



Appeal Decision

Site visit made on 8 January 2025

by C McDonagh BA (Hons) MA MRTPI

an Inspector appointed by the Secretary of State

Decision date: 21 January 2025

Appeal Ref: APP/J4423/W/24/3349023

1 Cawthorne Grove, Sheffield S8 0NB

- 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 Julian Hill against the decision of Sheffield City Council.
 - The application Ref is 24/01516/FUL.
 - The development proposed is 'Construction of a new three storey detached house with a ground floor integral garage and associated parking, with a mono pitched and flat roof, with a render and cladding exterior'.
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Decision

1. The appeal is dismissed.

Preliminary Matters

2. On 12 December 2024, the Government released an updated version of the National Planning Policy Framework (the Framework). As the changes do not affect the consideration of the main issues of this appeal, I have not sought comments on the revisions.

Main Issues

3. The main issues are as follows:
 - The effect of the proposal on the character and appearance of the area; and
 - The effect of the proposal on the living conditions of occupiers of No.1A and future occupiers of the proposed dwelling.

Reasons

Character and Appearance

4. The appeal site is comprised of a section of what was formerly part of the garden of No.1 Cawthorne Grove. This property, along with the adjoining and adjacent terraced houses, is set back a considerable distance from, and at a much higher elevation than, the road of Cawthorne Grove. As such, the garden areas are long, narrow and include steep level changes. Most of the remaining lower garden areas feature off-street parking.
5. To the northwest of the appeal site are two two-storey dwellings of modern design, while the south side of Cawthorne Grove features of a more established pattern of development. The streetscene therefore features a variety of built form, although of relevance to this appeal there are some positive and shared characteristics. These include the setbacks from the

street, plot sizes, sense of vertical scale and the generally spacious and relatively verdant character.

6. The appeal proposal seeks to erect a detached, three-storey dwelling with a mono-pitched roof and off-street parking to the front. Due to the steeply rising topography to the rear of the site towards No.1 Cawthorne Grove, the dwelling would be partially sunk into the ground with a retaining wall, with a courtyard area at the lower level and a garden area accessed from the living and dining space.
7. Due to the constrained and narrow profile of the site, the proposed dwelling would appear tight and cramped within its plot. The building would be built along the eastern boundary, while there would be a small offset from the west to allow access to the rear of the property. Moreover, the gap to between the proposal and No.1a would be notably narrower than that between No.1a and No.137 Archer Road and of the semi-detached dwellings opposite.
8. Although the eaves height of the roof would largely reflect that of the adjacent property, the use of a mono-pitched roof would be incongruous set against the more traditional designs of the adjacent semis. Moreover, in the context of the tight positioning of the dwelling within the plot, the roof form would appear somewhat unusual, in that it would present as one-half of a semi-detached pair without an adjoining building. Furthermore, the three-storey arrangement in conjunction with the narrow width would present a vertical emphasis set against other buildings.
9. I take on board the fact that the front building line would mirror that of No.1a; but to achieve this the rear of the plot would appear unduly shallow, with approximately 7 metres (m) from the rear elevation to this boundary. The previous site may have appeared unkempt, but the paved frontage proposed would appear somewhat oppressive relative to other front gardens, such as those of the semi-detached dwellings opposite, some of which have retained hedgerows and front lawned gardens to soften the hardstanding of paved driveways. While I did observe No.1a also had a paved parking area to the front, there are two areas of planting which serve to offset some of the hard landscaping. I note that a small planter is proposed at the appeal property, although given the narrow width of the plot it is not possible to achieve larger areas of greenery. While it is apparent that the size of the plot limits the space for landscaping, to my mind this highlights the limitations of the appeal site for the proposed development. As a result, the proposal would appear overdeveloped and somewhat contrived overall.
10. The appellant has drawn my attention to a planning application¹ approved in the former garden area of No.27 Cawthorne Grove. I have not been provided with plans or drawings of this scheme, although I did observe it on my site visit. This is comprised of 4 semi-detached dwellings of three-storey scale and hard landscaping to the front and sides. Be that as it may, this is further along the street and the immediate context of that development differs to the appeal site. In any event, while the appellant considers that development to represent poor design, this does not provide justification for allowing the proposal on this basis. Good design is a vital component of sustainable development and as I have determined above, the proposal would be harmful for the reasons given.

¹ Planning application reference: 20/02764/FUL

11. The proposed street scene drawing² includes the immediate area and includes two planning applications labelled as '24/01478' and '23/02974'. The latter appears to be several or one large dwelling covering the gardens of No's 5, 7 and 9, while the former appears to be a garage or outbuilding. I have nothing further regarding either of these applications, such as drawings or their current status. As such, neither has been determinative in my assessment of this main issue.
12. Taken together, the proposal would harm the character and appearance of the area. This would be contrary to policies CS74 of the Sheffield Development Framework Core Strategy (adopted March 2009) (CS) and policies H14 and BE5 of the Sheffield Unitary Development Plan (adopted March 1998) (UDP). These seek to ensure, among other things, high-quality development will be expected, which would respect, take advantage of and enhance the distinctive features of the city, its districts and neighbourhoods, including the townscape and landscape character of the city's districts, neighbourhoods and quarters, with their associated scale, layout and built form, building styles and materials. The proposal would also be contrary to paragraph 135 of the Framework, which seeks to ensure that development proposals are sympathetic to local character and history, including the surrounding built environment and landscape setting, among other things.

Living Conditions

13. The proposal would introduce built form in relatively close proximity to No.1a Cawthorne Grove due to the narrow form of the appeal site. The submitted side elevation³ and floor plan⁴ drawings show windows at first floor level serving the bedroom, office and an ensuite bathroom.
14. The rear external areas of the proposal would include a garden at second floor level with a privacy screen and low fence. The submitted site plan⁵ shows sight lines from the front and rear of No.1a towards the appeal proposal. While there may be no impact to the front or rear from its existing neighbour, due to the raised garden of the appeal property, I share the concerns of the Council that given the height of the garden, this would introduce potential for overlooking of the rear elevation and garden area of No.1a and a subsequent loss of privacy. Furthermore, the introduction of built form to this height would reduce outlook in this direction for occupiers of No.1a. Taken together, the loss of privacy and outlook would harmfully impact upon the living conditions of this property.
15. Turning to future occupiers of the proposal, my attention is drawn to the 'Designing House Extensions' Supplementary Planning Guidance (SPG) which advises that in most circumstances the Council considers a garden size of 50 square metres the minimum for a two or more bedroomed house. A minimum distance to the back boundary from the rear elevation of 10m is also required. Although this relates to extensions to properties, the guidance generally seeks to ensure high quality amenity space.
16. The distance to the rear boundary from the rear elevation of the proposal is given as 7m by the appellant and 4.3m by the Council. Meanwhile, the Council

² Drawing No. 23_29_12

³ Drawing No. 23_29_05B

⁴ Drawing No. 23_29_02B

⁵ Drawing No. 23_29_09A

advises that the combined two areas of rear spaces would give 23m² of external amenity areas while the appellant gives a figure of 68m², although this includes the front parking area. However, I have concerns that the front garden area would not be suitable for activities such as sitting outside or drying clothes due to the space required for a parked car, while it would also lack privacy from passers-by.

17. The rear lower garden area would be a dark and somewhat oppressive environment given it would be enclosed by walls and the dwelling itself. This would offer little in the way of enjoyable external amenity space while the outlook from the master bedroom into this space would be equally poor with little natural light due to the north facing orientation and presence of foliage in that direction. The upper garden would be an improvement and offer some outlook, although the vegetation remaining in the lower garden area of No.1 and north facing direction would allow little daylight or sunlight to permeate into this space.
18. I observed on the site visit that the boundary between No.1a and the appeal site includes a fence while the side elevation of the adjacent building does not include windows at this level. Given the height of the windows and intervening screen features, it is unlikely that overlooking and a subsequent loss of privacy from the appeal building would be unlikely.
19. Taken together, the proposal would harmfully impact upon the living conditions of occupiers of No.1a with regards to overlooking and loss of outlook, while future occupiers of the appeal proposal would not be afforded suitable outlook, light, or usable external amenity space. This would be contrary to policies CS74 of the CS and H14 and BE5 of the UDP, which seek to ensure development would not be over-developed or deprive residents of light and privacy, among other things. The proposal would also be contrary to paragraph 135 of the Framework which advises development should ensure a high standard of amenity for existing and future users.

Other Matters

20. The third reason for refusal relates to the loss of vegetation and landscape features which would impact on the character and appearance of the area and loss of biodiversity. I have covered the first part of this reason in this decision, although the issue of a loss of biodiversity is seemingly overcome in the Council's own reasoning by the imposition of conditions. The reasoning of this issue is also unclear, although as I am dismissing the appeal I have not sought clarity. I would advise that this is clarified in any possible future applications.
21. I note the appellant has taken issue with how the Council dealt with the planning application. This includes how pre-application advice was seemingly inconsistent. Be that as it may, this does not change the assessment of the appeal, which I have determined on its merits. The Council will have its own complaints procedures if the appellant is aggrieved, and it is not my role to mediate disputes of this kind.

Planning Balance

22. The Council advises in their officer report that it cannot demonstrate a four-year supply of deliverable housing land. The figure is put at three years supply, and as such I am taken to paragraph 11(d)(ii) of the Framework which

advises that in this scenario the policies which are most important for determining the application are out-of-date. Therefore, 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 this Framework taken as a whole, having particular regard to key policies for directing development to sustainable locations, making effective use of land, securing well-designed places and providing affordable homes, individually or in combination.

23. The proposal would provide an additional dwelling to the Council's existing supply. Although the appellant advises they currently live at No.1a, which is evidently a three-bedroom property, and would move into the proposed dwelling if it was granted permission, there is no guarantee of this. As such, the additional dwelling could not be taken for sure as a 'large home for a family' and the proposed, two bed unit would be the additional unit. Nonetheless, the additional dwelling is worthy of some positive weight in favour of the scheme, albeit this would be limited given the scale of the proposal. Although there is reference to the suitability of the proposed dwelling for disabled people or families, it is unclear why this is the case, and this matter is worthy of little weight.
24. Conversely, I have found harm to the character and appearance of the area and to the living conditions of the occupiers of No.1a, while the proposal would also not provide suitable living conditions for future occupiers of the proposal. This weighs against the scheme significantly. While any contribution to a housing supply is worthy of positive weight, set against the shortfall of the Council, the adverse impacts of granting planning permission would significantly and demonstrably outweigh the benefits.

Conclusion

25. The proposal would conflict with the development plan as a whole, as well as the advice in the Framework and relevant supplementary planning documents. The benefits are not sufficient to outweigh that conflict. Accordingly, for the reasons given, I conclude that the appeal is dismissed.

C McDonagh

INSPECTOR