



SHEFFIELD CITY COUNCIL Planning & Highways Committee

Report of: Director of City Growth Department

Date: 14 May 2019

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
4 JUNE 2019

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 demolition of workshops and erection of 5 apartments in 2 blocks (As per amended drawings received on the 4 January 2019) (amended description) Russell Hutton Bespoke Kitchens 23 Hillsborough Road Sheffield S6 4JL (18/03626/FUL).

3.0 APPEALS DECISIONS – DISMISSED

(i) To report that an appeal against the delegated decision of the Council to refuse listed building consent for alterations to gate lodge including demolition of existing extension and erection of replacement extension Oakes Park Lodge School Lane Norton Sheffield S8 8BL (Case No 16/00723/LBC) has been dismissed.

Officer Comment:-

The Inspector identified the main issue as the effect of the development upon the special interest of Oakes Park Lodge, a grade 2 listed building.

The Inspector noted the presence of the lodge within the Oakes Park Conservation Area, and also within the Historic Park and Garden. She noted the square section of the lodge's original form, and its substantial, unattractive 1970's additions.

Whilst she agreed with the Council that the removal of the 1970's addition would be acceptable in principle, she also agreed that the proposed replacement was substantially larger, almost double the length of the existing lodge and would be wholly disproportionate, becoming the dominant element of the building, taking it even further from its original form.

She did not consider the contemporary approach to be successful, and felt it would be harmful to the historic context.

She considered the extensions would fail to meet the statutory test in the Planning (Listed Buildings and Conservation Areas) Act 1990 to preserve and enhance. In addition it failed to comply with the Council's UDP and Core Strategy policies which she considered were in compliance with the NPPF despite their age.

In relation to paragraphs 193- 96 of the NPPF she did not consider the provision of additional on-site staff accommodation, or removal of the building from the 'at risk' register to be the sufficient public benefit that is required for the harm to the listed building to be outweighed. She considered that a programme or restoration alongside a more sensitive proposal could secure the building's viable future.

She therefore dismissed the appeal.

*NB – this appeal related solely to the refusal of Listed Building Consent. A refusal of Planning Permission based primarily upon the impact of the development on the Green Belt was not appealed by the applicant and is not therefore referred to by the Inspector

(ii) To report that an appeal against the delegated decision of the Council to refuse planning consent for demolition of existing garage and erection of a three-storey side extension and erection of a garage to front garden area (Amended plans received 24/09/2018 and 26/09/2018) 50 Carsick Hill Road Sheffield S10 3LW (Case No 18/02413/FUL) has been dismissed.

Officer Comment:-

The Inspector concluded that the main issues were whether the proposal would preserve or enhance the character or appearance of the Ranmoor Conservation Area and the implications for highway safety,

In terms of the design, the Inspector felt that the extensions would employ a number of elements, especially in respect of the roof forms which would present a cluttered and confused appearance.

It was also considered that the extension would jar with the simple design of the existing dwelling and fail to integrate with it and so appear as an incongruous addition.

It was also considered that the overall scale and massing of the extensions would dominate the host property making it appear engulfed in extensions.

In addition, the wide garage door would introduce a suburban feature which would detract from the historic character and charm of the host property

The Inspector did not consider that the proposal would harm traffic safety
The Public Sector Equality Duty was examined, however this did not override the harm caused and so the appeal was dismissed.

4.0 APPEALS DECISIONS – ALLOWED

(i) To report that an appeal against the delegated decision of the Council to refuse planning consent for erection of a workshop (Use Class B2 - General Industrial) land at Bamburgh House Cuthbert Bank Road Sheffield S6 2HP (Case No 18/00252/FUL) has been allowed.

Officer Comment:-

The Inspector considered that the main issue was the effect of the proposal on local occupiers with regard to noise and disturbance.

The Inspector noted that the site was occupied by a window and door manufacturer and that there was a mix of uses in the locality including flats on Cuthbert Bank Road. The proposed workshop was to be occupied by and form part of, the existing industrial operation. No undue noise was experienced on the Inspector's site visit and it was understood that previous noise assessments had concluded that there was no reason why residential development should not be allowed nearby. This would provide an assurance that the site's use was not prone to causing disturbance. The workshop would be served by opening facing Bamburgh House rather than across Cuthbert Bank Road helping to ensure that any activity is focussed within the grounds rather than to Cuthbert Bank Road.

Traffic movements would be limited in number.

Subject to a number of conditions, it was not considered that the development would cause significant noise or disturbance to nearby residential and so the appeal was allowed

(ii) To report that an appeal against conditions imposed on the committee decision of the Council to approve planning consent for continued use of the site as a car sales forecourt, retention of portable sales building and siting of 4 floodlights at Express Hand Car Wash 270 Handsworth Road Sheffield S13 9BX (Case No 18/00266/FUL) has been allowed in part.

Officer Comment:-

The applicant appealed against Conditions 4, 5 and 8 of the planning approval which included the requirement to provide a turning area on the site & 5 customer parking bays; to only operate between 0800 hours and 1800 hours Mondays to Saturdays (with no working on Sundays and Bank Holidays); and to limit the type of plant and machinery that could be used at the property.

The Inspector agreed with the imposition of the conditions relating to opening hours and limiting the use of plant and machinery but, whilst agreeing with the principle of needing customer parking bays, considered that 3 spaces would be adequate (as opposed to 5) but did confirm that a turning space was required on the site.

5.0 ENFORCEMENT APPEALS

Nothing to report

6.0 RECOMMENDATIONS

That the report be noted.

Colin Walker
Interim Head of Planning

4 June 2019

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