



## SHEFFIELD CITY COUNCIL Planning & Highways Committee

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**Report of:** Director of Regeneration & Development Services

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**Date:**

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**Subject:** RECORD OF PLANNING APPEALS  
SUBMISSIONS & DECISIONS

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**Author of Report:** Marie Robinson 0114 2734218

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**Summary:**

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

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**Reasons for Recommendations**

**Recommendations:**

To Note

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**Background Papers:**

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**Category of Report:** OPEN

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## DEVELOPMENT SERVICES

REPORT TO PLANNING &  
HIGHWAYS COMMITTEE  
5 August 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 APPEALS DECISIONS - DISMISSED

(i) An appeal against the delegated decision of the Council to refuse planning consent erection of a dwellinghouse (amended scheme to 13/03429/FUL) at Land Between 20 And 24 Moonshine Lane Sheffield S5 8RD (Case No 14/00642/FUL)

#### Officer Comment:-

The Inspector considered that the main issue in this appeal was the effect of the proposed house on the character and appearance of the area.

The proposed house would be developed on a plot with restricted depth and would result in the house being in close proximity to the rear boundary. The majority of the frontage would be taken up with a grassed hardstanding area for vehicle manoeuvring. There would be little useable garden space around it. The prevailing character in the immediate vicinity is of semi-detached houses with hipped roofs. The proposal would introduce a detached house with a pitched roof. The dwelling would appear cramped and at odds with the locality. It would be incongruous and will also be an unsympathetic addition to the street scene, out of step with the nearby pattern of built form. As such, the Inspector considered that the proposed house would be harmful to the character and appearance of the surrounding area, contrary to UDP policies BE5 and H14. It is also at odds with the NPPF principle of securing high quality designs.

Other matters were considered but did not outweigh the harm already identified.

### 3.0 APPEALS DECISIONS - ALLOWED

(i) To report that an appeal against the delegated decision of the Council to refuse planning consent for demolition of existing Public House and erection of a convenience store (Use Class A1) and hot food takeaway (Use Class A5) at Site Of Old Cart And Horses Inn 2 Wortley Road High Green Sheffield

Officer Comment:-

The Inspector considered the main issues to be highway safety with regard to increased traffic and the servicing on the development and also the effect of the proposal on the character and appearance of the area.

Highway Issues

The Inspector considered that Wortley Road is a main artery through High Green and is also a bus route. The proposal would generate around an extra 72 vehicle movements in the hour between 16.00 and 17.00 and with an additional two way flow of around 99 vehicles between 18:00 and 19:00. On Saturdays around 41 vehicles would be expected at the site between 11.00 and 12.00 with around 97 vehicles at the peak flow time of 18.00 and 19.00. The Inspector also noted that vehicles accessing the site would be on the road on any event rather than being discreetly generated by the development itself. This would mean around one extra vehicle per minute would access the building during the weekday peak.

The Inspector also noted that the road had a below average number of personal injury accidents for this type of road and no evidence had been produced to demonstrate that this would change as a result of the development. Accordingly, the Inspector considered that the highway network could accommodate the predicted traffic flows without detriment to safety or residential amenity.

The Inspector also was of the opinion that the provision of a short right turning lane would be sufficient to accommodate the likely number of users and that manoeuvring within the site by delivery vehicles was possible to enable vehicles to enter and leave in forward gear. As the National Planning Policy Framework would require development to be prevented only where there are severe impacts, the Inspector concluded that highway safety for vehicle users and pedestrians would not be compromised.

Character and appearance

The Inspector considered that the area has no predominant architectural style nor does it have a strong historic character. Other than from Jeffcock Road, the site is not prominent in any other views. The building would be set back but the proposed planting would give the development sufficient presence when viewed along Wortley Road.

The design of the building with a simple form and a suitable materials palette would create a building that would integrate into its surroundings without being out of place. As such it would enhance the character of the locality. The building would be a worthy addition to the street scene adding to the mix of traditional and modern buildings in the area.

Other matters,

It was considered that the development would not cause any significant harm

to the closest adjoin property of 11 Mortomley Lane.

Taking all this into account the Inspector allowed the appeal subject to conditions.

#### Costs Award

An application for full costs was made against the Council. In considering this, The Inspector was of the view that, although disagreeing with the Council's case on the grounds of highway safety and on the impact on manoeuvring, he did consider that there was a case to argue and so the appeal for costs was dismissed in these respects. However, the Inspector considered that the Council had no reasonable case against the proposal on the design reason for refusal and so allowed the costs award in respect of this matter only.

The amount of costs award has not yet been agreed.

(ii) To report that an appeal against the delegated decision of the Council to grant planning consent subject to condition 5 (car free) for use of ground floor as A1 (retail) and conversion of upper floors to form 5 self-contained flats (as per amended drawings) - amended description at 254 London Road And Grd Floor 250 London Road Sheffield S2 4LW (Case No 13/02602/FUL)

#### Officer Comment:-

The Inspector considered the main issue to be the effect of the development upon car parking in the area.

Condition 5 requires that occupants of the flats are precluded from seeking parking permits in order to ensure that resident parking would not compromise commercial parking in the area and to encourage public transport use.

She noted a high turnover of vehicles stopping on London Road, and that short stay parking was nonetheless readily available. Longer stay parking in Sharrow Lane was also noted, whilst residents only parking bays were largely unoccupied. This led her to the view that even if all occupiers of the flats sought permits, there would be provision without impacting upon commercial parking for shoppers/businesses.

Given also the highly accessible location of the site would attract non-car user occupants, she concluded the condition was neither necessary nor reasonable, and allowed the appeal, deleting the disputed condition.

#### 4.0 RECOMMENDATIONS

That the report be noted

Maria Duffy  
Acting Head of Planning

*05 August 2014*

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