

## Man is facing bankruptcy after cottage inquiry loss

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A DREAM of retiring to a life in the countryside turned into a nightmare after a four-year planning battle left a 64-year-old man facing bankruptcy.

Peter Johnson has spent most of the past four years living in a 14-foot touring caravan due to a series of disputes with Chester City Council involving the raising of his property to stop it flooding.

Now, following the outcome of a public inquiry, Mr Johnson has been told to remove the raised land around his cottage - which means he will not be able to get into his home without a ladder.

Mr Johnson, of Denamere Lane, Farndon Hay, said: 'It will leave the cottage up in the air on eight concrete legs. I won't be able to get into it without a ladder. It's diabolical. I'd be bankrupt. I would have to find something between £20-28,000 to take away 3,000 tonnes of approved ballast.'

He said an eco-friendly sewage treatment plant he installed would have to be 'physically ripped out of the ground'.

'It won't function above ground so I won't have a toilet and my rainwater harvesting system won't work so I won't have any water and I will have to quit my cottage again.'

Mr Johnson said he felt 'embattled, completely destroyed'.

'The council knew in 1998 what my intentions were in buying this as a retirement home and they gave a 'yes' to everything I proposed to them. Dave Cowell (planning officer) actually stated that regarding the raising of the site it was not their decision, it was the Environment Agency's and they say the work I have done has been completed to their satisfaction.

'Throughout this sorry saga I have done exactly what everyone asked me to do. I'm just glad I don't have a wife and young children. I couldn't have subjected them to three years in a caravan.'

The outcome of the public inquiry is the latest twist in a saga that has even been to the High Court in London.

The former rodmaker said he fell in love with the area in Farndon Hay on the Dee: 'I always had a dream to one day retire by a lake or a stream or a river.'

After buying the dormer bungalow in March 2000 Mr Johnson moved in and was flooded on three occasions towards the end of that year, destroying the interior and the £20,000 worth of renovations he had carried out, and affecting most of the wooden structure.

He put in a planning application to raise his home in September 2000 and in July 2001 was granted retrospective permission to raise the property and install a sewage treatment plant.

Mr Johnson said: 'In small print as a footnote it said 'this permission is only given to raise the dwelling, not the ground around it'. Well you can imagine how I felt.'

In May 2001, Mr Johnson issued a county court claim against the council for the cost of repairing the flood damage and for the 'stress, harassment and anxiety they have caused'.

Six months later the city council served the first of two planning enforcement notices on him, saying he had raised an area of the ground around his house that did not form part of the 'domestic curtilage' of the property.

In September 2003 a five-day public inquiry started, ordered by the planning inspectorate, after Mr Johnson won leave to appeal against the council in the High Court.

Twenty-one weeks later, the inspector published his decision dismissing Mr Johnson's appeals, stating: 'The ground raising harms the character and appearance of the landscape.'

Mr Johnson said of his long-running saga: 'It's destroyed my aspirations for my retirement, my aspirations for my home, my long-standing Christian belief in a fair society and what we have fought two world wars for.'

A council spokesman said: 'The city council is obliged to enforce planning rules for the benefit of the whole community. After a five-day public inquiry, the longest ever planning enforcement inquiry held in Chester, the inspector dismissed all of Mr Johnson's appeals.'

<https://www.cheshire-live.co.uk/news/chester-cheshire-news/man-facing-bankruptcy-after-cottage-5299803>