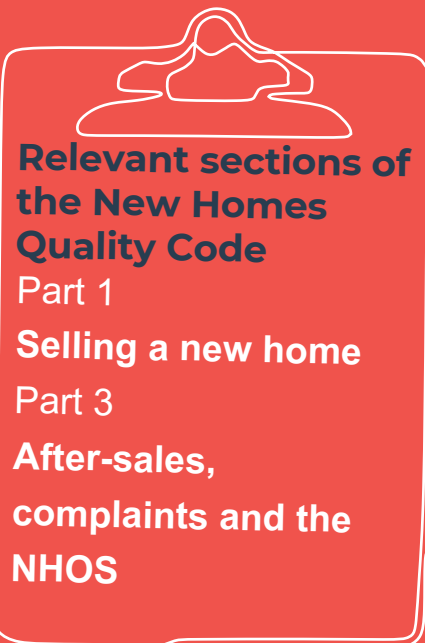


New Homes Ombudsman Case Study: **Proximity of Adjacent Properties**



Issue

The customer complained that the properties built on plots adjacent to their own were closer than expected, they overlooked their property and blocked out the sun. They say that they were not given any information about the neighbouring properties by the developer, and they were concerned that their privacy was breached because of the proximity.



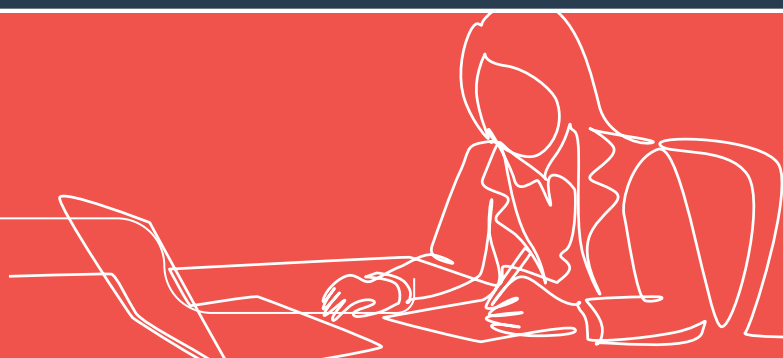
Relevant sections of the New Homes Quality Code

Part 1

Selling a new home

Part 3

After-sales, complaints and the NHOS



Circumstances

- When the customer moved into the property, the houses planned for adjacent plots had not yet been built.
- Once their construction was underway, the customer found that those behind the boundary of the rear garden were larger and higher than expected, blocking the sunlight from the garden and overlooking their windows.
- The customer said they were told there would be garages behind their property, but there was a two-storey property.

Ombudsman's decision

The Ombudsman reviewed the evidence available and found that the property and those surrounding it had been built in accordance with the plan, both in terms of size and position.

Although the customer had enjoyed living in the property without any others around it for a few months, the developer did not misrepresent the final layout of the development or mislead the customer about what it would be like.

When receiving the customer's complaint, the developer handled the situation in a timely manner and in accordance with the requirements of the New Homes Quality Code.

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Outcome

Complaint not upheld



Learnings

- Clear information should always be presented to the customer. It is important to go through site plans with customers, so they understand exactly what the plan shows.
- A timely response to customer complaints helps to provide a good standard of customer service.

Recommendations for developers

Make sure that customers understand site plans and have access to complete information regarding their property.

It is important that developers provide an informed and timely response to complaints in accordance with the Code.

