



Appeal Decision

Site Visit made on 2 June 2021

by Paul Martinson BA (Hons) MSc MRTPI

an Inspector appointed by the Secretary of State

Decision date: 29 June 2021

Appeal Ref: APP/J4423/W/21/3270619

43 Pingle Avenue, Sheffield S7 2LP

- The appeal is made under section 78 of the Town and Country Planning Act 1990 against a failure to give notice within the prescribed period of a decision on an application for planning permission.
 - The appeal is made by Mr and Mrs Farrant against Sheffield City Council.
 - The application Ref 20/04403/FUL is dated 7 December 2020.
 - The development proposed is side, rear, basement and roof space extensions.
-

Decision

1. The appeal is allowed and planning permission is granted for side, rear, basement and roof space extensions at 43 Pingle Avenue, Sheffield S7 2LP in accordance with the terms of the application, Ref 20/04403/FUL, dated 7 December 2020, subject to the conditions set out in the attached schedule.

Preliminary Matters

2. The appeal is against the Council's failure to reach a decision within the relevant statutory timeframe. However, the Council has explained at appeal that, had it been in a position to do so, it would have refused permission for the development proposed.

Main Issue

3. The main issue is the effect of the proposal on the character and appearance of the area.

Reasons

4. Pingle Avenue is a suburban street of predominantly semi-detached dwellings of varying designs. The street is reasonably steeply sloping with No 43 sited close to its highest point and No 45 fractionally higher still. No 43 has an existing attached flat roofed garage which adjoins a similar flat roofed garage at No 45. The land to the rear of the dwelling is steeply sloping (downwards away from the rear elevation) and as such much of the rear garden is stepped.
5. On my site visit I saw that extensions are a characteristic feature of the area with large numbers of the properties having been extended in some way. Accordingly, consistent spacing between properties is no longer particularly evident in certain locations. In this instance variety in the street scene also arises in part via the stepped relationship of one property relative to another reflecting the topography. Two storey side extensions are also common. I saw that these typically extended to the side boundary and continued the roof of the host dwelling over the extension with no break or step back (such as at Nos 26, 27 and 39). I also saw examples of opposing side extensions adjoining one

- another creating the 'terracing effect' referred to by the Council (such as at Nos 31 and 33).
6. The proposed side extension would be constructed above the existing garage close to the boundary with No 45, broadly flush with the existing front elevation. The roof would be continued over the extension without any break or step so that the roof planes of the extension would be flush with those of the existing dwelling. The rear dormer would form a gable above the main roofline, and its ridgeline would be similar in height to that of the existing dwelling. The rear extension to the lower ground floor would result in the formation of a terrace at ground floor level beyond which steps would be provided down the rear garden. Due to the increase in levels proposed, these would sit higher than the existing steps. A 1.8 metre high screen is proposed to be installed at the boundaries with Nos 45 and 41.
 7. The Council has explained at appeal that it would have refused the application on the basis that the proposed two storey side extension would not appear subservient and would give rise to a 'terracing effect'. For these reasons the Council argues that the proposal would be contrary to policies BE5 and H14 of the Sheffield Unitary Development Plan ('UDP', originally adopted 1998) and policy CS74 of the Sheffield Core Strategy ('CS', adopted 2009). The Council also cites conflict with Guidelines 1 and 2 of the Designing House Extensions Supplementary Planning Guidance ('SPG') and the National Planning Policy Framework ('Framework').
 8. The Council state that they have been pursuing an approach of requiring side extensions to be pulled back from the boundary by one metre or set back from the front elevation by half a metre. Whilst not strictly advocated by the SPG or the above policies, such an approach to avoid a terracing effect may, in my view, be a legitimate approach to ensuring good design in certain circumstances.
 9. However, in this instance, as I have reasoned above, the area is characterised by extensions reflecting that of the appeal proposal with no setback. Furthermore, the terracing effect is already a feature of this street with a number of examples present. I acknowledge there comes a point where cumulatively the effect of multiple extensions may lead to harm, or where particular circumstances merit the preservation of a gap or the form of a host building. However, that would not be the case here, and the proposal would, in my view, sit harmoniously with its surrounding context rather than lead to unacceptable effects. For these reasons there would be no conflict with the aforementioned policies which predominantly seek to preserve character and appearance, and which on this basis, I have found would be preserved.
 10. Moreover, I am of the view that the simple window treatment and maintaining the garage door would ensure that the extension would not visually compete with the gable and bay window detailing present on No 43. I note that matching materials could be controlled through a planning condition. For these reasons, the proposal would not appear incongruous with reference to the host dwelling.
 11. I have considered the Council's argument that allowing this appeal may set a precedent for other similar developments giving rise to potential for further examples of a terracing effect. However, each application and appeal must be

determined on its individual merits, and a generalised concern of this nature does not justify withholding permission in this case.

12. Whilst I accept that the proposal would have some effect on the living conditions of the occupants of No 45, given the nature of the proposal, relationship to its surroundings, and evidence before me as to what may be undertaken under permitted development irrespective of this appeal, I do not consider that such effects would be unacceptable.
13. For the above reasons I conclude that the proposal would integrate appropriately with its surroundings. The proposal would therefore comply with policies BE5 and H14 of the UDP, CS74 of the CS and the guidance contained within the SPG. The proposal would also comply with paragraph 127 of the Framework which, amongst other things, seeks to ensure developments are visually attractive and sympathetic to local character.

Conditions

14. In addition to requiring commencement with the standard statutory period I have imposed conditions requiring compliance with the supporting plans and the use of matching external materials for clarity and so as to ensure that the proposal integrates acceptably with its surroundings in line with UDP policies BE5 and H14 and CS policy CS74. To avoid adverse overlooking of the neighbouring properties from the roof terrace of the lower ground floor extension or the steps along the boundary, I have imposed a condition requiring the agreement of details of screen fences, their installation prior to first use and retention thereafter in line with the Council's suggestion.

Conclusion

15. For the reasons given above I conclude that the appeal should be allowed.

Paul Martinson

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 approved plans: 19-034-30 Rev A, 19-034-35 Rev B, 19-034-36 Rev D, 19-034-37 Rev D.
- 3) The materials to be used in the construction of the external surfaces of the development hereby permitted shall match those used in the existing building.
- 4) The development hereby permitted shall not be first occupied until screens or fences have been constructed adjacent to the boundaries of Nos 41 and 45 (as shown on approved plan 19-034-37), and continuing with the fall of the land adjacent to the proposed steps in the case of the boundary with No 45, in accordance with a specification previously submitted to and agreed in writing by the local planning authority. Once installed as agreed, the screens or fences shall be retained thereafter.