



Appeal Decision

Site visit made on 25 April 2023

by R Gee BA (Hons) Dip TP PGCert UD MRTPI

an Inspector appointed by the Secretary of State

Decision date: 23rd June 2023

Appeal Ref: APP/J4423/W/22/3312979

Land at rear of 14-24 Jedburgh Street, Woodgrove Road, Sheffield S9 1NX

- 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 Miss Sophie Greaves on behalf of Greaves Properties against the decision of Sheffield City Council.
 - The application Ref 21/05367/FUL, dated 31 October 2021, was refused by notice dated 27 October 2022.
 - The development proposed was originally described as "New build development of 8 No, 1 & 2 bed apartments with associated access path and amenity space".
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Decision

1. The appeal is allowed and planning permission is granted for the erection of two-storey building with front and rear dormer windows comprising 6 x one-bed apartments (Use Class C3) with associated landscaping and amenity space at Land at rear of 14-24 Jedburgh Street, Woodgrove Road, Sheffield, S9 1NX in accordance with the terms of the application, Ref 21/05367/FUL, dated 31 October 2021, subject to the conditions in the attached schedule.

Preliminary Matters

2. During the processing of the application the address was amended, and so for reasons of clarity and preciseness, I have taken the address from the appeal form and decision notice.
3. In Part E of the appeal form the appellant has confirmed that a new description of development has been agreed. Amended plans were submitted during the processing of the application for the erection of a two-storey building with front and rear dormer windows comprising
4. 6 x one-bed apartments (Use Class C3) with associated landscaping and amenity space. It is clear that the local planning authority determined the application on this basis and so shall I for the purpose of this appeal.

Main Issues

5. The main issue are:
 - i) The effect of the proposed development upon the character and appearance of the streetscene;
 - ii) The effect on the living conditions of the future occupiers of the proposed flats, with particular regard to internal space standards, outlook and amenity space; and

- iii) The effect on parking in the surrounding area.

Character and appearance

6. The site is an irregular shaped parcel of land fronting Woodgrove Road. The surrounding area is predominantly residential, with properties being closely positioned to others. The area is characterised by traditional, terraced red brick dwellings, sited to the rear of the footway and with gardens to the rear of properties.
7. At my site visit I observed a number of front facing dormer windows on properties in neighbouring roads and streets. In addition, a number of the neighbouring terraced dwellings on Jedburgh Street have rear facing flat roof dormers which face the appeal site. Owing to the height of these buildings and the elevated position of Jedburgh Street above the appeal site, these dormer windows, although on the rear elevation of the properties, are highly prominent in the Woodgrove Road streetscene, especially when viewed from the front of the appeal site.
8. The pitched roof design, width and scale is such that the four dormers would be in proportion with the roof slope and the building as a whole. The scale and positioning of the proposed dormers would be proportionate to, and align with, the proposed windows to the front facing ground and first floor of the building and provide symmetry to the design of the front elevation of the proposed building. The materials for the external elevations of the dormer windows could be conditioned to match the proposed roof covering to assimilate the dormer windows with the roof of the main building. As such the dormer windows would not appear unduly prominent or incongruous in the streetscene particularly when seen against the backdrop of the rear dormers on the houses on Jedburgh Street.
9. At my site visit I observed a variety of windows sizes and proportions on existing dwellings and do not consider there is a consistent pattern within the streetscene. Many windows to existing properties are squat in their proportions rather than tall as described by the Council. I consider the proposed windows to be similar in proportion to the dwellings opposite the appeal site on Woodgrove Road. I therefore do not concur with the Council that the windows to the proposed building would be out of character or detract from the overall design and appearance of the development.
10. Taking all the above into account, I conclude that the proposed development would not harm the character or appearance of the surrounding area.
11. Consequently, I find no conflict with policies BE5 and H14 a) of the Sheffield Unitary Development Plan (UDP), Policy CS74 of the Sheffield Development Framework Core Strategy or the National Planning Policy Framework (the Framework). Collectively these policies require developments to be visually attractive as a result of good architecture and sympathetic to local character and history, including the surrounding built environment.

Living Conditions

12. The Council confirms it does not have a formally adopted space standards policy but notes the Nationally Described Space Standards (NDSS) provides

useful guidance to determine whether the proposal would offer an acceptable level of internal amenity space for future occupiers.

13. The ground and first floor flats would meet the NDSS. With regards to the second storey flats the NDSS are met in terms of floorspace, although it is unclear how much of this complies with the minimum floor to ceiling height. However, the floor area of the flats exceeds the NDSS and the inclusion of dormer windows for these flats would provide for satisfactory levels of light and outlook from habitable room windows. The Council concludes that the internal living conditions provided for the flats would be acceptable. Based on the evidence before me I have no reason to disagree.
14. A shared amenity space would be provided to the rear of the site to serve the ground floor flats. The upper floor flats would not have any outdoor amenity provision. However, the Council notes that this is not uncommon in the locality and that the appeal site is within close proximity to a nearby recreation ground. As such the Council does not find harm in this regard. Based on the evidence before me I have no reason to disagree with this conclusion as future residents would have good access to outdoor recreation open space.
15. Further to the above I conclude that the proposed development would provide satisfactory living conditions for future residents in respect of internal space standards, outlook and amenity space. It would, therefore, in this respect, not represent overdevelopment. The proposal would comply with policies H5 and H14 c) of the UDP, which amongst others, require living conditions that would be satisfactory for occupants of the accommodation, and guard against overdevelopment.

Parking

16. At my site visit I observed that Woodgrove Road is of a width which accommodates parking, with no parking restrictions and that there was capacity to accommodate additional vehicles.
17. The Council notes that car ownership levels are likely to be low amongst future occupiers of the one-bed flats and that there is some limited capacity on Woodgrove Road for vehicles.
18. Whilst no off-street parking is proposed to serve the proposed development, including visitor parking, having regard to the parking conditions in the locality of the appeal site and the scale of the development proposed, I consider the likely parking demand associated with the proposed flats could be accommodated on the road and those nearby.
19. In addition, from the evidence before me, and as observed at my site visit, the site is located within close proximity to a bus stop and the public transportation hub at the nearby Meadowhall Shopping Centre. I therefore consider the site is well-located to, and accessible by, alternative modes of transport.
20. Further to the above, and having regard to paragraph 111 of the Framework, I do not find that the proposed development would be unacceptable or have a severe impact on highway safety.
21. Accordingly, the proposal would not have a harmful effect on parking in the surrounding area and in this respect too would not represent overdevelopment. I find no conflict with policies H5 and H14 d) of the UDP or the Framework.

These policies resist development that would have an unacceptable impact on highway safety, including in relation to parking arrangements. It would also accord with policy H14 c) as set out above.

Other Matters

22. Concerns have been raised by third parties in respect of matters not addressed above, including effects on the reduction in light to 16 Jedburgh Street. Given the elevated position of dwellings on Jedburgh Street and the separation distance between the existing dwellings and proposed building the proposed development would not result in an unacceptable decrease in sunlight and daylight.
23. Ownership matters are a private issue between the relevant parties and not within my jurisdiction.
24. Third parties have raised concerns regarding disruption arising from building works. Any disturbance during demolition and construction would be for a temporary period only.

Conditions

25. The Council has suggested several conditions. I have included those which meet the six tests set out in the Framework and the Planning Practice Guide (PPG), rewording, where necessary, for clarity. In addition to the statutory commencement condition, a condition is necessary to ensure that the development complies with the submitted plans in the interests of clarity.
26. In order to protect the character and appearance of the area, I have imposed a condition requiring the submission of details of finishing materials. As the materials are to be agreed I do not consider it necessary to require a sample panel of the masonry to be prepared and agreed.
27. A condition for cycle parking is included to promote sustainable travel in accordance with the Council's policy.
28. In accordance with the Council's policy for requiring carbon reduction measures a condition for the development to provide a minimum of 10% of their predicted energy needs from decentralised and renewable or low carbon energy is included.
29. A condition regarding contaminated land is necessary in order to minimise risks to human health and the environment. For preciseness, and conciseness, I have merged the suggested conditions by the Council.
30. In the interests of the visual appearance of the development and for ecological benefits a condition is included regarding hard and soft landscaping.

Conclusion

31. For the reasons given above, having had regard to the development plan and Framework as a whole, and taking account of all other matters, the appeal is allowed.

R Gee

INSPECTOR

Schedule of Conditions

1. The development hereby permitted shall be begun before the expiration of 3 years from the date of this decision.
2. The development hereby permitted shall be carried out in accordance with the following approved plans:
 - 2134 – 100 – Location Plan
 - 2134 – 201-B – Site Plan as Proposed
 - 2134 – 202-C – Ground Floor Plan as Proposed
 - 2134 – 203-C – First Floor Plan as Proposed
 - 2134 – 204-D – Second Floor Plan as Proposed
 - 2134 – 205-C – Roof Plan as Proposed
 - 2134 – 206-D – Elevations as Proposed
 - 2134 – 207-C – Elevations as Proposed
 - 2134 – 208-A – Section as Proposed
3. Prior to the commencement of above ground works, a detailed schedule and specification of the external materials and finishes to be used shall be submitted to and approved in writing by the local planning authority. The details shall include:
 - Elevational treatments including bricks, bonding and mortar for brickwork, render and cladding;
 - Windows and doors and their heads and cills;
 - Roofing, dormer materials and eaves details; and
 - Cycle and bin store

The development shall then be carried out in accordance with the approved details and maintained as such throughout the life of the development.
4. Prior to the first occupation of the development hereby approved, details of bicycle storage (including means of enclosure) shall be submitted to and approved in writing by the local planning authority. The approved arrangements shall be completed before any part of the development is first occupied and shall be permanently maintained thereafter.
5. Unless it can be shown not to be feasible or viable no development shall take place until a scheme (including a timetable for implementation) to secure at least 10% of the energy supply of the development from decentralised and renewable or low carbon energy sources, or an alternative fabric first approach to offset an equivalent amount of energy has been submitted to and approved in writing by the local planning authority. The approved scheme shall be implemented before any part of the development is occupied and a report shall be submitted to and approved in writing by the local planning authority to demonstrate that the agreed measures have been installed/incorporated prior to occupation. Thereafter the agreed equipment, connection or measures shall be retained in use and maintained for the lifetime of the development.
6. No development shall commence until an assessment of the risks posed by any contamination, carried out in accordance with British Standard BS 10175: Investigation of potentially contaminated sites - Code of Practice and the Environment Agency's Model Procedures for the Management of Land Contamination (CLR 11) (or equivalent British Standard and Model Procedures

if replaced), shall have been submitted to and approved in writing by the local planning authority.

If any contamination is found, a report specifying the measures to be taken, including the timescale, to remediate the site to render it suitable for the approved development shall be submitted to and approved in writing by the local planning authority.

The site shall be remediated in accordance with the approved measures and agreed timescale and a verification report shall be submitted to and approved in writing by the local planning authority.

If, during the course of development, any contamination is found which has not been previously identified, work shall be suspended and additional measures for its remediation shall be submitted to and approved in writing by the local planning authority.

The remediation of the site shall incorporate the approved additional measures and a verification report for all the remediation works shall be submitted to the local planning authority within 28 days of the report being completed for approval in writing by the local planning authority.

7. No development above ground level shall commence until details of both hard and soft landscaping schemes, including boundary treatments, have been submitted to and approved in writing by the local planning authority. These details shall include an implementation programme. The approved scheme shall be carried out in accordance with the approved details before any part of the development is first occupied. The completed scheme shall be maintained thereafter throughout the life of the development.

*****End of Schedule*****