



SHEFFIELD CITY COUNCIL Planning & Highways Committee

Report of: Director of City Growth Department

Date: 12 April 2022

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 the erection of 1no. double-sided freestanding internally illuminated 48-sheet digital LED advertising unit at Martin Lee Car Sales, The Steelworks, 2 Livesey Street, Sheffield, S6 2DB (Case No:- 21/05258/HOARD).
(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 erection of 20m EE/H3G phase 7 streetworks pole on root foundation and associated ancillary works (Application for determination if approval required for siting and appearance) at Crosspool District Youth Sports Trust, Coldwell Lane, Sheffield, S10 5TJ (Case No:- 21/04964/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 1x internally illuminated digital advertising screen at Wicker Specials, 66 - 68 Wicker, Sheffield, S3 8JD (Case No:- 21/04734/HOARD).
(iv) 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 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).
(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 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).
(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 single-storey rear extension and alterations to roof to include formation of front and rear dormer extensions to dwellinghouse (resubmission of planning application 20/02897/FUL) at 67 South View Road, Sheffield, S7 1DB (Case No:- 21/04483/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 1 x internally illuminated digital advertising screen at land between Vicarage Road and Newhall Road, Attercliffe Road, Sheffield, S9 3RF (Case No:- 21/04438/ADV).

(viii) 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 rear balcony to dwellinghouse at 58 Brooklands Crescent, Sheffield, S10 4GG (Case No:- 21/03788/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 the demolition of existing outbuilding and erection of 2 x 4 bed detached dwellings, detached garages, associated amenity space, parking and access (Re-submission of 20/00569/FUL) at land and buildings adjacent The Old Barn, 29 South Street, Mosborough, Sheffield, S20 5DE (Case No:- 20/03765/FUL).

3.0 APPEALS DECISIONS – DISMISSED

(i) To report that an appeal against the Committee decision of the Council to refuse planning permission for the erection of 20.0m monopole on root foundation with associated equipment cabinets and ancillary works (Application for determination if approval required for siting and appearance) at land adjacent Fulwood Bowling & Tennis Club Ltd, Chorley Road, Sheffield, S10 3RL (Case No:- 21/03647/TEL) has been dismissed.

Officer Comment:-

The main issue was the effect of the proposal on the character and appearance of an area with an overwhelmingly residential and suburban character.

The Inspector concluded that, due to its height, the proposed mast would appear vastly out of scale with its low level residential surroundings and would consequently appear as a prominent and incongruous addition to the streetscene. The Inspector also concluded that the harm identified would not be outweighed by the need for the installation.

(ii) To report that an appeal against the Committee decision of the Council to refuse planning permission for the erection of two dwellings with associated access, parking and landscaping at land between 94 and 98 Wheel Lane, Grenoside, Sheffield, S35 8RN (Case No:- 20/02057/FUL) has been

dismissed.

Officer Comment:-

The main issues were the effect of the proposed development on the character and appearance of the area and the amenities of neighbouring residents.

In relation to the first issue the Inspector found that, in the context of residential development comprising almost exclusively of bungalows, the proposed two storey dwellings would be alien features in the street scene that would be seriously uncomplimentary to the prevailing form of built development on Wheel Lane and would not represent good design or be sustainable development.

In relation to the second issue and taking into account the three-dimensional mass of House One and its proximity to the rear garden of 98 Wheel Lane, the Inspector found that the proposed development would be prominent in and would dominate the garden area of this property as well as the outlook from a conservatory at the rear of the property. To a lesser degree the Inspector found that the proposed development would be a prominent and unacceptable feature in the outlook from the rear garden area of 94 Wheel Lane.

The Inspector concluded that the proposed development would have a significant adverse effect on the character and appearance of the area and would adversely affect the amenities of neighbouring residents.

4.0 APPEALS DECISIONS – ALLOWED

(i) To report that an appeal against the delegated decision of the Council to refuse planning permission for the demolition of existing outbuilding (former shelter) and erection of single-storey building to provide home office and storeroom, erection of single-storey flat roofed building (part subterranean) to provide garden store and garage for two vehicles with provision of associated soft landscaping (resubmission of application 20/01220/FUL) at The Hall, The Old Mayfield School, David Lane, Sheffield, S10 4PH (Case No:- 21/03066/FUL) has been allowed.

Officer Comment:-

The main issue was whether the proposed scheme would be inappropriate development in the Green Belt.

Paragraph 149 of the National Planning Policy Framework (NPPF) states that the construction of new buildings is inappropriate in the Green Belt except where, amongst other things, c) it is the extension or alteration of a building

provided that it does not result in disproportionate additions over and above the size of the original building, and g) it is the limited infilling or the partial or complete redevelopment of previously developed land which would not have a greater impact on the openness of the Green Belt than the existing development.

The proposed development comprises two elements. The Inspector found that the first element, the demolition of the former shelter and erection of a single storey building to provide home office and storeroom, is in the same position as the building permitted under a previous consent and is marginally smaller in volume so would not undermine the openness of the Green Belt when compared against the development already permitted. This element of the proposed scheme is not therefore inappropriate development in the Green Belt.

The Inspector found that the second element, the erection of a part subterranean single storey flat roofed building to provide garden store and a garage for two vehicles, would not undermine the openness of the Green Belt in visual terms due to the site circumstances. He also found that, as a matter of planning judgement, the additional above ground level built form of the proposed garage and garden store building would not result in a material loss of spatial openness, concluding that the proposed scheme complies with Green Belt policy in the NPPF and with Sheffield Unitary Development Plan policies GE1 and GE3.

5.0 CIL APPEALS DECISIONS

Nothing to report.

6.0 NEW ENFORCEMENT APPEALS

(i) An appeal has been submitted to the Secretary of State against the Enforcement Notice served in respect of the breach of planning control as alleged in the notice which is the unauthorised erection of a single-storey rear extension and dormer windows to dwellinghouse at 42 Woodseats House Road, Sheffield, S8 8QF (Planning Inspectorate ref: APP/J4423/C/22/3294743).

7.0 ENFORCEMENT APPEALS DISMISSED

(i) To report that an appeal against the Enforcement Notice issued by the Council for unauthorised use of land for the storage of plant, machinery, equipment, fencing, building material, shipping containers and waste, and other miscellaneous items and materials, and the construction of a hard surface footings/foundations on the land at land between 94 and 98 Wheel Lane, Grenoside, Sheffield, S35 8RN (Planning Inspectorate Ref APP/J4423/C/21/3279433) has been dismissed.

Officer Comment:-

An appeal was made under ground (g) that the time given to comply with the notice was too short. The appellant stated that the time period should be extended until the appeal against the refused planning application has been determined.

Given that an appeal was made against the issue of the enforcement notice and the planning application (Case No. 20/02057/FUL). The compliance with the requirements of the notice is put into abeyance until the date of the issue of the appeal decision. Given that both appeals were held and determined at the same time. The Inspector concluded that there is no reason, to extend the compliance period.

The appeal was dismissed, and the enforcement notice was upheld.

8.0 ENFORCEMENT APPEALS ALLOWED

Nothing to report.

9.0 RECOMMENDATIONS

That the report be noted.

Michael Johnson
Head of Planning

12 April 2022