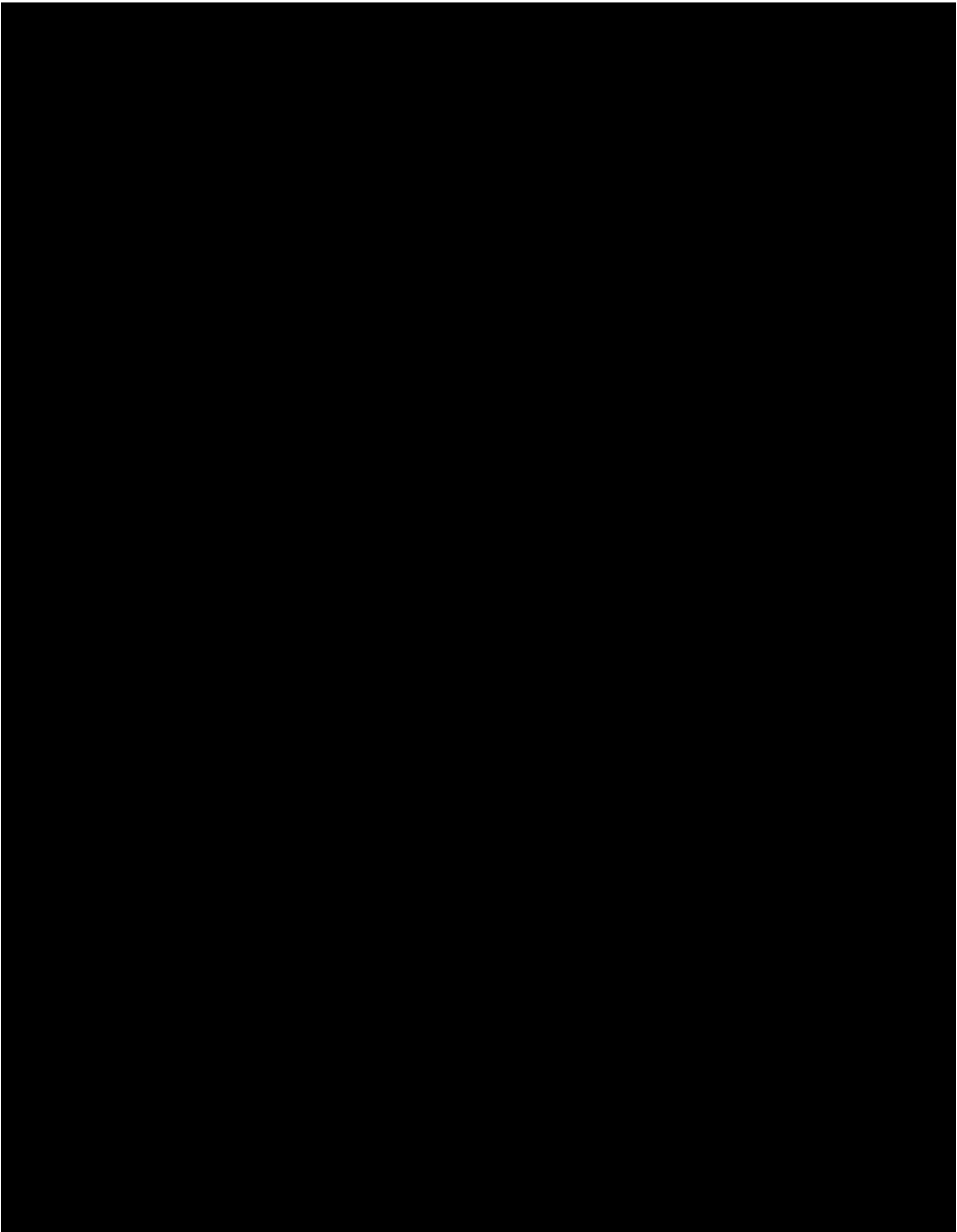




Ref.OWPC31792

Re Planning Application R/227/20/PL Laundry 38 Oakhurst Gardens/Rustington Hall

(Right to light Prescription Act 1832)

<https://www.legislation.gov.uk/ukpga/Will4/2-3/71>

3 Claim to the use of light enjoyed for 20 years. **(Right to light as we have enjoyed this air, space and light for 50 years).** When the access and use of light to and for any dwelling house, workshop, or other building shall have been actually enjoyed therewith for the full period of twenty years without interruption, the right thereto shall be deemed absolute and indefeasible, any local usage or custom to the contrary notwithstanding, unless it shall appear that the same was enjoyed by some consent or agreement expressly made or given for that purpose by deed or writing.

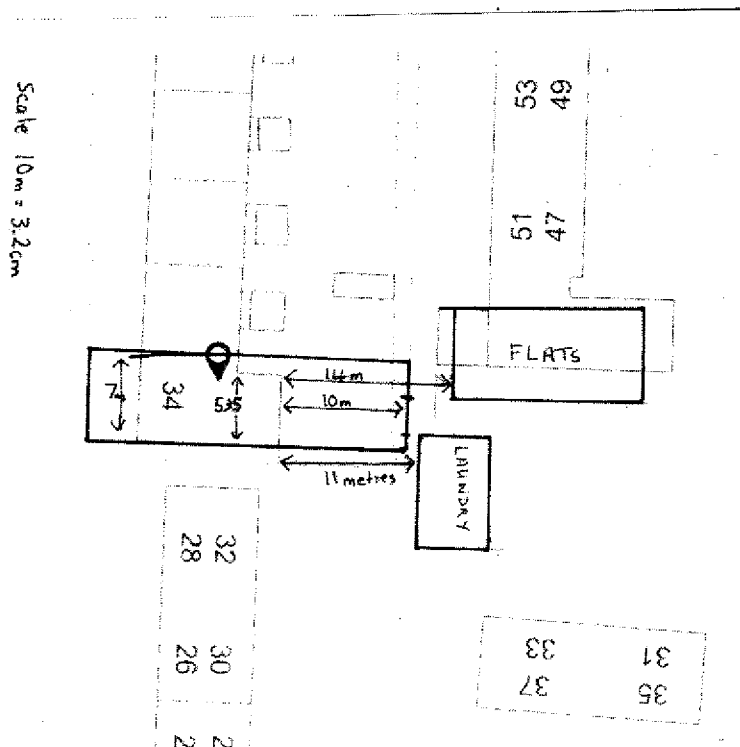
Our objection to this proposed development hinges around the "RIGHT TO LIGHT PRESCRIPTION ACT 1832." and the quality of our life.

We have lived in this house for 50 years, and see it as our family home. We have no intentions of moving and wish to remain here for the rest of our lives. We have enjoyed a good quality of life with uninterrupted light, air, space and views for all of these years.

We do not accept this development because it is so unreasonably close that it will be; large and overpowering; unsightly; unsympathetic in appearance; overbearing; encroaching; out of character and overshadowing and crammed in.

The 2 storey building will completely dominate the outlook from our kitchen window, making it dark and depressing with no skyline or focal distance available. We will feel like prisoners in our own home, fenced in, locked up and unhappy with what used to be a happy carefree life. We would feel trapped, claustrophobic and closed in unable to

escape. Adversely affecting our health, mental wellbeing and living conditions.



The buildings are too close and overpowering and oppressive. The 2 storey height, mass and design would be detrimental to the visual amenities of 34 and 36; cramped and overly dominant in its setting, blocking our light, over-bearing and unsympathetic appearance to No's 34 and 36 Guildford Rd, which would be severely detrimental to our quiet enjoyment.

We dispute some of the measurements on the plans as inaccurate. Our extension was not taken into consideration. The proposed laundry will be 11 metres from our extension window and 2 storey block will be 14 metres away. We consider this as being unacceptable. We will feel, cramped; hemmed in; isolated and imprisoned and staring at brick walls. With no relief from looking at buildings apart from a 3 metre wide tunnel of space between the laundry and apartment block which will be offset from our windows. This will be the only corridor for focal distance which we will not be able to access from the ground floor.

The new buildings will be highly detrimental to the quality and mental wellbeing and health of our retirement. They will adversely impact and compromise our outlook and visual enjoyment as they will appear in our face all the time. No amount of landscaping will ease the feeling of entrapment as it will have the affect of closing us in more.

During the demolition and building work stages, our garden would become untenable to us for our relaxing, privacy, for working in (crop growing) or clothes drying due to the amounts of dust, fumes, particles, noise, exhaust fumes and other pollutants that will be in the air so close and over the fence.

With the laundry block being so close to the boundary fence we will have a background noise from the washing machines and dryers going all the time when we are in our garden. As I wear hearing aids so it will be more noticeable to me. Their plans show extractor fans on the west wall. When they are operational they will be blowing washing detergent odours, dust and fibres over the fence into our direction especially as the air flow frequently blows from the south.

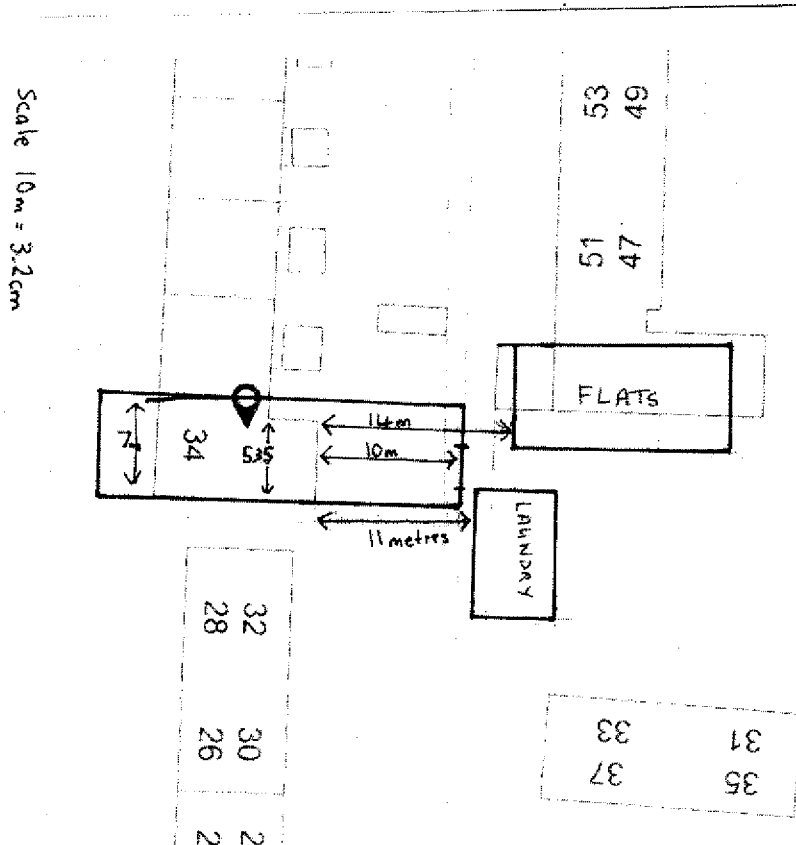
The whole concept of these plans seem a like a complete disregard for our retirement lives. This is not a recipe for healthy living lifestyle for us surely. Whilst improving the retirement lives for the many Rustington Hall residents it will sadly be at the expense of our welfare making us feel of no importance.

We would appreciate a site visit from Rustington Parish and Arun District Councils to observe and discuss our concerns if that could be arranged.

Mr and Mrs Lee
34 Guildford Road
Rustington Sussex BN16 3JJ

1.12.20

Re Planning Application R/227/20/PL Laundry 38 Oakhurst Gardens/Rustington Hall



Objections to the plans

written by Margaret P Lee

We have studied the plans and agree that they look lovely in the architect's drawings with the perspective making it look quite impressive.

However the same cannot be said for our side of the border fence.

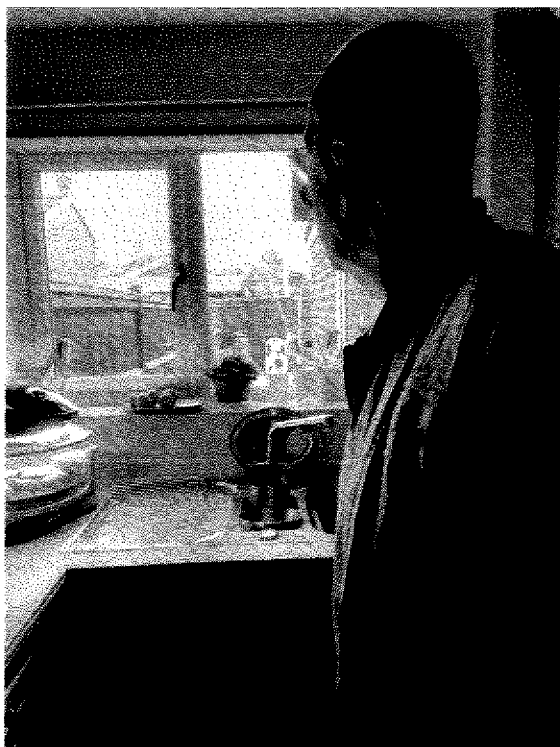
The picture opposite shows our house with an extension, whereas the measurements in the planning application are different.

We used the map from Arun District Council Plans and overlaid the proposed position of the laundry block and apartments. We did the best we could with limited skills and resources. The proximity of the buildings is too close, overbearing, claustrophobic and limiting our light and outlook.

We have tried to liaise with Peter Cleveland at Henry Adams and unfortunately he was unable to solve the situation to our satisfaction. There is nothing he can do to stop us feeling trapped and of no importance.

We are not very good at drawing so the approximate positioning of the new building won't be entirely accurate but will give our impression.

View from Kitchen showing existing shed and laundry building



We dispute the measurements in the planned proposal. The 2 storey apartments will be only 14 metres from our extension and will be **overbearing**. We calculate that the southern side of the new build will extend 4 metres past our northern boundary fence with no.36 Guildford Rd.

All we will see from our kitchen will be brick wall. The camera distorts the perspective and make the garden seem longer than it is. It will reduce the amount of light that we have enjoyed over the last 50 years of residence here.



We spend a large part of our lives in the kitchen and will feel as though we are in a **prison with the walls bearing down on us**. We won't be able to see into the distance at all from here.

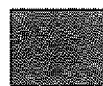
Since the covid lock down in March we are happily staying at home enjoying our home and garden. The new building will destroy our quiet enjoyment and a happy lifestyle in retirement.

Our quality of life will be destroyed.



This is having a **detrimental**

effect on our mental health and wellbeing. The very thought of noisy building work and new buildings fill us with dread.



Proposed new building 14 metres away from our extension

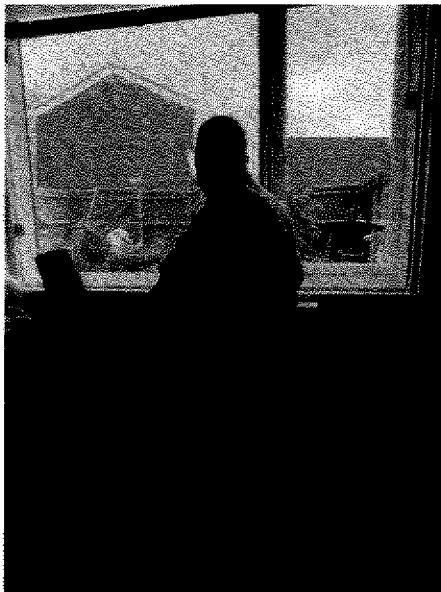
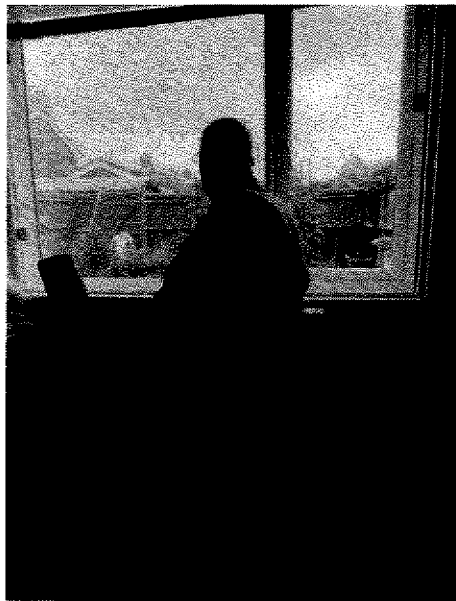


Our extension is 10metres from the adjoining boundary fence with Oakhurst Gardens and the plans to build the New Laundry block will be 1metre inside their fence.

We could not see the height of the intended laundry block on the plans and even with a lower roof elevation we will still be fenced in by the building. Where the extraction fans will be is also a point of concern as dust particles will be blown over the

fence. Most clothing has micro plastic particles and we are very concerned about air quality and the noise from washing machines and tumble driers which could possibly be in constant use and operational all day and night on timers. The constant smells of washing products would also be unpleasant to us as both of us have either a heightened sense of smell and of hearing (hearing aids). Mr Lee enjoys growing vegetables and fruit organically and Mrs Lee uses the garden for yoga and fresh clean air. We try to keep a healthy lifestyle.

The width across our garden is 7 metres. Our calculations work out that we will have a gap of 3 metres in between



the 2 buildings to see into the distance. The picture shows an approximate idea of how it will be.

The extension is in constant use as a study/relaxation/yoga room with at the moment a lovely view into the garden, sky and space. It is a place of peace and tranquillity. The new buildings will take this away from us. Our visual amenities will be impaired. We feel it so strongly that our lives will be not worth

living. We are too old to move. We raised 3 children in this house and need to stay here for the rest of our lives.

We would like a site visit for the planning department to check the measurements. We invite the planning department to arrange a visit to our property and observe the situation from our garden. The plans do not show our extension which is a brick built structure with proper foundations and had planning permission years ago. Therefore it should have been shown on the plans to gauge the correct distance.

Summary

We will feel like prisoners in our own home. Fenced in, locked up and unhappy with what used to be a happy carefree life. Trapped, claustrophobic and closed in unable to escape. Adversely affecting our health, mental wellbeing and living conditions. The buildings are too close and overpowering and oppressive. Its height, mass and design would be detrimental to the visual amenities of 34 and 36; cramped and overly dominant in its setting, blocking our light, over-bearing and unsympathetic appearance to No's 34 and 36 Guildford Rd, which would be severely detrimental to our quiet enjoyment. No amount of landscaping plants will improve the entrapment.

(Right to light Prescription Act 1832)

<https://www.legislation.gov.uk/ukpga/Will4/2-3/71>

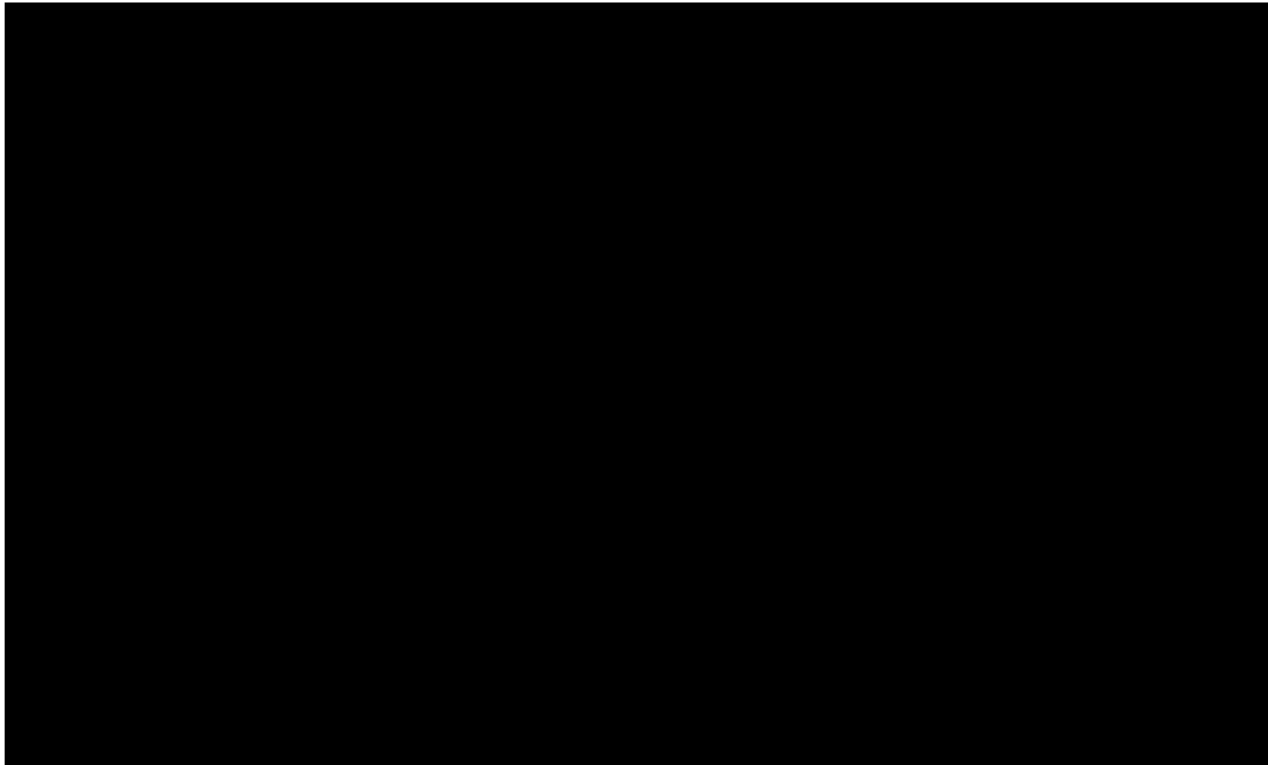
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R/227/20/PL

OBJECTION written by Alan V Lee

We moved into this property when it was built in 1970. We have enjoyed the light and unobstructed views that we get for over 50 years, and would like them to continue until we are no longer here. But we have no intention of moving from here as it is our family home.



When we received the proposed plans for the Oakhurst Development we spoke to Mr Peter Cleveland of Henry Adams with our concerns.

We asked if;

- 1) The laundry block could go to the East end of the area;
- 2) He could bring someone from the association with him and have a site meeting with us;
- 3) The new drawings could show our property in relation to the new buildings.

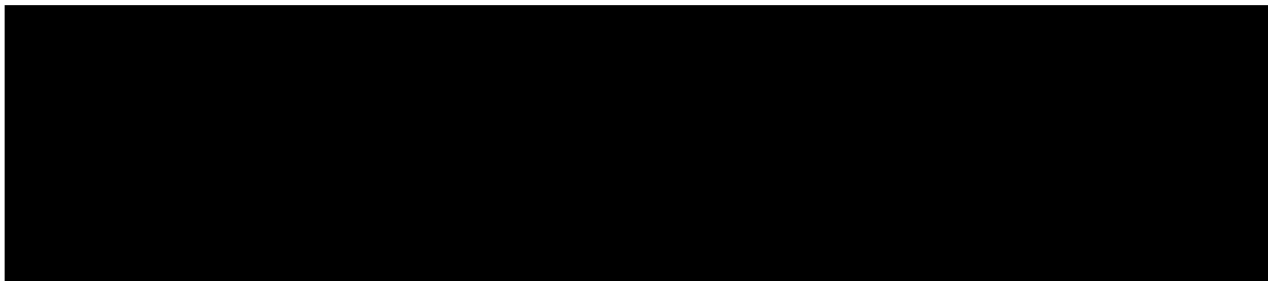
His replies were;

- 1) No answer was given;
- 2) Not possible because of covid19 restrictions;
- 3) That their side of the dividing fence was done to scale and our side was taken from the ordinance survey maps.

We asked for a copy of the plans they were going to submit to the planning department. These were received and we noticed that no alterations had been made at all, so again our extension was not shown.

We must agree with them that the new buildings will look lovely and be ideal for retired people from their perception/viewpoint.

We also strongly object to them building both the flats and the laundry as it will be highly detrimental to the quality of our retirement. It will be unsympathetic in appearance from our side of the fence. It will adversely impact and drastically compromise our outlook by appearing to fill in the backdrop that we have from our windows. It will make us feel cramped, claustrophobic and enclosed like prisoners staring at brick walls.



We have used the ADC map of our properties and transposed the architect's drawings onto the map showing how close the new buildings will be to our dwelling / boundary. We are disputing some of the given measurements so we have shown distances etc using our own measurements to the best of our ability.

We have taken photographs looking out of our windows (see separate submission) and as we are not architects we are unable to show accurate perspectives but we have tried to apply images of what we feel it would look like once the buildings are completed. Words that come to mind like; eyesore; overbearing; overshadowing; encroaching; overpowering; claustrophobic; light / view blocking; are but a few.

Laundry block.

I spend quite a lot of time in our garden, where we like to grow a limited amount of produce within it so sun light is of great importance. The new laundry block will be overbearing, shadowing and detrimental towards it. It will be so close that we are going to hear the washing machines and dryers going when we are in our garden. According to information within the

proposed plans these are “in constant use”, throughout the day. As I wear hearing aids it will be more noticeable to me.

On the plans, extractor fans are shown on the west wall, so we will be getting all the smell of the different detergents etc that will be used, not to mention all the fibres that will become airborne from the dryers.

Not a very good recipe for healthy living for us surely.

Demolition and build.

The quiet peaceful garden life and home life we are used to will be shattered and spoilt for possibly a year or more by;

- 1) The noise from hand, electrical and heavy plant machinery;
- 2) Large quantities of dust, fumes and fibres blowing everywhere;
- 3) Large volumes of machinery exhaust fumes and particles being pumped into the air;
- 4) Radios, shouting and loud conversations, with possibly a few foul words thrown in, may also be heard;
- 5) Loss of privacy. We will be overlooked by workman all the time:

Items 1-4 will affect the nearby residents of Guildford Road and Oakhurst Gardens as much as us. Luckily neither my wife nor I suffer with lung / breathing problems as yet. Many of the residents of Guildford Road flats are elderly and have poor health.

In this present covid 19 situation we are not out and about as much as we used to be. With building work going on at the end of our garden and being so close to our windows, we anticipate needing to close them due to noise and dust. We may also have to shut the blinds for privacy thus cutting out the natural light. This will certainly make us more withdrawn, more depressed and feeling totally imprisoned.

If this development goes ahead, our healthy and worthwhile lifestyle is going to be greatly impaired.

We would like to request a site visit be made, to observe our concerns, from both Rustington Parish and Arun District Councils.