

CARLISLE CITY COUNCIL

Report to:- **DEVELOPMENT CONTROL COMMITTEE**

Date of Meeting:- 14th December 2001

Agenda Item No:-

A4

Public

Operational

Delegated: Yes

Accompanying Comments and Statements

	Required	Included
Environmental Impact Statement:	No	No
Corporate Management Team Comments:	No	No
City Treasurers Comments:	No	No
City Solicitor & Secretary Comments:	No	No
Head of Personnel Services Comments:	No	No

Title:- L/A FLD 448, FARLAM

Report of:- Director of Environment and Development

Report reference:- EN.187/01

Summary:-

This report relates to the development of a site at Farlam.

Recommendation:-

It is recommended that no further action is taken.

Contact Officer: John Hamer

Ext: 7172

M Battersby

Director Environment and Development

Note: in compliance with section 100d of the Local Government (Access to Information) Act 1985 the report has been prepared in part from the following papers: EN 92/00, EN 135/00

**Report of to the Chairman and Members of the
Development Control Committee**

EN.187/01

- 1.0 This report relates to the development at field 448, Farlam. It follows reports considered by the Planning and Land Use Sub-Committee in April and June 2000, which are attached as appendices.
- 2.0 The earlier reports set out the background to the site, and its development, and it will be noted that the point at issue is the levels on the site, and in particular the profile of a bank between the house and the northern boundary of the site. Following consideration of that earlier report, it was resolved that the regrading of the bank which had been carried out was acceptable and could be regarded as a minor amendment to the original proposal, provided that the remainder of the bank up to the eastern boundary was finished off in an appropriate manner. A copy of the relevant Committee minute is also attached.
- 3.0 The matter is brought before the Committee again as a result of a further letter from the neighbour. This alleges that the work to modify the bank has not been carried out and that the proposal therefore contravenes the permission granted for the development. A similar concern has been expressed by the occupier of the adjoining property.
- 4.0 In considering this matter, Members should note that this issue was substantially resolved following consideration of the report of last year, in that it was resolved that insofar as the levels on the completed site differed from the original, this was regarded as an acceptable minor amendment. The only outstanding matter concerned the completion of the reprofiling of the bank. A site visit took place recently to assess the latest position. At this visit, it was apparent that some further work had been carried out to the rest of the bank, although it was not this was as much as had been envisaged. A developer's representative present on the site contended that the work had been completed in full. This has not been confirmed by the developer. It is clear therefore that if any further modification of the bank is to be achieved, this will only be done through enforcement action. Photographs attached to this report show the current state of the bank. Advice in PPG18 states that in any given instance, enforcement action should be proportionate to the breach of planning control which has occurred. In this instance, the levels on the site do not accord with the original approval, although the extent of the differences are difficult to ascertain. Apart from the fact that the

decision of June last year authorised both the change in level of the house itself and the bulk of the works to the bank, account must be taken of the relationship between the site and neighbouring properties. In this regard, it will be noted that the objector's property is some 35 metres away from the top of the bank, and the neighbouring property some 45 metres away, and that there is a substantial hedge between the two sites.

- 5.0 In the final analysis, a judgement must be made on the acceptability or otherwise of the development generally and the bank in particular. Officers consider that the bank is acceptable and that there is no case for further action.

CARLISLE CITY COUNCIL

A2

Report to:- **Planning and Land Use Sub-Committee**

Date of Meeting:- 18th April 2000

Agenda Item No:-

Public

Operational

Delegated: Yes

Accompanying Comments and Statements

	Required	Included
Environmental Impact Statement:	No	No
Corporate Management Team Comments:	No	No
City Treasurers Comments:	No	No
City Solicitor & Secretary Comments:	No	No
Head of Personnel Services Comments:	No	No

Title:- **MATTERS RELATED TO THE DEVELOPMENT OF THE SITE AT PT FLD 448, FARLAM APPLICATION REFERENCE NUMBER 99/0540**

Report of:- **Director of Environment and Development**

Report reference:- **EN.92/00**

Summary:-

This report is concerned with the development of a recently approved site at Farlam, where construction is now in progress. A number of issues have been raised related to the development. The report summarises these and details proposals put forward by the developer in respect of landscaping and drainage.

Recommendation:-

That the submitted details in respect of levels, landscaping and drainage be approved.

M Battersby

Director Environment and Development

Note: in compliance with section 100d of the Local Government (Access to Information) Act 1985 the report has been prepared in part from the following papers: None

1. Introduction

- 1.1. A report on this subject was deferred at the meeting on 17th March, to enable Members to visit the site, and to enable Officers to further discuss with the applicants landscaping proposals.
- 1.2. Members will recall at the meeting on 5th November last year, application 99/0540 was approved following a site visit. The application proposed the erection of a detached house on land at part field 448, Farlam. It will be recalled that the proposal was a split level design which was related to the steeply sloping nature of the site.
- 1.3. Construction of the dwelling is now under way. There is also a current application from the same applicant on an adjoining plot which is the subject of a report in the main schedule. Representations related to this current application have also raised issues related to the development of the plot under construction. A letter has also been received from the Parish Council. Details of the latest proposals have been circulated to interested parties, and any further representations received will be reported at the meeting. This report brings these matters before Members. These issues have been investigated in some detail by Officers and are considered in turn.

2. Site Levels, Spoil Heaps and Landscaping

- 2.1. It will be recalled that the dwelling was sited on the hillside where the intention was that the ridgeline would be related to the crest of the hill to the rear. When the site was cleared, and the house set out, it became clear that the level was such that the house would be more conspicuous than had been intended. This matter was reported by a neighbour, and following investigation by Officers it was agreed with the developer that the level of the house would be lowered by 1.2 metres. As a consequence of this and the lowering of the area immediately to the rear of the house, more spoil has been created than was originally anticipated. Initially this material was stockpiled in two large mounds. Representations were received regarding these, and how this issue is to be resolved. Since then, one of the mounds, towards the northern boundary has been spread over this area of the site. Although this mound has disappeared, the distribution of spoil has led to some raising of levels in this part of the site. The remaining mound is to be used for top soiling the site generally and will, thus, also disappear in due course. Photographs attached to the report illustrate the current position.
- 2.2. Officers have sought to resolve this situation through discussion with the parties involved. Following several meetings, comprehensive landscaping proposals have been submitted which include the regrading of the bank towards the northern boundary. Levels taken and compared with the original site survey indicate that material has been deposited to a depth of up to approximately 1 metre over an area of some 240 square metres. The effect of this has been to alter the profile of

the bank so that it is now steeper and from the adjoining property at the bottom of the bank its apparent height and the angle of slope are significantly increased. The developers propose to remove the bulk of this material, particularly on the lower part of the site, so that from the bottom of the slope, the profile will be returned almost to what it was originally, with an increase in level of only 200mm. Further up the slope, more of the material is retained, with an increase in level of up to 0.5 metres, but the profile of the slope is such that this will not be seen from below. The material removed from the slope will be distributed around the site and in particular would be used to create the bund along the northern boundary, reduce the slope along the eastern boundary and backfill around the foundations of the house itself.

2.3. In considering this issue, Members should consider the following points:

- i. Officers consider that the floor level of the house is now appropriate and that modest adjustment of site levels in this context is acceptable.
- ii. It should be noted that the property at the foot of the bank is some 46 metres from the new house and some 36 metres from the top of the bank. Prior to the development there was a difference in level of some 10 metres between these two points. There was therefore always a steep slope there, and the increase in level of approximately 200mm is not significant.
- iii. There is a substantial screen of trees between the two sites which screens the view of the bank.

2.4. The landscaping proposals for Plot 1 include the following elements:

- i. The extension to the existing boundary hedge in the north east corner of the site, with similar native species.
- ii. The provision of a similar hedge along the northern boundary on a low bund 0.5 metres high.
- iii. Screen planting between the two plots comprising a belt of rowan, holly, ash and hawthorn.
- iv. The creation of a meadow with wild flowers on the open sloping areas.
- v. the creation of a pond towards the site frontage. Details of this are supplied together with appropriate planting proposals.

These proposals are considered appropriate and acceptable in this rural location.

2.5. It is also relevant to report that the developer has submitted an application to lop five lower branches from the trees on the site, which as a Tree Preservation Order

on it. This application was the subject of extensive consultation and has been dealt with under delegated powers in accordance with normal procedures. The removal of three of the branches concerned was considered to be beneficial to the form and health of the tree, and permission has therefore been given for their removal.

3. Site ownership issues

- 3.1. The northern site boundary is marked by an insubstantial barbed wire fence, and beyond there is a narrow track between the site and the next property. At the site entrance, the passage of construction traffic has obliterated the boundary and has encroached onto the track. Representations regarding this point have been received, although not from the current owner.
- 3.2. Members will be aware that land ownership issues are not a matter for the planning authority, but the developer has accepted the need to confine the development to the approved site area, and to construct a proper boundary to the site along the correct alignment.
- 3.3. The landscaping works along the northern boundary of the site will require access up the lane. The developer has obtained the owner's permission for this.

4. Drainage

- 4.1. There have been a number of complaints regarding drainage. Foul drainage is the subject of a condition, and the developer has indicated that this will be dealt with by a bio-disc system serving all the new properties with a soakaway. Details of this have been received and are being examined by the Environment Agency. A percolation test has been carried out and this has confirmed that the ground has sufficient permeability to enable a soakaway to be used.
- 4.2. To avoid the passage of surface water onto the highway the developer has connected two drains into an existing drain which runs along the site entrance. These appear to work satisfactorily, and any problems would seem to be arising from the blocking of the existing highway drain cover.
- 4.3. It is proposed to construct a drainage channel at the site boundary discharging to an existing surface water drain. This will avoid any water running onto the highway.

5. Gradient of Access Road

- 5.1. Some comments have been made regarding the steep gradient of the access road. It should be noted however that following the lowering of the level of the house, it has been possible to slightly reduce the gradient of the access road. Any problems relating to the steepness of the drive will be the responsibility of the occupants.

6. Conclusion

6.1. It will be apparent that Officers consider that the issues relating to drainage and land ownership can be resolved without difficulty. The landscaping proposals are also considered to be acceptable, and will greatly improve the appearance of the site. As far as the issue of site levels is concerned, it is apparent that the representations submitted would prefer the levels to be returned to those before development commenced. The proposals now submitted go a long way towards this objective. Although the levels of the area immediately to the north of the house will be approximately 0.5 metres higher than before, this will not be significant in the view from below.

CARLISLE CITY COUNCIL

Report to:- **Planning and Land Use Sub-Committee**

Date of Meeting:- 23rd June 2000

Agenda Item No:-

A2

Public	Operational	Delegated: Yes
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Accompanying Comments and Statements	Required	Included
Environmental Impact Statement:	No	No
Corporate Management Team Comments:	No	No
City Treasurers Comments:	No	No
City Solicitor & Secretary Comments:	No	No
Head of Personnel Services Comments:	No	No

Title:- **TO CONSIDER A FURTHER REPORT ON APPROVAL
99/0540 - FARLAM**

Report of:- **Director of Environment and Development**

Report reference:- **EN.135/00**

Summary:-

This report updates the position in respect of at Farlam, which was the subject of a site visit by the Sub-Committee.

Recommendation:-

A full verbal report will be given at the meeting.

Contact Officer: John Hamer

Ext: 7172

M Battersby

Director Environment and Development

Note: in compliance with section 100d of the Local Government (Access to Information) Act 1985 the report has been prepared in part from the following papers: None

**Report to the Chairman and Members of the
Planning and Land Use Sub-Committee**

EN.135/00

1. Introduction

1.1 The purpose of this report is to update Members on the situation regarding the development of part field 448, at Farlam (approval 99/0540). This matter was considered at the meeting on 18th April, following a site visit. There were various matters of concern relating to the development of this site which had been raised by the Parish Council and members of the public and Members made the following decisions at that meeting:

1. That the amended levels for the house itself are an acceptable amendment to the approved proposal;
2. The drainage proposals are acceptable as submitted;
3. That the landscaping proposals, including the reprofiling of the bank be not approved at this stage.

1.2 Officers were instructed to negotiate further with the applicant and the objectors with the objective of reaching a mutually acceptable solution to this latter issue.

2.0 Site Meeting

2.1 Since then, construction work on the house has proceeded and the basic structure is now complete. Due to holiday and other commitments, which necessitated the cancellation of an earlier arranged meeting, it was not possible to arrange a site meeting to discuss the outstanding issue until 12th June.

2.2 At that meeting, it became clear that the objector seeks the profile of the bank to be returned to the original levels, in compliance with a note on the approved drawings indicating that the levels in this part of the site were to remain unchanged. In practice, this would be difficult to determine precisely because the topsoil was removed when development commenced. It was therefore decided that the best course of action would be to modify a section of the bank as it now exists, so that its appearance could be assessed and a comparison made with

documentary evidence regarding the original levels in terms of levels and photographs.

- 2.3 This work was carried out. A comparison between the bank at its maximum and where that material was removed indicated a reduction in level of an estimated 1.2 metres. A further comparison with the original photographs (pre-development) reveals that this leaves 200-300mm of material remaining above the original ground levels.
- 2.4 The suggestion was made that if the whole bank was modified in this way, an acceptable profile would be achieved. The objector's response was to reiterate his wish that the levels be returned to the original.
- 2.5 The developer stated that he would in any case proceed with the implementation of the revised bank profile, so that the overall appearance of the bank could be assessed. The material removed will be used to backfill excavations elsewhere on the site. It is understood that this has now taken place though it has yet to be verified.
- 2.6 It is expected that a letter will be received from the developer's agent setting out his position, and this will be appended to this report. Any further comments from the objector or others will be reported to the meeting.
- 2.7 Officers have the following comments in the light of these developments. Firstly, it is apparent from the work carried out, that the section drawing submitted by the applicant and which was considered at the meeting on 18th April underestimated the amount of fill material. This drawing gave the maximum amount of material as 1 metre, whereas it is now apparent that this is more like 1.5 metres. Nevertheless, it is also clear that if 1.2 metres of this is removed, this will be 80% of the total.
- 2.8 At this stage, it is not possible to comment on the finished appearance of the bank, but this will have been inspected by the date of the meeting, and photographs will be available for inspection.
- 2.9 As far as the landscaping proposals generally are concerned, these were generally felt to be acceptable, although it was agreed at the site meeting that it would be preferable to omit the bund at the bottom of the bank. Some comments were

made at the site meeting regarding the trees which had been planted on top of the bank. These will obviously have to be removed when the bank is modified, and there are no proposals to replant these trees in this part of the site which is to be planted as meadow grass with wild flower mixture. It should be noted however that it is not possible to restrict the planting of trees in the future in any particular part of the site.

- 2.10 A full verbal report will be given at the meeting with related photographs, when hopefully it will be possible to bring the matter to a satisfactory conclusion.

Our Ref. BCAP/SR/00/0018
Your Ref. 99/0540
Date 14th June 2000

PLANNING SERVICES	
REF	00/018
15 JUN 2000	
RECORDED	
SCA	
PASS	CAH
ACTIC	SWP

**ARMSTRONG
PAYNE
ASSOCIATES**

Planning & Development
Consultants



Chartered Town Planners

Planning Officer,
Carlisle City Council,
Civic Centre,
CARLISLE,
Cumbria.

F.A.O. John Hamer

Dear Sir,

Development at Farlam, Brampton

I refer to the above planning approval which was granted consent in November 1999 and our recent discussions and site visit concerning the landscaping scheme for the site.

In your letter dated 20th April 2000 you suggest that the re-profiling of the bank should be the subject of further discussions between ourselves and the objector who lives in the adjacent property.

These discussions were held on site in the afternoon of the 12th June.

At the site meeting the current proposals for re-grading the bank were explained to Mr Ling and the meeting then moved to the front garden of his property to discuss this matter further. At that stage a section was dug out from the bank to illustrate my clients proposal to reduce the levels of the bank to virtually their original appearance. The section was approximately 1.2m thick at the top of the bank tailing down to existing ground level about one third of the way up the bank.

It was clear from the discussion that Mr Ling would not support this as a negotiated solution to the problem and my clients were left with no choice but to implement the re-grading and then seek a unilateral decision from your Council that it was acceptable and meets the terms of condition 5 of the original consent.

35 King Street, Penrith
Cumbria, CA11 7AY

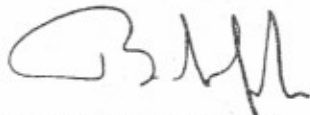
Tel. (01768) 890140
Fax. (01768) 890141

I understand that this matter will be determined by your Committee later this month and I would suggest that as the re-grading work has now been completed you carry out a further site visit prior to the Committee date so that you can come to a conclusion on what recommendation to make to the Members.

I have to say that in my view my clients have been entirely reasonable and have moved position considerably in an attempt to appease Mr Ling but that despite this he remains unwilling to negotiate or agree any compromise. It seems to me that the solution that has now been implemented is perfectly appropriate for the site and will result in the satisfactory landscaping of the area.

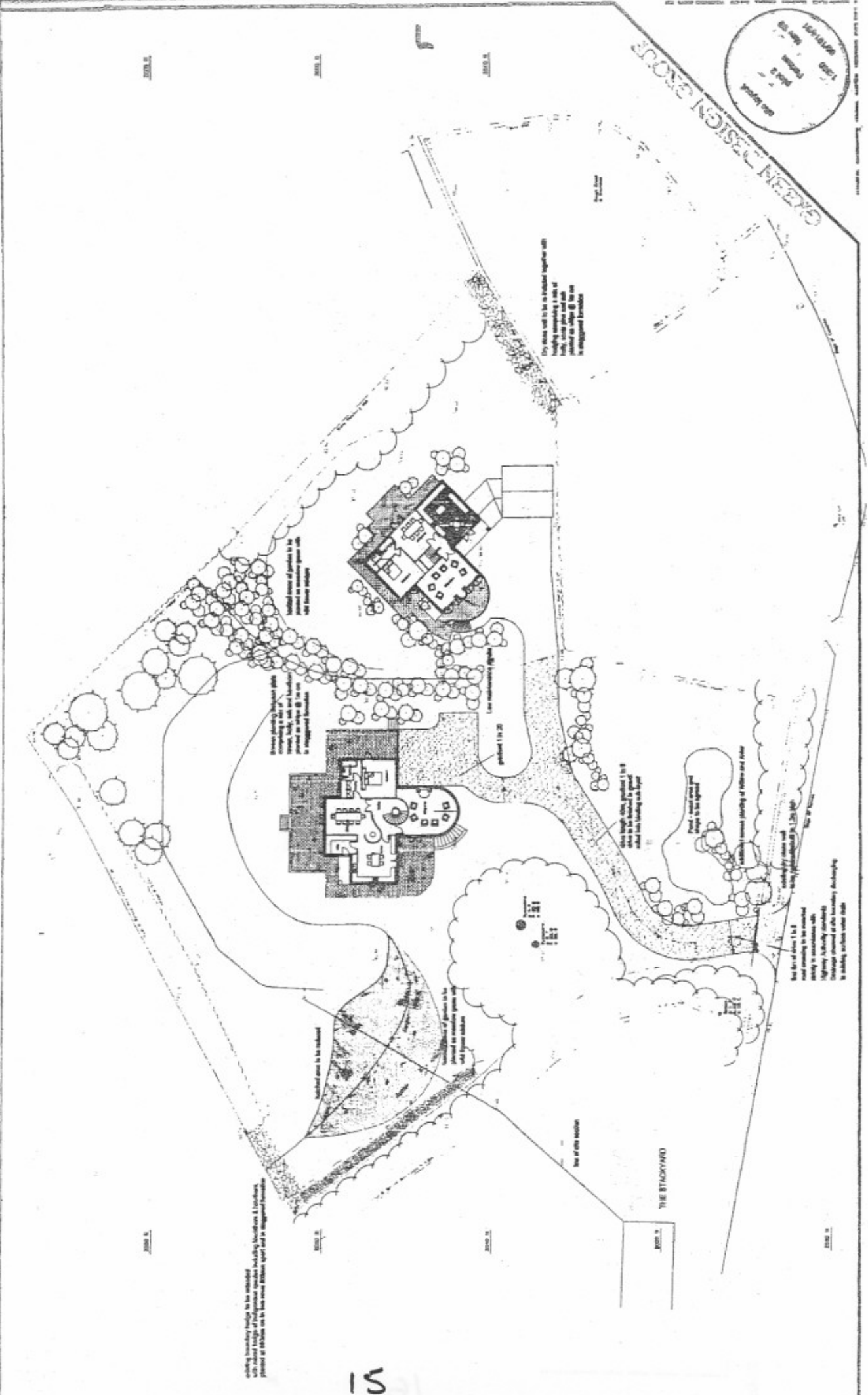
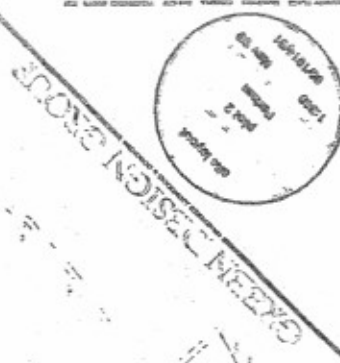
I look forward to receiving your comments on this matter further to the Committee meeting.

Yours faithfully,

A handwritten signature in black ink, appearing to read 'BAP', written in a cursive style.

Bruce Armstrong-Payne

cc Paul Drinkall
Alan Marsden, Green Design Group



existing boundary hedge to be extended with raised beds of Podagracea maculosa including blackberry & hollyhock, planted at 18" intervals on 3' to 4' line every 18" from 18" from wall for staggered barrier.

Identified areas of garden to be planted in staggered spaces with 18" spacing between.

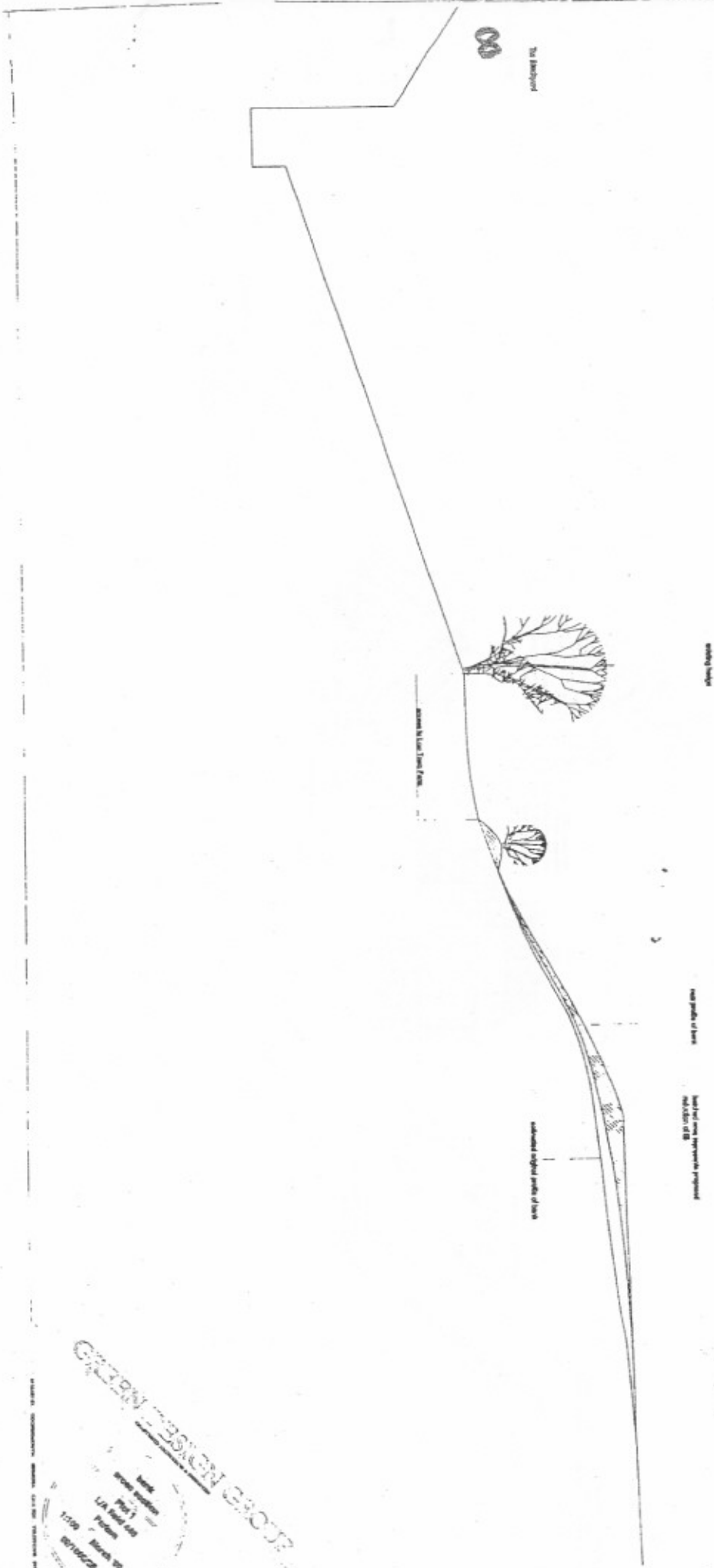
Remove existing 18" high stone wall, with new boundary hedge to be planted in staggered barrier.

Dry stone wall to be installed together with highly permeable 18" high stone wall to be planted in staggered barrier.

Stone height 18" high, planted 18" apart to be installed in staggered barrier with 18" spacing between.

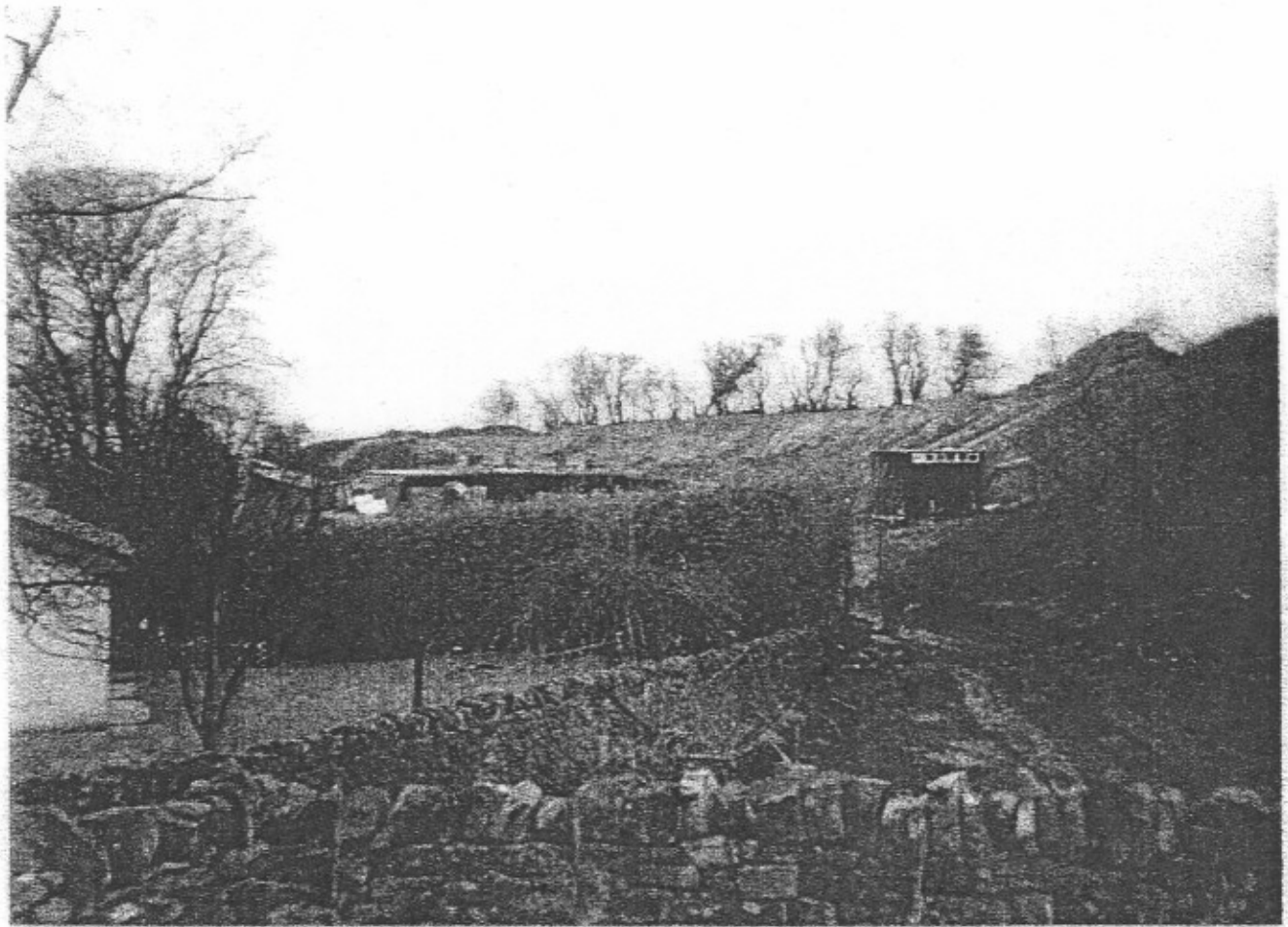
Plant in staggered barrier to be planted in staggered barrier.

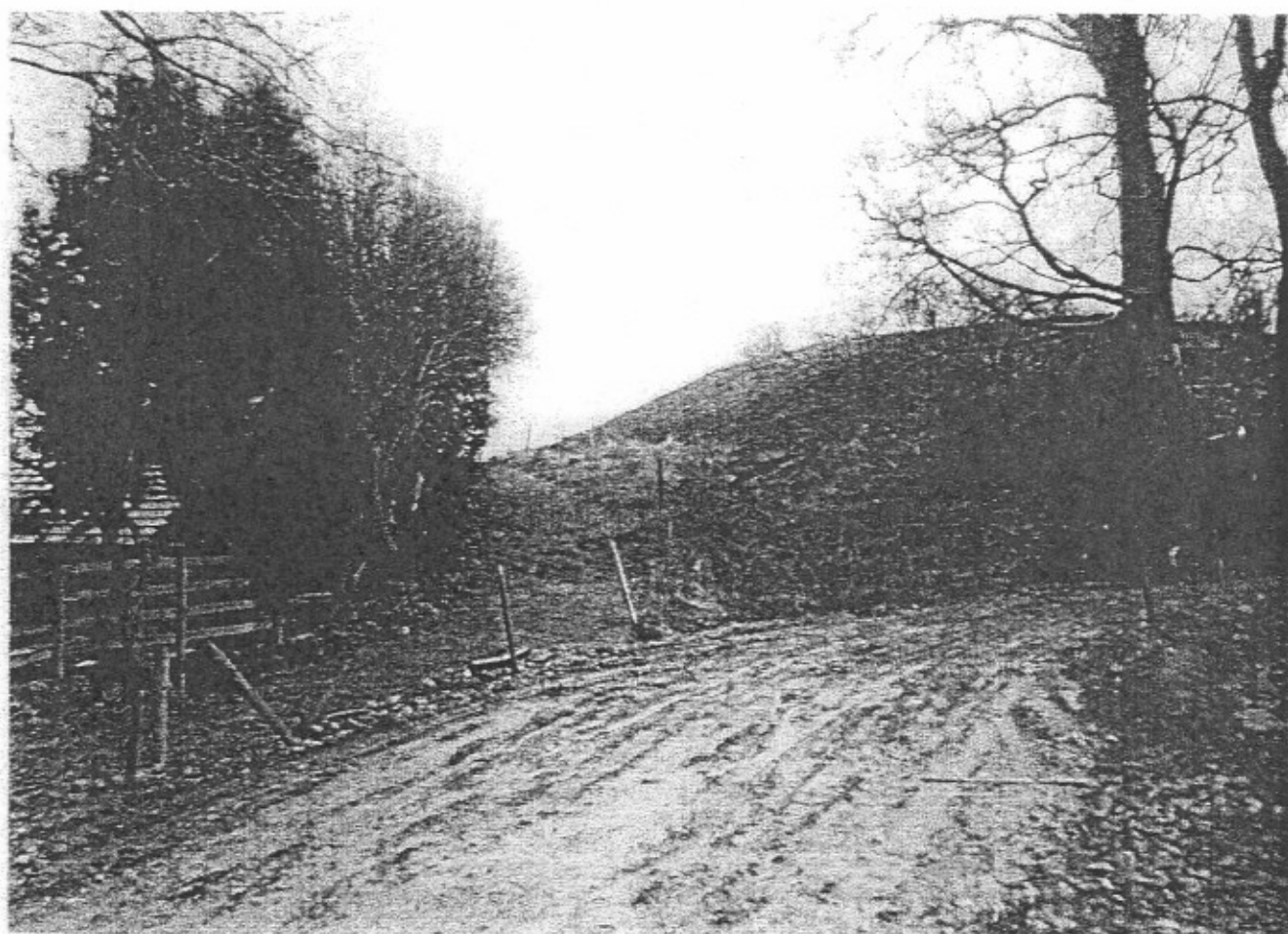
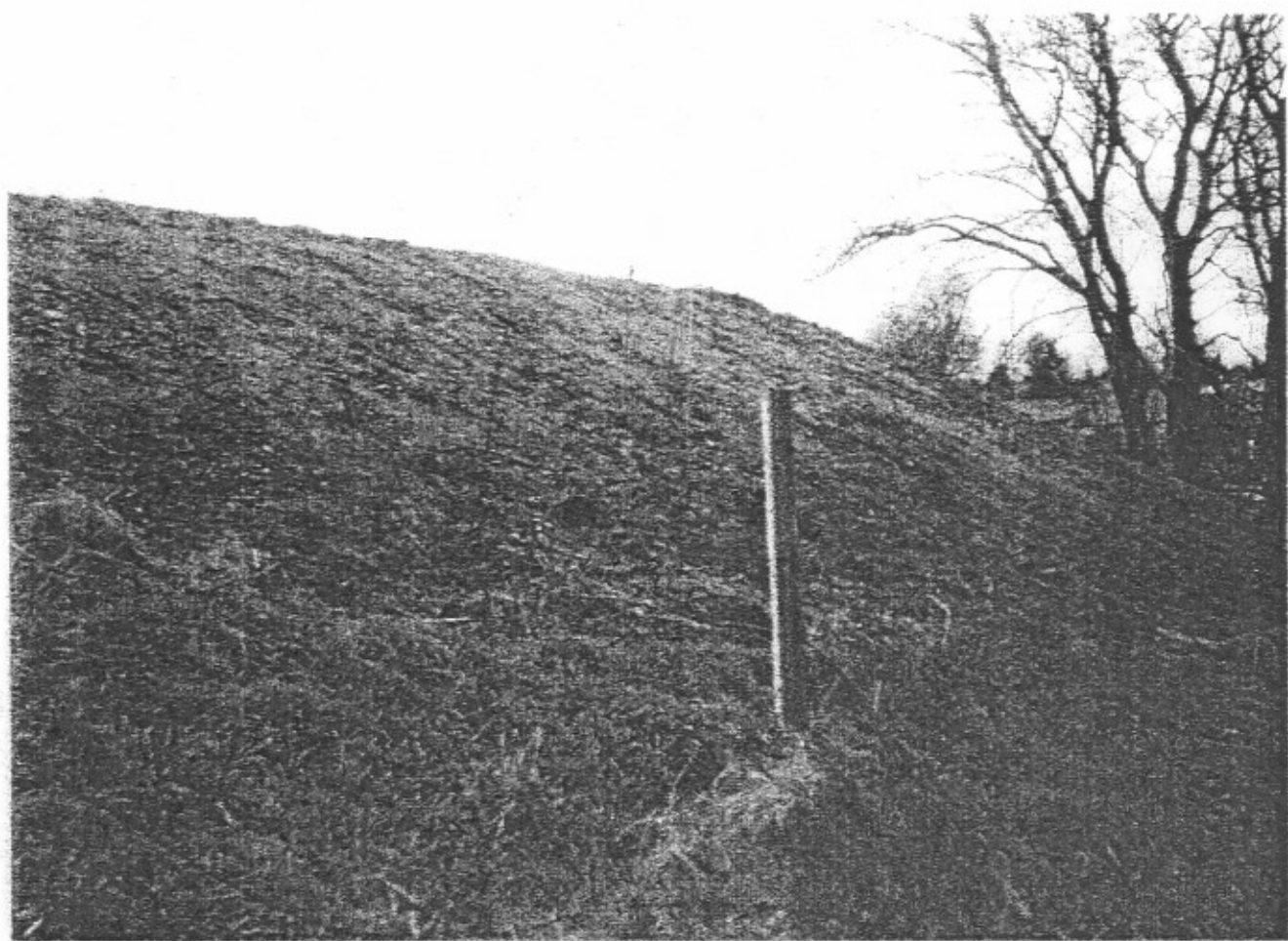
See list of stone to be installed in staggered barrier to be planted in staggered barrier. Existing stone wall to be installed in staggered barrier to be planted in staggered barrier.



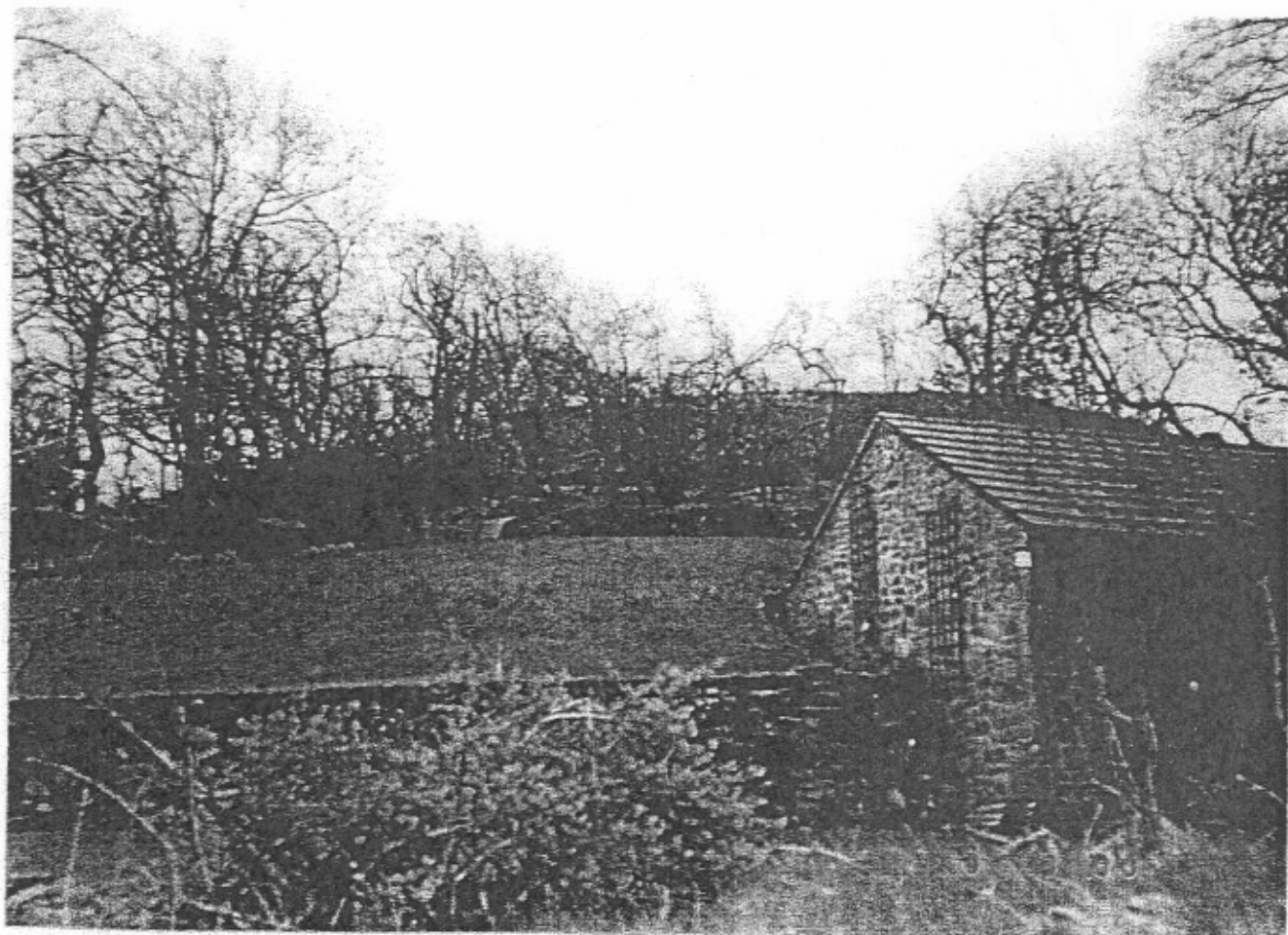
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RESOLVED – That the application be approved, subject to the conditions as indicated in the Schedule of Decisions attaching to these Minutes.

- (i) Erection of Conservatory at Irthing Ghyll, Lanercost, Cumbria (Application 00/0476)

Councillor Mitchelson, having declared a pecuniary interest in this item, withdrew from the meeting room whilst the matter was dealt with.

RESOLVED – That the application be approved for the reasons stated in the Schedule of Decisions attaching to these Minutes.

EPC.57/00 *MATTERS RELATED TO THE DEVELOPMENT OF THE SITE AT PART FIELD 448, FARLAM (APPLICATION 99/0540)

Mr A Hutchinson, Assistant Development Control Officer, having declared a non-pecuniary interest in this item, withdrew from the meeting room whilst the matter was dealt with.

Pursuant to Minute EPC.35/00, the Director of Environment and Development submitted report EN.135/00 updating Members on the situation regarding the development of Part Field 448, at Farlam. He also drew Members' attention to the correspondence which had been received subsequent thereto, copies of which had been circulated.

The Director reminded Members of the various matters of concern relating to the development of the site which had been raised by the Parish Council and members of the public, together with the decisions taken at the meeting on 18 April 2000.

The Director commented that construction work on the house had proceeded with the basic structure now being complete. He indicated that a meeting had taken place on 12 June 2000 when it had become clear that the objector sought the profile of the bank to be returned to the original levels. This was in compliance with a note on the approved drawings indicating that the levels in this part of the site were to remain unchanged. He added that, since the topsoil had been removed at the commencement of the development, this would be difficult to determine. It had therefore been decided that the best course of action would be to modify a section of the existing bank, assess its appearance and undertake a comparison of the bank with the original levels.

This work had been carried out and, as a result, the suggestion made that if the whole bank was modified in this way, an acceptable profile would be achieved. The objector's response was to reiterate his wish that the levels be returned to the original. It was further noted that the landscaping work had now been completed, with the exception of a small section of the bank which runs up towards the boundary at the north eastern corner of the site. This area had not been re-contoured because the purchasers of the site had planted trees in that location, which were particularly sensitive to being

moved. For this reason, the developer suggested that the area be left and, if necessary, looked at again during the planting season.

The Director indicated that it was apparent from the work carried out that the section drawing submitted by the applicant, and which had been considered at the meeting on 18 April 2000, had under-estimated the amount of fill material. Photographs of the site were circulated for Members to peruse at the meeting.

The Director commented that, as far as the landscaping proposals in general were concerned, then these were felt to be acceptable, although the completion of the regrading of the remainder of the bank was felt to be necessary.

In conclusion the Director recommended that, subject to satisfactory completion of the work on the remainder of the bank, including replanting of trees, the original landscaping proposals be approved.

RESOLVED – That, subject to satisfactory completion of the work to the remainder of the bank, the original landscaping proposals be approved.

EPC.58/00 BREACH OF PLANNING CONDITIONS AT CAVAGHAN AND GRAY'S PREMISES, ARKWRIGHT ROAD, CARLISLE

Councillor Martlew, having declared a pecuniary interest in this item, withdrew from the meeting room whilst the matter was dealt with.

The Director of Environment and Development submitted report EN.138/00 setting out the background and problems associated with Cavaghan and Gray's premises on Arkwright Road, Carlisle.

The Director provided details of the original application, dated 1985, to change the use of the premises to general industrial use for the manufacturing of food products, warehousing and offices, together with associated facilities, including loading, unloading and parking of vehicles. He then outlined the subsequent applications submitted by the Company, together with objections received and action taken to resolve the noise issues.

The Director informed Members of the present position, together with complaints received and action taken by Council Officers involving regular noise monitoring. He added that it had been established that the noise climate in the vicinity of the premises did not constitute a statutory nuisance and that his Officers had no cause to take any purposeful form of action. However, the planning condition levels set in 1985 and repeated in subsequent applications appeared inappropriate today.









	2001
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	SA
	REV
ACTION	RIC

The Stackyard
Farlam
nr. Brampton
Carlisle
CA81LA
21 November 2001

Mr.M. Battersby
Director
Department of Environment & Development
Planning Services Division
Carlisle City Council
The Civic Centre
Carlisle
CA3 8QG

DEPT ENV & DEV
PLANNING
27 NOV 2001
AE / MB

Dear Mr.Battersby

Development at Field 448, Farlam

could you follow this up and advise me of the situation
MB

I refer to various correspondence, meetings and discussion, during the past 18 months or so pertaining to the above development.

You may recall that the plan submitted with the original planning application, which was approved by the Planning Committee, indicated that the levels on the hill adjacent to my property were to remain as existing. This was indeed confirmed by Mr. John Hamer when, nearly two years ago, I queried the appearance of "spoil heaps" excavated from other parts of the site, to which previous correspondence refers. I was assured at the time, by Mr. Hamer, that this area was being used as a temporary stockpile area and the spoil would be moved in due course. I expressed my reservations again, some three or four months later, when it became obvious from the extent of spreading and formation of a berm that the contractor had no intention of moving the spoil, and that a permanent feature was being formed. Mr. Hamer again assured me that this was not the case, and that the spoil would be moved to ensure that the original ground level was maintained. Indeed, I recall a visit by both Mr Hamer and the Enforcement Officer around this time to acquaint themselves with the ongoing situation.

Following on from this, and in spite of a further site visit by the full Planning Committee to assess the situation with regard to the development of this site and several site meetings attended by various permutations of Mr Hamer and the Council Enforcement Officer, the Developer and his agents, the Chair of the Parish Council, Local Residents and Councillors, I find myself after all this time still in the same situation that I originally complained about and was given an assurance about by Mr. Hamer, i.e. the land adjacent to my property has been raised in height without planning approval.

I shall be obliged if you can investigate this matter and advise me what course of action will be taken to ensure that the development complies with the original planning approval in relation to the spreading of spoil which has increased the level of the land adjacent to my property.

Yours sincerely

Peter Ling
Peter Ling
BSc C Eng MICE

cc Cllr M Mitchelson
Cllr R Knapton
Mr J Simpson – Farlam PC

Bleatarn Croft
Irthington
Carlisle
CA6 4ND

Dear Mr. Tickner,

Re. bank to the rear of 2 Tarn Banks, Farlam.

I am writing to confirm that the profile of the bank has indeed been changed on three occasions to comply with instructions.

After a complaint by Mr. Ling we altered the bank, lowering the profile. This took three days with a 16-ton machine and did infact cost a considerable amount. At the time however it appeared that this was Mr. Ling's requirement. The area was then planted with Willow and Ash and grass seeded throughout.

On the second occasion we had a site meeting and it was agreed by all concerned to lower the profile yet further. This was demonstrated on site at the time by digging a 4' wide trench through the bank to indicate the new levels. This was carried out, trees were uplifted and relocated and again the area was landscaped and grass seeded.

On the third and final occasion, following a further complaint from Mr. Ling, Mr. J. Hamer paid a further site visit and requested we alter the bank yet again. This was carried out as per instructions.

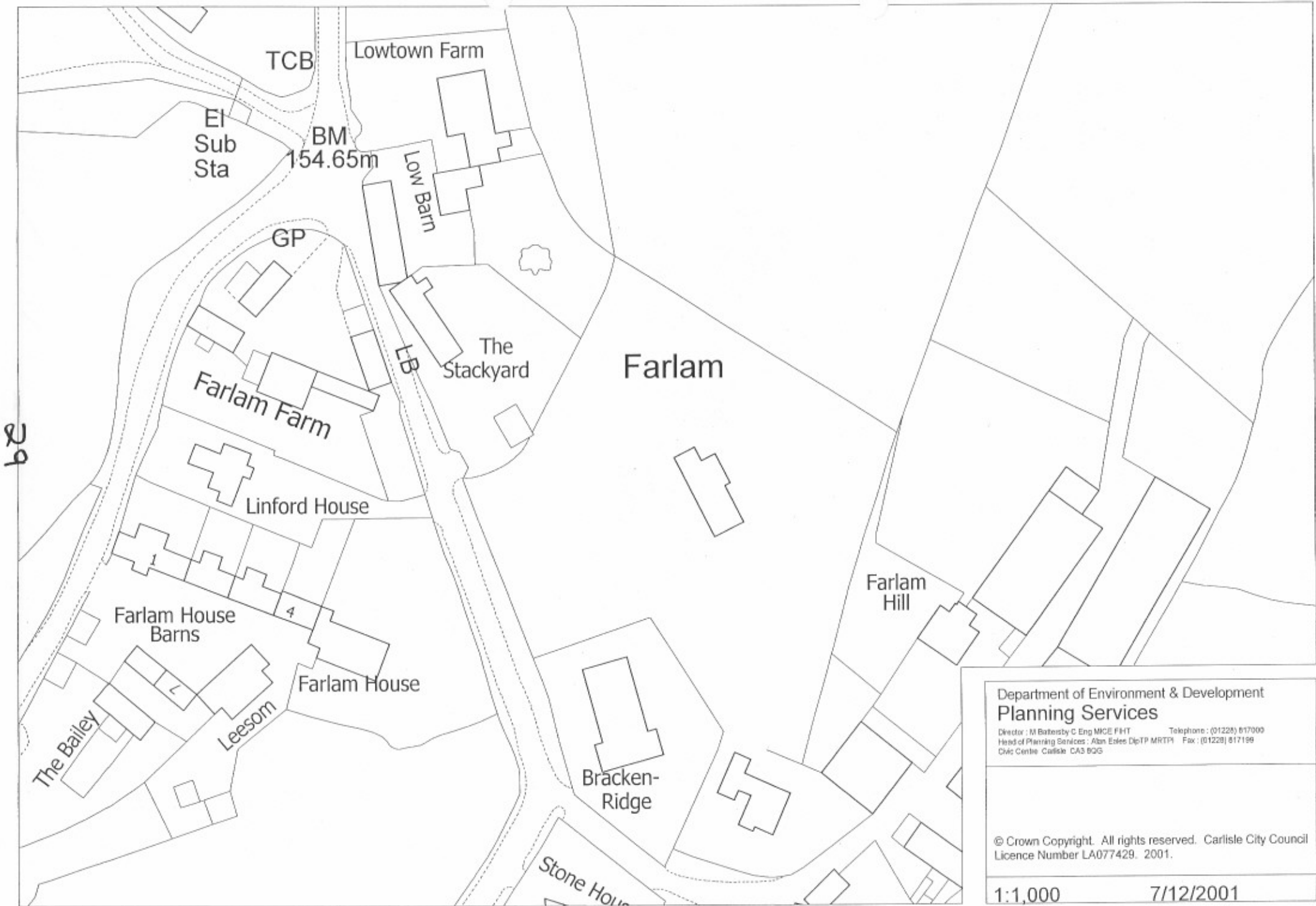
Once again the trees were relocated and yet again of course the area needed landscaped and re seeded.

We would conclude by saying that we feel we have acted more than fairly on this matter and have complied with the requirements.

Yours faithfully,

P.S. Drinkall

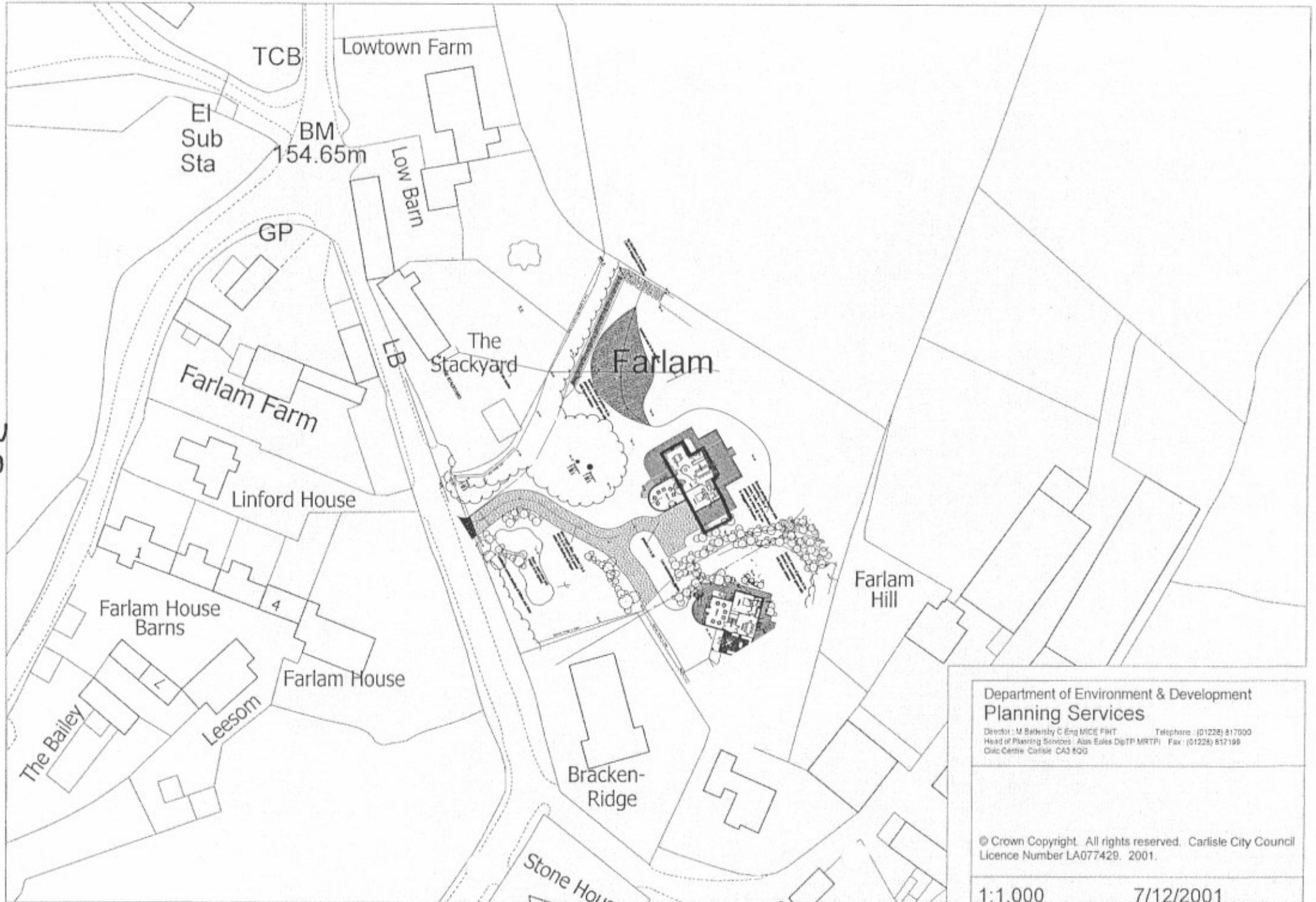
P.S. Drinkall.



Department of Environment & Development
Planning Services
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