



## SHEFFIELD CITY COUNCIL Planning & Highways Committee

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

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**Date:** 16 June 2015

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

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**Author of Report:** Claire Woods 0114 2734219

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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  
16 June 2015

### 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 conversion of part of flower shop to flat at Katie Peckett @ The Westend 884 Ecclesall Road Sheffield S11 8TP (Case No 14/04166/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 two storey extension to dwellinghouse (re-submission of 14/01350FUL) at Bassett House Bassett Lane Sheffield S10 4QH (Case No 14/04212/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 erection of dwellinghouse at Land To Rear And Side Of 29 Overcroft Rise Sheffield S17 4AX (Case No. 14/03256/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 double garage including front extension to form dwellinghouse at Garage Adjacent 20 Rivelin Park Road Sheffield (Case No. 14/04253/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 erection of conservatory to rear of dwellinghouse - the conservatory is 4m from the rear of the original dwellinghouse, ridge height no more than 3m at 4 Parker Way Sheffield S9 3DE (Case No. 15/00453/HPN)

### 3.0 APPEALS DECISIONS - DISMISSED

(i) An appeal against the delegated decision of the Council to refuse planning consent for single-storey side, front and rear extension to bungalow, including a garage and front porch and extension to roof to form rooms in roof space at 464 Abbey Lane Sheffield S7 2QY (Case No 14/04149/FUL) has been
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dismissed.

Officer Comment:-

The Inspector considered the main issue to be the effect of the proposal on the character and appearance of the host property and the immediate surrounding area.

He noted the prevailing character of the group of dwellings was their significant setback of almost 30m from Abbey Lane, and their spacious landscaped character.

In contrast he felt the appeal proposal would result in a forward projection of around 9m, and even though still set back by over 20m would represent a substantial addition to the front elevation and an incongruous form of development that would fail to successfully relate to its surroundings.

Furthermore he agreed with the council that the projection would result in a lengthy addition of development immediately on the Abbey Croft frontage presenting a large, imposing, and predominantly blank elevation with a poor relationship to the street.

He did not consider that proposed landscaping to screen the development would be immediate enough, or achieve sufficient screening of the height of the development.

He therefore concluded the development was contrary to Council policies CS74, BE5 and H14 and also failed to secure high quality, locally distinctive development as required by the NPPF, and dismissed the appeal.

(ii) An appeal against the delegated decision of the Council to refuse planning consent for erection of detached double garage at 235 Millhouses Lane Sheffield S11 9HW (Case No. 14/04094/FUL) has been dismissed.

Officer Comment:-

The Inspector considered the main issue to be the impact upon the street scene of Millhouses Lane.

He noted the main characteristic of Millhouses Lane was large detached dwellings set back from the street with low boundary treatments, and with mature landscaping.

In contrast he felt the 6m x 6m garage with a ridge height of 4m in a prominent front garden location, would present an awkward relationship both to the street and to the host dwelling, thereby detracting from the traditional, consistent pattern of development in the street.

He therefore agreed with the Council that the proposed development was in conflict with Council policies CS74 and H14, and that in failing to promote or reinforce local distinctiveness was contrary to the NPPF.

(iii) An appeal against the delegated decision of the Council to refuse planning consent for two-storey side/rear extension to dwellinghouse at 9 Tillotson Rise Sheffield S8 9UL (Case No. 14/04376/FUL) has been dismissed.

Officer Comment:-

The main issue in this case was the effect of the proposal on the character and appearance of the street scene.

The two storey semi-detached dwelling occupies a corner plot and its side wall is set back from the highway as with other similar properties on the estate in prominent locations. The proposed extension would fill the gap up to the edge of the pavement.

The Inspector noted that the existing spaces between the dwellings and the highway softens the effect of densely built development and makes a positive contribution to the street scene.

He further noted that the two storey construction would be a dominant feature rising up from the pavement and would have a harmful visual impact on the street scene, conflicting with the principles of the NPPF (para 58) and the Council's own policies (BE5, H14, CS74).

In coming to the view to dismiss the appeal the Inspector noted the limited internal space of the existing dwelling but this did not outweigh the harm identified.

#### 4.0 APPEALS DECISIONS – ALLOWED PART/DISMISSED PART

(i) To report that an appeal against the delegated decision of the Council to refuse planning consent for alterations to dwellinghouse roof, including construction of gable end and front and rear dormer windows, and erection of outbuilding to rear at 106 Montgomery Road Sheffield S7 1LR (Case No 14/04090/FUL) has been part allowed and part dismissed.

Officer Comment:-

The Inspector considered the main issues to be the effect of the roof and dormer alterations on the character and appearance of the Nether Edge Conservation Area, and their effect on the character and appearance of the dwelling.

The Inspector concluded that the proposed outbuilding would preserve the

character and appearance of the Conservation Area, and allowed this aspect of the appeal (Officers in reaching their delegated decision had no issue with this aspect of the development).

He noted that the predominant character of Montgomery Road is the regularity of the position of houses set back from the street, with a uniformity of roof shapes – those on the north side being hipped. He felt the formation of a gable would be a visible alteration, viewed from Montgomery Road, despite the presence of mature planting, and would present an angular form of development at odds with the established roof pattern. As a consequence the Inspector agreed with the Council that this would fail to preserve the appearance of the Nether Edge Conservation Area.

He also considered the front dormer would not sit comfortably within the roof due to it being positioned too high and therefore dominating the roof plane.

He also agreed with the Council that the rear dormer would dominate the host dwelling, creating visual imbalance within the semi-detached properties.

Overall, excluding the outbuilding the Inspector agreed with the Council that the development conflicted with UDP Policies BE5, BE15, BE16, and H14.

(ii) To report that an appeal against the delegated decision of the Council to refuse planning consent for single-storey side/rear extension to dwellinghouse and erection of boundary fence at 33 Pavilion Way Sheffield S5 6ED (Case No. 15/00183/FUL) has been part allowed and part dismissed.

Officer Comment:-

The Inspector dismissed the part of the appeal that relates to the new timber fence but allowed the part of the appeal relating to the single storey side/rear extension on condition that the white UPVC cladding is replaced with brickwork to match the existing dwelling by 18<sup>th</sup> November 2015.

The Inspector noted that the application is part retrospective, in that the extension has already been constructed. He accepted that, due to the corner plot position, the extension is highly visible in the street and projects forward of the prevailing building line to the south. However he also noted that there was no clearly defined building line on the length of Pavilion Way due to the alignment of the road, particularly those to the north-east which have a staggered layout. He therefore considered that the extension did not harmfully detract from the layout of the estate.

The Inspector did however agree that the UPVC white cladding was incongruous and resulted in a poor quality design but he noted that the appellant proposes to replace this with matching brickwork which he felt would be acceptable despite the raised level of the extension and its corner plot position. He therefore allowed this aspect of the proposal and gave the appellant 6 months to replace the cladding with brickwork.

In respect of the addition of timber boarding over the existing boundary wall to create a boundary of some 2.7 metres in height on the front, side and rear boundary of the plot he concluded that this would be visually intrusive on a residential street, particularly bearing in mind its overall length such that it would be a dominating feature and harmful to Pavilion Way. He dismissed this aspect of the proposals.

#### 5.0 APPEAL – ENFORCEMENT NOTICE

(i) To report that an appeal against a Enforcement Notice served in respect of (VARIABE) has been dismissed

Officer Comment:-

#### 6.0 RECOMMENDATIONS

That the report be noted

Maria Duffy  
Acting Head of Planning

*16 June2015*