



## SHEFFIELD CITY COUNCIL Planning & Highways Committee

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

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**Date:** 26 April 2016

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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  
26 APRIL 2016

### 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

<p>(i) An appeal has been submitted to the Secretary of State against the delegated decision of the City Council to refuse planning permission for external insulation to dwellinghouse at 53 Holgate Road (Case No 15/01604/FUL)</p>
<p>(ii) An appeal has been submitted to the Secretary of State against the delegated decision of the City Council to refuse planning permission for an application to amend with condition 2 (Approved plans) imposed by planning permission 12/02972/FUL (Erection of 27 apartments in 1 x 3/4 storey block with associated car parking accommodation (Application under Section 73)) at The Hill (Former Upperthorpe School) Daniel Hill Walk Sheffield (Flats, 59-63, 63A, 65, 67 And 69 Daniel Hill Mews) (Case No 15/01727/FUL)</p>
<p>(iii) An appeal has been submitted to the Secretary of State against an Enforcement Notice served in respect of unauthorised windows at 16 Moor Oaks Road, S10 1BX (Case No 14/00138/ENART4)</p>
<p>(iv) 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 double garage with 2-bedroom flat over to create 3-bedroom dwellinghouse with associated car parking at Curtilage Of 41 Hurlfield Road Sheffield S12 2SD (Case No 15/04226/FUL)</p>
<p>(v) An appeal has been submitted to the Secretary of State against the delegated decision of the City Council to refuse planning permission for single-storey rear extension to dwellinghouse at 5 College Court Sheffield S4 7FN (Case No 15/03793/FUL)</p>
<p>(vi) 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 a bungalow at curtilage Of 351 Hall Road Sheffield S9 4AF (Case No 15/03189/FUL)</p>

### 3.0 APPEALS DECISIONS - DISMISSED

(i) An appeal against the delegated decision of the Council to refuse planning consent for single-storey front, side and rear extensions to dwellinghouse at 36 Rosemary Road Sheffield S20 1AR (Resubmission of approved application 15/02933/FUL) (Case No 15/03557/FUL) has been dismissed.

Officer Comment:-

The proposed extension would wrap around the front and side elevation of the house and, due to its corner location, would be a prominent feature, extending well beyond the building line. The inspector noted that the extension would significantly alter the appearance and massing of the building and would appear incongruous and discordant in the street scene. There are no similar extensions that disrupt the appearance of this well balanced group of houses around the junction. The Inspector noted that this would be contrary to the SPG on house extensions and would result in a significant addition to the house, materially altering its shape and appearance. He concluded that the development would be harmful to the character and appearance of the house and surrounding area.

(ii) Two appeals against the decision of the Council at its meeting of the 10 November 2015 to refuse listed building consent and advertisement consent for retention of internally illuminated fascia sign at Broomhill Property School Kennedy House 319 Glossop Road Sheffield S10 2HP (Case No 15/01777/LBC & 15/01776/ADV) have been dismissed.

Officer Comment:-

The Inspector noted the key issues as the effect on visual amenity including the historic and architectural character of the grade 2 listed building, and the Hanover Conservation Area.

She noted the sign was a replacement for a previous sign, of similar dimensions but that the current sign is more bulky in its projection from the face of the building and has internal illumination.

She considered the depth of the signs projection to be unduly bulky, contrasting with the delicate profile of the windows it is sited near; its size and siting detract from the building's symmetry and are visually unbalancing; and internal illumination is inappropriate. For these reasons it harms the architectural and historic significance of the listed building. Although such harm was less than substantial she gave this considerable importance and weight.

She gave little weight to the presence of similar signs elsewhere in the vicinity and in any event saw no reason why the Council should not pursue incremental improvement of the character and appearance of the area. In the absence of any public benefit, the harm to the heritage asset was not outweighed and she dismissed the appeal as contrary to the aims of UDP Policies BE16 and BE19, and paragraphs 132 to 134 of the NPPF.

(iii) An appeal against the delegated decision of the Council to refuse planning consent for two-storey side extension, incorporating full gable end and including demolition of existing garage and alterations to roof to create additional living accommodation including dormers to rear of dwellinghouse (Re-submission of 15/00939/FUL) at 22 Hallam Grange Rise Sheffield S10 4BG (Case No 15/03798/FUL) has been dismissed.

Officer Comment:-

The main issue in this appeal was the effect of the development on the character and appearance of the property and the surrounding area.

The Inspector was of the view that the proposal would introduce a gable end roof between two properties with hipped roofs. This would decrease the gap between the properties at second floor level. Its design would appear adversely prominent when viewed from the street as it would be out of keeping with the existing character of the main dwelling and neighbouring properties. It was considered that the proposed development would be unduly intrusive within the streetscene and would result in material harm to the character and appearance of the property and the surrounding area. It also did not accord with the NPPF and UDP policies H14 and BE5 and Guidelines 1 and 2 of the Councils "Designing House Extensions" SPG

(iv) An appeal against the delegated decision of the Council to refuse planning consent for erection of 4 dwellinghouses and garages (amended plans received 24.07.2015) at South Yorkshire Police Rotherham Road Halfway Sheffield S20 8GL (Case No 15/02390/FUL) has been dismissed.

Officer Comment:-

The Inspector noted that the proposed four storey terrace of buildings would be very noticeable from Rotherham Road and that the mass of the development would be particularly prominent in the landscape given the significant change in land levels, coupled with the height of the development and its terraced nature. He concluded that it would have an unacceptably dominating impact when viewed from Rotherham Road.

He noted that the area is characterised by two storey dwellings and that the proposed development would be out of scale and character with this predominant scale. He also concluded that the gardens to the dwellings would be deficient in size to serve the size of dwellings proposed.

For these reasons he concluded that the development was unacceptable and would be contrary to the provisions of the NPPF, the Core Strategy Policy CS74 and the UDP Policy BE5.

(v) An appeal against the delegated decision of the Council to refuse planning consent for erection of 4 bedroomed detached dwellinghouse at Land Between 2 Parsley Hay Gardens And 17 Parsley Hay Close Parsley Hay Gardens Sheffield S13 8NN (Case No 15/00387) has been dismissed.

Officer Comment:-

The Inspector noted that the area of land formed an informal open space area

that was to be retained as such as part of the original planning permission for the estate, as detailed in Condition 5 of planning approval 86/1873P. He accepted that there was a significant quantitative shortage of open space in the locality (a total of 1.11 hectares per 1,000 population against a requirement for 4 hectares). On this basis its development would be contrary to Policy CS47 of the Core Strategy as it would exacerbate the existing shortage of open space and that this is an overriding concern. The Inspector noted that the Council cannot demonstrate a 5 year supply of housing but he did not consider that 1 dwelling would make a significant contribution and this was not sufficient reason to outweigh the conflict with CS47. He found no exceptional circumstances to justify a departure from Policy CS47 and concluded that the development would result in an unacceptable loss of open space.

#### 4.0 APPEALS DECISIONS - ALLOWED

(i) To report that an appeal against the delegated decision of the Council to refuse planning consent for two storey side extension to dwellinghouse and roof extension (re-submission of 15/01352/FUL) at 14 Cockshutt Avenue Sheffield S8 7DU (Case No 15/02683/FUL) has been allowed subject to conditions.

**Officer Comment:-**

The Inspector considered the key issue to be the effect on the character and appearance of the area.

He acknowledged the Council's refusal was in line with its policy objectives set out in SPG but did not feel the proposed gable extension would be harmful. Moreover he considered that where hipped extensions abut their 'identical' neighbour they create a very cramped appearance, that does not reflect the original character of the dwellings as no space remains between the dwellings. In this context, the Inspector argues that a gable feature allows for a more unified terraced approach to be created if the neighbour later extends as is a more satisfactory design.

He therefore allowed the appeal.

(ii) To report that an appeal against the delegated decision of the Council to refuse planning consent for widening of existing vehicular access from 3.6m to 10m (Re-submission of 15/01195/FUL) at Abbey Veterinary Group 90 Wortley Road High Green Sheffield S35 4LU (Case No 15/02709/FUL) has been allowed subject to conditions.

**Officer Comment:-**

The main issue was that of public safety. In this respect, the Inspector noted that the surgery times did not coincide with times children would be arriving

and departing from the adjoining primary school and so there would be minimal conflict between schoolchildren and customers arriving at the surgery.

The appellant argued that customers currently “bump over” the existing kerb and the Inspector accepted that the widened dropped kerb would make manoeuvring easier and would benefit road users and the free flow of traffic.

The proposed widened dropped kerb would enable more cars to park on the forecourt. The Inspector considered that this would not be significant and that the revised parking arrangement would be a more satisfactory arrangement than the existing.

He was of the view that the proposal would not conflict with the UDP of para. 32 of the NPPF which states that “development should only be prevented or refused on transport grounds where residual and cumulative impacts of development are severe” and so allowed the appeal.

## 5.0 RECOMMENDATIONS

That the report be noted

Mike Hayden  
Head of Planning

*26 April 2016*