



**REPORT TO CITY CENTRE, SOUTH &
EAST PLANNING AND HIGHWAYS
COMMITTEE**

DATE 11 JUNE 2012

REPORT OF DIRECTOR OF DEVELOPMENT SERVICES

ITEM

SUBJECT RECORD OF PLANNING APPEALS SUBMISSIONS AND DECISIONS

SUMMARY

LIST OF ALL NEWLY SUBMITTED PLANNING APPEALS AND DECISIONS RECEIVED, TOGETHER WITH BRIEF SUMMARY OF INSPECTOR'S REASONS FOR DECISION

RECOMMENDATIONS

TO NOTE

FINANCIAL IMPLICATIONS

NO

PARAGRAPHS

CLEARED BY

N/A

BACKGROUND PAPERS

CONTACT POINT FOR ACCESS

Sue McGrail

TEL NO:

0114 2734404

AREA(S) AFFECTED

**CATEGORY OF
REPORT**

OPEN

DEVELOPMENT SERVICES

REPORT TO CITY CENTRE,
SOUTH & EAST PLANNING &
HIGHWAYS COMMITTEE
11 JUNE 2012

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

a) An appeal has been submitted to the Secretary of State against the decision of the City Council to refuse planning permission, under delegated powers, for:	
i)	the erection of two dwellinghouses at the site of Norton Oakes Park Cottages, Oakes Park, Norton Avenue (Case No: 11/03313/FUL);
ii)	a two-storey rear extension to a dwellinghouse at 14 Moorgate Avenue S10 1EQ (Case no: 12/00089/FUL);
iii)	a two-storey side extension, single-storey front extension, including porch and detached garage to a dwellinghouse at 72 to 74 Birkendale Rd S6 3NL (Case no: 12/00215/FUL);
iv)	a two-storey side/rear extension to a dwellinghouse and erection of canopy to the front entrance and garage – resubmission of planning application 11/02066/FUL (Case no: 12/00726/FUL); and
v)	the change of use of a shop from a letting agency to hot food take-away at 464 Ecclesall Road (Case No 12/00214/CHU) and;
b) An appeal has been submitted to the Secretary of State against the decision of the City Council to refuse advertising consent, under delegated powers, for signs at HSBC, 50 Upper Hanover Street (Case no: 11/03929/ADV).	
c) An appeal has been submitted to the Secretary of State against the decision of the City Council to serve an Enforcement Notice served in respect of the removal of a stone wall and the erection of a steel roller shutter to the rear of 4 Parkers Road	

3.0 APPEALS DECISIONS - ALLOWED

An appeal submitted to the Secretary of State against the decision of the City Council to refuse planning permission for the use of part of a GP practice as a 100 hour pharmacy, including consultation rooms at Darnall Health Centre, 2 York Road, Darnall has been allowed (case no: 11/03255/CHU).

Officer Comment:-

The Inspector concluded that whilst the pharmacy might take some trade away from the two existing pharmacies in Darnall Centre, it would be unlikely to divert a significant amount of trade from the District Centre as a whole and the planning system is not intended to protect individual business interests.

The Inspector felt that there was no convincing evidence that there would be reduced footfall in the centre as a result of people no longer carrying out linked trips to the existing pharmacies and adjoining shops and he concluded that the 100 hour pharmacy would not detract unacceptably from the vitality and viability of the Darnall District Centre.

On the issue of residential amenity the Inspector considered that the use would not significantly harm the amenity of nearby houses through noise and other disturbance. He felt that the site was substantially separated from the houses, that there was already background noise on Greenland Road and that after hours use would be very limited.

The Inspector granted permission for the 100 hour pharmacy and at the same time made an award of costs against the Council because he felt that the Council had failed to provide evidence to support the first reason for refusal (impact on the vitality and viability of the District Centre) and had therefore acted unreasonably. He did not consider the second reason for refusal to be unreasonable (amenity of adjoining residents) although he didn't agree with our assessment.

4.0 RECOMMENDATIONS

That the report be noted

David Caulfield
Head of Planning

11 June 2012

This page is intentionally left blank