

DEVELOPMENT SERVICES

REPORT TO CITY CENTRE,
SOUTH & EAST PLANNING &
HIGHWAYS COMMITTEE
2 JULY 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 at its meeting held on 10 th April 2012 for the retention of a two storey side extension and single storey front and rear extensions with new steps to front door at 6 Rosamond Place (Case No 11/03971/FUL)

An appeal has been submitted to the Secretary of State against the Delegated decision of the City Council for illuminated and non-illuminated signs at site of The Marples, 4 Fitzalan Square (Case No 12/00326/ADV)
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An appeal has been submitted to the Secretary of State against an Enforcement Notice served in respect of unauthorised erection of lighting columns in the car park area at Norfolk Arms, Ringinglow Village
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An appeal has been submitted to the Secretary of State against a Discontinuance Notice served in respect of unauthorised advertisements on upper part of the flank wall at 337a Glossop Road
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3.0 APPEALS DECISIONS - DISMISSED

(i) An appeal submitted to the Secretary of State against the Delegated decision of the City Council for the erection of a garage to the front of a dwellinghouse at 64 Rundle Road has been dismissed (Case No 11/03650/FUL)

Officer Comment:-

This involved the replacement of an existing hard standing with a domestic garage.

The Inspector considered the main issues to be i) the impact of the development on the character and appearance of the area, and ii) upon highway safety.

He considered the garage would be a noticeable addition to the street scene, with a box like form, and dominant metal roller shutter door, and would be obtrusive in the street scene, in contrast to the more open frontages of neighbouring properties. He felt eroding the openness would be detrimental to the area, and would fail to preserve the character and appearance of the Nether Edge Conservation Area.

He notes the appellants comment that there are other similar structures elsewhere on the street, but gives these little weight, as a) they pre-date the designation of the Conservation Area, and b) are set further back into the front garden.

On the first issue he therefore agreed with officers, and concluded that the proposal was in conflict with policies BE5, BE16, and H14, of the UDP, and CS74 of the Core Strategy.

On the second issue however, he considered that although visibility would be restricted for users of the garage and the neighbouring hard standing, such users would be exercising caution, and the adjacent carriage way was wide, with low speeds experienced. He therefore disagreed with officers that the development would prejudice the safety of road users, and did not conflict with the objectives of UDP policy H14.

(ii) An appeal submitted to the Secretary of State against the Delegated decision of the City Council for alterations and a single storey rear extension to basement to form 5 bed student accommodation with communal facilities at 355a Glossop Road has been dismissed (Case No 11/02711/FUL)

Officer Comment:-

The Inspector identified 4 main issues:-

- a) the effect of the development on the character and appearance of the Hanover Conservation Area;
- b) the effect on the mix and balance of the local community;
- c) whether it would provide appropriate living conditions (amenity space, outlook and day lighting; and,
- d) the effect on the living conditions of occupiers of 351 Glossop Road.

On a) the Inspector noted that other rear extensions were commonplace in the Conservation Area, but not of the order proposed. She concluded that it would appear incongruous and visually obtrusive in the street scene along Broomspring Lane, to the detriment of the Conservation Area, and in conflict with UDP Policies S10, BE5, BE15, and BE16.

On b) this relates to a concern that areas become imbalanced where there is a saturation of shared housing. Policy CS41 of the Core Strategy seeks to avoid a concentration of more than 20% shared housing within a 200m radius. In this case the concentration was already 21.21%, and would rise to 21.51% with the development, based on evidence supplied by officers.

The Inspector accepted the evidence provided by officers, and gave little weight to a previous Inspectors decision on an appeal at a different site in the locality, where such evidence had not been available. She concluded on this basis that the local community was already imbalanced, and although the increase would be small it would compound the concentration, contrary to the aims of Policy CS41, and would harm the mix and balance of the local community.

She agreed with officers on point c) that the small shared amenity space would be insufficient, and inappropriate, given the number of residents requiring its use, and the presence of parked vehicles and refuse storage. She also agreed that the outlook from the 5 bedrooms, of the bin storage, external staircase, and parked vehicles would be unsatisfactory. In additions the kitchen/dining area would receive insufficient light.

In this context she concluded the development was unacceptable and contrary to UDP Policies H5 and S10, and CS 64.

On d) the Inspector agreed with officers that the scale, height, mass and orientation of the extension would be overbearing and dominant from the rear amenity area of no. 351 Glossop Road which would be harmful to its occupants, with particular regard to outlook and sunlight, contrary to UDP Policies H5 and S10.

She considered the appellants arguments that the site was sustainably located, potential occupancy by young professionals, Building Regulation rules on lighting levels, a lack of 5 year housing supply, and references in the National Planning Policy Framework to re-use of empty property, however she concluded that none of these factors outweighed her overall conclusions that her appeal should be dismissed.

5.0 RECOMMENDATIONS

That the report be noted

David Caulfield
Head of Planning

2 July 2012