

REGENERATION & DEVELOPMENT SERVICES

REPORT TO PLANNING &
HIGHWAYS COMMITTEE
05 November 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 alterations to building to form No. 3 self-contained flats at 27 Filey Street Sheffield S10 2FG (Case No 13/00250/FUL)

3.0 APPEALS DECISIONS - DISMISSED

(i) To report that an appeal against the delegated decision of the Council to refuse planning consent for use of ground floor as 1 bedroom flat at Nevio's Barber Shop 224 Gleadless Road Sheffield S2 3AF has been dismissed (Case No 12/03668/FUL)

Officer Comment:-

The Inspector considered the main issue to be whether the development would produce acceptable living conditions for future occupants.

She noted the appeal related to a ground floor of an end terrace property in a parade of mixed residential and commercial uses, with the ground floor unit sharing a rear yard with a hot food take away where the main activity occurs in the evening. She considered that there would be noise and disturbance until late into the night from arrival and departure of customers, congregation of customers, staff activity and tidying up after closing.

The appellant argued the flat could be occupied by a night worker but the Inspector asserted that this would neither be reasonable nor enforceable.

She agreed with the Council that as the only living room window faced directly onto the street this would either be screened by blinds/curtains and affect outlook, or be open to views from the street and affect privacy. Similarly she agreed with the council's concerns about poor outlook and amenity from the bedroom window which faces directly onto the rear yard, shared with the take away.

(ii) To report than an appeal against the delegated decision of the Council to refuse planning consent for alterations to existing detached double garage at rear of dwellinghouse to form ancillary living accommodation (Resubmission of 12/03301/FUL) at 60 Clifton Crescent Sheffield S9 4BE has been dismissed (Case No 13/00112/FUL)

Officer Comment:-

The Inspector considered there to be 3 main issues to consider; namely: the effect of the proposal on the character of the area; whether adequate living conditions would be provided and whether there would be an adverse impact on the living conditions of adjoining houses.

On the character of the area he concluded that the development would be incongruous with the general character as it would not appear as ancillary but would appear as entirely separate and would not fill well with the mature garden and woodland character. He also considered that the outdoor amenity space, which had largely been hard surfaced, would be stark and utilitarian and provide poor living conditions for the occupants of the proposed dwelling. Furthermore the proposal would result in poor privacy for occupants of the proposed dwelling and a loss of privacy for the existing house.

He concluded that the development would fail to meet the NPPF's aims with regard to making places better for people and would not represent sustainable development.

(iii) To report than an appeal against the delegated decision of the Council to refuse planning consent for erection of dwellinghouse at land adjacent 382 Bellhouse Road Sheffield S5 0RE has been dismissed (Case No 12/02508/FUL)

Officer Comment:-

The Inspector considered that the main issues were the effect of the proposal on the character and appearance of the area and the effect of the proposal on the living conditions of neighbouring properties.

She concluded that the proposal would fail to complement the scale, form and architectural style of the surrounding buildings and would harm the character and appearance of the area. She also found that the development would harm the living conditions of 4 properties on Oaks Lane by its overbearing impact, reduction in available amenity space, and loss of privacy and light.

On all of these issues the proposal was contrary to the aims of the NPPF and to Policy H14 of the UDP.

(iv) To report that an appeal against the decision of the Council at its meeting of the 18 March 2013 to refuse planning consent for installation of external lighting to three tennis courts (Resubmission of planning application no. 12/00767/FUL) at Dore and Totley Tennis Club 48 Devonshire Road Sheffield S17 3NW has been dismissed (Case No 13/00285/FUL)

Officer Comment:-

She considered the columns would present an overbearing feature when viewed from the rear gardens and windows of the houses that surround the site, and that the light intensity would exceed the Institute of Lighting Engineers guidelines at specific properties, and even where other properties are within the guidelines, would result in an increase in ambient light levels in the surrounding area and introduce a brightly lit feature into an otherwise low light environment and cause nuisance.

She concluded that noise disturbance already occurs to a degree and an increase in hours of use that would result from the presence of the floodlights would exacerbate this concern.

4.0 APPEALS DECISIONS - ALLOWED

(i) To report that an appeal against the delegated decision of the Council to refuse planning consent for roof extension and erection of front and rear dormer windows at 53 Harcourt Road Sheffield S10 1DH has been allowed (Case No 13/00492/FUL)

Officer Comment:-

The Inspector considered the sole issue to be the effect of the dormer on the character and appearance of the host property and surrounding area.

She noted the property was a large end terrace property in a road comprising similar sized terraced and semi-detached properties, a significant proportion of which have front dormers that vary considerably in size, style, design and impact they have on the street scene. She therefore concludes that there is no concern with the provision of a dormer.

She also noted the appeal dormer was sited below the ridge line, and would be set back from the eaves, gable and party wall of the neighbouring dwelling and concluded it would not dominate the roof plane as a result, would be visually acceptable and would reflect the existing character of the street.

The Inspector allowed the appeal and imposed conditions relating to external materials.

5.0 RECOMMENDATIONS

That the report be noted

Maria Duffy
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