

DEVELOPMENT SERVICES

REPORT TO PLANNING &
HIGHWAYS COMMITTEE
13 May 2014

1.0 RECORD OF PLANNING APPEALS SUBMISSIONS AND DECISIONS

This report provides a schedule of all newly submitted planning appeals and decisions received, together with a brief summary of the Secretary of State's reasons for the decisions.

2.0 NEW APPEALS RECEIVED

(i) An appeal has been submitted to the Secretary of State against the delegated decision of the Council to refuse planning permission for conversion of barn to form dwellinghouse (Amended scheme to 13/03293/FUL) at Barn Opposite Loxley Grange Rowell Lane Sheffield S6 6SH (Case No 13/04119/FUL)

(ii) An appeal has been submitted against an Enforcement Notice served in respect of potential unauthorised replacement of windows at 261, 273a and 269a Fulwood Road Sheffield S10 3BD (Case No. 13/00533/ENART4)

3.0 APPEALS DECISIONS - ALLOWED

(i) To report that an appeal against the delegated decision of the Council to grant conditionally with a legal agreement planning consent for erection of 27 apartments in 1 x 3/4 storey block with associated car parking accommodation (As amended plans received 31/10/12) at The Hill (Former Upperthorpe School) Daniel Hill Walk Sheffield (Flats, 59-63, 63A, 65, 67 And 69 Daniel Hill Mews) (Case No 12/02972/FUL) has been allowed conditionally

Officer Comment:-

The appeal was originally submitted against 17 of the 30 conditions attached to the planning permission. The appellant subsequently withdrew the appeal in relation to 7 of the conditions leaving 10 conditions in dispute.

With regard to these conditions:

Conditions 16 and 17 – drainage conditions

These were deleted and replaced with a single condition which the Inspector considered relevant and enforceable

Condition 20 – Parking and manoeuvring areas to be of porous or permeable materials.

This was deleted as the Inspector considered the provisions could be adequately dealt with under condition 15.

Condition 21 - Access for people with disabilities

The Inspector considered that this element should have been negotiated from the outset and not added as a condition. Accordingly, this condition was deleted.

Conditions 22-26 – Land contamination

Here, the Inspector considered that the reasoning behind the imposition of these conditions was sound but felt that a single condition could be substituted

Condition 29 – Renewable energy

The requirement was considered reasonable but the Inspector thought that it would be unreasonable to prevent commencement of the development where the target cannot reasonably be met. This being the case, the Inspector substituted an alternatively worded condition.

Accordingly, the Inspector allowed the appeal and the permission was varied as mentioned above.

4.0 RECOMMENDATIONS

That the report be noted

Maria Duffy
Acting Head of Planning

13 May 2014