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## Appeal Decision

Site visit made on 24 July 2025

by **R Gravett BA(Hons) DipTP MRTPI**

an Inspector appointed by the Secretary of State

Decision date: 6 August 2025

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**Appeal Ref: APP/J4423/W/25/3365388**

**51A Brunswick Street, Sheffield S10 2FL**

- 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 Mrs Shamaila Kousar against the decision of Sheffield City Council.
  - The application Ref is 24/03716/FUL.
  - The development proposed is described as “conversion of basement (derelict office) to studio flat (was historically a residential flat).”
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### Decision

1. The appeal is dismissed.

### Main Issues

2. The main issues are:
  - whether the proposed development would provide an acceptable standard of living conditions for future occupiers, with regards to outlook, natural light and privacy; and
  - the effect of the proposed development on the living conditions of the occupiers of the residential accommodation above, with regards to privacy.

### Reasons

#### *Living conditions – future occupiers*

3. 51A Brunswick Street (No 51A) is the basement area of a mid-terrace property, which is arranged over its upper floors as a House of Multiple Occupation (HMO). The basement extends the full width of the property and is accessed from an internal staircase sited broadly centrally within the ground floor plan. It has two existing windows and lightwells to the front of the property.
4. It is proposed to remove this central staircase and convert the basement into a studio flat which would have an open plan kitchen, living, dining and bedroom with a separate shower room. The studio flat would have independent access from external stairs down to a lightwell to the front of the property. It is proposed to widen the existing opening to this lightwell and to lower the sill height to accommodate a glazed front door and full height glazed window. To enable the return of the stairs, the lightwell itself would also be wider and deeper than existing. In combination, the enlarged lightwell and large glazed openings would afford the bedroom area of the proposed studio flat some degree of outlook and natural light, with glimpses of the sky visible.

5. The sill of the second window would also be lowered but the lightwell would remain as existing extending only the width of the window itself, and with very limited depth. Consequently, the outlook from the kitchen area of the studio flat would be severely limited and toward a high wall only a short distance away. Further, despite being west facing, the height and depth of the lightwell would mean the kitchen area would benefit from little natural light. The studio flat would feel dark, especially within the centrally positioned living area and away from the windows, and occupiers would be heavily reliant on artificial lighting at all times of the day.
6. The combination of both limited light and outlook would result in the living environment of the studio flat feeling uninviting and somewhat oppressive. I appreciate that the appellant feels comfortable with the outlook, but I am also mindful that paragraph 135 of the National Planning Policy Framework requires that planning decisions ensure that developments create places that have a high standard of amenity for existing and future users.
7. The front door of the HMO on the upper floors of the property is positioned centrally between the two basement lightwells. Consequently, there would be opportunity to look down into the lightwells as the occupiers of the HMO enter or leave the property, should they wish. However, given the depth, width and height of the lightwells I am not persuaded that it would be possible to see directly into the studio flat to such an extent that it would result in an unsatisfactory level of privacy for its occupiers.
8. Notwithstanding this, I conclude that the proposed development would not provide an acceptable standard of living conditions for future occupiers, with regards to outlook and natural light. It would conflict with saved policies H5 and H14 of the Sheffield Unitary Development Plan (1998) (UDP) which require that the living conditions of flats are satisfactory and would not deprive residents of light.

*Living conditions – existing occupiers*

9. The external stairs to the proposed studio flat would be taken off the pathway to the main front door of the property. They would run parallel to the front elevation for a short section and would then return toward a section of wall adjacent to the front door of the studio flat. Due to the relatively narrow depth of the enlarged lightwell, the top section of the stairs would pass very close to a ground floor window associated with the HMO accommodation.
10. Although there is often a close relationship between lower and upper floors within the same property, the construction of the stairs would significantly change the existing arrangement. It would introduce comings and goings associated with the occupiers and visitors of the studio close enough to see directly into this window, which is understood to be a bedroom. Consequently, it would result in a loss of privacy to the occupiers of this room, irrespective of the neighbourliness of the occupiers of the studio flat.
11. To the rear of the property is an external communal area which is off the kitchen of the HMO. I have little evidence before me in respect of how this communal area is managed or how it would be used by the occupiers of the proposed studio flat. However, it is a reasonable size and as it could be accessed from a side gate, rather than through the kitchen, sharing this communal area would not necessarily lead to a loss of privacy for existing occupiers of the HMO.

12. Whilst I have found no harm to privacy resulting from the use of the communal amenity area, I nevertheless conclude that the proposed development would cause significant harm to the living conditions of the occupiers of the residential accommodation above, with regards to privacy. Therefore, it would conflict with saved UDP policies H5 and H14 which require that the creation of flats provide satisfactory living conditions for their immediate neighbours and would not deprive residents of privacy.

### **Other Matters**

13. No 51A is within the Hanover Conservation Area (the CA) which extends either side of Brunswick Street broadly between Broomspring Lane and Glossop Road. In accordance with the statutory duty set out in Section 72(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990, I have therefore paid special attention to the desirability of preserving or enhancing the character or appearance of the CA.
14. The significance of the CA is derived partly from its C19th residential street pattern and overall unity of architecture, as well as the use of stone piers and gate posts. Although finished in a render, the appeal property contributes positively to the CA comprising one end of a row of large double fronted properties which return the corner of Brunswick Street to Broomspring Lane.
15. No 51A has two existing lightwells which are small, enclosed by railings and largely screened from the road by hedging above a low wall on the front boundary. Although one of these lightwells would be enlarged to accommodate the stairs to the proposed studio flat, it would not appear unduly prominent or incongruous when viewed from the road. The double fronted symmetry of the building and boundary treatment, including the hedgerow, would be retained, and the proposed development would not cause harm to the character or appearance of the CA.
16. The appellant has referred to the property historically having been divided into two separate dwellings, but I have little evidence of this before me, or whether the basement itself was used as living accommodation. I also observed a basement conversion at No 59 Brunswick Street, but I have no further details in respect of this, including the internal layout, such that it is possible to draw any comparison with the appeal proposal before me.
17. I acknowledge that No 51A is in a central location, with convenient access to public transport and education facilities and employment opportunities. I also understand that the appellant wishes to own her own home in Sheffield, and I recognise the concerns regarding the availability and affordability of smaller apartments, even for those working full-time. However, these are not matters which are sufficient in this case to outweigh the significant harm that I have identified above.

### **Conclusion**

18. For the reasons given above, I conclude that the appeal is dismissed.

*R Gravett*

INSPECTOR