



Ferring Parish Council
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Your Ref: OWPC21973
Our Ref: FG/1/19/PL
Please ask for:
Mr J Baeza

3rd April 2019

Dear Sir/Madam

Town & Country Planning Act 1990 (as amended)
Town and Country Planning (Development Management Procedure) (England) Order 2015

Variation of condition 4 imposed under FG/1/18/HH to read: The 2 bathroom windows on the east facing elevation of the dormer on the east side of the dwelling house shall at all times be glazed with obscure glazing and be fixed to be permanently non-opening where they are below 1.7 metres measured from the finished floor level of the room in which the windows are installed.

Variation of Condition 5 imposed under FG/1/18/HH for the first 2 No. west facing velux windows within the existing roof structure to be glazed with clear glass & to be fully opening. The remaining velux windows - 2 No. west within the proposed roof extension & 2 No. east - one within the existing roof structure & one within the proposed roof extension to be permanently obscured and permanently fixed shut with internal lock as per details submitted (VELUX locking handle) to a height of 1.7m. The obscured windows are agreed to be only opened 4 times per year to be cleaned & maintained and on each of these occasions the Council should be notified in advance of when this is to take place.

63 Midhurst Drive Ferring

Thank you for your internet comments made on 3rd April 2019 which has been recorded as **'an objection'** with the comments as follows:

Ferring Parish Council objects to this retrospective request for variation to Conditions 4 & 5 of the approved application FG/1/18/HH.

There have been no exceptional grounds submitted to validate such a request. The original approval was only granted subject to the specific conditions to protect the privacy of neighbours and to mitigate the impact on their right to continue to enjoy the peaceful and secluded amenity of their gardens and property. The decision was issued to the agents, professional chartered surveyors and architectural consultants who would fully understand the conditions rightly imposed by A.D.C.

This is a deliberate attempt to manipulate planning decisions and undermine the planning process. We are seeing a number of cases where planning conditions are being ignored in contempt of decisions made on valid planning grounds after undergoing due process. The variations requested would be almost impossible to monitor or enforce. There are no sound reasons for the requests to remove the permanently fixed windows and obscure glass conditions to be replaced by lockable windows and window film, both of which only offer a temporary and easily over-ridden alternative.

It is crucial that Arun District Council enforces the decisions made in order to uphold public

confidence in the integrity of the planning process which would be seriously jeopardised if such infringements are permitted except possibly in the most exceptional circumstances. No such exceptional circumstances apply to this case and it must therefore be refused.

Your views will be considered before the application is determined and I shall write to inform you of any decision made.

Please be aware that if the application is to be determined by the Council's Development Control committee and your letter has been received at a late stage after the Agenda has been published you will not receive a separate letter notifying you of the date of the meeting and procedures for public speaking. In such circumstances it is recommended that you track the progress of the application on the Council's website or telephone the Council for further information. Please be advised that any comments you make that are not included within the Committee Agenda will be reported to the Members of the Development Control committee. Please also be aware that only a small number of all planning applications received go the Development Control Committee. Most are determined under delegated powers by Officers in which case your comments will again be considered before the application is determined.

Please be aware that Planning Services operate an 'open file' policy and will publish details of your comments on the internet on the Arun District Council Planning section. Please ensure that you only provide information that you are happy will be made available in this way. If you supply information belonging to a third party, please ensure you have their permission to do so. If you do not wish your comments to appear on the 'open file' please confirm this in writing and I will arrange for it to be destroyed although this means that its contents will then be disregarded.

In the event of a subsequent written representations appeal, against a refusal of planning permission on a householder application, any representations made on the application will be automatically forwarded to the Secretary of State. Unlike all other types of appeal, there will be no further opportunity to comment at the appeal stage.

Yours faithfully

A handwritten signature in black ink, appearing to be 'NC' followed by a flourish and a period.

Neil Crowther
Group Head of Planning