Glenn and Carole King

2 West Avenue, Lancing, West Sussex, BN15 8ND

[redacted]

[redacted]

Mr K Morgan

Planning Services Manager

Adur District Council

ADUR D.C.
DEVELOPMENT SERVICES
18 JAN 2011

13 January 2011

Dear Mr Morgan,

RETROSPECTIVE PLANNING APPLICATION FOR A REAR ELEVATION CONSERVATORY AT 2 WEST AVENUE, LANCING, BN15 8ND

Ref ADC/0458/10

Having now read all related documents and comments concerning the above planning application we would now like to add our own comments for inclusion on the ADC planning website as follows:

We have lived at 2 West Avenue for the past 25 years and chose a bungalow on the Hasler Estate due to the level nature of the surrounding terrain and easy access to the bungalow due to my permanent disability having contracted polio at a young age. We have raised our family here and have made several alterations to the property, with a flat roof extension being added in the early 90s and a small, timber, lean-to style sun room in 2002 and have also added decking ramps to allow wheelchair access from the back door to both the back garden and the front of the property (the ramp was erected in 2002 so well before the new planning control regulations in October 2008 as queried by yourself in your e-mail to our architect on 7/12/10). I would make a comment here that we were not unaware of the fact that the erection of the ramp from the back door did mean that we could easily look over our neighbour's fence if we so desired due to the raised height and out of courtesy and consideration, have always 'kept our heads down', for want of a better term, when walking back and forth from garden to kitchen because of this, except obviously for neighbourly greetings that one would expect to exchange from time to time.

An important point to note here is that this ramp was built in keeping with the height of the floor of the flat roof extension (also built in keeping with the original bungalow floor), for which we obtained planning permission before buildings works commenced back in the early 90s. The

floor height of the existing extension has therefore, governed the height of the new conservatory floor in order to follow through the property for easy wheelchair access.

As the family have grown we have had to consider the option to create more living space. Moving was not an option for us as to gain more space and to still have adequate wheelchair access, we would have had to look at bungalows much higher up the market ladder, an option we could not afford and had no wish to consider. We like living where we are due to the semi-rural environment backing onto the fields. A loft conversion was also inappropriate for my needs, although this would have freed up rooms downstairs to create more living space. However, my only access in this case to the upstairs would have been via a stair lift, something that I felt was a rather unsightly and expensive addition and I did not like the thought of having rooms upstairs that I could not access easily, e.g. for general housework and the like. The previous sun room had served us well for around 5 years but had begun to leak quite badly and also had quite a large step down. This was acceptable when we first had it built as I walked more with crutches then, but in recent years I have been using a wheelchair indoors as well as outdoors and so the step made access to the sun room impossible and I was therefore, not enjoying the benefits of such living space.

We therefore, felt the best option would be to upgrade the conservatory to a double-glazed elevation with half wall right across the rear of our property and to raise the floor to the same level as the existing lounge area, making access completely level right the way through the bungalow. It was our understanding that planning permission was not required for the construction of a conservatory provided it fell within the required parameters and so went ahead with the building works.

Since the conservatory has been completed, it has become very obvious, not only to our neighbours, but also to ourselves (the loss of privacy issue could potentially affect us as well) that raising the level of the floor has, indeed, meant that the top 18 inches of the conservatory windows do project above the level of our neighbours boundary fence, so potentially, we could all look into each other's windows if we so desired. We really had no idea of how much impact raising the level of the floor would have on adjoining neighbours, not until it was all finished. We would like to add here that it was only when the floor had been completed that I was able to gain access to the new conservatory area to view the surrounding gardens and properties from that perspective. Whilst it is not so much of an issue for me as I am sitting down most of the time, I can see the potential problem for those standing up and walking, that the general eye level view has been raised by around 18 inches from the original sun room floor.

At this juncture, we would like to pick up on some of the comments raised in Mr Howe's and Mr Coppard's letters of 30/11/10. Firstly, Mr Howe states in the first paragraph of his letter that the building work was started some six weeks ago. We assume this is a typing error as it was in, fact, 6 months ago. The work is indeed, how completed and as you know, this is a retrospective planning application necessitated by the complaints from our two adjoining neighbours.

In the third and fourth paragraphs of Mr Howe's letter, he refers to several issues of loss of privacy which would all be completely relevant if we were the kind of people that chose to waste valuable time peering into their property. Neither us or our son or daughter, or their friends have any desire to know Mr and Mrs Howe's personal movements within their own home and I daresay, neither do they in ours. We have no wish to curtail their summertime barbeque activities or their daily dining routines by potentially invading their privacy. We have used the word 'potential' in this instance because it is precisely that. It would only happen in 'actual' terms if we deliberately made a point of looking into their property. We have absolutely no intention of

doing so and do not wish to cause our neighbours undue upset because of our newly erected conservatory and the raised floor and walkways outside that this has created.

In paragraph five, Mr Howe states that he cannot understand why it has been erected so high off the ground. As previously mentioned, we have raised the floor to meet the existing level of the lounge to allow me complete wheelchair access throughout. This follows outside onto a decking ramp which immediately turns left and runs down the north side of our garden to adjoin the decking outside the newly erected cabin, slightly lower than the level of the conservatory. From there, there is an existing decking ramp to gain access down to the remaining garden area, the original ground level, to be patio-paved next spring. From there, I will be able to gain access to my kitchen via the already erected decking ramp on the south side of the property.

Just on the subject of loss of privacy, it could also be argued that we have in fact, had a loss of privacy issue ourselves since we moved here 25 years. Long before Mr and Mrs Howe moved to the property, it already had the existing double dorma roof extension (the like of which would probably not be permitted under today's regulations) which directly overlooks ours and surrounding properties and indeed, the bedrooms at the back look straight into our bathroom, so we can never have the bathroom window open very wide. However, this is retrospective and we just accept that is the way it is. But it is a point in fact.

With reference to Mr Coppard's letter, in the third paragraph he mentions that he can plainly see into our conservatory through the 18 inches that protrudes above the 6 foot garden boundary fences. I am sure he can see in, but I doubt that he can see anything beyond 18 inches which in effect, takes in the top fanlight windows and the ceiling of the conservatory.

In the fourth paragraph, with reference to the music cabin, which seems to be causing Mr Coppard the most concern, we entirely agree that when we did put our daughters acoustic drum kit in there for testing back in August/Sept, it was only when she tested them out that we realised there was nowhere near enough soundproofing to deaden the sound. The walls and floor are certainly clad with several inches of soundproofing material, but the floor of the cabin is sitting on the original decking and even though we have had several inches of soundproof flooring added as well, the gap between the decking and the ground was producing a 'sound box' effect when the drums were played. It was very unfortunate that it was a Sunday afternoon when she tested the drums for soundproofing, but stopped after 15 minutes when Mr Coppard protested. She has not played them in the interim whilst we have been considering other options. We would like to inform you that we have now purchased an electronic drum kit to the tune of £1000 and our daughter has been playing these in the cabin since this was purchased in early mid-December, so we assume this is now not causing a problem as she can play them through headphones. I am not really sure if this issue is relevant to this letter as it is more of an environmental issue, but as Mr Coppard has raised it, we felt it prudent to add our own comments.

In the final paragraph of his letter, Mr Coppard refers to the issue of our children and friends 'having a habit' of climbing onto the flat roof of our extension for 'gatherings and parties'. These comments are not strictly correct. They have certainly climbed up onto the roof, with garden chairs, blankets and refreshments and some music (which I gather was a little loud but was turned down at Mr Coppard's request) for the two airshows of 2008 and 2009 (not this year due to bad weather and the conservatory building works). They may have climbed up there may be another couple of times over the past two years but we would hardly call this a 'habit' and certainly not of a 'party' nature. We would certainly not be allowing anyone onto the flat roof now that we have this vast expanse of glass. As Mr Coppard rightly points out, this could be a serious health and safety issue and I am sure he is only thinking of the youngsters' safety which

we entirely agree with and appreciate. As for climbing onto the roof of the music cabin, I doubt this will happen either. They are getting a little older a more sensible as they approach 17/18 so we don't really have any worries there. Again, We don't really think this issue is relevant to this planning application, more of an environmental issue, but felt obliged to comment. What needs to be taken into account here is that lots of people get onto their flat roofs for the Airshow every year on the Hasler Estate. They are prime viewing platforms and this is one of the endearing qualities of the position of the estate in its relationship to nearby Shoreham Airport. We would not consider that on these occasions, getting onto a flat roof can intrude on someone's privacy, but rather to enter into the fun of the two days with everyone else on the estate.

With regard to Mr Howe's enquiry about erecting a higher boundary fence, if he were able to obtain planning permission for this, we would be very happy to either pay for or contribute towards the erection of the fence, considering it is us who have caused the upset. There must be some very tasteful designs on the market that would make the fence look pleasing to the eye. This would also solve the privacv issue right up to and past our back door to our shed and not just finish at the end of the conservatory windows, which will be the case if we install obscure glass as has been suggested by yourself. However, we will leave that suggestion to yourself and Mr Howe for consideration. In the meantime, we are very happy to take measures to give some screening across the south side conservatory windows. We do have a decorative folding screen which we can temporarily stand across that area which will block out some of the large window areas, but not all and is not tall enough to cover the top windows. We obviously do not want to spend out on fitted blinds just yet until we know what will be expected of us on completion of the application.

In conclusion, it is upsetting and disturbing for us to think we have caused our neighbours undue distress in the building of this conservatory and the surrounding outside walkways. Mr and Mrs Howe and ourselves have been neighbours now for the past 16 years and we have always had a very good relationship and we do hope this will continue and that we can reach an amicable decision.

We have built this conservatory in all honesty and innocence and certainly would not ever consider any building works without planning permission, if we knew we had to apply for it. In this case, we did not think we required planning permission as the conservatory falls within the correct parameters.

We would like to add that this addition to our property has made an enormous difference to our living area but more importantly, I now have complete access to all areas of my home using my wheelchair, enabling me to enjoy the benefits of such an open area and come the summer months, look forward to enjoying my garden once again with the access I have lacked for a number of years now.

I hope that the planning committee will take into account the above comments and give these their kind consideration when looking at our planning application.

Yours sincerely,

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Glenn and Carole King