# Comments for Planning Application AWDM/1774/20

1 message

**planning@adur-worthing.gov.uk** <planning@adur-worthing.gov.uk> 9 November 2020 at 12:11
To: planning@adur-worthing.gov.uk

Planning Application comments have been made. A summary of the comments is provided below.

Comments were submitted at 12:11 PM on 09 Nov 2020 from Mr Brian McCauley.

## Application Summary

**Address:** 160 Old Fort Road Shoreham-By-Sea West Sussex BN43 5HL

**Proposal:** Variation of Condition 1 of approved ADC/0120/10 to enable window to be obscure glazed to a height of 1.2 metres above floor level in South elevation of extension|cr||cr|Condition Number(s): Condition 1|cr||cr|Conditions(s) Removal:|cr||cr|The applicant has failed to comply with the condition and the window in question currently has clear glazing. Its removal and replacement with obscure glazing is the subject of Local Authority enforcement action. Further to discussions with the Planning Dept, the applicant is organising the replacement of the clear glazing with obscure glazing to at least 1.2 metres above floor level. |cr|Condition 1 to remain as approved.

**Case Officer:** Marie O'Keeffe

Click for further information

## Customer Details

**Name:** Mr Brian McCauley

**Address:** 158 Old Fort Road, Shoreham-By-Sea, West Sussex BN43 5HL

## Comments Details

**Commenter Type:** Neighbour

**Stance:** Customer objects to the Planning Application

**Reasons for comment:** - Privacy Light and Noise

**Comments:** Variation of Condition 1 of approved ADC/0120/10 to enable window to be obscure glazed to height 1.2 meters above floor level in South elevation extension

We object to this application in the strongest possible way.

We plead with Adur & Worthing Council to follow through with the enforcement action previously issued to the applicant.

We deem this harassment by the applicant. The application is wasting council time at the expense of our right to privacy which is compromised for the last

17 months.

A simple review of the history of ADC/012/10 highlights that the applicant is aware that the window should be fully obscured since 2010. Further application in March 2020 to have the window clear was declined. This current application has halted the enforcement action. We do not understand why. When this application is declined, can the occupiers of 160 Old Fort Road simply make a slight amendment and continue to be in violation of the Council's previous decisions while continuing to violate our privacy? The applicant has a clear history of requesting retrospective planning consent.

Regarding this most recent application, the 1.2 meters obscuring from the floor level does nothing to enhance the privacy we are denied since July 2019.

To save us from further wasting our time, please find set out below the objections we submitted to the previous application.

We ask the the planning department to help resolve this and put an end to this harassment once and for all.

Previous objection:
On Wednesday, 1 April 2020, 17:58:46 BST, planning@adur-worthing.gov.uk wrote:

Mrs Kate McCauley,

You have been sent this email because you or somebody else has submitted a comment on a Planning Application to your local authority using your email address. A summary of your comments is provided below.

Comments were submitted at 5:58 PM on 01 Apr 2020 from Mrs Kate McCauley.

Application Summary
Address: 160 Old Fort Road Shoreham-By-Sea West Sussex BN43 5HL
Proposal: Variation of Condition 1 of approved ADC/0120/10 to retain clear glazing to window in South elevation of extension (retrospective application)
Case Officer: Marie O'Keeffe
Click for further information

Customer Details
Name: Mrs Kate McCauley
Email: [redacted]
Address: 158 Old Fort Road, Shoreham-By-Sea, West Sussex BN43 5HL

Comments Details

Commenter Type: Neighbour
Stance: Customer objects to the Planning Application
Reasons for comment: - Privacy Light and Noise
Comments: Dear Mrs O'Keeffe

We are extremely disappointed to receive a letter dated 20th March 2020 from Gary Peck, Planning Services Managers, with the subject heading "Variation of Condition 1 of approved ADC/0120/10 to retain clear glazing to window on South Elevation of extension (retrospective application)."

Mr and Mrs Cook are seeking retrospective consent for works that they have already carried out (replacing opaque glazing with clear glazing), directly contravening their planning permission. Looking back at their previous planning applications, it would appear that this is not the first time they have sought retrospective planning permission. Indeed, application ADC/0120/10 was for four retrospective amendments.

We would like to make known our objections to this latest retrospective application as this window now directly overlooks our house and garden, completely removing our privacy.

Firstly, however, there is an error on their application form AWDM/0469/20 where it is stated that the 'development' (i.e. change of glazing) started and finished on 01/05/18. We noticed the glass had been changed to clear when we returned from a holiday on 06/07/19. Prior to that, the glass was opaque. I notified our architect by email on 08/07/19 and he replied to say that he and our builder had also noticed the same thing.

For nine months we have felt overlooked, observed and that our privacy is compromised. We do not understand how someone who has contravened their planning position should not have to immediately replace the clear glass to obscured whilst this review is ongoing.

Incidentally, we later learned from our builder that the neighbour had tried to obtain access, via our builder, to our home to have a look at our extension works, knowing that we were on holiday.
In the Delegated Officer's Report for the Planning Application No. ADC/0120/10 for 160 Old Fort Road, the Officer said that the open terrace originally proposed ...." would lead to an unacceptable level of overlooking of the rooms and side garden of the adjacent house. The current proposed amendments show the addition of a window in the south face of the extension ..... The window is fixed shut and glazed with an obscured glass. Provided that this remains the case and is secured by a relevant planning condition it is not considered that there would be an adverse effect on the privacy of No. 158."

This was the one condition for the planning permission for the fenestration variations in application No. ADC/0120/10.

When we put in our own planning application to build a first floor extension to 158 Old Fort Road, you received objections from our neighbours, via Liam Russell architect, who described our balcony as such: "The balcony which causes a loss of privacy and direct views into the neighbouring property". As a consequence, we shortened our eastern balcony and put an opaque privacy screen at the end, in order to avoid views into their home and garden. In addition, we also had to make the glazing to the north side of our staircase obscure and non-opening.

It is therefore particularly distressing and annoying that our neighbours have made a change that means they now have direct views into our property.

Curiously Mr and Mrs Cook are using a different representative, C S Architects, to act for them on this occasion. It seems strange that they have not used Liam Russell Architects again.

CSA state that "The limited harm and invasion of privacy are seen to be un-founded by the applicant or could be otherwise resolved. There are alternative screening solutions which should be acceptable as being reasonable in the circumstances if there is a problem". As their window is at first floor level, there would need to be an extremely high screen erected by them to provide us with our privacy.

We sincerely hope that the Condition 1 of the approved ADC/0120/10 will be upheld so that the owners of number 160 have to replace the clear glass with opaque.

Yours sincerely

Kate and Brian McCauley