



Appeal Decision

Site visit made on 8 February 2021

by L Wilson BA (Hons) MA MRTPI

an Inspector appointed by the Secretary of State

Decision date: 3rd March 2021

Appeal Ref: APP/J4423/D/20/3262876 118 Dalewood Road, Sheffield S8 0EF

- 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 Dominic Stokes against the decision of Sheffield City Council.
 - The application Ref 20/01673/FUL, dated 27 May 2020, was refused by notice dated 27 August 2020.
 - The development proposed is demolition of existing conservatory extension and construction of new part two, part single storey extension, rear patio area and associated internal alterations.
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Decision

1. The appeal is allowed and planning permission is granted for the demolition of existing conservatory extension and construction of new part two, part single storey extension, rear patio area and associated internal alterations at 118 Dalewood Road, Sheffield S8 0EF in accordance with the terms of the application Ref 20/01673/FUL, dated 27 May 2020, subject to the attached schedule of conditions.

Main Issue

2. The main issue is the effect of the proposed extension upon the living conditions of the occupiers of 116 Dalewood Road (No 116), having regard to outlook and light.

Reasons

3. The appeal relates to a semi-detached dwelling located within a residential area. The property currently benefits from a conservatory to the rear adjacent to the common boundary shared with the adjoining property, No 116.
4. No 116 also has a conservatory to the rear, with a similar depth of that at the appeal property, which has windows on the side elevation, adjacent to the conservatory of the appeal property. The main outlook from No 116's conservatory is from the rear windows rather than the side windows.
5. The two-storey element of the extension would not dominate the outlook from No 116's windows given the gap between No 116's windows and this element. The depth and height of the single storey element of the scheme would not substantially differ from that of the existing conservatory. The primary windows of No 116's conservatory would continue to provide an open outlook and the scheme would not have an overbearing, oppressive nor dominating impact. This is due to the combination of the scale and massing of the existing

conservatory, which includes a solid flank wall, the depth of No 116's conservatory and the primary windows of No 116's conservatory do not face the appeal site.

6. No 116's conservatory extends across almost the full width of the property and contains a large number of windows which provide light for the original dwelling. Having regard to the appellant's 'sun path study', any reduction in direct light or overshadowing at certain limited times of the day, including the early morning, would not be to the extent that would harm living conditions of No 116. This is because the existing conservatory contains a solid flank wall, the proposed two-storey element would be stepped away from the common boundary and due to the large number of windows within No 116's conservatory. Consequently, the habitable rooms of No 116 would still receive adequate daylight and sunlight.
7. For the reasons given above, the proposed development would not have an unacceptable effect upon the living conditions of the occupiers of No 116, having regard to outlook and light. Accordingly, it would not conflict with Policies BE5 and H14 of the Sheffield Unitary Development Plan (1998) and Policy CS74 of the Sheffield Development Framework: Core Strategy (2009) which collectively seek, amongst other matters, to ensure new development respects neighbouring amenity. It would also comply with the Designing House Extensions Supplementary Planning Guidance and the National Planning Policy Framework which require new development to provide a high standard of amenity for existing users.

Conditions

8. It is necessary to attach a condition specifying the approved plans as this provides certainty. A condition is also necessary to ensure that the proposed materials are implemented in order to preserve the character and appearance of the area.
9. To ensure that the development would not have an unacceptable effect upon the living conditions of the occupiers of neighbouring properties, a condition is necessary to ensure that the louvers to the first-floor flank window are approved. Similarly, a condition is necessary to ensure that the obscured glass screen, to the side of the terrace, is installed.

Conclusion

10. For the reasons given above, the appeal should be allowed.

L M Wilson

INSPECTOR

Schedule of Conditions

- 1) The development hereby permitted shall begin not later than 3 years from the date of this decision.
- 2) The development hereby permitted shall be carried out in accordance with the following approved plans: J20-001 A-100 (Location Plan) and A-115 Rev G (Proposed plans, elevations and section).
- 3) The external surfaces of the development hereby permitted shall be constructed in the materials shown on plan A-115 Rev G (Proposed plans, elevations and section).
- 4) The development hereby permitted shall not be occupied until the first floor, side window has been fitted with louvers, as shown on plan A-115 Rev G (Proposed plans, elevations and section). Details of the type of louvers shall be submitted to and approved in writing by the local planning authority before the window is installed and once installed the louvers shall be retained thereafter.
- 5) The development hereby permitted shall not be occupied until the obscured glass screen to the side of the terrace is installed, as shown on plan A-115 Rev G (Proposed plans, elevations and section), and once installed the obscured glass screen shall be retained thereafter.