



## SHEFFIELD CITY COUNCIL Planning & Highways Committee

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

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**Date:** 18 August 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  
18 August 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 retention of 2 illuminated box signs at Betta Living Unit L Meadowhall Retail Park Attercliffe Common Sheffield S9 2YZ (Case No 15/00549/ADV)

### 3.0 APPEALS DECISIONS - DISMISSED

(i) An appeal against the delegated decision of the Council to refuse planning consent for alterations to double garage including front extension to form dwellinghouse at Garage Adjacent 20 Rivelin Park Road Sheffield (Case No14/04253/FUL) has been dismissed.

#### Officer Comment:-

The Inspector considered the main issues to be the effect on the character and appearance of the local area and secondly, whether the proposal would provide satisfactory living conditions for future occupiers with particular regard to private amenity space.

The proposal would be to alter and extend a 2 storey garage by providing a pitched roof over a 2 storey front extension giving the resulting building, the appearance of a dwellinghouse. However, the Inspector consider that the modest scale and height would noticeably differ to the much larger and taller 2 storey houses that characterise Rivelin Park Road and nearby streets. The proposal would also stand in a restricted plot with limited space around the building on 3 sides accentuating this contrast. The development would, in the Inspectors opinion, appear cramped in terms of layout.

Taken together, these aspects of the proposal would cause it to be obtrusive in the street scene appearing contrived and unconvincing appearing unusually diminutive and confined amongst nearby properties.

It would therefore conflict with UDP policies BE5 and H14 and Core Strategy

policy CS74 and also be contrary to the National Planning Policy Framework.

With regard to the living conditions, the Inspector considered that there was a small area of private amenity space at front and back but its value was significantly reduced due to the potential for overlooking onto the private amenity space from the surrounding areas. Some overlooking is a common characteristic of dwellings in built up areas but in this case the extent of overlooking would be considerable and would seriously impinge on the enjoyment of the space as future occupiers would experience and perceive an unacceptable loss of privacy. This is contrary to UDP Policy H14

The Inspector acknowledged the benefits the new dwelling would bring in enabling greater and more convenient care for a family member but set out that personal circumstances seldom outweigh more general planning considerations.

For the above reasons, the Inspector dismissed the appeal.

(ii) An appeal against the delegated decision of the Council to grant conditionally planning consent for erection of first-floor side extension above existing single-storey side extension and new roof lights at 18 Cobnar Avenue Sheffield S8 8RL (Case No 14/03272/FUL) has been dismissed.

Officer Comment:-

The appeal related to the imposition of a condition requiring obscure glazing to a side window of a bedroom on the elevation of the extension facing 16 Cobnar Avenue.

The Inspector therefore identified the main issue as being whether the condition was necessary in order to protect the living conditions of the occupiers of 16 Cobnar Avenue with particular regard to privacy.

He considered that the window would allow direct views into the garden of 16 Cobnar Avenue, from an elevated position and at close range. He did not feel this could be overcome by alternative methods (e.g screen fencing) as this would be overbearing.

He considered the appellants view that the same level of overlooking would occur from the new rear facing window however he dismissed this view on the basis that this was a common relationship with neighbouring properties, and the side window offered more direct views. He noted also that the neighbour had not objected but reaffirmed that planning decisions have to protect future occupants as well as existing.

Finally he noted the outlook from the bedroom would be improved for the applicant's son who has Autism Spectrum Disorder, however he considered that other bedrooms within the dwelling could accommodate his needs, and personal circumstances did not outweigh the harm identified. In addition, although not noted by the Inspector, the bedroom does have another window

offering a high quality outlook.

He therefore agreed with officers that the condition was necessary and dismissed the appeal.

(iii) An appeal against the delegated decision of the Council to refuse planning consent for Installation of a digital advertising/information (Transvision) screen within the concourse of Sheffield Railway Station at Sheffield Midland Station Sheaf Street Sheffield S1 2BP (Case No 14/03957/LBC) has been dismissed.

Officer Comment:-

The Inspector considered that the new digital screen would appear close to the roof and the large and solid display would relate awkwardly to the lightweight and undulating shape of the glazed roof structure above it. It would obstruct views of what remains of the repeating arches to the roof structure beyond. The Inspector noted that there was already a plethora of adverts and this proposal would lead to excessive signage in a sensitive location. He concluded that the proposal would cause significant harm to character and appearance of the listed station building and would be contrary to Policies BE13 and BE19 of the Unitary Development Plan and there would also be conflict with the National Planning Policy Framework with regard to the protection of heritage assets.

#### 4.0 RECOMMENDATIONS

That the report be noted

Maria Duffy  
Acting Head of Planning

*18 August 2015*



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