



Appeal Decision

Site visit made on 17 May 2022

by Paul Cooper MSc MRTPI

an Inspector appointed by the Secretary of State

Decision date: 9 June 2022

Appeal Ref: APP/J4423/W/22/3292103

1 Whirlowdale Crescent, Sheffield S7 2NA

- 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 D Morris against the decision of Sheffield City Council.
 - The application Ref 21/03943/FUL, dated 19 August 2021, was refused by notice dated 20 January 2022.
 - The development proposed is partial demolition of existing side extensions to create detached dwellinghouse.
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Decision

1. The appeal is dismissed.

Procedural Matter

2. I have taken the description of development in the header above from the decision notice of the Council. The appellant used the same in the appeal form. It describes the development with a greater level of accuracy than the application form. I am satisfied that neither party is prejudiced by this course of action.

Main Issue

3. The main issue in this appeal is the effect of the development on the character and appearance of the area.

Reasons

4. The appeal site is a large semi-detached two storey rendered property which has had the benefit of a number of permissions to extend.
5. The proposal seeks to erect a new dwelling to the side of the existing property, which will involve partial demolition of an existing two-storey side extension and works to the garage of the property to create the new dwelling.
6. The property already has an extant approval for works to effectively create two dwellings from the existing property by means of subdivision.
7. The building layout of the immediate Whirlowdale Road properties gives a regularity to the area. The host dwelling and adjacent properties have good sized rear gardens. Whirlowdale Road is predominately made up of two-storey semi-detached dwellings set back from the highway and overall, the immediate locality brings a cohesive character to the area. The host dwelling contributes positively to that character through the siting of the dwelling, and its overall standing in the character of the locality as a whole.

8. The proposal would introduce a new dwelling into the side garden of the existing property. The appellant contends that the proposed dwelling would assimilate with its surroundings, and that the overall size of the two plots is sufficient to give suitable private amenity space for both properties.
9. I find that the proposal would not reflect the cohesive pattern of development in which it would be predominately viewed. The proposed dwelling would also be a two-storey dwelling, but due to the contrived nature of the proposal, it would be sat extremely close to the existing property, effectively creating a terrace of three properties which is not in keeping with the character and appearance of the locality.
10. The impact of the appeal proposal would result in harm to the character and appearance of the area. The harm would be by the design and siting of the new dwelling which would not be in keeping with the strong design and relatively traditional nature of the existing semi-detached properties.
11. The design of the development would also introduce an uncharacteristic building design in the locality of two storey properties. The introduction of a dwelling on this site, against the prevailing pattern of development, in a prominent position would be harmful to the character and appearance of the street scene and the wider area.
12. These aspects of the proposal would emphasise its incongruous appearance within its immediate visual context, unbalancing the rhythm of the Whirlowdale Road street form and would be harmful to its established character and appearance. The proposal would therefore not reflect the characteristic form and spacing of buildings in the immediate locality. The tapered nature of the proposed dwelling means that it would not be typical of that immediate area on Whirlowdale Road.
13. I find that the proposal is in conflict with policies BE5, H14 and GE4 of the Sheffield Unitary Development Plan (1998) and policy CS74 of the Sheffield Development Framework Core Strategy (2009) which collectively, amongst other matters, expect development to complement the scale, form and architectural style of surrounding buildings, should be well designed and create attractive neighbourhoods. I also find the proposals to be not in keeping with paragraphs 127 and 130 of the National Planning Policy Framework (the Framework), in respect of the design aspirations of those policies.

Other Matters

14. The appellant has referred to the extant approval on the site and stated in support that the current proposal represents a far better solution than the approved permission.
15. I cannot agree with that statement, I have identified the harm of the current proposal in my assessment, and I must deal with the appeal on its own merits. The appellant has the approval to fall back on, and is fully entitled to pursue that further, given that I am recommending dismissal of the alternative proposal. I have not been provided with full details of the approved fall-back position, but I find that the approval of an alternative scheme, which the appellant is now referring to as an inappropriate alternative, does not warrant the approval of another scheme that causes the harm that I have identified.

16. The Council have identified that they cannot demonstrate a five-year housing supply and as such, the policies are considered to be out of date and paragraph 11 of the Framework - 'the tilted balance' - is engaged. As such, planning permission should be granted unless any adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies in the Framework, taken as a whole.
17. However, as the tilted balance is applied, I find that the benefits of the scheme would be significantly and demonstrably outweighed by the harm I have identified.
18. Taking into account the current shortfall, one dwelling would provide a limited contribution to housing supply in the area, and that would still be achieved if the appellants fall-back position was implemented.
19. There would be social benefits arising from the contribution to the Council's housing supply, noting the Framework highlights the contribution small and medium sized sites can make to meeting the housing requirement in the area.
20. The development would also give rise to some economic benefits during the construction phase and provide limited support to local services. Nevertheless, the identified adverse impacts of the development, as set out above, would significantly and demonstrably outweigh the benefits when assessed against the policies in the Framework taken as a whole, including its presumption in favour of sustainable development.

Conclusion

21. The proposal would therefore conflict with the development plan and there are no other considerations, including the Framework and its presumption in favour of sustainable development, that outweigh this conflict. For the reasons outlined above, I conclude that the appeal should be dismissed.

Paul Cooper

INSPECTOR