

David Bennett

From: Juan Baeza <[REDACTED]>
Sent: 06 December 2018 12:04
To: David Bennett
Subject: RE: 2 Hillview Crescent - EP/41/18/PDH

Confirmed. I trust like previous applications it will have a hip bonnet?

Thanks

Juan Baeza Area Team Leader – Planning Department, Arun District Council | Location: First Floor, Arun Civic Centre, Maltravers Road, Littlehampton, BN17 5LF

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From: David Bennett <[REDACTED]>
Sent: 06 December 2018 12:04
To: Juan Baeza
Subject: Re: 2 Hillview Crescent - EP/41/18/PDH

Thank you Juan.

So just to clarify the west hip-to-gable in lieu of south dormer - please confirm.

All the best

David Bennett

On 6 Dec 2018, at 10:40, Juan Baeza <[REDACTED]> wrote:

Dear Mr Bennett,

Apologies for the late response. I am afraid I did not get your 26 November email and thus the lack of a response.

Turning to your suggestion I agree that this would seem an acceptable compromise to overcome the objections raised by EP/150/17/HH and EP/44/18/18/HH and harming the street scene to Orchard Road. I would add that your proposed north dormer would need to demonstrate no unacceptable overlooking as would be the requirement if it was to be constructed as PD.

Regards

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From: David Bennett [REDACTED]
Sent: 06 December 2018 08:21
To: Juan Baeza; 'Peter Thomas'
Cc: Zac Denton
Subject: RE: 2 Hillview Crescent - EP/41/18/PDH

Hi Juan.

This matter has been dragging on for so long now.

It's a simple question which needs a simple answer.

If we don't hear anything from you by the end of the week the owner of the property will be raising a complaint.

All the best.

David Bennett, BSc (Hons) MRICS

From: David Bennett
Sent: 26 November 2018 15:19
To: 'Juan Baeza' [REDACTED]; 'Peter Thomas' [REDACTED]
Cc: Zac Denton <[REDACTED]>
Subject: RE: 2 Hillview Crescent - EP/41/18/PDH

Thank you Juan.

Could you comment on the remainder of my email too please as follows:

" It does then follow that the north and south elevations can be added to under Class B permitted development rights as they are not principal elevations and neither of them forms the principal elevation AND fronts a highway - these PD rights are of course subject to nothing projecting above the existing ridge, 50m³ maximum volume, no balcony and also subject to the standard Class B conditions.

Mr. Thomas can therefore construct dormers on the north and south roof slopes under PD rights subject to the above.

The balance of the pair of semi-detached properties will be irretrievably be lost if this PD work proceeds. If any development takes place at the attached property, No. 28 Orchard Road, it is likely to be under PD in the form of a hip-to-gable on the east elevation with a north dormer as is becoming widespread. This development would exacerbate the imbalance.

A solution would be to grant planning permission at No. 2 Hillview Crescent for a hip-to-gable on the west elevation with a dormer on the north elevation with a condition removing PD rights relating to the south elevation.

I would suggest that this could be considered effective town planning in that a likely imbalance in the future would be avoided.

I would be grateful if you could consider this and get back to me."

All the best.



From: Juan Baeza [REDACTED]
Sent: 26 November 2018 15:10
To: 'Peter Thomas' [REDACTED]; David Bennett [REDACTED]
Cc: Zac Denton <[REDACTED]>
Subject: RE: 2 Hillview Crescent - EP/41/18/PDH

Dear Mr Thomas

I can confirm that the elevation bounded in yellow denotes the principal elevation as it applies to 2 Hillview Crescent.

Regards

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From: Peter Thomas [REDACTED]
Sent: 25 November 2018 15:25
To: David Bennett
Cc: Zac Denton; Juan Baeza
Subject: Re: 2 Hillview Crescent - EP/41/18/PDH

Evening David

As I have not had a response back for over 3 months now, I feel I need to make a formal complaint. Could you please advise me on the best route to do this. Is this through an ombudsman or is there a county council compliance office I can contact?

Thank you

Peter

Sent from my iPhone

On 29 Oct 2018, at 08:18, David Bennett [REDACTED] wrote:

Dear Mr. Baeza - could you reply to this ASAP please as it is dragging on.



From: Peter Thomas [redacted]
Sent: 25 October 2018 12:37
To: David Bennett <[redacted]>
Cc: [redacted]
Subject: Re: 2 Hillview Crescent - EP/41/18/PDH

Afternoon David

I have still not had a response, could you please advise me on what actions I could take next. The time scale is not acceptable, with May around the corner, I need to have the clarification that the side extension is actually the side and not the rear.

Thank you

Peter

Sent from my iPhone

On 19 Oct 2018, at 08:22, David Bennett [redacted] wrote:

Mr. Baeza - could you fully respond to my email of 1st October as below please?

All the best,

David Bennett, BA Hons MRICS



From: Peter Thomas [redacted]
Sent: 17 October 2018 12:37
To: David Bennett <[redacted]>
Cc: [redacted]
Subject: Re: 2 Hillview Crescent - EP/41/18/PDH

Afternoon David

Have you had a response regarding the confirmation of the principle elevation yet?

Thank you

Peter

Sent from my iPhone

On 1 Oct 2018, at 12:06, David Bennett <[REDACTED]> wrote:

Dear Mr. Baeza.

Mr. Thomas has advised me that you agreed with him on 29th August 2018 that the principal elevation of the above property is the west elevation. This is where the main entrance is positioned and this elevation faces the road which the property address is based on. You also agreed that the north elevation is a side elevation.

Please confirm your agreement that the principal elevation of the above property is the west elevation and that the north elevation is a side elevation.

It does then follow that the north and south elevations can be added to under Class B permitted development rights as they are not principal elevations and neither of them forms the principal elevation AND fronts a highway - these PD rights are of course subject to nothing projecting above the existing ridge, 50m³ maximum volume, no balcony and also subject to the standard Class B conditions.

Mr. Thomas can therefore construct dormers on the north and south roof slopes under PD rights subject to the above.

The balance of the pair of semi-detached properties will be irretrievably be lost if this PD work proceeds. If any development takes place at the attached property, No. 28 Orchard Road, it is likely to be under PD in the form of a hip-to-gable on the east elevation with a north dormer as is becoming widespread. This development would exacerbate the imbalance.

A solution would be to grant planning permission at No. 2 Hillview Crescent for a hip-to-gable on the west elevation with a dormer on the north elevation with a condition removing PD rights relating to the south elevation.

I would suggest that this could be considered effective town planning in that a likely imbalance in the future would be avoided.

I would be grateful if you could consider this and get back to me.

Many thanks.

[REDACTED]

From: Peter Thomas

[REDACTED]

Sent: 22 August 2018 10:05

[REDACTED]

ter

[REDACTED]

PDH

Dear Zac Denton / Juan Baeza

Please could you give some clarification on the email David Bennett sent three weeks ago. I am concerned that the advice given doesn't reflect the advice given by the government guidelines which is preventing us starting any works. Our time is running out to complete the work by the deadline of 31/05/19 and wife and I are wanting to start a family and will need the space in order for our family to grow.

Thank you for your time

Peter & Amy Thomas

Sent from my iPhone

On 1 Aug 2018, at 15:35, David Bennett

[REDACTED]

Dear Zac Denton / Juan Baeza.

I have been advising the owner of the above property, Peter Thomas, in relation to potential development.

Peter made an enquiry to ADC on 20th June 2018 and received a reply from Zac Denton, cc'd to Juan Baeza, on 2nd July 2018 (copied below).

With regards to the roof alterations:

Zac Denton made two references to there being two principal elevations on the property - "the Southern and

Western elevations are considered to be principle elevations".

I would be grateful if you could update your advice taking account of the following.

The government's technical guidance on PD rights (April 2017) states at the bottom of page 7 "There will only be one principal elevation on a house. Where there are two elevations which may have the character of a principal elevation, for example on a corner plot, a view will need to be taken as to which of these forms the principal elevation".

A view needs to be taken on which elevation is the principal elevation of 2 Hillview Crescent.

I would suggest it is the west elevation as this contains the main entrance and it faces the street on which the property address is based.

On this basis, the south elevation roof slope faces a highway but does not form the principal elevation. In that case, Class B PD rights would allow a south facing dormer.

Please confirm this.

With regards to the ground floor extension:

Under Class A PD at A.1 (j)(iii), the enlarged part cannot have a width greater than half the width of the dwellinghouse if the enlarged part extends beyond a wall forming a side elevation of the original dwellinghouse.

The existing kitchen projection is part of the original dwellinghouse so the east wall of this projection is a side elevation (on the basis that you consider the north elevation to be the rear elevation).

The enlarged part extends beyond this wall and it as wide as the house (i.e. greater than half the width of the dwellinghouse). I therefore can't see how the L-shaped wraparound extension can be classed a PD rear extension.

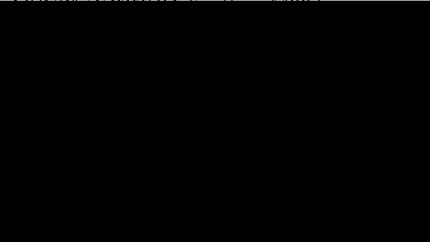
Would it be more appropriate to deem the proposed north elevation a side extension?

Mr. Thomas does not want to implement PD rights for the "rear" extension until this is clarified.

Please comment on the above ASAP as the deadline for completion of larger home extensions is 31st May 2019.

Many thanks.

David Bennett

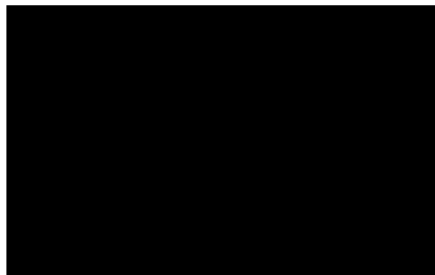


Begin forwarded message:

From: Zac Denton



Date: 2 July 2018 at 08:22:20 BST



Subject: 2 Hillview Crescent - EP/41/18/PDH

Dear Mr Thomas,

Thank you for your email (sent to me for action by Mr Baeza), forwarding an

email to you from
Mr Bennett
making comments
relating to the
Prior Approval of
Development
application at 2
Hillview Crescent,
East Preston. I
will address Mr
Bennetts email
with my
comments below:

*"1. Is this actually a
side extension? It
would follow that it
is a side extension
on the basis that
the front door is on
the west elevation."*

No. As a result of
the layout,
orientation and
design of the host
dwelling, the
Southern **and**
Western are
considered to be
principle elevation
of this property.
However, as a
result of the
previously
mentioned factors
and the character
of the area. The
fencing is deemed
to enclose the
rear of the site in
order to create a
'rear garden/rear
elevation' for the
purposes of the
application.

*"2. If is is a rear
extension, the
enlarged part
includes an element
of side extension
(off the east
elevation of the
kitchen projection)
and is more than
half the width of the
original
dwellinghouse -
this is outside
Permitted*

*Development
limits.”*

The proposal is considered to be a rear extension. As it is considered to be a rear extension, there are no restrictions on how wide the extension may be.

“If the west elevation is the principal elevation then you would have PD rights to construct a dormer on the north and south roof slopes subject to max. volume 50m³, windows being fixed shut up to 1.7m and obscure glazed.”

This is not the case. Due to the prominent siting of the host dwelling, the Southern **and** Western elevations are considered to be principle elevations, and both front a highway.

Please do not hesitate to contact me with any further queries you may have.

Kind regards,

Z Denton

Zachariah Denton | Planning Apprentice, Planning Department, Directorate of Place, Arun District Council | Location: First Floor, Arun Civic Centre, Maltravers Road, Littlehampton, BN17 5LF

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Please note this information is given without prejudice and represents the informal view of the officer and not an official opinion of Arun District Council.



Dear Mr Thomas

I apologise for the delay in responding to you, this is outside of my area of expertise, I will forward it to the team leader for this area to have a look at it.

Yours sincerely

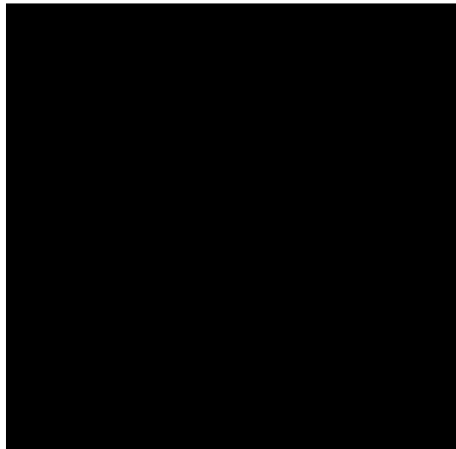
Nicola Spencer | Technical Support Manager, Planning Department, Arun District Council | Location: First floor, Arun Civic Centre, Maltravers Road, Littlehampton, BN17 5LF

Internal: 37446 | External: +44 (0) 1903 737500 ext 37446 | E-mail: nicola.spencer@arun.gov.uk

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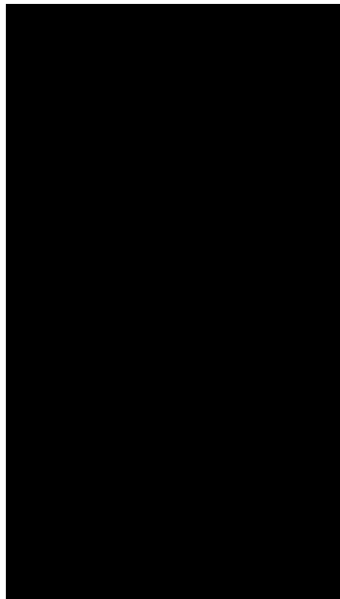
Sorry to keep pestering you, but I'm really not sure where I stand with all of this. We have been trying to sort this out for over a year and would appreciate any information and confirmation.

Look forward to your response

Peter

Sent from my
iPhone

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I have received this email from David Bennett. I'm not entirely sure what it means and was hoping you could help explain what this means. If it's easier, I'm happy for you to talk David to resolve this.

Thank you



**Crescent**

Hi Peter.

Sorry for the delay in getting back to you.

You have been refused planning permission for various iterations of a loft conversion under references EP/44/18/HH, EP/150/17/HH and EP/113/17/HH.

You have also received a Prior Approval Not Required certificate for a rear extension.

I am concerned that the rear extension certificate has been issued incorrectly on two grounds as follows:

1. Is this actually a side extension? It would follow that it is a side extension on the basis that the front door is on the west elevation.

2. If it is a rear extension, the enlarged part includes an element of side extension (off the east elevation of the kitchen projection) and is more than half the width of the original dwellinghouse - this is outside Permitted Development limits.

I would not suggest that you proceed with any development in case there has been a mistake.

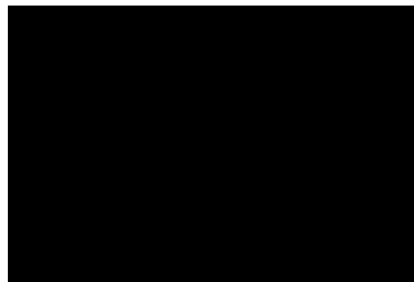
If the west elevation is the principal elevation then you would have PD rights to construct a dormer on the north and south roof slopes subject to max. volume 50m<sup>3</sup>, windows being fixed shut up to 1.7m and obscure glazed.

I would recommend that you contact the planners to discuss the above.

Please send an email to Nicola Spencer



All the best.



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