

Catherine Cardin

From: [REDACTED]
Sent: [REDACTED]
To: [REDACTED]
Cc: [REDACTED]
Subject: Objection to Planning Application [DM/26/1716] – 39 Oathall Road

Follow Up Flag: Follow up
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[REDACTED]

Dear Catherine Cardin

We, the residents of 37 Oathall Road, wish to formally object to the proposed Balcony at 39 Oathall Road.

Our primary concern is the severe overlooking and loss of privacy the balcony/roof terrace would create. By introducing an elevated recreational area, this would create a direct line of sight into our private rear garden and patio, significantly impacting our standard of living.

In summary, we request that Mid Sussex District Council gives further consideration to two key areas of the planning application:

1. **Failure to protect privacy and residential amenity:** The proposal breaches the Mid Sussex Design Guide principles on residential amenity, specifically the obligation to respect the privacy of neighbouring properties.
2. **Breach of established precedent:** The 2013 Decision Notice for 39 Oathall Road (ref: 13/00033/FUL) explicitly mandated obscured glass in the first-floor southwest window to protect adjoining privacy in accordance with Policy B3 of the Mid Sussex Local Plan. The current application threatens to undermine this established protection.

Failure to Protect Privacy and Residential Amenity:

- **Severe Overlooking and Loss of Privacy:** The proposed elevated platform creates a direct, unobstructed line of sight straight into our private garden and patio. This outdoor terrace will function as an elevated viewing platform above normal eye level. It will actively encourage prolonged use for sitting, dining, and entertaining, leaving us feeling constantly “on display” in our most private spaces.
- **Conflict with Local Planning Policy:** The proposal directly contradicts the Mid Sussex Design Guide. Specifically, it breaches Principle DG47 (Consider your Neighbours), which explicitly requires extensions to safeguard the privacy of neighbouring properties and ensure adequate residential amenity. No amount of screening or redesign can mitigate this fundamental overlooking issue.
- **Disturbance and Overbearing Impact:** The terrace will also introduce significant noise and disturbance from socialising overlooking our private patio area. The elevated structure creates a perpetual overbearing presence, causing considerable distress and anxiety regarding our right to quiet enjoyment of our home.
- **Unnecessary Intrusion on a Large Plot:** The property at 39 Oathall Road is built on a very generous plot with an exceptionally large rear garden. Given the vast amount of available

ground-level space, the necessity for an intrusive, privacy-destroying elevated roof terrace is completely unjustified.

- **Deficiencies in the Design and Access Statement:** The Design and Access Statement submitted by KLA Architects (ref: 319/das) is fundamentally flawed. It fails to acknowledge that this elevated social space will be overbearing and intrusive. While it references paragraph DG47 of the Mid Sussex Design Guide, it completely fails to reconcile the proposal with the guide's core mandate to protect neighbour privacy and amenity.

Breach of established precedent:

In reference to the previous planning application in February 2013 for 39 Oathall Road (which significantly extended the building's rear elevation), we corresponded with the planning office to address privacy concerns. The proposed side window directly overlooked our rear garden and patio. To mitigate this, plans were amended to require obscure glazing, and on 26 February 2013, planning permission was granted with Condition 3 stating:

- ***"The first-floor window on the southwest elevation of the extension shall at all times be glazed with obscured glass. Reason: To protect the amenities and privacy of the adjoining property and to accord with Policy B3 of the Mid Sussex Local Plan."***

To uphold the protection of our property's privacy and continue complying with Policy B3, we request that the current application be refused. It would be a complete contradiction to the 2013 decision to now allow this obscure-glazed window to become a clear-glazed door, opening onto a balcony/roof terrace, and overlooking the exact area that was previously protected.

Conclusion

We respectfully urge the Council to refuse the southwest balcony/roof terrace proposal. This elevated recreational space conflicts with the core objectives of protecting privacy and residential amenity by introducing an unacceptable invasion of privacy and intrusion. Furthermore, it undermines the precedent set in 2013, to safeguard our privacy in accordance with Policy B3 of the Mid Sussex Local Plan.

Yours Sincerely

[Redacted Signature]