



## SHEFFIELD CITY COUNCIL Planning & Highways Committee

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

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**Date:** 07 July 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 7 JULY 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 Extension of balcony to second floor apartment at 15 Whinfall Court Sheffield S11 9QA (Case No 14/03326/FUL)

#### 3.0 APPEALS DECISIONS - DISMISSED

(i) An appeal against the delegated decision of the Council to refuse planning consent for erection of a dwellinghouse at land between 12 And 14 Cooks Wood Road Sheffield S3 9AB (Case No 14/02823/OUT) has been dismissed.

##### Officer Comment:-

The Inspector considered that the main issue in this case is the effect of the proposal on water mains that are located within the appeal site. He agreed with our view that the site would normally be acceptable to be developed for the purposes of a single dwelling given that it would not adversely affect neighbouring properties or the street scene.

However, he acknowledged that two water mains currently cross the site and in the absence of them being diverted it would not be possible to achieve the required 'stand-off' distances.

He therefore concluded that the mains should be protected from development as a matter of good planning practice in order that they can be properly maintained in the future. In the absence of any proposals to divert the pipes to accommodate the development he concluded that the appeal should be dismissed.

(ii) An appeal against the decision of the Council at its meeting on 9<sup>th</sup> December 2014 to refuse planning consent for demolition of existing garage and erection of a new dwellinghouse at Land Rear Of 45 To 47 Rodney Hill Occupation Lane Loxley Sheffield S6 6SB (Case No 14/00701/FUL) has been dismissed.

Officer Comment:-

The Inspector considered that there were three main issues in this appeal.

- 1) The effect on the character and appearance of the area,
- 2) The living conditions of nearby residents especially with regard to outlook and privacy and
- 3) The effect on protected trees.

With regard to i), the area has a green and open character, the Inspector considered that the proposed dwelling would appearance alien and incongruous feature on the lane. The proposed parking area was considered to create a hard edge which would be out of keeping with the current character and appearance. In addition, the size of the plot would make the development appear over-developed and cramped. Overall the scheme would conflict with Core Strategy (CS) policy CS74 and Unitary Development Plan (UDP) policies H14 and BE5

The Inspector then considered the living conditions of residents,(issue 2). The stepped design of the house coupled with the distances from existing houses would mean the proposal would not overbear existing properties. The Inspector was concerned that given the level differences, would not prevent a loss of privacy. Moreover, the presence of the side elevation close to the boundary with No. 43 would create an unneighbourly sense of enclosure to the garden. This would be contrary yo UDP policy H14

The third issue was that of the effect on trees.

The Inspector was of the view that the three trees to Occupation Lane protected by a Tree Preservation Order, di make a significant contribution to the character of the area. Although the plans indicated the trees to be retained, the Inspector was nor convinced that the construction would be possible without causing damage to these trees . Even if this were possible, the proximity of the trees to the development would create significant overshadowing and whilst the proposed house has no windows in the closest elevation, nuisance from honeydew, falling leaves and potential damage would lead to heavy pruning or removal being sought in future. The overshadowing would also potentially affect the green roof on this part of the proposed house. This would therefore conflict with UDP policy GE15

The Inspector took into account the lack of a 5 year supply of housing land but considered that the harm caused outweighed the benefits of one additional dwelling.

Accordingly , the appeal was dismissed.

#### 4.0 APPEALS DECISIONS - ALLOWED

(i) To report that an appeal against the delegated decision of the Council to refuse planning consent for replacement roof over existing single-storey

extension (re-submission) at 2 Ranmoor Road Sheffield S10 3HG (Case No 14/03971/FUL) has been allowed conditionally.

Officer Comment:-

The Inspector considered the main issues to be whether the proposal would preserve or enhance the character or appearance of the Ranmoor Conservation Area and, secondly, the effect on the setting of St John's Church, a Grade II\* Listed Building.

Conservation Area

The Inspector considered that the replacement roof would add to the bulk and mass of the building but this would be outweighed by the arguments in favour of the proposal, namely that the existing flat roof is in a prominent location and has a negative impact on the character and appearance of the Conservation Area and on the building itself. The proposal to use matching materials on the proposed pitched roof was a sympathetic design respecting the form and character of the original building. It was considered also to conform to the predominant roof styles in the area and so would enhance the appearance of the building and the Conservation Area generally and comply with UDP and Framework policies.

Effect on St John's Church

The Inspector considered that the principal view of the church is from the junction of Ranmoor Road and Ranmoor Park Road. This view would not be affected by the proposal. There is a view of the church over the existing flat roof and whilst the lower part of the church would be obscured by the proposed pitched roof extension, much of the church would remain visible from Ranmoor Road. His opinion was that the setting of the church would not be harmed as a result of the development.

Accordingly, the Inspector allowed the appeal.

(ii) To report that an appeal against the delegated decision of the Council to refuse planning consent for erection of detached garage with provision of vehicular access from Baslow Road (Re-submission of 14/04440/FUL) at 6 Laverdene Close Sheffield S17 4HG (Case No 15/00205/FUL) has been allowed.

Officer Comment:-

The Inspector identified the main issues as being the effect of the proposal on highway and pedestrian safety on Baslow Road.

The Inspector noted a level of on street parking on the southern side of Baslow Road, and the busy nature of the carriageway at this point. He therefore acknowledged the Council's concerns about the potential for a hazard created by reversing vehicles.

However, he was satisfied that the development included sufficient provision for vehicles to enter and exit the site in forward gear, and noted no history of accidents on this stretch of highway.

He noted the Council's concerns that the gradients necessary to achieve access would present pedestrian safety concerns, however he concluded that the gradient would be relatively shallow, and was a feature of similar arrangements elsewhere, with no evidence of safety issues for the visually or mobility impaired.

He therefore concluded that the development would not be harmful to highway or pedestrian safety. As such he allowed the appeal.

## 5.0 APPEALS DECISIONS – WITHDRAWN

(i) To report that an appeal against the delegated decision of the Council to refuse planning consent for two storey extension to dwellinghouse (re-submission of 14/01350FUL) at Bassett House Bassett Lane Sheffield (Case No 14/04212/FUL) has been withdrawn.

Officer Comment:-

The withdrawal of this appeal follows the recent grant of a subsequent application by the Committee.

## 6.0 RECOMMENDATIONS

That the report be noted

Maria Duffy  
Acting Head of Planning

*7 July 2015*

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