



Appeal Decision

Site visit made on 25 February 2025

by Elaine Benson BA(Hons) DipTP MRTPI

an Inspector appointed by the Secretary of State

Decision date: 14 March 2025

Appeal Ref: APP/Y3425/D/25/3358416

79 Baswich Crest, Baswich, Stafford, Staffordshire ST17 0HJ

- The appeal is made under section 78 of the Town and Country Planning Act 1990 (as amended) against a refusal to grant planning permission.
 - The appeal is made by Deborah Instone against the decision of Stafford Borough Council.
 - The application Ref is 24/39797/HOU.
 - The development proposed is rear dormer extension to the existing chalet bungalow.
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Decision

1. The appeal is dismissed.

Main Issues

2. These are the effect of the development on the character and appearance of the host dwelling and the surrounding area, and its effect on the living conditions of neighbouring occupiers.

Reasons

3. The dormer extension has already been constructed and the appeal proposal is for its retention. The appeal has been determined on this basis.
4. The appeal property is a bungalow which was allowed on appeal. The Inspector imposed a condition removing 'permitted development' rights for extensions and additional windows and dormer windows. The condition was imposed to protect the amenity of neighbouring occupiers due to the cramped nature of the site and the close relationship between the bungalow and its neighbours. Accordingly, planning permission is required for the proposal.
5. The dormer extends across much of the width of the bungalow's roof plane. There is a minimal set down from the ridge and its base is close to the eaves. As a result, it appears overly large and visually dominating in its context. Although there are many dormer windows in the local area, they are of a significantly more modest size than the appeal proposal. The dormer window is clad with dark grey material which contrasts with the original roof tiles and this further contributes to its incongruous appearance.
6. I conclude that the scale of the dormer window and the materials used result in an incongruous and imposing feature in the street scene which harms the character and appearance of the surrounding area. Thus, the proposal conflicts with Policy N1 of the Plan for Stafford Borough (the Plan) which, in summary, requires high

quality design which respects its surroundings. Furthermore, the scheme does not conform to the detailed design guidance set out in the adopted Supplementary Planning Document - Design (SPD). The proposal is also counter to the similar design objectives of the National Planning Policy Framework (the Framework).

7. The dormer is close to the boundary with No 2 Tavistock Avenue (No 2). The combination of its bulk and height in a location so close to both the boundary and the property itself has an unacceptably overbearing effect on the occupiers of No 2, as experienced from their rear windows and garden. Furthermore, the appeal dormer has 3 windows which face onto the neighbouring property. I saw that both bedroom windows in the dormer provide views into the rear rooms of No 2, including its bedrooms, as well as overlooking much of its garden. The extent of overlooking includes the garden area closest to the back of No 2 where one would expect greater privacy. This degree of overlooking amounts to an unacceptable loss of privacy for the neighbouring occupiers. The appeal bungalow stands on higher ground than No 2 and this relationship exacerbates the overbearing effect of the dormer and the extent of overlooking.
8. The appellant suggests that the dormer windows could be fixed shut and obscurely glazed to overcome the overlooking concerns. However, this amendment would not address the overbearing effect of the dormer, nor remove the perception of overlooking. Moreover, the suggested changes would provide an unacceptable living environment for the appellant as there is no other source of daylight to these bedrooms.
9. When originally granting planning permission, the Inspector removed permitted development rights for windows and dormer windows to avoid the very situation the dormer extension creates. I conclude that the identified harms to the living conditions of the neighbouring occupiers conflict with the amenity requirements of Policy N1 of the Plan, the SPD and the similar objectives of the Framework.
10. Whilst I appreciate that the dormer provides larger and more usable first floor accommodation, this factor does not outweigh the harm caused. The appellant is concerned that the Council did not discuss potential amendments to the proposal, prior to making its decision. However, this is not a matter for consideration in this appeal and should be addressed through the Council's own procedures.
11. For the reasons set out above and having regard to all other matters raised, the appeal should be dismissed.

Elaine Benson

INSPECTOR