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Wendy Strangeway

From:
Sent: 19 October 2016 10:08
To: Planning
Subject: Planning application NYM/2015/0885/FL Ms Bastow

NYMNPA
19 OCT 2016

With reference to our telephone conversation this morning I would request that the Planning Committee consider this application at next month's meeting rather than tomorrow.

We feel that the timescale allowed to us to respond to the officer's report is inadequate to allow us a fair hearing in this matter. We received a letter notifying us of the Planning Committee meeting on Thursday 13 October and were able to access the officer's report this weekend. My husband is self-employed with work commitments obviously planned weeks ahead and I have four young children which precludes both of us from attending the meeting, should we wish to, without more notice. Furthermore, we have so many objections to and queries regarding the officer's report that the several days we have been allowed in which to comment does not give us enough time to properly and accurately research our concerns. Unlike Ms Bastow, we are not familiar with all the planning policy criteria and do not have easy access to the documentation and as such when references are made to specific policies we need more time to thoroughly review this (for example on page 4 she refers to 'Development Policy 16', which, of course, we are not familiar with).

We believe that there is very little objectivity in the officer's report and there is, and has been over the last months, a strong bias in favour of the applicant. These limited timescales we have been given to respond further serve to reinforce that.

Regards

Thea Benatar and Kelsall Mcewen

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Wendy Strangeway

From: Kelsall Mcewen
Sent: 19 October 2016 13:12
To: Planning
Subject: Planning application : NYM/2015/0885/FL
Attachments: With reference to application No NYM.doc

Please find attached further written comments with reference to : NYM/2015/0885/FL. For submission to the planning committee.

Regards,

Kelsall McEwen and Thea Benatar.

NYM/2015/0885/FL
19 OCT 2016

With reference to application No NYM/2015/0885/FL

NYM/NPA

19 OCT 2015

For the Attention of the Planning Committee

I would firstly like to draw to your attention to the fact that we had requested to have this application considered at next month's meeting to allow us a more reasonable amount of time to respond to the planning officer's document. We believe that the timescale given to us to respond to this document is inadequate considering that we are not familiar with planning policy, have restricted access to documentation and have had no advice or help from the planning department, unlike the applicant. Similarly, the notice given to us of the date of the Planning Committee Meeting precluded us from attending.

We understand that the officer's report is recommending that planning should be granted to the applicant. However, we believe that the report is unacceptably biased with little or no objectivity and with many deliberately misleading claims. For example, in the final paragraph on page 6 the officer claims to have identified 'matters of concern' and talks of 'negotiating, with the applicant, acceptable amendments to the proposal to address those concerns.' We would assert that the planning officer has taken no account of the objections raised and has negotiated no acceptable amendments. The only amendments that we are aware of are firstly to increase the site's allowed usage from 'personal use for up to 100 days per calendar year to holiday use for family and friends for up to 150 days per calendar year'. I don't believe any of those who have objected to the development have done so on the basis that the applicant was able to use it for too short a period.

The second amendment we are aware of is the increase in size of the structure. Again, we do not believe any of the objections raised were related to his proposed development being too small.

The third amendment we are aware of is to move the lodge further from the view of the road. However, there has, once again, been no complaint about the view of the lodge from the road and as such this amendment is inconsequential. The lodge will still be in full view to us from our house and garden. When listing the distance the lodge will be from neighbouring properties, the officer makes no mention of our property, despite the fact that we have objected on these grounds twice previously. The officer has made no attempt to contact us or to look at the site from our property and so I believe has no understanding of how the applicants land lies in relation to ours. We believe she is therefore not qualified to make an objective assessment. She has also not addressed the possibility of placing the proposed development in the southern part of the applicant's property that is considerably further from all existing properties and screened by woodland.

We would also like to raise issue with the officer's assertion that 'the design of lodge has been amended from a timber clad static caravan to a chalet of a high quality, contemporary design'. This is highly subjective and in our opinion, completely inaccurate. It still is a timber clad static caravan. What, in the officer's opinion, makes it anything but? The officer then goes on to assert that 'Whilst not necessarily of the local vernacular, it is considered to be more in keeping with the locality than either a flat roof caravan a wide gable Swiss style chalet'. By whom is this considered more in

keeping? Why should either a standard static caravan or Swiss style chalet be the only other design options? We believe these are very misleading comments.

The officer also justifies the removal of hedgerow along the applicant's property as necessary in 'preparation for the delivery of the timber lodge'. This implies that the applicant has already been informed or at least verbally reassured that he will be granted planning permission, for surely 'preparation for delivery' takes place once planning has been granted, not prior to. The final paragraph on page 6 also leads us to believe that the applicant has been advised of this when the officer writes 'the Local Planning Authority has been able to grant planning permission for an acceptable proposal.' What then is the Planning Committee Meeting for?

The parish council has expressed concern over waste foul water leaching into the river. The applicant has responded that all foul water will be contained by a septic tank, and then emptied by a sludge tanker. There is some confusion here. A septic tank would soak away into the surrounding ground and river, and ideally would not need to be emptied. We believe that what the applicant may actually be referring to is a self-contained tank such as a cesspool. These do not soak away and need to be regularly emptied. The cesspool needed would have to contain an estimated 80,000 litres of wastewater per annum, based on the dwelling size and occupancy. This very substantial tank would need to be situated at a lower level than the proposed structure and as such would require extensive excavation and a large amount of permanent construction. If this is indeed 'common practice in the area' as the report asserts, then we would request that the applicant could provide us with examples of this in the locality. This highlights that neither the applicant nor the planning officer has understood the process, yet the planning officer has nonetheless lightly dismissed the very real concerns of the parish council and also points raised by ourselves in a previous letter concerning waste disposal.

The planning officer's reliance on the definition of a caravan to support her argument may or may not be accurate as we are not familiar with the Caravan Sites Act 1968. However, what it does demonstrate to me is that her argument in support of the development is based on technical loopholes rather than common sense. The act also states that 'when assembled' it should be 'physically capable of being moved by road from one place to another'. Perhaps then, on this basis, 'the caravan' should be removed from the site for the 215 days it is not in use? On page 5, paragraph 4 of the report it states that the design has changed from 'what was in effect a timber clad static caravan to a chalet of high quality'. Surely this then contravenes the aforementioned Caravan Sites Act 1968?

I would like to take this opportunity to express how disappointed we were with the quality of the planning officer's report. We had hoped that whether the officer was in favour or not of the application, that we would read an objective, enlightening and convincing report based on good arguments and compromise. This is, unfortunately, far from what we were presented with.

Thea Benatar and Kelsall Mcewen.