



SHEFFIELD CITY COUNCIL Planning & Highways Committee

Report of: Director of City Growth Department

Date: 6 October 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
6 October 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 erection of 2no. dwellinghouses with associated parking at site of land between 94 & 98 Wheel Lane Grenoside Sheffield S35 8RN (Case No 19/03073/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 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)</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 20.0m high monopole and associated equipment cabinets to replace existing 17.0m high monopole and associated equipment cabinets at St Aidan's Drive And St Aidan's Road Sheffield S2 2NH (Case No 19/04395/FULTEL)</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 erection of a single-storey front/side extension and erection of a rear dormer to dwellinghouse at 9 Hollow Gate Sheffield S35 1TZ (Case No 20/01244/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 provision of rear timber fence and gate to storage area and provision of decking with timber balustrade, ramp and handrail to rear yard area at Sport Shack 706 Chesterfield Road Sheffield S8 0SD (Case No 20/00994/FUL)</p>

(vi) An appeal has been submitted to the Secretary of State against the delegated decision of the City Council to refuse planning permission for use of residential accommodation (Use Class C3- dwellinghouses) as a HMO - (Sui-Generis), replacement windows and doors, provision of new means of vehicular access with off-street car parking accommodation and removal of a tree at 35 Glen Road Sheffield S7 1RA (Case No 20/00667/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 continuation of use of land for the purpose of storage (Use Class B8 - Storage or Distribution) (Application under Section 191) at land adjacent to the former Bell Hagg Public House Manchester Road Crosspool Sheffield S10 5PX (Case No 19/03033/LU1)

(viii) 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 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)

3.0 APPEALS DECISIONS – DISMISSED

(i) To report that an appeal against the delegated decision of the Council to refuse planning permission for erection of two-storey rear extension to dwellinghouse at Azaan House 18 Fentonville Street Sheffield S11 8BB (Case No 19/04599/FUL) has been dismissed.

Officer Comment:-

The Inspector identified the main issues as being the effect of the development on the character of the area and the living conditions of the existing and neighbouring occupiers.

He felt the two storey flat roofed extension would not be sympathetic to the original form of the dwelling or the surrounding area and would be highly visible from Fentonville Street. This negative impact would be exacerbated by its scale. He concluded it would adversely impact on the street scene and the host dwelling.

In respect of living conditions the extension would leave only 15 sqm of private external amenity space, well below the Council's guidelines leading to poor living conditions for the dwelling's occupants.

In addition he felt that the extension would unreasonably overshadow the neighbouring occupants (21 Croydon Street) creating an unacceptable and overbearing impact.

<p>He noted the appellant's desire to increase the size of the property to accommodate additional family members but explained personal circumstances rarely outweigh material planning concerns as the impact remains long after the circumstances no longer apply.</p> <p>He dismissed the appeal citing conflict with policies H14 of the UDP, SPG guidelines and para 127 of the NPPF.</p>
<p>(ii) To report that an appeal against the delegated decision of the Council to refuse planning permission for removal of existing 14.7m monopole and erection of 20.0m Phase 7 monopole with associated equipment cabinets at land adjacent Berkeley Precinct 451 Ecclesall Road Sheffield S11 8PN (Case No 19/02956/FULTEL) has been dismissed.</p>
<p>Officer Comment:-</p> <p>The Inspector identified the main issues as being the impact on the character and appearance of the area, and upon an identified community facility.</p> <p>In terms of character and appearance, the relatively low rise, open nature of this section of Ecclesall Road was noted.</p> <p>He noted also the 20m mast would replace an existing mast of 14.5m but would be a considerably taller, wider and bulkier feature. He therefore agreed with officers that this, along with associated cabinets would be a prominent and obtrusive feature in the street scene contrary to policy BE14, CS74 and para 113 of the NPPF.</p> <p>The community facility was noted as being an area of hardstanding used by the public for occasional displays. However the inspector concluded there was no evidence it was maintained for public use, and did not agree with officers that this was a basis for resisting the proposal.</p> <p>The Inspector noted the benefits of enhanced 5G provision but did not feel sufficient evidence had been provided of the need for the facility in this location.</p> <p>In concluding the Inspector considered the harm outweighed the benefits of the enhanced 5G provision and dismissed the appeal.</p>
<p>(iii) To report that an appeal against the delegated decision of the Council to refuse planning permission for Retention of erection of boundary fence at 126 Sandford Grove Road Sheffield S7 1RT (Case No 20/01098/FUL) has been dismissed.</p>
<p>Officer Comment:-</p> <p>The Inspector identified the main issue as being the effect of the fence on the character and appearance of the area.</p>

The fence (already erected) was noted to stand up to 3m above footpath level owing to the topography of the area, and was noted as being in significant contrast to neighbouring lower boundary treatments.

The Inspector agreed with officers that the fence represented a prominent and incongruous feature in the street scene in conflict with policies BE5, H14, SPG guidelines 1 and 2 and para 127 of the NPPF.

He noted the appellants reference to a need to provide security and a history of vandalism at the property but these did not outweigh the harm and he dismissed the appeal.

4.0 APPEALS DECISIONS – ALLOWED

(i) To report that an appeal against the committee decision of the Council to refuse planning permission for erection of two-storey side extension, single-storey front extension and stepped access to rear of dwellinghouse at 40 Dobcroft Avenue Sheffield S7 2LX (Case No 20/00376/FUL) has been allowed.

Officer Comment:-

The Inspector identified the main issue as being the effect of the development upon the character and appearance of the host dwelling and the street scene.

He noted the two storey extension would contain a hipped roof, and be built flush with the front of the existing dwelling. He also noted it would be built up to the common boundary between the application site and no.42 Dobcroft Road where a very similar extension is being constructed, such that there would be a gap of only a few centimetres.

When viewed from an angle he accepted officers view that the properties would read as a terrace of 4 properties but felt that on front elevation the 'v' shape created by the roof form would be visible and reduce the terrace effect.

He accepted the Council's view that along Dobcroft Avenue a number of situations arise where a terrace has been created with flush, full width two storey extensions, however he considered this was so evident that it represented the norm and that other set back extensions disrupted this rhythm. He did not therefore find conflict with SPG guidance or policies BE5 and H14 of the UDP or para 127 of the NPPF and allowed the appeal.

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

6 October 2020