



SHEFFIELD CITY COUNCIL Planning & Highways Committee

Report of: Director of Regeneration & Development Services

Date: 18 November 2014

Subject: RECORD OF PLANNING APPEALS
SUBMISSIONS & DECISIONS

Author of Report: Claire Woods 0114 2734219

Summary:

List of all newly submitted planning appeals and decisions received, together with a brief summary of the Inspector's reason for the decision

Reasons for Recommendations

Recommendations:

To Note

Background Papers:

Category of Report: OPEN

DEVELOPMENT SERVICES

REPORT TO PLANNING &
HIGHWAYS COMMITTEE
18 November 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 City Council to grant conditionally planning permission for erection of two detached dwellinghouses including access at Curtilage Of 36 And 38 High Street Beighton Sheffield S20 1EA (Case No 14/02620/FUL)

3.0 APPEALS DECISIONS - DISMISSED

(i) An appeal against the delegated decision of the Council to refuse planning consent for demolition of existing garage and erection of a two-storey garage/gym and decked area at 74 Chesterfield Road Sheffield S8 0RS (Case No 14/01482/FUL)

Officer Comment:-

The Inspector considered the main issues to be:-

- i) The effect on the character and appearance of the area; and
- ii) The effect on living conditions of neighbours, with particular regard to visual impact.

He noted the appeal site was sloping land at the rear of a semi-detached property, set back from the main road in a predominantly residential area. He considered the setback was such that the rear of the site was not particularly visible from public areas, but the tree growth gave a green character.

On i) the new structure would be 'very substantial' in his view within 8 metres from the rear of the dwellings, of much greater scale than the host property and of a more commercial or even industrial appearance. Although he noted the step down in levels he considered the expansive mono-pitch roof and significant width and depth of the proposal would for a 'discordant' and 'dominant' element.

He noted that the design was to support use by a disabled person but felt the

structure had a poor design and a cramped relationship with the host dwelling, and as such was overdevelopment. He dismissed the appellant's claims that other buildings in the locality set a precedent.

On ii) the structure was to be set just 1m from the neighbour's boundary, but the roof structure would overhang to the boundary resulting in a structure at least 3m high when viewed from the neighbour's land and owing to the levels would result in a dominant feature on the boundary and an overbearing visual impact. He noted this would be contrary to both the NPPF which seeks a good standard of amenity for all existing and future occupants, and the Council's Supplementary Planning Guidance – Designing House Extensions.

For those reasons he dismissed the appeal.

(ii) An appeal against the delegated decision of the Council to refuse planning consent for erection of 2 detached dwellings with associated garages and landscaping at Land At Rear Of 1 To 5 Austin Close Loxley Road Sheffield S6 6QD (Case No 13/04044/FUL)

Officer Comment:-

The main consideration in the appeal was the adequacy of the access to the site and its implications for highway safety..

The Planning Inspector considered that, although a swept path analysis indicated that a removals van could enter and leave the site in forward gear, she had reservations that this took into account the vertical alignment of the proposed access and was unconvinced that the manoeuvre could be carried out safely particularly in winter, in conditions of ice, snow and hail .

Although the length of the driveway would be such as to allow a driver to gain control and so not be a safety issue on Loxley Road, she did consider it would be a hazard to pedestrians and other users of the access. The provision of managed grit bins did not satisfy the Inspector that this matter could be satisfactorily managed and enforced.

The fact that there are many roads in Sheffield that have that have acute gradients, she did not consider it good planning to accept deficiencies in an access based on the prevalence of others in the locality, most especially where, as here, there are potential hazards to the safety of road users.

The provision of a segregated path for pedestrians would overcome one of the previous Inspector's concerns but, due to its gradient and the incorporation of steps, it would remain difficult to access for the less ambulant. Such as the disabled, the elderly and mothers with prams.

The Inspector considered that the site would be difficult to serve in a safe fashion and so was contrary to UDP policies BE9, BE10, H14 and CS policies C51 and also the NPPF which seeks to provide safe and suitable access for all users.

Third parties questioned the principle of developing the site but the Inspector said that although it may have been originally an open landscaped area, it is a suitable site for housing. However, this did not outweigh her concerns over the lack of a safe access, and so the appeal was dismissed.

(iii) An appeal against the delegated decision of the Council to refuse planning consent for erection of non-illuminated hoarding to gable wall at British Telecom Telephone House Charter Square Sheffield S1 4HS (Case No 14/02003/HOARD)

Officer Comment:-

The Inspector agreed with the Council that a large poster display would be in sharp contrast to and would detract from the stark architectural form of the building and would cause visual harm to the building and the street scene, given the prominent position of the building on a busy junction. She concluded that the advertisement would be harmful to visual amenity.

Maria Duffy
Acting Head of Planning

18 November 2014