



Appeal Decision

Site visit made on 18 June 2024

by B Astley-Serougi BA(Hons) LLM MSc MRTPI

an Inspector appointed by the Secretary of State

Decision date: 09 August 2024

Appeal Ref: APP/J4423/D/24/3337686

7 Upperthorpe Glen, Sheffield, S6 3GZ

- The appeal is made under section 78 of the Town and Country Planning Act 1990 (as amended) against a refusal to grant planning permission.
 - The appeal is made by Mr Fadhel Mohamed G Alsadi against the decision of Sheffield City Council.
 - The application Ref is 23/03628/FUL.
 - The development proposed is single storey rear extension.
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Decision

1. The appeal is allowed and planning permission is granted for single storey rear extension at 7 Upperthorpe Glen, Sheffield, S6 3GZ in accordance with the terms of the application, Ref 23/03628/FUL, subject to the following conditions:
 - 1) The development hereby permitted shall begin not later than three years from the date of this decision.
 - 2) The development hereby permitted shall be carried out in accordance with the approved plans: no. (07)001 and no. (09)001).
 - 3) The external surfaces of the development hereby permitted shall be constructed in the materials shown on plan no. (07)001.

Main Issues

2. The main issues are:
 - The effect of the development on the character and appearance of 7 Upperthorpe Glen and the surrounding area.
 - The effect of the development on the living conditions of 9 Upperthorpe Glen with particular regard to outlook and daylight.

Preliminary Matter

3. The Council referred to Policy CS74 of the Sheffield Core Strategy 2009 and Guideline 5 of the Designing House Extensions Supplementary Planning Guidance in their reasons for refusal. These were not submitted with the original appeal documentation. Upon receipt of the Policy and Guideline, the appellant was invited to make comments and I have regard to any comments made.

Reasons

Character and appearance

4. The site is a two-storey, red bricked middle-terraced house and is part of a short series of terraced properties located in an established residential area. The properties are set back significantly from the public highway, which has a steep incline, and the properties are set down from the land level of the pavement. Due to this incline the roofscape of the terrace is a prominent feature that can be viewed from the public highway. The site and neighbouring properties are enclosed by fencing. Similar development has taken place at 1 and 3 Upperthorpe Glen, resulting in an irregular building line along the short series of terraced properties.
5. The development would be sited on a significantly lower land level than the pavement and consequently would not draw attention from the street. Due to the flat roof design, the uniformity of the roofscape is maintained which is a notable characteristic of the terrace. Therefore, the natural incline of the road, the land levels and the flat roof design of the extension results in a development that would not detract from the character of 7 Upperthorpe Glen and the surrounding area.
6. The extensions to 1 and 3 Upperthorpe Glen result in an irregular building line, however the roofscape is uniform in design. Therefore, the extension would maintain the uniformity of the roofscape and would not be detrimental to the character and appearance of 7 Upperthorpe Glen and the surrounding area. This means that irrespective of the requirements of the 'Designing House Extensions' SPG, the development would not lead to an erosion of the area's character.
7. In conclusion, the development would not harm the character and appearance of the surrounding area nor 7 Upperthorpe Glen. Accordingly, I find no conflict with Policy CS74 of the Sheffield Core Strategy 2009 and Policies BE5 and H14 of the Sheffield Unitary Development Plan 1998. Amongst other matters, these seek to ensure that developments are of a high level of design and assimilate with the character of a property and the surrounding area. The development also accords with the principles set out in the National Planning Policy Framework which seeks to achieve well-designed and beautiful places.

Living Conditions

8. A structure has been constructed in front of a habitable window at 9 Upperthorpe Glen (No 9). It is near the ground floor window and the shared boundary with No 7 which is defined by a high fence.
9. The site is on a slightly higher land level than No 9. However, due to the existing structure located at No 9 and the boundary fence, the development would not result in a diminished level of light for the occupiers of the existing neighbouring property when compared to the existing layout. Moreover, the orientation of the appeal site would result in the shadows cast from the development to fall mostly in the appellants garden, rather than the neighbouring properties.
10. Given the relatively limited height of the proposed extension, combined with its flat roof design, the proposed extension would not result in a substantially tall, or bulky, extension. This means that the proportions of the extension would not result in a sense of enclosure for the neighbouring occupants either in their garden or inside the house. Thus, I am satisfied that the development would not have a

detrimental impact upon the occupants of No 9 in regard to outlook when compared to the existing layout.

11. I therefore conclude that the proposal would not have an adverse impact on the living conditions of the occupants of 9 Uppertorpe Glen with particular regard to loss of daylight and outlook. Consequently, I find no conflict with Policy H14 of the Sheffield Unitary Development Plan 1998. This policy seeks, among other things, to ensure developments are not detrimental to the living conditions of the occupants of neighbouring properties. Furthermore, the development accords with Guideline 5 of the Designing House Extensions Supplementary Planning Guidance which seeks to ensure development is not detrimental to the living conditions of neighbouring properties.

Conditions

12. In addition to the standard time limit condition, I have attached a condition specifying the approved plans to provide certainty. A condition relating to materials is necessary to ensure the development will assimilate with the original house and therefore prevent any erosion of the area's character.

Conclusion

13. The material considerations do not indicate that a decision should be made other than in accordance with the development plan.
14. For the reasons given above the appeal should be allowed and planning permission granted.

B Astley-Serougi

INSPECTOR