



## SHEFFIELD CITY COUNCIL Planning & Highways Committee

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**Report of:** Interim Head of Planning

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**Date:** 10 January 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  
10 January 2017

### 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 City Council at its meeting of the 22 November 2016 to refuse planning permission with Enforcement Action for the alterations and retention of use of a former barn as a dwellinghouse (retrospective application) at White Acres Farm Spout Lane Sheffield S6 6EF (Case No 15/04365/CHU)

(ii) An appeal has been submitted to the Secretary of State against the delegated decision of the City Council to refuse planning permission for Change of use of part of existing Market (adjacent Working Mens Club) to create area for hand car washing business, 2 no. storage containers, site office, canopy, fencing, entrance gates and associated works at Market Market Place Chapeltown Sheffield S35 2UU (Case No 16/03222/FUL)

### 3.0 APPEALS DECISIONS - DISMISSED

(i) An appeal against the delegated decision of the Council to refuse planning consent for the laying out and construction of a means of vehicular access to dwellinghouse at 2 Mawfa Crescent Sheffield S14 1AS (Case No 16/00776/FUL ) has been dismissed.

#### Officer Comment:-

The Inspector identified the main issue as the effect of the new access upon highway safety.

They agreed with officers that the access could not provide adequate visibility owing principally to the presence of a substantial hedgerow within the visibility splay. The hedgerow is on highway land and there is no prospect of it being removed.

The Inspector dismissed the appellant's suggestion of a mirror to aid visibility as insufficient and dismissed the appeal.

(ii) An appeal against the delegated decision of the Council to refuse planning consent for the Part demolition of existing boundary wall, erection of a new boundary wall to accommodate widening of the drive at 34 Beech Hill Road Sheffield S10 2SB (Case No 16/02686/FUL) has been dismissed.

Officer Comment:-

The Inspector identified the main issue as being whether the development would preserve or enhance the character or appearance of the Broomhill Conservation Area.

He noted the site's prominent position in the Conservation Area and that the stone walls were of common appearance with others in the street which were largely intact.

He felt the development would open up a much wider frontage and result in the loss of a noticeable section of wall which makes a positive contribution to the character of the Conservation Area, and therefore its loss would cause harm, which he considered to be less than substantial in the context of the Conservation Area.

The NPPF dictates that less than substantial harm has to be weighed against the public benefits of the proposal. He noted the benefit of providing off street parking, and the potential for improved pedestrian safety as a result. However the local area has a permit parking scheme so it would be unlikely to lead to additional on street parking opportunities.

The Inspector therefore felt that the limited public benefits did not outweigh the less than substantial harm to the character and appearance of the Conservation Area and dismissed the appeal.

(iii) An appeal against the delegated decision of the Council to refuse planning consent for the erection of a subterranean dwellinghouse at land Between 405 And 411 Fulwood Road Sheffield S10 3GF (Case No 16/01425/FUL) has been dismissed.

Officer Comment:-

The main issues were the effect of the proposed dwelling on the character and appearance of the area and the living conditions of future residents.

The site is a small area sitting between two large blocks of flats. The site slopes downwards from the road and is fairly inconspicuous in the street scene and so was considered to have little visual value. The impact on the street scene was therefore considered by the Inspector to be negligible. The loss of one of the trees as a result of the development was not felt to detract from the leafy nature of the area.

The Inspector concluded that the dwelling would not detract from the character and appearance of the area.

In terms of the living conditions for future occupiers, the small enclosed nature of the proposed courtyard and the height and proximity of the adjoining flats would result in an enclosed and shaded area to look out onto and would allow little sunlight into the ground floor. Outlook would be onto a central courtyard but it would be small and the wall enclosing it would be two-storey in height. The outlook would be severely restricted. Bedroom two would also only have an outlook onto the internal courtyard.

There would be no loss of privacy as a result of the development and amenity space was considered to be sufficient.

However, the lack of harm in these respects did not overcome the harm from not providing satisfactory living conditions for future occupants and the proposal would therefore conflict with both national and local planning policy and for this reason, the appeal was dismissed.

(iv) Two appeals against the delegated decisions of the Council to refuse both planning permission and listed building consent for the reconstruction of a retaining wall and steps, restoration of dwarf stone walls and installation of railings along the street frontages and the reconfiguration, resurfacing & re-landscaping of the front car park (including removal of 4 trees) at 1 Beech Hill Road Sheffield S10 2SA (Case No's 15/02466/FUL & 15/02467/LBC) have been dismissed.

Officer Comment:-

The Inspector identified the main issue for both appeals as being the impact the works would have on the Grade II Listed Building and on the character or appearance of the Broomhill Conservation Area.

She noted the elevated position of the building which is clearly visible in views from Glossop Road and Beech Hill Road, and informal landscaping, hedging and mature trees which contribute to the setting of the heritage asset.

She also noted the prominence of the Beech tree, its contribution to the character of the area and it's likely large root protection area that would necessitate its removal in the event of the works going ahead. She considers this would have a harmful effect on the heritage assets.

The Inspector agreed with officers that the inappropriate railings and contemporary glass balustrade would appear incongruous. The loss of two protected Yew trees and one protected Lime tree, to allow for additional parking would not be adequately mitigated by the replacement planting proposed in the Inspector's view and the overall reduction in mature planting would therefore have a harmful effect on the character of the site. In addition the Inspector was not convinced on the evidence before her that important trees in the neighbouring site would not be adversely affected.

In line with paras 132 -134 of the NPPF which directs that great weight should be given to the conservation of the heritage asset, she considered the public

benefits against the significant weight she attached to the less than substantial harm to the heritage assets (Listed Building and Conservation Area). She gave the additional parking and economic benefit for the business, and the reduction in overspill parking some limited weight.

Overall she considered the limited public benefits of the scheme would be insufficient to outweigh the harm the proposal would cause to the listed building and conservation area, and dismissed both appeals.

#### 4.0 RECOMMENDATIONS

That the report be noted

Flo Churchill  
Interim Head of Planning

*10 January 2017*

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