



SHEFFIELD CITY COUNCIL Planning & Highways Committee

Report of: Director of City Growth Department

Date: 14 August 2018

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 14 AUGUST 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) To report an appeal has been submitted to the Secretary of State against the delegated decision of the City Council to refuse planning permission to erect a two-storey and single-storey rear extension to dwellinghouse 95 Horndean Road Sheffield S5 6UJ (Case No 18/00103/FUL)

(ii) To report an appeal has been submitted to the Secretary of State against the delegated decision of the City Council to refuse planning permission to erect a first-floor rear extension to dwellinghouse 84 Burngreave Road Sheffield S3 9DE (Case No 17/05235/FUL)

(iii) To report 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 outbuilding to shop (Use Class A1) (Retrospective) 81 The Oval Sheffield S5 6SP (Case No 18/00102/FUL)

(iv) To report an appeal has been submitted to the Secretary of State against the delegated decision of the City Council to refuse planning permission for application under Section 73 to vary condition 2 (Approved drawings) and to remove condition 7 (Alterations of existing dwelling) of approved planning application 17/01522/FUL to retain the existing dwellinghouse 6 Chancet Wood View Sheffield S8 7TS (Case No 18/00432/FUL)

3.0 APPEALS DECISIONS - DISMISSED

(i) An appeal against the delegated decision of the Council to refuse planning consent for application to allow removal of condition relating to materials used for shared surfaces/private drives (Application under section 73 to remove condition no. 18); relating to planning permission 16/04208/FUL Land At Junction With Fretson Road Queen Mary Road Sheffield S2 1PA (Case No 17/00798/FUL) has been dismissed.

Officer Comment:-

The Inspector considered the main issue to be whether the condition is necessary and reasonable in the interests of highway safety and in terms of visual amenity. The applicant wanted to use a gravel surface and the Council contended that this was not appropriate for drives above a 1 in 12 gradient and on shared surfaces.

The Inspector was not persuaded by the appellant's argument that homeowners would routinely maintain their drives by raking the aggregate and brushing loose stones back that have deposited on the highway. In relation to shared surfaces she concluded that there was even greater potential for stone to migrate onto the highway due to the increased usage. She felt that, over time, the migration of stones onto the highway would be an increasing problem and would create an uneven surface leading to possible slips, trips and skids which would be detrimental to highway safety.

The Inspector also considered that a loose aggregate driveway would make access for wheelchairs or pushchairs more difficult and particularly challenging on shared surfaces due to their added length.

Material to the Inspector's consideration in this case was the South Yorkshire Residential Design Guide which states that drives and shared surfaces should be constructed of bound materials, although she attributed limited weight to it as it is not adopted as supplementary planning guidance.

In terms of visual amenity she considered that the encroachment of stones onto the highway would make street frontages look generally untidy and that the propensity for weed growth would further add to this unsightliness over time.

In conclusion the Inspector considered that the imposition of the condition was necessary in the interests of highway safety for pedestrians and cyclists, as well as for people with disabilities and pushchairs, as well as being necessary in the interests of visual amenity. She therefore dismissed the appeal.

(ii) An appeal against the delegated decision of the Council to refuse planning consent for erection of first-floor rear extension at Flat 3 3 Tenterden Road Sheffield S5 6AJ (Case No 18/00298/FUL) has been dismissed.

Officer Comment:-

The Inspector considered that the main issues were the effect of the development on the character of the area and on the living conditions of 43 Leedham Road in terms of overlooking and loss of privacy.

He considered that the extension would result in a prominent feature in the street and clearly visible in longer views. He considered it to be an unsympathetic addition and incongruous in the street.

The extension would include a bedroom window immediately opposite 43 Leedham Road, directly facing its habitable room windows in close proximity. He concluded that this would result in direct overlooking and undermine the privacy of no.43.

For these reasons the Inspector concluded that the proposed extension was contrary to Policy H14 of the UDP and the Supplementary Planning Guidance on House Extensions.

(iii) An appeal against the delegated decision of the Council to refuse planning consent for erection of first-floor front/side extensions to dwellinghouse 40 Colister Gardens Sheffield S9 4HH (Case No 18/00961/FUL) has been dismissed.

Officer Comment:-

The Inspector considered the main issue to be the impact of the proposals on the living conditions of occupiers of 57 Colister Gardens, adjacent to the proposed extension.

She noted the unusual relationship of the appeal property relative to this property in that its side elevation completely encloses the rear garden to that property. She concluded that the proposed two storey extension would be very dominant and overbearing to this garden and make it a less pleasant amenity area because of the proposed two storey gable wall which would flank it. She also noted that there would be a perception of overlooking from the proposed windows, albeit that they would be obscure glazed.

She concluded that the extension would have a severely harmful impact on the living conditions of the occupants of no.57 and she dismissed the appeal.

4.0 RECOMMENDATIONS

That the report be noted

Rob Murfin
Chief Planning Officer

14 August 2018

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