
Appeal Decision

Site visit made on 22 November 2016

by Siobhan Watson BA(Hons) MCD MRTPI

an Inspector appointed by the Secretary of State for Communities and Local Government

Decision date: 2 December 2016

Appeal Ref: APP/J4423/W/16/3157886

Land between 405 and 411 Fulwood Road, Sheffield, S10 3GF

- The appeal is made under section 78 of the Town and Country Planning Act 1990 against a refusal to grant planning permission.
 - The appeal is made by Mr Philip Prince against the decision of Sheffield City Council.
 - The application Ref 16/01425/FUL, dated 13 April 2016, was refused by notice dated 8 July 2016
 - The development proposed is the erection of a single subterranean dwelling.
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Decision

1. The appeal is dismissed.

Main Issues

2. The main issues are the effect of the proposed dwelling upon (i) the character and appearance of the area; and (ii) the living conditions of future occupiers with particular regard to outlook, light and private amenity space.

Reasons

Character and Appearance

3. The appeal site is a small area of steeply sloping grass which sits between two large blocks of flats, Graham Point and Oakbrook Court. It bounds Fulwood Road which is characterised by a variety of building styles, many being period properties in the Ranmoor Conservation Area which is on the opposite side of the street.
 4. Due to the small size of the site and because it slopes downwards from the road, the grassed area is fairly inconspicuous within the street-scene and therefore, in my view has little visual value. Even though there would be some loss of grass, the grass would be retained at the front and the dwelling would not project above street-level. Therefore the impact upon the street-scene would be negligible.
 5. I acknowledge the Council's comments in relation to the sycamore trees and I agree that these trees make a positive contribution to the character and appearance of the area. The appellant indicates that one of these trees might be removed but it would be replaced by a more appropriate specimen. No substantive evidence has been provided by the Council to support its claim that the excavation would result in the loss of the other tree. Therefore, overall, I do not consider that the proposed development would detract from the leafy nature of the area.
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6. I therefore conclude that the proposed dwelling would not harm the character and appearance of the area. Consequently, I find no conflict with Policies H14 and BE16 of the Sheffield Unitary Development Plan (UDP) and Policy CS31 of the Sheffield Core Strategy (CS) which, in combination, seek to safeguard and enhance areas of character and to protect the setting of conservation areas.

Living Conditions

7. The kitchen/dining area would have sliding doors leading onto a small enclosed courtyard which would be very closely alongside the block of flats, Oakbrook Court. The small enclosed nature of the courtyard and the height and proximity of the block of flats would result in an enclosed and shaded area to look out onto and would allow little sunlight into the ground floor. The kitchen/diner and the living area would also have an outlook onto a central courtyard but this would be small and the wall enclosing it would be two-storey in height. Therefore, even though the living area and kitchen/dining area would not be separated by doors, resulting in a somewhat open plan layout, the outlook from these areas would be severely restricted. Bedroom 2 would only have an outlook onto the internal courtyard and again, would be severely restricted with little opportunity to receive sunlight. I therefore consider that the ground floor and bedroom 2 would have an inadequate outlook and would receive too little sunlight.
8. Due to the position of windows in both the adjacent flats and the proposed house, I do not consider that there would be any undue overlooking of the proposed development or loss of privacy to the existing flats.
9. Amenity space would be provided by the 2 small courtyards and a roof garden. Given the small size of the dwelling, I consider that this would be sufficient and would provide some space for sitting out, drying washing and growing plants in pots. However, the lack of harm in these respects does not outweigh the harm in relation to light and outlook.
10. I therefore conclude that the proposed dwelling would not provide adequate living conditions for its future occupiers. Consequently, there would be conflict with UDP Policy H14 which indicates that new housing development should be well designed and not deprive residents of light. It would also conflict with Paragraph 17 of the National Planning Policy Framework which indicates that a core planning principle is to always seek to secure high quality design and a good standard of amenity for all existing and future occupants of land and buildings.

Other Matters

11. I accept that the development is within a sustainable location and that CS Policy CS31 allows for infilling. However, these matters do not outweigh the harm that I find in respect of living conditions.

Conclusion

12. Whilst I find no harm to the character and appearance of the area, this factor does not overcome my finding that the proposed dwelling would not provide satisfactory living conditions for future occupants and the proposal would therefore conflict with both local and national planning policy. For this reason, I dismiss the appeal.

Siobhan Watson

INSPECTOR