



Appeal Decision

Site visit made on 11 February 2025

by **C Walker BA (Hons) DipTP MRTPI**

an Inspector appointed by the Secretary of State

Decision date: 21 February 2025

Appeal Ref: APP/J4423/D/24/3356016

496 Manchester Road, Crosspool, Sheffield S10 5PN

- 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 A Zyahe against the decision of Sheffield City Council.
 - The application Ref is 24/00772/FUL.
 - The development proposed is replacement of existing bay (retrospective).
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Decision

1. The appeal is dismissed.

Preliminary Matters

2. The description of development was amended by the Council to 'Removal of front bay windows and replaced with flat windows and French doors (retrospective)'. It is not clear from the evidence that the appellant agreed to this amendment. Reference to 'retrospective' is not an act of development and I have therefore determined the appeal on the basis of the appellant's description which adequately reflects the proposal. Neither party is prejudiced by this.
3. The development has been completed and I was able to see this during my site visit. I have determined the appeal on that basis.
4. On 12 December 2024, a revised National Planning Policy Framework (hereafter the Framework) was published and corrected on 7 February 2025. There is no need to invite further comments from the Council or the appellant on the revisions as there are no substantive changes relevant to the appeal before me.

Main Issue

5. The main issue is the effect of the development upon the character and appearance of the area.

Reasons

6. The appeal property is a semi-detached dwelling located in a predominantly residential area on the northern side of Manchester Road. The area comprises a mix of house types, some of which are detached dwellings and others which typically form clusters of similar styles. This includes a row of terraces opposite which boast bay windows at ground floor level and elsewhere groups of semi-detached dwellings evocative of a 1930's style.
7. Between Delph House Road and Stephen Hill Road, where the appeal site is located, there are three pairs of semi-detached dwellings of broadly similar design

which front the highway. They are regularly set back from the road behind front gardens and tree lined grass verges but nevertheless, are clearly visible in the public realm. Whilst these dwellings have been altered from their original form to varying degrees, there remains a sense of rhythm and unity from the placement of the forward projecting curved bay windows at both ground and first floor. These bays are prominent distinctive features, are typical of their era and make an important positive contribution to the character and appearance of the area, within this stretch of the street-scene.

8. Whilst the replacement fenestration has a similar vertical emphasis, the loss of the projecting bays disrupts the uniformity in the street scene. This is exacerbated by the fact that the property forms one half of a pair. The overall result is an unbalanced and incongruous development which unduly harms the character and appearance of the area. As such the development runs counter to guidance set out in the Designing House Extensions Supplementary Planning Guidance from the Unitary Development Plan, which is a material consideration. For the same reasons, the appeal conflicts with the Framework, in particular paragraph 135 c) and d), which, amongst other things, supports development that is sympathetic to local character and history, including the surrounding built environment and maintaining a strong sense of place.
9. I acknowledge that the appeal property is set back behind a tree lined verge and note that the appellant is yet to landscape the front garden. However, the existing verge trees do not fully obscure the harm, particularly during the winter, nor does the neighbours boundary treatments to which my attention has been drawn. Furthermore, given the nature and height of the replacement windows, landscaping would not be capable of mitigating the adverse effects I have identified.
10. The appellant points to the adjacent dwelling, No. 2A Delph House Road at the junction, having a 'flat' side elevation facing Manchester Road. However, the context for this is entirely different to the appeal property, as its side elevation would not be expected to contain its main architectural features. Likewise, a number of other examples are cited to demonstrate variety in dwelling types in the area. However, it is not convincingly shown that those examples relate to alterations to a traditional dwelling in directly comparable contexts. Therefore, they do not lead me to a different finding on the merits of the appeal scheme.
11. For the reasons given above, I therefore conclude that the proposal results in an unacceptably harmful effect on the character and appearance of the area. In this regard, it is contrary to Policy CS74 of the Sheffield Development Framework Core Strategy (2009) and Policies H14 and BE5 of the Sheffield Unitary Development Plan (1998). Together these policies set out expectations for design including that of high-quality development which, amongst other things, respect distinctive features of the city, its districts and neighbourhoods and set out that development should respect the scale, form, detail and material of the original building.

Other Matters

12. The appeal site does not lie within a conservation area. Nevertheless, it does not follow that the area does not possess attributes that contribute positively to its character and appearance, and I have identified some of them above.
13. It has been put to me that the cost of this development has been substantial for the appellant and includes tinted reflective glass which has significantly improved the

‘U’ Value and reduces heat loss. Whilst I acknowledge that delivering energy efficiency savings is a benefit, in this context it is likely to be limited and does not outweigh the significant harm I have identified to the character and appearance of the area.

14. The appellant makes the case that the works undertaken comprise ‘permitted development’ under the Town and Country Planning (General Permitted Development) (England) (Order) 2015 (as amended). On that basis, it is asserted that the windows can be retained even if this appeal fails. This is disputed by the Council. However, it is not within the remit of this appeal to determine whether the proposed development requires planning permission. No lawful development certificate is before me. Therefore, I cannot be certain that there is a realistic fallback position. In these circumstances I attribute a minor level of weight to this factor. In any event, based on the merits of the case, such a fallback would not lead me to a different conclusion. However, it is open to the appellant to apply to the Council for a separate determination under Sections 191/192 of the Town and Country Planning Act 1990 regardless of the outcome of this appeal.

Conclusion

15. The proposal conflicts with the development plan and there are no material considerations that indicate that the appeal should be decided other than in accordance with it. For the reasons given above, the appeal should be dismissed.

C Walker

INSPECTOR