

## PLANNING COMMITTEE

3 APRIL 2023

### SUMMARY OF ADDITIONAL CORRESPONDENCE RECEIVED SINCE THE PUBLICATION OF THE AGENDA AND ERRATA

Item No's: 8/1(a) and 8/1 (b) 22/01648/FM and 22/01650/FM Page No's. 9 and 53

**Third parties:** Six additional pieces of correspondence covering the following issues:

- Concerns over highway network and safety issues
- Query benefits associated with tourism
- Needs to be considered in conjunction with Cheney Hill developments
- Existing congestion, including at the Norfolk Lavender lights, and whether it has been properly considered
- Developers should provide traffic lights or a roundabout
- Difficulties in buses emerging from the Lamsey lane junction
- HES comments should be adhered to
- No mention of a bike track to ensure cyclists can avoid the A149
- Increase in visitors will add pressure on doctors and other essential services
- Car park of 300 cars alone would be intolerable for Lamsey Lane residents, exacerbated by the other developments, and it is a minimum of 800 additional vehicles using Lamsey Lane
- Talk of traffic lights and a roundabout for years, and any improvements will also cause further delays on the A149
- Flies in the face of green credentials, and could be 'green washing'.
- Must be subject to a S.278 agreement so the developers make a contribution to the subsequent costs of future improvements, including a financial contribution.
- Both applications should only be approved after the NCC feasibility report has been concluded, which must include the stipulations of the bus companies
- Grave doubts about the accuracy of the applicant's figures, for example the 24 FTE employees and the turnover, which is unrealistic.
- Unlikely investors will be interested in a project that only attracts 80,000 visitors
- Traffic figures are from one day – 24 July 2012 – and was affected by Covid

**Heacham Parish Council: Further information on Ken Hill Developments Heacham Application No's 22/01648/FM and 22/01650/FM**

This information covers the Transport assessment of both parts of the development Heacham Bottom and Mount Pleasant, as the Transport assessment is for both sites.

At the bottom under a separate heading further information is provided for Mount Pleasant and referenced by its planning number.

Whilst we are objecting to this application as it stands, we don't object to the principle of this development. In fact, we think it will be good for the area; Provide awareness of the countryside, promote a healthy lifestyle, be good for tourism and could provide local jobs.

Despite this we believe the application as it stands is flawed.

The very busy Village of Heacham really has only two ways in and out. Lamsey Lane and the Norfolk Lavender junction. Due to poorly designed road layouts large vehicles can struggle to enter either of these roads when traffic is queueing to exit.

In its conclusion the applicants Transport Assessment states there is significant spare capacity at the nearby Lamsey Lane / Lynn Road junction, including during high tourist season; If you travel along the A149 from Kings Lynn to Heacham, at weekends and holidays, when this site will be at

Planning Committee

Date: 3 April 2023

its busiest, it's common for traffic to be backed up to Knights Hill roundabout. This road to the coast is like a cul-de-sac, it's really the only way in and out.

Turning right out of Lamsey Lane can be challenging on a quiet day due to the speed of traffic, but on a busy day it's a nightmare. This is a main bus route and they can often struggle to exit safely. The junction needs significant improvement and we consider this should be funded out of a section 278 highways agreement, by the developer.

I spent 13 years as senior project lead for Cambridgeshire Highways, so I understand the complexities of The Transport Assessment which is 306 pages long, a complex technical document. It relies completely on collected traffic data for its assumptions and that data is very wrong.

Two traffic counts were carried out for the Transport Assessment, in July 2021, the last week of school term and the first week of school holidays. However, the DfT's website on Road Traffic Statistics under summary (<https://roadtraffic.dft.gov.uk/>) states that despite a rise from 2020 levels, car traffic for 2021 remained 15.8% lower than before the pandemic and were actually lower than 2011 traffic levels.

15.8% is a significant amount and this has been effectively ignored as part of the Traffic Assessment and therefore, makes it unsafe to rely upon for its conclusions. Traffic levels have largely returned to normal and are rising at about 2.2% annually so effectively the data could be wrong by as much 20% and has a knock-on effect throughout the report. It's impossible to see how a safe planning decision can be made on this basis.

In conclusion.

We do want this project to go ahead. We believe it offers a worthwhile and beneficial uplift to the area. But only when we understand the road traffic safety implications, and after road safety issues have been properly assessed. Our primary concern, is the impact on road safety, something that cannot be assessed with the current information provided and the safety and wellbeing of the community. We would ask that this application is delayed until a Transport Assessment with a corrected dataset is re-evaluated and mitigation measures properly considered.

22/01650/FM Mount Pleasant.

We have issues with the design of the pedestrian crossing that in the drawing show it at an angle, this will mean pedestrians are on the road longer than needed. We would need to understand that this crossing on a 60 MPH road has been properly considered.

We have a concern over access to Mount Pleasant and specifically what will happen if a driver misses the turn with a caravan in tow. There is little, if any opportunity for drivers to turn round and the village roads narrow and become winding. This could cause safety issues.

Vehicles exiting onto Lamsey Lane are doing so onto a very fast road. We collect traffic data and this demonstrates that there is speeding along this stretch. This is near a bend. What mitigations are being considered to prevent accidents?

**Agent:** Response of Wild Ken Hill as applicant, to the late correspondence comments made on behalf of Heacham parish council, on cTc's Transport Assessment (incorporating comments of cTc)

### **Introduction and Summary**

The information below has been prepared in response to the Late Correspondence comments made by Mr Rawlinson (in March 2023 - six-months after our applications had been submitted and one week before the Planning Committee meeting) on the Transport Assessment from cTc that was submitted with our applications (in September 2022).

It is, at best, very unhelpful to Members and your Officers that consideration is asked to be given to points made on a technical document that has been in the public domain for over six months and has been professionally assessed by Local Highways Officers early in the application process.

Had these late comments been raised earlier in the process, cTc would have been happy to meet with Mr Rawlinson on the points raised and to dispel some of the misunderstandings in those comments.

In summary, the point made in late comments is that due to the impacts of Covid, the data on which the Transport Assessment is based, are unrepresentative. It is stated that annual DfT figures for 2021 remained 15.8% lower than 2019 before the pandemic and do not therefore provide an accurate representation of traffic flows in this area. However, this is misleading in many ways in relation to the assessment of the applications, as the country was in lockdown for 53% of the year. It is abundantly clear that the annual traffic flows over a year in which the country was in lockdown for 53% of the year, will clearly be lower than for earlier years.

Furthermore, the actual annual 2021 traffic flows (all vehicle classes) were 12.1% lower than pre-pandemic, not the 15.8% stated in the late correspondence.

The dates on which traffic surveys were undertaken has been called into question in the late correspondence. It was agreed with the Local Highways Authority in advance of survey work being undertaken, the dates on which survey work would be undertaken. Survey data gathered in school holidays during July 2021 was undertaken in the first holiday period in two years without domestic constraints due to the COVID pandemic, but with restrictions on international travel remaining in place for the large part. It is agreed with officers of the Local Highways Authority that cTc's survey data can be considered representative of peak holiday demand levels for the purpose of these analyses.

### **Engagement with Norfolk County Council on Transport Assessment Methodology**

On our behalf, cTc has engaged extensively and thoroughly with relevant officers of Norfolk County Council; the local Highway Authority, throughout the development of the project and application process.

This engagement had included:

- Meeting with Highway Officers at the outset of the project.
- Agreement with Highway Officers of the methodology for, and timing, of survey data collection.
- A meeting with Highway Officers to discuss the survey data collected and conclusions that could be drawn.
- Confirmation on the scope of the Transport Assessment for submission with the planning applications.
- Ongoing engagement with Highways Officers throughout the application process, to include:
  - i) Providing some updates to the Transport Assessment to respond to queries received.
  - ii) Positive engagement on sustainable transport infrastructure to be provided as part of our proposals.

### **Key Transport Points Relating to Wild Ken Hill Applications**

The following key transport points are relevant to our application:

Closure of Three Accesses onto A149 - As part of our application at Heacham Bottom Farm, we are proposing to close off three direct accesses onto the A149 from the farm. Please see attached a plan confirming this at the end of this document. We consider that closure of these three accesses will have notable benefits in terms of highway safety and traffic flows. Relating to this point, one local resident has written on our application that *"Although it is possible that the Lamsey Lane junction could become busier, we also have to think about the positive impacts on our roads. For one, there won't be any more agricultural traffic originating from the farmyard which can be dangerous. The scheme would also take visitors off the A149 earlier, releasing pressure on the road network further around the coast."*

Existing Traffic Generating Uses of Sites - The existing uses of the Heacham Bottom Farm and Mount Pleasant sites already generate multiple vehicle movements, including:

- Heacham Bottom Farm – the farmyard site has been in active agricultural use over many decades. It has formed the base for agricultural activities across all agricultural land within the ownership of the Ken Hill Estate; the majority of which is to the east of the A149, necessitating agricultural traffic accessing across the A149. This has generated a significant amount of traffic movements and this agricultural use will cease following reuse of the site.
- Mount Pleasant – the extant planning use is as an equestrian livery yard, with existing house. The livery yard generated numerous daily visits to the site from users and staff.

A New Off-Road Link Between Heacham and Snettisham - A key part of our proposals is the provision of a new-off road path linking Heacham and Snettisham to encourage and provide opportunities for local residents; existing visitors to the area; and, those accessing the project, to travel by cycle or foot.

Provision of Five New Pieces of Infrastructure - As part of our proposals, we are proposing five new pieces of infrastructure:

- A new stretch of pavement on the edge of Heacham;
- A new pedestrian crossing on the A149, between bus stops to the east of Heacham Bottom Farm;
- An improved roundabout crossing at the Snettisham roundabout associated with the proposed off-road path; and,
- A new signage at the Lamsey Lane junction.

Reservation of Wild Ken Hill Land for Highway Improvements - We are aware of the longer-term ambitions of local residents and the highways authority for some changes to the junction of the A149 / Lamsey Lane junction. This would be a notable change to existing infrastructure and at present there is no improvement scheme that has been prepared.

Recognising the ambitions for junction changes, Wild Ken Will is prepared to offer a commitment that it will make land in ownership, at either side of the junction, available to Norfolk County Council Highways to carry out any improvements as and when they may be agreed.

### **Response to Late Comments on Transport Assessment Methodology from CTC**

*“Throughout the preparation of the Transport Assessment (TA), details of the methodology, including data collection, were discussed and agreed with officers. This included the timing of the traffic surveys on which the calculations presented in the TA rely. Data was not collected during the COVID lockdown period, as this would very clearly have been unrepresentative and by July 2021 there was no longer any requirement to remain at home due to COVID. During that period, however, different COVID restrictions applied in different countries, suppressing the demand for holidays abroad. It was agreed with highways officers that this could potentially lead to artificially increased traffic demand accessing Norfolk’s holiday destinations, due holiday makers remaining in Britain, rather than travelling further afield. This notwithstanding, cTc has increased traffic demand by factoring the surveyed flows to replicate peak holiday traffic and traffic capacity calculations still confirm significant spare operational capacity in the junction of Lamsey Lane with Lynn Road. In his correspondence on behalf of Heacham Parish Council, Mr Rawlinson is critical of cTc’s TA report, his criticism relying in particular on his claim that traffic demand remained suppressed at the time of our surveys, which consequently, he claims, do not represent typical traffic demand at this location. To support his objection, Mr Rawlinson relies on the Department for Transport Road Traffic Statistics, which do indeed indicate 2021 traffic levels recovering from 2020, but remaining lower than 2019. His statement in this regard is correct, however, in relying on these statistics, Mr*

*Rawlinson misses a highly pertinent factor, which is that the Department for Transport compiles these statistics on the basis of the total mileage travelled on UK roads, as measured in Billion Vehicle Miles (BVM), throughout the whole year. The summary presented in this document confirms Mr Rawlinson's statement that total car usage in BVM for the whole of 2021 was 15.8% lower than 2019, albeit 12.2% higher than 2020. It also confirms that total vehicle usage (ie including motorcycles, HGVs and buses) was 11.9% higher than 2020 and 12.1% lower than 2019. In considering these figures it is essential to review the values in respect of the COVID lockdowns which happened throughout 2020 and part of 2021 and to be fair to Mr Rawlinson, that is largely his point. What Mr Rawlinson fails to consider, however, is that the statistics presented in the DfT bulletin are compiled from total vehicle mileage throughout the year and therefore consider the periods of lockdown as well as the uncontrolled periods of that year. Considering solely the values for 2021, the Nation went into Lockdown on 6th January. The release of Lockdown occurred in stages with;*

- Step 1 occurring on 8th March;*
- Step 2 on 12th April;*
- Step 3 on 17th May; and,*
- Step 4 on 19th July.*

*Our traffic surveys commenced on 15th July, for 2 weeks, hence although the first 4 days were prior to the Step 4, the remaining 10 days followed the full release from Lockdown. Each week was assessed independently and the Manual Classified Count which was undertaken for the purpose of junction assessment was undertaken on 24th July and was therefore entirely outwith the Lockdown period.*

*The above Lockdown timeline confirms that the Nation was in Lockdown of varying types for a total of some 194 days, or 53% of 2021, during which traffic flows were uncharacteristically low. 61 days (17% of the year) saw the Nation under full Lockdown, when traffic flows were very significantly reduced and yet the statistics on which Mr Rawlinson relies suggest total vehicle usage throughout the whole of 2021 was reduced by only 12.1% in comparison with 2019. This suggests very clearly that, outwith the Lockdown, traffic levels in 2021 were uncharacteristically high, in order to produce traffic usage of 87.9% of 2019's, despite only 47% of the year being wholly unconstrained.*

*The above clearly suggests that the analyses undertaken were not only appropriate, but likely to have been onerous in regard to the traffic flows surveyed. Despite this analysis of the data demonstrates significant spare operational capacity of the existing priority junction and these analyses have been discussed with officers of the County Council, as local Highway Authority. The conclusions are agreed.*

*Carl J Tonks BSc MSc FCILT MCIHT FIHE  
MANAGING DIRECTOR"*

#### **Assistant Director's comments**

As part of their overall response, the applicant is proposing to offer land around the Lamsey Lane junction, to be safeguarded for potential future junction improvements, for a period of 15 years. A number of concerns have been raised in relation to this junction by third parties. Although the county council as local highway authority do not object to these specific proposals, there has been a separate feasibility study carried out by the county council, on the potential for junction improvements in the future. Any future works to the junction would very likely need further land take to facilitate them, although the amount would depend on the particular option put forward. Whilst it is not proportionate for this development to carry out major junction improvements which would benefit the whole of Heacham, including other committed development, this proposal is considered to be a proportionate response to the concerns raised. The safeguarding proposal would need to be secured in a S.106 agreement, which would need to be attached to both applications.

This is also considered to meet the tests set out in the CIL regulations, as necessary, directly related to the development, and fairly and reasonably related in scale and kind to the development.

The local highway authority has indicated verbally that it would welcome the safeguarding proposal, and agrees with the technical response of the highway consultant, in response to the highway concerns recently raised by a third party.

All other Third Party concerns and issues are considered to have been addressed and/or are discussed under the various topic headings in the main body of the report, and in this late correspondence.

**Revised recommendation for both applications 22/01648/FM and 22/01650/FM**

- A) APPROVE subject to signing of a S.106 legal agreement to secure safeguarded land around the Lamsey Lane junction for potential future highway improvements for a period of 15 years from the date of decision, and the imposition of the conditions set out in the committee report.**
- B) Should the S.106 legal agreement fail to be signed within 4 months of the resolution to approve, that the application be refused on the grounds that it fails to secure the safeguarded land.**

**CORRECTION for 22/01650/FM Item No. 8/2(b):**

Page 84 - Condition 24 should be amended to refer to Condition 23 as follows:

24 Condition Prior to the first use of the development hereby permitted or within the first planting season all hard and soft landscape works shall be carried out in accordance with the details approved under **Condition 23** of this permission. The works shall be carried out prior to the occupation or use of any part of the development or in accordance with a programme to be agreed in writing with the Local Planning Authority. Any trees or plants that within a period of 5 years from the completion of the development die, are removed or become seriously damaged or diseased, shall be replaced in the next planting season with others of similar size and species as those originally planted, unless the Local Planning Authority gives written approval to any variation.

**Item 8/2 (a) 21/01607/O Page No. 86**

**CORRECTIONS**

Page . 88: Neighbourhood Plan: **YES**

Page 95: Remove Condition 8 given that the highway improvements are no longer required as confirmed by the Local Highway Authority. Renumber Conditions 1-8.

**Item 8/2(c) 22/01774/F Page No. 111**

**Additional Third Party representations:**

**TWO** letters of **OBJECTION** summarised as follows:

- \*No mention of previous wash pad on 2017 DVSA report, questioning validity of replacement claims
- \*Consent to Discharge Trade Effluent only recently been submitted
- \*Reference to considerations for the retention of a diesel tank under 22/01050/F (previously refused)
- \*Querying over need for raised platform associated with caravan use

\*Application with traffic commissioner regarding proposed operating centre and use of site for unlawful purposes

\*Query over why the description was changed

**Heacham Parish Council:** Heacham Parish Council have no observations except the following:

We could not find this company on the Trade Effluent Register as noted by Anglian Water. Is the Klargest Oil Separator installed, the correct type for the contaminates that one would expect with cleaning commercial vehicles?

This following Condition MUST be met, NO vehicular access via Fenway.

**Assistant Director's comments:** The comments above are noted and the majority of the issues raised have previously been addressed within the Officer's Report to Committee. In so far as comments on applications to the traffic commissioner, this is not directly related to this application. This application does not seek a change of use of the site.

Comments regarding applications for trade effluent consent are also noted. The LPA is not aware of any drainage installations on site associated with the previous hardstanding/wash pad which was evidently smaller scale. Drainage consent is controlled under separate legislation.

The planning description was changed to ensure that the elements that require planning permission were clarified for the avoidance of doubt and in the interests of proper planning. The previous description referred solely to the retention of the wash pad which as assessed in the report, consists of hardstanding and is permitted development.

In relation to the Parish Council's recommended condition, the application does not relate to any haulage use, nor the use of Fenway. It would not be reasonable or necessary to impose further restrictions. The condition proposed by the Parish Council would not meet the tests outlined in the NPPF and cannot be imposed.

**Item 8/2(d) 22/02113/F Page No. 121**

**Holme Parish Council:**

I find it difficult to see how the proposed Terns Variation can go to the Planning Committee with a recommendation of approval or that Members could be expected to make a decision based on the information presented in the Officers Report and the Applicants' drawings.

The PC's Consultation response (posted on the Planning Portal on 15 December 2022) drew attention to the mistakes and inconsistencies in the drawings in this application. It seems that this problem has continued through to the latest set - dated July 2021 but posted one month after the December 2022 consultations responses had been made. As the PC has stated previously there are concerns that the Applicants are trying to present their proposals as minor, inconsequential change supported by incorrect drawings. The proposal is however of considerable significance to the neighbouring property to the south (No. 51), so much so that following the release of the Officers Report the neighbours at No 51 cut short their visit to North Yorkshire, returned home and invited the PC was to visit their property and compare the drawings and figures in the Report with the actual situation on the ground.

Having done this the previous application(s) drawings were re-visited. A summary of the outcome is set out below.

1. Strata Drawing 571-02 Revision (Proposed Elevations and Site Plan posted 18 January 2023). This shows the gap between the south wall of the extension and the window of the Neighbour at number 51 as 2.64m. The Officers Report similarly states that this gap is approximately 2.6m wide.

2. Approved Drawing 571-02 Rev C (Application 21-01394-F) permitting the original alterations to the dwelling also shows the gap between the south wall of the original, permitted extension and the neighbours' north wall as approximately 2.6m.

3. In the application for a Lawful Development Certificate (22/01213/LDP) however, Drawing 571-100 Rev – (note this Site Plan is shown at a scale of 1:200) presents the gap as having been reduced to 2.12m.

4. In reality ie now that the extension has been built, the gap in question is approximately 1.8m throughout its length. The actual size of the gap was pointed out in the Neighbours' objection to the current application (addressed to the Case Officer and dated 11th December 2022). The gap has been re-measured on site by the Neighbour and checked by the Parish Council. It is 1.8m and not 2.6m.

5. From this it appears that the current situation is as follows:

I. The conversion of the garage space which was permitted (ie under Application 21-01394-F) has not been completed in accordance with the permission granted under that application. It is almost three feet closer to the Neighbours wall than the Approved Drawings show (this appears to be an Enforcement issue?).

II. The Applicants have constructed a bedroom extension which does not have planning permission and has been adjudged unlawful under the decision reached on the application for a Lawful Development Certificate (Ref 22/01213/LDP).

III. The latest drawings submitted with the current application (ie to regularise the development judged to be unlawful) show the position of this development incorrectly.

6. Given the proximity of the development to the Neighbours' boundary the deviations from the permitted plans are significant and are bound to have a negative impact on their amenity and well-being. Building a brick wall 2.6m distant from a living room window may be considered acceptable. However, 1.8m is almost within touching distance and few reasonable people would think this is acceptable, particularly (as the Officers Report points out) the site is in a rural area.

7. One of the main issues raised is the impact of the extension on the light levels in the Neighbours' living space. In addition to incorrect positioning of walls, the submitted drawing (571-02 Revision -) omits eaves and gutters (see photograph below). These project from the wall by c.35cm and reduce the effective gap for light penetration between the buildings from 1.8m to approximately 1.45m.

On the basis of the incorrect separation distances shown in 571-02 Revision - plus the inaccurate presentation of the eaves/gutters, the extension may pass the BRE 25 Degree Test for light impact on the Neighbours' north facing living room which appears to form the basis for the recommendation of approval (as described in your email of 27 March 2023). However, on the basis of the correct (actual) measurements ie 1.8m separation plus overhanging eaves, the PC's calculations indicate it does not. There are a number of questions and concerns about other aspects of the processing of this application and the recommendation to approve. These include:

are not 'main living spaces' in the home of a retired couple if no visit has been made to the property to understand how these rooms are used?

**Assistant Director's comments:** The Parish Council's comments are noted. In regard to the merits of the proposal and its compliance with policy, this is discussed within the officer report from page 121 of the agenda.



In light of the information received relating to the inaccuracy of the submitted plans, it is recommended that the application is **DEFERRED** for one cycle for further investigation.

**Item 8/2(e) 22/01886/O Page No. 132**

**Additional Third Party representations:**

**ONE** letter of **OBJECTION** summarised as follows:

- \*Impact during construction – dust, noise etc
- \*Loss of privacy
- \*Time needed to replant vegetation to sufficient level
- \*Loss of area of wildlife

**Assistant Director's comments:** The comments above are noted. The issues have been addressed within the main body of the Officer's report.

**Item 8/2(f) 22/01329/F Page No. 143**

**Agents Supporting Case:**

*Background*

The applicant has taken great care to design a house that would be considered acceptable in planning terms, to obtain planning permission. In do so, the applicant first obtained pre-application advice under 22/00007/PREAPP. Local and central government promote pre-application advice, stating amongst other things that pre-application engagement by prospective applicants offers significant potential to improve both the efficiency and effectiveness of the planning application system and improve the quality of planning applications and their likelihood of success. One of the key reasons for this statement is that pre-application advice is meant to provide an understanding of the relevant planning policies and other material considerations associated with a proposed development. It is noteworthy the outcome of the pre-application advice was likely to approve, subject to amendments. The advice received by the same officer included that providing the dwelling is of an acceptable design and scale, in keeping with neighbouring properties and does not incorporate any windows that could allow for significant overlooking, it is likely that neighbour amenity will not be a significant issue. There were also comments in relation to parking, retaining the front wall and impact on the street scene to mention a few. However, the later do not appear to be raised as a concern by council officers.

We understand that this planning application is due to be determined by Members of the Planning Committee, as it was called-in by the Ward Member. We invited the planning officer to contact the Ward Member to obtain his comments/concerns so that we could address them by either amending the proposal or addressing them in this statement. We also requested the same from the Ward Member, as no specific comments/concerns were given. In fact, on both occasions the Ward Member advised his call-in was because he is of the view there is a local interest in the proposal and that he remain neutral. We must submit that this has caused the applicant some confusion, because a call-in if the application is going to be recommended for refusal suggests otherwise.

We must submit that this is disappointing, not least because the applicant has made every attempt to amend the proposal to satisfy their concerns. In fact, when the applicant thought they had made sufficient amendments to overcome the parking concern, of which we were told at the time was the

only concern, a site visit was carried out and then another concern was raised, which is a perceived issue of overlooking.

We are now advised the planning officer will also include loss of light and overdevelopment due to a cramped and contrived proposal.

We submit that great care has been taken to design a house that is traditional in form and character and of a size that it's in keeping with its surroundings.

In terms of size and scale of the proposed house, it is worth noting the 2 houses opposite the application site on the corner of Ringstead Road, under LPA Ref: 15/01814/F, which were approved. The house that was designed in Plot A opposite the application site the subject of this application is a 3 bed detached house with a GIA of approx. 111.2sqm compared to the house the subject of this application which has a GIA of approx. 112sqm.

In terms of amenity space, it is worth noting that there is a 1m pathway and 1 metre space for fencing to the side of the house opposite the application site and the back garden is the width of house plus the 2m path/fence. The house opposite is not as deep as the house the subject of this application, which is 7.1m. Moreover, there is no real space at the front of the house opposite as a cart shed sits very close to the porch and the drive runs past the house and the neighbours drive runs along the gable end to its garage.

Compared to the plot the subject of this planning application which is almost the same depth of the back garden plus there is a reasonable and proportionate side garden (left to the house) which is half as wide as the front of the house and runs the full depth of the plot. In addition, the parking and turning area are separate therefore the entire outside amenity space is given to a private garden area.

We therefore submit that the proposal in terms of size and scale is identical to that opposite, which is not surprising as the schemes were designed by the same architect.

We submit the omission of any windows on the northern elevation and only a ground floor window in the southern elevation of the proposed house results in a proposal that is compliant with the pre-application advice received by the same planning officer. Furthermore, due to distances, orientations and general relationships between properties, the topography of the land, the proposed 2m high fence, other physical features on the ground and the design of the window itself (four pane); there would be no loss of privacy experienced to existing residential amenities above any beyond what is already experienced. Again, I would invite you to compare the development opposite where overlooking has not been considered to be an issue.

We are not entirely sure what evidence the council has for making such a judgement call. However, we would submit that the existing neighbouring properties to the south cannot as a result of the proposal experience a loss of sunlight or daylight, not least because of their orientation relationship, but also due to the topography of the land and distance. The sun rises in the east, travels due south and sets in the west. Therefore, any loss of daylight or sunlight would have to be caused from a building that was positioned south of these existing neighbouring properties or be significantly larger. For the same reason, there would be no impact on the proposed house from existing neighbouring properties or doner house from the proposal. Below is google image which clearly shows that the application site would cause no loss of sunlight or daylight to existing properties above and beyond that already experienced.

In fact, demolishing the garage which is a part of the proposal is likely to result in an improvement to any perceived loss of light as this building is situated on the southern boundary.

We respectfully, invite Members of the Planning Committee to support this planning application and grant conditional planning permission.

**Item 8/2(g) 22/01893/F Page No. 154**

**Additional information received from Applicant:** There are connections to the front and rear of the site for foul water mains drainage, and so the dwellings would be able to utilise these.