



Appeal Decision

Site Visit made on 9 November 2020

by A Caines BSc(Hons) MSc TP MRTPI

an Inspector appointed by the Secretary of State

Decision date: 12 November 2020

Appeal Ref: APP/J4423/D/20/3256337
40 Bridle Stile Gardens, Sheffield S20 5EH

- 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 Sam Smeeton against the decision of Sheffield City Council.
 - The application Ref 20/01238/FUL, dated 9 April 2020, was refused by notice dated 4 June 2020.
 - The development proposed is a new double garage.
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Decision

1. The appeal is dismissed.

Main Issues

2. The main issues are the effect of the development on: (i) the living conditions of the occupiers of 42 Bridle Stile Gardens in respect of outlook; (ii) highway and pedestrian safety; and (iii) the character and appearance of the area.

Reasons

Living conditions

3. The proposed garage would be located close to the rear garden boundary wall of 42 Bridle Stile Gardens. Even allowing for the difference in site levels and the sloping roof, the garage would be notably higher than the boundary wall. Owing to the height, length, and proximity of the garage to the garden of No 42, it would appear dominant and enclosing when viewed from this neighbouring garden and the glazed patio doors.
4. I therefore conclude, on this issue, that the development would cause unacceptable harm to the living conditions of the occupiers of No 42 in respect of outlook. This is contrary to Guideline 5 of the Council's Designing House Extensions Supplementary Planning Guidance (SPG), which among other things, seeks to ensure that development avoids unreasonable over-dominance of neighbouring dwellings. It is also contrary to paragraph 127 of the National Planning Policy Framework (the Framework), where it requires development to provide a high standard of amenity for existing and future users.

Highway and pedestrian safety

5. The appeal site lies at the end of a narrow roadway, which also serves other properties off Bridle Stile Gardens. The roadway has shared use by vehicles

and pedestrians with no dedicated footway. Although not adopted highway, the appeal site is clearly laid out to facilitate the manoeuvring and turning of vehicles associated with No 40.

6. Current occupiers appear to use the area for parking. Even so, the proposed garage would occupy a substantially larger area and permanently remove the ability for vehicles to turn within the appeal property and leave in forward gear. Owing to the narrow width of the roadway and its shared use, this would likely increase the potential for conflict between vehicles and pedestrian users in this residential environment. The advice of the local Highway Authority reinforces this view and is a matter I give significant weight.
7. I therefore conclude, on this issue, that the development would have an unacceptable effect on highway and pedestrian safety. This is contrary to saved Policy H14 of the Sheffield Unitary Development Plan 1998 (UDP), SPG Guideline 8, and paragraphs 108 and 109 of the Framework, which collectively seek to prevent unacceptable impacts on highway and pedestrian safety.

Character and appearance

8. Whilst the siting of the garage forward of the house would be uncharacteristic of this area, the appeal property does not front Bridle Stile Gardens so it would not be unduly prominent in the street scene. Moreover, the Council accepts that the design and materials of the garage would complement the character and appearance of the street scene. Overall, the garage would have limited impact on the character and appearance of this suburban residential locality.
9. I therefore conclude, on this issue, that the development would not cause unacceptable harm to the character and appearance of the area. In this regard, the proposal would comply with Policy H14 of the UDP, SPG Guideline 2, and paragraph 127 of the Framework, which among other things, require development to be well designed and complement local character. However, this does not alter or outweigh my findings in relation to the other main issues.

Other Matters

10. The existing integral garage may be unsuitable for the appellant's needs, but this is not a consideration which would justify the harm that would be caused by the development.
11. It is stated that other garage developments have taken place within the estate, but no details are given. Irrespective, I have determined the appeal on its own merits.

Conclusion

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

A Caines

INSPECTOR