

From: Denise Ward Work [<mailto:westbournecllr@btinternet.com>]
Sent: 08 July 2016 12:04
To: Adrian Smith
Cc: Planning Applications
Subject: Re: Planning Application: 51 Westbourne Villas, Hove

Dear Adrian,

Planning Application: 51 Westbourne Villas, Hove

Unfortunately, due to an existing commitment I will be unable to attend Committee this coming Wednesday, 13th July 2016. However, as one of the Councillors for Westbourne Ward I would like to stress to the Committee the objections of Jan & Kel Tyler who neighbour this site and who live at 50 Westbourne Villas.

I have previously supported them on two occasions with objections to similar developments on this site. As you will be aware this application has been under consideration by the Planning Dept since early January. An officer made a visit to the property and told Jan Tyler that she would not allow an extension that impacted the windows of their property. She has evidently changed her mind in the months since her visit, and is now minded to Grant.

As you will remember the Committee considered an application on this development when I was a member of that Committee. I seem to remember there was a site visit by the Committee and that the Committee rejected the application. It was subsequently dismissed by the Crown under Appeal. It was reapplied for under a different application number with slight changes and approval was granted by the planning officer.

I am attaching a copy of a letter written by Mr Alistair Redler, BSc FRICS, Senior Partner at Delva Patman Redler, Thavies Inn House, London and supplied by the Tylers. Mr Redler is a highly respected expert in matters of light (more about his qualifications below). He is of the view that the proposed extension does not meet the requirements of the Building Research Establishment Report "Site Layout Planning for Daylight & Sunlight 2011". He has conducted a survey of the Tyler's property and the effect of the extension and has said clearly, as an expert, that the extension would lower the light levels in the Tyler's room below acceptable limits. He said the application should not be granted in its present form.

This would suggest that the view of the planning officer, who is not a trained expert in light matters, is clearly not correct.

A little more about Mr Redler and why his view should be taken seriously, He is chairman of the working group that wrote the current RICS Guidance Note "Daylighting and Sunlighting" and was a member of the working group that wrote the current RICS Guidance Note "Party Wall Legislation and Procedure". He is called in Court as an expert witness in matters of daylight and sunlight. Mr Redler was also a RICS spokesman for Government consultation. He is a frequently invited speaker on daylight/sunlight matters and has lectured for the RICS around the country. He is past chairman of the Pyramus and Thisbe Club (Party wall matters) and is the author of "The Practical Neighbour Law Handbook", the national textbook on property law.

I understand that there were 22 neighbour objections to the application, although only 4 consultation letters were sent out.

I would suggest that it would be helpful to look again at the issue before coming to a decision on the application. The neighbours have built a half-below ground kitchen extension on which this new 5.5m high extension will be built. It makes it easier to see exactly where the building is planned to be and therefore I would like to request that a further site visit be held for Members before reaching a decision on this application.

Please acknowledge receipt of this email/letter.

Yours sincerely,

Councillor Denise Cobb