

PL-REP

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#### Our priorities...



**From:** Charles Wood [REDACTED]  
**Sent:** 03 February 2026 14:24  
**To:** Rhiannon Lloyd <Rhiannon.Lloyd@arun.gov.uk>  
**Cc:** Planning.Responses <Planning.Responses@arun.gov.uk>; Planning <Planning@arun.gov.uk>  
**Subject:** Objection to planning application M/98/25/HH

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4 The Hard,  
Elmer Sands  
PO22 6JS

For the attention of case officer Rhiannon Lloyd

The following is my objection to certain parts of the planning permission **M/98/25/HH** which follows enforcement case **ENF/328/24** following refusal and dismissed appeal of **M/100/24/HH** which will support the document sent by the other immediate neighbours at 2 Elmer Court.

#### Statements in the Planning Permission Application which I question

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##### Point of information

The path at the top of the sea defence immediately South of 1 Elmer Court is in fact the England Coast Path with a right of way as designated in the Marine and Coastal Access Act 2009. The development can be clearly seen from this public right of way.

There are considerable inconsistencies in the stated width of the balcony in question and I cannot see in the plans that there is any intention to reduce this width from that which currently pertains and which was rejected by the council when a planning application was previously submitted.

- Consequently the proposed balcony remains far too close to our boundary for privacy.

##### Introduction and reasons for objections

We would be very happy for a balcony to be constructed to the rear of 1, Elmer Court as many other properties in this area enjoy this amenity.

However, the modified plans from the “2024 scheme” refused by Arun and dismissed on Appeal by the Inspector appointed by The Secretary of State, are minor and do not address the reasons for refusal. In fact, the width of the proposed balcony area is unchanged and its structure continuing to be the entire width of the applicant’s property (boundary to boundary) completely overwhelms the rear of the property contrary to Arun policy D DM1.

A less wide balcony that takes account of the sight lines into our bedrooms would be perfectly acceptable.

While it is to be welcomed that the depth of the so called “Pergola” extension has been reduced to a more acceptable level of 2500mm from the previously refused application, the width of the balcony adjoining both neighbouring properties remains unacceptable due to privacy (overlooking) and noise issues. This was one of a number of key reasons that Arun Council refused planning permission and the Planning Inspector dismissed the appeal, so therefore the proposed width (boundary to boundary) being unchanged remains unacceptable and contrary to the decision of the Planning Inspector.

Under the Arun Local Plan Policies, the currently built and proposed width of the balcony fails in several areas as has previously been identified by Arun Planning and the Planning Inspector

Arun Policy D DM1, the width **fails** Item 3., “Impact have minimal impact to users and occupiers of nearby property and land. For example, by avoiding significant loss of sunlight, privacy and outlook and unacceptable noise and disturbance.

Arun Policy D DM4, the width **fails** item c. “the extension or alteration does not have an adverse overshadowing, overlooking or overbearing effect on neighbouring properties;”

Arun Policy D DM4, the width **fails** item d. “in streets characterised by relatively small gaps at first floor level between buildings, any extension or alteration at first floor level does not come to within a minimum of one metre of the side boundary.”

In this case the gaps between No.4 The Hard, 1, Elmer Court and 2, Elmer Court are indeed “relatively small”, and as the balcony is at first floor level it fails the test, “*any extension or alteration at first floor level does not come to within a minimum of one metre of the side boundary*”.

As a result, the remaining proximity to the boundaries continue to result in unacceptable overlooking, loss of privacy and noise disturbance as neighbouring gardens can be gazed down upon from any occupants of the proposed balcony from a very short distance regardless of privacy screens.

In addition, the height including the substantial metal and glass side screens will be 4.50 meters built at the boundary maintaining overshadowing and overbearing as identified by the Arun Planning officer in their refusal and appeal dismissed by the planning Inspector.

It appears that to attempt to mitigate and overcome this restriction, the applicant is proposing obscured glass privacy screens. The installation of these screens is not a substitute to reducing the width of the balcony to no closer than 1 meter from the boundaries. By their nature, balconies encourage prolonged outdoor use at height, increasing noise levels and disturbance, particularly during evenings and weekends, to the detriment of neighbouring residents. Lack of privacy and considerable overlooking will remain at an unacceptable level. Users of the balcony will be directly overhead of the side garden of 4 The Hard eliminating the previous privacy this area enjoyed. Although these nuisances cannot be entirely eliminated, increasing the distance from the boundary is essential as the proposed 900mm “return” privacy panel to each side of the balcony is an entirely inadequate size to prevent close overlooking of neighbouring gardens

### Conclusion

While we would not object to a balcony with the proposed depth of 2.5m, we do object to the current width for reasons set out above which we note was also objected to by Arun Planning and the Inspector of state.

It is noted that the applicants installed access doors without permission at each edge of the proposed balcony meaning they may not be able to be used for access with a reduction in width of the balcony, however with respect, this cannot be considered when assessing this revised planning permission application,

We therefore call for either refusal on basis of unchanged size of the balcony, or revised plans be submitted with the balcony set back from the boundaries. We respectfully suggest that the decision of the Inspector appointed by the Secretary of State should stand and not overruled as the proposed modifications do not meet their concerns or reason for the appeal dismissal.

Dr and Mrs C. Wood

4 The Hard, Elmer Sands