



Appeal Decision

Site Visit made on 27 September 2021

by Paul Martinson BA (Hons) MSc MRTPI

an Inspector appointed by the Secretary of State

Decision date: 29 October 2021

Appeal Ref: APP/J4423/D/21/3267520

18 Town End Road, Sheffield S35 9YY

- 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 Birks against the decision of Sheffield City Council.
 - The application Ref 20/01965/FUL, dated 18 June 2020, was refused by notice dated 26 November 2020.
 - The development is described as a 'terrace over single-storey rear extension and erection of 1.8m obscure screening (resubmission of 20/00197/FUL)'.
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Decision

1. The appeal is dismissed.

Preliminary Matters

2. Since the submission of the appeal the revised National Planning Policy Framework (the Framework) was published on 20 July 2021. In light of this I have sought the views of the main parties in writing and comments received have been taken into consideration.
3. The terrace is already in place, although the '1.8m obscure screening' shown on the drawings has not yet been installed. I have dealt with the appeal on this basis.

Main Issues

4. The main issues are the effect of the development on the living conditions of the occupiers of neighbouring properties and the effect of the development on the character and appearance of the area.

Reasons

Living Conditions

5. The appeal property is a terraced dwelling extending to three storeys to the rear. It is positioned between a property of a similar height, and a two storey dwelling to the east. The roof height of the property to the east is considerably lower than that of the appeal property whilst its ground level is also lower. This property has a rear yard and patio area with a small extension adjacent to the boundary with the appeal property.
6. The roof terrace is located on top of a previously existing single storey flat roofed extension that is adjacent to the boundary with the rear yard and single storey extension at the property to the east. In order to address concerns over

- privacy, it is proposed to replace the existing fence that currently demarcates the edge of the terrace with a taller 1.8 metre high obscure glazed screen.
7. Due to the provision of the proposed screen, the development would lead to the creation of an imposing structure of substantial height and length, being significantly taller than the previously existing extension and extending well above the first floor eaves height of the neighbour to the east for the length of the existing extension. Owing to the change in levels between the two properties and the scale of the existing extension, this would appear significantly oppressive and dominant in views from the patio and rear windows of the property to the east. The proposal would therefore contribute to an undue sense of enclosure that would be experienced by the occupants of the property to the east.
 8. I accept that the glazed nature of the privacy screen would perhaps be less imposing than a more solid structure, however, its obscured nature would ensure that it would nonetheless appear relatively solid, particularly when viewed from below, where it would appear as an extension of the existing built form. I have also noted the presence of the existing extension at the property to the east, however this is modest and significantly lower than the development as proposed.
 9. I have had regard to the Council's suggestion for a reduced terrace area and the appellant's suggestion of a lower screen as a transition between this area and the rear garden. However, being referenced in the description of development, I consider that the height as shown on the plans is integral to the development as proposed and to what has been considered by the Council. Moreover, imposing a condition on this basis would not give those who have commented on the proposal the opportunity to express their views on any potential effect on privacy levels arising from a lower screen.
 10. For the above reasons, the development as proposed would result in harm to the living conditions of the occupiers of the neighbouring property to the east and would therefore be contrary to Policy H14 of the Sheffield Unitary Development Plan (1998) (the UDP) and paragraph 130 of the Framework, which, amongst other things, seek to provide high quality design which preserves living conditions. The proposal would also conflict with the general provisions of Guideline 5 of the Supplementary Planning Guidance Designing House Extensions (the SPD) which seeks to ensure new residential development is not over dominant or overbearing.

Character and Appearance

11. The appeal property is a traditional terraced dwelling that fronts the street along Town End Road. Intervening boundary treatments limit views of the development from the public right of way to the rear, whilst the existing buildings prevent any views of the rear yard and garden area from the front. As such views of the development are likely to be limited to those that can be gained from the gardens and yards of neighbouring dwellings.
12. The obscure glazed screen would not extend for the full width of the roof terrace and would be open where the terrace meets the garden of the appeal property. As the roof terrace would only be partially enclosed by the screen, it would be clearly evident as a reasonably slim boundary treatment in views from the garden of the appeal property and other gardens to the north and

north west. In views of the east and west sides of the structure, which are likely to be mainly restricted to the rear yards of the adjacent dwellings, the screen would be seen as a part of the existing flat roofed extension and distinct from the traditional dwelling. Taking into account the previously existing nature of the flat roofed extension and that the existing building is a substantial three storey building, the roof terrace, with the proposed 1.8 metre high screen, would appear subordinate and would not dominate the host dwelling.

13. The Council has referred to Guideline 3 of the SPD in their decision notice which states that the use of matching materials and features in extensions will normally be required. However, this appears to be primarily related to more substantial extensions rather than roof terraces specifically, and I am also mindful that this is guidance and cannot envisage every scenario.
14. For the above reasons, the development as proposed would preserve the character and appearance of the area and would comply with Policy H14 of the UDP and paragraph 130 of the Framework which amongst other things, seek to preserve character and appearance. The development would also comply with the general provisions of Guideline 2 of the SPD which seeks to ensure that development does not detract from the appearance of the host dwelling or the streetscene.

Other Matters

15. Whilst the effect of the development on the Ecclesfield Conservation Area is not an area of dispute between the Council and the appellant, I have nonetheless had regard to the statutory duty to pay special attention to the desirability of preserving or enhancing the character or appearance of the Conservation Area. Nevertheless, for the reasons outlined above, namely the lack of public views, the partially open and slim nature of the obscure glazed screen and the substantial scale of the existing dwelling, I am satisfied that it would preserve those interests.
16. The appellant has highlighted the low number of objections to the scheme. My attention has also been drawn to some support from neighbours, however, the lack of objection to a scheme in itself does not mean that it is acceptable in planning terms.
17. I sympathise with the appellant in terms of the limited scale of outside space and level changes, limiting the useability of outside space associated with No 18. However, whilst not ideal, I note that the side of the garden is accessible via steps from a shared pathway through a garden shed.

Conclusion

18. For the reasons given above I conclude that the appeal should be dismissed.

Paul Martinson

INSPECTOR