

21st March 2017

Dear Sir/Madam,

Ref: planning application BH2017/00668

I write with reference to the above planning application which has been the subject of a retrospective planning application and an appeal, and concerns a conservatory which was built at the rear of No. 17 Denmark Villas. I have visited the owners of both properties and looked at the conservatory from both the inside of both properties and the outside. The owners were very hospitable when I visited, and we spoke at length about the conservatory. On this basis I would argue that I am able to take a more balanced and measured view of the application than those who have only seen one side of the argument.

The owners of No 17 Denmark Villas wished to replace their Edwardian conservatory as it was old, leaked extensively and much of the wood was going rotten, despite concerted efforts to maintain the wood. The conservatory was indeed very old as it was taken from another site where it had been for some 70 years and re-sited at the rear of No 17 in the 1970s, with planning permission, by the previous owners of No 17. Mr and Mrs Cooke, the current owners went to several companies to ask about replacing the conservatory. They spoke to four companies and all those companies stated that planning permission would not be required as the conservatory was on the same footprint as the old one, same height etc. The Cooke's took this in good faith and work commenced on the building. When the Cooke's neighbours at no 15 put a note through their door saying that planning permission was necessary, the Cooke's acted on it straightaway and began the process of applying for retrospective planning permission, which they thought would be a trouble-free process. I understand from the Cooke's that they did try to arrange a meeting with the Capron's at no 15 to discuss this issue but the meeting had to be cancelled due to a medical emergency with Mrs Capron. Thus, the conservatory was not built without planning permission **deliberately**, it was an honest mistake by the Cooke's, on the advice of their builders. The Cooke's have tried to use sympathetic materials for the construction of the new conservatory and have gone the eco-friendly route as well, using specially insulated glass etc. The footprint of the conservatory is no larger than before, the height is no greater than before and there was always a high brick wall on the side next to No 15. No new footings had to be put in as the old ones were fit for purpose, and this shows that the footprint was the same. It was also possible with the previous conservatory to see into No 17 from the upstairs windows of No 15 so there is no change there.

The owners of No 15, Mr and Mrs Capron, were deeply unhappy about the new conservatory, although they referred to it as an extension. They believed that it was larger than the old one, had

had new footings dug and that it was unsympathetic to the nature of the area. They felt that because of the larger size (which it was not) they had lost much of their privacy, although I did point out that the 3 windows on the side adjoining their property were so high that people at No 17 could not look through them, and that there was glass at that height in the previous conservatory. I did appreciate that the Capron's felt there had not been enough discussion about the new conservatory, but this appeared to be due to a number of factors, most of them of a personal nature regarding the gradual deterioration in the previously excellent relations between the two couples. I could also see that some of the UPVC on the conservatory was not that attractive, however, as I understand it, the Cooke's are going to do some planting which will soften the effect of this and enable the new structure to blend in rather more. I did also ascertain that the actual process of the building of the conservatory had discomfited the Capron's greatly, and can again sympathise with their feelings about this, as construction is a messy, noisy business.

The planning appeals officer/inspector did not believe that this structure was out of keeping with the conservation nature of the area. Indeed, there are a number of conservatories of various sizes at the rear of buildings in Denmark Villas and most of them have UPVC as a main element rather than wood. It appears to be the policy of planners that UPVC is acceptable at the rear of buildings in a conservation area, but not at the front; an eminently understandable policy. The main point the appeals officer raised was the amenity of the owners at No 15 being affected, but as I have stated, the building was no larger than before and there was always a high brick wall that abutted the joint wall between the two properties. The photographic evidence very strongly proves this point.

I would like to add that I am aware of the new height restrictions but having seen the height of the original French doors in the Cooke's property, which lead out to the conservatory and which also reflect the height of the ceilings, I can appreciate why the previous conservatory had to be so high and why the present one is the same height.

Therefore I would ask that the committee approves this planning application, which makes every effort to alleviate the impact of this new build, on the basis that it is so similar to the previous conservatory that it cannot have taken away any 'amenity' from the Capron's.

Yours faithfully



Jackie O'Quinn

Chair of Licensing

Goldsmid Ward Councillor