



SHEFFIELD CITY COUNCIL Planning & Highways Committee

Report of: Director of Regeneration & Development Services

Date: 3 June 2014

Subject: RECORD OF PLANNING APPEALS
SUBMISSIONS & DECISIONS

Author of Report: Claire Woods 0114 2734219

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

DEVELOPMENT SERVICES

REPORT TO PLANNING &
HIGHWAYS COMMITTEE
3 June 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 with enforcement action for an application to establish lawful development of a builders yard, office and store (Application Under Section 191) at Store At Rear Of 69 Baslow Road Sheffield S17 4DL (Case No 13/01263/LD2)

(ii) An appeal has been submitted to the Secretary of State against the delegated decision of the City Council to Grant Conditionally with a Legal Agreement Consent for use of ground floor as A1 (retail) and conversion of upper floors to form 5 self-contained flats (as per amended drawings) at 254 London Road And Ground Floor 250 London Road Sheffield S2 4LW (Case No 13/02602/FUL)

3.0 APPEALS DECISIONS - DISMISSED

(i) To report that an appeal against the delegated decision of the Council to refuse planning consent for single-storey front and side extensions to dwellinghouse at 185 Long Line Sheffield S11 7TX (Case No 14/00091/FUL) has been dismissed.

Officer Comment:-

The Inspector considered that as the site is within the Green Belt, the main issues were:-

- i) Whether the proposal is 'inappropriate development' as described in the NPPF;
- ii) The effect of the proposal on the openness of the Green Belt; and
- iii) Whether harm, including by inappropriateness, is outweighed by very special circumstances.

In terms of i) he noted para 89 of the NPPF regards new building in the Green Belt as inappropriate but allows exceptions including where extensions are

not disproportionate to the main building. He also noted the Council's Supplementary Planning Guidance (SPG) that sets defined limits for the size of domestic extensions in the Green Belt (one third for smaller properties). The extension represented an increase of 49% in volume.

He considered the extension to be disproportionate, and therefore inappropriate and by definition harmful.

In terms of ii) he felt the design was acceptable, but it added significantly to the built development on the site (extra mass, enlarged footprint), and would reduce the openness of the Green Belt.

For iii) he did not accept the appellant's view that the scale of buildings was modest in the context of the plot, and did not consider that this amounted to very special circumstances.

He therefore concluded that the proposal conflicted with national Green Belt policy and also with the Council's guidelines and policies and dismissed the appeal.

(ii) To report that an appeal against the delegated decision of the Council to refuse planning consent for the erection of subterranean extension with ground floor extension above to rear of dwellinghouse at 32 Mildon Road Sheffield S6 4AU (Case No 13/02871/FUL) has been dismissed.

Officer Comment:-

The Planning Inspector considered that the main issues were the effect of the proposal on the living conditions of the neighbours with particular regard to outlook and natural light and whether the proposal would provide a satisfactory living environment for the occupiers of the proposed extension.

No. 34 is set back from the shared boundary and sites at a slightly higher level. For these reasons, the Inspector felt that there would be no significant effect on that property by the single storey extension.

The single storey extension would be to the north of No. 30 but the Inspector was not persuaded that there would be no impact on natural light to the property. However, it was concluded that the extension would be unacceptably overbearing due to its height, length and proximity to the boundary of the site.

The Inspector was also of the view that the extended raised patio over the subterranean extension with the proposed screening, when added to the height of the new building/patio would cumulatively have an intrusive and unacceptably overbearing impact on the lower garden areas of both adjoining properties. The removal of trees and vegetation from the boundaries would exacerbate the visual impact on the neighbours.

Turning to the prospective living conditions within the subterranean extension. the Inspector noted that the kitchen and family room would receive natural light and have an outlook through windows and a patio door. However the bedrooms do not contain a source of natural light or outlook. It may be possible to provide light through the use of “sun tubes” or “glass slabs “ to the bedrooms but these were not shown on the plans and so their effectiveness could not be judged. In any event, this would not address the matter of the lack of any outlook which is a valid concern As such, the Inspector considered that the proposal would fail to provide s satisfactory living environment for the occupiers of the extension.

For these reasons, the Inspector dismissed the appeal.

(iii) To report that an appeal against the delegated decision of the Council to refuse planning consent with enforcement action 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) has been dismissed.

Officer Comment:-

The Inspector considered the main issue to be the effect of the advertisement on the visual amenities of the area.

He noted the advertisement hoarding was contrary to UDP Policy BE13 which states that such signs are not permitted in a Housing Area.

He considered the signs prominence, size and position was such that it was an ‘unduly obtrusive and incongruous feature’ in the attractive street scene, and concluded that it detracts markedly from the visual amenities of the area.

He did not consider the appellants offer to remove the sign in October 2014 to overcome or lessen the degree of harm, and dismissed the appeal.

4.0 RECOMMENDATIONS

That the report be noted

Maria Duffy
Acting Head of Planning

3 June 2014