



## SHEFFIELD CITY COUNCIL Planning & Highways Committee

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**Report of:** Director of City Growth Department

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**Date:** 4 September 2018

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

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**Author of Report:** Marie Robinson 0114 2734218

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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 PLANNING &  
HIGHWAYS COMMITTEE  
4 SEPTEMBER 2018

### 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 to refuse planning permission for Erection of a dwellinghouse (Re-submission of planning permission 17/01378/FUL) land adjoining Kelgate and South Street Mosborough Kelgate Sheffield S20 5EJ (18/00824/FUL)
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### 3.0 APPEALS DECISIONS - DISMISSED

(i) To report an appeal against the delegated decision of the Council to refuse planning consent for siting of solar powered telephone kiosk (Application for determination if approval required for siting and appearance) outside 31-35 The Moor Sheffield S1 4PF (Case No 17/02961/TEL) has been dismissed.
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(ii) To report an appeal against the delegated decision of the Council to refuse planning consent for siting of solar powered telephone kiosk (Application for determination if approval required for siting and appearance) pavement outside 30 The Moor Sheffield S1 4PF (Case No 17/02276/TEL) has been dismissed.
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(iii) To report an appeal against the delegated decision of the Council to refuse planning consent for siting of solar powered telephone kiosk (Application for determination if approval required for siting and appearance) pavement outside 45 Division Street Sheffield S1 4GF (Case No 17/02270/TEL) has been dismissed.
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(vi) To report an appeal against the delegated decision of the Council to refuse planning consent for siting of solar powered telephone kiosk (Application for determination if approval required for siting and appearance) pavement outside 47 Hereford Street Sheffield S1 4PP (Case No 17/02273/TEL) has been dismissed.
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(v) To report an appeal against the delegated decision of the Council to refuse
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<p>planning consent for siting of solar powered telephone kiosk (Application for determination if approval required for siting and appearance) pavement outside 23 Furnival Gate Sheffield S1 4HW (Case No 17/02275/TEL) has been dismissed.</p>
<p>(vi) To report an appeal against the delegated decision of the Council to refuse planning consent for siting of solar powered telephone kiosk (Application for determination if approval required for siting and appearance) outside 1 Suffolk Road Sheffield S1 4AG (Case No 17/02962/TEL) has been dismissed.</p>
<p>(vii) To report an appeal against the delegated decision of the Council to refuse planning consent for siting of solar powered telephone kiosk (Application for determination if approval required for siting and appearance) outside 11 Fargate Sheffield S1 2HE (Case No 17/03092/TEL) has been dismissed.</p>
<p>(viii) To report an appeal against the delegated decision of the Council to refuse planning consent for siting of solar powered telephone kiosk (Application for determination if approval required for siting and appearance) outside 51 Furnival Gate Sheffield S1 4HW (Case No 17/03094/TEL) has been dismissed.</p>
<p>(ix) To report an appeal against the delegated decision of the Council to refuse planning consent for siting of solar powered telephone kiosk (Application for determination if approval required for siting and appearance) adjacent to 51 The Moor (Case No 17/03096/TEL) has been dismissed.</p>
<p>(x) To report an appeal against the delegated decision of the Council to refuse planning consent for siting of solar powered telephone kiosk (Application for determination if approval required for siting and appearance) adjacent to 6 Paternoster Row Sheffield S1 2BR (Case No 17/03098/TEL) has been dismissed.</p>
<p>(xi) To report an appeal against the delegated decision of the Council to refuse planning consent for siting of solar powered telephone kiosk (Application for determination if approval required for siting and appearance) pavement outside 210-214 West Street Sheffield S1 4EU (Case No 17/02269/TEL) has been dismissed.</p>
<p>(xii) To report an appeal against the delegated decision of the Council to refuse planning consent for siting of solar powered telephone kiosk (Application for determination if approval required for siting and appearance) pavement outside 1 Haymarket Sheffield S1 2AW (Case No 17/02278/TEL) has been dismissed.</p>
<p>(xiii) To report an appeal against the delegated decision of the Council to refuse planning consent for siting of solar powered telephone kiosk (Application for determination if approval required for siting and appearance) pavement at the junction of Charles Street/Arundel Gate Sheffield S1</p>

2PN(Case No 17/02277/TEL) has been dismissed.
(xiv) To report an appeal against the delegated decision of the Council to refuse planning consent for siting of solar powered telephone kiosk (Application for determination if approval required for siting and appearance) pavement outside of 2 Fargate Sheffield S1 2HE(Case No 17/02271/TEL) has been dismissed.
(xv) To report an appeal against the delegated decision of the Council to refuse planning consent for siting of solar powered telephone kiosk (Application for determination if approval required for siting and appearance) pavement outside of 30-34 High Street Sheffield S1 2GE (Case No 17/02272/TEL) has been dismissed.
(xvi) To report an appeal against the delegated decision of the Council to refuse planning consent for siting of solar powered telephone kiosk (Application for determination if approval required for siting and appearance) pavement outside of 14-18 High Street Sheffield S1 2GE (Case No 17/02958/TEL) has been dismissed.
(xvii) To report an appeal against the delegated decision of the Council to refuse planning consent for siting of solar powered telephone kiosk (Application for determination if approval required for siting and appearance) pavement outside of the Crucible Theatre Arundel Gate Sheffield S1 2PN (Case No 17/02960/TEL) has been dismissed.
(xviii) To report an appeal against the delegated decision of the Council to refuse planning consent for siting of solar powered telephone kiosk (Application for determination if approval required for siting and appearance) outside 45 West Street Sheffield S1 4EQ (Case No 17/03086/TEL) has been dismissed.
<p>Officer Comment:-</p> <p>The Inspector considered solely the siting and appearance of all the above proposed kiosks as required by the General Permitted Development Order. In the case of kiosks in conservation areas or close to listed buildings he also considered the Planning (Listed Buildings and Conservation Areas) Act 1990.</p> <p>In each case the Inspector concurred with the Council's view that the kiosks would result in unnecessary additional street clutter which in many cases would be visually intrusive and in others would also result in pedestrian and highway safety concerns. The kiosks that were sited within conservation areas or adjacent to listed buildings were also found to be harmful to the setting of these heritage assets.</p> <p>The appeals were consequently all dismissed.</p>
(xiv) To report an appeal against the delegated decision of the Council to

refuse planning consent for alterations including installation of roof windows to form a shared living unit on the attic floor of the building St Silas Church Hanover Square Sheffield S3 7UA (Case No 17/03835/FUL) has been dismissed.

Officer Comment:-

The Inspector considered the main issue to be the impact of the works on the listed building and whether the proposal would preserve or enhance the Hanover Conservation Area.

The proposal was to install 21 roof windows on both sides of the roof slope and the Inspector considered that due to their size and the large number proposed they would be highly visible, intrusively domestic and modern additions would be at odds with the imposing gothic character of the building. They would also be visible in long range views within the conservation area and be harmful to the character of it.

He therefore concluded that the proposal was unacceptable and should be dismissed.

(xx) To report an appeal against the delegated decision of the Council to refuse planning consent for two-storey side extension and erection of a rear outbuilding 53 Crescent Road Sheffield S7 1HN (Case No 17/04341/FUL) has been dismissed.

Officer Comment:-

The Inspector identified the main issue to be the effect of the extension on the character and appearance of the Nether Edge Conservation Area.

He considered the elevated nature of the extension, containing no fenestration and with structural support underneath to create an incongruous, yet bland appearance in conflict with the traditional character, which would be compounded by the use of timber cladding rather than traditional timber.

The timber cladding would, he felt, present an artificial appearance in the context of traditional stone dwellings even with its modest size, and combined with the non-traditional design would cause harm to the character and appearance of the Conservation Area.

In the absence of public benefit to outweigh such harm the proposals failed to comply with the requirements of the NPPF, and local policies CS74, BE5, BE16, BE17 and H14.

#### 4.0 APPEALS DECISIONS - ALLOWED

(i) To report that an appeal against the delegated decision of the Council to refuse planning consent for siting of a telephone box (Application for

determination if approval required for siting and appearance) Pavement outside 463 Ecclesall Road Sheffield S11 8HW (Case No 17/02267/TEL) has been allowed.

Officer Comment:-

In this case the Inspector considered that the introduction of a kiosk in this location would be in keeping with the area's busy character and would still leave plenty of room within the pavement for pedestrians, wheelchairs or mobility scooters.

(ii) To report that an appeal against the delegated decision of the Council to refuse planning consent for siting of solar powered telephone kiosk (Application for determination if approval required for siting and appearance) outside 451 Ecclesall Road Sheffield S11 8HW (Case No 17/02957/TEL) has been allowed.

Officer Comment:-

In this case the Inspector considered that the introduction of a kiosk in this location would be in keeping with the area's busy character and would still leave plenty of room within the pavement for pedestrians, wheelchairs or mobility scooters.

(iii) To report that an appeal against the delegated decision of the Council to refuse planning consent for siting of solar powered telephone kiosk (Application for determination if approval required for siting and appearance) pavement opposite Atkinson's Multistorey Car park Charter Row Sheffield S1 4HR 8HW (Case No 17/02268/TEL) has been allowed.

Officer Comment:-

The Inspector concluded that the kiosk would be an isolated but visually restrained element in the street scene at this point and would not be dominant in the context of its surroundings or detract from it. They also noted that the siting would not be harmful to established pedestrian flows, such that the kiosk would not be harmful to the area. They allowed the appeal.

(iv) To report that an appeal against the delegated decision of the Council to refuse planning consent for siting of solar powered telephone kiosk (Application for determination if approval required for siting and appearance) pavement outside of 50 High Street Sheffield S1 2GE (Case No 17/02959/TEL) has been allowed.

Officer Comment:-

The Inspector concluded that the kiosk would not appear out of context given the large scale and modern materials of adjacent buildings so did not concur that it would be harmful to the character of the City Centre Conservation Area.

They noted that there was little street clutter in the vicinity and did not agree that the kiosk would create a pinch point close to bus stops and queuing passengers and felt it was far enough away from the stops such that it would not cause obstruction. They allowed the appeal.

(v) To report that an appeal against the delegated decision of the Council to refuse planning consent for erection of single-storey side/rear extension, alterations to front boundary fence and demolition of existing garage/siting of garden shed at rear of dwellinghouse 564 Prince of Wales Road Sheffield S9 4ER (Case No 18/00361/FUL) has been allowed.

**Officer Comment:-**

The Inspector considered the main issue to be the effect of the proposal (to extend the property by seven metres) on the living conditions of the residents of the adjoining house.

The Inspector accepted that the extension would cause harm to the outlook of the adjoining property and would be contrary to the Council's Supplementary Planning Guidance on house extensions. Nevertheless he took into account the fact that the neighbour had written in offering no objection to the proposal and the fact that it is likely that a 6 metre extension could have been built using the larger house extensions permitted development rights.

He noted the appellant's case that the extension would be wheelchair accessible and provide a large, light, open plan living space such that regard should be had to the Equality Act 2010 to minimise disadvantages.

He concluded that the matters put forward by the appellant and the comments of the neighbour were material to his decision and outweighed his concerns in respect of the living conditions.

He therefore allowed the appeal.

## 5.0 RECOMMENDATIONS

That the report be noted

Rob Murfin  
Chief Planning Officer

*4 September 2018*

