

JERRY VICTOR LECUYER
18 CUDLOW AVE
RUSTINGTON
WEST SUSSEX
BN16 2HE

Your Ref: OWPC978

Our Ref: R/190/13/

15-08-2013

Please ask for:

Mr J Smith

17th September 2013

Dear Sir/Madam

Town & Country Planning Act 1990 (as amended)

Town and Country Planning (Development Management Procedure) (England) Order 2010 (as amended)

1 No three bedroom detached house

Land to the rear of 20 and 22 Broadmark Lane Rustington

Thank you for your internet representation made on 13th September 2013 which has been recorded as '**an objection**' with the comments as follows:

I object on the grounds that this new proposed house is not in keeping with the other houses around and has mis-represented itself to the other owner/occupiers in as much as they were led to believe that a chalet bungalow was what was proposed. The new owners of no.18 & 20 were misled into purchasing their houses which only completed within the last 2/3 months when the previous application was on the table and to which they had no objections. I also object that this will cause distress to the owner of 20 Broadmark lane as the new proposal will block out the sun which would have been received from a west facing garden and another factor in the purchase of this property. I have investigated this claim and discovered that in effect, the owner of a building with windows that have received natural daylight for 20 years or more is entitled to forbid any construction or other obstruction that would deprive him or her of that illumination. Neighbours cannot build anything that would block the light without permission. The owner may build more or larger windows but cannot enlarge their new windows before the new period of 20 years has expired. It is also possible for a right to light to exist if granted expressly by deed, or granted implicitly, for example under the rule in Wheeldon v. Burrows (1879). I trust this is helpful when you make your decision

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 to 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

Karl Roberts
Assistant Director Planning & Economic Regeneration