



SHEFFIELD CITY COUNCIL Planning & Highways Committee

Report of: Director of Regeneration & Development Services

Date: 7 March 2017

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
7 MARCH 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 delegated decision of the City Council to refuse planning permission for laying out and construction of a means of vehicular access and provision of a hard standing (Resubmission of 16/00644/FUL) at 39 Greenhill Avenue Sheffield S8 7TA (Case No 16/03832/FUL)

(ii) An appeal has been submitted to the Secretary of State against the delegated decision of the City Council to refuse planning permission for alterations to and use of former warehouse / office unit as dwellinghouse at Land To The Rear Of 15 To 17 Orchard Lane Beighton Sheffield S20 1EW (Case No 16/04157/FUL)

(iii) 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 dwellinghouse at Curtilage Of 27 Normanton Spring Road Sheffield S13 7BA (Case No 16/04024/FUL)

3.0 APPEALS DECISIONS - DISMISSED

(i) An appeal against the delegated decision of the Council to refuse planning consent for excavation to front garden with access steps to basement and a covered area at basement level at 975 Abbeydale Road Sheffield S7 2QD (Case No 16/03081/FUL) has been dismissed.

Officer Comment:-

The Inspector identified the main issue as the effect of the proposal on the character and appearance of the area.

He agreed with officers that the excavated space would be visible only in close up pedestrian eye views but that this was significant. He also agreed that the loss of almost all the front garden (yard) to a glass covered

excavation would contrast with the uniformity of the terraced front gardens. In addition the staircase would be an unattractive uncharacteristic feature of this part of Abbeydale Road.

He therefore agreed there was conflict with UDP policy H14 and CS74 (Core Strategy) and dismissed the appeal.

(ii) An appeal against the delegated decision of the Council to refuse planning consent for alterations to roof including dormer to rear of dwellinghouse at The Barn 2A Beauchief Abbey Lane Sheffield S8 7BD (Case No 16/02870/FUL) has been dismissed.

Officer Comment:-

The main issue was whether the proposal would preserve or enhance the character or appearance of the Beauchief Abbey Conservation Area.

The Inspector noted the Conservation Area location and the proximity to the Grade II* Listed Church, and the Abbey remains. He noted buildings within the Conservation Area had two storeys and gabled stone slated roofs, in a simple form.

He agreed with officers that the proposed dormer, set high up the roof and covering around a third of the roof slope, across its full width would dominate the roof, and in addition would be clad in tiles, in contrast to the prevailing materials in the area.

He also agreed that it would be readily visible from many vantage points within the Conservation area, including key views from the Abbey.

He therefore concluded it would fail to preserve and enhance the character of the Conservation Area, in conflict with the Council's policies and the aims of the NPPF.

In accord with paras 131-134 of the NPPF he balanced the less than substantial harm to the heritage asset (Conservation Area) against public benefit but found none in this case.

He also noted there had been no objections from neighbours and the proposals would assist utilising the property as a family home rather than rented property but found these did not outweigh the great weight afforded to the failure to preserve the significance of a designated heritage asset and dismissed the appeal.

4.0 APPEALS DECISIONS - ALLOWED

(i) To report that an appeal against the delegated decision of the Council to grant part refuse part advertisement consent for 1 no. externally illuminated

post sign, 1 no. externally illuminated letters sign, 1 no. internally illuminated display case at The Place Nile Street Sheffield S10 2PN (Case No 16/03032/ADV) has been allowed and express consent is granted.

Officer Comment:-

The Inspector noted the main issue to be the effect of the signs on the character and appearance of the area.

She noted the Broomhill Conservation Area status of the site and its strong character of 2 storey stone buildings around its commercial core, however she also noted several buildings, including the appeal property did not follow the traditional style and were modern additions.

On that basis she considered that the modest scaled signs would be discretely lit and sympathetic to the host building and wider street scene and allowed the appeal.

(ii) An appeal against the delegated decision of the Council to refuse planning consent for removal of entrance porch, provision of timber cladding to two-storey front projection and provision of render to section of side elevation at The Place Nile Street Sheffield S10 2PN (Case No 16/03025/FUL) has been allowed with conditions.

Officer Comment:-

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

She noted the Broomhill Conservation Area status of the site and its strong character of 2 storey stone buildings around its commercial core, however she also noted several buildings, including the appeal property did not follow the traditional style and were modern additions, some with modern brickwork and render.

She noted the proposed shiplap cladding was not typical of the area, but considered it formed only a small part of the elevation and would provide some visual interest. She therefore felt the works would preserve the character and appearance of the Conservation Area, and found no conflict with local or national policies, and allowed the appeal.

(iii) An appeal against the delegated decision of the Council to refuse planning consent for alterations to front window opening to form door opening and provision of external seating area including erection of jumbrella at The Place Nile Street Sheffield S10 2PN (Case No 16/03026/FUL) has been allowed with conditions.

Officer Comment:-

The Inspector identified the main issues as i) whether the development would preserve or enhance the character or appearance of the Broomhill Conservation Area; and ii) the effect on living conditions of neighbouring occupiers.

In terms of i) for similar reasons to that of the above appeal, and because of their low key nature she concluded the jumbrella would preserve the character and appearance of the Conservation Area.

In respect of living conditions she noted the presence of nearby residential property and that the alterations would allow the creation of a beer garden with around 24 seats. She found the noise assessment submitted by the applicant to be 'unconvincing' and noted the opportunity for noise breakout from the new doors/windows so acknowledged officers concerns about noise disturbance.

She noted a previously dismissed appeal in 2003 for a beer garden and the changes in circumstances, including the smoking ban since that time. She did not accept that the pub's viability outweighed the living conditions of neighbours. However, she saw no reason why the beer garden could not operate and be limited by appropriate planning conditions, and in allowing the appeal imposed a condition requiring all tables, seating, and other outdoor furniture, including umbrellas to be clear between 1800 hours and 0900 hours.

5.0 RECOMMENDATIONS

That the report be noted

Flo Churchill
Interim Head of Planning

7 March 2017

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