



SHEFFIELD CITY COUNCIL Planning & Highways Committee

Report of: Director of City Growth Department

Date: 10 March 2020

Subject: RECORD OF PLANNING APPEALS
SUBMISSIONS & DECISIONS

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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

Reasons for Recommendations

Recommendations:

To Note

Background Papers:

Category of Report: OPEN

DEVELOPMENT SERVICES

REPORT TO PLANNING & HIGHWAYS COMMITTEE 10 MARCH 2020

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

<p>(i) An appeal has been submitted to the Secretary of State against the delegated decision of the City Council to refuse planning permission for replacement of 2 no. windows to front of dwellinghouse (resubmission of planning application 18/03005/FUL) at 80 Brincliffe Edge Road Sheffield S11 9BW (Case No 19/03229/FUL)</p>
<p>(ii) 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 two-storey/single-storey side extension with roof terrace, car port, bin store and bike store (resubmission of planning application 19/01721/FUL) at Aldersyde 317 Psalter Lane Sheffield S11 8WA (Case No 19/03054/FUL)</p>
<p>(iii) 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 two-storey side extension, alterations and extensions to roof to form additional living accommodation including rear dormer extension with juliette balcony, and removal of ground floor rear window to be replaced by patio door at 11 Woodhouse Crescent Sheffield S20 1AT (Case No 19/03135/FUL)</p>
<p>(iv) An appeal has been submitted to the Secretary of State against the delegated decision of the City Council to refuse planning permission for change of use from grazing land to caravan and campsite, erection of plant and equipment, conversion of redundant agricultural buildings to create a reception area/managers flat, washing facilities, indoor play area and shire horse stud area (Amended Plans/Description/Supporting Submissions) at Little Intake Farm Woodhead Road Grenoside Sheffield S35 8RS (Case No 17/03187/FUL)</p>
<p>v) An appeal has been submitted to the Secretary of State against the delegated decision of the City Council to refuse planning permission for single-storey rear extension - the extension is 8 metres from the rear of the original dwellinghouse, ridge height no more than 4 metres and height to the eaves of 2.9 metres at Bengreave Farm Hollin House Lane Sheffield S6 6RG</p>

(Case No 19/02899/HPN)

vi) 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 internally illuminated, 48-sheet digital advertising display at land at Savile Street and Spital Hill Sheffield S4 7UD (Case No 19/03493/HOARD)

(vii)) An appeal has been submitted to the Secretary of State against the delegated decision of the City Council to refuse planning permission for removal of 12.0m monopole and erection of 20.0m monopole supporting 12 no. antenna apertures, 7 no. equipment cabinets and associated works at Telecommunications Mast at junction with Silkstone Crescent Silkstone Road Sheffield S12 4RQ (Case No 19/02279/FULTEL)

3.0 APPEALS DECISIONS – DISMISSED

(i) To report that an appeal against the delegated decision of the Council to refuse planning permission for application to allow the provision of an additional window (Application under Section 73 to vary condition 2 (Approved Plans) imposed by planning permission 18/02114/FUL - alterations and conversion of barn to a three-bedroom dwelling including demolition of stable block, extension to barn and construction of a subterranean garage ancillary to the existing Farm House) at Hole In The Wall Farm David Lane Sheffield S10 4PH (19/01295/FUL) has been dismissed.

Officer Comment:-

This appeal relates to refusals to grant permission under Sections 73 and 19 respectively to allow amendments to a planning and listed building consent which would allow the installation of a window in the gable end of a listed barn in the Green Belt which is proposed to be converted into a separate dwelling. The inspector agreed that the window (the size of a door) would result in 'less than substantial' harm to the heritage asset, and that there would be insufficient public benefit to offset the harm.

(ii) To report that an appeal against the delegated decision of the Council to refuse planning permission for Erection of 20m monopole and associated cabinets (Application for determination if approval required for siting and appearance) at land opposite 62 Eastern Drive Sheffield S2 3WP Sheffield S1 3RF (Case No 19/02633/TEL) has been dismissed.

Officer Comment:-

The Inspector noted that the main issues to consider were the effect of the proposal on the character and appearance of the area. He commented that the appeal site is relatively open and in an elevated and prominent position with commanding views of the surrounding area. He noted that the existing telecoms installations were slender and of lower height than the proposal, whereas the proposed installation would be significantly taller than other

<p>street furniture in the vicinity. He concluded that the mast would be an incongruous and dominant addition which would adversely affect the character and appearance of the area.</p> <p>The Inspector also noted that the applicant had not properly considered alternative sitings for the mast, as required by the NPPF. He therefore dismissed the appeal.</p>
<p>(iii) To report that an appeal against the delegated decision of the Council to refuse planning permission for erection of 20m monopole and associated cabinets (Application for determination if approval required for siting and appearance) at land opposite No.92 Eastern Drive Sheffield S2 3WR (Case No 19/02633/TEL) has been dismissed.</p>
<p>Officer Comment:-</p> <p>The Inspector noted that the main issues to consider were the effect of the proposal on the character and appearance of the area. He commented that the appeal site is relatively open and in an elevated and prominent position with commanding views of the surrounding area. He noted that the existing telecoms installations were slender and of lower height than the proposal, whereas the proposed installation would be significantly taller than other street furniture in the vicinity. He concluded that the mast would be an incongruous and dominant addition which would adversely affect the character and appearance of the area.</p> <p>The Inspector also noted that the applicant had not properly considered alternative sitings for the mast, as required by the NPPF. He therefore dismissed the appeal.</p>
<p>(iv) To report that an appeal against the delegated decision of the Council to refuse planning permission for erection of a dwellinghouse with associated parking at curtilage of 23 Pickard Crescent Sheffield S13 8EY (18/03980/FUL) has been dismissed.</p>
<p>Officer Comment:-</p> <p>The Inspector noted that the main issues to consider were whether the development would be inappropriate in the Green Belt; the effect of the proposal on the character and appearance of the area; and whether the proposal provides for the replanting of the TPO Ash Tree which previously existed on the site.</p> <p>The Green Belt designation is outdated because of the presence of the housing site (which replaced a college which formerly existed on the site). This development would therefore be within an existing group of buildings and would not adversely affect the openness of the area.</p> <p>On character, the Inspector considered that the proposal would not have unacceptable effects, given that the design of the property was similar to those adjacent and it would be built within a reasonable sized plot.</p>

On the replacement planting the Inspector found that this would be much less prominent than the mature Ash Tree that has been lost at the site, as the applicant proposed this to be in the rear garden rather than to the front of the plot. Placing the tree close to the estate road would have a much greater positive impact on the character and appearance of the area. He therefore concluded that the replacement planting would not be satisfactory and he dismissed the appeal.

(v) To report that an appeal against the delegated decision of the Council to refuse planning permission for the replacement of an existing 11.7m monopole with a 20.0 m high phase 8 monopole, together with the installation of ground-based equipment cabinets and ancillary development thereto at Telecommunications Mast 52 Metres north east of Manor Castle Inn Manor Lane Sheffield S2 1UH (Case No 19/02902/FULTEL) has been dismissed.

Officer Comment:-

The Inspector noted that the main issues to consider were the effect of the proposal on the character and appearance of the area. He commented that the land rises towards the appeal site and that the mast would become a prominent feature, highly visible from the adjacent open areas. He noted that the existing telecoms installations were slender and of lower height than the proposal, whereas the proposed installation would be significantly taller than other street furniture in the vicinity. He concluded that the mast would be an incongruous and dominant addition which would adversely affect the character and appearance of the area.

The Inspector also noted that the applicant had not properly considered alternative sitings for the mast, as required by the NPPF. He therefore dismissed the appeal.

(vi) To report that an appeal against the delegated decision of the Council to refuse planning permission for erection of front dormer to dwelling house to create additional habitable space at 121 Argyle Road Sheffield S8 9HJ (19/00906/FUL) has been dismissed.

Officer Comment:-

The Inspector considered the main issue to be the impact of the dormer on the character and appearance of the host dwelling and of the surrounding area.

She agreed with officers that the dormer would disrupt the roof scape of the street and represent an incongruous addition, of inappropriate materials and design. As such she concluded it would be harmful to the area and to the host dwelling in conflict with the aims of policies BE5 and H14 of the UDP, and Core Strategy policy CS74. In doing so she dismissed the appellants suggestion that existing dormers in the street were justification for further harm.

(vii) To report that an appeal against the delegated decision of the Council to refuse planning permission for upgrade to 48 sheet advertising display unit to support internally illuminated digital static display at Clear Channel UK Advertising Right No 6596 01 At 598 Staniforth Road Sheffield S9 4LN (19/03168/HOARD) has been dismissed.

Officer Comment:-

The Inspector noted that the main issue was the affect of the hoarding on the amenity of the area.
He considered that the digital display would make the sign far more strident at night and would adversely affect amenity given the proximity of houses to the site. He considered that it would be an incongruous addition in this mixed area and dismissed the appeal.

4.0 APPEALS DECISIONS – ALLOWED

(i) To report that an appeal against the delegated decision of the Council to refuse planning consent for application under Section 73 to vary/remove condition 3 (Opening Windows) imposed by planning permission 07/01188/FUL - Erection of rear conservatory to dwellinghouse (as amended by letter dated 25/05/07) at 10 School Lane Stannington Sheffield S6 6DD (Case No 19/01281/FUL) has been allowed.

Officer Comment:-

The IPA refused a S.73 application which sought to remove a condition which stated that a conservatory window close to the boundary should only be opened for cleaning and maintenance purposes.

(ii) To report that an appeal against the delegated decision of the Council to refuse planning consent for demolition of modular building and erection of block containing 14 apartments (1, 2 and 3 bed) with ancillary parking; relocation of stepped access at Victoria Gardens 117 Manchester Road Crosspool Sheffield S10 5DN (Case No. 18/04105/FUL) has been allowed.

Officer Comment:-

The Inspector identified the main issue as being whether the proposal would preserve or enhance character or appearance of the Broomhill Conservation Area (BCA).

He noted a key characteristic of the BCA was large Victorian villas set in substantial landscaped grounds with prominent trees and that the appeal site displayed these characteristics and ensured it contributed to the 'verdant, sylvan setting' of the site and that end of Manchester Road.

The presence of 117 in the street scene was noted as being limited by site level differences and dense, if largely seasonal planting and boundary

treatment.

He considered the siting of the proposal would not cause substantial harm to the character and appearance of the BCA, nor compromise the understanding of no.117 as a large villa in spacious grounds. In glimpsed views from Manchester Road he considered the two buildings would be sufficiently detached to retain a credible hierarchy.

In respect of impact within the site, he did not agree with the Council that the footprint of the building was sprawling nor that it was harmful to the character of the BCA. He found no significant harmful relationship between the two buildings.

He concluded there was no harm to the character or appearance of the BCA and felt the appellant had provided compelling justification for the design approach adopted. He therefore found no conflict with policies H14, BE5, BE16 or BE17 of the UDP, CS31 and CS74 of the Core Strategy or the NPPF.

He therefore allowed the appeal and granted planning permission subject to conditions.

5.0 CIL APPEALS DECISIONS

Nothing to report

6.0 ENFORCEMENT APPEALS NEW

Nothing to report

7.0 ENFORCEMENT APPEALS DISMISSED

(i) To report that an appeal against the Enforcement Notice issued by the Council for unauthorised alteration and change of use of the former garage outbuilding at the Land to form a self-contained living accommodation at Land at 234 Barnsley Road Sheffield S4 7AG (Planning Inspectorate Ref APP/J4423/C/19/3233877) has been dismissed.

Officer Comment:-

The appellant appealed against the notice on ground (a) that planning permission should be granted.

The main issues that were considered by the Inspector were the effect of the development on (i) the living conditions of neighbouring residents at 245 Barnsley Road with particular regards to privacy and (ii) the living conditions

for its existing and future occupiers, with particular regard to privacy and outlook.

The unauthorised development has one window which looks directly out onto the back yard and towards the kitchen windows within the ground floor flats at no 234. The accommodation is laid out with a fully fitted kitchen, living/bedroom along with a small bathroom with toilet sink and shower.

The Inspector concluded that the close proximity of the windows and the comings and goings of the occupiers/visitors/deliveries would result in the direct overlooking between these properties and therefore have unsatisfactory levels of privacy. The Inspector also agreed that the lack of natural light, poor outlook and absence of privacy provided unsatisfactory living conditions for the existing and future occupiers of the development.

Therefore, the ground (a) appeal failed.

8.0 ENFORCEMENT APPEALS ALLOWED

Nothing to report

9.0 RECOMMENDATIONS

That the report be noted.

Colin Walker
Interim Head of Planning

10 March 2020

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