

Appeal 6016004

Submitted on 10 September 2026.

Before you start

Local planning authority	Worthing
Appeal type	Full planning
Decision date	30 June 2026

Prepare appeal

Was the application made in your name?	Yes, the application was made in my name
Contact details	Kate Atkinson
What is your phone number?	[REDACTED]
What is the address of the appeal site?	Mill Warbler Mill Lane Shoreham-by-Sea BN435AG
What is the area of the appeal site?	760 m ²
Is the appeal site in a green belt?	No
Do you own all of the land involved in the appeal?	Yes
Is the appeal site part of an agricultural holding?	No
Access for inspection	Yes The property is surrounded by a fairly tall wall so it may be difficult to appreciate the site fully from the footpath - it may also be difficult to appreciate that the south side of the property has no dwellings within over 152 meters, although it's secluded location is quite obvious from the lane I think it more appropriate to be able to access the garden for a complete and full view. And I can make myself available to facilitate access at any time.
Are there any health and safety issues on the appeal site?	No

What is the application reference number?	AWDM/0566/26
Was your application for a major or minor development?	Minor development
Was your application about any of the following?	Dwellings
Enter the description of development that you submitted in your application	Application to remove condition 7 (No additional windows) of Application SU/204/83/TP
Did the local planning authority change the description of development?	No
Summarise why you are appealing	1. Mistaken premise. The refusal assumes removal permits roof windows "without planning control". It restores the GPDO regime governing every neighbouring dwelling, which requires side-elevation windows obscure-glazed and non-opening below 1.7m and caps roof enlargement; anything beyond needs permission. 2. Condition fails NPPF paragraph 57. Made under the superseded 1977-81 Order, condition 7 is imprecise, unnecessary and unreasonable. My Planning Statement assessed all six tests; the decision notice does not engage with it. The Framework provides conditions should not restrict permitted development rights without clear justification; none is given. 3. No site-specific assessment. The refusal identifies no property, elevation or distance, only "potential" harm. On 23 June 2026, seven days before refusing as no way forward could be negotiated, the case officer emailed me proposing a variation of condition 7 permitting ground-floor windows (available on request). 4. Development plan misapplied. Standard No.1 concerns "Space Around New Dwellings"; this dwelling is 43 years old. Policy 15 requires unacceptable harm, not possibility. Standard No.2 itself accepts windows below its distance criteria where obscure-glazed (paragraph 3.4). 5. Inconsistent with the Council's own decisions. In December 2025 the Council permitted rooflights in this roof (AWDM/1142/25), protecting privacy under policy 15 by a 1.7m cill and obscure glazing, not prohibition. Likewise at Little Ravens (AWDM/1571/23). Alternatively, I would accept a condition mirroring the Council's condition 4 on AWDM/1142/25: upper-level windows on the north, east and west elevations obscure-glazed and non-opening below 1.7m, covering every objector's property; extended to the south if the Inspector considers necessary.

Have there been any significant changes that would affect the application?	There have been no significant changes
How would you prefer us to decide your appeal?	Written representations
Are there other appeals linked to your development?	No

Upload documents

Application form	Application Form.pdf (/document/53365b6b-d502-4e5f-9c7f-f8efa40e750d)
Did you submit an environmental statement with the application?	No
Decision letter	ufm5 Refusal Notice Removal of Condition.pdf (/document/9dbe60c2-db39-49fd-869e-e44350397bb1)
Do you have a planning obligation to support your appeal?	No
Did you submit a separate ownership certificate and agricultural land declaration with your application?	No
Do you want to apply for an award of appeal costs?	No