



Appeal Decision

Site visit made on 27 May 2025

by Lynne Evans BA MA MRTPI MRICS

an Inspector appointed by the Secretary of State

Decision date: 05 June 2025

Appeal Ref: APP/R0335/D/24/3356182

Woodbury, 28, Sandhurst Road, Crowthorne RG45 7HS

- The appeal is made under section 78 of the Town and Country Planning Act 1990 (as amended) against a refusal to grant planning permission under section 73 of the Town and Country Planning Act 1990 for the development of land without complying with conditions subject to which a previous planning permission was granted.
 - The appeal is made by Mr S Kifle against the decision of Bracknell Forest Council.
 - The application Ref is 24/00428/FUL.
 - The application sought planning permission for proposed detached garage to front without complying with a condition attached to planning permission Ref: 24/00157/FUL dated 21 May 2024.
 - The condition in dispute is No 2 which states that:
 - The development hereby permitted shall be carried out only in accordance with the following approved plans and other submitted details:
 - Location Plan - PP18/32/200/A
 - Site Layout and Roof Plan - P18/32/S/201/F
 - Street Scene Elevation and Context Plan - P18/32/S/202/D
 - Proposed Garage - P18/32/S/230/A
 - The reason given for the condition is: To ensure that the development is carried out only as approved by the Local Planning Authority.
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Decision

1. The appeal is allowed and planning permission is granted for detached garage to front at Woodbury, 28, Sandhurst Road, Crowthorne RG45 7HS in accordance with the application Ref 24/00428/FUL without compliance with condition number 2 previously imposed on planning permission Ref 24/00157/FUL dated 21 May 2024 and subject to the following conditions:
 - 1) The development hereby permitted shall be carried out only in accordance with the following approved plans:

Amended Plan: Proposed Block Plan – 01 Rev A; Amended Plan: Proposed Floor Plans – 02 Rev A; Amended Plan: Proposed Elevations – 03 Rev D;
Amended Plan: Proposed Roof Plan - 02 Rev B;
Amended Plan: Proposed Section – 04 Rev A.
 - 2) The materials to be used in the construction of the external surfaces of the development hereby permitted shall be similar in appearance to those on the existing dwelling.
 - 3) Notwithstanding that shown on the approved plans, the dormer window in the development hereby permitted shall not be glazed at any time other than with a

minimum of Pilkington Level 3 obscure glass (or equivalent) and shall at all times be non-opening and thereafter be so maintained and retained.

Application for Costs

2. An application for costs was made by S Kifle against Bracknell Forest Council and this is the subject of a separate Decision.

Preliminary Matters

3. Planning permission was granted by the Council under its Ref: 24/00157/FUL in May 2024 for a detached garage to the front of a recently completed replacement dwelling. At the time of the application, the construction of the garage had been commenced but not yet completed and the application sought to vary the approved plans, listed under Condition 2 of the above permission, to allow for the inclusion of a rear dormer and side window to the garage with first floor storage. As the construction works had commenced but not been completed at the time of the application, my decision is necessarily based on the submitted plans.
4. There are references in the Officer's report to an enforcement case, but that is not before me.
5. The application was made in the name of the agent but the appellant, being the landowner was clarified and confirmed at the appeal stage. I have referred to the landowner as the appellant in the header above.
6. At my request the plans determined by the Council and therefore the basis of my decision have been confirmed by the Council and the Appellant.

Main Issues

7. The main issues in this appeal are:
 - whether the amended plans with the inclusion of a rear dormer and side window would harm the street scene, and
 - whether the amended plans with the inclusion of a rear dormer and side window would harm the living conditions of the immediate neighbours, with particular regard to overlooking and loss of privacy and loss of light.

Reasons

Street scene

8. The appeal property is a recently completed replacement detached dwelling on the west side of Sandhurst Road and in a predominantly residential area with a wide mix of dwelling styles.
9. The approved garage sits to the front of the site on its northern side. The proposed amended plans would include for a rear facing dormer facing towards No 28 and a side facing round window facing onto Sandhurst Road.
10. The proposed dormer would be set in from the side elevations of the garage and set down from the roof ridge and would be finished in materials to match the approved roof materials for the garage. There would be views of the dormer from along Sandhurst Road, although many of these would be partly obscured by existing planting, including mature trees. On my site visit, I noted a variety of

dwelling styles in the local vicinity. Although not widespread, dormers are also found in the locality, including the existing front facing dormer on the host property.

11. I consider that the scale and proportions of the proposed dormer would be readily accommodated within the roof form of the garage and would not appear over dominant in relation to the scale and proportions of the garage or within the street scene. The front facing window given its small scale would respect the scale and massing of the garage and be acceptable within the street scene.
12. I am therefore satisfied that the proposed amended plans to introduce a rear dormer and side window to the approved garage would respect the character and appearance of the garage and the street scene. There would be no conflict with Policy LP 50 of the Bracknell Forest Local Plan and the Council's Design SPD as well as the National Planning Policy Framework (Framework) and in particular Section 12, all of which seek a high quality of design which respects the local context.

Living Conditions

13. The approved garage is sited forward of the neighbouring dwelling at No 26 and the dormer window would face towards the front garden and driveway of both No 26 and 24. There are windows to habitable rooms at the front and side of No 26 as well as roof lights. I appreciate that the neighbours would see the dormer window both from some of their windows as well as from within the front garden areas. However, the submitted plans show that the proposed dormer window would be obscure glazed and non-opening. Subject to a condition to ensure that the development would be completed in this manner with obscure glazing and be non-openable, and thereafter retained, I am satisfied that there would be no actual overlooking or loss of privacy for the neighbours to the north, either from within their properties or their front garden areas.
14. Given that the garage is sited further forward than the neighbouring property at No 26 and that the dormer would be contained within the approved roof slope of the garage, I do not consider that the dormer would be overwhelming or materially affect levels of light in respect of existing front and side facing windows in the neighbouring property.
15. Given the proposed position of the window on the side elevation of the garage facing towards Sandhurst Road, there would be no adverse effect on the living conditions of any of the surrounding neighbours.
16. Subject to the imposition of a condition as set out above I am satisfied that there would be no harm to the living conditions of the immediate neighbours, with particular regard to overlooking and loss of privacy as well as loss of outlook and light, as a result of the proposed amended plans to introduce a rear dormer and side window to the approved garage. There would be no conflict with Policy LP 50 of the Bracknell Forest Local Plan and the Council's Design SPD as well as the Framework and in particular paragraph 135, all of which amongst other things seek to protect the amenities of existing and future occupiers.

Other Considerations

17. I have had regard to the Tree Preservation Order No 729 which protects trees at the front of the appeal property and neighbouring property. I am satisfied that the proposal before me would have no effect on the protected trees.

Conditions

18. I shall grant permission for the garage with the proposed dormer and additional window and vary the conditions as originally imposed. The amended plans should be listed for the avoidance of doubt and in the interests of good planning. The materials shall be required to be in general accordance with the existing dwelling to respect the street scene. In order to protect the amenities of the neighbours and for the reasons set out above the dormer window requires to be in obscure glazing and non-openable.

Conclusion

19. For the reasons given above and having regard to all other matters raised, I conclude that the appeal should be allowed. I shall vary the planning permission by deleting the disputed condition and reimposing a varied condition, alongside the other conditions which I have set out above.

L J Evans

INSPECTOR