

### **Comment: Failure to Properly Assess the Relationship Between Plot 23 and No.92 Lingards Road**

I object to the current application on the basis that the relationship between Plot 23 and No.92 Lingards Road has still not been properly assessed.

This is not a new concern. The issue has arisen repeatedly through the history of Plot 23, including the original application, the later variation application, and now the current application. Despite that, the Council has repeatedly relied on generalised assessments rather than properly examining the specific relationship between Plot 23 and No.92, including the lawful side extension to No.92.

The original application, 2020/93954, was assigned to case officer NH. That application included a site section which, in my view, gave a misleading and incomplete impression of the relationship between Plot 23 and surrounding dwellings. The specific impact of Plot 23 on No.92 Lingards Road does not appear to have been properly assessed. Nor does the lawful side extension at No.92 appear to have been assessed, despite that extension forming part of the dwelling actually affected by Plot 23.

That omission matters because the lawful side extension changes the relationship between No.92 and Plot 23. It affects outlook, orientation, separation, dominance and the practical experience from within the dwelling. An assessment which considers No.92 only in general terms, or which relies on a different neighbouring relationship, cannot properly assess the impact on the dwelling as it exists.

The Council's later position has been inconsistent. A Senior Planner in Development Management, KW, wrote that Plot 23 "seems to largely front the field access". Although there is an element of truth in that statement, it is also misleading if used to minimise or dismiss the relationship between Plot 23 and No.92. A dwelling can front partly towards an access while still having a direct and material relationship with a neighbouring dwelling. The existence of the field access does not remove the need to assess the actual relationship with No.92.

What has now been built makes that relationship clearer. Plot 23 is directly opposite No.92 in any practical residential amenity sense. It also has a direct relationship with No.94. The point is not that No.94 is irrelevant, but that No.92 is plainly relevant too. The Council cannot rationally assess the impact on one directly affected dwelling while failing to properly assess the other, particularly where No.92 includes a lawful side extension.

The same problem appears to have continued under application 2024/91236. That application was assigned to case officer KC. Again, the specific impact of Plot 23 on No.92 does not appear to have been properly assessed, and the lawful side extension at No.92 does not appear to have been assessed.

This is particularly concerning because a double garage was originally planned, before being changed to a single garage five months later. That double garage had already raised questions about overdevelopment. In relation to the double garage proposed for Plot 23, KC wrote that there were likely concerns in respect of "visual amenity and overdevelopment". That means the Council was already aware that the additional garage mass could be a material planning concern. Despite that, 2024/91236 was approved.

The Council has since sought to defend the assessment. In response to concerns that No.92 had not been properly assessed, JS stated that the assessment was "consistent with how the authority typically undertakes such assessments on all applications", that it was carried out "in the normal officer way", and that "the council does consider the assessment to be adequate". She also stated that 2024/91236 had been adequately assessed.

I find that difficult to reconcile with the history. If the assessment was full and adequate, why was the specific relationship between Plot 23 and No.92 not clearly addressed? Why was the lawful side extension at No.92 not assessed? Why was the relationship later minimised by reference to the field access? And why, under the current application, has the Council only now sought photographs from

I will deal separately with the height and width discrepancies between dwellings on site and grouped plans left on the public record. For present purposes, I simply note that those discrepancies were allowed to remain uncorrected. That is difficult to reconcile with the Council's repeated position that the applications were fully and adequately assessed.

The current application is 2026/91657, and KC is again the case officer. This application was submitted before I asked for No.92 to be properly assessed. After that request, KC sought access to to take photographs. That had not been requested or undertaken during either of the previous applications. It therefore appears to be a direct response to my request for a proper assessment of No.92.

I was willing to allow access so the Council could see what we see from inside the affected dwelling. Instead, KC was content to take photographs from outside the bungalow. That is not equivalent to assessing the lived impact from the affected rooms, particularly given the issues of outlook, dominance, levels, overlooking and the relationship with the lawful side extension.

Part of my concern also relates to the elevation of Plot 23. I had measured that Plot 23 appeared to be higher than it should be. In response, JS said that because Plot 23 was unfinished, the Council could not yet accurately assess the overall height or the relationship with No.92.

That position is troubling. If the Council cannot yet accurately assess the overall height and relationship with No.92 because Plot 23 is unfinished, then it is difficult to see how previous applications could safely be described as fully and adequately assessed. The relationship cannot be both fully assessed and not yet capable of accurate assessment.

My simple position is this: a house of height X, starting from elevation Y, will necessarily be higher if it starts above elevation Y. If the ground-floor level is higher than approved, the ridge, windows, roof form and overall massing will also be higher unless the building is reduced elsewhere. It should not be necessary to wait until the house is complete up to ridge level before deciding whether the approved levels have been exceeded. The approved drawings and the as-built ground-floor levels should allow that calculation to be made now.

The concern is that the Council's approach risks creating a *fait accompli*. If the Council waits until Plot 23 is substantially complete before deciding whether the height, levels and relationship with No.92 are acceptable, the developer gains the benefit of having already built the very development that should have been scrutinised before approval or before further work continued.

The cumulative position is now far more serious than the earlier double-garage concern alone. The current proposal involves a doubling of the garage, an enlarged kitchen area beneath it, greater width, greater height, increased elevation, additional habitable or usable levels, a raised terrace, a garden room/store beneath that terrace, and unresolved concerns about the siting of Plot 23.

That is the key point. If a double garage alone was enough to raise concerns about visual amenity and overdevelopment, then the present cumulative position should plainly trigger a much more rigorous assessment. The question is no longer simply whether a double garage can be

accommodated. The question is whether Plot 23, as now built and as now proposed, has moved beyond what was assessed and approved.

The Council should not rely on previous approvals as proof that the relationship between Plot 23 and No.92 has already been properly assessed. The available history suggests the opposite. The relationship was disputed, then minimised by reference to the field access, then defended as adequately assessed, and is only now being partially revisited through photographs taken from outside No.92.

For these reasons, I ask the Council to assess 2026/91657 afresh, using the actual built position, actual levels, actual relationship with No.92, the lawful side extension at No.92, and the cumulative effect of the double garage, increased massing, raised terrace, lower-level garden room/store, increased height and siting concerns.

The application should not be approved unless and until the Council has carried out and recorded a proper site-specific assessment of the relationship between Plot 23 and No.92 Lingards Road. On the evidence available, that assessment has not previously been undertaken, and the current proposal should be refused.