



SHEFFIELD CITY COUNCIL Planning & Highways Committee

Report of: Director of City Growth Department

Date: 8 February 2022

Subject: RECORD OF PLANNING APPEALS
SUBMISSIONS & DECISIONS

Author of Report: Abby Hartley

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 8 February 2022

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

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| (i) An appeal has been submitted to the Secretary of State against the delegated decision of the City Council to refuse planning permission for the erection of detached garage and store room to side of dwellinghouse (Resubmission of 21/00609/FUL) at 84 Skelwith Road, Sheffield, S4 8AY (Case No: 21/04378/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 the demolition of single-storey side extension, erection of two-storey side extension including integral garage, erection of single-storey rear extension to dwellinghouse and formation of gable end to dwelling at 101 Norton Park Road, Sheffield, S8 8GR (Case No: 21/02774/FUL). |
| (iii) 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 installation of roller shutters to entrance at Thyme Café, 490-492 Glossop Road, Sheffield, S10 2QA (Case No: 21/02038/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 replacement windows to front and side, erection of single-storey rear extension to dwellinghouse, alterations and erection of single-storey side extension to detached outbuilding to form ancillary annexe and erection of gates to pedestrian and vehicular accesses (Resubmission of 19/04071/FUL) at 44 Ashland Road, Sheffield, S7 1RJ (Case No: 20/01931/FUL). |
| (v) An appeal has been submitted to the Secretary of State against the delegated decision of the City Council to refuse planning permission for the erection of first-floor side and single-storey rear extension to dwellinghouse at 65 Stubbin Lane, Sheffield, S5 6QJ (Case No: 21/01628/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 the erection of 17.5m monopole supporting 6 antennas and 1 GPS module, with |

associated equipment cabinets and barrier (Application for determination if approval required for siting and appearance) at Rivelin Park Road junction of Hollins Lane, Sheffield, S6 5GD (Case No: 21/01588/TEL).

(vii) An appeal has been submitted to the Secretary of State against the delegated decision of the City Council to refuse planning permission for the siting of 17.5m high streetpole with 6no. antennas, 1no. GPS module, 2no. equipment cabinets and 1no. meter (Application for determination if approval required for siting and appearance) at grass verge outside 27 Ecclesall Road South, near junction with Brincliffe Edge Road, Sheffield, S11 9PA (Case No: 21/00329/TEL).

3.0 APPEALS DECISIONS – DISMISSED

(i) To report that an appeal against the delegated decision of the Council to refuse planning permission for alterations to roof to form additional habitable accommodation including erection of front and rear dormers to dwellinghouse at 100 Fulton Road, Sheffield, S6 3JN (Case No: 21/02256/FUL) has been dismissed.

Officer Comment:-

The main issues was the effect of the front dormer on the character and appearance of the host property and the street scene.

The Inspector found that, due to the narrow roof space available, the width and height of the proposed front dormer would dominate the roof, fundamentally altering its shape and unbalancing its form. The size and positioning of the window would also not reflect the existing front windows of the property.

The Inspector concluded that the proposed front dormer would unacceptably harm the character of the host property and the streetscene, contrary to policies BE5 and H14 of the UDP, Policy CS74 of the Core Strategy and to the guidance within the Sheffield City Council Designing House Extensions Supplementary Planning Guidance.

(ii) To report that an appeal against the delegated decision of the Council to refuse planning permission for the upgrade of existing 48 sheet advert to support digital poster at 4 Fife Street, Sheffield, S9 1NJ (Case No: 21/02028/ADV) has been dismissed.

Officer Comment:-

The Inspector considered the main issue to be the effect of the proposed hoarding on the amenity of the area and on public safety. They recognised that this digital hoarding would replace an existing paper hoarding and that the site, whilst commercial, was at the start of the adjacent residential area, with no other hoardings nearby. They considered that an illuminated hoarding

would be in stark contrast to the residential backdrop and out of keeping with the context.

The Inspector also noted that the junction has a high collision rate and that a key traffic signal would be viewed against the backdrop of the digital hoarding when approaching the junction, meaning that the two would compete with one another and the hoarding would cause a distraction to road users. On this bases they concluded that the hoarding would negatively impact on public safety.

The appeal was therefore dismissed on both grounds (amenity and public safety).

(iii) To report that an appeal against the delegated decision of the Council to refuse planning permission for alterations to allow use of dwellinghouse as two dwellings at 170 Fife Street, Sheffield, S9 1NR (Case No: 21/01904/FUL) has been dismissed.

Officer Comment:-

The Inspector considered the main issue to be whether the proposed development would provide appropriate living conditions for the future occupiers of one of the flats in relation to private amenity space. The proposal was to split a semi-detached property into two flats and split the rear garden in two.

The Inspector noted however that there is no direct access to the garden for the upper floor flat as there is no side access past the property, meaning that they would need to access it from the open space to the rear. The Inspector agreed with the Council that this was wholly inappropriate. They also concluded that a small area to the front of the property would be equally unsuitable as it would be directly in front of the windows to the ground floor flat, resulting in loss of privacy. Equally it would not be private from the road and would be squeezed next to a parking space, making it an unsatisfactory amenity space.

Whilst recognising that the Council cannot demonstrate a 5 year housing supply, this would only amount to a very small contribution and this does not outweigh the harm caused in this case. The appeal was dismissed on the grounds that inappropriate living conditions would be provided, contrary to the local development plan and the NPPF.

(iv) To report that an appeal against the delegated decision of the Council to refuse planning permission for the erection of a first-floor front extension to dwellinghouse at 6 Ashfurlong Drive, Sheffield, S17 3NP (Case No: 21/01774/FUL) has been dismissed.

Officer Comment:-

The Inspector identified the key issue as being the impact of the development on the character and appearance of the dwelling and the surrounding area

He noted the bungalow had a prominent position on a corner plot, and contained small scale, subservient additions (dormers) to the roof as did other properties in the vicinity.

He agreed with officers that the proposed roof alterations would subsume the existing roof, all but eliminating its profile across the whole frontage. The result would be a highly noticeable disproportionate addition, making the building appear top-heavy to the detriment of both its design and appearance in the street scene.

This was considered to conflict with policy BE5 and H14 of the UDP, CS74 of the Core Strategy, and section 12 of the NPPF.

(v) To report that an appeal against the against the Council's non-determination of an application for planning permission for the erection of single-storey side/rear extension including basement/undercroft store room to dwellinghouse and formation of stairs into rear garden at 47 Crawshaw Grove, Sheffield, S8 7EA (Case No: 21/01052/FUL) has been dismissed.

Officer Comment:-

The Inspector identified the main issue as being the effect of the development in the living conditions of the occupiers of 45 Crawshaw Grove with particular regard to dominance.

The proposed rear extension projects 3.6m beyond the conservatory at no.45, and as the rear garden areas slope away from the house the extension would be appreciably above existing garden level and the fence line between 45 and 47.

She noted the extension would not project significantly beyond the 3m guideline in the Council's Supplementary Planning Guidance (SPG), and because of orientation (the garden is south facing) there would be no loss of light or sunlight. However, she felt the height of the extension would appear as a substantial and conspicuous structure, exacerbated by the use of black bricks, and would be overbearing, dominating the garden space of no 45, to the detriment of the living conditions of the occupants.

She acknowledged there had been a previous approval (now expired) for a different design, but for those reasons gave that little weight. She also appreciated that the rear/side extension would provide increased security to the side of the property and would provide a level access for wheelchair users into the dwelling. However, these matters did not override her concerns with regard to the living conditions of the neighbouring property. Also whilst there had been no objections from the occupiers of No 45, this did not mean that the scheme was acceptable.

She therefore concluded it was in conflict with policies H14 (UDP) CS74 (Core iStrategy) and Guideline 5 of the SPG which seeks to avoid overdominance.

4.0 APPEALS DECISIONS – ALLOWED

- (i) To report that an appeal against the Council's non-determination of an application for planning permission for the Erection of front porch to dwellinghouse at 47 Crawshaw Grove, Sheffield, S8 7EA (Case No: 21/01052/FUL) has been allowed.

Officer Comment:-

The Inspector considered the main issue to be the effect of the porch extension on the character and appearance of the host dwelling and the surrounding area.

She noted the dwelling was typical of the area in being of mixed render and tile appearance. The porch was acknowledged as being close to the feature bay window but not uncomfortably, so she felt. She considered the use of black brick novel in the context but felt the unifying elements of the house and its neighbours remained and the black brick porch would disrupt the prevailing character of the street scene or be harmful to the dwelling.

She concluded that the porch did not conflict with policies BE5 and H14 of the UDP, CS74 of the Core Strategy, and Guideline 2 of the House Extension Supplementary Planning Guidance and allowed the appeal.

5.0 CIL APPEALS DECISIONS

Nothing to report.

6.0 NEW ENFORCEMENT APPEALS

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.

Michael Johnson
Head of Planning

8 February 2022

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