



SHEFFIELD CITY COUNCIL Planning & Highways Committee

Report of: Director of Regeneration & Development Services

Date: 17 May 2016

Subject: RECORD OF PLANNING APPEALS
SUBMISSIONS & DECISIONS

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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

Reasons for Recommendations

Recommendations:

To Note

Background Papers:

Category of Report: OPEN

DEVELOPMENT SERVICES

REPORT TO PLANNING &
HIGHWAYS COMMITTEE
17 May 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

(i) An appeal has been submitted to the Secretary of State against the decision of the Council at its meeting of 29 September 2015 to refuse planning permission for the demolition of car showroom and associated buildings and erection of mixed use development comprising four blocks ranging from 6-12 storeys in height to provide 2027m² of retail space, 130 residential apartments, 44 student cluster flats (209 beds) with subterranean car parking accommodation, associated landscaping works, external bin store, cycle parking and electricity substation at 245 Ecclesall Road Sheffield S11 8JE (Case No 15/01180/FUL)

3.0 APPEALS DECISIONS - DISMISSED

(i) To report that an appeal against the decision of the Council at its meeting of 26 May 2015 to refuse planning consent for the erection of two semi-detached dwellinghouses at Land To The Rear Of 328 Bole Hill Road Sheffield S6 5DF (Case No 14/02959/OUT) has been dismissed.

Officer Comment:-

The main issues were the effect of the proposal on the character and appearance of the area including the adjacent Green Belt and also whether or not refuse storage facilities could be suitable located in terms of carrying / dragging distances.

The Inspector considered that the site fulfils a very positive function helping to soften the urban character of the area and complements the other adjoining green areas to the south west and north east. The proposed dwellings would be very isolated from surrounding development and would have an intrusive and harmful impact on the landscape setting, appearing out of place and discordant within the wooded setting particularly from Nichols Road. This would be contrary to Policy GE4.

With regard to waste disposal and given the distance of the site from Bole Hill

Road, a bin store was proposed to be located on land within 30 m of Bole Hill Road and 25 m of the site. In this circumstance, taking into account the distance of the dwellings from the adopted highway, waste would only be collected in bags. The Inspector did not consider storing waste in bags, rather than bins, to be a practical or appropriate arrangement and weighed against allowing the proposal. In addition, the Inspector saw that Nichols Road is extremely steep, even with the alterations proposed, and the gradient would be such that it would be very difficult and impractical for bins to be dragged up to Bole Hill Road. For these reasons, the service arrangements for collection of waste would be unsatisfactory and conflict with the relevant parts of policies BE9, BE10 and H14, the Manual for Streets and the NPPF.

The Inspector concluded that there would be significantly adverse impacts on the character and appearance of the area and that service arrangements would be unsatisfactory and the environmental harm would, therefore, outweigh the limited social and economic benefits and so would not deliver sustainable development.

(ii) To report that an appeal against the delegated decision of the Council to refuse planning consent for a Single-storey rear extension to dwellinghouse and alterations to glazing on side elevation at 3 Mosborough Hall Farm Hollow Lane Sheffield S20 5DN (Case No 15/01861/FUL) Appeal A and Appeal B - have been dismissed.

Officer Comment:-

The appeal site is part of several former agricultural buildings which face around a central courtyard and are Grade II listed buildings. The main issue the Inspector considered was whether the proposed extension and alterations would preserve the character of the listed building.

The Inspector noted that overall the appeal building is a good example of a vernacular barn, incorporating some fine architectural and functional details. He considered that the extension would create a box-like addition to the otherwise simple corner part of the former barn complex and would create an awkward relationship with a first floor window, jarring with the simple original fenestration pattern and uncluttered elevations. He felt that it would also create an incongruous relationship with an original northward projecting feature close by the north facing elevation (known as a Gin Gang) and would harmfully complicate the simple form and layout of the barn by introducing an overly domestic extension.

He concluded that overall the proposals would have a harmful effect on the special architectural and historic interest of the listed building and dismissed the appeals.

4.0 APPEALS DECISIONS - ALLOWED

(i) To report that an appeal against the delegated decision of the Council to

refuse planning consent for a single-storey rear extension at 8 Silkstone Road Sheffield S12 4RH (Case No 15/03745/HPN) has been allowed.

Officer Comment:-

The proposal is for a 6 metre long rear extension (submitted under the larger house extensions notification procedure).

The Inspector noted that that the finished floor level of the extension would be much lower than those of the existing property and that the eaves of the extension would be slightly less than 2 metres above natural ground level, which would be no higher than the existing timber fence on the boundary, which would screen the side elevation of the extension from the ground floor windows and garden of the adjoining house.

The Inspector noted that the ridge would be 3.6 metres above ground level but at its highest would be 3 metres away from the boundary. Coupled with the shallow pitch he considered that there would be limited views of the roof from the neighbouring property.

He concluded that the proposal would not have an unacceptable effect on the living conditions of the occupiers of the neighbouring house and allowed the appeal.

5.0 APPEAL – ENFORCEMENT NOTICE

(i) To report that an appeal against a Enforcement Notice served in respect of unauthorised installation of 3 uPVC windows at 352 Sharrow Lane Sheffield S11 8AU (Case No 14/00572/ENART4) has been allowed.

Officer Comment:-

The enforcement notice required removal of the 3 windows and replacement with timber sliding sash windows. The appeal was submitted on ground (a) – that planning permission should be granted.

The Inspector considered that other older works carried out on the frontage of the property, that pre-dated recent planning controls had adversely affected its appearance. In particular an incongruous and unsympathetic flat roofed 2 storey side extension with upvc doors and windows and poor finishes has a seriously detrimental impact on the appearance of the house. In addition all other windows on the property are also upvc.

Although he acknowledged the Council reasonably seeks to retain the original character and appearance of the Conservation Area, much has been lost in this case and on neighbouring property, and he concluded that the 3 upvc frames have not materially added to the substantial harm caused to no.352 and exceptionally planning permission should be granted.

He therefore allowed the appeal and quashed the notice.

This outcome runs contrary to the majority of Inspector's decisions in the

Article 4 Conservation Areas, where they have disregarded other unsympathetic works on neighbouring sites and on the appeal sites in support of the Council's aims for incremental enhancement and improvement of the conservation areas.

6.0 RECOMMENDATIONS

That the report be noted

Mike Hayden
Head of Planning

17 May 2016

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