

Appeal Decision

Site visit made on 31 January 2024

by John Whalley

an Inspector appointed by the Secretary of State

Decision date: 8th February 2024

Appeal ref: APP/J4423/W/23/3330248

No. 528 Fulwood Road, Sheffield S10 3QD

- The appeal is made under section 78 of the Town and Country Planning Act 1990 against a refusal of planning permission.
 - The appeal is made by Dr Jan Macierewicz against the decision of Sheffield City Council.
 - The application, ref. 23/01242/FUL, dated 14 April 2023, was refused by a notice dated 12 June 2023.
 - The development is: Construction of vehicular access and provision of off-street parking to dwellinghouse.
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Decision

1. The appeal is allowed and planning permission is granted for: Construction of vehicular access and provision of off-street parking to dwellinghouse at No. 528 Fulwood Road, Sheffield S10 3QD in accordance with application ref. 23/01242/FUL, dated 14 April 2023, subject to the following conditions:
 - 1) The development hereby permitted shall begin not later than 3 years from the date of this decision.
 - 2) The development hereby permitted shall be carried out in accordance with the following approved plans: Existing layout plan ref: 23/01242/FUL Scale 1:60; Proposed layout plan ref: 23/01242/FUL Scale 1:60; Site location plan Scale 1:500.

Note

2. This appeal is proceeding concurrently with the appeal made in respect of a similar development proposal at the adjoining property No. 526 Fulwood Road, (our ref: APP/J4423/W/23/3327486).

Main issue

3. The decision turns on the likely effect of the proposed off-street car parking facility at No. 528 on the appearance and character of this part of the fronting Fulwood Road.

Appeal property

4. The appeal property, No. 528 Fulwood Road, is a 2 storey house in a terrace of similar red brick houses with distinctively steep gable roofs and narrow gabled dormers. The houses are set back and above the road footway, typically having some 8 or so pedestrian steps up to their front doors. Houses in this terrace appear to have originally been provided with planted front gardens with

low stone boundary retaining walls to the highway. Off-street car parking areas to the front of neighbouring houses at Nos. 524 and 522 have been built following recent grants of planning permission. There is also a permitted off-street car parking area to the front of No. 534 and what appears to be a long established off-street front parking area at No. 532.

Considerations

5. As originally built, houses in this terrace on this northern side of Fulwood Road, with their elevated frontages, had no readily available space in the front garden of the house to park a car. That is, without works to level and remove the raised front garden and its retaining wall. Modern needs or aspirations reasonably look to creating a space to park a car off the road on private and more secure spaces. Such pressures may have led the Council to permit the construction of the 2 car parking spaces built at Nos. 524 and 522.
6. The 2 appeals before me concern projects to construct a similar car parking space at No. 528 and the adjoining No. 526 Fulwood Road. The Council objected to both applications. They said removal of front walling and planting and the raised garden areas to facilitate car parking would harm the character and appearance of the houses at No. 526 and No. 528 and this part of Fulwood Road. Harm to local visual amenity would be caused. The Council were also concerned about precedent. Allowing one or both the appeals could make it difficult to reasonably resist further such development. They said that would be much to the detriment of the appearance and character of the street scene.
7. I am not persuaded the Council's objections should prevail. Looking at the frontages the Council seek to preserve and a succession of Google pictures of the terrace taken since 2008, the attractiveness of frontages to the terrace has depended upon individual occupiers' treatment, rather than particular merits of the original layout. A recurring problem adversely affecting the look of the terrace was that numerous refuse bins and containers were stored on the fronting footway, there being no tidy storage facility within the original front gardens. A mismatched array of fencing had not helped. Implementation of permitted car parking areas seemed to me to have caused no significant harm to the street scene. I also consider that the Nos. 524 and 522 planning permissions have weakened the precedent objection.
8. The proposed off-street parking area is limited. The resulting need to reverse a car in or out of the proposed parking is not ideal. On balance however, I consider it preferable to parking on the road. The lack of material harm to the street scene results in no significant conflict with national or relevant local policy guidance drawn up to protect against unsightly development.

Conclusion

9. The appeal succeeds. Planning permission is granted subject to the general condition limiting the duration of the permission, (s.91 of the Act), as is a condition relating to the submitted plans that define the project.

John Whalley

INSPECTOR