

Planning Application 243244 at 36 Pitts Lane, Earley, RG6 1BT

Proposed loft conversion to create habitable accommodation including insertion of additional roof lights; amendments to the gate and boundary fence plus installation of three air conditioning units. (part-retrospective)

Objection from Mr Ian Raine, 38 Pitts Lane, Earley, RG6 1BT

I object to this application for the reasons set out below.

Air Conditioning Units

Three air conditioning units have already been installed. The positions of the outdoor units are noted on drawing PL-05.

The units on the east (rear) elevation and the north elevation are in an acoustic line of sight with bedroom windows at the front and rear of our adjacent property at 38 Pitts Lane. There is a direct sound path between the outdoor units and our openable bedroom windows.

There is also a direct sound path between the outdoor unit on the south elevation and the property at 32 Pitts Lane and properties on Hitch Hill Close.

Split system outdoor air conditioning units are frequently noisy. No acoustic barriers are shown, and no information has been provided regarding noise levels from the units. The current locations are highly likely to create a noise nuisance when in operation, contrary to section 79 of the Environmental Protection Act 1990. It is also contrary to Core Strategy CP3 and section 4.2, paragraph R2 of the Borough Design Guide.

Ambient noise levels at night are generally far lower than during the day and noise from the units will be even more evident at night. This is likely to be a significant issue during the night when bedroom windows are open, resulting in sleep disturbance. This will have a negative impact on our quality of life, contrary to Core Strategy CP3(a) which sets a principle that developments should be, *“without detriment to the amenities of adjoining land users including open spaces or occupiers and their quality of life”*.

The units on the front of the property and the south elevation are also visible from the public highway and are unsightly.

If the authority is minded to approve this application it is requested to include a condition that there must be no increase in noise level above the ambient noise level (i.e. background noise levels without the air conditioning units running) as measured at the property boundaries at any time.

Loft Conversion - Additional Habitable Space and Reinstallation of Rooflights

Additional rooflights were installed without consent in March 2024, indicating construction was underway at that time to create habitable accommodation in the roof space. Rooflights were later removed in May 2024. The fact that the work had commenced early in 2024 may affect the situation regarding Community Infrastructure Levy (CIL). It is understood that CIL exemption cannot be claimed retrospectively.

The reintroduction of rooflights in the east elevation will allow significant overlooking of the rear of our property with commanding views from an elevated position. The photograph below taken in March 2024 shows the rooflights in place in the open position. It is clear from this that we would experience significant loss of privacy as there will be clear views of our rear garden and sitting areas from the openable rooflights. The rooflights would also afford views into our first floor main bedroom and ground floor lounge which both have windows on the south elevation. Prior to this development, we had no overlooking of our rear garden or views into our property. This proposal causes loss of privacy, negatively impacting our quality of life, contrary to Core Strategy CP3(a).



If the authority is minded to approve this application it is requested to include a condition that the rooflights should be fitted with obscure glass and should not be openable below a height of 1.7m above the finished floor level. Whilst it is appreciated such a requirement is normally only applied to side windows, the principle for the requirement is to avoid overlooking a neighbour's property or views into a property.

The rooflights are also less than 22m from our bedroom windows. Section 4.7 of the Borough Design Guide states, *"The Council's minimum distance of 22m is a generally*

accepted guideline for there to be no overlooking or material loss of privacy between the rear of two buildings that directly face one another.” In this case views into our property will be possible from the rooflights in the same way as if the buildings were directly facing each other. The principles of the guidance should therefore be considered to apply in this case.

Front Boundary Wall

It is noted that the design of the proposed boundary wall is similar to others in the vicinity. However, the height of the brick piers at two metres above ground level is excessive and inconsistent with similar schemes. In conjunction with the metal railings, this will create a fortress-like appearance which is not consistent with the character of the neighbourhood.

The height and location of the proposed wall may restrict visibility for vehicles exiting the driveway at 38 Pitts Lane and those exiting Hitch Hill Close on to Pitts Lane, creating a safety hazard. This section of Pitts Lane is on a bend which exacerbates the problem. The planning department is asked to ensure this is not an issue.

It is noted that the application form states that there are no trees or hedges within falling distance of the work. That is not correct. There are trees adjacent to the proposed wall location and therefore within falling distance of the proposed wall and gate. The application form also states that no trees or hedges need to be removed or pruned in order to carry out the work. In relation to the proposed wall, it appears highly unlikely that the wall can be constructed on the property boundary without removal or pruning of trees and hedges.

Errors Noted in the Application

There appear to be errors in the application, both on the drawings submitted and the statements made on the application form.

The scaling on drawing PL-06 appears incorrect. The 5m scale that has been provided on the drawing is inconsistent with the dimensioned drawings.

The boundary between 36 and 38 Pitts Lane on drawing PL-01 is not shown in the correct position.

Drawing PL-03 Existing East Elevation is incorrect. The drawing shows three existing rooflights. No rooflights are currently installed. Drawing PL-05 Proposed East Elevation shows the same rooflights. The only change shown on the Proposed East Elevation is the addition of an air conditioning unit below a ground floor window. This creates the false impression that the rooflights are already in place and that the only change to the existing elevation is the addition of a single air conditioning unit. Drawing PL-03 is incorrect and is misleading.

The Application Form section “Description of Proposed Works” describes the proposed works as:

“Proposed loft conversion to a habitable room within the existing roof space with insertion of 4 roof lights, proposed gate and boundary and installation of 3 air conditioning units.”

The original planning application for this development (231952) showed no rooflights on the east elevation. However, rooflights were fitted, without consent, in the locations indicated during the original construction works. The installation of these rooflights was carried out around March 2024 (see photograph above). These rooflights were later removed in May 2024 after a non-compliance had been reported to the planning department.

The three air conditioning units were installed around August 2024. These units were installed without consent. This is recorded under Planning Enforcement Case RFS/2024/089624.

In answer to the question, “Has the work already been started without consent?” the applicant has answered “No”. That statement is therefore incorrect.