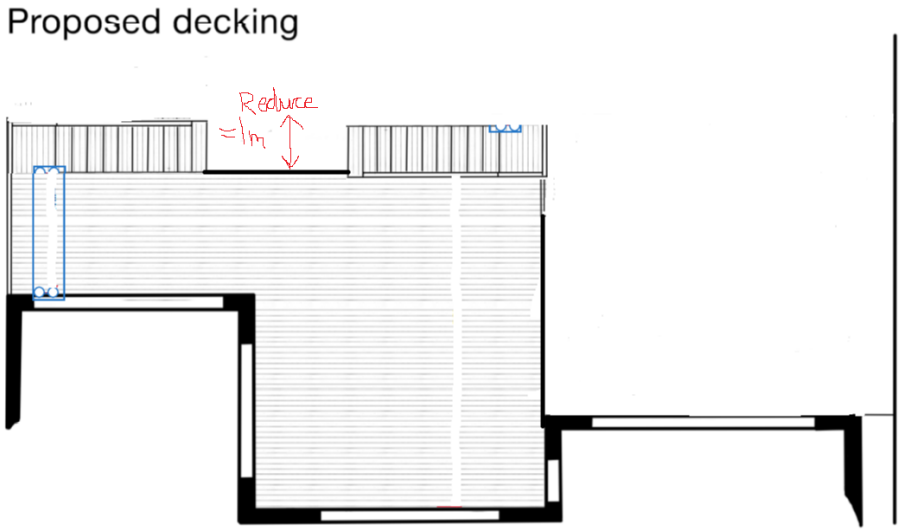
16/1/24

Hi Jim,

Thanks for assisting with the site visit last week. I've now had the chance to discuss the application with my team leader and regret to inform you that we cannot support the proposal as currently submitted in view of the unacceptable overlooking, overbearing, and overshadowing impact at such close proximity to the adjacent neighbour at Toftwood. We think this could be overcome by omitting the southerly section of the platform and slightly reducing the overall depth of the scheme (by approximately 1m) as shown in the rough plan below. Subsequently, the large and unneighbourly privacy screen which would cause the oppressive effect would not be needed and overlooking would be significantly reduced to the point we could support the proposal.

Please confirm if you are happy to oblige and send over the advised amendments at your earliest convenience.

Kind regards,



17/1/24

Dear Mr Albon

We are somewhat shocked and surprised by your response given the the scale and nature of decks in neighbouring properties

We are therefore intending to seek further advice before providing a formal response to your email

Regards

Jim

17/1/24

Hi Jim,

Thanks for getting back to me. Whilst the raised platforms at neighbouring properties are a consideration, we must treat this application on its individual merits and the circumstances are different with every case, for example, the adjacent neighbour at Kingfisher benefits from a wide spacing where the platform is in situ and the tall trees/ shrubberies at the shared boundary provide screening, hence we have no adverse comments regarding the platform near this boundary. On the other hand, the boundary with Toftwood is shallow and there are windows present that would be adversely affected by the proposal as originally submitted. The topography of the area also exacerbates the situation.

Please advise how you would like to proceed with the application at your earliest convenience.

Kind regards,

Jason Albon
Planning Assistant, Planning & Development
Adur & Worthing Councils
Worthing Town Hall, Chapel Road, Worthing, West Sussex, BN11 1HA
www.adur-worthing.gov.uk

19/1/24

Dear Mr Albon

Just to keep you up to date we have asked Tim Theron who did the design for us to try to come up with some options that meet your requirements

The main thing we are trying to achieve is to put patio doors on the front of the Southerly lounge to enable them to open to increase ventilation in the Summer as it gets very hot and therefore it is a requirement to have a small platform and /or steps. He is looking at alternatives that meet your concerns but help us achieve this

Thank you in advance for your patience whilst he comes up with options for you to consider

Regards

Jim

28/1/24

Dear Mr Albon,

Thank you for your assistance in answering the questions Tim has posed re resolving the issue of installing opening doors on the South lounge of our property. This for us is key to our application as we have now rearranged the downstairs and this is now our primary lounge. The rationale for installing the opening doors is to manage the heat in Summer, which is only likely to get worse.

Tim has gone through some options, but before we finalise the plans which will cost us more money, could I ask if you could clarify a couple of points so I have it clear in my mind.

The intention is to put a sliding patio door in the front of the South lounge. The South panel nearest Toftwood would be fixed and the north panel would open.

As this is elevated please could you clarify the following.

1) if we installed steps to the north opening panel of the patio door with. 90cm landing as per building Regulations across the width of the opening, connecting to our existing raised patio Could we then have steps down at the South end towards Toftwood with appropriate handrails etc

If yes would this be permitted development or would this require planning permission

2) if this is not possible could we do the same but steps running the width of the opening but going directly east away from the house

Again if yes would this be permitted development or would this require planning permission

3) would it be possible to have the same 90cm landing with handrails at the front, only covering the north opening door but simply connecting to our existing patio again with appropriate handrail. This would be some 3+ metres from our neighbours property

4) if none of these are possible can we install a bottom fixed glass Juliet balcony across the north opening door.

Again is this permitted development or would it require planning permission

I apologise for the number of questions and I would appreciate any help you can give us so that any subsequent submission is as straightforward as possible.

I would be more than happy to discuss this if you prefer

Regards and thank you in advance for your assistance

Jim Hammond
07943542945

5/2/24

Good afternoon, Jim.

Thanks for getting in touch. Apologies for the time it has taken to respond, the application was on my agenda to discuss with my team leader which took place late last week. Please see responses to your queries below in red.

The intention is to put a sliding patio door in the front of the South lounge. The South panel nearest Toftwood would be fixed and the north panel would open. I note the proposed elevation does not depict the southerly aspect doors as 2-pane sliding doors. This will need to be amended and shown on the proposed plans in any event. Having measured the opening it is relatively wide, approximately 4.5m, which means the sliding door which opens would be approximately 2.25m wide. As advised to Tim, our Building Control team directed me to the relevant part of The Building Regulations which stipulates that the length of a landing/ platform serving an opening door (in this case the proposed sliding door) needs to be at minimum the width of the staircase. Therefore, to achieve a staircase serving the north sliding door aspect a landing/ platform would need to be created at a length of 2.25m given that this would be the width of the staircase and regrettably the Council could not support this in view of the overlooking issues already outlined. So to answer your queries, your suggestions 1), 2), and 3) cannot be achieved because Building Regulations would not allow a 90cm deep landing as explained. This would not be permitted development and would fail to comply with Building Regulations.

1) if we installed steps to the north opening panel of the patio door with. 90cm landing as per building Regulations across the width of the opening, connecting to our existing raised patio Could we then have steps down at the South end towards Toftwood with appropriate handrails etc.

If yes would this be permitted development or would this require planning permission.

2) if this is not possible could we do the same but steps running the width of the opening but going directly east away from the house

Again if yes would this be permitted development or would this require planning permission

3) would it be possible to have the same 90cm landing with handrails at the front, only covering the north opening door but simply connecting to our existing patio again with appropriate handrail. This would be some 3+ metres from our neighbours property

4) if none of these are possible can we install a bottom fixed glass Juliet balcony across the north opening door. Yes, this would be acceptable and can be achieved under permitted development providing it meets building regulations.

Again is this permitted development or would it require planning permission

I apologise for the number of questions and I would appreciate any help you can give us so that any subsequent submission is as straightforward as possible. Happy to assist and I apologise we cannot grant the scheme as you desire given the constraints due to the proximity of the neighbour.

Please let me know how you would like to proceed and provide amendments showing the revised scheme.

Kind regards,

Jason Albon
Planning Assistant, Planning & Development
Adur & Worthing Councils
Worthing Town Hall, Chapel Road, Worthing, West Sussex, BN11 1HA
www.adur-worthing.gov.uk

5/2/24

Dear Mr Albon

Thank you for your reply

Just so I am completely clear if we went for option 4 Juliet balcony do we still need planning permission for the change to patio doors or would this be part of the permitted development along with the Juliet balcony

Regards

Jim

5/2/24

Hi Jim,

I can confirm that you would not need planning permission for the Juliet Balcony to the opening or the sliding doors but of course they will need to be installed to comply with Building Regulations. We would require these to be shown in any revised plans for the

avoidance of doubt. The extension to the platforms to the central and northerly side of the house would still need planning permission.

Kind regards,

Jason Albon
Planning Assistant, Planning & Development
Adur & Worthing Councils
Worthing Town Hall, Chapel Road, Worthing, West Sussex, BN11 1HA
www.adur-worthing.gov.uk

5/2/24

Dear Mr Albon

Thank you for the clarification

Can I assume this email is your formal refusal for our application as we are now considering appealing against the decision

Regards

Jim

5/2/24

Hi Jim,

No, this is my advice and is not a formal refusal, however, should you proceed with the scheme as submitted I will be recommending the application for refusal and you will receive the formal decision in due course.

Please let me know how you would like to proceed.

Kind regards,

Jason Albon
Planning Assistant, Planning & Development
Adur & Worthing Councils
Worthing Town Hall, Chapel Road, Worthing, West Sussex, BN11 1HA
www.adur-worthing.gov.uk