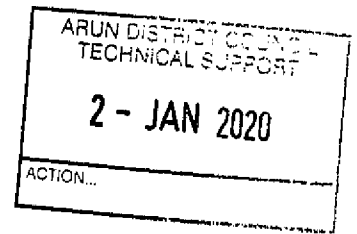


9 Cross Road, Rustington
Littlehampton BN16 2ST

Mr. Zac Denton, Planning Officer
Arun District Council
Maltravers Road
Littlehampton BN17 5LF



29 December 2019

Dear Mr. Denton

Planning Application Ref: R/270/19/HH (resubmission of R/197/18/HH)
1 Pigeonhouse Lane, Rustington

We are writing in relation to the above Planning Application and wish to object to it on the following grounds. We know that you are familiar with the property from the previous application which was rejected by ADC and subsequently on appeal by The Planning Inspectorate but thought it useful to restate the spatial relationship between our property 9 Cross Road (9CR) and 1 Pigeonhouse Lane (1PL).

Spatial Context: 9CR sits on a corner plot with no other close neighbours but is directly to the north of 1PL, around 1 metre from the boundary fence on each side and therefore in very close proximity. The principal living areas of 9CR all face due south onto the boundary fence and the location of the window apertures to these rooms is original to the time both properties were constructed in 1959. Given the very limited separation distance, the south facing high level windows in the living room (which are the only source of light other than the west-facing patio doors) were designed to maximise access to natural light in relation to the bungalow to the south (1PL).

First Floor Rear Extension - Impact on Daylight: The proposals in the new application have been designed to reduce in part the issues of scale and massing in the previous rejected application. However, while the depth of the first floor rear extension has been reduced, its height and width as well as its close proximity to our boundary remain virtually unchanged. The rear extension also continues to extend past the line of the original dwelling, extending some 2.25 metres over the already extended footprint of 1PL. The proposals will continue to create very significant overshadowing and overhanging issues for our property, in particular in the living room, and will significantly restrict natural light especially during the winter months.

First Floor Rear Extension - Impact on Privacy and Amenity: The proposal to move the existing northern velux window on the east side of 1PL 1.3m closer to our property will afford it direct views into our living room and the kitchen/breakfast room beyond through the high level living room window. This will be even more pronounced if the velux (like the existing velux) is at the level proposed, a top-hung style with the sill around waist level, fully openable and the glass not opaqued. The same direct overlook will also be possible with a side view from the new proposed Juliet balconies with full opening doors affording views to north and south. Mr. Antoniou's assertion in the Planning, Design and Access Statement (clause 6.14) that: "There would be no loss of privacy with the new first floor windows extending views along the length of the garden as opposed to having views to the north and south" is frankly nonsense. This overlooking represents a very extensive intrusion into our privacy inside our property and loss of our amenity. Furthermore, our main patio (to the east) which includes our only outdoor dining area and also our principal garden space would be entirely overlooked by the proposed Juliet balconies. Mr. Antoniou states in clause 6.14 that "the adjacent outdoor space is not solely relied upon for external enjoyment". We do not believe that it is Mr. Antoniou's function to determine which part of our garden we may enjoy (and we believe the Planning Inspector concurred in his report (Clause 9)).

New Front Veluxes - Impact on Privacy and Amenity: The current proposal also includes a new velux window to the north west of the property which directly overlooks the sun patio adjacent to our living room. The new velux window is again only some 0.7m from the edge of the roof which gives it direct views onto our sun patio and obliquely through the high level window to our home office. Once again, this overlook will be even more intrusive

if the new velux is a top-hung style with the sill around waist level, fully openable and the glass not opaqued. Our patios, which are currently private and not overlooked, would therefore now both be fully overlooked and we would thereby suffer a loss of privacy and amenity which would greatly reduce the ability quietly to enjoy our outdoor space.

Mitigation: We would be unable to mitigate either the internal or outdoor overlooking by planting/landscaping on our side of the boundary fence due to the narrowness of the external corridor between our property and the boundary fence. In any event, planting to a necessary height would cut out the very light on which we rely in the living room.

Grey Zinc Roof - Architectural Visualisation: We note that the proposals include a "grey zinc roof" for the first floor rear extension. We believe this is not vernacular to the area and it is difficult to visualise the intended result from the plans provided. We would therefore request an architectural visualisation to allow us to assess the materials proposed, their visual impact and whether they represent an addition which is subservient and not incongruous to the host dwelling.

Restrictive Covenants: We also have to say that we are surprised to see this proposal submitted at all. While we are aware that legal covenants on property are not an ADC planning issue we think it is important to place on record that 1PL is subject to pre-existing restrictive covenants with regard to first floor fenestration and this proposal is clearly in breach of those covenants.

In conclusion:

- The current extended footprint of 1PL was approved by ADC (app. ref.: R/55/05) on the basis that any roof windows in the loft conversion would create an overlook that was only oblique in nature. The current proposal creates an overlook that is direct (both externally and inside our property) and represents an utterly unacceptable intrusion on our privacy and an undoubted loss of amenity;
- While the new proposals reduce in part some of the issues of scale and massing in the previous rejected application, significant issues of overshadowing and overbearing remain, impacting particularly on daylight into our living room.
- In addition the proposals create entirely new issues of overlooking to the interior of our property, its dining patio and garden, and to the sun patio adjacent to the living room. In Mr. Antoniou's report (clause 6.34) he asserts that the "additions" are designed "to not result in any significant loss of daylight and sunlight nor would impact upon privacy to the neighbouring properties". As can be clearly evidenced from within our living room and from our patios the "additions" would undoubtedly create both of these very issues.
- This remains an unneighbourly development which will have a significant harmful impact on our living conditions.

We believe that it will not be possible to assess the full detrimental impact of the proposals on our quality of life without viewing them in person. We therefore strongly request that you contact us to arrange a site visit to our property. We should also be grateful if you would take our objections into consideration when deciding this application.

Yours sincerely,

