DJM Town Planning
16 Fairdene
Southwick
Brighton
BN42 4QN

Telephone: 01273 597 485
Mobile: 07579 822 550
email: debbie@djmtp.co.uk

Ms R Hincke
Worthing Borough Council
Portland House,
44 Richmond Road,
Worthing,
BN11 1HS

By email

22 April 2025

Dear Ms Hincke,

APPLICATION: AWDM/0396/25

SITE: 23 THIRD AVENUE, WORTHING, BN14 9NZ

PROPOSAL: ROOMS IN ROOF CONSISTING OF RAISING THE RIDGE, HIP TO BARN ENDS, REAR DORMER WITH JULIET BALCONY AND FRONT ROOF LIGHTS. DEMOLITION OF EXISTING CONSERVATORY AND CONSTRUCTION OF SINGLE STOREY REAR EXTENSION.

I am writing on behalf of the applicant, Mr and Mrs David and Tiziana Boyland, to address the concerns raised by the neighbour at 25 Third Avenue, to the north of the application site, in her comments submitted on 15th April.

Dr Nadarajah has objected to the single storey rear extension, which, she says, will result in loss of sunlight and warmth to their conservatory, particularly in the winter months. We have looked carefully at the relationship between my client's proposed kitchen extension and the neighbours' conservatory, and though we acknowledge Dr Nadarajah's concerns, we do not consider that the extension will result in an unacceptable impact on their property.

Officers raised no objection to the rear extension previously, noting,

> "The proposed single storey extension would be sited away from No 25 but with the roof canopy extending to align with the existing north side wall of the garage/utility addition. This would have an open side and would not be as deep as the neighbours own conservatory extension. Having regard to the relationship with No.25 there would be no significant impact to residential amenity." (Officer delegated report for AWDM/1372/24)

The rear extension is almost exactly the same massing as the extension on the previously refused scheme AWDM/1372/24. The only changes made to the extension massing is the depth has been increased from 3.8m to 3.9m, the eaves line has been *lowered* by 400mm, from 3.0m to 2.6m and a solid wall now aligns with the north side wall, instead of an open side.

Furthermore, it is of note that the extension is less deep and less tall than that allowed under permitted development rights (which allow for 4 metres high and 4 metres deep on a detached house). It is only because the extension is being built off the utility room that permitted development rights cannot be employed in this instance.

Debbie Marriage
BSc(Hons) MA MRTPI

Forming a solid wall on the north end elevation of the extension will have no discernible impact on light to the neighbours' property. Firstly, the intervening boundary wall is over 2 metres high (the eaves height on my client's utility room is 2.4m high, and the wall is almost up to eaves height). The eaves on the proposed extension will be the same height as the existing eaves on the utility / garage, so all but the eaves and roof of the proposed extension will be concealed behind the brick wall.

Secondly, Dr Nadarajah advises that their conservatory is set 2.3 metres back from the boundary wall, and that the extension eaves will be approximately 300mm above the eaves of his conservatory.

It is acknowledged that the development will result in the extension roof extending a further 3.9 metres westwards into my client's garden, and that this roof will be visible from the neighbour's side. However, the maximum height of the extension roof will be 3.3 metres, and this is not sufficient height to result in a discernible loss of light to their conservatory. Furthermore, the neighbours' property is at a higher ground level than the application site (Third Avenue slopes gently northwards). This height difference is discernible in the photographs appended to this letter. The change in elevation will further ameliorate potential impacts no. 25, as the extension is set at a lower level to the neighbours' conservatory.

The conservatory has three glazed sides and a glazed roof. Plentiful sunlight will still reach the interior of the conservatory through the west and north elevations, and the roof, from where the vast majority of the light to the conservatory currently originates (the southern glazed side of the conservatory is already adjacent to the boundary wall with no. 25, so this southern side wall is not where the most solar gain to the conservatory originates in any event).

No direct sunlight will be lost as a result of the proposed extension. Even in the winter months, the sun is still high enough in the sky to not be blocked by a 3.3 metre high extension. In the morning, shadows will be cast over the neighbour's property by my client's house, but that is due to his house being two-storey, and the sun being low in the sky in the early hours of the day. By midday and in the afternoon, the sun will be higher in the sky, and further south and west, so no long shadows would be cast by the proposed extension over the neighbour's property at this time of day.

The proposed extension will not lead to unacceptable loss of light to the neighbour's property and this could be demonstrated with a sunlight and daylight assessment. Dr Nadarajah says she is willing to commission such a study. We do not feel that an assessment is necessary, as it is evident without calculations that the conservatory will still receive plentiful natural daylight once the extension is built. However, if Officers consider a sunlight and daylight assessment is essential, to prove conclusively that the relationship is not an un-neighbourly one, my client is willing to instruct a consultant to prepare a report. If a report is required, we would be happy to agree a short extension of time for this report be prepared and submitted.

In summary, my client's proposed rear extension is not excessive, nor would it result in loss of light to the neighbour's conservatory that would adversely affect their quiet enjoyment of their property. Policy DM5 of the Worthing Local Plan would be complied with in this regard.

Yours sincerely



Debbie Marriage BSc (Hons) MA MRTPI

Figures



Figure 1: North side elevation of refused scheme AWDM/1372/24

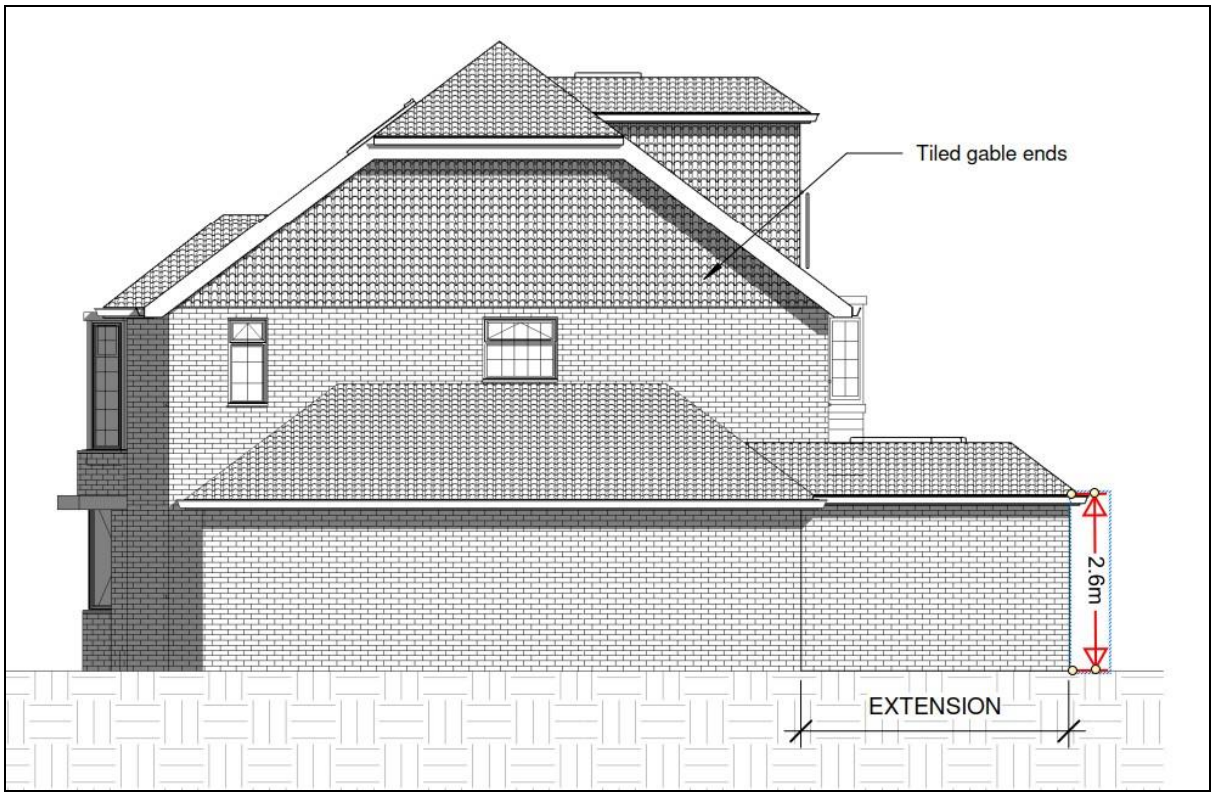


Figure 2: North side elevation of proposed scheme

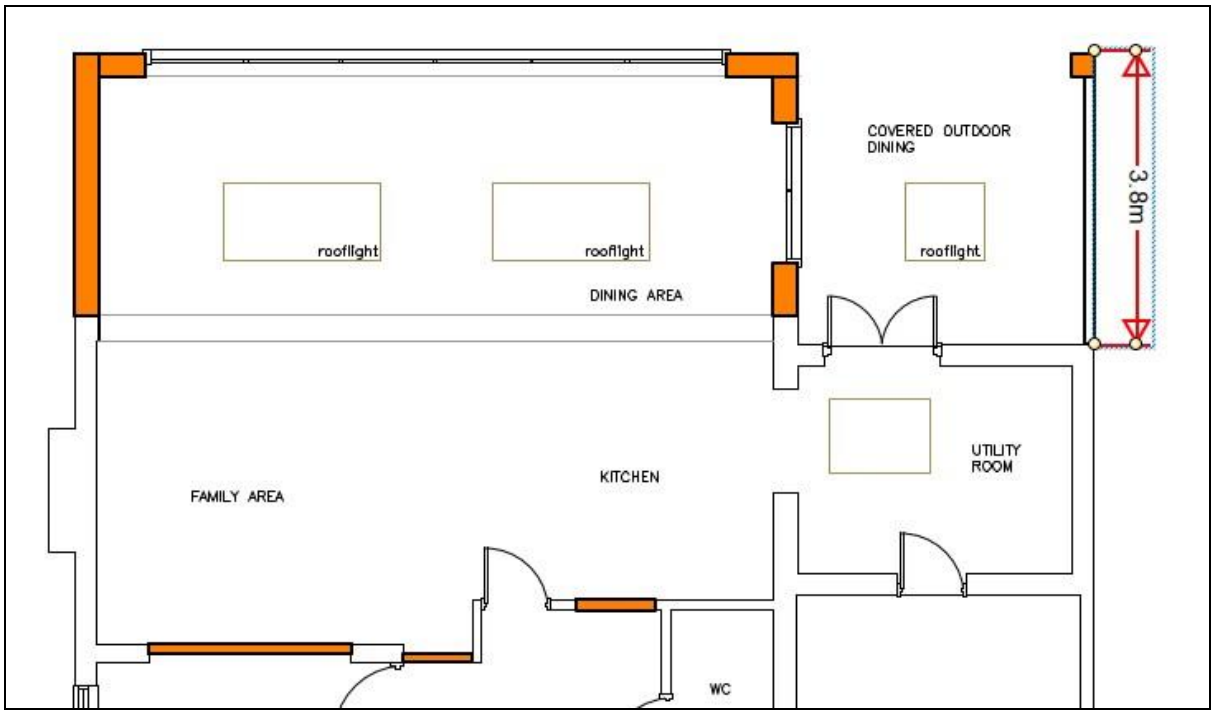


Figure 4: Floor plan, refused scheme AWDM/1372/24

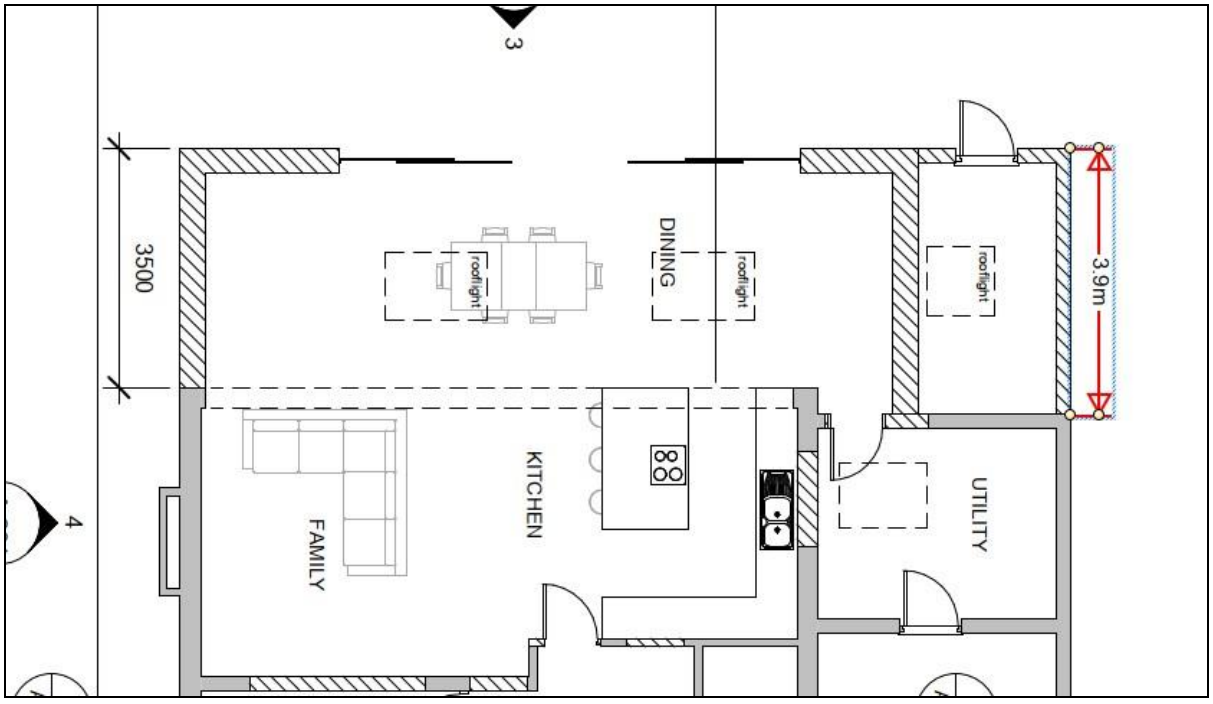


Figure 5: Proposed floor plan



Figure 6: Conservatory at no. 25, from no. 23



Figure 7: Conservatory seen from applicant's patio