



**REPORT TO CITY CENTRE, SOUTH &
EAST PLANNING AND HIGHWAYS
COMMITTEE**

DATE 21 MAY 2010

REPORT OF DIRECTOR OF DEVELOPMENT SERVICES

ITEM

SUBJECT RECORD OF PLANNING APPEALS SUBMISSIONS AND DECISIONS

SUMMARY

LIST OF ALL NEWLY SUBMITTED PLANNING APPEALS AND DECISIONS RECEIVED, TOGETHER WITH BRIEF SUMMARY OF INSPECTOR'S REASONS FOR DECISION

RECOMMENDATIONS

TO NOTE

FINANCIAL IMPLICATIONS

NO

PARAGRAPHS

CLEARED BY

N/A

BACKGROUND PAPERS

CONTACT POINT FOR ACCESS

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AREA(S) AFFECTED

**CATEGORY OF
REPORT**

OPEN

DEVELOPMENT SERVICES

REPORT TO CITY CENTRE,
SOUTH & EAST PLANNING &
HIGHWAYS COMMITTEE
21 MAY 2012

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

An appeal has been submitted to the Secretary of State against the decision of the City Council to refuse planning permission, under delegated authority, for:-

- i) the erection of a garage to the front of a dwellinghouse at 64 Rundle Road, Sharrow (Case No 11/03650/FUL); and
- ii) a two-storey side extension, single-storey front extension, including a porch and detached garage to a dwellinghouse at 72 to 74 Birkendale Road (Case No 12/00215/FUL)

3.0 APPEALS DECISIONS - DISMISSED

To note that appeals against Enforcement Notices served by the City Council in respect of a breach of planning control at 11 and 13 Raven Road, Nether Edge have been dismissed.

Officer Comment:-

This was in effect one appeal relating to two different dwellings in the same ownership. The dwellings fall within the Nether Edge Conservation Area, and have had Permitted Development rights removed through the Article 4(2) Direction.

Unauthorised works had taken place at both properties involving replacement roof materials (using artificial slate), painting of the stonework (houses and boundary walls), replacement bargeboards to dormer window, and the erection of a door at the passageway entrance.

An enforcement notice required all unauthorised works to be removed.

The appellant claimed with a ground (d) appeal that the works had taken place more than 4 years prior to the service of the notice, making them

immune from enforcement action, but provided no proof. The Inspector noted the Council's photographic evidence contradicted this claim and dismissed this aspect of the appellants appeal.

The second element of the appeal was the deemed application for planning permission. The Inspector noted the Article 4 Direction existed to prevent minor changes to buildings eroding the character of the area. He considered the painting of the stonework, although in stone colour. had removed the patina and variation in the colour of the weathered stone; the artificial slates were obviously so, again despite their colour; and the replacement barge boards lacked the ornamentation of the originals and detract from the appearance of the building. He considered these alterations harmful and therefore concluded to allow the appeal would be to make the Article 4 direction pointless.

The Inspector also dismissed the applicants appeal on ground (f) where the applicant had claimed the steps specified in the notice were excessive.

4.0 RECOMMENDATIONS

That the report be noted

David Caulfield
Head of Planning

9 May 2012

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