Mrs Frances Brand
20 Mill Hill
Shoreham by Sea
BN43 5TH

29/10/2024

AWDM/0813/24 | (Amended plans received) Demolition of side return and rear conservatory. Construction of new flat roofed canopy to south side, infill extension to north side and enlargement of existing rear extension. Roof alterations including barn hip to gable extension to front and rear, alterations to side dormer to south and construction of new side dormer to north, new roof lights and front facing balcony. Replacement external materials, windows and doors throughout. Alterations to property frontage. | 22 Mill Hill Shoreham-by-sea West Sussex BN43 5TH

Dear Ms Barker

Thank you for seeking amendments to our neighbours proposed plans at 22 Mill Hill in line with the Council's Development Management Standard No. 2 (DMS2)
This has helped improve the appearance and minimise visual impact and helped to reduce the overbearing impact of the proposed south facing dormer and flat roof canopy on our amenity as adjacent neighbours.
However, we are still concerned that the amendment to the ground floor rear extension has not gone far enough to protect our amenity as adjoining neighbours.
The proposed clear glazed side facing roof windows (previously conditioned to be obscurely glazed), overlook our front bedroom and are also causing concern.

Proposed enlargement of existing Ground Floor Rear Extension

With the existing ground floor rear extension (Application SU/10/06/TP/22337) built on the footprint of the detached garage the attached conservatory was permitted to give access to/from the bungalow.
A principal window serving a room on the south wall adjacent to the conservatory that would overlook our rear bedroom window was not permitted and removed from the plan.

Again with the previously approved application AWDM/1983/20 the southern side wall of the rear extension was amended to remove the glazing and a principal window is shown conditioned to be obscurely glazed and non-opening unless 1.7 metres above finished floor level.
The officers report for the application notes:
"*the extension to the southern side to the rear has been amended to remove the glazing to the side and a window is shown which will be conditioned to be obscurely glazed to avoid any overlooking to the south toward the boundary* ***and*** *the rear of the neighbouring property"* [emphasis added].

The Decision Notice Reason: *In the interests of residential amenity and to accord with policy 15 of the Adur Local Plan*

The proposal seeks to enlarge the existing rear extension on the south elevation bringing it much closer to within 3.5 metres of the south boundary between our properties.
The conservatory is being demolished and replaced by a permanent building now extending 8.5 metres into the rear garden space. A new principal window and glazed doors are now to be proposed all along the south wall that will have direct views into our rear bedroom window from between 7 and 10 metres away.

There is a difference in ground level, No 22 being on much higher ground than our property at No 20.
The enclosed photo of the existing ground floor rear extension with superimposed windows and doors is taken from our bedroom window and gives an indication of the overlooking that will occur from the proposed new extension.

When making your assessment of the proposed window and doors on the south wall of the rear extension, we respectfully ask you consider the Councils Planning Policy with regard to overlooking of principal windows.
We refer to the Councils Development Management Standard No 2 for Extensions and Alterations to Dwellings (DMS2).
Section 3.4 which states:

"*Principal windows on the rear elevation of rear extensions should be 22m from principal windows of dwellings at the rear unless, in the case of single storey extensions, some existing obstruction (such as a garage) would ensure privacy would be retained. Principal windows on the side elevation of rear extensions should be a minimum of 6.1 m from any solid obstruction or boundary but 22m from facing principal windows. In many instances windows on side elevations will not be able to meet these criteria and will usually not be allowed unless they are obscurely glazed and in some cases also fixed shut. On a corner plot, a distance of 14m should be retained between principal windows on an extension at the rear of one property and windows on the side of a dwelling to the rear".*

With the present proposal, the window and glazed doors will be 3.5 metres from the south boundary.
This is closer to the boundary than those windows and doors previously refused by the Council.
Given the depth of the proposed extension with windows stretching 8.5 metres into the rear garden, we respectfully request that due consideration is given to the proposed window and glazed doors on the south wall of the rear extension that will overlook our bedroom window.

We refer you to the following comments from Sarah Sheath the Senior Planner at Dowsett Mayhew Planning Partnership to the present application AWDM/0813/24 submitted to the Council on our behalf:

The Council's Development Management Standard No. 2 (DMS2) sets out clear guidelines for extensions to existing dwellings to ensure that neighbour amenity is protected. It is submitted that the proposals fail to comply with those guidelines and therefore are in conflict with Policy 15 of the Local Plan.
The proposed rear addition seeks to extend the existing rear projection to the south bringing it to within 3.5 metres of the mutual boundary with our clients property, 20 Mill Hill.
Whilst usually a single storey addition would not raise particular concern in respect of overlooking or loss of privacy, the change in ground levels between the two properties is notable here, with the application site sitting at a notably higher level than our clients property.
This change in ground levels means that overlooking into our clients property from the application site can easily occur.
When approving the last application at the application site, amended plans were submitted removing the previously proposed south facing bi-fold doors to ensure an acceptable relationship with our clients property.
The officer's report notes*: "the extension to the southern side to the rear has been amended to remove the glazing to the side and a window is shown which will be conditioned to be obscurely glazed to avoid any overlooking to the south toward the boundary* ***and*** *the rear of the neighbouring property" [emphasis added].*

The current scheme reintroduces three large clear glazed windows in this southern elevation 8.5 metres into the rear garden space and in even closer proximity to the mutual boundary.
DMS2 states that principal windows on the side elevation of rear extensions should be a minimum of 6.1 metres from any solid obstruction or boundary. The proposed windows are principal windows within 3.5 metres of the mutual boundary with our clients property. This is considered to significantly compromise our clients amenity through the introduction of high levels of overlooking and a loss of privacy to principal windows given the depth of the proposed extension.
In order to comply with the requirements of DMS2, given the depth of the proposed extension we are concerned that any windows in the southern side elevation of the rear addition will give rise to high levels of overlooking back to the rear elevation of our clients property and our clients principal windows.
This will result in a loss of privacy and seriously compromise our clients amenity in conflict with Policy 15.
In their determination of previous proposals at the application site, the Council has always taken a very consistent approach to their consideration of the applications, ensuring no harm has been caused to our clients amenity through either refusal of applications or seeking amendments to the submitted proposals.
We trust that this consistency will continue. As such, given the assessment of previous schemes we cannot see how the Council could support this latest application.
For the reasons set out above, it is submitted that the proposal conflicts with the requirements of both national and local planning policy. It is therefore respectfully requested that planning permission is refused.

Proposed Additional Roof Windows to Main Dwelling

The amended application has two windows on the western end of the south side roof slope serving our neighbours first floor bedroom. The front of our property at No 20 is set back from our neighbour at No 22. These side facing roof windows are in close proximity and would be clearly seen from our first floor bedroom window at the front of our property.
Whilst it has been proposed these roof windows will be 1.7 metres above finished floor level we are concerned, as mentioned during your site visit on 10th September, that overlooking is still possible from these windows into our bedroom and onto the bed positioned in this room.
The proposed extensive glazing at the front of our neighbours property would give adequate light and ventilation to their bedroom without the need for additional roof windows.
It would be “daunting” for a young family member to be using our bedroom knowing the adjacent neighbour has a window in close proximity with a view into the room.
We respectfully ask the Council to consider our concern and remove these windows from the plan or alternatively, if still regarded as necessary, they be obscurely glazed and fixed shut to prevent any overlooking and to protect our amenity.

Please also note that with the previous approved application (AWDM/1983/20) in line with permitted development rights (and what the government have deemed to be generally acceptable), all side facing roof windows were conditioned to be obscure glazed and non-opening unless the parts of the window which can be opened are more than 1.7 metres above the floor of the room in which the window is installed

The Decision Notice Reason*: To prevent overlooking and to comply with policy 15 of the Adur Local Plan*

Please see below images of:

- The proposed rear extension at No22 from the rear bedroom window of our property at No20
- The proposed clear glazed roof window at No22 as seen from our front bedroom window at No 20 Mill Hill.

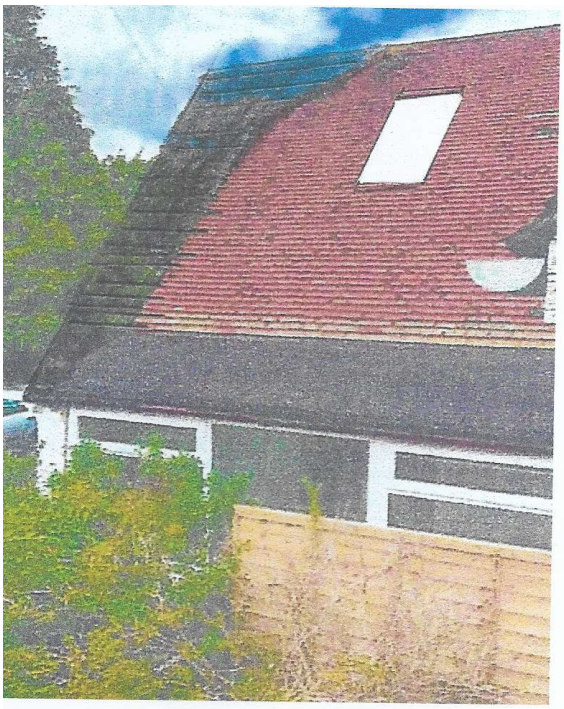
Yours faithfully

Frances Brand
[redacted]

APPLICATION AWDM/0813/24



Figure 9: View of current rear extension at No.22 Mill Hill from No.20 Mill Hill SHOWING SUPERIMPOSED EXTENSION AND PRINCIPAL WINDOWS/DOORS



View of superimposed window on western part of roof slope of No22 Mill Hill as seen from the first floor bedroom of No20 Mill Hill