



Appeal Decision

Site visit made on 28 July 2020

by A Caines BSc(Hons) MSc TP MRTPI

an Inspector appointed by the Secretary of State

Decision date: 29 July 2020

Appeal Ref: APP/J4423/D/20/3252335

56 Bowood Road, Sheffield S11 8YG

- 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 Miss Katie Steele against the decision of Sheffield City Council.
 - The application Ref 19/04434/FUL, dated 12 December 2019, was refused by notice dated 17 February 2020.
 - The development proposed is a single storey rear extension and front roof windows.
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Decision

1. The appeal is dismissed.

Procedural Matter

2. In line with standard protocol, I have taken the name of the appellant as it appears on the planning application form.

Main Issue

3. The main issue is the effect of the proposed rear extension on the living conditions of the occupiers of 59 Wayland Road, with particular regard to outlook.

Reasons

4. The proposed extension would be along the common rear boundary with 59 Wayland Road. No 59 has a single storey rear off-shot a short distance back from the boundary, which contains a door and window in the side facing the appeal property.
5. Although the proposed extension would be single storey, it would be notably higher than a boundary fence in that position. Even allowing for the raised internal floor heights, the height and depth of the proposed extension along the boundary would cause it to be overbearing when viewed at such close proximity from the opposing window of No 59. This would create an uncomfortable sense of enclosure and harm the rear outlook of the occupiers of No 59. That it would be seen against the existing two-storey extension would not mitigate this harmful effect.
6. In reaching my conclusion I have taken into account that the extension would not cause unacceptable overshadowing of No 59, despite exceeding the 3m maximum depth in the Council's Designing House Extensions Supplementary Planning Guidance from the Unitary Development Plan (SPD). This is due largely to being located on the north elevation. Irrespective, this absence of harm is a neutral matter.

7. I have also had regard to the mutual overlooking that currently exists between the rear extensions. Whilst the proposed extension would remove this mutual overlooking, I have found that it would do so in a harmful manner to the occupiers of No 59 so is not justification for the scheme. Furthermore, whilst I recognise that the proposed extension would bring the accommodation to modern standards and may improve the thermal performance of the host property, these are not considerations which would justify the significant harm that would be caused by the development.
8. I therefore conclude that the proposed rear extension would have an unacceptable impact on the living conditions of the occupiers of 59 Wayland Road, with particular regard to outlook. As such, it is contrary to SPD Guideline 5, which seeks to ensure that extensions avoid unreasonable over dominance of neighbouring dwellings. In this regard, it is also contrary to paragraph 127 of the National Planning Policy Framework where it requires development to provide a high standard of amenity for existing and future users.
9. The Council has also cited Policies BE5 and H14 of the Sheffield Unitary Development Plan (1998) (UDP), as well as Policy CS74 of the Sheffield Development Framework Core Strategy (2009) (CS). Criteria (c) of UDP Policy H14 requires that development does not deprive residents of light, privacy or security, or cause serious loss of garden space. I have not identified any harm in these respects and therefore I find no conflict with this Policy. UDP Policy BE5 and CS Policy 74 appear to be general design and townscape policies that I do not find particularly relevant to the main issue in this appeal, and I find no conflict with them.

Other Matters

10. There is a suggestion from the appellant that No 59 could also be extended. However, there is no substantive evidence that this is likely to occur in the near future, and in any event, I am required to determine the appeal on the basis of the current circumstances. This is, therefore, a matter to which I afford very limited weight and as such does not lead me to a different conclusion.

Conclusion

11. For the reasons given, I conclude that the appeal should be dismissed.

A Caines

INSPECTOR