



SHEFFIELD CITY COUNCIL Planning & Highways Committee

Report of: Director of City Growth Service

Date: 16 January 2018

Subject: RECORD OF PLANNING APPEALS
SUBMISSIONS & DECISIONS

Author of Report: Claire Woods 0114 2734219

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 16 JANUARY 2018

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 the erection of a store room linking to existing shop including new external walls at Walsh Premier Store 81 - 89 Galsworthy Road Sheffield S5 8QY (Case No 17/03147/FUL)

(ii) An appeal has been submitted to the Secretary of State against the delegated decision of the City Council to refuse advertisement consent for 2 illuminated advertisement hoardings 90-92 Harwood Street Sheffield S2 4SE (Case No 17/02148/ADV)

(iii) An appeal has been submitted to the Secretary of State against the delegated decision of the City Council to refuse planning permission for a single-storey front and side extension, entrance portico to front, porch to side, installation of and replacement of windows to dwellinghouse at 185 Long Line Sheffield S11 7TX (Case No 17/03685/FUL)

(iv) An appeal has been submitted to the Secretary of State against the delegated decision of the City Council to grant part refuse part advertisement consent for 4 illuminated name signs, 7 illuminated entrance signs, 1 illuminated exit sign, 1 illuminated collection point sign, 5 illuminated directional signs and 2 non-illuminated parking signs and 2 illuminated banner signs at Site of Betafence Wire Factory Lock House Road Sheffield S9 2RN (Case No 17/02339/ADV)

3.0 APPEALS DECISIONS - DISMISSED

(i) An appeal against the delegated decision of the Council to refuse planning consent for the erection of first-floor extension above existing porch at 100 Charlton Drive Sheffield S35 3PE (Case No 17/01430/FUL) has been dismissed.

Officer Comment:-

The Inspector considered that the main issue in this case is the effect of the proposal on the character and appearance of the host property and the surrounding area.

She concluded, given that none of the other houses in the area have a first floor front extension, that this would appear as an alien and incongruous feature in the street scene and it would detract from the large front dormer which is characteristic of the area. She felt it would give a complexity to the roof structure not found on other dwellings and concluded that the extension would unacceptably harm the character and appearance of the host property and surrounding area and be in conflict with Policy H14 of the UDP.

(ii) An appeal against the delegated decision of the Council to refuse planning consent for the construction of means of a vehicular access, formation of car parking area and demolition to part of front boundary wall at 7 Priory Road Sharrow Sheffield S7 1LW (Case No 17/02682/FUL) has been dismissed.

Officer Comment:-

The Inspector identified the main issue as being the impact on the character and appearance of the area including whether it would preserve or enhance the character and appearance of the Nether Edge Conservation Area.

She noted the combination of stone walls and vegetation forming the boundary to large villas, set back from the highway as key characteristics of the Conservation Area.

She considered the loss of a 3m section of mainly continuous stone wall and the formation of a 10m x 12m parking area within the front garden would result in a substantial change to the appearance of the front of the property which would fail to preserve or enhance the character or appearance of the Nether Edge Conservation Area, in conflict with policy CS74 of the Core Strategy, and policies BE5, BE16, BE17 and H14 of the UDP, and paras 132 – 134 of the NPPF.

She noted the appellant's suggestion that taking their parked cars of the street would ease on street parking problems but gave this little weight given the apparent availability of street parking in the area.

For the above reasons she dismissed the appeal.

(iii) An appeal against the delegated decision of the Council to refuse planning consent for Alterations to roof of dwellinghouse including raised ridge height, hip-to-gable extensions and dormer windows to front and rear at 55 Trap Lane Sheffield S11 7RF (Case No 17/00534/FUL) has been dismissed.

Officer Comment:-

The Inspector identified the main issue as being the effect of the proposal on the character of the host property and surrounding area.

She noted the host dwelling was a two storey detached property lying between a two storey semi-detached property and a bungalow in a varied street scene.

She considered the raising of the roof and inclusion of gable roofs would increase its height mass and bulk, and whilst this would not appear unduly dominant in relation to the adjacent semi-detached property it would further exacerbate the height differential between the host property and the adjacent bungalow, dominating the bungalow and appearing discordant in the street scene.

She noted that although dormers were present in the street scene they were not a regular or characteristic feature. She considered this example to be overly wide and set too high up the roof plane, and in combination with the other roof alterations to be an incongruous addition at odds with the character of the host property and surrounding area.

She reviewed a range of existing or permitted dormers that the appellant argued set a precedent for this case however she dismissed these individually as not comparable and in any event reasserted the need to consider each case on its own merits.

She concluded the scheme was in conflict with UDP policy H14, Core Strategy Policy CS74, the Council's SPG 'Designing House Extensions' and paragraph 60 of the NPPF.

(iv) An appeal against the delegated decision of the Council to refuse planning consent for a single storey rear extension and side extension including raised rear decking at 31 Crawshaw Grove Sheffield S8 7EA (Case No 17/01791/FUL) has been dismissed.

Officer Comment:-

The Inspector identified the main issue as being the effect of the proposal on the living conditions of the occupiers of no.29 and 33 Crawshaw Grove with particular reference to overlooking and sense of enclosure.

She agreed with officers that the single storey rear extension which would project 3.4m from the rear of the property, immediately adjacent to the boundary with no.29 and which would increase in prominence along its length given sloping land levels, would result in an unacceptable sense of enclosure in conflict with Guideline 5 of Supplementary Planning Guidance 'Designing House Extensions'.

She also agreed that the changes in land levels would enable significant overlooking of the garden of no 29 from the proposed raised deck and that any proposed screening would add to the sense of enclosure.

She also felt the raised decking would allow unacceptable levels of overlooking into the rear facing windows of no 33, harming their living conditions.

She therefore dismissed the appeal.

(v) An appeal against the delegated decision of the Council to refuse planning consent for a Two-storey side extension, two/single-storey rear extension, alterations to roof space to form habitable accommodation and erection of a rear dormer window (As amended plans) at 39 Old Park Avenue Sheffield S8 7DQ (Case No 17/01529/FUL) has been dismissed.

Officer Comment:-

The Inspector considered the main issue to be the effect of the proposal on the living conditions of occupiers of no's 37 and 41 Old Park Avenue with specific reference to outlook and sunlight.

She noted planning permission had been granted in 2016 for a similar development including a 3m single storey rear extension and that this proposal increased that to a 5m extension. She also noted that land levels rise from the rear of the properties and that no 41 had extended sideways adjacent to the appeal site boundary with French windows at ground floor level.

She felt the 5m extension, at a height of 3m would be visible above the boundary fence such that the occupiers of no 41 would be faced with a blank wall above the fence for a distance of 5m reducing the outlook and creating an undue sense of enclosure. Due also to the position of the extension to the south east of the window, the proposal would reduce sunlight from early to mid-morning.

No 37 would face similar impact to no 41 in terms of outlook from a ground floor window in close proximity to the boundary again reducing outlook and resulting in an undue sense of enclosure and would also reduce sunlight for the majority of the afternoon.

In summary she agreed with officers that the proposal would have a materially greater effect on the occupants of no's 37 and 41 than the approved 3m extension.

Limited weight was given to the possibilities of building a 6m extension under the prior approval permitted development route as given this proposal had resulted in objections, they would be likely in that scenario too, leading the Local Planning Authority to consider the impact, and it was clear this would be likely to result in refusal.

She therefore concluded the proposal was in conflict with UDP Policy H14 and Guideline 5 of Supplementary Planning Guidance 'Designing House Extensions' and dismissed the appeal.

4.0 APPEALS DECISIONS - ALLOWED

(i) To report that an appeal against the delegated decision of the Council to refuse planning consent for alterations to roofs of buildings to create two additional apartments including erection of gable ends, rear dormer window and an access stairway between (Re-submission of 16/04535/FUL) at 297-303 Abbeydale Road South Sheffield S17 3LF (Case No 17/02718/FUL) has been allowed.

Officer Comment:-

The Inspector identified the main issue to be the effect of the development on the character and appearance of the host property and the surrounding area.

She noted the host buildings formed a group set back some distance from the highway and the variation of properties in the area. She also noted that a previous approval was under construction and that there was a very strong likelihood of the development being implemented. She also noted the only difference between the two schemes was a larger rear dormer.

She agreed with officers that the larger dormer would lead to a coalescence of the two main blocks and an unconventional design but felt that this would not be highly visible and the impact on the gap between the two blocks would not be detrimental to the character of the area.

She therefore concluded the proposal was not in conflict with UDP Policies H14 and BE5, or policy CS74 of the Core Strategy and allowed the appeal subject to conditions relating to external appearance, parking, and provision of amenity space.

(ii) To report that an appeal against the delegated decision of the Council to refuse planning consent for a first floor rear extension and single-storey side/rear extension to dwellinghouse at 90 Brooklands Crescent Sheffield S10 4GG (Case No 17/02082/FUL) has been allowed.

Officer Comment:-

The Inspector considered that the main issue is the effect of the development on the living conditions of occupiers of neighbouring property, particularly number 92, as well as outlook.

The Inspector concurred with the Council's view that the first floor rear extension would not harm the living conditions of neighbouring properties. The main focus of the appeal was therefore on the concerns expressed in relation to the height and depth of the single storey side and rear extension given its close proximity to the boundary of number 92.

The Inspector recognised that the cumulative depth of the extension would substantially exceed the 3 metres recommended in the Council's Supplementary Planning Guidance on Designing House Extensions and that it would be considerably taller than 3 metres for much of its length close to the boundary. However, on reviewing the relative land levels and existing boundary treatments he considered that the extension would not have a significant overbearing effect and would have limited potential for

<p>overshadowing or loss of light. He therefore concluded that the development would not have a harmful impact on living conditions for neighbours and would not conflict with UDP Policy H14. He afforded little weight to the conflict with the SPG in this case and allowed the appeal subject to conditions.</p>
<p>(iii) To report that an appeal against the delegated decision of the Council to refuse advertisement consent for 3 non illuminated vinyl graphic signs at ALDI Boston Street Sheffield S2 4QA (Case No 17/02302/ADV) has been allowed.</p>
<p>Officer Comment:- The Inspector identified the main issue as being the effect of the proposal on visual amenity of the host building and the surrounding area.</p> <p>She considered the host building to be functional and felt the vinyl graphics would add an element of colour and detail to an otherwise dull elevation. She did not feel the location was particularly busy or overlooked and given the presence in the area of many other types of signage did not feel the signs would be unduly prominent or out of character and allowed the appeal.</p>
<p>(iv) To report that an appeal against the delegated decision of the Council to refuse planning consent with enforcement action for a Replacement fence (Retrospective) at 23 Lawson Road Sheffield S10 5BU (Case No 17/02495/FUL) has been allowed conditionally.</p>
<p>Officer Comment:- The Inspector identified the main issue as being whether the proposal preserves or enhances the character of the Broomhill Conservation Area.</p> <p>She noted the character of Lawson Road was dominated by large stone villas with stone boundary walls and often hedging behind, and that this character was protected by an article 4 Direction.</p> <p>She noted the fence was in place and was clearly visible and prominent in the street scene above and behind a stone boundary wall, to a relatively modern infill property erected around 1979. She recognised that wooden fencing is not a characteristic of the Conservation Area and the erosion of this character is caused by the loss of traditional features. However she felt that with time the fence colour would fade, and planting could be used to help screen it.</p> <p>She concluded therefore that subject to conditions requiring planting, the proposal would preserve the character of the Conservation Area and found no conflict with UDP policies BE5, BE16, BE17 and H14, and Core Strategy Policy CS74.</p> <p>She allowed the appeal and imposed conditions relating to the fence finish and planting.</p> <p>Officers consider this to be a particularly poor decision that contradicts the vast majority of similar appeal decisions relating to Conservation Area</p>

character.

(v) To report that an appeal against the delegated decision of the Council to refuse planning consent for a Single-storey side extension, alterations to roof space to form habitable accommodation including formation of gable end and front dormer window at 52 Glenalmond Road Sheffield S11 7GW (Case No 17/02202/FUL) has been allowed.

Officer Comment:-

The Inspector considered the main issue to be the effect of the proposal on the character and appearance of the host dwelling and surrounding area.

She noted the pair of semi's had lost much of their original symmetry through previous alterations and in this context did not agree with officers that the raising of the eaves and introduction of a front facing gable would be incongruous both as part of the host dwelling and the wider street.

She allowed the appeal and imposed conditions relating to approved drawings and materials.

5.0 RECOMMENDATIONS

That the report be noted

Rob Murfin
Chief Planning Officer

16 January 2018