

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 APPEALS DECISIONS - DISMISSED

(i) An appeal against the decision of the City Council to refuse planning permission, under delegated powers, for a change of use from a letting agency to a hot food takeaway and siting of extractor ducting at 464 Ecclesall Road (Case No 12/00214/CHU) has been dismissed.

Officer Comment:-

The Inspector considered the main issue to be the effect of the proposal on the living conditions of local residents from the locating of trade waste bins within the communal area at the rear of 464 Ecclesall Road; increased noise and disturbance; and cooking odours.

She noted that the communal amenity area was small, already crowded and housed bins. She felt further bins would increase the clutter.

She was not convinced, given the location on a busy road with many other commercial premises, that the increase in traffic coming and going would be unduly harmful. She did however agree that customers coming and going and waiting for and eating food outside the premises would be likely to be disturbing to neighbouring flat occupants, particularly in the evenings when background noise levels were lower. Staff activity at the rear of the premises was also likely to cause harm, she felt.

The likely location of the extraction flue, close to roof lights of neighbouring flats would be likely to impinge severely on the living conditions of neighbours.

Overall therefore, she agreed with the Council that the change of use would be harmful to living conditions and in conflict with relevant policies (H14 of the Unitary development Plan) and dismissed the appeal.

(ii) An appeal against the decision of the City Council to refuse planning permission, under delegated powers, for a two-storey side/rear/front extension, single-storey rear extension and alterations/extensions to a roof with front and rear dormers to create additional living accommodation at 20 High Storrs Rise (Case No 12/01039/FUL) has been dismissed.

Officer Comment:-

The Inspector considered the main issue to be the impact of the development upon the appearance of the property and the street scene.

He noted the property was one of a pair of semi-detached dwellings that due to levels have a level and height difference of 1m. He also noted many properties in the street had extensions, including many of poor visual quality including gable ends on originally hip-roofed properties.

This application included a two storey front extension as a variation to a previous approval, so the Inspector concentrated on this element. He noted the extension would reduce the prominence of the bay window on the property which is a defining characteristic of the dwelling and its neighbour. He also noted the bulk of the front extension in conjunction with the side extension would be an incongruous addition that would not respect the scale and character of the dwelling.

In street scene terms the Inspector agreed that the extension would disrupt the rhythm of the street.

In summary he agreed with the Council that the proposal would conflict with relevant policies (BE5/H14/CS74 and Supplementary Planning Guidance 'Designing House Extensions') and dismissed the appeal.

(iii) An appeal against an Enforcement Notice served by the City Council in respect of unauthorised lighting columns at 2 Ringinglow Road, Ringinglow Village has been dismissed.

Officer Comment:-

The appellant appealed on ground (f) – That steps required to comply with the requirements of the enforcement notice are excessive and lesser steps would overcome the objections. He suggested that the columns could be reduced in height and suitably painted.

The Inspector noted the Council's reasons for issuing the notice related to their location within the Green Belt, an Area of High Landscape Value, and the setting of a Listed Building. He felt the notice correctly seeks to remedy the breach by returning the land to its former condition, and felt the appellant's request for under enforcement would not reflect the requirements of s173 of the Town and Country Planning Act 1990 as amended, and would lead to uncertainty.

He therefore dismissed the appeal.

3.0 RECOMMENDATIONS

That the report be noted

David Caulfield
Head of Planning

14/11/12