



SHEFFIELD CITY COUNCIL Planning & Highways Committee

Report of: Director of City Growth Department

Date: 8 October 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
8 OCTOBER 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

<p>(i) An appeal has been submitted to the Secretary of State against the delegated decision of the City Council to refuse planning permission for alterations and extension to front porch at 14 Atlantic Walk Sheffield S8 7FY (Case No 19/01478/FUL)</p>
<p>(ii) 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 single-storey front extension, erection of a single-storey side/rear extension, and alterations to ground floor windows on side elevation to form bay windows (amended description 17/07/2019) at 3 Haugh Lane Sheffield S11 9SA (Case No 19/01851/FUL)</p>
<p>(iii) 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 roof including raised ridge height and rear to rear, erection of single-storey side and rear extensions to dwellinghouse at 4 Devonshire Road Sheffield S17 3NT (Case No 19/04322/FUL)</p>
<p>(iv) 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 single-storey rear extension to dwellinghouse. (Amended 27.06.2019) at 200 Earl Marshal Road Sheffield S4 8LB (Case No 19/00132/FUL)</p>
<p>(v) An appeal has been submitted to the Secretary of State against the delegated decision of the City Council to refuse planning permission for use of workshop as a dwellinghouse (Use Class C3) at Unit 1 rear Of 430 Abbeydale Road Sheffield S7 1FQ (Case No 19/01075/FUL)</p>
<p>(vi) 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 land at former 142 Cross Lane Crookes Sheffield S10 1WP (Case No 19/00562/FUL)</p>

3.0 APPEALS DECISIONS – DISMISSED

(i) To report that an appeal against the delegated decision of the Council to refuse planning permission for Alterations to roof space to form habitable accommodation including erection of front dormer, new access to garage at lower-ground floor level and steps to main door of dwellinghouse at 16 Welbeck Road Sheffield S6 5AY (Case No 19/01413/FUL) has been dismissed.

Officer Comment:-

The Inspector identified the main issue as the effect of the proposed dormer on the character and appearance of the host property and the street scene within Welbeck Road.

He noted the semi-detached property was located in an area of mixed housing types with varied roof forms.

He noted the Council's Supplementary Planning Guidance (SPG) resists dormers which dominate the roof slope and rise above the existing ridge line.

In this case he noted the proposed dormer would occupy a large proportion of the depth and width of the roof slope and would rise above the ridge. He felt the box form would give a stark and discordant appearance when viewed from both Fern Road and Welbeck Road, and would unbalance the pair of dwellings.

He therefore agreed with officers that the dormer was an over-sized, disproportionate and overly prominent feature on the roof that would cause harm to the appearance of the host property and the street scene, in conflict with policies H14, BE5 of the UDP, Guideline 2 of the SPG and paragraph 127 of the NPPF.

He therefore 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 partial demolition of existing house, and erection of a new dwellinghouse. (Amended Description) at curtilage of 120 Bushey Wood Road Sheffield S17 3QD (Case No 18/01553/FUL) has been allowed.

Officer Comment:-

The Inspector identified the main issue as being the effect of the new dwelling on the character and appearance of the host property, and the street scene.

Although the new dwelling would be larger than the host property and significantly reduce its garden, the Inspector felt that it would not have a dominating effect upon the host property owing to their orientation, the 1.5 storey height of the new dwelling and existing boundary treatment.

As the scale and character of the existing street varies considerably, the size of the new dwelling would not appear incongruous. In addition it would remove the annexe building which currently detracts from the appearance of the street. The Inspector did not consider the location of the dwelling close to the highway to be a significant concern.

The Inspector did not agree with officers that the dwelling would occupy a much smaller plot than exists elsewhere in the locality, thereby representing a development that is out of character. They concluded that existing vegetation screens views of the sense of space.

The Inspector therefore found that subject to appropriate conditions the development would not have a materially harmful effect and would not therefore conflict with relevant local and national policies.

Permission was granted subject to conditions.

5.0 CIL APPEALS DECISIONS – DISMISSED

(i) To report that an CIL appeal (Regulation 114 Chargeable amount) against the decision of the Council on the review of the chargeable amount of CIL for the application to allow relocation of bin store to external west elevation, omission of entrance to unit 11, relocation of the plant room entrance, reconfiguration/reduction of 2x openings to rear elevation, reduction of floor level to the plant room and remove requirement for a scheme of sound insulation works (Application under Section 73 to vary condition No.s 2. (Approved plans) 6. (flood) 10. (sound insulation works) & 11. (validation testing) as imposed by planning permission No. 17/01576/FUL at Site Of Former Green Lane Works Green Lane Shalesmoor Sheffield S3 8SE (Case No 18/01792/FUL) has been dismissed.

Officer Comment:-

Regulation 114 appeals are determined by an Appointed Person from the Valuation Office Agency.

The Appointed Person considered all the submissions made by the appellant and the submissions made by the Collecting Authority (CA), Sheffield City Council.

Having carefully weighed up the submitted evidence in this case, the appointed person concluded that there is insufficient evidence to prove that

the building has been an 'in-use building' which satisfies Regulation 40(11) as amended. The evidence is not of sufficient quality to prove continuous use for the required period. Therefore, it was reasonable for the CA to deem that the property was not an in-use building for CIL purposes.

In conclusion, having considered all the evidence put forward, the appointed person considered that based on the particular facts of this case the CIL payable should be the sum of £103,618.11, rather than the appellants opinion that the CIL payable should be £2,961.

6.0 ENFORCEMENT APPEALS

Nothing to report

7.0 RECOMMENDATIONS

That the report be noted.

Colin Walker
Interim Head of Planning

8 October 2019

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