



SHEFFIELD CITY COUNCIL Planning & Highways Committee

Report of: Director of City Growth Department

Date: 2 February 2021

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 erection of single-storey front extension to dwellinghouse at 1 Twickenham Glade, Sheffield, S20 4HY (Case No: 20/02656/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 replacement of windows and entrance door to the front elevation and replacement of small bathroom window to dwellinghouse at 59 Greenhill Main Road, Sheffield, S8 7RE (Case No: 20/02318/LBC)
(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 erection of a two-storey rear extension, alterations to roof space to form habitable accommodation including erection of front and rear dormer windows, formation of ground floor front box window and first-floor front balcony (amended description 24.08.2020) at 808 Ecclesall Road, Sheffield, S11 8TD (Case No: 20/02169/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 alterations to form roof top bar area with glass screens and erection of external access stairway at Psalter Tavern, 178-180 Psalter Lane, Sheffield, S11 8UR (Case No: 20/01928/FUL)
(v) An appeal has been submitted to the Secretary of State against the delegated decision of the City Council to refuse planning permission for the demolition of rear conservatory and decking, erection of two/single-storey rear extension and provision of rear raised terrace with glass balustrade and steps to garden at 118 Dalewood Road, Sheffield, S8 0EF (Case No: 20/01673/FUL)
(vi) An appeal has been submitted to the Secretary of State against the committee decision of the City Council to refuse planning permission for the

an application to allow use of basement as a living room or bedroom (Application under Section 73 to remove condition 3 of planning permission no. 10/01518/CHU) at 7 Nile Street, Sheffield, S10 2PN (Case No: 19/03389/CHU)

3.0 APPEALS DECISIONS – DISMISSED

(i) To report that an appeal against the delegated decision of the Council to refuse planning permission for the demolition of car showroom and workshops, erection of 14no. townhouses with integral garages and parking spaces plus associated external works at Cloverleaf Cars, Main Road, Wharncliffe Side, Sheffield, S35 0DQ (Case No: 19/03142/FUL) has been dismissed.

Officer Comment:-

The main issue was whether or not the proposal would provide an adequate standard of living accommodation for future occupiers, with particular regard to outlook and light.

Due to changes in level and the short rear gardens, the Inspector concluded that the proposal would not provide an adequate standard of living accommodation for future occupiers, with particular regard to private outdoor space, outlook and light for the occupiers of two plots; Nos 1 and 13. The proposal therefore conflicts with Policies H14 and H15 of the Unitary Development Plan.

(ii) To report that an appeal against the delegated decision of the Council to refuse planning permission for the continuation of use of land for the purpose of storage (Use Class B8 - Storage or Distribution) (Application under Section 191) at Land adjacent to the former Bell Hagg Public House, Manchester Road, Crosspool, Sheffield, S10 5PX (Case No: 19/03033/LU1) has been dismissed.

Officer Comment:-

The main issue concerned the use of the site for storage purposes. The onus is on the appellant to demonstrate that a storage use has been carried out continuously for more than 10 years prior to the application date.

The Inspector concluded that the appellant had failed to demonstrate, on the balance of probability, that a storage use has been carried out continuously for a period of more than 10 years and the evidence was not sufficiently precise and unambiguous to justify the grant of a certificate on the balance of probability. Accordingly, the Inspector found the Council's decision to refuse to grant a certificate to be well-founded.

4.0 APPEALS DECISIONS – ALLOWED

(i) To report that an appeal against the delegated decision of the Council to refuse planning permission for alterations to and raising roof height of garage to provide living accommodation for dependent relative at Far End Cottage, Rye Lane, Sheffield, S6 6GX (Case No: 20/01862/FUL) has been allowed.

Officer Comment:-

The main issues were whether the proposal is inappropriate development in the Green Belt; the effect on the openness of the Green Belt; and, if the development is inappropriate, whether any harm by reason of inappropriateness, and any other harm, is clearly outweighed by other considerations so as to amount to the very special circumstances necessary to justify it.

The Inspector noted that paragraph 145 of the NPPF states that the construction of new buildings within the Green Belt is inappropriate development but lists certain forms of development which are not regarded as inappropriate, including the extension or alteration of a building provided that it does not result in disproportionate additions over and above the size of the original building.

Policy GE6 of the UDP sets out that extensions to houses in the Green Belt will be permitted only where they, amongst other things, form a minor addition to the original house. Considered against the Framework test, the permitting only of 'minor' extensions is, in the Inspector's judgement, more restrictive than the 'not disproportionate' test, and so GE6 can be afforded only limited weight.

The Council's Designing House Extensions Supplementary Planning Guidance (SPG) defines a 'minor' addition as up to one-third of the cubic content of the original house. But again, as the 'minor' definition used in the UDP and SPG is not directly comparable to the 'disproportionate' test of the Framework, the Inspector again afforded the SPG reduced weight, noting that the assessment of whether the proposal would amount to 'disproportionate additions' is a matter of judgement based on the particular facts of the case.

Ultimately, while the existing single storey garage and front extension already cumulatively exceed the SPG threshold in terms of cubic content, it was concluded that the addition of the proposed extension would not result in disproportionate additions over and above the size of the original building, would not be inappropriate development in the Green Belt and would not conflict with Policy GE6 or the provisions of the Framework.

The appeal was therefore allowed.

5.0 CIL APPEALS DECISIONS

Nothing to report

6.0 ENFORCEMENT APPEALS NEW

Nothing to report

7.0 ENFORCEMENT APPEALS DISMISSED

Nothing to report

8.0 ENFORCEMENT APPEALS ALLOWED

Nothing to report

9.0 RECOMMENDATIONS

That the report be noted.

Colin Walker
Interim Head of Planning

2 February 2021

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