

REGENERATION & DEVELOPMENT SERVICES

REPORT TO PLANNING &
HIGHWAYS COMMITTEE
28 JANUARY 2014

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 enlargement of domestic curtilage to provide parking space to side of dwellinghouse, including construction/formation of a means of vehicular access across existing verge at 78 Abbey Brook Drive Sheffield S8 7UT (Case No13/02498/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 retention of 1 non-illuminated free-standing V shaped sign at Curtilage Of 79 Dore Road Sheffield S17 3ND (Case No 13/00337/HOARD)

3.0 APPEALS DECISIONS - DISMISSED

(i) An appeal against the delegated decision of the Council to refuse planning consent for erection of a dwellinghouse (Amended drawings dated 24 May 2013) Within The Curtilage Of 107 Whirlowdale Road Sheffield S7 2NF (Case No 13/01304/FUL) has been dismissed.

Officer Comment:-

The main issues were the effect of the proposed dwelling on the character and appearance of the area; and the living conditions of future occupiers.

On character and appearance the Inspector considered that whilst the dwelling could physically be accommodated on the site, its proximity to the road and limited amenity space would result in a cramped property out of keeping with those surrounding. She noted this would be in conflict with Core Strategy policy CS74 (design principles) and specifically CS31 where the Council places emphasis on retaining the existing character of south west Sheffield.

She noted the dwelling would be screened by existing hedging, but felt this could be removed in the future and would not justify the cramped appearance

of the dwelling.

On living conditions, she noted that whilst the dwelling was specifically designed for the appellant's needs, which include limited amenity space, this would result in a dwelling that provided a substandard level of accommodation for future occupiers, contrary to the aims of UDP policy H14.

The needs of the appellant (following illness) were considered by the Inspector but she was not convinced that other solutions to providing suitable living accommodation had been explored. Whilst this personal case was an important consideration, it did not outweigh the harmful impact the dwelling would have upon particularly the character and appearance of the area.

The appeal was therefore dismissed.

4.0 APPEALS DECISIONS - ALLOWED

(i) An appeal against the imposition of a condition requiring obscure glazing within a delegated decision of the Council to grant planning consent for alterations to the existing raised decking and erection of a rear conservatory at 51 Mawfa Crescent Sheffield S14 1AS (Case No 13/00395/FUL) has been allowed.

Officer Comment:-

In granting the permission for a rear conservatory officers had imposed a condition requiring obscure glazing to the side elevations to prevent overlooking of adjacent neighbours gardens and to prevent views from the conservatory into neighbouring windows of main habitable rooms.

The Inspector noted that a fence and hedge prevented views of no.49 and that overlooking of no.53 was possible, and to 49 if the hedge were removed. She felt that the gap between the conservatory and the boundaries would allow for boundary reinforcements, and that an element of overlooking already existed, such that the removal of the requirement for obscure glazing would not lead to significant harm.

She did not therefore consider the condition to be necessary, allowed the appeal and removed condition 4.

5.0 RECOMMENDATIONS

That the report be noted

Maria Duffy
Acting Head of Planning

28 January 2014