



Appeal Decision

Unaccompanied site visit made on 29 August 2022

by B S Rogers BA(Hons) DipTP MRTPI

an Inspector appointed by the Secretary of State

Decision date: 06 September 2022

Appeal Ref: APP/J4423/C/22/3294743

Land at 42 Woodseats House Road, SHEFFIELD, S8 8QF

- The appeal is made under section 174 of the Town and Country Planning Act 1990 as amended. The appeal is made by Mr Simon Cotton against an enforcement notice issued by Sheffield City Council.
 - The notice was issued on 8 February 2022.
 - The breach of planning control as alleged in the notice is without planning permission, the execution of operational development comprising a dormer extension to the frontage of the existing terraced house.
 - The requirements of the notice are: You must remove the dormer roof extension at the front of the property shown in the photograph and thereafter either:
 - (i) Restore the original roof of the house using matching slates to the existing roof slates and otherwise make good any damage done to the property from the performance of paragraph 5(i) hereto using matching materials. OR
 - (ii) Replace the removed dormer extension with a dormer extension which complies in all respects with planning permission reference 18/01501/FUL as revised by supplementary details annexed hereto
 - (iii) After performance of paragraph (i) or (ii) remove from the land any materials including waste which arise from the works and are not used in the complying with the said paragraphs.
 - The period for compliance with the requirements is 6 months.
 - The appeal is proceeding on the grounds set out in section 174(2)(a) & (f) of the Town and Country Planning Act 1990 as amended.
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Decision

1. The appeal is dismissed and the enforcement notice is upheld.

Preliminary Matter

2. The appellant has withdrawn the appeal on ground (f).

The appeal on ground (a) and the deemed application

3. The main issue is the impact of the front dormer on the character and appearance of the street scene.
4. The National Planning Policy Framework (NPPF) seeks to ensure that development will function well and add to the overall quality of the area, is visually attractive as a result of good architecture and is sympathetic to local character, including the surrounding built environment. Turning to the development plan, Policies BE5 and H14 of the Sheffield UDP and CS74 of the Core Strategy are consistent with this approach in promoting a high quality townscape and a high standard of new design, respecting the scale and character of neighbouring buildings.

5. The Supplementary Planning Guidance (SPG) on Designing House Extensions indicates that dormer windows should not dominate the roof plane on which they sit, aligning with, and having similar proportions to, other windows in the dwelling as far as possible.
6. The appeal property is a 2 storey mid-terraced house, in a street of similar houses with brick walling and a slate roof. In June 2018, planning permission was granted for the erection of dormer windows to the front, side and rear (LPA ref: 18/01501/FUL). During the course of determining the application, the Council asked for the submitted plans to be amended in accordance with the above policy background to show a pitched roof, front dormer window considerably reduced in scale from the original proposal such that it lined up with the first floor window. Condition no.2 of the permission required the development to be carried out in complete accordance with the amended plans received.
7. The front dormer as built, and which is the subject of this notice, is of a pitched roof design, with timber clad walls. However, it is considerably larger in scale than that which was approved, dominating the front roof plane. Moreover, it does not align with the first floor window, altering the balance of the elevation. Furthermore, it clashes with the defined window hierarchy of the houses in the street, which have larger ground floor bay windows and smaller first floor windows. Despite the timber cladding being painted grey to attempt to blend in with the slate roof, the dormer as built appears to me as an incongruous feature in the street scene, in which there are few alterations to the original roofscape.
8. The appellant points to other dormers in the wider area which do not follow the adopted design principles. However, these are relatively few in number and I have no information as to whether they are authorised, when they were constructed and whether the present design policy guidance was then in place.
9. The appellant has a need for additional bedroom space for his family. However, I have no evidence to suggest that the bedroom space facilitated by the approved dormer was inadequate.
10. It is also submitted that the building company who carried out the work was at fault, failing to follow the approved plans. It is now in liquidation, such that they cannot be pursued to rectify the matter. However, the 'as built' dormer does not even match the earlier plans that were originally submitted with the 2018 planning application, and which were superseded. It is not clear either who authorised, or who failed to supervise, the variation which resulted in the construction of the present scheme. Whilst the outcome is unfortunate, these circumstances do not amount to sufficient justification for granting planning permission for an unacceptable scheme, which could then be used as a precedent for allowing other similar dormers on houses in the same street.
11. In conclusion, the dormer unduly harms both the character and appearance of the street scene, contrary to the aims of the NPPF, of the development plan and of the supplementary planning guidance. Therefore, the appeal on ground (a) fails and I shall uphold the enforcement notice and refuse to grant planning permission on the deemed application.

B S Rogers INSPECTOR