



Appeal Decision

Site visit made on 10 January 2022 by Darren Ellis MPlan

Decision by Hollie Nicholls FdA MSc MRTPI

an Inspector appointed by the Secretary of State

Decision date: 11 February 2022

Appeal Ref: APP/J4423/D/21/3284621

21 Greenacre Way, Sheffield, Yorkshire S12 2TZ

- 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 David O'Brien against the decision of Sheffield City Council.
 - The application 21/02616/FUL, dated 7 June 2021, was refused by notice dated 26 July 2021.
 - The development proposed is a 2nd storey extension.
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Decision

1. The appeal is dismissed.

Appeal Procedure

2. The site visit was undertaken by an Appeal Planning Officer whose recommendation is set out below and to which the Inspector has had regard before deciding the appeal.

Procedural Matter

3. In the delegated report, the Council has referred to conflict with policy BE5 of the Sheffield Unitary Development Plan (1998) (UDP) and policy CS74 of the Sheffield Development Framework Core Strategy (2009) (CS), however these policies have not been referred to in the reason for refusal which only refers to policy H14 of the UDP. However, given that each of these policies relate to character and appearance and as my findings apply equally to all of the policies, there is no prejudice to the appellant if the appeal is assessed against all three policies.

Main Issues

4. The main issues are the effect of the development on the character and appearance of the street scene, and on the living conditions of the occupiers of the neighbouring properties with particular regard to privacy.

Reasons for the Recommendation

Character and appearance

5. The appeal property is a detached two-storey dwelling with two small front dormers at the second-floor level and is located in a cul-de-sac in Greenacre Way. The adjacent property at No 19 is built to the same design as the appeal property, although a substantial front porch has been constructed at the latter. The other properties in the cul-de-sac are semi-detached three-storey
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dwelling with small front gable features. The wider street scene comprises a mix of two- and three-storey dwellings, built with similar materials but with a range of designs. The variety in house types helps to provide an attractive streetscape but there remains a sense of coherence on account of the fact that each house type is regularly repeated throughout the wider street scene. This provides the impression of a carefully planned estate and has resulted in an attractive residential environment and a coherent street scene.

6. The proposed first floor extension above the existing porch would match the materials of the existing dwelling. However, due to the sizeable bulk of the existing porch extension, the proposed addition would add considerable further bulk and massing to the front of the property. Due to the general lack of first-floor front projections in the street, the proposal would be out of character with the surrounding houses. While the property is tucked away in a corner of the cul-de-sac, the extension would be visible to those in the cul-de-sac and from certain vantage points in the street. Furthermore, the proposed first-floor window would not match the proportions of the existing front windows at the property, exacerbating the prominence of the feature.
7. The substantial bulk and depth would also reduce the gap between the front of the property and the side wall of No 23. The comparative sense of openness that exists at present provides a welcome visual relief in an otherwise densely packed urban layout and the proposal would impact negatively on that arrangement.
8. For these reasons the proposal would not respond well to its context and would detract from the character and appearance of the street scene. I acknowledge that the appellant has suggested a condition could be used to require the submission of an alternative first-floor window design. However, this would not mitigate the harm that has been identified as a result of the scale of the extension.
9. In view of the above, the proposal would conflict with UDP policies BE5 and H14 and CS policy CS74, which require in various ways that development including house extensions are of good design that respects the scale and form of the original and neighbouring buildings and the surrounding area. The proposal would also fail to comply with paragraph 130 (a) and (c) of the National Planning Policy Framework (the Framework), which requires development to add to the overall quality of the area and to be sympathetic to local character. I further note that paragraph 134 of the Framework states that development that is not well designed should be refused.

Living conditions of the occupiers of the neighbouring properties

10. The proposal would see the enlargement of the existing bathroom on the first-floor. The existing bathroom window would consequently be repositioned closer to the side elevation and rear garden of No 23. A degree of overlooking of No 23 and other nearby properties already exists from the existing first and second floor windows, and the repositioning of the bathroom window closer to No 23 would not cause any significant additional overlooking. Moreover, it is common for bathroom windows to be obscure-glazed, which would protect the privacy of both the occupants neighbouring properties and the users of the bathroom, and a condition requiring this window to be obscure-glazed would ensure that the proposal would not cause any loss of privacy.

11. For these reasons, the proposal would not cause harm to the living conditions of the occupiers of neighbouring properties. Consequently, the proposal would accord with policy H14 of the UDP which seeks, amongst other things, for proposals to not deprive residents of privacy. The proposal would also comply with paragraph 130(f) of the Framework, which requires development to have a high standard of amenity for existing and future users, and the guidance of the Designing House Extensions Supplementary Planning Guidance from the Unitary Development Plan, which requires extensions to and maintain minimum levels of privacy.

Other Matters

12. I recognise that the proposal would result in an enhancement of the internal living environment. Whilst I give some weight to this benefit there is nothing to indicate that an alternative extension could not take place without the harmful first floor addition, and as such, this matter does not outweigh the conflict with planning policies identified in relation to the character of the street scene.

Conclusion and recommendation

13. The proposal would not cause harm to the living conditions of the occupiers of the neighbouring properties. However, the absence of harm in this respect does not outweigh the harm that would be caused to the character and appearance of the street scene. For the reasons given above and having had regard to all other matters raised, I recommend that the appeal should be dismissed because of the conflict with the development plan and there being no material considerations which indicate that a decision should be made other than in accordance with the development plan.

Darren Ellis

APPEAL PLANNING OFFICER

Inspector's Decision

14. I have considered all the submitted evidence and the Appeal Planning Officer's report and, on that basis, I agree with the recommendation and shall dismiss the appeal.

Hollie Nicholls

INSPECTOR