

Re : proposed development at 70a Tarrant St. Arundel BN18 9DN .

Ref : AB/118/20/PL

Date : 9 December 2020

R S Robbins

64 Tarrant st
Arundel
BN18 9DN

Dear sir,

I write to object to the above development at 70a Tarrant st, Arundel.

I note that the 1/100 plans are without any dimensions or datum levels with a bench mark, needed to accurately confirm the sensitive physical bulk and height and position of overlooking windows into 64 Tarrant st, of the proposed development which will cause serious loss of light to the flank wall windows being the two at first floor level and an even greater loss of the already shrouded light to the more sensitive ground floor window which gives light to the sitting room.

1 LOSS OF LIGHT

The proposed development is 4 feet to the west of our house , 64 Tarrant st, and will seriously lessen the amount of light that we receive in our **sitting room, main bedroom, and hallway** . We will not get any sunlight at all and the daylight will now be diminished, necessitating the use of artificial light in order to see properly. This will give a very gloomy feel to the house which has enjoyed light to these rooms since the house was built, over 160 years ago from these windows and thus has established a legal right to light by prescription. The existence of these windows on the west wall of 64 prove that there was never a building in close proximity to 64 . There may have been a building attached to 70 Tarrant street although there is evidence of windows on their east wall at the higher level suggesting that the two cottages that existed before 1924 were single storey.

The stairs of 64 are given daylight through one window. This would be diminished substantially by the east wall of the proposed development giving rise to safety concerns on the stairs . Likewise the **main** bedroom only has **one window** which would receive very little light and no sunlight at all if the development were approved and the light to the sitting room will lessen by more than 50%. All light to the main rooms in the house is by 4 windows on the west wall of the house , all of which will be affected. The light coming through the windows of 64 will be limited by the construction of a new building to levels that fall below the accepted level and this would constitute injury to the present situation.

2 OVERSHADOWING AND OVERLOOKING, LOSS OF PRIVACY

The development overshadows our garden and the owners of 70 and all the neighbouring gardens to west and north, curtailing sunlight from the early morning through to, and after midday.

The proposed development extends back too far, 12 feet past the north end of both 64 and 70 causing invasion and **loss of privacy , overlooking and overshadowing** . The three windows in the north gable of the development look straight into our properties and gardens causing total loss of privacy by overlooking.

3 SETTING

It is a material consideration that the Setting in which a Heritage Asset is experienced is an important feature in a conservation area. The special character and appearance of conservation areas is a material factor in planning decisions. The spaces between and around buildings and outlooks are very important in conservation areas. This development impinges on the space and outlook which contributes to the character of the area. See 16.4.6 of Local Plan. The existing **spaces** in a setting are just as important as the buildings and the spaces give character to the conservation area. The space has been there for 96 years or more providing light

and outlook and is an important amenity for all neighbours surrounding the proposed property. The development will have a negative impact on the setting of existing Heritage Assets and the conservation area. This amenity should be considered, as stated in the National Planning Policy and the Local Plan.

4 OVERLOOKING

The points mentioned in 3 will also contribute to a feeling of enclosure and unreasonable intrusion as a result of excessive overlooking. Residents should be protected from this and acceptable living conditions should be maintained (stated in Human Rights document). As this is something we all benefit from it is therefore in the public interest.

5 TRAFFIC/PARKING

The development gives rise to parking issues -already a problem in Arundel - and the use of the land is not in line with current thinking on climate change adding to carbon emissions and environmental issues including massing , traffic increase, and is therefore not in the public interest. **It is also an overdevelopment of the site.** The present owner is already using the garage to house 3 vehicles and a boat so there is no more room for vehicles which owners of the new property may have.

6 OUT OF KEEPING

The development is over dominant and would be out of keeping with the character and appearance of neighbouring houses in the Conservation area and would be detrimental to the visual amenities of the wider street scene. There are no Juliet windows in Tarrant street and they would be out of keeping in the conservation area.

The style and design does not conform to the govt. policy HER DM3 of the Arun local plan which states that in order to preserve the character and appearance of the Conservation area it must conform to important open spaces, established patterns of development, character and historic value.

One of the reasons people visit Arundel is because of the architecture and its unique character in this historical setting. If this proposal were to be allowed to go ahead it would set a dangerous precedent for further two storey buildings to be built in the wrong place thus destroying Arundel's USP .

7 It does not improve the social, economic or environmental conditions of the area and does not enhance the architectural merit of the space that exists at present.

8 The sewage system is already overloaded and the drains are at present rodded through twice a year to maintain flow.

10 No outdoor space for the development and no provision for waste or refuse. The addition of bike railings at the front is also not in keeping with the grade 2 listed building .

A stairway up against no 70, a grade 2 listed house , is not in keeping with the conservation area.

11 PREVIOUS PLANNING

Previous planning permission in 2007 does not set a precedent as it was for a completely different project with different issues in different times. In 2007 the existing building was dilapidated, dangerous, contained toxic materials in the tanks and was falling down . There were few objections for these reasons. It was also 13 years ago and the local and national plan have since changed and planning permission has long since expired.

There were very few objections to the building of the **present garage** as it solved the problem of the dilapidated buildings and it did not impinge on anybody's light or view . Nor did it impinge on the long established amenity of the space by virtue of its height.

In the previous planning application the two storey part of the building only extended as far as the back of no .70 and no.64. and was single storey thereafter.In this application it extends a further 12 feet making it even more intrusive and overlooking. The applicant in his statement claims to be seek-

ing permission for less footage in the 2 storey extension when in fact he is seeking more and therefore he is not following the previous planning permission which he claims sets a precedent . In the 2007 application there were no windows in the north gable end. In the current application there are three - all of them overlooking. There are no dimensions in any of the elevations. The skylights in the proposed development all look into the windows on the flank wall of 64.

The previous owner of 64 and principal objector did not object at the time as , being Norwegian, he was in Norway and unaware of the Objection Process. The house at no. 70 was for sale at the time and did not object. Therefore when Outline planning permission was granted the owner of 64 bought the land and built the existing garage in order to avoid any 2 storey building. This solved the problem of the space and protected all surrounding houses from the attendant problems of light, views , space and sunlight ,were a two storey building to exist on the site.

12 WATER TABLE AND WELLS

The water table is very shallow here and fragile and any sort of piling or excavation would have to be undertaken with extreme care so as not to upset the water table or interfere with the 6 horizontal wells that pass under our properties. I am concerned building might have an adverse effect on neighbouring houses. Flooding to the cellars is at risk. Also damage to the walls and structure of neighbouring houses . Have the fuel tanks that were going to be removed in 2008 been removed ? There is also the obvious problem of severe disruption in this narrow street while the works are going on.

13 GARDEN AMENITY/LIGHT

If the development were to go ahead it would result in losing direct sunlight to the main area of the garden and daylight to the west facing windows on 64 from 1100 hrs to 1530 hrs (readings taken on 14 April 2020) . At 3.00 pm sunlight from the west comes through the windows of the sitting room, the main bedroom, the bathroom and the landing which gives light to the stairs. All these rooms would no longer have any sunlight at all. There would also be a substantial loss of **daylight** through these windows to the principal rooms making the house very dark during daylight hours. This is an unacceptable loss of light.

Sunlight throughout the morning would also be lost to the gardens of the neighbours to the west of the development site, quite apart from the overlooking and overbearing aspect .

We have suggested to the developer that neither we nor the occupants of 70 would object to the garage being converted into a residential unit maintained at its present height. This would not impinge on any neighbouring fears of light and over crowding etc as stated above but would make an acceptable house , suitable for a family, with a patio garden at the rear instead of two very small one bedroom dwellings with no outdoor space which will result in a great deal of distress for all those in the immediate vicinity.

The Human Rights Act, protocol 1, article 1, states that a person has the right to a peaceful enjoyment of all their possessions. Additionally, Article 8 states that a person has the substantive right to respect for their private family life. This encompasses not only the home but also the surroundings. The proposed plan goes against these important tenets.

This development is unnecessary, excessive infill , and not in the public interest.

We object strongly to the proposed development and remain yours respectfully,

Richard and Milly Robbins.
64 Tarrant st BN 18 DN