



Appeal Decision

Site visit made on 10 June 2025

by Rachel Hall BSc MSc MRTPI

an Inspector appointed by the Secretary of State

Decision date: 12 June 2025

Appeal Ref: APP/Y3425/D/25/3363827

5 John Street, Littleworth, Stafford, Staffordshire ST16 3PJ

- The appeal is made under section 78 of the Town and Country Planning Act 1990 (as amended) against a refusal to grant approval required under Article 3(1) and Schedule 2, Part 1, Class A of the Town and Country Planning (General Permitted Development) (England) Order 2015 (as amended).
 - The appeal is made by Mrs Jane Kilinc against the decision of Stafford Borough Council.
 - The application Ref is 25/40179/NHPD.
 - The development proposed is single storey flat roof extension to existing kitchen.
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Decision

1. The appeal is dismissed.

Background and Main Issue

2. Paragraph A.4.(7) of Schedule 2, Part 1, Class A of the Town and Country Planning (General Permitted Development) (England) Order 2015 (as amended) (the GPDO) requires that where an owner or occupier of adjoining premises objects to the proposed development, consideration is given to its impact on the amenity of any adjoining premises. In this instance, a neighbour representation was made in response to the proposed development. As that raised concerns it is taken as an objection under paragraph A.4.(7) of Class A of the GPDO.
3. In this context, the Council refused prior approval in light of its effect on the occupants of No 6 John Street. Therefore, the main issue is whether or not the proposed extension would be acceptable with respect to its effect on the amenity of the occupants of No 6, with particular regard to outlook and light.

Reasons

4. At No 6, the closest ground floor side and rear facing windows to the proposed development are already situated relatively close to the two storey outrigger of No 5. As such, their outlook and natural light is already constrained to a certain extent, as is typical with this traditional terraced layout. However, the proposed extension would result in a solid brick wall along the adjoining boundary with No 6. Whilst single storey, it would project above the existing boundary wall, in close proximity to the nearest side and rear facing windows at No 6. One of those side facing windows likely relates to a habitable room such as the kitchen. The ground floor rear facing window also appears to be for a habitable room. As such, these are likely to be important for providing an outlook and natural light to those rooms.
5. Given the proximity of the proposed extension to those habitable room windows, the proposed extension would appear oppressive. Positioned alongside the rear facing window, it would also diminish natural light to that room to an unacceptable

degree. No substantive evidence indicates otherwise. Although the occupants of that house did not object to the proposal, the appeal is determined having consideration to its effect on existing and future occupants of that house. For the reasons given, the proposed extension would not be acceptable with respect to its effect on the amenity of the occupants of No 6, with particular regard to outlook and light.

Conclusion

6. Therefore, the appeal is dismissed.

Rachel Hall

INSPECTOR