

There is undoubtedly a way that this plot can be developed for one dwelling with the current applicant's property design but with no objections.

In 2019, planning officer Neil Bearcroft made a comprehensive and considered assessment of the garden site at 39 Far End Lane. The subsequent 2019 OPP was supported by local residents.

It provided for a single dwelling – with property design to be determined – sited away from the steepest part of the slope, with a safe access and internal parking and turning. It protected the privacy and residential amenity of the nearest dwelling, no 18 Woodhead Road and improved the street scene at Far End Lane with a new 2m footway.

No.39 Far End Lane was subsequently sold with the benefit of this 2019 OPP.

In 2020 the current applicants – who do not own the land – presented a different application. Their proposed dwelling is more suited to the site but regrettably this application could not be supported by local residents because all other aspects of the application were at odds with the 2019 OPP and the existing planning history had been completely ignored.

The 2nd Planning Officer to assess the site Ellie Worth, came to the same conclusion as her former colleague and asked the applicants to site the proposed dwelling in line with the 2019 OPP.

The current applicant's property design would sit well within the 2019 OPP and it is ridiculous to suggest that this cannot be achieved.

You therefore have to question why instead the applicant's withdrew the application. Given the considerable cost and inherent difficulties building on a steep slope why would the applicant choose to do so when there is a less costly easier build that would also have the support of local residents?

After discussions with the applicant and their architects it is clear that this was because the decision on layout was to be determined by the owners of the land.

We have well founded concerns that if this layout is approved, the owners of the land will not sell the applicants the original 2019 OPP footprint and it will be retained with no39 for a second infill dwelling.

It is the owners of the land who have resisted the applicants dwelling being moved across and the boundary on that side is 'proposed'. The applicants have no control in this – if they refuse to buy a reduced plot, then the vendors can sell on with planning permission (paid for by the applicants!).

So in 2022, the application was 'resubmitted' with the same layout and is now considered by a third planning officer, Katie Chew.

There has been no change in planning rules or regulations and no justifications have been presented by the applicants to change the previous planning decisions. So the application has again received numerous objections on planning grounds.

Consistency in planning decision making is important – if this current proposal is accepted then **there is clear evidence that applicants at the same site have been treated differently by Planning. And this relates to specific requirements set out by Planning to obtain approval**, not just the subjective opinion of a third planning officer.

The proposed dwelling and its off road parking arrangement – undoubtedly the worse 'access' design proposed at the site - is on the steepest part of the slope. The stability of this slope is unknown. There is no footway and the ground falls away immediately after the boundary wall at the carriageway edge.

It is therefore of great concern that the proposed parking structure is not shown on the elevation plans and Highways Structures have not been reconsulted – why? - considering they previously asked for a '2m easement strip' when development was originally proposed in this very same area.

As engineers with firsthand knowledge and experience of retaining highways, we can see this will need considerable retaining structures to support both Far End Lane and the off road parking area and substantial groundworks for the dwelling. All this is to be constructed on a steep slope using heavy construction vehicles and machinery. **It is clear that these works will require the closure of Far End Lane. The proposed off road parking arrangement will provide inadequate provision for construction vehicles leading to further disruption on Far End Lane.**

Heavy machinery working on the steep slope between Far End Lane and the property immediately below, will also render no 18 Woodhead Road inhabitable whilst works are completed. The topography of the site will preclude the use of any safety barriers.

It is not an exaggeration to suggest that these supporting structures will cost more to build than the dwelling itself and the safety implications working on a slope between a carriageway and a residential dwelling are considerable.

This application undoubtedly has a detrimental impact upon no 18 Woodhead Rd.

Despite objections to the Planning Officer, the applicants elevation plan is still incomplete. You cannot reasonably demonstrate the impact of the development upon no18 unless no18 is shown on the view from Woodhead Road. Sitting practically on top of no18, the proposed dwelling clearly dominates and overshadows our property. **This is clearly why no18 is not shown on the applicant's plan.**

The only private amenity space at no18 is at the side of the property - with the current proposed layout this will result in a complete loss of privacy and have an unacceptable effect on the property's residential amenity.

Due to additional concerns regarding loss of light, we employed **specialist Right to Light surveyors** to review the planning application and its effect on no 18 Woodhead Rd. They wrote directly to Planning on our behalf - they **concluded that it would 'be unreasonable to approve the application without a BRE Daylight & Sunlight Report' being produced.** This has been ignored by Planning without any explanation. I have made a number of requests to Katie about this but have not had any response other than a confirmation that she has received the letter.

The applicant's agent subsequently produced '**shadow paths**'. However, these **are subjective and unlike the standard BRE methodology have no pass / fail criteria.** This required another letter to be sent to Planning by the specialist surveyor, stating further that **it would be 'unreasonable to rely on these shadow images and grant planning without a full daylight and sunlight assessment'.**

The shadow paths produced are not accurate. We have disputed them as they do not show what we have experienced living at the house for the last 30 years. The modelling had not been based upon an arboricultural report for the site. But rather **the shadow paths have been produced from information that has been input directly by the applicant's agent - they are neither accurate nor independent.**

Again, we have had no response from Planning – we have not even been given an opportunity to have the relevant BRE methodology completed ourselves.

The boundaries with no 18 are incorrectly shown on the application. I have provided evidence to Katie which is also on public record. However, this is still not shown on plans **giving a misleading relationship between our property and the development.**

This also means that the applicants **Environmental report is invalid**. It claims that the development will retain 8 trees - however only 1 tree is within the applicant's land! **They have included land they do not own and over which they have no control**. And parts of this habitat will now be lost and further impacted by the new off road parking arrangement which in itself will be a considerable structure.

We are astonished that Highways have accepted this off road parking arrangement – especially when the Highways officer states that the access for the 2019 OPP was 'better and safer' and this CAN be achieved with the applicant's preferred design.

The responses provided by Highways from the 2019 OPP onwards have been consistent - from both officers. This is why it is so surprising that the current off road parking arrangement is 'accepted' in spite of it not meeting the requirements which Highways themselves set out for the site!

The Highways Officer states specifically that sightlines can be achieved 'from the central parking space'. What this means in practice is the parking area has sightlines when only one of the parking spaces is used!

In practice drivers are unlikely to want to manoeuvre within the carriageway and vehicles will instead park on Far End Lane. This arrangement is not practicable for delivery drivers or for construction traffic which will also park on Far End Lane.

It is certainly not what would be considered suitable or what would be expected to be provided for this executive, detached property. It does not provide secure parking and with the absence of a footway is akin to parking at roadside. It is undoubtedly the worse 'access' design proposed at this site.

Finally, where is the **2m footway which Planning considered 'key to development'** at the site which had to be provided in order to secure the 2019 OPP? This would support the Council's pledge to prioritise pedestrians. Given the financial constraints of local government it is extremely disappointing that Planning is giving this up so easily. This would also provide the opportunity to link to Woodhead Road via the well-used footpath at the end of the site. **How can people be persuaded to leave their cars at home unless they are provided with safe routes and footways which link to public transport?** Planning history shows that a 2m footway was provided for at the site but it has seemingly now been given up by Planning.

There are many unanswered or unaddressed issues for this current application. There is evidence that applicants are being treated differently and planning decisions making is inconsistent at the site without any obvious reason or justification.

We have endured this now for almost 5 years. We are extremely disappointed that previous planning history is being ignored and no consideration has been given to the real-life impact of this protracted process – inconsistent, poor decision making provides no surety or certainty and only prolongs this even more.

Rather than uphold the decisions of 2019 OPP, it does appear that Planning have now been brow beaten and are accepting an inferior scheme to get this off the desk.

The objection to its referral to the Planning Committee only serves to affirm this and prevent them being challenged.