

Do Not Establish a New Baseline for the Rebuilt Plot 23

Application 2026/91657 was not submitted to remedy the excessive elevation of Plot 23. It predates the Council's present enforcement action and seeks permission for separate changes to the dwelling, including the return to a double garage and the regularisation of the lower-ground garden room and "Store".

That distinction is now extremely important.

The photographs demonstrate that the level problem was not simply a small numerical discrepancy discovered when the building was nearly complete. There were visible warning signs much earlier in construction.

By August 2025, the relationship between the developing retaining structures and Lingards Road was already sufficient for us, observing from outside the site, to question whether the levels were correct.



The photograph of 12 April 2026 makes the problem particularly easy to understand. At the position corresponding with the entrance to Plot 23, the retaining wall is visibly above Lingards Road. Yet the approved relationship showed the front-door threshold approximately level with the road at this point. The actual GF/front-door threshold was subsequently constructed higher again than the retaining wall, as the 20 July 2026 photograph demonstrates.



There were therefore numerous opportunities during construction for the levels to be questioned and checked before the development reached its present form.

This matters to 2026/91657 because the Council should not now respond to one fundamental departure from the approved scheme by granting permission for a series of further departures.

If enforcement ultimately requires Plot 23 to be demolished and the land regraded, the replacement dwelling should be considered against the lawful and acceptable planning baseline, including its proper ground level, scale, massing and relationship with neighbouring development.

Granting 2026/91657 risks establishing a new planning baseline in which the enlarged double garage, garden room/lower-ground accommodation and “Store” have already been accepted. The developer could then correct the excessive elevation while seeking to retain precisely the additional built form which this application is intended to regularise.

That would fundamentally undermine the opportunity created by demolition and regrading to put Plot 23 right.

The Council should therefore consider the elements sought by 2026/91657 on their own planning merits, without allowing the fact that they have already been constructed, or incorporated into the present unlawful building, to weigh in their favour.

Plot 23 was originally approved within a development expressly designed around 2 and 3-storey dwellings. The current application should not be allowed to normalise a lower-ground fourth level, its associated accommodation and an enlarged double-garage footprint merely because those features have now physically appeared on site.

If Plot 23 has to be rebuilt, that represents the opportunity to restore the plot to an acceptable form. 2026/91657 should not be permitted to predetermine that rebuild by legitimising the very additional development which has contributed to its excessive scale and massing.

For those reasons, 2026/91657 should be refused.