

86 The Fairway,
Aldwick Bay Estate,
Bognor Regis,
West Sussex.
PO21 4EX

18th May 2015

Special Delivery

Mr Carl Roberts
Assistant Director
Arun Civic Centre,
Maltravers Road,
Littlehampton,
West Sussex.
BN17 5LF

Dear Mr Roberts,

Re: Planning Application No. AW/86/15/HH

We live at 86 The Fairway, the closest property to the application site, and are extremely concerned about the proposed development. Despite raising some of the issues with the owners of 87 The Fairway, no "middle ground" has been reached. We object to the proposed development and set out below our considered reasons with reference to the following documents;

1. Arun District Council (ADC) Local Plan
2. Conservation Areas Management Plan & Supplemental Guidance issued by ADC
3. NHBC Guidance – Building Near Trees
4. UK Planning Portal

Errors and Omissions by applicant

A number of material facts have been omitted or incorrectly stated;

"87 The Fairway was designed by a celebrated architect, Sidney Carter and is stated as being "of significance" by the Sir John Sloanes' Museum and the Thirties Society following their visits to the estate in 1990 and 1992 respectively. (The external appearance has not changed since that time and so their comments should still be considered highly relevant today.)

Of particular architectural significance are numbers 81a to 86 The Fairway designed by Philip Dalton Hepworth (1888 -1963) who worked with Lutyens on the RA plan for London, and who in 1945 was appointed principle architect to the Imperial War Graves Commission and responsible for about 60 cemeteries. "

The comments above are taken from the letters by Sir John Sloane's Museum and the Thirties Society following their visits to the Estate in 1990 and 1992 respectively.

87 The Fairway retains its original painted timber windows and black timber "Surrey Tudor" appearance. The windows are a particular feature of this house due to their high coverage and design, they are not "standard" as suggested by the applicant. This is a unique house.

Our home, 86 The Fairway, is included as a "building of character" by Arun District Council.

Both properties are situated in a traditional part of the Aldwick Bay Conservation Area.

At its closest point, 87 The Fairway is only one metre from our boundary, the closest of any neighbour by a significant margin. 88 The Fairway to the East is protected by a single garage, established planting and the width of a double driveway.

There are fourteen established Leylandii trees, assorted Laurel and Pittosporum located on the Western boundary all of which range from 2.6 to 2.8 meters high NOT 2 metres as stated in the application. The timber fence to the Western boundary was erected and paid for by us and remains our property to repair and maintain.

Part of the application seeks to extend the Western facing clay tiled sloping roof over an existing flat roof. No architectural details are provided. At this point, 87 The Fairway is only one metre from the boundary to our home.

The existing and proposed plans do not illustrate the existing "obscured glass" windows in the immediate vicinity of the West facing sloping tiled roof and how they will be affected by the proposed development.

The block plan provided by the applicant is significantly out of date. It does not correctly illustrate the extent of our property or the proximity of the applicants proposed development to surrounding properties.

Trees

It is proposed to remove fourteen established trees in the conservation area along the Eastern boundary to our home. The trees provide amenity value by softening hard landscaping and enhance the area generally. No replanting with trees has been offered and no advice has been submitted suggesting that the trees need to be removed for "arboricultural practice" in line with Policy Gen 28.

In correspondence dated 1st May, between the applicant and Janice Chapman it has been suggested that the tree/hedge needs to be removed because "they could grow to 30 metres in height". The applicant has failed to advise that the trees are completely within the control and ownership of 87 The Fairway and so with regular maintenance may be retained at the current level which has been the case for at least the past 12 years.

ADC Policy Gen 28 sets out how such situations are to be considered.

POLICY GEN28 states that "development will not be permitted if it would damage or destroy one or more trees...in a conservation area unless the removal of one or more trees would be in the interests of good arboricultural practice or the benefits of the proposed development outweigh the amenity value of the protected trees". It goes on to state that "... conditions may be used to ensure that, for any trees which are removed as part of a development, an equivalent number are planted on the site."

We are also concerned about the mature Silver Birch Tree which is only 2 meters from the proposed extension. In our opinion this tree, including its root system, is in danger of being damaged or felled as part of the proposal. We would appreciate the Tree Officer attending the property to consider applying a tree preservation order. The tree provides considerable public amenity to surrounding properties, and as it matures further, to the wider area and would be a terrible loss if it were lost or damaged.

The applicant has also cited that "for Building Regulations reasons (the trees) need to be removed" which is incorrect.

Butler and Young, Building Inspectors advise that most surveyors use NHBC Section 4.2 Building Near Trees as a guide to foundation depths in shrinkable sub-soils.

NHBC guidance states that "4.2 –D5, The design (of foundations) shall make allowance for the effect of trees and hedgerows on shrinkable soils".

The NHBC does not state that trees and hedges must be removed, merely that foundations should be appropriately designed.

The NHBC go on to advise that "root damage and tree instability can be caused by; excavating trenches for foundations and services too close to trees, compaction of soil around trees by heavy plant and covering rooting area with impervious surfaces"

The Planning Portal also states that "Building Regulations do not apply to trees and hedges"

Overlooking and Scale of Development

The proposed development includes a large opening, non-obscured window to the new proposed kitchen side elevation which will overlook our property. It is also proposed to install two standard, non- obscured and fully opening large velux windows to the existing clay tiled sloping roof above the proposed utility/washing area which faces our property. This is only one metre from the boundary which will also allow the occupier to overlook our property. We will also be able to look into their house.

At 33 square meters (355sqft) this very large proposed development represents an approximate 50% increase in the current ground floor usable area and is out of scale to the main building and surroundings generally. It would extend at least 50% down the length of our garden, essentially "enclosing" our home. The overbearing effect will also be considerable due to the height of the proposed building at circa 3.35 metres, (11 ft). No maximum height is stipulated.

In our view the proposed development will have a detrimental effect upon the setting of our home and character of the area generally and is not in accordance with various policies, including Policy Dev 19 and Policy Gen 22.

POLICY DEV19- Extensions to Existing Residential Buildings states that "Planning permission will be granted for extensions to existing residential buildings, provided that:-

"(i) The extension sympathetically relates to and is visually integrated with, the existing building in siting, design, form, scale and materials"

"(ii) The extension is visually subservient to the main building"

"(iii) The extension does not have an adverse overshadowing, overlooking or overbearing effect on neighbouring properties""

To place this further in context, the Local Plan also states that the council are committed to the "the protection, conservation and enhancement of the natural and built environment".

POLICY GEN22- Buildings or Structures of Character states that "Alterations, extensions or other development which would adversely affect the appearance *or setting* of such buildings or structures will not be permitted".

Air Pollution

We are concerned that proposed cooker extract venting , smells and fumes from the use of a washing machine, tumble dryer, dishwasher and other apparatus will damage the quality of the immediate environment and cause potential health and safety issues for our family. The location for such items will only be one metre from the boundary and directly adjacent to our patio where meals are taken. The proposal is not in accordance with Policy Gen 34.

POLICY GEN 34 Air Pollution – states that "Development that contributes to air pollution through dust, smell, fumes, smoke, heat, gases, steam or other forms of pollution will not be permitted unless the Council decides that the health, safety and amenity of users of the site or surrounding land is put at a risk and the quality of the environment would be damaged or put at risk"

Light Pollution

The proposed side window, two large velux windows and two large roof lights will flood our property and garden with light. The proposed full width fully opening glass bi-fold doors to the northern elevation will also directly affect other properties to the North. The proposal does not seek to minimise glare and spillage and will have a negative impact upon the wider locality. Policy Gen 33 is relevant as it highlights the damaging effect of inappropriate light upon the environment.

POLICY GEN33 – Light Pollution states that "Planning Permission will be permitted for proposals which involve outdoor lighting schemes subject to :-

1. No adverse impact on neighbouring uses or the wider landscape
2. Light level being the minimum required for security and working purposes; and
3. Minimising the potential glare and spillage

To protect the quality of the environment”

Noise Pollution

No measures have been included to reduce noise pollution from the kitchen and utility area. By incorporating a side facing opening window to their kitchen and two large opening velux windows to the new utility area, we are likely to suffer from significant noise.

The proposed Bi fold doors leading from the proposed kitchen, which is widely considered the heart of a modern home, will also allow significant noise transfer and subsequent loss of amenity to the surrounding properties.

No details to reduce noise levels to acceptable standards have been provided by the applicant as required by Policy Gen 32. Indeed, by removing existing established trees the effects will be exacerbated.

POLICY GEN32 states that “Development which is a potential source of significant noise pollution will not be permitted unless the council is satisfied that appropriate measures have been included in the proposal to reduce noise pollution to acceptable levels. Details of such measures will be required as part of the planning application”

Drainage

Having known the previous owners of 87 The Fairway, we are aware that the combined sewage and rainwater drainage system can suffer from poor flow during periods of sustained rainfall.

Our drainage systems are linked and we are concerned that the additional water generated from an additional roof area of circa 33sqm (355sqft) could overload the existing drainage system serving our homes and others along the Fairway.

We do not believe that this is sustainable development and requires professional investigation. Policy Gen 9 deals with this issue.

POLICY GEN 9- states that “Planning permission for development which will materially increase foul and/or surface water discharges will be refused unless the Local Planning Authority is satisfied that either adequate drainage capacity exists or appropriate drainage capacity can be provided as part of the development”

Roof

The applicant is seeking to install two large standard opening velux widows in their existing roof which directly overlooks our house. This will have a detrimental effect upon the overall setting of our property and certainly does not "preserve" or "enhance" the special character of the area.

Coupled with potential light and noise pollution this is a poorly conceived idea which will harm the immediate area and is not in line with current ADC guidance and recommendations.

Conservation Areas guidance published by ADC states that Conservation Areas provide "...greater restriction over works which would otherwise be permitted development..." It goes on to state that planning permission is required to :-"carry out additions or alterations to the roof of the dwelling house". It also advocates "more intensive assessment of proposals requiring planning permission..., to ensure that they 'preserve' or 'enhance' the special character of the area"

Windows & Cladding

The original timber windows at 87 The Fairway account for approximately 70% of the total frontage (excluding garage doors), and have particularly attractive timber mullions and profile generally. Changing the window design will have a detrimental effect upon the look of the house and its setting in the Conservation Area. The applicant has already acknowledged that they are seeking to create a "modern outlook".

The proposed development includes for new metal windows despite new double glazed painted white wood versions of similar profile and design being capable of manufacture. The proposal will not "retain the character and nature of the building and setting in the Conservation Area" and we do not believe is in accordance with ADC guidelines.

It is also proposed to remove the existing black "timber" cladding and replace with natural oak. Again, we believe this will dramatically alter the look of the house to its detriment. Replacement materials can easily be purchased if ADC concurs with the view of the Sir John Sloans' Museum and the Thirties Society that this is a "house of significance".

Advice by ADC, published 1 February 2015 states that "...any changes you make to your property through repairs, maintenance or alterations, are in keeping with the character of the building and the areas. Care should be taken to match original materials and methods of construction and avoid damaging or removing features of historic or architectural value."

The effect of designation is "more intensive assessment of proposals requiring planning permission or Conservation Area Consent to ensure that they "preserve" or "enhance" the special character of the area."

Owners are urged to consider the use of traditional materials and styles, particularly in buildings of traditional appearance within Conservation Areas."

Conclusion

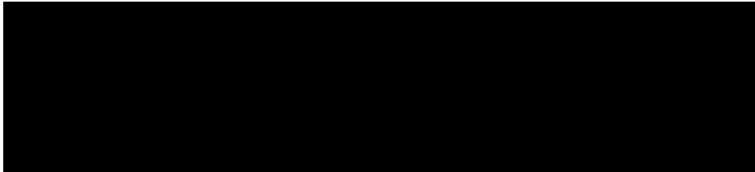
Both 86 and 87 The Fairway were designed by celebrated architects and have survived for over 85 years substantially in their current form and appearance. We are very concerned that the proposed development will harm the character and appearance of the Conservation Area and the setting of our home.

The applicant has stated that the proposal will be of "modern outlook" and it will not detract from the surrounding properties and wider locality". This does not accord with Arun District Council POLICY AREA 2 which states that "planning permission will be granted for development which preserves or enhances the character or appearance of a Conservation Area or its setting".

Our particular concerns include the loss of established trees, overlooking from three windows, air, noise & light pollution, possible drainage issues, detrimental changes to the roof & windows and appearance and setting within the Conservation Area generally.

Having researched the ADC Local Plan, ADC Guidance Notes and National Planning Portal we have identified that many of our concerns are also covered by these documents. We have faith that ADC will follow its own advice and use its authority to adequately control the proposed development in this special area so that it may be preserved and enhanced for future generations.

We would respectfully ask that the current application be refused.



Beau & Suzanne Prince

CC: Ms Gillian Brown - Leader of Council