land, with a 10 year insurance back guarantee

Over the past 30 years, hundreds of people have used the land referenced above to either walk through, drive to their garage or take their dog for a walk on. The residents have used this land to access the back of their homes, to walk through or used as a backup for a fire escape. However, in the past 3 months, the new homeowner of 29 Greenhead Ave (Mr Khan) has fenced all the land in, chopped trees and blocked accesses. He has put in a planning application to make the land into his garden, and has told many of us he wishes to build 2 houses there in the future. The land isn't his – confirmed by land registry, councillors and the undersigned - and occasions been tidied by us, hence we feel strongly about it.

We, the residents adjacent to the land, are demanding communication with yourself in order to help us with this situation. Our proposal which has been discussed with our councillor and also agreed at a residents meeting is as follows: evict the current occupier, open all the accesses, treat the area of Japanese knotweed professionally and consult the residents on how to use the land. We understand this comes at a cost, but some residents are willing to contribute towards this cost. I'm sure you will agree not only is this fair, but it follows the British values of liberty and justice. How can it be fair and just for one person to come and steal all the land after moving in a year ago, when some residents have lived here since 1960?

Since the arrival of Mr Khan, our privacy has been lost by him occupying this land, which oversees into our gardens and our homes. He has a big family and a large group of friends who are using the land for anti-social behaviour, 29 Greenhead Ave (Mr Khan's property) is currently boarded up according to neighbours following a drugs raid by the police! Surely in the long term you are allowing a private den inviting unlawful activity if enforcement action doesn't take place! He has changed the land use, it was a land with beautiful trees separating the streets and giving us privacy, he has now chopped the trees changing the landscape of this area. A reminder – the land isn't his.

For the past 30 years this has been a peaceful neighbourhood, a neighbourhood which allows us to live as one big family. In the space of 3 months this has changed, all this due to Mr Khan's actions. We are all frustrated and fed up, we do not want to live with Mr Khan's violence and his anti-social behaviour behind us. Most of us feel like this neighbourhood will never be the same now! We feel helpless and trapped!

To add to our petition, as far as I can recall, there was a lovely stream running through the land from top to bottom, in the past year Mr Khan has soiled up and covered the stream. He has moved soil to flatten what was a slightly slanted piece of land. Currently he has a digger here moving more soil around which is contaminated with Japanese Knotweed. Mr Khan has proposed he will be

tarmacking the area - over a stream, over knotweed?! Again, not his land.

On the point of Japanese Knotweed, Mr Khan was issued a Community Protection Warning last year. Since then he has pulled the weeds out burned them and just made it worse! He has failed to comply with the notice served on him. A few residents now have the knotweed encroached onto their properties - it is actually growing through some garages!

We need answers regarding Mr Khan's claim of local councillors he refers to in his planning application: Who were the councillors? Are they allowed to pass on land to others? Why weren't the residents consulted? Are they aware Mr Khan has used them as a reference to help claim the land? No formal invitation was given to any of us.

In normal circumstances, we would consult with the land occupier and try to come to an amicable agreement. However, over the past 3 months many of us have been threatened, one person even assaulted and on two separate occasions in the presence of Council staff: John Wood (Principal Officer - Environmental Protection, john.wood@blackburn.gov.uk) and Richard Waters. These threats have been reported to the police. Furthermore, this is why we request our petition to remain private and confidential from Mr Khan. We would also aim for more signatures normally, but we feel 48 out of 49 residents - Mr Khan being the only one exempt - speaks volumes.

We demand answers on the following:

1. Is it fair for all residents to suffer at the expense of one new resident?
2. Why are the planning department allowing Mr Khan continue to work on the site without planning permission? He has fenced up, inputted drainage, cables and toady CCTV.
3. Should we all have to feel unsafe in our homes?
4. Would it be fair for us to have to possibly sell our properties and look to move elsewhere?
5. What have the council done to stop this action?
6. How can one person take/steal so much land without any questions asked?
7. Why was there a meeting with councillors regarding this land in April 2019 without all residents? Only 10 people were invited.
8. Why has action not been taken by the council for Mr Khan not complying with the Community Protection Notice?
9. If the action taken by Mr Khan is okay, then are we safe to do the same (steal land, build fences, be a nuisance, block peoples access) around plots of land within Blackburn?
10. Is councillor Desai or the unknown councillors he refers to in his planning permission doing us an injustice by not taking any action/listening to our concerns?
11. Is it fair for us to have our accesses blocked and not be able to use our cars anymore.

In conclusion, the whole neighbourhood are against Mr Khan's proposal and illegal grabbing of land and urge you to stop his actions, he is causing unrest in our neighbourhood, at a time where tensions are running high following the recent murder in Blackburn - we feel anxious and worried. He is getting away with all of it and it seems he can do what he wants. We request an urgent meeting with some/all of the undersigned, so we can express our concerns rightfully.

Below is a list of residents who have undersigned, thank you for taking our points and our proposal. Attached are pictures/map of the land and accesses before, during and after the land grab.

Response to Kate Hollern MP 22nd June 2020:



Kate Hollern MP
Constituency Office
Richmond Chambers
Richmond Terrace
Blackburn
BB1 7AS

Date: 22nd June 2020
Our Ref: G&D/10/20/0434
Your Ref: KH/KH44076DT
Please ask for:
Direct Dial: (01254) 585585
Email: planning@blackburn.gov.uk

Dear Kate,

Land to the rear of No.29 Greenhead Avenue, Blackburn – use of land as residential garden (ref: 10/20/0434)

I refer to your letter dated 9th June 2020, sent on behalf of your constituents who live on Greenhead Avenue, Welbeck Avenue and Furness Avenue in Little Harwood, regarding the above piece of land, of which a part is now subject to a formal planning application to change the use of the land into a private residential garden (ref: 10/20/0434).

I can confirm that the local planning authority has also received correspondence relating to the piece of land from local residents expressing a number of concerns/issues along with a letter/petition containing 48 signatures submitted to you on the 10th June 2020. With regard to the latter, can you please confirm that you wish for the Council to deal with this petition in accordance with the Council's adopted procedure relating to petitions? The issues/concerns raised by the residents can be summarised as follows:

- 1) The applicant, Mr Khan, claiming possession of the land
- 2) Japanese Knotweed present on the site
- 3) Assessment of the current planning application (ref: 10/20/0434)
- 4) Claims of anti-social behaviour and intimidation witnessed and experienced by local residents in relation to the applicant's conduct.

All of the above issues/concerns are being taken seriously by the Council, and officers from the relevant services, including Legal, Planning, Public Protection and Community Safety, met on the 11th June, to discuss the way forward in dealing with these issues. I will endeavour to deal with each issue in turn.

The applicant, Mr Khan claiming possession of the land:

For context, this issue was first brought to the attention of the Council's Planning Enforcement Team in March 2019. A Planning Enforcement Officer made a visit to the site in March 2019 accompanied by an officer from the Public Protection Team to ascertain the extent of the activity.

Martin Kelly, Director of Growth and Development,
Town Hall, Blackburn, Lancashire, BB1 7DY

carried out. During this visit, the officers explained to Mr Khan, that fencing off the land and progressing to use it as an extension to his residential curtilage, would amount to a breach of planning control which would be subject to the threat of enforcement action. Mr Khan was advised to submit a formal planning application to seek planning permission for change of use of the land to residential. A Planning Contravention Notice (PCN) was issued and served on Mr Khan by the Council in March 2019, requesting further information regarding the land uses and its future intended use. This was returned completed in the appropriate period of time.

The Planning Enforcement team continued to monitor the site, and on the 12th May 2020, a formal planning application was received. Should the application be refused, Planning Enforcement will review the situation and take appropriate action if a breach of planning control is identified.

With regards to Mr Khan claiming possession of the land, it is known that this land is unregistered and the Council understands that no one claiming to be the owner by virtue of holding title deeds to this land has ever come forward. This land is not owned by the Council nor has the Council ever had any legal interest in the land, therefore, it has even less of a legal right to possession of the land than the adjoining land owners. Therefore, the Council's statutory powers under environmental and planning laws (for instance) are the ones which are applicable in this situation. The local residents are strongly advised to seek their own independent legal advice in the matter. The Council is unable to advise individuals in relation to any private legal rights they may have in the matter.

Turning to the question raised *"Is the Council able to write to HM Land Registry objecting to a claim for adverse possession?"*

At the appropriate time, there is no reason why the Council could not write to the Land Registry to object. The strength of the Council's direct knowledge of the site in question will dictate how seriously the Land Registry will take the Council's views. The Land Registry will assess the information to ascertain whether the 12 year requirement for adverse possession is met. If the Land Registry believes both cases have merit they will generally try and mediate the matter formally but it could go to a form of land tribunal inquiry. At this point, the Council could assist in the inquiry process, subject to advice that confirmed the legitimacy of the Council to act.

Japanese Knotweed present on the site:

The Anti-social Behaviour, Crime and Policing Act 2014 allows local authorities to issue a Community Protection Warning (CPW) on a landowner where they are failing to manage Japanese Knotweed. In the event of non-compliance with the CPW a Community Protection Notice (CPN) can be issued. There can be penalties for failing to comply with a CPN, upon successful prosecution. An individual who is served with a CPN has the right to appeal.

Whilst the land has no legal owner, the Council's Environmental Protection Team (part of the Public Protection service), issued a CPW on Mr Khan on the 12th July 2019.

This CPW required Mr Khan, within 28 days, to submit a written program for control of the knotweed, for the Environmental Protection Team's approval. No such program was received by the Council. Mr Khan then appeared to leave the site and very little further activity occurred. With the land having no legal owner and little further activity then we were unable to escalate the CPW to the CPN stage.

Martin Kelly, Director of Growth and Development,
Town Hall, Blackburn, Lancashire, BB1 7DY

In May 2020 it was brought to the Environmental Protection Team's attention that Mr Khan was working on clearing the site and his son had made a planning application regarding part of the land. As a result, the Environmental Protection Team have progressed to the next stage under the Anti-Social Behaviour Crime and Policing Act. A CPN was served on the 15th June 2020.

The Environmental Protection Team served the CPN on Mr Khan on the 15th June. This Notice gives Mr Khan a period of time to produce the Knotweed Management Plan. Mr Khan has been given 28 days but this is reliant upon a third party. We may allow some flexibility with this deadline if progress is made with an agreed Plan.

To also add to this Mr Khan has agreed to cease works on the site for the time being whilst this matter is progressed.

Noise Nuisance:

Recent correspondence has been received in relation to chickens now being present on the site. The chicken pen that has been erected is within the red edge boundary of the current planning application site, and will be assessed as part of this application. Environmental Protection have contacted Mr Khan on the 22nd June, and he confirmed there are four chickens and one young cockerel. Mr Khan claims he has kept them on the land for years. They have been temporarily absent whilst works have been carried out on the land. Noise issues around the chickens etc. can be investigated by the Environmental Protection Team. If anybody is affected by them please call 01254 267699 and we can advise further. We must stress it is not uncommon for people to keep chickens. We would need to assess any nuisance caused.

Assessment of the current planning application (ref: 10/20/0434)

The current planning application proposes a change of use of the land edged on the attached plan to the residential garden. To date, the local planning authority considers that no unauthorised development has occurred, as the land is currently not in domestic use. Although it is accepted that the land has been cleared of low level trees (which were not protected) and vegetation, including Japanese Knotweed, such works are beyond the remit of the local planning authority as the works do not require planning permission. It would appear the activity that has occurred is enabling works. In addition, the fence that has been erected does not require planning permission as it does not exceed 2 metres in height.

So far as the planning application is concerned, a formal decision will be reached in due course, following consultation with key stakeholders, and a detailed assessment of the proposal against relevant Development Plan policies. At the time of writing, 19 individual objections have been received from the local residents. The aforementioned Japanese Knotweed Management Plan will form part of the overall assessment of the application.

With reference to land ownership, the applicant Mr Khan has submitted a Certificate D with the application. This is a declaration that the land is beyond the applicant's ownership and is unutilised. In accordance with the statutory provision, the relevant notice associated with the Certificate has been published in the local press, advertising the intention to develop the land and offering the opportunity for anybody with an undeclared ownership interest to come forward. The notice was duly publicised on the 18th May 2020. The application is, therefore, accepted as valid and can proceed to a formal decision.

Martin Kelly, Director of Growth and Development,
Town Hall, Blackburn, Lancashire, BB1 7DY

By
AK

A number of residents have referred to activity beyond the application site (as defined by the red edge boundary). I should advise that this is outside the scope of the assessment, and any activity relating to the removal of Japanese Knotweed is being addressed by the Council's Environmental Protection Team. The Planning Enforcement officer is also investigating what works have occurred on this adjacent piece of land, to ascertain whether development has occurred or there has been a material change of use of the land, which will require the benefit of planning permission.

Concerns have also been raised in terms of flood risk to the area, via a water stream located on this piece of land. I can confirm that the Council's Drainage Engineers are currently assessing the concerns raised, and will be discussing these both with the planning case officer and the applicant.

I can confirm that the planning case officer Nick Blackledge visited the site on the morning of 18th June with the Council's Drainage officer, Roger Lever. The application site was padlocked, though they were able to view the site and establish that the land was well drained. Although historic plans show a watercourse on the land, there is no evidence of it on the surface, nor was there any indication of significant surface flows after the heavy rainfall during the previous 48 hour period. There is a channel at the back of Nos. 3 and 5. This channel is cut off upstream by an outbuilding at No.7. The channel was full of rubbish and on the day visited there was a minute flow, which was probably ground water.

If the development is limited to garden (beds and lawn) and the access behind Nos 3-21 remains gravel or soil then no new drainage problems are anticipated. However, if the area is paved / hard landscaped then a formal drainage system will be required. The application makes no mention of proposed surface materials. In the event of the planning application being granted planning permission, such works can be controlled through the removal of permitted development rights. In the event of any construction on the site, the original watercourse could be piped or culverted through on or close to the line of the former ditch.

Mr Blackledge visited the site again, on the morning of the 19th June with John Wood, Environmental Protection Officer. As previously explained, an invasive species consultant was present with reference to the Japanese Knotweed. Submission of a management / eradication plan is anticipated. In the event of the planning application being granted planning permission, implementation of the plan will be secured by condition.

The application is under assessment and a recommendation will be advanced in due course. Should the recommendation be for approval, the planning application will be presented to the next available meeting of the Planning & Highways Committee. In the meantime, Mr Khan has been advised to cease all work on site.

Claims of anti-social behaviour/intimidation witnessed / experienced by the local residents in relation to the applicant's conduct:

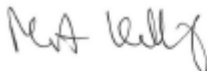
Reports have been received regarding incidents of anti-social behaviour involving a dispute over the parcel of land behind Greenhead Avenue. Such instances are taken seriously by the Council's Community Safety Team. Council officers met with Police colleagues on the 18th June 2020, to discuss ASB issues and next steps. Any individual identified as engaging in anti-social

Martin Kelly, Director of Growth and Development,
Town Hall, Blackburn, Lancashire, BB1 7DY

or criminal behaviour will face action being taken against them, and the Community Safety Team may consider serving a CPW if the evidence supports such an action. Following the meeting with the Police, I understand the Police will be contacting local residents this week to discuss their concerns.

I trust the above information is of assistance to you.

Yours sincerely,



Martin Kelly

Mr khan has claimed councillors have checked something about this application - we think it is to do with permission of use! I believe a meeting was held by a councillor with 10 Khan representatives and 2-3 residents. I for sure wasn't invited! Please add to my objection

Objection – Fatima Cola, Unknown Address Rec 15.06.20

With the application I am not happy, it says there is no flood risk I want to add a picture of Greenhead ave 19 and what's happened in the past year since mr khan came and blocked the stream, my garden floods with heavy rain. See picture.

Also, up until mr khan arrived I used the rear of my garden to bring my car in. You can see the metal gates. But mr khan blocked me and fenced me in so I can't even get my car through.

I can't believe you haven't stopped his actions yet, I hope you do and can help all us elderly residents feel safe once again.

See pictures below.



Objection – Objectors wants to stay anonymous Received 16.06.2020

To Blackburn with Darwen planning department and planning officer Nick Blackledge.

I received a letter from the planning department regarding a planning application for land at rear of 29 Green head avenue to be used as garden. I write to the council to make a objection. And to refuse plans for the owner at 29 green head to turn this abandoned land into his garden.

I have owned my house for 5 years and lived at my address for 4 years and the land at the back has been unregistered for many years. Previous owners at my residence whom have lived here for 40+ years can confirm that this land is unoccupied and the owner is untraceable. So the plans submitted to the council by Mr Khan are false that he has owned it for 15 years. Mr Khan has only owned 29 Green head for 12 months himself. Many residents whom have lived in this area can confirm this. Satellite images can prove that he has not looked after or maintained it until recent months where he has gated of the land and describes it as private land and keep of. How is this possible or even allowed?

Please can you look into this matter as urgency. I believe there is some people working in the council whom are giving out information as to who is objecting his application and thus Mr Khan is being verbally abusive rude and aggressive towards local residents. This is the reason why I would like to remain anonymous, for my family and my own well being.

Since, he has gated of the land Mr Khan and his team have took down atleast 10 trees and burnt trees creating a hazard and nuisance and thus many wild life have lost a place to reside. This is unfair. This should not be permissible. Please can you accept this email as a objection to his false application and keep me anonymous.

Also: Local residence should be given a chance to decide what to use this land for or the council should make it into a communal area

Objection – Objector wants to stay anonymous Received 22.06.2020

I would like to add to my objection if it isn't too late. Again, I wish for my information to remain anonymous. This morning, I am completely angered by the land change over the previous days. In particular, last nights actions have made me decide if his

planning is passed I will be selling my home. There were 4-5 cars here last night, engines being revved and loud music blaring! I didn't sleep till 2! I had to wake up at 7 for work!

Objection – Michael J Poultney, 12 Welbeck Av Rec 23.06.20

I wish vehemently to oppose this application.

I have been the sole resident of 12 Welbeck Avenue, BB1 5SF since 8 April 1991 and at that time there appeared to be a thoroughfare from the rear of 2 Welbeck Avenue through this area to a passage ending between 29 and 31 Greenhead Avenue which I used several times many years ago.

Although I am not sure that this was and may now be a Public Right of Way, at that time, there was no indication to the contrary or any reference to its or most of its being part of the title deeds of No.29 Greenhead Avenue and hence being private land.

Currently the area in question is cordoned off with a sign 'Private Land Keep Off' at the rear of 4 Welbeck Avenue, iron gates with the words 'Private Land' in the centre inaccessible part of the land visible from the back of my property, and a notice mentioning 'Private Land available for Rent' with a mobile telephone number visible over the fence between 29 and 31 Greenhead Avenue.

I understand that Mr.Khan has purchased 29 Greenhead Avenue in 2019. I would be astounded if the entirety of this land appears on the title deeds of that one property. It appears that the owner has commandeered this extra land for himself – I believe that it is unadopted land or land where the true owner is not traceable. I would be surprised if he is the true owner having acquired it through proper legal channels.

As an application is now forthcoming using the word retrospective, I believe that these notices have been placed there without full planning permission and probably therefore have no standing in law.

His actions have prevented any thoroughfare between the rear of 4 Welbeck Avenue and the passage into Greenhead Avenue between 29 and 31. It also prevents any rear access to this area in emergency or to tend to fences/boundaries from 9,11,6-12 Welbeck Avenue, 14-30 Furness Avenue and 3-11 and 15-27 Greenhead Avenue causing inconvenience to several residents. I reiterate that I feel that this application should be rejected.

Objection – Objector wants to stay anonymous Received 24.06.2020

Since yesterday I haven't really heard the sound of the chickens. However, I have noticed 2 large rats in my garden today and yesterday. As you can imagine, my children are refusing to play out! I am certain the rats are here since the arrival of the chickens! Therefore, please add this to my objection to the garden extension as I am worried if the garden application is accepted I will be dealing with rats more often. Like the rest of my objection, please keep my identity anonymous.

Objection – Objector wants to stay anonymous Received 24.06.2020

Please review points raised alongside the specific questions in the application:

Q3- Description of the proposal - Has the building, work or change started/completed. To which the applicant has answered no. However work had already started before 3/6/2020 the date of the application. This is a retrospective planning application and therefore this application constitutes a planning breach where a development that requires planning permission has been undertaken without the permission being granted or been sought. Especially as there is no doubt that this application and the planned breach has been "harmful to our neighbourhood". Work has continued on this development despite huge local campaigns, council and local MP involvement.

The decisive issue is that the breach **unacceptably affects public amenity and use of the existing unregistered land which is in the public interest**. This is evident from the petition which has been forwarded to the local MP and senior council management.

There have been massive effects on the area - this includes the previously private character of the area which has now been transformed to being:

- 1) **Over-developed** - feels like having a farm or agricultural site on the adjacent land. The size and scale of the project is overpowering, larger the dwelling and does not resemble a garden to dwelling in this area.
- 2) **Intrusive** - Loss of effect of mature trees and shrubs means applicant can see right through adjacent homes and overlooking the gardens of neighbours. Homes have been forced to erect temporary screens to provide temporary privacy.
- 3) **Noisy** - noise levels of significant numbers of livestock including hens, chickens, cockerels, ducks etc. that are planned.
- 4) **Visual intrusion** - the applicant has removed a peaceful sanctuary for the homes and contrasted with open landscape.
- 5) **Smell** - from manure, animals feeds and livestock.

An example of this is "the existing chicken Shed" referred to in the existing site plan. When exactly did this chicken shed appear? Was planning sought for this? My understanding is that 'enclosures' such as this for livestock (Class E) are 'incidental to the enjoyment of the dwelling house as such'. The definition of 'purpose incidental to the enjoyment of the dwelling house is restricted to the domestic needs or personal enjoyment of the occupants of the dwelling house. However the purpose here is not solely for the occupant but also for the applicant's extended family that are not resident in the dwelling house. As tested by the courts over the years it can no longer be incidental if it is out of scale or disproportionate to the main dwelling house or has facilities well beyond the norm for such incidental activities.

Q4 - Site Address - Land to the rear of Greenhead Avenue. This is not specific, is inaccurate and incomplete. The application should clearly state their intent regarding which land to the rear of which specific houses. There are various versions of site plans and some are contradictory. Furthermore actual change of use extends way past the indicated area and involves the whole plot of land. The application is unclear and remains ambiguous.

An example of this is that the area in RED indicated on the existing site plan which does not represent the actual area. There is land that has been left around the perimeter of the fenced area. It is not visible on the plan however is indicated by a green-line referenced as a 3ft walkway. In reality the area and walkway differs considerably. This will likely lead to more disputes in the future.

Furthermore, the planning consultation has also not been sent to many residents e.g. 1-9 Greenhead Avenue, Whalley Old Rd and Robinson St who are all affected by this proposed area. I was not personally notified at 9 Greenhead Avenue of an application despite the council neighbour notification policy saying it should have. My address is abutting the plot of land in question.

Q6 - Rights of Way - Right of access has been closed for many residents that they have had use of for the last 30-40 years. There is an outstanding legal case between no 31 and no 29 regarding a joint access way which is also included as a right of way in title deeds for some of the Furness Avenue, Welbeck Avenue and Greenhead Avenue residents. Also many of the residents have been blocked access to access ways to the rear of 7-9 Greenhead Avenue denying them access to their garages. Again legal advice is being sought by residents.

Q9 - Materials - This section has not been completed. No materials are stated e.g. fences, walls, gates, lighting etc. Will these all require subsequent planning permission?

Also see Q12 flood risk area - hard surfaces may be used going forwards and they have the potential to increase downstream flood risk by decreasing flood plain storage and increasing the scale or speed of run-off.

Q10 - Vehicle Parking - This section has not been completed. There is clear intent from the visible landscape to change use of part of the land to a private road access via a double gate. This has not been stated in the application. The parking question is therefore of paramount significance. Cars have already been driving up to the "new garden". This will further add massive effects on an area as stated above making it over-developed, intrusive, noisy and a significant visual intrusion.

Q12 Flood risk assessment – My conveyance reports and title deeds clearly highlight a flood risk due to a pond and an active stream that runs from the applicants' proposed area down the full length of the Greenhead Avenue. The planned area is within 20m of a stream. A flood risk assessment is needed for the site. Any significant introduction of hard surfaces has the potential to increase downstream flood risk by decreasing flood plain storage and increasing the scale or speed of run-off. Also, how does the applicant intend to connect his area to the mains land drain at the base of the hill to avoid flood risk to the neighbours.

Q13 Biodiversity – The area is extensively contaminated with Knotweed. There is no mention of this or the outstanding work under the Community Protection Warning served in relation to this application (July 2019). The applicant has so far failed to act in response to the CPW and not cooperated with environmental protection. The applicant may also have processed controlled waste illegally by transferring knotweed across the whole plot and by attempting to treat it himself. A Community Protection Notice has been served since the submission of this application. The proposed use has involved removing established trees and shrubs potentially allowing knotweed to grow into new areas.

Q14. Existing use – Answered no? As above land is contaminated with Knotweed and also low risk corrugated cement asbestos sheets.

Q21. Site area Answer not provided. Application is incomplete and should be void. What is the area in question? The applicant has already moved fences around the plot to suit his objectives. How will this be prevented in future without having a clear planning record of the area in question?

Q22. Plant and machinery have been on site from the 8th June dealing with land that was contaminated with knotweed which is controlled waste and can only be dealt with by approved licensed contractors only. The contaminated land was deposited adjacent to other homes to "level up" the adjacent land. As stated above a CPN has subsequently been issued.

Q23. Hazardous Waste - Applicant has been spraying the area with an unknown chemical on land adjacent to other properties. Applicant has also been burning general waste, trees and vegetation regularly in the area. The area has been filled with black smoke on hot spring days during COVID-19 lockdown.

Q24. Ownership – Not completed or signed - Applicant should provide evidence to show that they have undertaken the necessary checks to establish a legal owner 15 years ago from when the site is claimed to have been maintained. This is a clear case of land grab which all relevant council departments are aware of. Many local authority staff have undertaken site visits to the area before the adverse possession. The applicant has only had an interest in the application area since the purchase of 29 Greenhead Ave – 12 months ago.

The applicant should be requested to clearly state for the record which councillors he has checked with and support this application. I find it hard to believe that a local councillor would put their name to this application. Also applicant should be requested to provide evidence of land register checks and ownership checks prior to the last 3 years to support his 15 years claim. I have evidence of council staff, local councillor and CAPITA staff making these searches and checks in 2014 in search of an owner on my behalf.

The Title Deeds Outline submitted highlight in blue the land of 29 Greenhead Avenue and an area behind no 9 Greenhead Avenue. This does not correlate with the land registry documents for 29 Greenhead Avenue as it is still unregistered. I'm not sure what the applicant is trying to establish by highlighting this area.

Finally given the large number of complaints and inconsistencies with this application and bearing in mind that the functioning of council departments have been extremely compromised due to the COVID-19 lockdown this application should not be considered by the council until a full and proper review or all of the above can be undertaken by seniors council staff. Due to the large number of complaints a public consultation should be commissioned of all households, including the elderly and vulnerable who may be shielding due to COVID and those at risk of violence and aggression, to ensure the everyone has a full opportunity to participate in the consultation. I note that a Planning Contravention Notice was served already in relation to this applicant already on 22/3/2019 with an alleged breach for the change of use of the vacant land and garage site to extension of residential curtilage. The local authority should use further enforcement action, beyond planning, in the public's best interest in this case.

I find it extremely difficult to believe that such an inadequate application could be approved. If this is approved I and other residents will be extremely unhappy with the outcome and will no doubt complain again to the council and may go on to request an investigation by the Ombudsman.

I sincerely hope there will be a fair and robust review of the objections with consideration given to the ill effects and negative impact on local residents lives of this application.

Objection – Faisal Patel, 15 Greenhead Av Received 24.06.2020

Dear Martin.

I wish to strongly oppose this application.

We have been living at 15 Greenhead Avenue for over 30 years, Mr Khan purchased the property last year, after he purchased the property he claimed the land and blocked our access to the rear of our garden and garages for all residents.

In application, Mr Khan has not answered all the questions and submitted an incomplete application.

According to my opinion/knowledge, Mr Khan has only been maintaining the land for 1 year, he has definitely not been maintaining the land for the last 15 years, as I have been a resident here and have had clear oversight from my property.

Please note my points.

1. Flood risks- there is a stream on the land, and when it rains heavily, my garden gets heavily flooded.
2. Noise levels have increased in the area significantly and privacy has been lost.
3. There appears to be a driveway being developed linked to this garden. There is no planning permission on this land.
4. The area is unsuitable for the scale of livestock and hens etc planned. A cockerel/hen was in our garden loose last year.
5. Rats and rodents will be attracted to the area due to the livestock.
6. Knotweed – In my garden and 7m from my boundary knotweed is present, this is a heavy risk of devaluing my house value and selling my property (according to the surveyor, if knotweed is present, we unable to sell our home with an insurance backed treatment plan).
7. This is one piece of land; Applicant cannot claim some parts of the land and not others to avoid claims/damages being made against him. There is no clarity where his garden starts and ends.
8. It has come to my attention, that there was a consultation meeting in April 2019 with the Councillors and Mr Khan, why were residents from 1- 19 Greenhead Avenue not invited to the meeting?
9. Access to the rear of my property – I have no access to the back of my property, in the event of a fire, the fire brigade would have no access to the rear of my property.
10. There has been activities on this land, there has been burning of trees, waste with strong smells, he has been carrying these out when he has no permission, you can imagine what he will do when he has permission?

11. There is a genuine risk and fear of crime. A number of incidents have been reported to the police in recent weeks and allegedly no 29 Greenhead Avenue there was a drug raid by the police in recent months.

12. Can Mr Khan provide evidence of land registration searches for ownership of 15 years ago as per his claim?

To conclude, I strongly oppose this planning application without further consultation and reviews with residents at this moment in time, as we are also in the process of taking legal action.

Objection – Soab Patel, 11 Greenhead Av Received 24.06.2020

I am writing in response to your letter regarding a planning application reference 10/20/0434. It says you are referring to a previous consultation letter, however nothing has been received previously. I would like to put forward my observations as required. I am sure you are aware of many issues regarding this piece of land in question as there has been much communication with the council and our local MP regarding this.

The first issue I would like to address is our loss of privacy. There are people who claim to own the land and their family consistently walking by, lighting fires and sitting around directly behind my house. They can look directly in to our garden as they are walking by or even just sitting around with their friends/family. We have also received threats from the people who claim to own the land behind my house, so you can imagine how close they are and how we have absolutely no privacy whatsoever. The applicant has already chopped a lot of the trees down from behind my house which has again caused a major loss of privacy which we had become accustomed to as they have been there for over 25 years.

The applicant already causes nuisances by lighting fires which causes excessive smoke. This means I need to bring my grandchildren in very quickly so they do not inhale the smoke as it is always very thick and heavy. Washing needs to be brought in ASAP, even on a hot summers day as they cause nuisances by burning things whenever they feel like it. They hang around in groups and try to be intimidating. The land in question behind my house has only been maintained by the applicant for the past year. So how he can suddenly claim it as his and put in a planning

application with the council is beyond my understanding. Furthermore the form has not even been fully completed so I do not know how an incomplete application can be accepted by the council.

The application is not clear as to whether they are putting in the planning application for all of the land behind Greenhead Avenue or part of it. If only part of it then how much? And if all of it then how can he claim ownership of land he has only tried to claim and work on in the past year.

Since they have started working at the back there has been a large influx of rats coming on to my property. I have seen them running around in broad daylight now which has never been an issue before.

I have deep concerns with the planning application going forward as if the council grants the applicant his land grab opportunity then I feel the nuisances they have caused so far will only get worse. They have blocked accesses to numerous houses which were used before. They have taken away our privacy, they have caused a rat problem, they cause enough disruption which affects our day to day life, they give threats, they hang around at the back making fires causing thick heavy smoke.

As you can see I have grave concerns with them having access and being granted the planning application and I feel if they are granted this they will feel and have the right to cause as much if not more nuisance than what they have already caused.

I hope you take my concerns and comments on board.

Objection – Objector wants to stay anonymous Received 24.06.2020

Are you going to do ANYTHING? I have just witnessed MR KHAN with another 3 men. Looking into our gardens, the picture shows him leaning on a neighbours wall looking straight into the house! Where is our privacy? Still using the bottom land as access to his 'beautiful' garden! Walking up and down it and spreading the japanese knotweed! Should we just stay quiet, lock our doors and close the blinds?? Seems the best option at the moment. Here are pictures to show you what is going on.

Please keep my pics confidential to the council.

Objection – Sarah Harding, Unknown Address Rec 24.06.20

i have just seen a big bloody rat in my garden because they have animals in the back this planning permission is gna make my life a nightmare. please object for another reason

Objection – Edmund Redfern, 7 Welbeck Av Rec 26.06.20

I refer to my email dated 9 June on the above subject and the subsequent visit of a member of the Planning Department accompanied by two police officers.

I attach a plan of the true area of land which has been fenced off and I have indicated the area on that land where my garage base is situated. There is no chicken shed and there never was an 'Existing Chicken Shed 8ft x 6ft' on that base. I would point out that the 'chicken shed' was not marked on the plan available to view online on 9 June 2020, only the base of my garage.

When I took up residence at 7 Welbeck Avenue in February 1982 there were four points of access to the land, between numbers 8 and 10 Welbeck Avenue, around the rear of numbers 2, 4, 6 and 8 Welbeck Avenue, between numbers 29 and 31 Greenhead Avenue and at the side of 24 Furness Avenue. Now the only access is behind the houses on Benson Street, however this is now closed off with two steel gates.

I trust that the real area being claimed and the closing off of all access points to the land will be brought to the attention of members of Blackburn with Darwen Borough Council before a decision is made

Objection – Objector wants to stay anonymous Received 29.06.2020

3 weeks and no response or action from your side. From our side, further threats and continuous peeping into our gardens. Still blocked accesses and now an ice cream van and chickens making noise. What would you do if this was happening directly behind your house? I am too old to be dealing with all this and too old to consider a move. Please answer my question above, what would you do if you had to put up with this?

Objection – Objector wants to stay anonymous Received 10.07.2020

Notes relating to planning application for garden extension to 29 Greenhead Avenue
BB1 5PR

Note A – The area shaded orange is provided as a passage to the houses on Furness Avenue. There is not enough width provided to bring vehicles close to the back doors. Although a verbal promise has been made to all residents, to allow them to use the path, no formal written statements have been provided by Mr Khan. An area for safety concern.

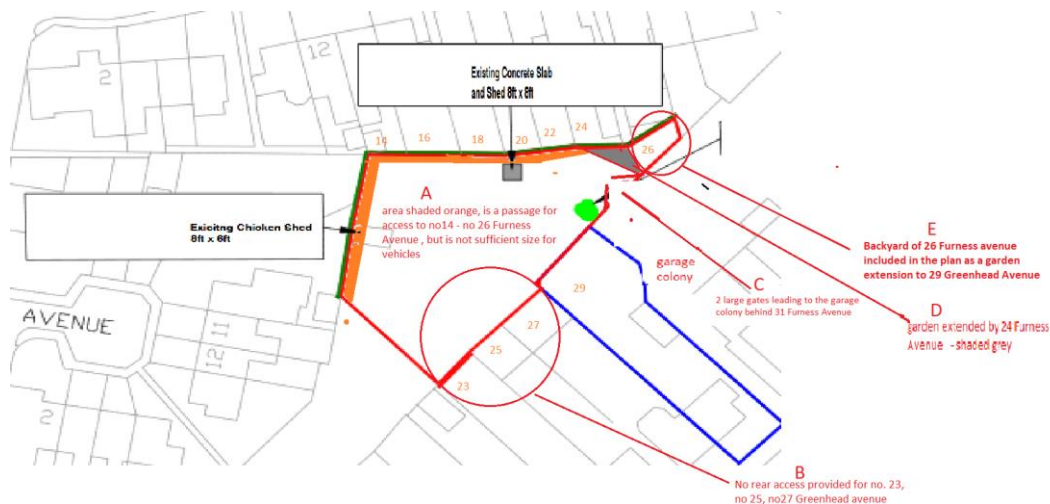
Note B – No rear access is provided for 23, 25 and 27 Greenhead Avenue. If a verbal promise has been made for the time being, then there is no guarantee that access will be granted in future, at all times and without disruption.

Note C – Two large steel gates providing access for the land/garage colony behind 31 Greenhead Avenue has not been shown on plan. The gates were installed over 10 years ago preventing antisocial behaviour to happen on that land. The owner has driven his vehicles through this land at times. No written authority has been provided by Mr Khan to allow the owner of the garage colony to drive through the garden .

Note D - Garden (shaded grey on drawing) extended by the occupier of 24 Furness Avenue is not shown on the submitted plan, similarly this might also be the case when submitting the plan to Land registry. There is a possibility of future conflict between occupiers of 24 Furness and occupiers of 29 Greenhead Avenue with occupation of this triangular section of the land.

Note E – Backyard of 26 Furness avenue has been included in the submitted site plan for garden extension. Possibly a mistake made by the applicant, due to lack of planning knowledge experience.

It has been witnessed by almost all those residing/owning around the said land in the garden application, that no maintenance had been done at all until early 2019, that is just after Mr Khan purchased the house on 29 Greenhead Avenue. Rumours were initially spread around, that the said land has been included in the sale of the house. Then the story changed that the land was maintained for over 10 years and now has been claimed via legal routes.



Objection – Objector wants to stay anonymous Received 30.07.2020

To whom it may concern,

I am extremely angered and worried with the above application. When I put in my objection I clearly asked to remain anonymous. Mr Khan yesterday asked me why I objected and left a very disturbing remark hinting if i don't stay out of it there will be trouble.

You are already aware the majority of residents do not want the above application to be granted. Can you enforce them to stay away from this land - we don't feel safe. I have had sleepless nights last 6 months knowing my children aint safe if these people are going to be here. They can see through my windows and garden I need to pay hundreds of pounds to keep my privacy. It is not fair.

Yesterday they were up on the land in their marquee which is visible. There were 20+ men hanging around smoking shisha pipes. I was scared to take pictures they might see me. But if application is granted this area will be worse it is not going to be a garden but more of a chill out pad for drugs and shisha. There will be upto 50-100 people. PUT A STOP TO IT PLEASE!

Objection – Mo Raza, Unknown Address Rec 14.09.20

Hi nick,

I already objected to this application, why we have to object again?

I want to object because of noise, lots of chicken noise and motorbikes behind my house. My house is 21 Greenhead Ave and my name is Mr Raza. I work nights so when I try sleep during day it is impossible in last 6 months. It would be okay if only one family use this garden but see through window there are 20 plus people every day.

Also, all around my house everybody has same size garden so it will look very silly if one garden is massive in very weird shape. i also like my privacy, at the moment they can see in my garden and house because of the unusual landscape of this garden. I cant even have a sit and relax in garden because they are directly behind my fence so i feel uncomfortable. the other day i saw one of them looking over into my garden and this makes me feel scared.

The biggest objection i have is my garage allows me to bring my car in through this back alley, however at the moment they have blocked the access, i cant use my garage. this family are very threatening and i dont want to make a case with court to give me access. i live here 25 years these people never looked after land, i looked after every year and paid people to keep clean. now this guy has turned up and lying he looked after for 15 years.

all the people in my street are selling the houses if he has garden because we all know what he is doing in this garden of his, he is selling drugs, making lot of noise having parties with so many people and making our life mysery.

PLEASE REMOVE HIM AND LET US LIVE

Objection – Sarah Harding, Unknown Address Rec 14.09.20

hi,

please can i once again object i received another letter saturday. like i said before i have no privacy, no peace and the area looks so disgusting already with chickens ice cream vans parked. lots of drug use, loud noise in the area. it used to be so nice in there id take my dog for walks everyday but now all blocked off. i dont feel safe. worst possible planning application because my life has changed since they arrived. my details

sarah harding welbeck avenue.

Objection – Objector wants to stay anonymous Received 14.09.2020

Dear Nick,

Following on from our phone call this morning, I wish to clarify my comments towards the planning application above. Before I begin, I must state I want all my details to stay confidential.

Mr Khan wishes to extend his garden; however the shape of his application shows clearly it isn't following the line of his home, It will ruin the landscape of how we all have our gardens in rectangular shape straight across greenhead ave. The land isn't his and he has declared false information by saying he has occupied it for 15 years. I have lived here for more than 15 years and can confirm he only arrived on the scene last year.

Since his arrival, he has taken away our privacy by occupying this land which oversteps into our gardens and our homes. He has a big family and a large group of friends who make a lot of noise, something we are not used to at all! He has changed the land use, it was a land with beautiful trees separating the streets and giving us privacy, he has now chopped the trees changing the landscape of this area.

Our primary concern is the way Mr Khan has fenced the whole land. We feel suffocated with his fences tight against ours, and he has blocked every access into the land which is unfair. These were used as walkways to get from one street to another, they were used for us to get our cars to our garages and also used a few times by the fire services.

The application outlines the area at the top of Greenhead Ave, but he has also fenced in the land at the bottom, surely this must be part of his application?

To add to my objection, as far as I can recall, there was a lovely stream running through the land from top to bottom, in the past year Mr Khan has soiled up and covered the stream. He has moved soil to flatten what was a slightly slanted piece of land.

This land gives us access to be able to treat our fences we will lose that. It also is an odd shape which helps to keep our streets separated. With this garden plan we lose that privacy and the noise we have had in the last 6 months has been despicable. I've had Mr Khan look over my fences many a time I want that to stop! If he gets a garden application he can see straight into my home as the land is on higher ground compared to my garden.

On the point of Japanese Knotweed, Mr Khan was issued a CPN last year. Since then he has pulled the weeds out burned them and just made it worse! He has failed to comply with the notice served on him. My neighbour now has the knotweed encroached onto his property - it is actually growing through his garage wall! In conclusion, the whole neighbourhood are against Mr Khan's proposal and I am sure there will be lots of objections. We wish the land can remain how it was, with the stream and the trees a beautiful land which gave us privacy that could be walked through by all of us. Please take into consideration my objection points.

Objection – Objector wants to stay anonymous Received 14.09.2020

Dear Gavin/Nick,

I have received notification of an update to the planning application reference 10/20/0434.

Looking at the updated documentation the only update I can see is that the site plan has been updated removing the section of land to the rear of 26 Furness Avenue which is privately owned. There are still no dimensions listed and the tree which has been highlighted is in the wrong location. This extension to the garden is disproportionate to the local area and will not suit this area.

I am not sure if my formal objection comments which have previously been issued are now discarded as an updated application has been submitted however my comments below stated previously on 05/06/20 still remain and please keep them or add again if necessary to this application.

Please note I would like to remain anonymous with my comments and do not want my details shared with the applicant.

Objection – Objector wants to stay anonymous Rec 16.09.2020

Dear Nick

I want to object again appalled at decision to let him continue use as garden without permission. none of us happy all residents complaining we have whatsapp group against this planning and petition. we want quiet and private life this garden will not let us live in piece. I told you before i had plan for garage resdy so i can bring car in but now not possible. please make this neighbourhood go back to normal

Objection – Objector wants to stay anonymous Received 15.09.2020

Dear all,

I have been vocal about this issue from day 1 and can't believe you still haven't done anything about it. Here are my objections

1. MY PRIVACY - see picture of MR KHAN looking over my fence.



2. LAND ISNT HIS!

3. ANTI SOCIAL BEHAVIOUR AND DRUGS

4. WOODLAND AREA WAS BEAUTIFUL KEEP IT SAME

5. WHAT A ODD SHAPE OF A GARDEN BETWEEN ALL OF US

6. ACCESS OF OURS BLOCKED

7. WAS USED AS WALKWAY FOR PUBLIC AND DOG WALKERS

8. WAS USED FOR CAR PARKING AND BOW PARKING PROBLEMS ON ALL OUR STREETS

Objection – Objector wants to stay anonymous 16.09.2020

Objection to planning for reasons:

Noise

Fires

Privacy issues

More than 10 people so its not used as garden

better with trees and used as back alley before

access to rear of my own house

spoils little harwood

Knotweed

Chopped trees

Not been on land for more than 6 months nevermind 15 years!!

No privacy in my home

Please keep my identity private

Objection – Yasin Seedat, 19 greenhead Av Rec 18.09.20

To whom it may concern,

We strongly object to any sort of planning intention / application on this stolen and deceptive plan for any part of the land.

Has been a joke from the onset and remains so.

Objection – Yusuf Seedat, 23 Fountains Av Rec 18.09.20

I would like to object to the above application due to the fact the area of the proposal is within an area which has been private since I have bought my house. The reason I bought my house was because of the privacy, quiet and peace I could get knowing that there is nobody behind my home. Recently, the proposer has been using the area as a garden and it has change the whole surroundings. It no longer feels private, or peaceful.

I have researched and checked this perimeter is of abandoned land, doesn't belong to the applicant and I can assure you hasn't been looked after for 15 years. I have lived here since then and never seen him. It will look ridiculous having a garden in what has been a back alley for all of us for so many years.

I know for sure our house value will all drop if this application is successful - who wants loud, violent neighbours directly behind their back gardens?

Currently, the applicant is using the area as a garden and has been doing work every day please can you put a stop to this? The area he has proposed was used as a walkthrough for many years. We can no longer use this route as it is wrongly being occupied.

Noise levels has also been a concern for me since February, before then I would sit in my garden for a bit of peace and quiet. I cant do this any longer as it os very loud when the applicant and family are having parties very regularly. I also feel safer knowing if there was a fire to the rear of my hkuse the access is open for the fire services to get through.

Definition of a garden: a piece of ground adjoining a house, in which grass, flowers, and shrubs may be grown. The key word here is adjoining; the proposal shows area adjoining the home then taken back to other adjoining homes and left towards other homes. Surely that area on the left is adjoining other homes (21 Greenhead to 27 Greenhead, 18 Furness - 26 Furness and 5 Welbeck to 11 Welbeck) so that should be their garden space not his! I have signed a petition recently and would like to highlight the concern of all residents. None of us and I mean NONE are happy since the applicant has used this space for garden.

I know many residents used this land to park their cars or to access their garages. I did see a fight with the applicant a few months ago when one resident tried to bring their car through go their garage.

There are 4 streets which surround this area, this land has worked as a division/barrier for us to keep private and safe. This will be gone now for all 4 streets! I hate looking out my window and hearing/seeing 30/40 people congregating in this new garden! I know my garden doesnt ever have this many in. So if there are that many people now I wonder how many once permission is passed?

Finally, If you look at google maps of the area I love the layout of all homes and gardens it is a special area and this garden will look so out of place and spoil the whole surrounding and layout.

In conclusion, it is a ridiculous application which has caused lots of anger and unrest in the community, please confirm acknowledgement of my objection and take into consideration my points.

Objection – Objector wants to stay anonymous Received 21.09.2020

To Blackburn with Darwen planning department and planning officer Nick Blackledge.

I received a letter from the planning department regarding a planning application for land at rear of 29 Green head avenue to be used as garden. I write to the council to make a objection. And to refuse plans for the owner at 29 green head to turn this abandoned land into his garden.

I have owned my house for 5 years and lived at my address for 4 years and the land at the back has been unregistered for many years. Previous owners at my residence whom have lived here for 40+ years can confirm that this land is unoccupied and the owner is untraceable. So the plans submitted to the council by Mr Khan are false that he has owned it for 15 years. Mr Khan has only owned 29 Green head for 12 months himself. Many residents whom have lived in this area can confirm this. Satellite images can prove that he has not looked after or maintained it until recent months where he has gated of the land and describes it as private land and keep of. How is this possible or even allowed?

Please can you look into this matter as urgency. I believe there is some people working in the council whom are giving out information as to who is objecting his application and thus Mr Khan is being verbally abusive rude and aggressive towards local residents. This is the reason why I would like to remain anonymous, for my family and my own well being.

Since, he has gated of the land Mr Khan and his team have took down atleast 10 trees and burnt trees creating a hazard and nuisance and thus many wild life have lost a place to reside. This is unfair. This should not be permissible. Please can you accept this email as a objection to his false application and keep me anonymous. Also: Local residence should be given a chance to decide what to use this land for or the council should make it into a communal area.

Objection – Objector wants to stay anonymous Received 21.09.2020

Please review points raised alongside the specific questions in the application:

Q3- Description of the proposal - Has the building, work or change started/completed. To which the applicant has answered no. However work had already started before 3/6/2020 the date of the application. This is a retrospective planning application and therefore this application constitutes a planning breach where a development that requires planning permission has been undertaken without the permission being granted or been sought. Especially as there is no doubt that this application and the planned breach has been "harmful to our neighbourhood". Work has continued on this development despite huge local campaigns, council and local MP involvement.

The decisive issue is that the breach **unacceptably affects public amenity and use of the existing unregistered land which is in the public interest**. This is evident from the petition which has been forwarded to the local MP and senior council management.

There have been massive effects on the area - this includes the previously private character of the area which has now been transformed to being:

- 1) **Over-developed** - feels like having a farm or agricultural site on the adjacent land. The size and scale of the project is overpowering, larger the dwelling and does not resemble a garden to dwelling in this area.
- 2) **Intrusive** - Loss of effect of mature trees and shrubs means applicant can see right through adjacent homes and overlooking the gardens of neighbours. Homes have been forced to erect temporary screens to provide temporary privacy.
- 3) **Noisy** - noise levels of significant numbers of livestock including hens, chickens, cockerels, ducks etc. that are planned.
- 4) **Visual intrusion** - the applicant has removed a peaceful sanctuary for the homes and contrasted with open landscape.
- 5) **Smell** - from manure, animals feeds and livestock.

An example of this is "the existing chicken Shed" referred to in the existing site plan. When exactly did this chicken shed appear? Was planning sought for this? My understanding is that 'enclosures' such as this for livestock (Class E) are 'incidental to the enjoyment of the dwelling house as such'. The definition of 'purpose incidental to the enjoyment of the dwelling house is restricted to the domestic needs or personal enjoyment of the occupants of the dwelling house. However the purpose here is not solely for the occupant but also for the applicant's extended family that are not resident in the dwelling house. As tested by the courts over the years it can no longer be incidental if it is out of scale or disproportionate to the main dwelling house or has facilities well beyond the norm for such incidental activities.

Q4 - Site Address - Land to the rear of Greenhead Avenue. This is not specific, is inaccurate and incomplete. The application should clearly state their intent regarding which land to the rear of which specific houses. There are various versions of site plans and some are contradictory. Furthermore actual change of use extends way past the indicated area and involves the whole plot of land. The application is unclear and remains ambiguous.

Q22. Plant and machinery have been on site from the 8th June dealing with land that was contaminated with knotweed which is controlled waste and can only be dealt with by approved licensed contractors only. The contaminated land was deposited adjacent to other homes to "level up" the adjacent land. As stated above a CPN has subsequently been issued.

Q23. Hazardous Waste - Applicant has been spraying the area with an unknown chemical on land adjacent to other properties. Applicant has also been burning general waste, trees and vegetation regularly in the area. The area has been filled with black smoke on hot spring days during COVID-19 lockdown.

Q24. Ownership – Not completed or signed - Applicant should provide evidence to show that they have undertaken the necessary checks to establish a legal owner 15 years ago from when the site is claimed to have been maintained. This is a clear case of land grab which all relevant council departments are aware of. Many local authority staff have undertaken site visits to the area before the adverse possession. The applicant has only had an interest in the application area since the purchase of 29 Greenhead Ave – 12 months ago.

The applicant should be requested to clearly state for the record which councillors he has checked with and support this application. I find it hard to believe that a local councillor would put their name to this application. Also applicant should be requested to provide evidence of land register checks and ownership checks prior to the last 3 years to support his 15 years claim. I have evidence of council staff, local councillor and CAPITA staff making these searches and checks in 2014 in search of an owner on my behalf.

The Title Deeds Outline submitted highlight in blue the land of 29 Greenhead Avenue and an area behind no 9 Greenhead Avenue. This does not correlate with the land registry documents for 29 Greenhead Avenue as it is still unregistered. I'm not sure what the applicant is trying to establish by highlighting this area.

Finally given the large number of complaints and inconsistencies with this application and bearing in mind that the functioning of council departments have been extremely compromised due to the COVID-19 lockdown this application should not be considered by the council until a full and proper review or all of the above can be undertaken by seniors council staff. Due to the large number of complaints a public consultation should be commissioned of all households, including the elderly and vulnerable who may be shielding due to COVID and those at risk of violence and aggression, to ensure the everyone has a full opportunity to participate in the consultation. I note that a Planning Contravention Notice was served already in relation to this applicant already on 22/3/2019 with an alleged breach for the change of use of the vacant land and garage site to extension of residential curtilage. The local authority should use further enforcement action, beyond planning, in the public's best interest in this case.

I find it extremely difficult to believe that such an inadequate application could be approved. If this is approved I and other residents will be extremely unhappy with the outcome and will no doubt complain again to the council and may go on to request an investigation by the Ombudsman.

I sincerely hope there will be a fair and robust review of the objections with consideration given to the ill effects and negative impact on local residents lives of this application.

An example of this is that the area in RED indicated on the existing site plan which does not represent the actual area. There is land that has been left around the perimeter of the fenced area. It is not visible on the plan however is indicated by a green-line referenced as a 3ft walkway. In reality the area and walkway differs considerably. This will likely lead to more disputes in the future.

Furthermore, the planning consultation has also not been sent to many residents e.g. 1-9 Greenhead Avenue, Whalley Old Rd and Robinson St who are all affected by this proposed area. I was not personally notified at 9 Greenhead Avenue of an application despite the council neighbour notification policy saying it should have. My address is abutting the plot of land in question.

Q6 - Rights of Way - Right of access has been closed for many residents that they have had use of for the last 30-40 years. There is an outstanding legal case between no 31 and no 29 regarding a joint access way which is also included as a right of way in title deeds for some of the Furness Avenue, Welbeck Avenue and Greenhead Avenue residents. Also many of the residents have been blocked access to access ways to the rear of 7-9 Greenhead Avenue denying them access to their garages. Again legal advice is being sought by residents.

Q9 - Materials - This section has not been completed. No materials are stated e.g. fences, walls, gates, lighting etc. Will these all require subsequent planning permission?

Also see Q12 flood risk area - hard surfaces may be used going forwards and they have the potential to increase downstream flood risk by decreasing flood plain storage and increasing the scale or speed of run-off.

Q10 - Vehicle Parking - This section has not been completed. There is clear intent from the visible landscape to change use of part of the land to a private road access via a double gate. This has not been stated in the application. The parking question is therefore of paramount significance. Cars have already been driving up to the "new garden". This will further add massive effects on an area as stated above making it over-developed, intrusive, noisy and a significant visual intrusion.

Q12 Flood risk assessment – My conveyance reports and title deeds clearly highlight a flood risk due to a pond and an active stream that runs from the applicants' proposed area down the full length of the Greenhead Avenue. The planned area is within 20m of a stream. A flood risk assessment is needed for the site. Any significant introduction of hard surfaces has the potential to increase downstream flood risk by decreasing flood plain storage and increasing the scale or speed of run-off. Also, how does the applicant intend to connect his area to the mains land drain at the base of the hill to avoid flood risk to the neighbours.

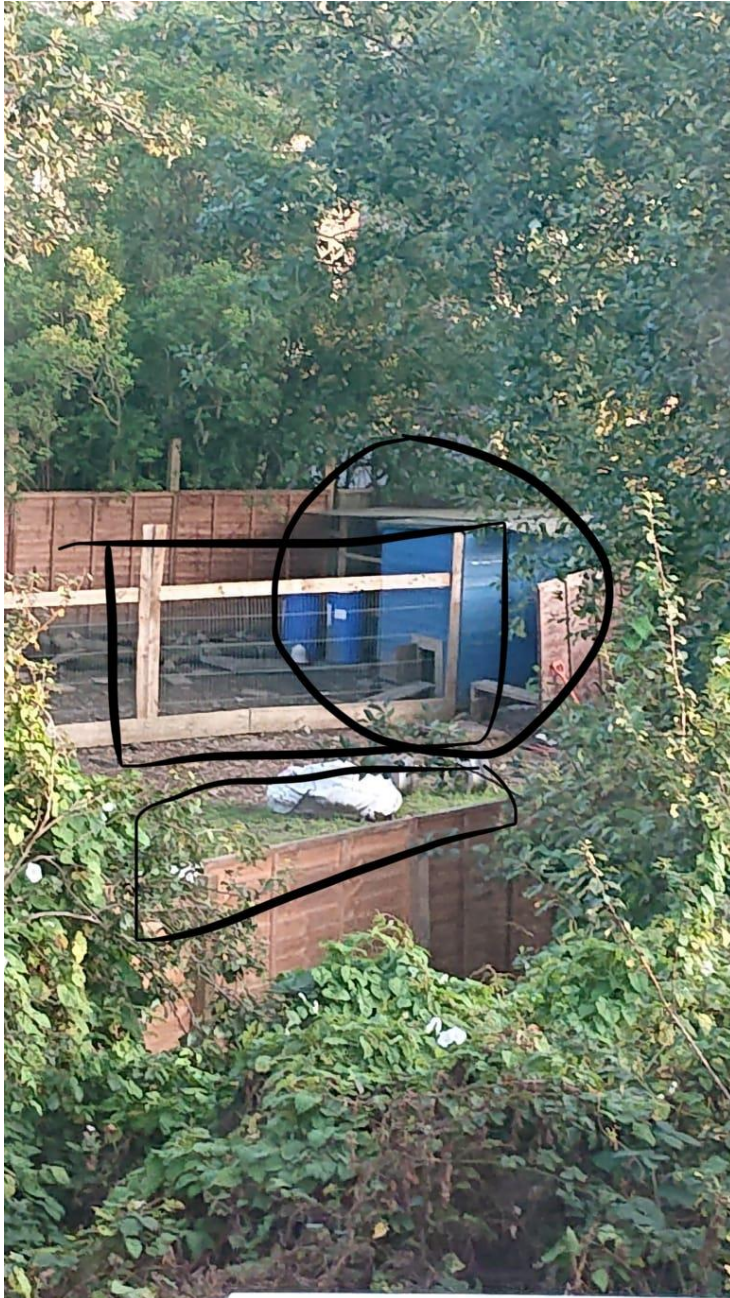
Q13 Biodiversity – The area is extensively contaminated with Knotweed. There is no mention of this or the outstanding work under the Community Protection Warning served in relation to this application (July 2019). The applicant has so far failed to act in response to the CPW and not cooperated with environmental protection. The applicant may also have processed controlled waste illegally by transferring knotweed across the whole plot and by attempting to treat it himself. A Community Protection Notice has been served since the submission of this application. The proposed use has involved removing established trees and shrubs potentially allowing knotweed to grow into new areas.

Q14. Existing use – Answered no? As above land is contaminated with Knotweed and also low risk corrugated cement asbestos sheets.

Q21. Site area Answer not provided. Application is incomplete and should be void. What is the area in question? The applicant has already moved fences around the plot to suit his objectives. How will this be prevented in future without having a clear planning record of the area in question?

WHAT A JOKE!!! I AM GOBSMACKED THAT THE COUNCIL ARE STILL ALLOWING MR KHAN TO DO WHAT HE WANTS HERE!!! HE IS BRINGING CARS UP HERE HAVING LOUD MUSIC AND PARTIES. THERE WERE MOTORBIKES GOING UP AND DOWN YESTERDAY! HE IS MAKING A MESS BEHIND OUR

HOMES AND GOING AGAINST THE KNOTWEED MANAGEMENT PLAN!! HE IS MEANT TO BE STAYING OUT AS THE SIGNS FROM INSPECTAS SAYS STAY OUT!! HE IS COVERING ALL THE KNOTWEED NOW WITH DISGUSTING LOOKING THINGS!! HE IS BRINGING HIS CAR IN VIA THE WELBECK ENTRANCE AND USING THAT AS GARDEN AND ACCESS TOO - THAT ISNT ON HIS PLANNING MAP!!!! THE KNOTWEED WILL SPREAD FURTHER AND THE BIGGEST CONCERN IS THE FACT THAT THE LAND ISNT EVEN HIS HE IS JUST CLAIMING IT AFTER 6 MINTHS OF BUYING HOME HERE!!! SEE THE PICS ATTACHED !! HOWEVER THE WHOLE AREA HAVE PUT IN OBJECTIONS YET YOU GRANT HIM ACCESS TO CONTINUE TO BUILD A GARDEN IT IS A JOKE AND WE ARE GETTING FED UP!!!!





Objection – Objector wants to stay anonymous Received 21.09.2020

Hi all,

Hope you are well. I am writing regarding the above planning application. I am confused and want some answers.

Why is the land being used? There is an inspectas stay out notice. Why is there work happening without permission granted? Has the use of land changed from welbeck up until the gate? As it is now being used as a driving access? Are our objections going to make a difference? We are not happy with the noise and get togethers these people are having? is the land theirs?

Objection – Objector wants to stay anonymous - Received 22.09.2020

I am a pensioner who has lived here for 40 years. For the first 39 years I have had a peaceful and private life within the perimeter of my home.

This has all changed in the last year, causing me depression and anxiety. Behind my home was an alleyway separating the streets and giving us privacy.

But in the past few months a group of thugs have come and settled on this land.

Fight after fight, argument after argument and they've made it sound like a playground with at times 50 children playing on there. I had a little door to the rear of my land which they have fenced in so I can no longer go for my daily walks I was so used to! I went behind my home to paint my fence at the back but The man who is applying for a garden swore at me and threatened me to never step foot on 'his' land again. The land is not there's but they are stealing and using all of it!!

I used to walk to the shop this way as it was easier for me. I can't do that now. I can't sit in my garden anymore because I no longer feel safe in my own home. I don't want this at my age, I want it back to how it was. I want the people behind here gone! I urge you to take action because I am getting more depressed not able to go out into my garden. I have been shielding now 5 months and just been witnessing these thugs swarming around my house. They walk up and down and look over my fences I hate it!

I wish I could sell house and move but I'm too old for a move. I wish I could sit with Kate and personally talk to her and express my worries about having these people here. If they were travellers in caravans all lingering around here it would be bad and I'm sure the council would be able to do something to get them out - this is worse!!

Please assure me something is going to be done we are all worried and nobody - not one of all the residents here - wants them here. We are all so unhappy and need you to act. ACT FAST PLEASE!!!

please don't share my email address, address or my name. I am scared. Thank you for listening.

Objection – Objector wants to stay anonymous Received 23.09.2020

To whom it may concern,

I want to add comments towards the planning application above. Before I begin, I must state I want all my details to stay confidential as I have been threatened by Mr Khan this morning!

The garden is a farce, it looks silly where it is and doesn't look right on Greenhead Ave. The land isn't his either!

This garden takes away my privacy and peace. He has a big family and a large group of friends who make a lot of noise, something I can't live with.

He has changed the land use, it was a private little area which I used to walk through it was separate and abandoned. I went for a walk thorough there today and Mr Khan told me he is going to slap me and to get off now. I am awaiting the police officer to visit me and I will share the police reference.

Our primary concern is the way Mr Khan has fenced the whole land. We feel suffocated with his fences tight against ours, and he has blocked every access into the land which is unfair. These were used as walkways to get from one street to another, they were used for us to get our cars to our garages and also used a few times by the fire services.

This land gives us access to be able to treat our fences we will lose that. It also is an odd shape which helps to keep our streets separate. With this garden plan we lose that privacy and the noise we have had in the past few months has been despicable intolerable.

In conclusion, the whole neighbourhood are against Mr Khan's proposal and I am sure there will be lots of objections. We wish the land can remain how it was, with the trees a beautiful land which gave us privacy that could be walked through by all of us. Please take into consideration my objection points.

Objection – objector wants to stay anonymous - Received 15.06.2020

Nick,

Having read the application clearly I want to add there are many false/missing declarations on the application - not sure how on earth this application was registered!

I would like to add to my objection. Firstly he says no materials used on site, there are fences and a gate. No access needed/created, if you look carefully at the map/site area it shows a route from Welbeck Avenue into the area. There are no dimensions on this plan, rear of Greenhead Ave - does that mean all of Greenhead? Land isn't his, he says checked with land registry and councillors - I have checked with them too and they confirm it isn't. He hasn't occupied for 15 years at all that is a ridiculous claim! 20m within a stream? Yes there is a little stream which runs down the street it is on our title deeds.

On the question about trees he says no it had no trees. It was filled with trees just look at a satellite image on google. All trees have been chopped and burned. The landscape of this area totally changed. I am Very upset that you have allowed his work to continue and even consider this incomplete plan!

Comments – Objector wants to stay anonymous Received 08.06.2020

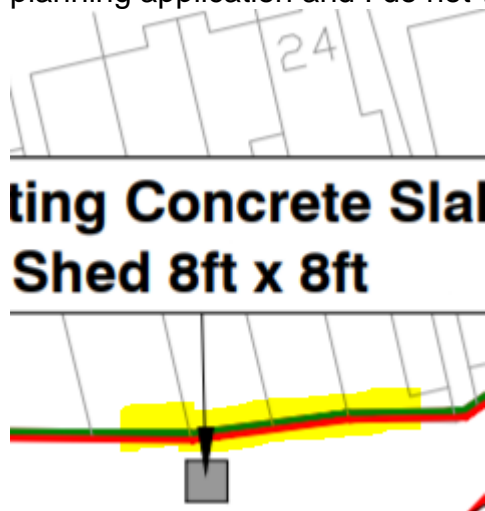
Hi Nick,

Thank you for confirming acceptance.

Looking at the privacy issue I have raised, a way of removing that would be for the applicant to increase the height of the fencing to the rear of properties 18-24 Furness Avenue. Currently I believe the fencing installed is approximately 2 metres. With the properties effected being higher up than the land there is not much coverage at the current height which is easily visible from the land which also includes the garden being visible for anyone in the land; with young children I would prefer this is not visible.

An increase 0.5m to 1m in fence height should be sufficient to protect the privacy for these properties. Please see below highlighted area of land which would need increased fencing height and also a photo from an effected property which is zoomed in for reference as to the privacy issue being discussed.

Please note this image is for your receipt only as part of the comments for the planning application and I do not want this shared outside the Planning Department.



Objection – Sarah Harding, Unknown Address Rec 24.09.20

What is going on here i really want you all to visit this land. right now there is people walking up and down, at this time and i cant sleep. it looks disgusting when i look out my window i didnt pay 130k to live with this! please do something there will be uproar if this carries on and u gv them a garden plan permission. it isnt even there area they knocked down all garages used to belong to my grandad and other men around here. please help us and make this area what it was before. these people stole so much and using it all like its theres from welbeck entrance all the way to fountains. the plan only shows little bit!

Objection, Objector wants to stay anonymous. Received 29.09.2020

To whom it may concern,

In receipt of your letter referenced 10/20/0434 I would like to make a strong objection. I would like to keep my name anonymous.

The reason I look to keep my name anonymous is because Mr Khan threatened me and kicked my car. I have reported to police. Since then I live in fear and do not use my back garden.

My biggest objection is the fact the Mr Khan has an incomplete planning application; size unspecified, use of materials, he has fenced it up and put drainage in and also electrical cables.he says he has looked after the land 15 years, we can all vouch this is not the case. All us neighbours are unhappy with Mr Khans presence he is a bully.

Another objection and quite important is the fact he has blocked me in, theres no access for me to get my car to the back. For 10 years i used that as access to load and unload my tools - i am a builder!

I also feel vulnerable as if there was a fire, I wont get out from the back. A few times the fire brigade used the access to come round the back.

My land has japanese knotweed just behind it, how can that be okay? He must sort it. Why does his garden need to extend behind all our houses?! He will be asking to extend his garden round Blackburn next! It is selfish it isnt even his land! The nature of this street is simple - house with a good size garden behind - 15 houses all

identical - if one is granted this permission it will look odd and spoil the landscape around here!

My children are aged between 7-16 and love the garden space. In the past year since Mr Khan has adopted this land -which isnt even his- we have no privacy in our gardens and no peace it is too loud!

Last year there was a meeting the councillor organised but we werent invited so that's not fair! How and why did the councillor only call the Khan family! I believe the councillors are scared of Mr Khan!

Finally, what makes me sad is I can no longer walk through this land to Welbeck avenue. Since I moved here that was my daily route to the shop. On the way there was a beautiful habitat with trees a stream birds and now it has all been ruined!

I hope you can help us as we are not happy and want to sell our properties if Mr Khan is granted permission. I cant live in fear forever with a person behind me peeping into my house. He may hit me or do worse- he is capable!
