



## SHEFFIELD CITY COUNCIL City Centre, South & East Planning & Highways Committee

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**Report of:** Director of Development Services

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**Date:** 4 FEBRUARY 2013

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**Subject:** RECORD OF PLANNING APPEALS  
SUBMISSIONS & DECISIONS

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**Author of Report:** Sue McGrail 0114 2734404

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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

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**Reasons for Recommendations**

**Recommendations:**

To Note

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**Background Papers:**

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**Category of Report:** OPEN

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## DEVELOPMENT SERVICES

REPORT TO CITY CENTRE,  
SOUTH & EAST PLANNING &  
HIGHWAYS COMMITTEE  
4 FEBRUARY 2013

### 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 for the continued use of land as a temporary car park at the site of Richardson's Cutlery Works, Alma Street (Case No 12/02490.CHU)
(ii) An appeal has been submitted to the Secretary of State against the Delegated decision of the City Council for a single story rear extension to dwellinghouse and erection of a car port at 69 Lightwood Lane (Case No 12/02979/FUL)
(iii) An appeal has been submitted to the Secretary of State against the decision of the City Council at its meeting on the 5 <sup>th</sup> November 2012 to refuse planning permission for the retention of a summerhouse, raised decking and climbing frame and use of land as a domestic garden at 8 White Lane (Case No 12/00392/FUL)
(iv) An appeal has been submitted to the Secretary of State against the decision of the City Council at its meeting of the 15 <sup>th</sup> October 2012 for alterations to a basement to form additional living accommodation, provision of an escape window at basement level with metal railing and gate above lightwell at site at 32 Crescent Road (List No 12/01976/FUL)
(v) An appeal has been submitted to the Secretary of State against the Delegated decision of the City Council for the erection of front & rear dormer windows to dwellinghouse at 17 The Nook (Case No 12/00935/FUL)
(vi) An appeal has been submitted against an Enforcement Notice served in respect of unauthorised windows to the front & side of property at 2 Albany Road
(vii) An appeal has been submitted to the Secretary of State against the decision of the Council at its meeting held on 17 <sup>th</sup> December 2012 for alterations to door and window openings and use of building as 6 flats at 102a/b Harcourt Road (Case No 12/03456/FUL)

(viii) An appeal has been submitted to the Secretary of State against the decision of the Council at its meeting held on 14 January 2013 for the demolition of a storage building and erection of two dwellinghouses including the construction of a temporary access road at Fern Glen Farm, Hathersage Road, Dore (Case No 12/03177/FUL)

### 3.0 APPEALS DECISIONS - DISMISSED

(i) To report that an appeal against the delegated decision of the Council to refuse planning consent for use of dwellinghouse as a house in multiple occupation (change of use from Class C3 to C4) at 23 Denham Road has been dismissed (Case No 12/01058/CHU)

Officer Comment:-

The Inspector noted the main issues to be the effect of the proposal on the residential character of the area; and upon living conditions in the area.

The Inspector agreed with the Council that as 60% of properties within 200m of the site are shared housing, the residential character of the area was already under threat, and to allow the proposal would exacerbate this, and undermine the aims of policy CS41 of the Core Strategy, to support mixed and balanced communities.

Given the busy location of the site near to Ecclesall Road, she did not however agree that there would necessarily be adverse impact upon neighbouring residents living conditions from extra comings and goings of occupants, subject to appropriate sound insulation being provided, and as such there would be no significant conflict with policies H5 or H14 of the UDP.

On balance however, she gave greater weight to the creation of mixed communities and dismissed the appeal.

(ii) To report that an appeal against the decision of the Council at its meeting on 2<sup>nd</sup> July 2012 to refuse planning consent for the erection of 24 dwellinghouses including car parking and landscaping at land off Sandstone Road, has been dismissed (Case No 11/03972/FUL)

Officer Comment:-

The Inspector concluded that the proposed development would lead to substantial harm to the significance of the Scheduled Ancient Monuments (SAMs) (the Hill Fort and the Roman Ridge) as designated heritage assets and the loss of valued open space. He believed that further development on the hillside would compound the harm already caused by the housing that was constructed in the 1960s / 70s and would intensify the built up nature of the eastern slope. The current state of knowledge relating to the archaeology of Wincobank Hill Fort, the Roman Ridge and the wider environs is poor and

as such the Inspector felt that this supports a restriction on development of the site in order to ensure that future findings of the true value of a potentially high value heritage asset is not compromised by development now. He concluded that retaining the site as open space is vitally important to the interpretation of the SAMs and the wider historic landscape and that the proposed development would be contrary to UDP Policy BE22, key Framework objectives and Core Strategy Policy CS47.

(iii) To report that an appeal against the decision of the Council at its meeting on 6<sup>th</sup> February, 2012 to refuse planning permission for the demolition of the existing dwelling and the erection of 14 apartments including car parking and landscaping at 135 Dore Road has been dismissed (Case No. 12/00567/FUL)

Officer Comment:-

The Inspector considered the main issue to be effect of the proposal on the character and appearance of the area.

He noted the site was in an area of Dore with a coarser urban grain than the village centre, and that the plot was particularly large. He recognised the NPPF promoted optimising the development potential of sites, but that this was countered by the Council's Core Strategy Policy CS31 that gives priority to safeguarding areas of character in south west Sheffield. With this in mind he noted the typical density of the area was 12 dwellings per hectare (dph) and that the proposal had a density of 32 dph, in contrast to previously approved schemes of 12 and 14 dph.

He considered that this density manifested itself in overlarge apartment buildings, with footprints far larger than other buildings on Dore Road. He felt the scale of buildings would dominate the appeal site and would be prominent in public views. He recognised some quality in the composition of the buildings but did not feel this could overcome fundamental objections with regards to the excessive scale of the development.

He agreed with the Council that the extant permissions for 6 and 8 houses would not have an adverse effect on the character and appearance of the area but felt that the appeal proposals would, and found it conflicted with guiding principle in the NPPF of securing high quality design in new development, and would conflict with policies BE5 and H14 of the UDP, and CS31 and CS74 of the Core Strategy.

He recognised the scheme would contribute additional housing and that the Council has less than 5 years of supply, but felt the harm that would be caused to the character and appearance of the area would demonstrably outweigh this.

He did not agree with concerns expressed by third parties that the

development would have an unacceptable impact upon neighbours living conditions, highway safety, flooding and ecology.

Overall he considered the development would be sustainably located and constructed and have social and economic benefits. There would also be no harm to living conditions, highway safety. Ecology, or flood risk, but he felt the presumption in favour of development was significantly and demonstrably outweighed by the comprehensive harm the proposal would cause to the character and appearance of the area. He therefore dismissed the appeal.

#### 4.0 APPEALS DECISIONS - ALLOWED

(i) To report that an appeal against the decision of the Council at its meeting of 13<sup>th</sup> August 2012 for a change of use to hot food take-away and the erection of an external flue at 44 High Street, Mosborough, has been allowed (Case No 12/01609/FUL)

##### Officer Comment:-

The Inspector concluded that the change of use would contribute to the vibrancy of the shopping centre without unduly affecting the quality of life for local residents. He appreciated the concerns expressed by local residents but felt that there was no convincing evidence to depart from the provisions of the Unitary Development Plan Policy, which allows for hot food takeways in designated Local Shopping Centres subject to certain safeguards which can be dealt with by imposing appropriate conditions. He therefore allowed the appeal subject to the following conditions:

1. Use to commence within 3 years
2. Development to be carried out in accordance with approved plans
3. Hours of use to be 1100-2300 Mon-Fri; 1100-2330 Sat; 1100-2200 Sun
4. Fume extraction equipment to be installed
5. No movement of waste bottles etc outside agreed times
6. All refuse bins to be stored at rear of property
7. No deliveries outside specified hours
8. Suitable litter bin to be provided
9. First floor flat to be occupied by employees only
10. No amplified music
11. External flue to be painted black

## 5.0 APPEAL - DISCONTINUANCE NOTICE

To report that an appeal against a Discontinuance Notice served in respect of unauthorised advertisement panel on the flank wall at 298A Ecclesall Road has been dismissed

### Officer Comment:-

The Inspector identified the main issue to be whether the continued use of the east facing flank wall for the display of adverts would be detrimental to visual amenity.

She felt the large number of signs on the upper floors of properties in the area to result in general clutter that is detrimental to the visual quality of the area. She agreed with the Council that the sign is in a prominent location, visible on approach along Ecclesall Road, and that it fails to respect the architectural proportions of the gable wall, and causes harm to the street scene.

She concluded that the continued display of advertisements on the gable wall would be substantially injurious to visual amenity and dismissed the appeal, upholding the discontinuance notice. The sign has to now be removed by 4<sup>th</sup> March 2013.

## 6.0 RECOMMENDATIONS

That the report be noted

David Caulfield  
Head of Planning

4 February 2013