

DEVELOPMENT SERVICES

REPORT TO PLANNING & HIGHWAYS COMMITTEE 11 June 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 decision of the City Council to refuse planning permission, under delegated powers, for a single-storey rear extension to a dwellinghouse at 49 Cairns Road (Case No 13/00484/FUL).

(ii) 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 use of the ground floor as 1 bedroom flat at Nevios, 224 Gleadless Road (Case No 12/03668/FUL).

(iii) 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 a single-story front extension to a dwellinghouse at 19 Hibberd Place (Case No 13/00510/FUL).

(iv) A lawful development certificate appeal has been submitted to the Secretary of State against the decision of the City Council to refuse an application for a Lawful Development Certificate, under delegated powers, for the provision of a 1m high gate to the rear boundary wall of dwellinghouse (Application under Section 192) at 44 Kensington Drive (Case No 13/00421/LD2).

(v) An appeal has been submitted to the Secretary of State against the decision of the City Council to refuse planning permission, at its meeting held on 18th March 2013, for the installation of external lighting to three tennis courts (Resubmission of planning application no. 12/00767/FUL) at Dore and Totley Tennis Club, 48 Devonshire Road (Case No 13/00285/FUL).

3.0 APPEALS DECISIONS - DISMISSED

(i) An appeal against the decision of the City Council to refuse planning consent, under delegated powers, for alterations to the first floor above a garage, to form a self-contained flat at 206 Earl Marshall Road (Case No 12/01126/CHU) has been dismissed.

Officer Comment:-

The Inspector considered the main issue to be the effect of the proposal on the character of the surrounding residential area. The proposal would introduce a small flat into an area characterised by substantial well established detached and semi-detached houses. In contrast, the proposed small unit, set back from the building line and within the rear garden would be out of character.

The subdivision of the garden along with boundary enclosures would introduce a feature at odds with the pattern of long rear gardens.

I was also considered that the proposal would set a precedent for similar developments, exacerbating the harm to the character of the area

There were some benefits to the proposal but these did not override the harm caused. The application was, therefore, contrary to Policy H14 and so the appeal was dismissed.

4.0 APPEALS DECISIONS - ALLOWED

An appeal against the decision of the City Council to refuse planning permission, under delegated powers, for the erection of front and rear dormer windows to a dwellinghouse at 17 The Nook (Case No 12/00935/FUL) has been allowed.

Officer Comment:-

The Inspector considered the main issue to be the effect of the proposed dormer windows on the character and appearance of the dwelling and its surroundings.

She noted guidance within the Council's Supplementary Planning Guidance 'Designing House Extensions' that dormer windows should not dominate a roof plane and should have windows that align with and are of similar proportions to others within the dwelling.

She concluded that the proposed front dormer would not dominate the roof plane and despite being larger than windows below, would 'to some extent' maintain the hierarchy of windows. She considered that adjoining dwellings were varied in their appearance and the dormer would not disrupt the

appearance of the terrace. In addition, she considered that there were other examples of dormer windows elsewhere in The Nook that establish their presence as a feature of the street scene.

She therefore concluded there was no conflict with UDP policies H14 and BE5 or with Core Strategy Policy CS74 and allowed the appeal.

5.0 RECOMMENDATIONS

That the report be noted

David Caulfield
Head of Planning

11 June 2013

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