

FURTHER OBJECTION TO PLANNING APPLICATION DM/25/3095

Proposed first floor rear extension to form bedroom, and a new porch and roof dormer to front elevation — 40 Gander Hill, Haywards Heath, RH16 1QX

Further to my objection (22 December 2025), the planning officer's site visit, and the applicant's response (26 January 2026), I attach photographic evidence demonstrating the harm that would be caused, together with my response to the applicant's claims.

The 25° breach requires full assessment

The applicant's own drawing (EA0147.PL3) shows the 25° line is breached. They claim "the proposed extension may marginally intersect at uppermost point" but this is incorrect.

The 25° line must clear the entire proposed development, not just a selected point. Their drawing shows the line intersects at approximately gutter level. The ridge at c.7.2m height extends significantly beyond this threshold. This is not a "marginal" intersection; it is a clear and substantial breach.

BRE guidance (Section 3.2.9) provides three screening tests for sunlight. All three tests fail for my property. This means a full sunlight assessment would normally be required. However, the photographic evidence already demonstrates the harm conclusively. Winter sunlight just clears the existing single storey rear extension roofline, and any two-storey extension on this footprint would block it entirely.

Photographic Evidence Demonstrates the Impact and Harm

Photographs taken in December 2025 and January 2026 show direct winter sunlight entering my living room through the South West window during the critical afternoon period.



13 December 2025, 13:04 — sun just above the existing single-storey roofline



13 December 2025, 14:12 — last direct sun before lost behind No. 40 at c14:30



25 December 2025, 13:01 — direct winter sunlight, SW window



13 December 2025, 14:12 — view from sofa, direct sunlight

The proposed two-storey extension would block this sunlight entirely.

This visual evidence demonstrates significant and demonstrable harm to winter sunlight.

The SE Door and the Covered Entrance Porch

The applicant states "there is no porch on the SE elevation" and that my description of the living room as "enclosed to the south east by a porch" is "misleading."

The applicant then concedes: "The door is recessed."

The photographs below show the SE door sits under a covered structure. That is, by definition, a porch:

Cambridge Dictionary: Porch — "a covered structure in front of the entrance to a building"

Collins Dictionary: Loggia — "a covered area on the side of a building, especially one that serves as a porch"

The distinction between "enclosed" and "recessed" is semantic. The material point is that the SE door is set back, covered, and receives less direct sunlight than the unobstructed SW window.

More fundamentally, the applicant argues that the SE glazing is "primary" because it has equal or greater glazed area. But this conflates daylight with sunlight. BRE Section 3.2.8 states that for rooms with multiple windows, "the annual probable sunlight hours for the best sunlit window should be taken." For afternoon winter sun, that is the SW window, regardless of glazed area.



Applicant's own photograph, 26 January 2026 — shadow cast across SE door by overhead structure



30 January 2026, 13:25 — SE door recessed 93cm under covered entrance



30 January 2026, 13:38 — afternoon shadow cast by entrance structure

Cumulative Impact Must Be Assessed

BRE guidance (Section 3.2.10) states: "if the proposed new development is one of a number of successive extensions to the same building then the total impact on sunlight due to all the extensions should be assessed."

The existing single-storey rear extension is itself an extension, onto a previous side double-storey extension to the original property.

The proposed two-storey extension is therefore a successive third extension, building upon (literally) the earlier two.

This means:

- The baseline for assessment should not be the current situation with the single-storey extension already in place
- The total cumulative impact on my sunlight from all three extensions should be assessed
- This makes the harm even more significant than a simple "before and after" comparison of the current proposal

A 65-Year Pattern of Light Loss

In April 1960, when the existing double-storey side extension to No. 40 was proposed, the previous occupiers of No. 42 objected through their solicitor, on the following grounds:

"remove light from the garden but, far more important, from the south westerly side window of the main living-room of 'Mariners'... robbing his property of sunshine and air on its most sunny aspect."

The same window. The same concern. 65 years ago.

Since 1960, No. 40 has grown from a 3-bedroom, 1-bathroom property to 7/8 bedrooms with 4 bathrooms through successive extensions.

The proposed development would be the third extension on this side of the property, affecting light to No. 42 — and BRE guidance (Section 3.2.10) requires the total cumulative impact of all such extensions to be assessed.

This has never been done. The applicant has not addressed this cumulative impact requirement.

The applicant's shifting position

The applicant initially relied on the 45° rule as a "well established method" of assessment.

When correctly advised by the planning officer that the 25° rule applies to side-facing windows, they now dismiss it as merely a "rule of thumb" where "minor infringements do not automatically equate to harmful loss."

The rules cannot be definitive when passed and flexible when failed.

The applicant was offered the opportunity to "produce a light report to look to prove significant harm is not caused." They declined, stating "no more detailed daylight assessment is necessary."

Conclusion

The applicant has addressed daylight only, while entirely avoiding sunlight assessment.

Their own drawing confirms the 25° screening test is breached.

The attached photographs demonstrate the harm directly and objectively. They show sunlight currently just clearing the single-storey extension - sunlight that would be completely blocked by the proposed two-storey extension, or any significant increase in height to the existing roofline. This is demonstrated consistently across December 2025 and January 2026.

Given this clear visual evidence of harm, I do not believe any technical assessment could reach a different conclusion.

The photographs speak for themselves.

I trust this evidence supports the planning officer's original professional assessment that significant harm will be caused to the amenity currently enjoyed at No. 42, and respectfully request the application be refused accordingly.

**42 Gander Hill,
Haywards Heath,
RH16 1RD**



Living Room: Direct Sunlight from South West Window on 13 December 2025 at 12:33



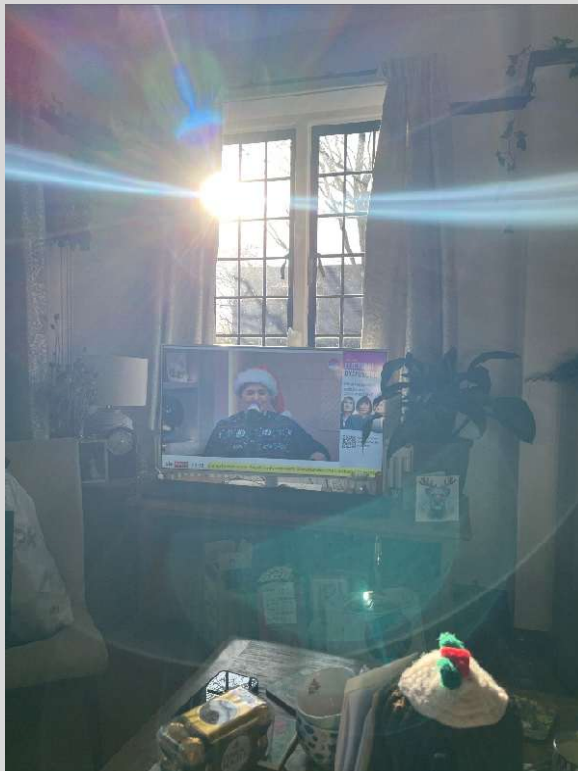
12:34 on 13 December 2025 – this sunlight would be blocked.



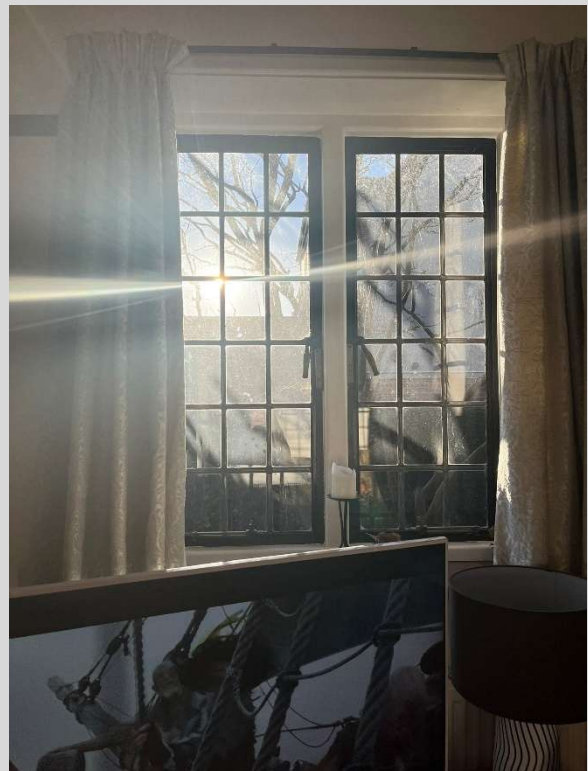
30 January 2026, 13:30



30 January 2026, 13.35 – sunlight from the SW window



25 December 2025, 12.38 - sunlight blocked from this point onwards



3 January 2026, 14.02



40 and 42 Gander Hill



13 December 2025, 13.33 - sunlight projecting window outline onto the sofa