

DEVELOPMENT SERVICES

REPORT TO PLANNING &
HIGHWAYS COMMITTEE
3 September 2013

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 a Two storey side extension to dwellinghouse at basement level and formation of a hardstanding/car parking space at Edgedale Garage, 370 Walkley Bank Road, Sheffield, S6 5AR (Case No 13/00835/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 a retrospective application to replace windows to front of dwellinghouse at 24 Ashgate Road, Sheffield S10 3BZ (Case No 13/01512/FUL)

(iii) An appeal has been submitted to the Secretary of State against the decision of the Council at its meeting on the 2 July 2013 to refuse planning permission for demolition of public house (Use Class A4) and erection of retail store (Use Class A1) with associated landscaping, car parking, and servicing (In accordance with amended plans and elevations received 11.06.2013) (Case No 13/01343/FUL)

3.0 APPEALS DECISIONS - ALLOWED

(i) To report that an appeal against the delegated decision of the Council to refuse planning permission for alterations and extension to roof to form rooms in roof space, including a rear dormer window and a side dormer extension to dwellinghouse (As amended drawing 537/PL/101 A received 14/05/2013) at 43 Brooklands Avenue, Sheffield, S10 4GB has been allowed (Case No 13/01179/FUL)

Officer Comment:-

The main issue considered by the Planning Inspector was the effect of the proposal on the character and appearance on the property and street scene of Brooklands Avenue and this turned on the design and materials of the proposed side dormer window.

The Inspector noted the Council's view that the dormer should have a traditional hipped roof with tile hung cheeks in order to be more in keeping

with the original house.

In his opinion, the dormer windows with rendered cheeks at nos. 48A and 50 were in keeping with the host properties as the cheeks matched the elevation rather than the roof. Consequently, he found that the proposed rendered cheeks would not result in harm to the appeal property.

The lead/zinc roof to the proposed dormer was considered not to be consistent with existing side hipped roof dormer windows in the area, nevertheless, it was considered to have some commonality with the varied dormers and roof materials of the area. In addition, the provision of a hipped roof would have a larger elevational area and thus a greater visual impact. The Inspector considered that the dormer would not lead to a negative impact on the street scene.

Although the dormer would be larger than other windows in the dwelling, it was felt that they would still retain a vertical appearance and, at a width of approximately one third of the width of the elevation, it would not dominate the roof plane.

The dormer was considered not to conflict with the Unitary Development Plan or the Designing House Extensions Supplementary Planning Guidance and accordingly the Inspector granted planning permission

5.0 APPEAL – ENFORCEMENT NOTICE

(i) To report that an appeal against a Enforcement Notice served in respect of the replacement of roof tiles at the front and side of the building, facing Albany Road and Chippinghouse Road at 1 Albany Road, Nether Edge, Sheffield S7 1DN has been allowed.

Officer Comment:-

The appeal property is within the Nether Edge Conservation Area, and covered by the Article 4 direction that removes permitted development rights for a range of works including the replacement of roof materials.

The Enforcement Notice required the removal of artificial slates, and their replacement with natural roof slates. The Inspector considered the main issues to be the impact of the artificial slates on the character and appearance of the Conservation Area.

He considered that to comply with the notice, would harm the appearance of the roof as it only required replacement of the roof material on 2 of 4 roof slopes, and all 4 roof slopes are visible in the street scene. He also disagreed with the Council that the artificial slates were particularly shiny or noticeably different to original roof slates in the vicinity, and therefore felt there would not be significant benefit to their removal. He therefore concluded that the artificial slates did not harm the character and appearance of the conservation area and allowed the appeal.

Officers are surprised by this decision which runs contrary to the very consistent outcome of appeals, with Inspectors supporting officer's judgement on matters affecting the Article 4 Direction. Only 2 of the 4 roof slopes could legitimately be required to be replaced as only 2 roof slopes can be considered to 'front the highway' as required by the relevant legislation for permission to be required. In addition, there is fundamental disagreement with the Inspector's description of the impact. Officers are therefore currently in dialogue with the Planning Inspectorate over the potential for challenging the decision, and will update Members on this in due course.

6.0 RECOMMENDATIONS

That the report be noted

David Caulfield
Head of Planning

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