

I have been advised to write to you to regarding my serious concerns about the handling of S/0793/18/FL.

In brief, my concerns are:

1. The Planning Officer told me over the phone that she would be recommending approval of this application in the afternoon on 24th May, prior to the deadline for receipt of comments regarding the amendment to the application. I had just uploaded my comments to the amendment on to the planning portal when she called and she had not seen them at this time.
2. Following my conversation with Karen, and at her recommendation, I emailed my comments directly to Jane Green, then to Julie Ayre as I received an out of office notification from Jane, and finally to Stephen Kelly (following another out of office notification) on 24th May asking them to look again at the application and the recommendation to approve it. I can forward these emails to you if you would like? I have had no response from any of them to date, although I am aware that Julie was away on holiday until 4th June according to her out of office notification.
3. Inconsistency in the application of the 25m minimum amenity in this application which has been consistently applied in all other applications on this site (S/2019/15/OL, S/0623/16/OL and S/3184/17/FL). This is a material consideration under DP/3. Please reference specifically the wording in Katie Christodoulides report on 'Residential Amenity' for the approved outline plan S/0623/16/OL. The planning policies all have a statement that reads "this document must be read in conjunction with any design Supplementary Planning Document adopted by the District Council, which will be used in decisions on planning applications"
The District Design Guide is one of these adopted documents and the requirements to prevent overlooking and ensure privacy run through a number of the statements from 6.67 onward.
4. The planning officer failed to notice that the amended section view supplied by the applicant was not to scale. This section had clearly been provided to demonstrate the overall appearance of the development and its relation to our property. The officers decision to approve the application was made prior to my objection addendum sent to the planning portal on 30th May (and directly to Karen on 3rd June) so she cannot have considered the overlooking and privacy issues in detail. The corrected section is still deceptive and does not accurately show the lack of privacy that we will incur as a result of this development as detailed in my addendum.
5. My comments (including the 2 documents referred to above) detailing our strong material objections were not uploaded to the planning portal until between 10:30pm on 5th June and 5:30am on 6th June so none of the Councillors would have had time to consider them. By comparison, the updated cross section from the applicant stamped as received on 4th June was on the portal by 5th June.
My comments sent on 29th May with no attachment because I forgot to attach the addendum (sorry) have not appeared on the portal at all.

They read, "Please see the attached document regarding the section view provided by the applicant. In addition, we have just read the district design guide and have concerns regarding the 30m amenity radius that applies to 3 storey dwellings. We are also a 3 storey dwelling with 6 clear velux windows all below 1.7m from the floor. These windows will overlook all the gardens, especially those to plots 2-6 inclusive. A 30m radius from these windows will look straight into the skylights and ground floor of plots 2, 3 and 4 and into the ground floor of plots 5 and 6. Even a 25m radius from the easternmost window will overlook the ground floors of plots 4, 5 and 6 directly. It will be exceedingly difficult to achieve a private garden space in any of the plots because the areas of garden that are not overlooked by us (directly under the fence) will be overlooked by their immediate neighbours."

The portal would not let me attach the document on 29th May, so I re-sent it on 30th.

6. Our concerns and demonstration of the total loss of privacy in our garden, conservatory and dining area do not appear to have been explored by the planning officer or reported to the committee following receipt of the section plans provided on 30th May. Again, these were in my addendum document not uploaded to the planning portal until the early hours of 6th June, so could not have been seen by the Councillors making the decision. Even with the minimum 25m amenity, our conservatory will be overlooked with a direct line of sight from the first floor windows of plots 2, 3 and 4. Considering that you can't get a driving license unless you can read a number plate with characters 8cm high from a distance of 20m, the actions of 1.6m+ humans will be very obvious. This is probably why the word "minimum" has been used in the design guidance.

7. Paragraph 86 of the Planning Officer's report is factually incorrect. Plot 7 directly overlooks the final 7.5m of our garden and is sited 10.5m from it, not 13m as stated. These are both well within the suggested 15m in the District Design Guide.

We understand that the approval of the outline plan for 7 dwellings is a material consideration. However, neighbour amenity has been a consistent reason for the refusal of plans on this site to date. The overlooking from our home to the new development is severe. The resultant loss of privacy to our home from this development is also severe and both are contrary to Article 8 of the Human Rights Act which states that a person has the substantive right to respect for their private and family life. Article 1 also states that a person has the right to peaceful enjoyment of all their possessions which includes the home and other land. We believe that the proposed development would have a dominating impact on us and our right to the quiet enjoyment of our property. The reason for the lack of amenity in this plan compared with the approved outline is the substantial increase in the combined footprint of the plots. This does not appear to have been considered at all.