



## SHEFFIELD CITY COUNCIL Planning & Highways Committee

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**Report of:** Director of Regeneration & Development Services

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**Date:** 3 March 2015

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**Subject:** RECORD OF PLANNING APPEALS  
SUBMISSIONS & DECISIONS

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**Author of Report:** Claire Woods 0114 2734219

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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

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**Reasons for Recommendations**

**Recommendations:**

To Note

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**Background Papers:**

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**Category of Report:** OPEN

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## DEVELOPMENT SERVICES

REPORT TO PLANNING &  
HIGHWAYS COMMITTEE  
3 March 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 APPEALS DECISIONS - ALLOWED

(i) To report that an appeal against planning condition 16 imposed on a planning approval (delegated decision of the Council) 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) was allowed subject to a variation of Condition 16 and the award of costs against the Council..

#### Officer Comment:-

Condition 16 was imposed on the planning approval to restrict the permitted development rights of the new houses such that they could not erect any extensions without the need for planning permission.

The Inspector concluded that, whilst there was good reason to impose some restrictions on the ability to extend the properties, there were some forms of extension in the General Permitted Development Order that would be acceptable. He considered that the blanket approach to restricting extensions to both of the approved dwellings was unreasonable and necessary and that the Council should have imposed a more bespoke condition to reflect the realities on the ground, which would allow some extensions but remove the right to build extensions that would have an obvious harmful impact to neighbouring dwellings.

The Inspector allowed the appeal with a re-worded version of the original condition to reflect a more bespoke approach bearing in mind the particular circumstances and orientation of the specific properties.

Given that the Inspector concluded that Condition 16 went beyond what was required to achieve its desired objectives and failed to meet the tests of reasonableness and necessity, as set out in the National Planning Practice Guidance he ordered that the Council should pay the costs incurred by the applicant in making the appeal.

### 3.0 RECOMMENDATIONS

That the report be noted

Maria Duffy  
Acting Head of Planning

*3 March 2015*

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