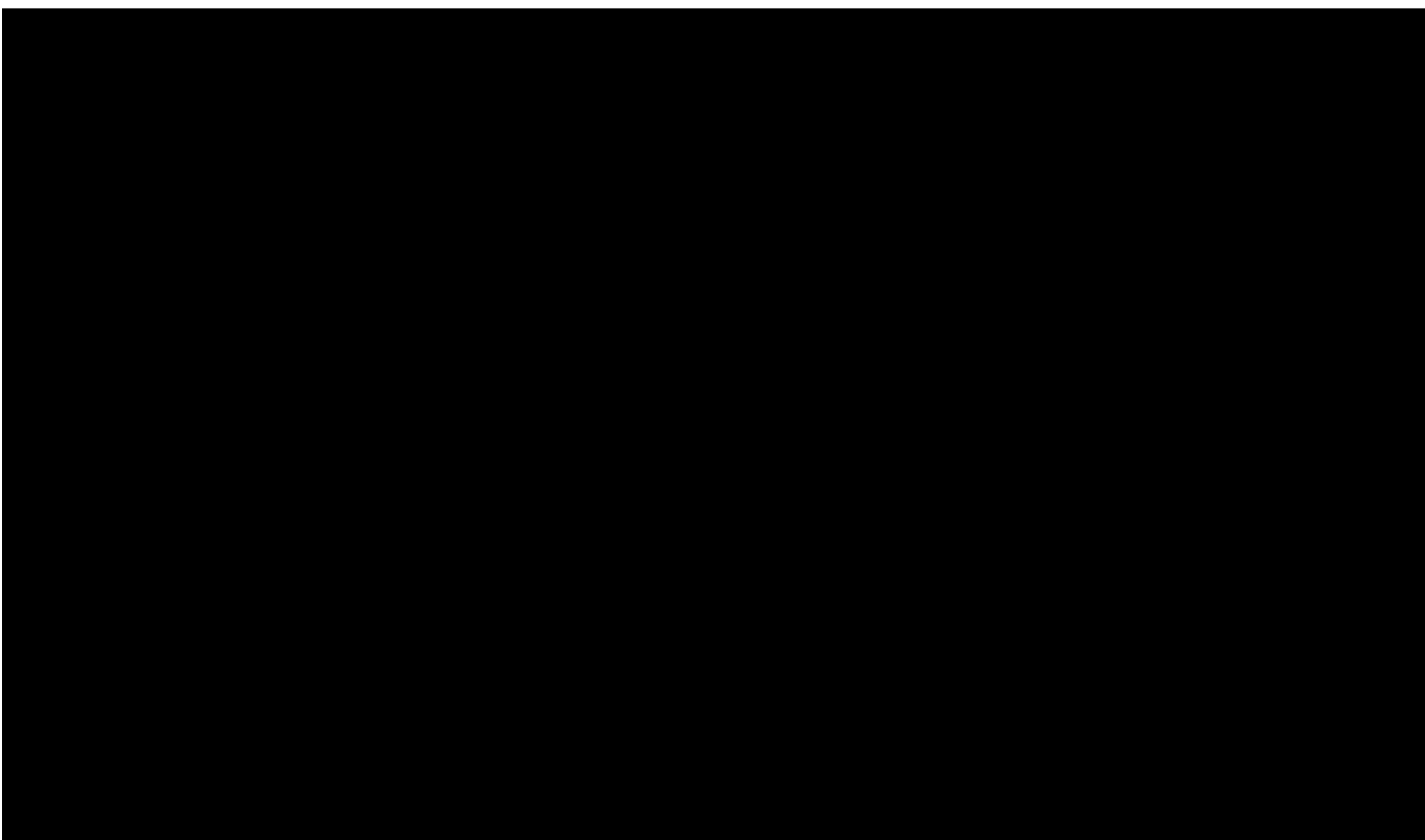




From: sally henderson [REDACTED]
Sent: 17 August 2017 17:02
To: Neil Crowther
Cc: Andrew Wood; Juan Baeza; Cllr. Roger Elkins
Subject: Fwd: 1 Sea Drive, Ferring

I have received no response to my email forwarded below, sent on Monday.

I look forward to hearing from Andrew, Neil or Juan urgently to confirm the council's position on this.

Roger - i am forwarding this to you for information and in the hope you can encourage a response and some action.

Best Regards,

Sally

Sally Henderson



Begin forwarded message:

From: sally henderson [REDACTED]
Subject: 1 Sea Drive, Ferring
Date: 14 August 2017 at 23:41:06 BST

To: Neil Crowther <neil.crowther@arun.gov.uk>, Andrew Wood <andrew.wood@arun.gov.uk>, Juan Baeza <Juan.Baeza@arun.gov.uk>
Cc: AA Steve Ballard [REDACTED]

I write further to my previous representation with regards to the inadequacy of the obscure glazing condition proposed on the application for flats at 1 Sea Drive.

Privacy within one's home is a material planning consideration.

Paragraph 203 of the National Planning Policy Framework states “Local planning authorities should consider whether otherwise unacceptable development could be made acceptable through the use of conditions”

You obviously feel this is the case with regards to overlooking from the proposed block of flats into our home and garden, since you propose permitting the application subject to condition 14 re obscure glazing.

Paragraph 206 of the National Planning Policy Framework states “Planning conditions should only be imposed where they are:

1. necessary;
2. relevant to planning and;
3. to the development to be permitted;
4. enforceable;
5. precise and;
6. reasonable in all other respects.”

Condition 14 is not precise and therefore may not give the result of making otherwise unacceptable development, acceptable. It may result in us losing our privacy in our home because the condition is so vague as to allow ANY obscure glass to be used. Reference to the Pilkington obscurity level chart demonstrates how insignificant the protection of privacy would be at levels 1-3.

I have highlighted this and requested a pilkington level 5 glass is conditioned in the windows that overlook our house and garden, and whilst your report acknowledges this representation it does not accommodate the request and nor does it give any reason for not accommodating this request.

The other option the council could use to ensure that condition 14 is precise and capable of producing the results for which it is justified in the reasons given would be to use a materials approval clause with wording such as -

Prior to the first occupation of the extension hereby permitted, windows of the extension facing the common boundary with **INSERT** shall be fixed shut and glazed with obscure glass the details of which shall be submitted to and agreed in writing by the Local Planning Authority prior to development commencing. The agreed form of windows and obscure glazing shall be retained thereafter.

Since this matter is one that would have a huge impact on our home and lives, please be assured that it is something we would pursue. I have been advised that if the council failed to follow government guidance on imposing conditions and this resulted in us suffering a loss, the council would be liable to remedy this loss. I am therefore highlighting this issue again now, at a stage where this can still be remedied.

Yours sincerely,

Sally

