

7 Bay View Terrace, St Marys

Isles of Scilly, TR210NE

RECEIVED

By Lisa Walton at 9:53 am, Nov 30, 2022

REF: Planning Application for Reconstruction and Extension of the Chalet at 6 Bay View Terrace, St.Mary's.

P/22/072/FUL

Dear Sir/Madam

Thank you for your letter inviting our comments on the amended plans for the development of the Chalet at 6 Bay View Terrace. We note that the building will now be an additional 20 cm from our boundary.

A 50 cm gap would still mean that the applicant will be unable to easily build, renovate or repair their proposed 2 storey building in the future from the small gap between the properties. We expect all building works proposed to be completed independently of our land and boundary.

We do not feel that the amendment addresses, considers or satisfies **our main concern of the reduced privacy from the overlooking window**. The large, eye level (from the raised interior) window will have a direct line of sight into our garden, being higher (2m on the exterior) than any fence that we could build to protect our privacy.

An additional concern we have after looking through these plans in detail, is that the scale drawings are misleading with the areas outside the site boundary being inaccurately represented; i.e. the distance between our current block garage and the new development is shown as around 3 metres on the scale plan, however, the actual measurement between these two buildings would be 190cm.

The following is from our previous letter (3/11/2022) and we wish to maintain these concerns and statements in regard to the amended plans:

Your pre application report states **"The planning submission would need to demonstrate that there would be no adverse impact on privacy of existing properties"**.

We have genuine concerns about the impact on us, as neighbours from the proposed **side window** which will overlook and impact our privacy. If this is an opening window (it is not stated either way in the plans) it will open over our fence, and again have a view directly into our garden and property.

The room with the proposed side window, will have a fully glazed, south facing gable end, with patio doors and windows, which would give plenty of light in what is a relatively small room, without the need for a side window. We think that this side window, whether obscure or not, is unnecessary and we hope you would consider the impact of this on our privacy as neighbours.

We note that this point of objection, along with the closeness of the development to our land in general, falls under the responsibilities of the Council with the Human Rights Act, in particular Protocol 1, Article 1, stating that a person has the right to peaceful enjoyment of all their possessions, which includes the home and land.

We also feel that it is reasonable to highlight to the Isles of Scilly Council that the build will invoke the Party Wall Act (3 metre rule), as the development is 1.9m from our existing block garage and the new development has the potential to undermine the structural foundations of our existing building.

We are currently in the early stages of planning (pre application process) to build a **local need** home, with a garden beside 7 Bay View Terrace. This will be a much needed permanent home for a local family with 3 children. We feel that the above, specified side window could have potential implications for these plans.

We thank you for your consideration.

Kind Regards

Linda Thompson and Laura Thompson