



## SHEFFIELD CITY COUNCIL Planning & Highways Committee

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

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**Date:** 7 June 2016

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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 7 JUNE 2016

#### 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 decision of the Council at its meeting of 15 March 2016 to refuse planning permission with enforcement action for the siting of a log cabin to rear of garden (Retrospective Application) at 38 Sandy Acres Close Sheffield S20 7LT (Case No 16/00263/FUL)
(ii) An appeal has been submitted to the Secretary of State against the decision of the Council at its meeting of 19 January 2016 to refuse planning permission for the change of use from retail (Use Class A1) to a betting shop (Sui Generis) including minor external alterations (as per amended plans received 06.11.15) at Site of Pasha 190 London Road Sheffield S2 4LT (Case No 15/03286/FUL)
(iii) An appeal has been submitted to the Secretary of State against the delegated decision of the Council to refuse planning permission for the erection of a boundary wall at 2 Knowle Croft Sheffield S11 9SR (Case No 15/04566/FUL)
(iv) An appeal has been submitted to the Secretary of State against the delegated decision of the Council to refuse planning permission for a three-storey/single-storey rear extension, first and second floor side extension to form two flats above shop at Age UK 221 Fulwood Road Sheffield S10 3BA (Case No 15/02668/FUL)
(v) An appeal has been submitted to the Secretary of State against the delegated decision of the Council to refuse advertisement consent for a freestanding portrait LED advertising display unit at Ponds Forge Sheaf Street Sheffield S1 2PZ (Case No 16/00112/HOARD)

#### 3.0 APPEALS DECISIONS - DISMISSED

(i) An appeal against the delegated decision of the Council to refuse planning
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consent for a two-storey side extension including garage and a single-storey rear extension to dwelling house at 22 Pen Nook Close Sheffield S36 2TY (Case No 15/04039/FUL) has been dismissed.

Officer Comment:-

The main issue in the appeal was the effect of the extension on the living conditions of adjoining occupants at 1 Pen Nook Glade with regard to their outlook.

Guideline 5 of our Supplementary Planning Guidance “Designing House Extensions” sets out that, in order to prevent unreasonable overshadowing and over dominance to adjoining dwellings, a two storey extension should not be placed nearer than 12 metres in front of the ground floor main windows of a neighbour. At its closest point, the two storey extension would be a little over 8 metres from the rear of the conservatory to 1 Pen Nook Glade and 8.7 metres to the rear elevation and so would contravene the guidelines.

This is exacerbated by the change in levels between the two properties with the application site being slightly higher than the adjoining property. In addition, the length of the two storey extension would present as an overbearing mass of built development in close proximity to the rear garden of No. 1 and would be harmful to the outlook of occupiers from both the conservatory and rear garden immediately behind No. 1. The Inspector considered the fact that the properties are at oblique angles to each other would not lessen the impact to any significant degree. Accordingly, the Inspector dismissed the appeal.

(ii) An appeal against the delegated decision of the Council to refuse planning consent for the construction of means of a vehicular access and provision of hardstanding at 202 Rutland Road Sheffield S3 9PR (Case No. 15/03173/FUL) has been dismissed.

Officer Comment:-

The main issue in the appeal was the effect of the proposal on highway safety and the free and safe passage of other highway users including pedestrians.

The dimensions of the proposed parking space on the appeal plans would be 3.3 metres wide by 3.5 metres long. The length would be below the requirements set out in the Council’s SPG (5 m by 2.4 metres) and even a small car parked at right angles to the house would be likely to overhang the pavement. The pavement is relatively wide here but it was still considered to create hazardous conditions for pedestrians, particularly those with impaired vision.

The dimensions of the parking area would mean it would be impossible for vehicles to enter and leave in forward gear making it likely that cars would either reverse out or into the site conflicting with traffic movements on Rutland

Road, exacerbating the build-up of traffic that occurs on the eastbound carriageway leading up to the traffic lights.. The unexpected stopping of vehicles within the highway and reversing movements would lead to hazardous conditions for drivers, cyclists and pedestrians.

In addition, parked vehicles on the highway would restrict visibility for drivers entering and leaving the site. Whilst this happens to a degree with the other accesses nearby, this is closer to the junction of Wood Fold and Rutland Road where visibility is already restricted.

The Inspector concluded that the proposal would result in unacceptable harm to highway safety and would, therefore, conflict with policy H14 of the UDP

#### 4.0 APPEALS DECISIONS - ALLOWED

(i) An appeal against the delegated decision of the Council to refuse planning consent for external insulation to dwellinghouse at 53 Holgate Road Sheffield S5 9LF (Case No 15/01604/FUL) has been allowed with conditions.

##### Officer Comment:-

The main issue identified by the Inspector was the effect of the proposed development on the host property and the wider area

The appeal property is a semi-detached house in an area comprising of semi-detached and terraced properties. The use of differing building materials to dwellings in the surrounding area, including brick and render introduces an element of variety into the street scene.

Whilst the semi-detached properties in the area are mainly of matching materials, there are examples of semi's where one is brick and the other of render. There are also properties which are constructed of brick at ground floor and are rendered above. Having regard to the variety of materials in the locality, the Inspector considered that the render finish to the wall insulation would not look out of character. The projection of the insulation, some 50mm from the front elevation, was not considered to be overly noticeable in the street scene. The fact that the insulation would improve the energy performance of the building was also given weight. Taking all the above into account, the Inspector allowed the appeal.

#### 5.0 RECOMMENDATIONS

That the report be noted

Mike Hayden  
Head of Planning

7 June 2016