

DELEGATED DECISION REPORT

SMD/2025/0406
Valid 09/09/2025

**CARFIELD SUTHERLAND
ROAD
LONGSDON**

**APPLICATION FOR THE
REMOVAL OF CONDITION 2 IN
RELATION TO APPLICATION
SMD/2024/0409 FOR THE
REMOVAL OF
PREFABRICATED GARAGE
AND THE CONSTRUCTION OF
A NEW LIVING ROOM AND
ENTRANCE AREA.**

(FULL - HOUSEHOLDER)

MAIN ISSUES

- Impact on the neighbour's amenity and living conditions

DESCRIPTION OF SITE

The application relates to a semi-detached bungalow with white rendered walls and a roof of plain dark grey tiles. The property lies on the west side of Sutherland Road outside of the settlement boundary of Longsdon, identified as being in the countryside and in the Green Belt. There are neighbouring dwellings to the north and south of the application site, and to the rear are open fields. It sits on an incline higher than the neighbouring property to the south known as Laureston. Parking for the property is available on hardstanding in front of a detached double garage to the side of the dwelling.

PROPOSAL

Planning permission has been granted to enlarge the existing bungalow with a living room addition that extends from the side of the bungalow SMD/2024/0409. The development has been largely built out and nearing more final stages of completion. The side extension has replaced a detached garage and extends up to the shared garden boundary to the side of the neighbour's dwelling at Laureston to the south.

The approved plans detail a blank side wall elevation on the shared boundary that does not contain any windows. With the build however, the applicant and developer has introduced a window opening in this side wall that would serve the new living room space. At the time of the officer's visit the window amounted to an opening in the masonry, there had been no installation of any casement or glazing.

The application seeks a replacement planning permission with differing conditions that would approve a revised plan and the introduction of the window in the side wall.

During the course of the application the applicant has submitted a further amended plan that confirms intent/willingness to install obscured glazing within the majority, lower part, of the window, below the top casements. That would take obscured glazing up to a height of 2m above internal finished floor height.



RELEVANT LOCAL AND NATIONAL PLANNING POLICIES

Local Plan (adopted 9th September 2020)

SS1 Development Principles
SS2 Settlement Hierarchy
SS10 Other Rural Areas Area Strategy
DC1 Design Considerations

National Planning Policy Framework

SITE HISTORY / RELEVANT PREVIOUS APPLICATIONS

SMD/2007/1203 Demolition of existing double garage and new dining room and kitchen extension to existing dwelling. CLOSED.

SMD/2007/1210 Single storey front extension. APPROVED.

SMD/2024/0409 Removal of garage and construction of new living room and entrance area. APPROVED.

CONSULTATIONS

Publicity

Site Notice expiry date: 21st Nov 2025

Neighbour consultation period ends: 21st Nov 2025
Press Advert: N/A

Public Comments

3 Objections received, following concerns raised:

- It overlooks, from above due to the height difference between the 2 properties, the patio and garden of the neighbouring property, Laureston.
- Laureston is my mum's house and this window removes any sort of privacy that we as a family have when using the outside space of my mum's home.
- feels intrusive and will have a significant impact on my neighbouring property, Laureston.
- The window looks directly across neighbouring Laureston and over our patio area.

Town / Parish Comments

Longsdon CP: Majority decision to object to the application.

OFFICER COMMENTS

Impact on the Amenity of the Adjacent Neighbour to the South

This is the only issue for consideration that arises from the unauthorised introduction of the window in the side wall of the living room extension. The opening has become the source of complaint and objection, concerns relating to the position of the window and its proximity to the neighbour's patio. The neighbour fears or feels that their patio/private amenity space would be overlooked and that this would have an unacceptable impact on their amenity and living conditions.

Local Plan policy DC1 (design considerations) requires that all development shall be well designed and reinforce local distinctiveness. In particular, new development should, inter alia, protect the amenity of the area, including residential amenity, in terms of satisfactory daylight, visual impact, sunlight, outlook, and privacy. Development that does not afford such protections and would have an unacceptable impact on residential amenities and living conditions through loss of privacy and overlooking, would cause conflict with that Local Plan policy.

When the planning officer visited and inspected the site they stood inside the extension and looked out through the opening and also went outside to view the window opening from the patio area on the neighbour's property.

From the living room space and the new side window it is only really the laurel bush, growing right on the boundary in the window's central space, that prevents direct overlooking of the neighbour's patio. The window is on the boundary and therefore is quite close to the patio area which provides private outdoor amenity immediately to the rear of the neighbour's dwelling. If the laurel bush were to die or be cut down, the opening would provide direct views and vantage over the patio and the use of that area would be overlooked. The window is sizeable and a person from within the room would be able to see the patio area from casual use or positioning within the room.

Viewed from the neighbour's side, stepping back from the boundary and from within the neighbour's patio area the window does, because of its height and positioning, 'loom' above that space, at roughly first floor height, given the fall/step down in ground levels. From the patio space there would be an uncomfortable perception or feeling of being overlooked and that would have an unacceptable effect on living conditions.

However, if the window were to be installed with non-opening casements and obscured frosted glass (at least level 3 privacy rating) up to the bottom of the top openers, that would provide screening within the majority of the window space up to an internal height of 2m above finished floor level. Persons would not then be able to see the patio space from inside the room and the outdoor area would not be overlooked, regardless of what happens to the laurel bush on the boundary. Importantly, the neighbour should not feel overlooked with the reassurance provided by the introduction of the obscured glazing and non-opening casement.



The applicant has submitted an amended plan to confirm a willingness to install the obscured glazing and comply with a condition that requires this treatment of the window.

If the window installation is completed in this manner, then the privacy of the neighbour would be protected and there would not be an unacceptable impact on their amenity and living conditions. There would not be conflict with policy DC1 of the Local Plan in these regards. A suitably worded, enforceable condition that would be relevant to the planning objective of protecting amenity could be applied to a replacement planning permission for the living room extension development.

CONCLUSION / PLANNING BALANCE

The proposed window is at a position and height that, if a laurel bush on the boundary were to die or be cut down, would allow a person from within the living room to directly overlook the neighbour's patio from ordinary or casual positions within the room. From the neighbour's patio/private amenity space, the window would be at such a height and position that the neighbour would feel, or have the perception of being, overlooked.

However, if the majority, lower section, of the window was to be non opening and installed with obscure glazing (obscured to an internal height of 2m above ffl) then the

patio would not be overlooked and the neighbour should not feel overlooked with the reassurance provided by the obscured glazing.

This would be an acceptable, policy compliant, outcome and could be secured and required through the addition of an enforceable planning condition on any replacement/varied planning permission.

OFFICER RECOMMENDATION : APPROVE subject to condition

Case Officer: Ben Hurst

Recommendation Date: 20/11/2025

X 

Signed by: Jane Colley Signature

On behalf of Staffordshire Moorlands District Council