



SHEFFIELD CITY COUNCIL Planning & Highways Committee

Report of: Director of Regeneration & Development Services

Date: 10 November 2015

Subject: RECORD OF PLANNING APPEALS
SUBMISSIONS & DECISIONS

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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
10 November 2015

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 along with an application for costs against the delegated decision of the City Council to refuse planning permission for use of ground floor double garage and utility area as a one bedroomed apartment including replacement of garage doors with windows at 31 Rosamond Close Sheffield S17 4LU (Case No 15/00472/FUL)
(ii) An appeal has been submitted to the Secretary of State against the delegated decision of the City Council to refuse planning permission for erection of a dwellinghouse at Curtilage Of 164H Birley Spa Lane Sheffield S12 4BQ (Case No 14/01467/OUT)
(iii) An enforcement appeal has been submitted to the Secretary of State against the enforcement notice issued for alleged unauthorised replacement of windows at 352 Sharrow Lane Sheffield S11 8AU (Case No 14/00572/ENART4)
(iv) An enforcement appeal has been submitted to the Secretary of State against the enforcement notice issued for alleged unauthorised development on a listed building at English Pewter Company 1 Blackmore Street Sheffield S4 7TZ (Case No 14/00207/ENUD)

3.0 APPEALS DECISIONS - DISMISSED

(i) An appeal against the delegated decision of the Council to refuse planning consent for retention of 2 illuminated box signs at Betta Living Unit L Meadowhall Retail Park Attercliffe Common Sheffield S9 2YZ (Case No 15/00549/ADV) has been dismissed.
Officer Comment:- The Inspector agreed with the Council's view that the proposed signs are large and illuminated and take up a significant part of the high level cladding either side of the entrance. In combination with the existing signage, he

agreed that it would result in a visually unattractive concentration of signage on a narrow unit frontage, giving a cluttered appearance. He noted that there were no other high level signs of this nature, meaning that that they would appear out of keeping and have an adverse impact on the retail park as a whole. He concluded that the signage would harm amenity and would be contrary to adopted planning policies.

(ii) An appeal against the delegated decision of the Council to refuse planning consent for extension of balcony to second floor apartment at 15 Whinfell Court Sheffield S11 9QA (Case No 14/03326/FUL) has been dismissed.

Officer Comment:-

The Inspector noted the main issue to be the effect of the balcony extension upon the living conditions of present and future occupants of no 14 Whinfell court (situated below the proposed works).

He noted the original upper floor balconies were recessed to allow light to the flats below and considered that the effect of the extended balcony would reduce sunlight benefit for the lower flat and cause significant overshadowing. He also agreed with officers that it would present an overbearing and oppressive feature, and therefore dismissed the appeal.

(iii) An appeal against the delegated decision of the Council to refuse planning consent for conversion of part of flower shop to flat at Katie Peckett @ The Westend 884 Ecclesall Road Sheffield S11 8TP (Case No 14/04166/FUL) has been dismissed.

Officer Comment:-

The Inspector considered the main issue to be the effect on the living conditions of future occupiers of the proposed flat with regard to outlook and light.

She noted the windows that would serve habitable rooms would be within 1-2 metres of a tall hit and miss fence, and that room configurations and size would mean that the levels of light would lead to dark, gloomy rooms. She also agreed with officers that the outlook would be extremely limited from all windows. She also considered that the adjacent bin storage area, likely to be used also by the shop unit, would present a poor outlook.

The appellants claim that the accommodation would be used by young professional or students who spend limited time indoors was given no weight by the Inspector on the basis that appropriate living conditions are needed for all.

(iv) An appeal against the delegated decision of the Council to refuse planning consent for two-storey front extension and erection of a summer house to the rear garden at 5 Goathland Road Sheffield S13 7RS (Case No 15/01388/FUL) has been part dismissed.

Officer Comment:-

The Inspector concurred with the Council's view that the two storey front extension would be prominently located and would extend forward of the property's existing two storey bay window feature and be located in very close proximity to it. It would therefore appear as a dominant addition and would unbalance the pair of semi-detached dwellings in a way not seen elsewhere in the vicinity. He concluded that the extension would be harmful to the character and appearance of the dwelling and the locality and would be contrary to adopted planning policies.

4.0 APPEALS DECISIONS - ALLOWED

(i) To report that an appeal against the delegated decision of the Council to refuse planning consent for erection of raised veranda to rear of dwellinghouse (Re-submission of 14/04093/FUL) at 49 Halifax Road Grenoside Sheffield S35 8PA (Case No 15/00298/FUL) has been allowed conditionally.

Officer Comment:-

The Inspector considered the one main issue in this appeal was the effect of the proposal on the living conditions of the occupiers of the adjacent dwelling (No. 47 Halifax Road) with regard to privacy and an overbearing form of development.

The inspector agreed with the Council that the balcony would increase the potential for overlooking and that this could be addressed by the siting of a screen fence. However, he disagreed that such a screen fence would be unacceptably overbearing or dominant when seen from the neighbour's rear-facing windows, conservatory and garden. As such, there was no conflict with UDP policy or the advice in the SPG "Designing House Extensions". Accordingly, the Inspector granted planning permission.

(ii) An appeal against the delegated decision of the Council to refuse planning consent for two-storey front extension and erection of a summer house to the rear garden at 5 Goathland Road Sheffield S13 7RS (Case No 15/01388/FUL) has been part allowed.

Officer Comment:-

The Council had no objection to this element of the proposal but is unable to issue a 'split' decision. The Inspector agreed with the Council's assessment that the outbuilding would cause no harm and allowed this aspect of the appeal as they are able to make a split decision.

5.0 RECOMMENDATIONS

That the report be noted

Maria Duffy
Acting Head of Planning

10 November 2015

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