

Worthing Borough Council

Statement by Worthing Borough Council in relation to the appeal at 4 Offington Court, Worthing, West Sussex BN14 9PF

PINS Ref: 6010518

LPA Ref: AWDM/1475/25

This appeal relates to the non-determination of the application for a “single storey rear extension to south elevation with gable roof extension, rooflight windows, and Juliet balcony to create first floor bedroom”. This Statement provides a statement relating to the Appellant’s Appeal against non-determination.

Background

The planning application AWDM/1475/25 was set to be refused by the Local Planning Authority however prior to determination the appeal for non-determination was submitted. Should the application have been determined it would have been refused on the grounds of: -

1. The proposed rear extension by reason of its siting, height, massing and rooflights in relation to the neighbour to the west No.5 Offington Court would unacceptably affect their residential amenity through overshadowing and loss of light to their east facing dining room and result in overlooking contrary to Policy DM5 of the Worthing Local Plan (2023), the Council's SPG Extending Or Altering Your Home and the NPPF.

The following statement sets out what would have been covered in the officer’s report and the rebuttal of the appellant’s statement.

Site and Surroundings

The site is located on the southern side of Offington Court, a close off Offington Avenue. Bungalows are a prevalent feature which forms the character of the close. The property currently has gardens to the front and rear, there is no parking on the site but there is plenty of parking within the streets nearby. The orientation of each of the plots is set off from each other meaning there are not strong building lines within the site or locality.

There is an existing side extension on the northwestern side which creates space to the kitchen. The site is not located within a conservation area nor is the property listed.

Proposal

The development includes a 1.5 storey extension to the rear of the site. The ground floor aspect of the proposal increases the depth by 1.8m. Above would include the conversion of the roof space and an alteration to the roof form to form a hip to gable. This will extend the ridge of the existing roof by about 5m to the south of the site. The application was amended to provide a barn hip facing the rear garden. Within the rear elevation is a Juliette balcony. Within both roof slopes to the east and west there are proposed to be 2no. roof lights.

To the front of the site there is proposed to be one roof light introduced to the original front roof slope.

Relevant Planning History:

AWDM/0360/11 - Single storey rear and front extensions

STATUS: Application Permitted 8th November 2011.

AWDM/0383/19 - Retention of fence and trellis up to 2.75m high to southern boundary of rear garden for screening purposes (retrospective).

STATUS: Application Permitted 2nd May 2019.

AWDM/1270/22 - Demolition of existing side structure; construction of replacement side extension to extend kitchen with front projection to create new entrance porch

STATUS: Application Permitted 21st September 2022.

Neighbour Representations

No. of Contributors	2
No. of Representations	0
No. In Support	0
No. of Objections	2

3 Offington Court Worthing West Sussex BN14 9PF

As the owners of 3 Offington Court, we wish to raise concerns regarding the potential impact of the proposed development on our property in relation to loss of sunlight affecting our rear garden.

Our garden is an important outdoor living space and contains a swimming pool that relies on direct sunlight for reasonable use and enjoyment. Due to the position and height of the proposed extension, we are concerned that the development will result in overshadowing at key times. Our pool is only used during the summer months, and as we both work full time during the week, our enjoyment on these days is limited in and around the pool. We invested over £20,000 to have the pool area repaved to include a dedicated seating/sunbathing area. There is only a small window of direct sunlight left at around 5.45pm when we return from work. The last direct sunlight before it disappears comes from behind 4 Offington Court, and we feel the proposed extension would block the direct sunlight earlier, reducing the time we have to enjoy it in and around the pool, or potentially not even giving us this time at all.

We agreed our property purchase which has a South facing back garden in the summer, knowing at that time that we could enjoy a full range of direct sun light after work hours. It is disappointing to hear that this now could be compromised.

We respectfully request that the Local Planning Authority takes these concerns into account when determining the application. We are prepared to compromise and welcome your advice.

5 Offington Court Worthing West Sussex BN14 9PF

I must admit that my heart sank upon receiving your letter of 3" December '25, regarding a second planning application at 4 Offington Court, Worthing.

Having downloaded the plans, I cannot find any height measurements, but it does appear, as though the extended roof will be no higher than the existing chimney (minus the pot).

I feel that Mr. Clays "Design Statement" is misleading. The bungalow was built in the 1930's. Only three out of twelve bungalows in Offington Court have converted their lofts and the property has certainly been altered. Mrs Dilley's partner / builder has worked tirelessly. To my Knowledge he has widened the hall and modernised the kitchen, bedroom, bathroom and toilet. Externally, he has built an extension to the west side (Application Number AWDM/1270/22 refers), replaced a sewer, reroofed the east wing, built a summer house and paved areas in both the front and back gardens. I know all this mainly because of all the dust, dirt and din we have experienced, since he moved in some years ago.

Overshadowing and loss of light is a huge issue for us at 5 Offington Court. We are hemmed in by our neighbours. The distance from our bungalow wall to the boundary line to the east is 1.24 metres and to the west 0.81 metres. I would like to explain that before the extension (mentioned above) was built we used to enjoy quite a bright dining room particularly in the early mornings of the summer months. Unfortunately, the extension now blocks this early morning light and we must wait longer for the sun to clear 4 Offington Court, before gaining any real benefit. It will be even worse for us if this latest planning application is agreed, as the sloping ridge on the west side of 4 Offington Court is to be removed, the roof and bungalow wall lengthened by 1.9 metres and then raised to just under chimney pot level.

I am also unhappy regarding the west facing Velux roof window planned for the new double bedroom. In my view it will affect our privacy by overlooking our dining room window and back garden. Also, my experience with the three Velux roof windows fitted in the new extension is not good. When they are open there is too much noise pollution.

Finally, the plans show there will be three bedrooms, which suggests that sooner or later there will be an increase in the number of people in residence. All three bungalows that have converted their lofts in Offington Court (i.e. 1,3 & 7) have off road parking, but where will all those living at number 4 park? Off road parking is not an option, as the front gate and path is only 1.85 metres wide.

Thank you for giving me the opportunity to comment on the proposed planning application."

At the moment the lateral drains serving numbers two to ten Offington Court,

cannot always cope with the amount of sewage and often have to be unblocked by Southern Water.

An increase in the number of bedrooms at 4 Offington Court could possibly create more "Bums on seats" thus exacerbating the situation!

In his "Design Statement" Mr. Clay plays down the size of the extension (AWDM/1270/22 refers). He fails to mention it's true length, width, height, where it impinges the boundary line or how it blocks the light to our dining room. A precise picture can be found from "Google Maps" (aerial view).

As you know, number 4 Offington Court, is set away from the main road and it's frontage is the width of it's front gate (1.85m).

In the past when works have been carried out here, it has been the norm to stack all materials on the pavement and in the road, directly outside my front gate. When the cement mixer is also working, my frontage looks and sounds more like a builders yard than a residential area.

The service lane at the rear of Offington Court is owned by numbers 5 to 9 and allows for movement for all occupants (including numbers 4 and 10) to and from Poulters Lane. It is not practicable or desirable to store materials here.

For a job the size of that planned in this application, we must be talking months of inconvenience not only for ourselves, but for the rest of our neighbours, as well. Surely the time has come to say to those living at number 4 "Look, you've got a lovely property, why not just sit back, be thankful and enjoy what you've got?"

Response to Representations:

Comments will be assessed in the report below. Some aspects that are not covered within the main report have been answered below.

- Internal works do not require planning permission and are not considered here neither are impacts from previous applications.
- The additional bedroom is not considered to intensify the use of the site to a degree which would adversely affect parking or wastewater.
- Works related to placement of materials are a civil matter and would need to be addressed outside of the planning process.

Relevant Planning Policies:

Worthing Local Plan policies (WBC 2023): SP1, DM5
National Planning Policy Framework (MHCLG 2024)
National Planning Practice Guidance
SPG 'Extending or Altering Your Home' (WBC)

Planning assessment

There is no objection in principle to extensions and alterations to residential dwellings within the built-up area. The key considerations are the effects on the visual and residential amenities of the locality.

Visual Amenity

Due to the location of the proposal to the rear, there will be a limited impact on the street scene. The front roof light has a limited impact on the streetscene, with other properties along the road having undergone the same style of roof conversion there are other roof lights on the front elevation resulting in the proposal not creating any alien feature to the street scene.

Some of the rear aspects of the proposed development will be visible from the street scene due to the bulk of the proposal and the hipped nature of the single storey bungalows. Within the street there is a neighbouring property (No.7) which has undergone similar works that can also be seen, albeit. The use of materials to match the existing property allows the proposed development to assimilate with the host property creating cohesion between the proposal and the host.

The views are not prominent from the street scene and would only be glimpses. Therefore, it is considered that the works would not be significantly detrimental to the visual amenity of the street scene.

Residential Amenity

Within the Worthing Local Plan, Policy DM5 relates to the acceptable impact on the neighbouring properties by expressing:

a) All new development (including extensions, residential annexes, alterations, ancillary development, change of use and intensification) should:

viii) not have an unacceptable impact on the occupiers of adjacent properties, particularly of residential dwellings, including unacceptable loss of privacy, daylight/sunlight, outlook, an unacceptable increase in noise giving rise in significant adverse impacts, or vehicular movements resulting in severe cumulative impacts on the road network, or loss of important open space of public value (unless it satisfies any of the exceptions set out under Policy DM7 – Open Space, Recreation and Leisure);

In addition to this the supplementary planning guidance extending or altering your home explains:

As most dwellings have the main windows to principal rooms facing towards the front and back of the property, extensions close to a neighbour's boundary can significantly reduce the amount of daylight and sunlight reaching the principal rooms of adjoining houses. Whilst each application is considered on its own merits, this problem can often be overcome in the case of single store extensions by ensuring that they do not project more than 3m (10 ft) from the rear wall of the original dwelling house. However, there are some important exceptions to this rule, where this depth may need to be reduced,

of can be increased. For example: - where the extension lies to the south of the neighbouring property;

In order to respect your neighbour's privacy, avoid positioning windows in the side wall of any rear extension, which would be on or close to the boundary with your neighbours. An exception can be made if the window serves a secondary room such as a toilet or bathroom, where a high-level window or obscure glazing can be used.

The impact on the neighbouring properties needs to be carefully considered with the 1.5 storey proposed development.

Number 5 Offington Court to the west is a single storey detached bungalow. Objections were received from this neighbour in relation to the proposal. This property has a single aspect east facing dining room. The additional height and depth of the rear extension at roof level would result in an adverse loss of daylight and sunlight to this room as it would result in loss of morning sun from the east. The scheme would enclose the window creating an overbearing impact on this window. To the rear, this neighbouring property has a rear elevation which is deeper into their site than the applicant's house which mitigates the impacts of being overbearing and overshadowing on that neighbour's amenity space and rear facing windows.

The Juliet balcony would create some additional overlooking but it's recognised that a similar size window and balcony could be achieved under permitted development. There is also proposed to be 15m to the rear boundary of the property and there is approximately 44m to the rear elevation of the property to the rear which is considered sufficient to mitigate any overlooking to the rear of the site.

No 3 is also a single storey bungalow and is located to the east of the site. It is recognised that the occupiers on this side have raised an objection relating to the impact of the extension on their pool area creating overshadowing in the afternoon and early evening. This property has a similar rear elevation building line but is angled slightly further away from the host property. The proposed roof shape assists in the mitigating of the potential for overbearing and overshadowing on this property, through the retention of the eaves height on the boundary and the roof height being about 7.5m from the boundary with the neighbouring property. Similarly views from the Juliet balcony will not adversely affect this neighbour which are also minimised by the angle of the property away from the shared boundary.

To try and reduce the impacts on neighbours, the applicant was asked to provide a barn hip to the rear. Revised elevations were provided to show a small barn hip. However, the small scale of the barn hip has not adequately mitigated the concerns about loss of light.

The rooflights serving the bedroom are set to be 1.25m from the floor level in the room. Which would provide a level of overlooking to both properties that would be unacceptable. Therefore, these would need to be obscure glazed and non-opening in line with the permitted development rights of the property.

The overall levels of overshadowing, overbearing and overlooking on balance would be unacceptable and result in a harmful impact on the neighbouring properties as a

result of the proposed works. This therefore is not in accordance with Policy DM5 of the Worthing Local Plan.

Rebuttal to Grounds of Appeal

Reason 1

It is suggested that the proposed development is modest in scale and that there are works that could be completed that are similar to the proposal under the permitted development rights of the property.

The applicant has supplied drawings indicating what could be completed under permitted development, however they have not applied for a lawful development certificate. Nevertheless, the drawings show two part hipped to gable extensions to the roof to facilitate the introduction of the rear dormer and a single storey rear extension. An assessment against permitted development limits has not been undertaken to determine if the plans would be considered permitted development.

However, when comparing the development on the western elevation it is clear that the dormer would not project as far to the south as the proposed gable end. The plans show a set down dormer which would have a lower ridge height than the proposed development. There appears to be more sky visible above and to the rear of the dormer compared to the proposed development and would not therefore have as detrimental impact on the neighbouring residents in terms of loss of light or increased overbearing.

Conclusion

The potential impact on the visual amenity of the site would not result in a significant alteration from the public realm. In addition, other properties have undergone similar alterations. Therefore, it is considered that the works would not be detrimental to the street scene.

However, due to the scale of the proposal, it is considered to result in an overbearing and overshadowing impact on the neighbouring property to the west of the site. This directly conflicts with viii of Policy DM5 of the Worthing Local Plan having an unacceptable impact on the occupiers of adjacent properties.