

40 Nichol Road
Chandler's Ford
Hampshire
SO53 5AU

6th August 2026

Ms R Morris
Eastleigh Borough Council
Eastleigh House
Upper Market Street
Eastleigh
Hampshire
SO50 9YN

Dear Ms Morris

Application no: X/26/101627

Description: Variation of Conditions 1 (plans) and 12 (obscure glazing) from planning application F/24/98320

Site: 38 Nichol Road
Chandler's Ford
Eastleigh
SO53 5AU

Having received notice of the above application to vary plans and conditions, we are submitting an objection to the proposals and include the below comments for your consideration.

The applicant will have been aware from previous comments submitted and conditions imposed, that their build had the potential to have a detrimental effect on the amenity and privacy of no. 40 and it is disappointing that they have not taken steps to be as thoughtful as they can in minimising this impact by complying with the conditions imposed.

It should have been established prior to commencing the build that the conditions could be met and when it became apparent that *"A top-hung arrangement at the height specified by the condition would present difficulties in terms of operation, ventilation and maintenance"* they could, for example, have considered removing the windows completely and instead installing roof lights in the dormer.

Given that the changes applied for have already been implemented in the build, the impact of the loss of privacy and increase in overlooking can now be felt and is negatively affecting the use of the garden, patio, sitting room and rear bedrooms of no. 40. It had been hoped that this would be temporary and resolved when the planning conditions were met.

Regarding the increase the size of the windows in the dormer section (from 3 to 5 panes):

- the size of windows proposed and built without approval is now not dissimilar to the first application, which was refused in part due to the overbearing and loss of privacy for no. 40
- the unapproved windows create a materially greater level of overlooking and loss of privacy, now giving the impression of a continuous panel of glass versus the individual, separate windows previously approved
- no reason has been provided for why the windows have not been constructed in accordance with the approved plans

Regarding the application to change to side-hung windows:

- side-hung opening windows, whether subject to a 10cm restriction or not, will always result in an actual or perceived loss of privacy given how close they are to the boundary and the rear wall of no. 40
- suggesting a restrictor which “*cannot be overridden or disengaged*” is of no benefit because this restriction will not be apparent from no. 40 (and most restrictors can be disengaged with a key or special tool)

Regarding the application to reduce window height to below 1700mm:

- The fact that a bath or similar is below the windows seems irrelevant in assessing the possibility of being able to look out of the windows because this is not a permanent fixture and is also not apparent from no. 40 so will not reduce the perceived loss of privacy

Regarding the change in design of the area beneath the dormer window:

- the change in the wall below the windows has the effect of making the windows more conspicuous. In the previously approved plans, the windows had the appearance of being set back in the roof
- with the rendered, vertical section of wall now extending up to the window, the windows appear more prominent and overbearing

Other matters:

- it is noted that the build is not in accordance with the previously approved east elevation, which showed the dormer window set back from the external wall (the dormer has been built flush with the external wall, making the windows under discussion closer to the boundary with no. 40 than indicated)

In conclusion, ideally the original condition 12 will be upheld and the final number of windows will be as per the original approved plans. If not, whatever amendments are approved, it's key that it must be **apparent from no. 40** to anyone, now and in future, that overlooking is not possible. A top-hung opening toplight would have achieved this. Side-hung opening windows will not achieve this, even if they were restricted to 10cm opening, because from no. 40 it will still appear to be an opening window.

Yours sincerely

Roger and Sandra Cath

(by email)

Cc Susannah Flood



From patio of no. 40



From bedroom of no. 40



From sitting room of no. 40

