



## SHEFFIELD CITY COUNCIL Planning & Highways Committee

---

**Report of:** Director of City Growth Department

---

**Date:** 24 July 2018

---

**Subject:** RECORD OF PLANNING APPEALS  
SUBMISSIONS & DECISIONS

---

**Author of Report:** Marie Robinson 0114 2734218

---

### **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  
24 JULY 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 ENFORCEMENT APPEALS RECEIVED

(i) To report an enforcement appeal has been submitted to the Secretary of State against the enforcement notice served by the City Council for the unauthorised erection of a composite door to the front of 429 Glossop Road Sheffield S10 2PR (Case No RC/83919/Planning Inspectorate Ref APP/J4423/C/18/3196188)

### 3.0 APPEALS DECISIONS - DISMISSED

(i) To report an appeal against the delegated decision of the Council to refuse planning consent for erection of a double sided illuminated digital display at Park House Old Nunnery Station Bernard Road Sheffield S2 5BQ (Case No 17/04435/HOARD) has been dismissed.

Officer Comment:-

The Inspector considered the main issue to be the effect of the proposed advertisement upon the visual amenity of the area. She noted the presence of a similar LED hoarding along the same frontage.

She concluded that two huge LED hoardings adjacent to each other would be strident and garish and dominate the buildings and site frontage as well as the highway. She therefore dismissed the appeal.

(ii) To report an appeal against the Council's non-determination of an application for planning permission to erect a dwellinghouse with integral double garage at land to rear and side of 29 Overcroft Rise Sheffield S17 4AX (Case No 17/04626/FUL) has been dismissed.

Officer Comment:-

The Inspector considered the main issues to be:-

- i) Whether the proposal would be inappropriate development in the Green Belt as set out in the NPPF;

- ii) The effect of the development on the character of the area, including the adjoining Green Belt and Area of High Landscape Value (AHLV);
- iii) The effect on the setting of the Totley Conservation Area;
- iv) If inappropriate development, whether the harm by inappropriateness is outweighed by very special circumstances.

For i) he noted engineering operations are not inappropriate provided they preserve the openness and do not conflict with the purposes of including land in the Green Belt. He felt the proposed driveway and turning area introduced development where there is currently none and would fail to preserve openness (NPPF para 79), in addition to introducing encroachment into the countryside in conflict with one of the main purposes of the Green Belt (NPPF para 80) and therefore represented inappropriate development. As inappropriate development is by definition harmful development should not be approved unless there are very special circumstances.

For ii) he considered the five-bedroomed, two storey dwelling with garage represented a reduction from the previously refused scheme but would still be a substantial building, sitting up to 2.5m taller than existing dwellings to the east, and of considerable size and scale. He felt the modern, urban development of the scale and size proposed would significantly compromise the character of the area, the setting of Totley, and the adjoining Green Belt and AHLV. He concluded it would be a substantial somewhat random and intrusive incursion beyond the well-defined built up limits of the settlement and would seriously harm the character and appearance of the area.

In respect of iii) he noted the Totley Conservation Area appraisal identifies the setting of the conservation area between town and country as one of its special features. He noted the swathe of countryside that includes the appeal site as making a significant contribution to the setting of the Conservation Area. Given his findings in respect of ii) above he felt it follows that the harmful impacts identified would also harm the setting of the Conservation Area. He considered the harm to be 'less than substantial' in reference to para's 131-134 of the NPPF but gave that significant weight and found no public benefits to outweigh the less than substantial harm.

For iv) the appellant had argued that the enlarged turning area was necessary to accommodate a tractor and trailer and other large vehicles, and would be constructed of cellular reinforced grass that would reduce its visual impact. He also argued it would provide economic benefit during construction, use sustainable construction techniques and reduce the need to travel to the neighbouring agricultural land. The inspector however considered these limited matters did not outweigh the substantial harm that would be caused to the Green Belt together with the other identified harm.

He therefore dismissed the appeal.

#### 4.0 APPEALS DECISIONS - ALLOWED

(i) To report that an appeal against the decision of the Council at its meeting on the 27<sup>th</sup> February 2018 to refuse planning consent for an application under Section 73 to remove a condition for provision of shared pedestrian/cycle path at Cowmouth Farm 33 Hemsworth Road Sheffield S8 8LJ (Case No 17/04771/FUL) has been allowed and planning permission is granted subject to conditions in the terms set out in the decision.

Officer Comment:-

Members may recall that this proposal was recommended for approval by officers at the meeting of 27<sup>th</sup> February, but Members did not agree with the recommendation and refused permission.

The Inspector considered the main issue to be whether the condition is necessary or reasonable with regard to sustainable travel choices and the prevention of crime.

She noted the route was a historic one through private land that had no status as a public right of way, and that if maintained it would save a small number of residents around 250m on journey distance to Woodseats District Centre. She agreed with the officer report to Committee that concluded the path would not significantly reduce journey times to local or district centres for large numbers of residents and would not contribute significantly to connectivity in the locality.

She also felt the lack of natural surveillance of the route would mean it was not of good quality and noted the South Yorkshire Police advice on a previous application that such footpaths can be a crime and nuisance generator. She concluded the prevention of crime outweighed the limited benefit of providing the short cut.

She therefore allowed the appeal finding no conflict with policies CS53 and CS74 of the Core Strategy, T7 and T10 of the UDP, or para 69 of the NPPF.

## 5.0 RECOMMENDATIONS

That the report be noted

Rob Murfin  
Chief Planning Officer

*24 July 2018*

This page is intentionally left blank