



SHEFFIELD CITY COUNCIL Planning & Highways Committee

Report of: Director of City Growth Department

Date: 24 May 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

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 City Council for the refusal of planning permission for the partial demolition of existing side extensions to create detached dwellinghouse at 1 Whirlowdale Crescent, Sheffield, S7 2NA (Case No: 21/03943/FUL).

(ii) An appeal has been submitted to the Secretary of State against the City Council for the refusal of planning permission for the erection of 17.5m monopole with associated cabinets and ancillary works (Application for determination if approval required for siting and appearance) at land adjacent to Groundsman's House, Shirecliffe Road, Sheffield, S5 8XB (Case No: 21/02734/TEL).

3.0 APPEALS DECISIONS – DISMISSED

(i) To report that an appeal against the delegated decision of the Council to refuse planning permission for the erection of front and rear dormers to roof, erection of single-storey rear extension and single-storey side porch to dwellinghouse at 380 Gleadless Road, Sheffield, S2 3AJ (Case No: 21/04677/FUL) has been dismissed.

Officer Comment:-

The Inspector considered the main issue to be the effect of the proposals on the character and appearance of the host dwelling and the street scene.

The Inspector noted the roof slopes of the terrace of dwellings was not disrupted by dormers unlike other terraces in the area.

They agreed with officers that the width, and absence of absence of vertical hierarchy relating to windows below resulted in an incongruous addition that would significantly detract from the appearance of the terrace, in conflict with the requirements of policies CS74, BE15 and H14.

(ii) To report that an appeal against the delegated decision of the 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) has been dismissed.

Officer Comment:-

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

They noted that the large garage and store would sit well above the low boundary wall, presenting a blank elevation to Skelwith Road and appearing unduly prominent in the street scene, especially as it would site forward of the building line of the house and be on a prominent bend in the road. In addition the siting of a building in this location would reduce the sense of openness and outlook and detract from the original design intention.

It was concluded that the proposal conflicted with Policy H14 of the UDP, Policy CS74 of the Core Strategy and Paragraph 130 of the NPPF.

(iii) To report that an appeal against the delegated decision of the Council to refuse planning permission for a single-storey rear extension - the extension will be 6 metres from the rear of the original dwellinghouse, overall height no more than 3 metres and height to the eaves of 3 metres at 343 Deerlands Avenue, Sheffield, S5 8AA (Case No: 21/02923/HPN) has been dismissed.

Officer Comment:-

The main issue was whether the proposal would comply with Schedule 2, Part 1, Class A of the GPDO.

The Council's reason for refusal set out that the enlarged part of the dwellinghouse would extend beyond a wall forming a side elevation of the original dwellinghouse and which would have a width greater than half the width of the original dwellinghouse. This would be contrary to the provisions of Schedule 2, Part 1, Class A, Paragraph A.1 (j) (iii) of the GPDO.

The Inspector found that the proposal would be built around an existing ground floor offshoot located to the rear of the property and, as the appeal proposal would extend beyond the existing side wall of the offshoot, it would extend beyond a wall forming a side elevation of the original dwellinghouse. It would also have a width greater than half the width of the original dwellinghouse.

Consequently, the Inspector concluded that the proposal would fail to comply with Schedule 2, Part 1, Class A, Paragraph A.1 (j) (iii) of the GPDO.

(iv) To report that an appeal against the delegated decision of the Council to refuse planning permission for the erection of front and rear dormers to

increase habitable roof space at 12 Kaye Place, Sheffield, S10 1DY (Case No: 21/02871/FUL) has been dismissed.

Officer Comment:-

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

They noted the dwelling was one of three with similar design features with a cohesive rhythm, which although at the head of a dead end were visible from Barber Road across the adjacent car park.

As the front dormer would span a considerable width and the entire height of the roof slope the Inspector felt it would dominate the roof space, and would appear lop sided on one side of the roof slope with no obvious connection to the windows below. As such they concluded it would be a discordant feature both in terms of the host property and wider locality, detracting from its appearance, in conflict with policies CS74, BE5 and H14.

(v) To report that an appeal against the delegated decision of the Council to refuse planning permission for the replacement of existing hoarding with a digital advertising display hoarding on the gable end of the building at The Bhaji Shack, 85 Chesterfield Road, Sheffield, S8 0RN (Case No: 21/02851/ADV) has been dismissed.

Officer Comment:-

The Inspector considered the main issue to be the effect of the proposed advertisement upon the amenity of the area.

They considered the large hoarding would jar with the simple form of the host building and the digital illumination, compounded by intermittent displays would accentuate its visual prominence and harmful effect on the visual amenity of the area. This would contrast with appropriate forms of signage on neighbouring businesses, and its proximity to dwellings would cause harm to their living conditions.

They concluded there was conflict with policies BE13 and H14 of the UDP and paragraphs 130 and 136 of the NPPF.

(vi) To report that an appeal against the delegated decision of the 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 (Amended Description) at 101 Norton Park Road, Sheffield, S8 8GR (Case No: 21/02774/FUL) has been dismissed.

Officer Comment:-

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

The Inspector noted the balanced symmetrical form of the pair of semi detached dwellings, with hipped roofs and agreed with officers that the creation of a gable roof form would unbalance the pair of houses, removing their symmetry and would be a discordant feature. The absence of a set back in the side extension also failed to respect the original form of the dwelling, as did the absence of a break in the roof line.

The Inspector did not accept the appellants argument that a larger gable roof form would be of benefit owing to an increase in the potential for solar panel array, considering the difference likely to be minimal and noting that whilst sustainable development is a key objective, enhancing the built environment is too.

He therefore concluded the scheme caused harm to the character and appearance of the host building and the surrounding area in conflict with policies BE5 and H14 of the UDP, CS74 of the Core Strategy and the NPPF.

(vii) To report that an appeal against the delegated decision of the Council to refuse planning permission for 1x internally illuminated digital advertising screen (Resubmission of 21/00893/HOARD) at City Gate, 8 St Mary's Gate, Sheffield, S1 4LW (Case No: 21/02710/HOARD) has been dismissed.

Officer Comment:-

The Inspector considered the main issue to be the effect of the proposal on the visual amenity of the area.

They noted that the proposal was for a free-standing digital advert to the front of the City Gate Office block, facing the ring road, and that it would be a sizeable addition to the street scene. It has a raised position and would dominate the immediate locality, failing to visually integrate with the office building and creating a sense of clutter. They found that it would compete with the building to the detriment of the wider street scene and be incongruous in the location.

The proposal was found to conflict with Policy BE13 of the UDP, Policy CS75 of the Core Strategy and the provisions of the NPPF

(viii) To report that an appeal against the delegated decision of the Council to refuse planning permission for the erection of first-floor front extension to dwellinghouse at 21 Greenacre Way, Sheffield, S12 2TZ (Case No:- 21/02616/FUL) has been dismissed.

Officer Comment:-

The Inspector considered the main issues to be the effect of the proposal on

the appearance of the street scene and on the living conditions of neighbours.

They considered that the proposed extension would add considerable bulk and massing to the front of the property and be out of character with surrounding houses, exacerbated by the proportions of the proposed window not matching the existing fenestration. The sense of openness would be compromised and would detract from the character and appearance of the street scene. In relation to the impact on neighbouring properties, the Inspector considered that the extension would not lead to a loss of privacy.

Whilst the proposal would not cause harm to living conditions, it was concluded that harm would be caused to the character of the street scene, contrary to Policy H14 of the UDP and Paragraph 130 of the NPPF.

(ix) To report that an appeal against the delegated decision of the Council to refuse planning permission for the erection of 15.0m high monopole with wraparound base cabinet and associated ancillary works (Application for determination if approval required for siting and appearance) at land opposite 53 East Road, East Bank Road, Sheffield, S2 3PX (Case No: 21/02433/TEL) has been dismissed.

Officer Comment:-

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

In particular the Inspector was mindful that the location of the mast is in close proximity to an existing mast on the opposite side of the road (50 metres away) and an extant consent for a 20 metre mast, 70 metres to the north of the proposed new mast and that the proposed mast must be viewed in this context as they would be seen in conjunction rather than singularly. This would lead to three tall masts being visible alongside one another for some distance and cumulatively would give the streetscene and unduly congested and cluttered appearance, in conflict with paragraph 112 of the NPPF.

They concluded that the proposal would be harmful to character and appearance and would be in conflict with Policies BE14 and H14 of the UDP as well as paragraph 115 of the NPPF which requires new telecom sites to be sympathetically designed and camouflaged.

(x) To report that an appeal against the delegated decision of the Council to refuse planning permission for the erection of side/front extension to dormer bungalow including erection of dormer window to provide additional accommodation at both ground and first floor level with provision of raised decking to side at 1 Brook Lane, Hackenthorpe, Sheffield, S12 4LF (Case No: 21/02119/FUL) has been dismissed.

Officer Comment:-

The Inspector considered the main issue to be the effect of the development on the character and appearance of the area, including the Hackenthorpe Conservation Area (the site falls just outside the boundary).

They noted that the extension would project 6.5m beyond the front elevation of the property and produce an incongruous extension, unbalancing the dwelling and enclosing the spacious setting of the dwelling and the street scene. The design of the extension, with little fenestration was also found to be at odds with the character of the property. It was concluded that the extension would be conspicuous and obtrusive in views from and into the Conservation Area and would be contrary to UDP and Core Strategy policies; the Designing House Extensions SPG and the NPPF.

(xi) To report that an appeal against the delegated decision of the Council to refuse planning permission for the retention of installation of roller shutters to entrance at Thyme Café, 490 - 492 Glossop Road, Sheffield, S10 2QA (Case No: 21/02038/FUL) has been dismissed.

Officer Comment:-

The Inspector considered the main issue to be whether the proposal would preserve or enhance the character and appearance of the Broomhill Conservation Area (BCA).

He noted the building was identified as a building of townscape merit in the BCA and its presence within the District Shopping Centre. He noted the shutter and its external box limited views into the building and presented a dead frontage with adverse visual impact.

The appellant had referred to other shutters in the area and the need for security but the Inspector felt little justification had been provided for the need for this form of security over others, and did not feel historic other shutters in the area justified further harm.

He agreed with officers that in the terms of the NPPF (paras 199-202) the harm to the heritage asset (BCA) was 'less than substantial' but of considerable weight as a planning objection. He did not consider the limited public benefit of potential avoidance of crime and longer-term survival of the business outweighed such harm.

He concluded the proposal would not preserve or enhance the character or appearance of the BCA, and would fail to comply with policies BE16 and S10 of the UDP, policy DDHM2 of the BBEST Neighbourhood Plan, and CS74 of the Core Strategy.

Enforcement Action is underway to secure removal of the shutter.

(xii) To report that an appeal against the delegated decision of the Council to refuse planning permission for the erection of two-storey side extension to dwellinghouse at 45 Thorpe House Avenue, Sheffield, S8 9NH (Case No:

21/01963/FUL) has been dismissed.

Officer Comment:-

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

He noted the area comprised mostly hipped roof two storey dwellings with a small number of gable additions, and a consistent separation between dwellings, with an exception being no.54 opposite the site where an almost identical development to the appeal proposal had taken place.

He felt the extension, up to the boundary would add substantial mass, only partially set back (450mm) with a roof ridge the same as the existing house such that the bulk of the house would be substantially increased and would erode the gap between properties with the potential for a terracing effect to be created.

He therefore concluded the proposal detracted from the character and appearance of the host dwelling and surrounding area. And was in conflict with policies BE5, H14 (UDP) and CS74 (Core Strategy).

(xiii) To report that an appeal against the delegated decision of the Council to refuse planning permission for the alterations and extensions to roof to form additional habitable space including erection of rear dormer with Juliet balcony, erection of two-storey side extension, single-storey front extension and single-storey rear extension with raised decking to dwellinghouse at 11 Heather Lea Place, Sheffield, S17 3DN (Case No: 21/01469/FUL) has been dismissed.

Officer Comment:-

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

They noted the dwelling was situated in an areas of predominantly two storey dwellings with many having side extensions with either hipped or gable roofs.

They felt the extension sitting flush with the front elevation and ridge of the existing dwelling would add considerable bulk while lacking any subordination and would significantly erode the gap between the property and it's neighbour, all of which would be compounded by the gable roof form which would unbalance the pair.

Based on the above he agreed with officers there was harm to the character and appearance of the host dwelling and the street scene and conflict with policies BE5 and H14 of the UDP and para 130 of the NPPF.

(xiv) To report that an appeal against the delegated decision of the 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) has been dismissed.

Officer Comment:-

The Inspector considered the main issues to be the effect of the proposal on the character and appearance of the street scene and the effect on the living conditions of neighbours.

The Inspector considered that adding a second storey to the existing single storey side extension would increase the massing and breach the established building line, increasing the prominence of the dwelling and reducing the spaciousness at the junction. They also considered that the additional rear extension would be unduly imposing to neighbours and harm their outlook.

The Inspector concluded that the proposal would be in conflict with Policy H14 of the UDP and the SPG on Designing House Extensions.

(xv) To report that an appeal against the committee decision of the Council to refuse planning permission for the demolition of existing buildings and erection of a four storey office building (Use Class E) (Amended information, including Heritage Statement, published on 10 February 2021) at 162-170 Devonshire Street, Sheffield, S3 7SG (Case No: 20/03568/FUL) has been dismissed.

Officer Comment:-

The Inspector considered the main issues to be the effect of the proposed development on the character and appearance of the area (and the setting of the nearby grade II listed Wharncliffe Fireclay Works) as well as the effect of the development on the living conditions of nearby residents.

They noted that the proposal would occupy the full extent of the site and would project past the rear elevations of adjoining properties by a considerable distance, being discordant in terms of scale relative to the existing buildings to be demolished (whose significance derives in part from their modest form). The development would have an eaves line much higher than adjoining properties and an uncharacteristic set-back flat roof, failing to respect the simple traditional proportions of the terraced row. They also felt that the use of dark grey brickwork and aluminium cladding to be at odds with the red brickwork of the row. All of this would combine to create a bulky, disjointed and conspicuous form of development.

They also concluded that the proposal would negatively affect the ability to appreciate the significance of the nearby listed building which would be 'less than substantial harm' but the public benefits of developing the site in the manner proposed had not been adequately demonstrated, particularly given the lack of viability information presented. The Inspector was not convinced that this was the only way of developing this site.

In respect of living conditions, the Inspector concluded that the very close proximity of the scheme to apartments in 165 West Street would result in a significant loss of outlook to these dwellings; reduce the amount of natural light to them and cause unacceptable overshadowing. They also concluded that the development would be harmful to the occupiers of adjoining properties on Devonshire Street as a result of the mass and bulk of the development, resulting in an oppressive and overbearing effect.

The Inspector therefore concluded that the development was contrary to local and national heritage and design policies as well as local and national policies designed to protect the living conditions of existing residents.

(xvi) To report that an appeal against the non-determination of the Council for the application for planning permission for the 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) has been allowed in part and dismissed in part.

Officer Comment:-

The Inspector noted this was an appeal against non-determination of the application and that the Council had no objections to the proposed replacement windows to the dwelling and to the conservatory.

He identified the main issue as being the effect of the proposed alteration and extension to the coach house on the character and appearance of the Nether Edge Conservation Area (NECA), with due regard to trees.

He noted the dwelling was typical of the large villas in spacious plots with outbuildings typically not prominent in the street scene, and mature trees common in front and rear gardens giving the area a verdant character.

He felt the wide driveway allowed views of the coach house from the road and that its traditional form offered a positive contribution to the NECA. In contrast he felt the proposed extension would be an incongruous and substantial addition that would dominate the existing building and occupy a much larger footprint. He considered its design using large areas of glazing and contrasting roof styles would radically alter the appearance to such an extent its original form would not be apparent and it would take the form of backland residential development in clear conflict with the pattern of development in the NECA.

He noted the Council was concerned about proximity to two trees close to the existing coach house. He agreed there was a risk of harm and noted the trees were prominent and made a positive contribution to the NECA. In the absence of sufficient professional evidence being submitted by the appellant to demonstrate a lack of harm the Inspector was not satisfied the proposal would not seriously harm or result in the loss of the trees.

By virtue of the dominant and unsympathetic alterations to the building as well as harm to the trees he concluded the proposal would fail to preserve or enhance the NECA. He noted this was 'less than substantial harm' in the terms of paras 199-202 but considered the limited benefit of bringing the coach house back into use would be limited given the harm identified, and this did not outweigh the harm overall to the NECA.

This was in conflict with policies BE15, BE16, BE17, GE15 (UDP), and to the aims of the NPPF, and the appeal in respect of works to the coach house was dismissed.

He agreed with the Council that the other aspects of the scheme (windows) were not harmful and allowed this element of the appeal and imposed conditions.

4.0 APPEALS DECISIONS – ALLOWED

(i) To report that an appeal against the delegated decision of the Council to refuse planning permission for the alterations to roof to form additional living accommodation, alterations to include raising the ridge height, hip to gable roof and erection of rear dormer extension with juliette balcony (resubmission of planning application 21/01982/FUL) at 25 Huntley Road, Sheffield, S11 7PA (Case No:- 21/04664/FUL) 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 host dwelling and the locality.

They noted that a permission existed for increasing the roof height but retaining it's hipped form and gave this significant weight in determining the appeal. This application differed in including a gable roof form.

The Inspector noted the predominance of two storey dwellings with hipped roof forms but also that gable forms were also present, and the topography was varied. Given the stepped siting of the dwellings and the variation in roof form in the street they did not agree with officers that the alterations would be particularly conspicuous or visually dominant in the street scene. Some disruption to symmetry would occur, mitigated by the stepped siting and the previous approval of an increased height would have a similar effect and was given significant weight.

The Inspector noted the Council's concerns about future terracing effect but felt the ability to control this existed in the event of future proposals from the neighbour, and it would in any event be mitigated by the stepped nature of the street.

The Inspector therefore concluded there would be no unacceptable harm to

the character and appearance of the host property or streetscene and as such the works would not conflict with policies BE5, H14 (UDP) and CS74 (Core Strategy).

COSTS

The appellant also submitted a costs claim primarily based upon inconsistent decision making by the Council, including its failure properly to assess the other altered dwellings within the streetscene and also giving too much weight to what could happen if 23 Huntley Road is altered at a later date.

The Inspector considered the reasons for different decisions being made on similar schemes were explained fully by the Council in response and were distinguished from this case. The harm anticipated was clearly explained in making the decision and this was known to the appellant when amendments were requested to the original application.

Although the Inspector reached a different judgement they accepted the Council had justified its concerns about the impact of the proposed works on the host property and the street scene, and the relationship to 23 Huntley Road.

He did not therefore agree that the Council had acted unreasonably and considered an award of costs was not justified.

(ii) To report that an appeal against the delegated decision of the Council to refuse planning permission for the erection of two-storey side extension to dwellinghouse (resubmission of 21/01725/FUL) (Amended Description) at 315 Sharrow Lane, Sheffield, S11 8AP (Case No: 21/04510/FUL) 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 host dwelling and the locality.

The Inspector acknowledged the location of the proposed extension on the junction of Sharrow Lane and Huntingdon Crescent, within the side garden of the dwelling and noted it would be closer to the boundary and elevated above the footway of Huntingdon Crescent.

The Inspector considered the presence in the area of side walls of buildings close to footways and felt they did not materially alter the character of the area.

Although the resulting property would be wider, the Inspector did not feel it would be so conspicuous so as to significantly detract from the character and appearance of the area.

In coming to this view the Inspector acknowledged the subservient nature of the extension (set down ridge and set back front elevation) and concluded

that overall the development would not cause unacceptable harm and was not in conflict with policies BE5, H14 (UDP), and CS74 (Core Strategy).

(iii) To report that an appeal against the delegated decision of the Council to refuse planning permission for the retention of single-storey extension to form summerhouse to rear of dwellinghouse at 24 Mansel Road, Sheffield, S5 9QQ (Case No: 21/03969/FUL) has been allowed.

Officer Comment:-

The main issue was the effect of the summerhouse on the living conditions of the neighbours, with regard outlook and overshadowing.

The Inspector found that, while the attached neighbour has only a small triangular shaped rear garden and the summerhouse projects approximately 6.8m along the common boundary at a height above the existing boundary fencing, the neighbour also has a larger, fully enclosed garden to the side of the house which appeared well used and maintained, with a pleasant aspect and plenty of light. Further, the neighbour's rear garden is already overshadowed by the existing high close boarded fence along the boundary.

The Inspector concluded that the increase in overshadowing resulting from the summerhouse would not be sufficient to result in harm to the overall enjoyment of the neighbour's gardens and as the roof of the summerhouse sits below the cill of the neighbour's nearest window, there would be no impact on light received by this room, or the outlook from it. Consequently finding that the summerhouse does not cause harm to the living conditions of the adjoining neighbours, either through loss of outlook or overshadowing.

(iv) To report that an appeal against the delegated decision of the Council to refuse planning permission for the erection of single-storey detached outbuilding to be used as garage to side of dwellinghouse (resubmission of planning application 20/03251/FUL) at 8 Plumbley Lane, Sheffield, S20 5BJ (Case No: 21/02225/FUL) has been allowed.

Officer Comment:-

The Inspector considered that the main issue is the effect of the development on the character and appearance of the area.

They noted that, whilst the garage would be positioned forward of the dwelling it would be set back behind a low front boundary wall and seen against the backdrop of the dwelling. They concluded that it would not unduly protrude into the street scene or hinder the views from the nearby village green and mature trees, particularly as the dwellings are elevated above the level of the garage and will be viewed in the backdrop. The design of the garage replicates that of the one close by on the same estate and it would not result in an overdevelopment of the plot.

Whilst the Inspector noted that accessing and egressing the garage would be difficult, they noted that there would still be two other parking spaces in the

plot, so this did not alter their view as to the acceptability of the proposal. They concluded that the proposal was in accordance with the UDP, the Core Strategy and the NPPF.

(v) To report that an appeal against the delegated decision of the Council to refuse planning permission for the permanent clear glazing to oriel window facing no. 23 Stumperlowe Park Road (Application under Section 73 to remove/vary condition 4 (obscure glazing) of planning permission no. 18/02587/FUL (Erection of a two/single-storey rear extension to dwellinghouse including juliet balcony, first-floor front extension and raised patio to rear)) at 25 Stumperlowe Park Road, Sheffield, S10 3QP (Case No:- 21/02191/FUL) has been allowed.

Officer Comment:-

Condition 4 of planning approval 21/02191/FUL stated that the front panel of a first floor side facing oriel window should be obscurely/opaquely glazed in perpetuity. The main issue was therefore the effect that removing Condition 4 would have on the living conditions of the neighbour with regard to overlooking and privacy.

The Inspector found that the side window is close to the adjacent boundary, but that the immediate view from the front pane of the window is to the roof of the adjacent dwelling that is located at a lower site level, and which has recently had approval for an extension to be constructed.

The Inspector also found that beyond the roof plane of the adjacent property are long range views beyond the property, that would have no affect on privacy, so that when looking out of the host property through the disputed window, there would be no loss of privacy to the adjacent property.

The Inspector concluded that, due to the specific site circumstances and positioning of the dwellings, the condition requiring the installation of obscure/opaque glazing to the oriel window was unreasonable and unnecessary and so concluded that the appeal should be allowed in respect of the deletion of Condition 4.

(vi) To report that an appeal against the delegated decision of the Council to refuse planning permission for the erection of 17.5m Monopole with 6no. antennas, 1 GPS module, 2no. equipment cabinets, 1no. meter and ancillary works (Application to determine if approval is required for siting and appearance) at land opposite 196-198 Abbeydale Road South, Sheffield, S7 2QL (Case No: 21/01925/TEL) has been allowed.

Officer Comment:-

The Inspector considered the main issues to be a) the effect on the character and appearance of the area, and b) if harmful, whether this is outweighed by need in the location proposed having regard to availability of alternative sites.

They noted the presence of vertical structures nearby including 10m street light columns, a 12.5m telecom pole (approx. 130m away) and trees of 15-20m tall but acknowledged the proposed pole would exceed the height of immediate neighbouring structures.

They noted the pole would be visible when travelling in both directions along Abbeydale Road South but would be seen in the context of other structures and would be softened by the tree backdrop. Whilst not dominant in long views it would be more apparent in close views and for residents opposite the site and adjacent (183 Abbeydale Road South). Whilst affecting outlook the Inspector didn't think this was unacceptable given the separation of a three lane carriageway and wide pavement and highway verge.

They concluded in terms of a) that there would be moderate harm as a noticeable feature in the street scene especially from close quarters and so there was some conflict with para 115 of the NPPF which requires sympathetically designed telecoms equipment, camouflaged where possible.

Turning to b) the Inspector noted the appellants investigation of alternative sites, mast sharing and co-location, and accepted the justification for this choice of site, and the need for the facility to roll out the 5G network and improve existing services and gave this substantial weight.

The Inspector noted the ICNIRP certificate provided assurances on health risk and whilst acknowledging the proximity of the site to the Abbeydale Industrial Hamlet and its Grade 1 and Grade 2* buildings felt the development would not be readily apparent in views of the Hamlet from Abbeydale Road South or when in the Hamlet.

(vii) To report that an appeal against the delegated decision of the Council to refuse planning permission for the demolition of rear detached garage, erection of a two-storey side extension and single-storey rear extension, excavation of part of rear garden to form patio area and alterations and extension to front driveway of dwellinghouse (Amended Description) at 60 Woodstock Road, Loxley, Sheffield, S6 6TG (Case No: 21/01644/FUL) has been allowed.

Officer Comment:-

The main issue was the effect of the proposed side extension on the living conditions of the occupiers of a neighbouring property, with particular regard to light and visual impact.

The Inspector found that the proposed side extension would project to the side boundary of the appeal site, which is also the rear boundary of 2 Austin Court. Due to the angle of the plots, the distance between the extension and the rear elevation of No 2 would vary and part of the extension would fall below the recommended minimum 12m for the separation between a two-storey extension and the ground floor main windows of a neighbour as set out in guideline 5 of the Designing House Extensions Supplementary Planning

Guidance. No 2 also has a conservatory to the rear which would further reduce the separation distance.

However, the Inspector also found that the original kitchen window at No 2 has been filled in during the construction of an extension to that property, and that the conservatory has a tiled roof which would reduce the outlook from the room that is served by the conservatory and the light received by this room. The south-facing windows of the conservatory, which would receive the most sunlight, would be unaffected by the proposal, and the proposed extension would not be directly in line with the rear windows of the extended part of No 2, so the outlook from and light received by those windows would remain within acceptable standards.

The Inspector concluded that the proposed extension would not cause a significant overbearing impact or reduce light levels within No 2 to an unacceptable degree and so the proposal would accord with policy H14 of the Unitary Development Plan and paragraph 130(f) of the NPPF.

(viii) To report that an appeal against the delegated decision of the 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) has been allowed.

Officer Comment:-

The Inspector considered the main issue was the effect of the development on the character and appearance of the surrounding area.

They noted the mast at 17.5m, on a grass verge in an area of two storey housing, would be taller than the dwellings, street furniture, and neighbouring trees, but felt the thick trunks and large canopies of the trees would offer some screening. The Inspector also felt it significant that with land rising to the south, views of the mast from the north would be against the backdrop of trees. From the south they felt views were limited by the bend in the road, with foreground trees providing screening. They felt this would not result in an incongruous form but that the mast would assimilate the mast into the low-rise urban landscape much like the nearby church.

In allowing the appeal they did not feel there was conflict with policies BE14 (UDP) or CS74 (Core Strategy).

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

24 May 2022

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