

La Casita
Wessex Avenue
Aldwick
Bognor Regis
West Sussex
PO21 2QW

25th November 2020

For Attention : Ms M Tomalova

Arun District Council
Planning Department
Arun Civic Centre,
Maltravers Road,
Littlehampton
West Sussex
BN17 5LF

Dear Sirs,

RE: Planning Application - AW/251/20/OUT – 14 Princess Avenue – Aldwick

La Casita - our home - backs immediately on to 14, Princess Avenue.

We write to object to this application which turns a single family dwelling into four flats for four households. The flats are to be built less than a metre from our boundary wall - at the bottom of our small garden. household

If built, the quality of our lives will not only be diminished by the sheer volume of the new building, but also, because we are just two people and they will be many, our lives will inescapably have to conform to the arbitrary wishes of it's multiple occupants. Their multiple comings and goings – at any hour, their music , their parties, inevitably will be disruptive and impact upon our quiet lives.

The existing houses in Wessex Avenue and Princess Avenue are four bedroom houses with small gardens. They were built in the 1930's for single family occupation. To cram multiple families into grossly extended traditional dwellings in this way conflicts with Arun Local Plan 2018 - *Policy H SP4* :-

Do not adversely affect the character of the area including eroding the balance between different types of housing, including family housing.

Our further objections are as follows: -

Loss of Privacy and Overlooking

If granted, this application will have a needless negative impact on the quality of our daily lives. It will snuff out our privacy and contravene our right to the quiet enjoyment of our property.

As an overlarge two story extension, the design brings major change to the rear of the existing house. It is overbearing. It's height, width and substantially increased volume, (massing) overpower our house and neighbouring houses – 16 Princess Avenue, and Seagull.

The living room windows of the proposed First Floor Flats give occupants a permanent and penetrating view into our bedrooms, living rooms and garden. They have no other living room window on the outside world. Their view, by unfortunate design, is significantly cast upon our private rooms and garden.

Unless we close our blinds, and draw our curtains tight – day and night – and abandon our garden, they are to know us intimately. Our daily routine; from waking to sleeping; our everyday pursuits and simple joy in domestic life will be gratuitously disclosed to satisfy idle curiosity. Our privacy will be stripped from us.

The proposed development will, due to its sheer size and overbearing nature, have an unacceptable impact by introducing a *significant loss of sunlight, privacy and outlook and unacceptable noise and disturbance* – **all these** – to 16 Princess Avenue, 'La Casita' and 'Seagull' – contrary to Arun District Local Plan 2018 – Policy D DM1 – 3 Impact.

Inappropriateness of the Design

The design contravenes our right to a private family life and is therefore in direct conflict with Policy D DM4 of Arun District Local Plan 2018 – Living Place 13 Design a) c) e) overshadowing, overlooking or overbearing effect on neighbouring properties.

The proposed design dominates and overlooks the private rooms and gardens of our home and of neighbouring properties. This conversion is by no means 'visually subservient' to the remainder of the existing building - but utterly overpowers it. This conflicts with Arun Local Plan 2018 – Policies D SP1 Design - Extensions 13.4.3 i), and iv) and D DM1 – Design 3 - Impact.

Because the design negates our privacy we ask the council to consider its responsibilities under the Human Rights Act 1988 and in particular Protocol 1, Article 1, which states : -

“a person has the right to peaceful enjoyment of all their possessions which includes their home and other land.”

We believe that the development will have a dominating impact on us and deny us the right to the quiet enjoyment of our property. Article 8 of the Human Rights Act 1998 states that a person has the substantive right to respect for their private and family life. If the application is approved we *will* act to seek a remedy under the Human Rights Act.

Light Pollution

The rear garden of 14 Princess Avenue, has, for more than twenty years, remained unlit. Similarly, the rear facing windows of the house have been unlit save for occasional glow of a low powered light bulb.

About half of the rear face of the proposed design is window glass. When fully occupied the house will emit, at the rear, at night, a vastly increased volume of light, than the existing property. Even more lighting will be required to give safe night-time access to the doors at the rear of the property and to the waste and recycle bins. There will also doubtless be a requirement for intruder deterrent security lighting.

The total light pollution introduced by this development will be significant and a rightful source of concern and discomfort, not just for our home, but for all those with bedrooms backing onto the rear of 14 Princess Avenue. This is counter to Policy QE SP1 of Arun Adopted Local Plan 2018 – *Quality of the environment*.

Odour Pollution

In support of their application the Applicant has submitted a Drawing No 8 - Proposed Site Layout Plan - Waste and Recycle Store - Elevations.

The applicant proposes to grub out the trees, (known habitat of small nesting birds), in the rear garden and erect waste bin stores. The stores will be open to the air in summer and winter and their rotting waste will release noxious odours into the air counter to - Policy QE SP1 of Arun Adopted Local Plan 2018 – *Quality of the environment*.

Noise Pollution

Every week the occupants of the four flats will be required to manoeuvre four black Waste Bins from the bin store in the rear garden to the road frontage of 14 Princess Avenue and back. Each single bin journey will be twenty-eight metres from bin store to road. The round trip for each bin will therefore be some fifty-six metres or 280 metres for all five bins.

Every second week the occupants will manhandle 8 bins – Waste and Recycling- from the bin store in the rear garden to the road and back. This will generate a collective noise undoubtedly in excess of the 97 Decibel figure. This noise will far exceed the 'over 72 decibel' level of Noise Exposure Category D – the level where planning permission should normally be refused. Arun Plan 2018 - 21.2.7 page 241.

A high level of noise will be generated in the early morning before occupants set off for work or in the evening when they return each empty echoing bin to the bin store. The eight bins will have to be manoeuvred to the road and then back a distance of 560 (five hundred and sixty metres), every two weeks. It is estimated the noise thus generated will be unbearable for the occupants all homes within a radius of one hundred metres but excruciating for 12 and 16 Princess Avenue, La Casita and Seagull and all nearby dwellings. Due to the bin travel distances involved the bin noise is likely to go on for a long time every week.

All waste and recycling bins have a Decibel Warning Notice moulded into the top of the bin. The moulded-in warning shows that handling the bin generates noise at 97 decibels and that ear protection should be worn for noise in excess of 87 decibels.

The proposed conversion is in direct conflict with Policy QE SP1 of the Arun District Local Plan 2018 – 'to prevent possible noise disturbance to neighbouring properties and independent units within the property itself'. Such an exposure to noise is a wholly unacceptable burden to place on the occupants of neighbouring properties as well as those living within 14 Princess Avenue itself.

At the moment, most days, our garden is quiet. There is only birdsong. Continual noise will be generated by the everyday use of eight bins, (lid slamming) and significantly more noise when all the bins are moved to the road and back on waste collection day. This is in direct conflict with the Arun District Local Plan 2018 Policy QE SP1 21.2.7 - Noise Pollution.

Rear Access to Flats 1 & 2 – Ground Floor

Examination of Drawings Nos. 2 and 4 – Proposed Ground Floor Plan and rear elevation South East shows that patio doors to the garden are proposed for the reception rooms and of Ground Floor Flats 1 & 2 and for the rear bedroom of Flat 2. This means there will inevitably be movement and noise from the back of the proposed development. Currently there is no such activity or noise and neighbouring properties enjoy quiet at the rear of their properties with neither sound nor lighting at night. Our experience has been, with Sandringham Wessex Avenue where similar

patio doors have been fitted, unsympathetic use of Hi-Fi equipment has caused a significant noise nuisance problem. Arun D C Ref. SR/239713 Ms Joanne Lewis - Anti-Social Behaviour, Crime and Policing Act 2014 Section 43

Trees and Hedges – Biodiversity

In the Planning Application dated 25th September 2020 the applicant is asked, at Item 12 - “Are there trees or hedges on the proposed development site ?”

The Applicant has replied - ‘No’. This is untrue. There are trees and hedges.

The applicant also stated at item 12 - there are no trees or hedges on adjacent land. This also is untrue. There are trees and hedges on adjacent land. They are an important part of the *‘garden landscape character’*

There are many large trees in the site-adjacent mature garden of 12 Princess Avenue and trees in our garden and the site-adjacent rear garden of Seagull.

There are trees in both front and rear gardens at 14 Princess Avenue. It is clear from Drawings 8 - Proposed Site Layout Plan from both front and rear gardens that all trees and grass are to be removed in order to ‘Tarmac over’ the whole of the front garden for car parking which is counter to the character and appearance of the area. In the rear garden the trees next to the north wall of the garden will need to be completely removed in order to build the Waste Bin Store and the Cycle Store as shown in Drawing No 8 – Site Plan.

There is a well established Yew tree in the front garden of the house. It is probably some seventy years old. It has a strong trunk and is currently just over two metres high. Although it has been lopped it has bushed out well to good shelter and a feeding habitat for the large population of wild birds which live in the area and visit as annual migrants the greater Pagham Harbour Special Protection Area.

The Yew in the front garden at 14 Princess Avenue, Aldwick has behind it a large tall hedge of the Laurel family. This tree has many berries and many birds feed at it in winter.

There are several trees in the rear garden of 14 Princess Avenue within and close to the north wall of it’s garden. There are at mature fruit trees and a densely foliated large flowering tree. Robins, Blackbirds, Sparrows and Wrens all make use of the garden habitat at 14 Princess Avenue supports many non local birds in their feeding, wintering and migration. Aldwick gardens provide a stepping stone for birds visiting the greater Pagham Harbour Special Protection Area and other protected zones across Southern England.

The wholesale wiping out of the trees to make way for a bin store at the rear of 14 Princess Avenue would be a ecological disaster for garden birds in 14 Princess Avenue. There are birds that nest in the mass of trees in the back garden of 14 Princess Avenue every year. Fledgling birds raised in the gardens of these Avenues fly to the trees in the rear garden of 14 Princess Avenue to feed on insects and sustain themselves. All the trees in the front and rear gardens of 14 Princess Avenue provide essential shelter and food for birds.

We believe this Planning Application is also in direct conflict with Arun Local Plan 2018 Policy ENV DM3 which states - development shall : -

- a. *Retain and sympathetically incorporate locally valued and important habitats, including wildlife corridors and stepping stones.*
- b. *Be designed in order to minimise disturbance to habitats*

'Development proposals that do not reasonably address opportunities for enhancing these through their design, layout and landscaping or access management shall not be permitted.'

17.3.1 Trees and woodland states – *'The retention of trees should be considered at the design stage of all developments.'*

The complete removal of wild and garden bird habitats from 14 Princess Avenue is counter to the Conservation of Habitats and Species Regulations 2017. It is also directly counter to the Development and Biodiversity Policy of the Arun Adopted Local Plan 2011 – 2031 (July 2018) - Policy ENV DM5

The removal of the feeding, breeding and roosting habitat of wild birds in the gardens of 14 Princess Avenue is counter to the Arun District Council Biodiversity Action Plan 2000 which states : -

Arun District Council undertakes 'not to destroy nor cause a net loss of area of any irreplaceable natural habitat.'

We believe it is necessary that there should be an Appropriate Assessment under the Conservation of Habitats and Species Regulations 2017.

It would indeed be a hypocrisy, if Arun Council, having asked the developer to pay a Section 106 CIL Fee towards Pagham Harbour Management, because the property is within the greater Pagham Harbour Special Protection Area, then approved an application which removes the nesting, roosting and feeding habitats of native bird species common to the Special Protection Area.

We call upon the council to take our objections into consideration when deciding this application. We would welcome the opportunity to meet a representative of the planning department at our home to illustrate our objections at first hand.

Yours sincerely,

Signed

Mrs Anastasia Kistaou

Mr George Kistaou