

From: planninginfo@midsussex.gov.uk <planninginfo@midsussex.gov.uk>
Sent: 02 November 2025 21:49:31 UTC+00:00
To: "Hamish Evans" <hamish.evans@midsussex.gov.uk>
Subject: Mid Sussex DC - Online Register - Comments for Planning Application
DM/25/2449

Comments summary

Dear Sir/Madam,

Planning Application comments have been made. A summary of the comments is provided below.

Comments were submitted at 02/11/2025 9:49 PM.

Application Summary

Address:	Nyes Hill House Wineham Lane Bolney Haywards Heath West Sussex RH17 5SD
Proposal:	Variation of condition No: 1 of planning permission DM/22/1039 to amend plans approved and to allow for minor amendments to the locations of windows and rooflights, with slight adjustments to their sizes. Modest alterations to the design and positioning of bifold doors, along with corrections to the roof plan to ensure consistency with the elevation, specifically where the proposed porch roof was previously misaligned.
Case Officer:	Hamish Evans

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Customer Details

Address: The Barn, Nyes Hill Farm Wineham Lane Haywards Heath

Comments Details

Commenter Type:	Neighbour or general public
Stance:	Customer objects to the Planning Application
Reasons for comment:	
Comments:	RE: Objection to planning application reference DM/25/2449 - Nyes Hill House, Wineham Lane, Haywards Heath, RH17 5SD

Despite having significant concerns about the number of side elevation windows facing our property from the proposed extension to Nyes Hill House and, with our wish to be good neighbours, we did not oppose the initial planning application. However, we now object to being overlooked by a knowingly deliberate breach of the planning permission granted.

The side-elevation window positioned higher (and larger) than the permission granted has resulted in a largely unobstructive view to the side elevation of our property, which is the side in constant use. It also, in part, negatively impacts on the south facing part of our property.

The window can now be seen over our 2m fence resulting in:

1. Our entrance to our main door and utility room being in full view
2. All our coming and goings can be seen
3. It looks onto and into our main bathroom (can be seen when sitting on the toilet)
4. It looks onto and into our outhouse which is in daily use
5. It can be obliquely seen from our kitchen where we spend most of our time
6. It looks over our driveway
7. It looks over and into our three-bay open garage which is in frequent use
8. It looks over and into our garden, including the more private south facing part
9. If the shed adjacent to the fence (moved and re-positioned by the neighbours from elsewhere in their garden) was not there, the elevated window would look directly onto and into my daughter's bedroom, and to a greater extent into our garden.

Although this objection focusses on the elevated window there are other windows now facing us which appear to be larger and have the potential to also breach the planning permission granted. This is insufficiently detailed in the application and therefore requires confirmation that we are not being unnecessarily overlooked by other windows as well.

Having considered local planning guidelines, reviewed planning appeal decisions and relevant case law, it is clear that by intentionally constructing a window that is positioned higher and does not conform (larger and should be non-opening) to the agreed plans has reached the threshold required for action to be taken to remedy the breach. More so, as this is a rural area in comparison with urban living where different standards apply.

We have tried to mitigate the negative impact this has had by planting trees along our fence line with limited success. Nevertheless, the onus on remedying the breach remains with our neighbours in the knowledge that attempts to block or obscure the

breach with temporary structures such as a shed is not considered an acceptable or a permanent solution.

The position and size of the extension is intrusive, overbearing and out of keeping with the character of the surrounding area and nearby houses which includes a grade 1 listed house and our architecturally significant traditional Sussex Barn. The extension has resulted in at least five front, roof and side elevation windows overlooking our property and garden, when prior to and after raising the ground level to build the extension, there were none.

It would therefore seem inequitable and unfair to have to accept these changes when the plans were prepared by an architect and agreed by the neighbours prior to submitting their planning application. I assume the window was placed in the original position as the architect would have understood that it is not only the elevation but that the distance and the angle in which the window sits are equally important considerations and would have recognised this combination would contravene the restrictions placed on being overlooked.

In other words, there is no evidence that this was an error on the architect's part and if the window had been positioned in the original plans, as it is now, permission would not have been granted because of being substantially overlooked. I therefore reject the opinion of the architect that these changes are 'modest' and 'do not impact on neighbouring properties', particularly as they have taken no steps to ensure the accuracy of their assertions.

As such, it would be our preference as a proportionate measure - given the number of windows now facing our property from Nyes Hill House - for the elevated window to be removed in its entirety, or as a minimum for it to conform to being non-opening and the agreed size and position as well as for all the other windows facing our property to comply with the planning permission granted.

Kind regards