Plot 23 Height:

From "Equivariant Height, or Marginally Lower" to Approximately 3.64 Metres Higher

Paragraph 10.53 of the officer report for application **2020/93954** stated that the dwellings on the north side of Lingards Road would be of:

"equivariant height, or marginally lower"

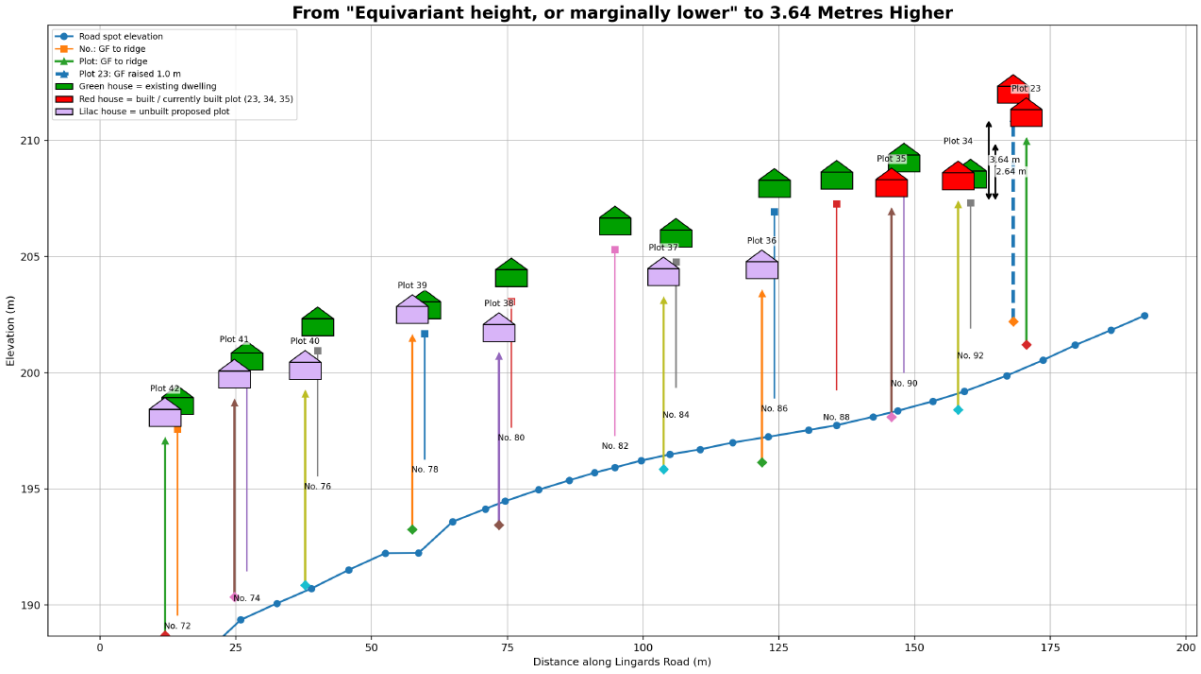
than the existing dwellings opposite.

The relationship between Plot 23 and No. 92 does not appear consistent with that statement.

The embedded graphs compare the submitted and apparent as-built levels of Plot 23 with the ground-floor and ridge elevations of No. 92. They show that:

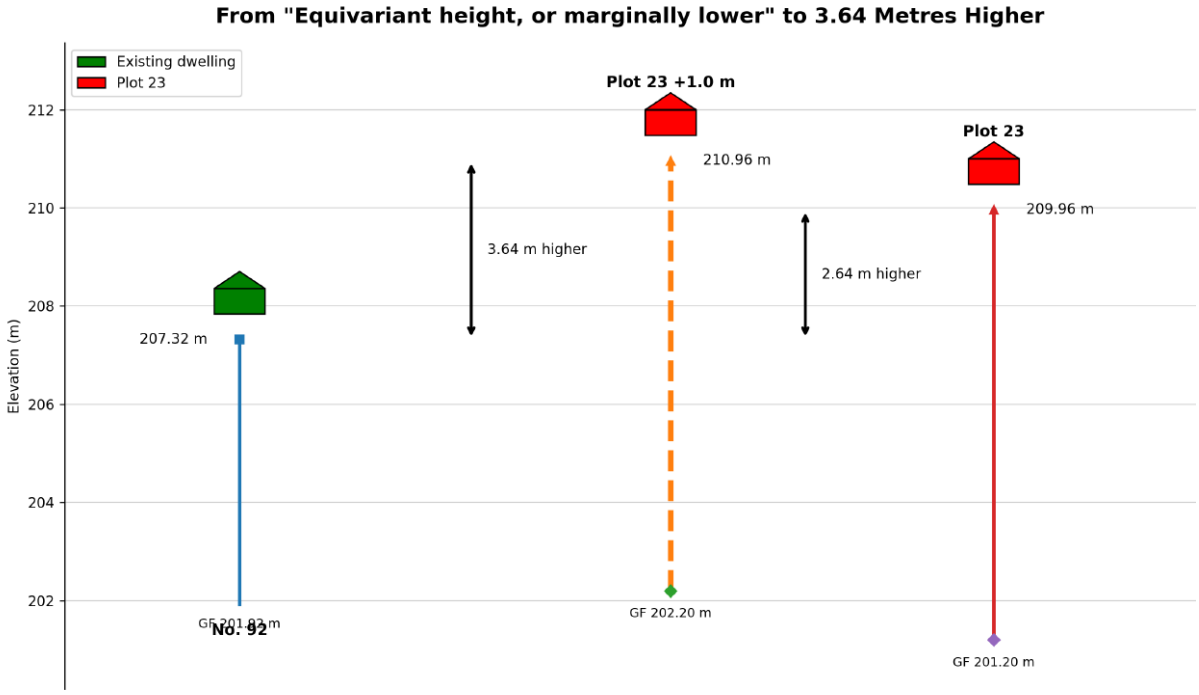
- using the submitted ground-floor elevation, the ridge of Plot 23 would already be approximately **2.64 metres higher** than the ridge of No. 92; and
- if the apparent approximate **1 metre increase** in Plot 23's ground-floor level is confirmed, its ridge would be approximately **3.64 metres higher** than the ridge of No. 92.

The first graph places Plot 23 and No. 92 within the wider sequence of existing dwellings and proposed plots along Lingards Road.



The comparative graph indicates that No. 92 is uniquely affected among the existing dwellings shown. It appears to be the only property where the directly related new dwelling rises substantially above the existing ridge. Plot 23 is approximately 2.64 metres higher on the submitted elevations and approximately 3.64 metres higher on the estimated as-built elevation. No comparable height relationship is shown elsewhere on the graph.

The second graph isolates No. 92 and Plot 23 so that the height difference can be seen more clearly. Plot 23 is shown twice: first at the submitted elevations, and secondly with the apparent increase of approximately 1 metre, derived from measurements of the built form, carried through using the submitted ground-floor-to-ridge dimension.



This is not an “equivariant” relationship, nor could a difference of this scale reasonably be described as Plot 23 being “marginally lower”. Plot 23 would instead be substantially higher than No. 92.

Direct relationship with Bedroom 2

The significance of the height difference is reinforced by the physical relationship between the two properties.

Plot 23 lies at approximately 77° to Bedroom 2 at No. 92 and falls within the Council’s own 90° approach to identifying a directly opposing relationship. The comparison is therefore not between two buildings with only a remote or incidental relationship.

The substantially greater ridge height of Plot 23 will be experienced directly within the outlook from a habitable room at No. 92. Viewed in this direct relationship, the additional height would materially increase Plot 23’s visual presence, dominance, sense of enclosure and effect upon the outlook from No. 92.

The difference is also relevant to the outlook from other rooms at No. 92, including Bedroom 3, from which Plot 23 will occupy a substantial part of the view once its first floor, roof and garage are completed.

Comparison with Plots 34 and 35

The apparent discrepancy at Plot 23 is particularly difficult to explain when compared with the immediately adjoining Plots 34 and 35.

The lower-floor levels of Plots 34 and 35 appear to have been constructed at, or very close to, their submitted elevations. This demonstrates that the approved levels and the relevant site datum were capable of being identified and accurately transferred onto this part of the site.

That comparison is especially significant because the foundations and initial preparation for Plot 23 were undertaken **before** those for Plots 34 and 35. Despite Plot 23 having been prepared first, the developer subsequently managed to construct Plots 34 and 35 at the correct lower-floor elevations, while Plot 23 now appears to be approximately 1 metre higher than its submitted ground-floor level.

This makes it less plausible that the Plot 23 discrepancy results from:

- the general slope of the site;
- an inability to identify the approved datum;
- an unavoidable site-wide surveying problem; or
- an ordinary construction tolerance.

A discrepancy approaching 1 metre is plainly not a minor construction tolerance. The apparent accuracy achieved on the adjoining plots indicates that the issue at Plot 23 requires a clear, plot-specific explanation.

I make no allegation as to why the discrepancy arose. Possible explanations may include a setting-out error, insufficient excavation, revised site instructions or a design decision connected with the lower levels, drainage, driveway or retaining structures. The present public information does not allow the cause to be established.

That is why the original setting-out evidence is required.

Site-wide importance of accurate levels

The importance of accurate setting-out is reinforced by the substantial range of submitted levels across the development. The lowest submitted lower-floor level is **175.70 m**, while the submitted lower-floor level of Plot 23 is **198.50 m**, a difference of **22.80 m**.

If the apparent approximate 1 metre increase also applies to Plot 23's lower-floor level, its as-built level would be approximately **199.50 m**, creating a vertical difference of approximately **23.80 m** from the development's lowest submitted lower-floor level.

This was therefore a development in which individual plot levels were critical design parameters. The considerable variation across the site required reliable survey control, accurate identification of the approved datum and careful plot-by-plot setting-out. Levels could not reasonably be treated as approximate or interchangeable.

The apparent success in constructing Plots 34 and 35 at, or close to, their submitted elevations further demonstrates that the relevant datum and plot-specific levels were capable of being accurately transferred onto this part of the site. Against that background, the apparent approximate 1 metre discrepancy at Plot 23 requires a specific and properly evidenced explanation.

Original setting-out evidence

A survey carried out now may establish the level at which Plot 23 has been built. It may not, however, explain how or why it came to be built at that level.

Before application **2026/91657** is determined, I ask the Council to require the applicant or developer to provide:

- the benchmark and datum used to set out Plots 23, 34 and 35;
- the original setting-out drawings and level schedules for those plots;
- the design coordinates and elevations supplied to the site surveyor;
- the survey point lists, instrument files and control-point records;
- the instrument setup and backsight records;
- the recorded as-built lower-floor and ground-floor elevations;
- the dates on which Plots 23, 34 and 35 were set out;
- any revised level instructions issued in relation to Plot 23;
- any records of checks undertaken before later floors were constructed; and
- any correspondence or site records showing when the apparent discrepancy was first identified.

The central question is:

Why did the same development apparently achieve the submitted lower-floor elevations for Plots 34 and 35, while Plot 23 appears to have been constructed approximately 1 metre higher?

The Council should not consider that question answered merely by obtaining a current ridge or ground-floor measurement. The original setting-out records are necessary to establish the intended level, the level transferred onto the site and whether any revised instruction was given.

Independent verification

The Council should independently verify Plot 23 against the submitted drawings, including:

- its lower-floor level;
- its ground-floor level;
- the garage-threshold level;
- the relationship between the garage and driveway;
- its eaves level;
- its calculated ridge level; and
- its relationship with No. 92.

The survey should use a clearly identified and reliable datum. The Council should publish or provide the resulting coordinates, elevations, control points, methodology and calculations so that the findings can be understood and checked.

If the apparent approximate 1 metre increase is rejected, the Council should identify the independently verified level upon which it relies and explain the difference between that result and the measurements already submitted by residents.

Consequences of raising the development's largest dwelling

Plot 23 is not a minor or visually subordinate part of this development. It is the development's largest dwellinghouse and, on the apparent as-built elevation shown in the graphs, would also be its highest. Because of its scale, elevated position and relationship with Lingards Road and No. 92, it is likely to be the development's most visually prominent dwelling.

Raising a building of this scale by approximately 1 metre has real-world consequences. The increase would not affect only an isolated datum or one part of the structure. If the submitted building height is carried upwards from the apparent built level, the whole dwelling—including its principal floors, eaves and ridge—would sit approximately 1 metre higher than shown on the submitted drawings.

That would:

- increase the ridge difference between Plot 23 and No. 92 from approximately 2.64 metres to approximately 3.64 metres;
- increase the prominence, massing and dominance of the largest dwelling on the site;
- expose more of its elevations and levels in views from No. 92 and Lingards Road;
- intensify its effect upon outlook and enclosure;
- alter the relationship between the garage threshold and the highway;
- reverse the intended direction of the driveway fall, directing surface water towards Lingards Road rather than into the plot; and
- affect the levels and practical relationship of the driveway, garage, retaining structures, patios, steps and surrounding land.

The apparent 1 metre increase therefore cannot reasonably be treated merely as a numerical discrepancy or construction tolerance. It changes the physical, visual and drainage consequences of the development's largest and most prominent dwelling.

Effect upon the original assessment

The statement in paragraph 10.53 was important because it presented the new development as being comparable in height with the existing dwellings opposite.

In relation to Plot 23 and No. 92, the graphs demonstrate a materially different relationship:

- Plot 23 was already proposed to have a ridge approximately **2.64 metres higher** than No. 92; and
- the apparent as-built level would increase that difference to approximately **3.64 metres**.

This is not a marginal variation from the relationship described in the original report. It changes the visual and physical relationship between the properties and calls into question the basis upon which the impact on No. 92 was previously assessed.

The issue is not simply the numerical height of Plot 23 in isolation. It is the combination of:

- its substantially greater ridge elevation;
- its direct relationship with No. 92;

- its position at approximately 77° to Bedroom 2;
- its four externally distinguishable levels when viewed from the downhill side;
- the proposed garage addition;
- the apparent raised levels;
- and the cumulative effect upon outlook, dominance and enclosure.

These matters must be assessed together, rather than treating each alteration as a separate or minor change.

Conclusion

The adjoining Plots 34 and 35 provide an important control comparison. They indicate that the submitted levels could be achieved on this part of the development, despite their foundations being prepared after those of Plot 23.

The apparent approximate 1 metre discrepancy at Plot 23 therefore cannot reasonably be dismissed as an inevitable consequence of the terrain, an inability to identify the datum or a general site-wide surveying problem.

Before application 2026/91657 is determined, the Council should:

1. independently establish the actual levels of Plot 23;
2. obtain and examine the original setting-out records for Plots 23, 34 and 35;
3. require a clear explanation for the apparent Plot 23 discrepancy;
4. reassess the accuracy of the statement in paragraph 10.53 of the 2020/93954 report;
5. assess the verified relationship between Plot 23 and No. 92, including its approximately 77° relationship with Bedroom 2; and
6. reconsider the cumulative effects upon dominance, outlook, enclosure and residential amenity.

Until those matters have been resolved, the Council cannot safely determine the current application on the basis that the submitted drawings provide a reliable representation of the development's actual height or its relationship with No. 92.