



SHEFFIELD CITY COUNCIL Planning & Highways Committee

Report of: The Director of City Growth Service

Date: 24 October 2017

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
24 October 2017

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 refuse planning permission for the erection of a dwellinghouse and detached garage at Land Adjacent 133 Long Line Sheffield S11 7TX (Case No 17/00548/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 the alterations to roof including raising of ridge height to form 2 flats at 46 Wostenholm Road Sheffield S7 1LL (Case No 17/02206/FUL)

(iii) An appeal has been submitted to the Secretary of State against the delegated decision of the City Council to refuse planning permission for the alterations to roofs of buildings to create two additional apartments including erection of gable ends, rear dormer window and an access stairway between (Re-submission of 16/04535/FUL) at 297-303 Abbeydale Road South Sheffield S17 3LF (Case No 17/02718/FUL)

3.0 APPEALS DECISIONS - DISMISSED

(i) An appeal against the delegated decision of the City Council to refuse planning consent for erection of 2 flats with associated parking (Re-submission of 16/04702/FUL) at Land Between 182 And 194 Queen Mary Road Sheffield S2 1JJ (Case No 17/00780/FUL) has been dismissed.

Officer Comment:-

The Inspector considered that the main issues in this case were (a) the effect of the proposal on the living conditions of nearby residents; (b) whether the proposed development would provide adequate living conditions for future residents; and (c) the effect of the proposed development on the character of the area.

The Inspector concluded that the development would have an overbearing impact on adjoining properties, adversely affecting outlook. In addition she

considered that the gardens were not adequate to serve family houses and that the development was contrary to UDP Policy H14. On living conditions for future residents the Inspector concluded that they would be adequate, contrary to your officers' views. In respect of character and appearance the Inspector noted that the general form of development in the area are properties that front a road and have a reasonable amount of garden space around them. In this case she concluded that the backland form of development was out of character with the general pattern of development and would also appear cramped with limited space around it. This would be contrary to Policy H14 of the UDP. She therefore dismissed the appeal.

(ii) An appeal against the delegated decision of the City Council to refuse planning consent for erection of one dwelling and subdivision of existing farm house into three dwellings (Amended scheme to 16/02347/FUL) at Holt House Farm Long Line Sheffield S11 7TX (Case No 16/03840/FUL) has been dismissed.

Officer Comment:-

The Inspector identified the main issues as being:-

- (i) Whether the proposed development is inappropriate development in the Green Belt;
- (ii) The effect of the proposed development on the openness of the Green Belt;
- (iii) The effect on the Area of High Landscape Value;
- (iv) If inappropriate, whether there are very special circumstances to outweigh the harm by reason of inappropriateness.

In terms of (i) this case was a useful test of the interpretation of the term 'limited infilling' that is referenced in the NPPF as an exception to new buildings in the Green Belt being regarded as inappropriate, and the UDP policy test of 'infilling of a single plot'. The Inspector noted the substantial width of the existing site, in contrast to that of other plots on Long Line, and did not consider this section of Long Line to be substantially developed frontage. He dismissed previous appeal decisions elsewhere in the country submitted by the appellant as not comparable, and reaffirmed the view that each case is in any event determined on its individual merits. He concluded on (i) that the development amounts to inappropriate development.

He concluded in terms of (ii) that the impact of the development on the openness of the Green Belt would be significant and permanent in conflict with para 79 of the NPPF. However, he felt the limited views of the site and the design, scale and use of materials would not result in a detrimental effect in respect of (iii) the impact on the Area of High Landscape Value and would therefore accord with the aims of NPPF para 17 and UDP Policies GE4 and GE8, and Core Strategy Policy CS74.

The appellant put forward very special circumstances ((iv)) relating to the family's long standing association with the site, current living conditions, running costs and the availability of mortgages however the Inspector gave

these limited weight in the absence of substantive evidence.

Consequently the very special circumstances necessary to outweigh the fundamental policy conflicts did not exist and he dismissed the appeal.

(iii) An appeal against the delegated decision of the City Council to refuse planning consent for application to approve details in relation to condition 4 (outdoor furniture), 5 (cafe screens) and 6 (internal layout and obscure glazing) as imposed by planning permission 15/03537/FUL at Kiosk 1 The Moor Sheffield S1 4PF (Case No 15/03537/COND3) has been dismissed.

Officer Comment:-

This appeal relates to the Café Nero kiosk on The Moor and the obscure glazing that has been inserted in the north elevation contrary to the approved details. The Inspector noted that the majority of the north elevation is frosted and appears as a largely solid, blank and inactive frontage on approach from the north (Furnival Gate) giving no views into the unit and undermining the connection of the kiosk to the enhanced public realm, such that it detracts from the quality of the pedestrian environment here.

On this basis she dismissed the appeal as contrary to UDP Policy BE5, Core Strategy Policy CS74 and the National Planning Policy Framework.

(iv) An appeal against the delegated decision of the City Council to refuse advertisement consent for the replacement of 2 no. 48 sheet digital displays with 2 no. internally illuminated back to back digital portrait displays (7.5m x 5m) at Site Of Former Advertising Right No 0183 And No 0184 Adjacent Steelway Works 100 Sheffield Road Tinsley Sheffield S9 2FY (Case No 17/01507/HOARD) has been dismissed.

Officer Comment:-

The Inspector noted that the hoarding, being of a portrait orientation, would be almost double the height of the existing hoarding and would be on a solid plinth. It would also be significantly deeper than the existing advert, adding to its bulk and forming an imposing structure. She considered that it would be highly visible on approach and would be well above the modest industrial units and petrol filling station adjacent.

She concluded that the hoarding would appear out of scale and sit uncomfortably in its context, forming an incongruous addition to the street scene, being unduly prominent and obtrusive.

On this basis she dismissed the appeal as being contrary to Policy BE13 of the UDP and the National Planning Policy Framework.

4.0 RECOMMENDATIONS

That the report be noted

Rob Murfin
Chief Planning Officer

24 October 2017