

Item 18

Ref: 22/503380/FULL

**15 Lyngs Close
Yalding
ME18 6JS**

Following the publication of the officer report, a further representation has been received from the occupier of 16 Lyngs Close.

The comments from the neighbour are summarised below and are followed by the officer response.

Comments Received

- In relation to point 6.11 of the report – Current boundary fence is 1.5m not 1.2m as detailed in the report. With the conservatory floor 275mm above the previous garden level, occupiers have a raised position to see over into No 16's garden and house. This does create a material loss of privacy and overlooking compared to previously.
- In relation to point 6.14 of the report – The neighbour objects to being put to the cost and inconvenience of installing a taller fence for an issue not of their making. The applicant should be required to maintain privacy by adding obscure glazing as suggested by the parish council.

Officer Response

I have revisited the site and measured the height of the existing boundary fence.

On the applicant's side of the boundary (the relevant side insofar as overlooking of the neighbouring property is concerned), the fence stands 1.37m in height measured from the ground level immediately beside it and 1.27m in height measured from the surface of the adjoining patio (there is a narrow drainage channel at the edge of the patio, between it and the fence).

The key height measurement is 1.27m, which is the height of the fence in relation to users of the patio.

As stated in paragraph 6.11 of the officer's report, there are already clear views from the applicant's patio across the neighbour's garden and of the rear living room window at 16 Lyngs Close.

For the reasons explained in paragraphs 6.11-6.13 of the officer's report, a condition requiring installation of obscure-glazing to the conservatory would not meet the tests of reasonableness or necessity.

My recommendation remains unchanged.