

27 Sea Lane
East Preston
West Sussex
BN16 1NH

Mr N Crowther
Group Head of Planning
Planning Department
Arun Civic Centre
Maltravers Road
Littlehampton
BN17 5LF

24th October 2021

Dear Mr Crowther

Ref: EP/132/21

**Application for Non-Material Amendment Following Conditional Planning Permission 27a
Sea Lane, East Preston, BN16 1NH (EP/2/21/HH)**

Dear Mr Crowther

We have become aware that our neighbours have made a second Non-Material Amendment application dated 15th October 2021 as indicated by your letter of 18th October 2021. We have read in general information on the internet that anyone who will be affected by a non-material amendment should be informed and that they can make representations to their local authority, but I cannot find any specific guidance on the Arun Planning pages.

We do not believe that this application should be considered as a non-material amendment as this was a contentious part of the original application EP/2/21/HH and having two full height double doors increases overlooking and affects the amenity of surrounding properties and gardens.

On the original planning application EP/2/21/HH a full balcony with two full height glass doors was proposed. There were 12 objections about the this. The Parish Council members wrote to you on 3rd March 2021 stating that "The proposed rear balcony with double doors could lead to unacceptable overlooking of neighbours in Sea Lane, Normandy Drive and Oakley Gardens. The East Preston Preservation Society also wrote on 4th March to you to say that they objected to the proposal saying that "the rear balcony would overlook many houses and gardens". The plans were rejected at the Parish Council Planning meeting on 22.2.2021.

New plans were submitted with a Juliet balcony to the rear, with one central door and two half height windows. The new plans were by approved by Arun District Council conditional upon drawing 1282.02(b) being used.

The non-material amendment plans dated 15th October a Juliet balcony to the rear, but the two full height doors, as originally sought, have reappeared on the plans.

The Juliet balcony is very close to our boundary and having two full height doors will provide more opportunity for two people to push the doors right back and sit elevated above our garden. We will be able to look up into the double doors. They will be able to look down through two doors instead of one and there will be a wider glass balustrade. There is no other ventilation to this room on the plans so the doors will need to be opened more often than would have been the case if there had been half height windows, thus providing more opportunity for overlooking.

The increased overlooking will affect our amenity and enjoyment of our garden. We are West facing and our house shadows much of our garden in the afternoon, so we use the back part of our garden a lot. It will also increase the overlooking of our neighbours in Oakley Gardens who have small gardens directly backing onto 27a. The double doors can be clearly seen by the public from the Twitten adjacent to our property.

There is a flat roof already adjacent to the Juliet balcony and our fear is that further amendments could be made to obtain the full balcony originally desired. Is it possible that applicants can inch back to previous plans, that were not passed, by way of a series of non-material amendments? If it is this would make a mockery of representations made, meetings held and the whole planning process.

There is no contractor on site so I spoke directly to the glazier to say that I thought a mistake was being made. I then sent a text to the owners to say that I thought a mistake was being made and referred to the condition of planning approval that drawing 1282.02(b) was used, which showed one door and two half height windows. A few days later double doors were fitted to the front elevation, again not as on the plans, so I realised this was not a mistake.

We understand that there are cost implications in asking for a return to plan. However, at the very least we feel that opaque or frosted glass should be used for the balustrade to the rear Juliet balcony. This would help us and our neighbours with overlooking. We also would like to know if it is possible that a note be made that no further non-material amendments can be made to enable a full balcony to be granted.

Yours sincerely

D A McNamara
C W McNamara

c.c.

Kathryn Welch, ADC
East Preston Parish Council
Cllr. T Chapman
Cllr R. Bower
Cllr. P Kelly

