



SHEFFIELD CITY COUNCIL Planning & Highways Committee

Report of: The Head of Planning

Date: 23 May 2023

Subject: RECORD OF PLANNING APPEALS
SUBMISSIONS & DECISIONS

Author of Report: Abby Hartley

Summary:

List of all newly submitted planning appeals and decisions received, together with a brief summary of the Inspector's reason for the decision

Reasons for Recommendations

Recommendations:

To Note

Background Papers:

Category of Report: OPEN

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 the retention of replacement window within existing front dormer to dwellinghouse at 25 Briar Road, Sheffield, S7 1SA (Case No: 22/04287/FUL).

(ii) An appeal has been submitted to the Secretary of State against the delegated decision of the City Council to refuse planning permission for the erection of 2x dormer windows to front of dwellinghouse at 67 Greenhow Street, S6 3TN (Case No: 22/03977/FUL).

(iii) An appeal has been submitted to the Secretary of State against the delegated decision of the City Council to refuse planning permission for the alterations and extension to roof to form additional habitable space including erection of rear dormer with Juliet balcony, installation of roof lights and 10no. solar panels to the front, erection of single-storey rear extension with raised decking, erection of first floor side extension, and repairs and alterations to facade, doors and windows of dwellinghouse at 26 Endowood Road, Sheffield, S7 2LZ (Case No: 22/02620/FUL).

(iv) An appeal has been submitted to the Secretary of State against the delegated decision of the City Council to refuse planning permission for an application to remove reference to affordable housing on the floor plans (Application under Section 73 to vary condition 2. (approved plans) imposed by application 21/05354/FUL - Application for alterations to elevations and layout (Application under Section 73 to vary condition 2. (approved plans) and remove condition 21. (Dutch Ramp)), imposed by application 20/04572/FUL - Application to revise the housing mix and change of window material (in places) to UPVC (Application under Section 73 to vary condition 2. (approved plans), 12. (energy needs) & 34. (UPVC windows) (Amended Plans) imposed by planning permission 19/03779/FUL - Demolition of existing buildings and erection of mixed use building up to 12/17/38 storeys to form residential units with ancillary amenities including gymnasium, cinema, common rooms and raised external deck, associated cycle and bin storage and ground floor retail unit (Use Class A1) (Development Accompanied by an Environmental

Statement as amended 19th December 2019) at land bounded by Rockingham Street, Wellington Street and Trafalgar Street, Sheffield, S1 4ED (Case No: 22/02430/FUL).

3.0 APPEALS DECISIONS – DISMISSED

(i) To report that an appeal against the delegated decision of the Council to refuse planning permission for the erection of front porch extension and single-storey rear extension including rear raised terrace and balustrade (resubmission of 22/01651/FUL) at Rivelin Filter Cottage, Manchester Road, Crosspool, Sheffield, S6 5SP (Case No: 22/03963/FUL) has been dismissed.

Officer Comment:-

The Planning Inspector's report details that the existing dwelling has already been extended to a volume of 35-40% of the original building. The proposal for a porch and rear extension in addition to the existing extensions would result in a disproportionate addition to the dwelling, constituting inappropriate development in the Green Belt.

He noted that the extensions would reduce the spatial openness of the Green Belt to a moderate degree. In addition, the existing and proposed extensions owing to their scale and mass would result in the original dwelling being barely perceptible from the resultant overall built form. This would have a detrimental impact on the character and appearance of the original dwelling and surrounding area.

The Inspector considers the fall back position of a scheme for which a LDC has been granted and gives weight to that scheme. Nonetheless he concludes the appeal proposal would have a greater impact on the visual openness of the Green Belt than the LDC scheme.

(ii) To report that an appeal against the delegated decision of the Council to refuse planning permission for the erection of an illuminated fascia name sign at 2 Joseph Hayward House, 2 Joseph Hayward Way, Sheffield, S36 2AB (Case No: 22/02767/ADV) has been dismissed.

Officer Comment:-

The Inspector identified the main issue as the effect of the advertisement on visual amenity.

He noted that the appeal property forms one of a row of retail units located within a large retail park in Stocksbridge. Although the majority of units have large adverts above entrances, the advert that is the subject of this appeal is considerably larger than these.

Consequently he concluded that the advertisement is out of scale and forms

an incongruous feature which obscures the building detailing and is harmful to local character.

(iii) To report that an appeal against the delegated decision of the Council to refuse planning permission for the alterations to roof to form additional habitable accommodation including erection of front and rear dormers and erection of single-storey side extension to dwellinghouse at 180 Rock Street, Sheffield, S3 9JF (Case No: 22/02293/FUL) has been dismissed.

Officer Comment:-

The Inspector identified the main issue to be the effect of the development on the character and appearance of the area.

He considered that the proposed extension close to the boundary on this large and prominent corner plot would form a large and prominent feature owing to its siting next to the footpath and road frontage. It would be very visible in the street scene and look at odds with the local building layout.

He also noted that the roof form of the side extension did not match that of the original house which coupled with its extensive width would draw attention to its incongruous appearance against the host dwelling.

Finally the Inspector also considered that the front dormer owing to its large scale and poor relationship to existing fenestration would be harmful to the character and appearance of the property and street scene.

In summary the proposal was found to be contrary to policies BE5 and H14 of the UDP and Policy CS74 of the Core Strategy.

(iv) To report that an appeal against the delegated decision of the Council to refuse planning permission for the erection of a two-storey side/rear extension, single-storey rear extension and alterations to roof space to form habitable accommodation including rear dormer window and formation of gable end at 81 Whiteways Road, Sheffield, S4 8EW (Case No: 22/01907/FUL) has been dismissed.

Officer Comment:-

The Inspector considered the main issues to be the effect of the proposed development on the character and appearance of the existing dwelling and the living conditions of No.79 Whiteways Road through overbearing and overshadowing.

He considered that the proposed two-storey side extension would fail to appear subordinate to the main house and would result in a terracing effect as it is not set down or back from the original house.

In addition it was considered that the hip to gable roof form combined with the two-storey rear extension and rear dormer would appear unduly bulky and

amount to disproportionate additions to the dwelling which would fail to respect the character of the existing dwelling. Further the hip to gable design would unbalance the pair of semi-detached dwellings and would be at odds with the prevailing hipped roof character of the local area. He concluded the development would have an unacceptable effect on the character and appearance of the dwelling and wider area, contrary to UDP Policies BE5 and H14.

The Inspector also considered that the proposal would be overbearing and overshadowing to windows in the rear elevation of No.79 Whiteways Road. The development would have a detrimental impact on living conditions of occupiers of No.79, contrary to UDP Policy H14.

In conclusion the appeal decision found that the development conflicts with the Development Plan when considered as a whole and there are no material considerations which outweigh the harm identified.

(v) To report that an appeal against the delegated decision of the Council to refuse planning permission for the erection of a two-storey side/rear extension, single-storey front and rear extensions and alterations to roof space to form habitable accommodation including rear dormer window and formation of gable end at 79 Whiteways Road, Sheffield, S4 8EW (Case No: 22/01906/FUL) has been dismissed.

Officer Comment:-

The Inspector considered the main issues to be the effect of the proposed development on the character and appearance of the existing dwelling; the impact on the living conditions of No.81 Whiteways Road through overbearing and overshadowing and highway safety through increased parking.

He considered that the proposed two-storey side extension would fail to appear subordinate to the main house and would result in a terracing effect as it is not set down or back from the original house.

In addition it was considered that the hip to gable roof form combined with the two-storey rear extension and rear dormer would appear unduly bulky and amount to disproportionate additions to the dwelling which would fail to respect the character of the existing dwelling. Further the hip to gable design would unbalance the pair of semi-detached dwellings and would be at odds with the prevailing hipped roof character of the local area. He concluded the development would have an unacceptable effect on the character and appearance of the dwelling and wider area, contrary to UDP Policies BE5 and H14.

The Inspector also considered that the proposal would be overbearing to first floor windows in the rear elevation of No.81. The development would have a detrimental impact on living conditions of occupiers of No.81, contrary to UDP Policy H14.

In relation to highway safety the Inspector found that the extension would reduce off-street parking and may lead to an increase in on street parking. The Inspector noted on street parking during his site visit and concluded that further demand for parking would add to the existing problem and would be to the detriment of highway safety.

In conclusion the appeal decision found that the development conflicts with the Development Plan when considered as a whole and there are no material considerations which outweigh the harm identified.

(vi) To report that an appeal against the delegated decision of the Council to refuse planning permission for the erection of balconies to apartments 6 and 9 to the rear of the apartment block at Apartments 6 & 9 Linden House, 14 Linden Avenue, Sheffield, S8 0AJ (Case No: 22/01363/FUL) has been dismissed.

Officer Comment:-

The Inspector identified the main issue as the effect on the living conditions of no 12 Linden Avenue in terms of privacy.

He noted the existing Juliette balconies at both flats (6 and 9) allowed for views into the garden of no.12 when standing at the open windows and when leaning out, views directly into habitable rooms were possible at a relatively short distance.

He felt that despite the proposed privacy screen, increased overlooking would occur from the wide balcony, into the windows at no.12 and the balcony would encourage standing and sitting for longer periods than the existing Juliette balconies. Even when not in use the presence of such a large balcony would lead to a perception of overlooking for occupants of no.12.

He gave little weight to a previous approval at no.6 as this was for a smaller balcony with less opportunity for overlooking. He also noted no objections from the occupiers at no.12 and an apparent good relationship between the neighbours however, he advised future occupiers may not feel the same and confirmed the planning judgement has to consider existing and future occupiers.

He therefore concluded it would adversely affect the privacy of occupiers of 12 Linden Avenue in conflict with policy H14 of the UDP and paragraph 130 of the NPPF and dismissed the appeal.

4.0 APPEALS DECISIONS – ALLOWED

Nothing to report.

5.0 CIL APPEALS DECISIONS

Nothing to report.

6.0 NEW ENFORCEMENT APPEALS

Nothing to report.

7.0 ENFORCEMENT APPEALS DISMISSED

Nothing to report.

8.0 ENFORCMENT APPEALS ALLOWED

Nothing to report.

9.0 RECOMMENDATIONS

That the report be noted.

Michael Johnson
Head of Planning

23 May 2023

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