



SHEFFIELD CITY COUNCIL Planning & Highways Committee

Report of: Director of City Growth Department

Date: 8 December 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

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 retention of and alterations to dormer window to front of house in multiple occupation (HMO) at 5 Cemetery Avenue, Sheffield, S11 8NT (Case No: 20/02629/FUL)
(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 20m monopole and associated equipment cabinets and ancillary works (Application for determination if approval required for siting and appearance) at Telecommunications mast 56M south of junction with Danewood Avenue and Castlebeck Avenue, Sheffield, S2 1DS (Case No: 20/02180/TEL)
(iii) An appeal has been submitted to the Secretary of State against the delegated decision of the City Council to refuse planning permission for demolition of single-storey side/rear extension, erection of two-storey side extension including integral front store, single-storey rear extension, alterations and extension to roof to form additional living accommodation, provision of rear dormer window and raised terrace to rear of dwellinghouse at 23 Ringstead Avenue, Sheffield, S10 5SL (Case No: 20/01904/FUL)
(iv) 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 15 metre high monopole and associated ancillary works (Application for determination if approval required for siting and appearance) at Telecommunications mast at junction with Ecclesall Road South and Abbey Lane, Sheffield, S11 9PW (Case No: 20/01900/TEL)
(v) An appeal has been submitted to the Secretary of State against the delegated decision of the City Council to refuse planning permission for alterations to and raising roof height of garage to provide living accommodation for dependent relative at Far End Cottage, Rye Lane, Sheffield, S6 6GX (Case No: 20/01862/FUL)

(vi) An appeal has been submitted to the Secretary of State against the delegated decision of the City Council to refuse planning permission for alterations and extensions to detached garage including formation of flat roof with 1.2m screen fencing above and formation of car port, and erection of boundary wall and gates to front at 27 Sandygate Park Road, Sheffield, S10 5TX (Case No: 20/01647/FUL)
(vii) An appeal has been submitted to the Secretary of State against the delegated decision of the City Council to refuse planning permission for demolition of existing building and erection of a three/four-storey building to form 9 apartments including bike store, car parking, communal garden space and landscaping works at The White House, Vicarage Lane, Sheffield, S17 3GX (Case No: 20/00040/FUL)
(viii) An appeal has been submitted to the Secretary of State against the committee decision of the City Council to grant planning permission conditionally for retention of garage for use as cycle/motor cycle store (Garage 1), retention of triple garage (Garage 2), erection of a single garage and alterations to existing bin store (Garage 3), erection of single garage and provision of bin store and covered cycle store (Garage 4), and retention of a garden store (Store 1) at Adjacent 59 Daniel Hill Mews, Opposite 75 Daniel Hill Mews, adjacent 1 Daniel Hill Mews, opposite 6 Daniel Hill Mews, adjoining 83 Daniel Hill Mews, Sheffield, S6 3JJ (Case No: 19/00331/FUL)
(ix) An appeal has been submitted to the Secretary of State against the delegated decision of the City Council to refuse planning permission for retention of shed and timber decking at Field at rear of 254 and 254A High Greave, Sheffield, S5 9GR (Case No: 15/02654/FUL)

3.0 APPEALS DECISIONS – DISMISSED

(i) To report that an appeal against the delegated decision of the Council to refuse planning permission for provision of first-floor balcony to front of dwellinghouse at 37 Empire Road, Sheffield, S7 1GJ (Case No: 20/01453/FUL) has been dismissed.
<p>Officer Comment:- The Inspector considered the main issue to be the impact of the development on the character and appearance of the area.</p> <p>She noted the uniformity of the two storey terraced properties with defined window patterns including a ground floor bay. She also noted the application site was an anomaly in the street scene as a flat above a vehicular entrance without such a feature but that the property retained the first floor window feature in keeping with its neighbours.</p> <p>She agreed with officers that the introduction of double doors with a projecting</p>

balcony would break the rhythm of the elevation and because of its projection, contemporary materials and raised position, represent a prominent and incongruous feature in the street scene in conflict with policies BE5 and H14 of the UDP, and Supplementary Planning Guidance, 'Designing House Extensions' Guidelines 1 and 2.
She therefore dismissed the appeal.

(ii) To report that an appeal against the delegated decision of the Council to refuse planning permission for erection of a detached double garage to dwellinghouse at 40 Bridle Stile Gardens, Sheffield, S20 5EH (Case No: 20/01238/FUL) has been dismissed.

Officer Comment:-

The Inspector considered the main issue to be the effect of the development on the living conditions of occupiers of occupiers of the neighbouring dwelling; highway and pedestrian safety; and the character and appearance of the area.

They concluded that the garage would appear dominant to the neighbouring dwelling and be contrary to the SPG on designing house extensions as well as the NPPF Paragraph 127. They also considered that positioning the garage in this location would remove the turning facility for the appeal property and would result in increased conflict between pedestrians and vehicles to the detriment of highway safety and contrary to UDP Policy H14. They considered that the design was acceptable but that this did not outweigh the other negative impacts outlined above.

(iii) To report that an appeal against the delegated decision of the Council to refuse planning permission for erection of rear and front dormer to dwellinghouse at 26 Logan Road, Sheffield, S9 4PF (Case No: 20/00948/FUL) has been dismissed.

Officer Comment:-

The Inspector considered the main issue to be the effect of the front dormer window on the character and appearance of the area.
He concluded that the dormer would be offset from the windows below and would disrupt the symmetry of the window composition, resulting in harm to the character and appearance of the dwelling, contrary to the SPG guidance, Policy CS74 of the Core Strategy, Policies BE5 and H14 of the UDP and paragraph 127 of the NPPF.

(iv) To report that an appeal against the delegated decision of the Council to refuse planning permission for replacement timber windows to the front and side elevations of the dwellinghouse, erection of a rear conservatory to main dwellinghouse, alterations and extensions to coach house to form self-contained ancillary living accommodation with garage and 2 front dormer windows and provision of new gates to existing pedestrian and vehicular entrances at 44 Ashland Road, Sheffield, S7 1RJ (Case No: 19/04071/FUL) has been part dismissed, part allowed.

Officer Comment:-

Officers had raised no issues with the replacement windows and conservatory extension. The Inspector therefore considered only the impact of the coach house alterations, as the substantive basis of the Council's refusal.

The Inspector identified the main issues as being the effect of the coach house alterations on the character and appearance of the Nether Edge Conservation Area, with due regard to trees.

He noted the large, villa style, semi-detached dwelling with large rear plot was characteristic of the Conservation Area, and that whilst located to the rear, the coach house was representative of the historic development of the area and makes a positive contribution to the character of the Conservation Area.

He considered the extensions would be of a scale and design that would over dominate the original form of the coach house such that the original building would be subsumed into a much larger building.

Further, this would result in a building which had the appearance of back land development that would conflict with the established pattern and grain of development in the Conservation Area.

He considered also that there was a realistic possibility of construction activity impacting on the trees, which contributed to the character of the Conservation Area and in the absence of a professional assessment of this submitted by the applicant he concluded harm was likely.

He noted the benefit of bringing the dilapidated coach house back into use but felt this was insufficient to outweigh the 'less than substantial harm' to the historical significance of the heritage asset. This was in conflict with policies BE15, BE16, BE17 and GE15 of the UDP.

He therefore dismissed that aspect of the appeal, allowing the uncontentious window alterations and conservatory addition.

(v) To report that an appeal against the committee decision of the Council to refuse planning permission for erection of 2no. dwellings with associated parking at Land Between 94 and 98 Wheel Lane, Grenoside, Sheffield, S35 8RN (Case No: 19/03073/FUL) has been dismissed.

Officer Comment:-

The Inspector considered the main issues to be the effect of the proposed development on 1) the character and appearance of the area, 2) the living conditions of occupants of 98 Wheel Lane with regard to outlook and light, and 3) the living conditions of future occupants of house two with regard to garden size.

He considered that the sizeable roofs with dormer windows would be greater

in scale and height to the dwellings on either side and that, due to their overall scale and height, they would be inharmonious with, and would harmfully disrupt, the established stepped roofline which corresponds to the slope of the road. In relation to issue 1) he concluded that the proposed dwellings would cause significant harm to the character and appearance of the area, contrary to Policies H14 and BE5 of the UDP and Policy CS74 of the Core Strategy.

He considered that, due to the difference in levels and the height and projection of the single storey element of house one, it would have a significantly harmful impact on the outlook from 98 Wheel Lane. Given the orientation of the proposed dwelling in relation to the existing dwelling, for these same reasons, he considered there would also be an unacceptable impact on levels of light to the property. In relation to issue 2) he concluded that the proposal would cause significant harm to the living conditions of occupants of 98 Wheel Lane with regard to outlook and light, contrary to Policy H14 of the UDP and Chapter 12 of the NPPF which expects development to achieve a high standard of amenity for existing users.

He considered that the garden on house two would not provide sufficient amenity space for the dwelling which it is intended to serve –noting that it was smaller than the good standard of amenity space that is provided to the majority of existing dwellings in the surrounding area. In relation to issue 3) he concluded that the proposal would have a significantly harmful effect on the living conditions of the future occupants of house two with regard to outdoor amenity space provision, contrary to Policy H14 of the UDP which requires, amongst other things, that new developments are well designed and laid out.

4.0 APPEALS DECISIONS – ALLOWED

(i) To report that an appeal against the delegated decision of the Council to refuse planning permission for removal of a 11.70m high monopole and associated equipment cabinets and erection of 20m high monopole with associated equipment cabinets at Telecommunications mast adjacent Pavilion, Angram Bank Recreation Ground, Foster Way, Sheffield, S35 4GE (Case No: 19/03872/FULTEL) has been allowed.

Officer Comment:-

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

She considered the proposed mast would be a more prominent feature at the junction of Cottam Road and Foster Way and would also protrude above the surrounding built form, trees and street structures. As a result, the mast would be more apparent in its context than the existing mast and would, to some extent, detract from the character and appearance of the area.

She concluded that, while the proposed development would result in some limited harm to the area's character and appearance and there would be limited conflict with Policy LC5 of the UDP and paragraph 127 of the NPPF, this harm would, on balance, be outweighed by the economic and social benefits that would arise as a result of the proposed upgrade which would not be achieved with a mast of a lower height and the proposal would accord with Policy BE14 of the UDP and with paragraphs 112 and 113 of the NPPF where it outlines that advanced, high quality and reliable communications infrastructure is essential for economic growth and social well-being.

5.0 CIL APPEALS DECISIONS

Nothing to report

6.0 ENFORCEMENT APPEALS NEW

Nothing to report

7.0 ENFORCEMENT APPEALS DISMISSED

Nothing to report

8.0 ENFORCEMENT APPEALS ALLOWED

Nothing to report

9.0 RECOMMENDATIONS

That the report be noted.

Colin Walker
Interim Head of Planning

8 December 2020

