



SHEFFIELD CITY COUNCIL Planning & Highways Committee

Report of: The Head of Planning

Date: 14 February 2023

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

<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 an internally illuminated 48 sheet digital display poster at car park at rear of 129-159 Bradfield Road, Sheffield, S6 2BY (Case No: 22/03342/HOARD).</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 the upgrade to EE/H3G 1No. 11.79m High Argus NNOX310R Tri-Sector Antenna on root foundation including EE/H3G Phase 7 Monopole complete with wraparound cabinet and associated ancillary works (Application for determination if approval required for siting and appearance) at telecommunications mast at junction with Carter Knowle Road and Montrose Road, Sheffield, S7 2EF (Case No: 22/03063/TEL).</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 the retention of a front porch and carport to the side of the dwellinghouse at 264 Darnall Road, Sheffield, S9 5AN (Case No: 22/02958/FUL).</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 the retention of 2no front dormer windows to dwellinghouse at 264 Darnall Road, Sheffield, S9 5AN (Case No: 22/02955/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 the use of annexe incidental to no. 53 Carter Knowle Road (approved under 20/03749/FUL) as independent dwellinghouse at 4 Coverdale Road, Sheffield, S7 2DD (Case No: 22/02927/FUL).</p>
<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 the erection of a 48 – sheet paper paste advertising display at 85a Chesterfield Road, Sheffield, S8 0RN (Case No: 22/02854/HOARD).</p>

(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 Installation of telecommunications upgrade and associated ancillary works (Application for determination if approval required for siting and appearance) at Gleadless Road North BT Pole, Darsbury Road Junction, Sheffield, Lowfield, S2 3AE (Case No: 22/02629/TEL).

(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 a free-standing summer house/ garden studio in rear curtilage of dwellinghouse at 19 Thorncliffe View, Sheffield, S35 3XU (Case No: 22/01913/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 erection of a two-storey side/rear extension, single-storey rear extension and alterations to roof space to form habitable accommodation including rear dormer window and formation of gable end at 81 Whiteways Road, Sheffield, S4 8EW (Case No: 22/01907/FUL).

(x) 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 a two-storey side/rear extension, single-storey front and rear extensions and alterations to roof space to form habitable accommodation including rear dormer window and formation of gable end at 79 Whiteways Road, Sheffield, S4 8EW (Case No: 22/01906/FUL).

(xi) 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 15.0m Phase 9 monopole, associated cabinets and ancillary works (Application for determination if approval required for siting and appearance) at land at Broomfield Lane and opposite Bracken Moor Lane, Sheffield, S36 2AQ (Case No: 22/01884/TEL).

(xii) An appeal has been submitted to the Secretary of State against the Committee decision of the City Council to refuse planning permission for the continuation of use of land as a car sales forecourt and vehicle storage area (sui generis), including retention of portable building and container (retrospective application), resurfacing works, and erection of a 2.1 metres high acoustic fence along the south-west edge of the designated storage area and car sales forecourt at 268 Handsworth Road and land to the rear of 270, Sheffield, S13 9BX (Case No: 22/01397/FUL).

3.0 APPEALS DECISIONS – DISMISSED

(i) To report that an appeal against the delegated decision of the Council to refuse planning permission for the demolition of front porch and rear lean-to, erection of two-storey front extension, two/single-storey rear extension and re-

rendering of the dwellinghouse at 20 Smalldale Road, Sheffield, S12 4YB (Case No: 22/02678/FUL) has been dismissed.

Officer Comment:-

The Inspector noted the dwelling was a semi-detached property in an area of similar dwellings, set up from the highway with small front gardens, and identified the main issue as being the effect of the extension on the character and appearance of the host dwelling and the street scene.

They considered the construction of a two-storey extension would project noticeably forward of the adjoining and other dwellings into the small front garden and represent a bulky and discordant addition that would detract from the character and appearance of the host dwelling and the street scene.

The appellants referred to other similar extension in the area but the Inspector noted only one nearby and considered it to be bulky and anomalous.

They therefore agreed with officers that the proposal was contrary to the aims of policies BE5 and H14 of the UDP, and paragraph 130 of the NPPF.

(ii) To report that an appeal against the delegated decision of the Council to refuse planning permission for the alterations to roof including raised ridge height and erection of dormer window with Juliet balconies to rear of dwellinghouse at 29 Worcester Road, Sheffield, S10 4JH (Case No: 22/01898/FUL) has been dismissed.

Officer Comment:-

The Inspector concluded that the proposed increase in ridge height would destroy the cohesive character of the row of 4 detached dwellings whose ridge heights step down to reflect the topography of the area. The increase in height and introduction of a different roof pitch would be harmful to the character of the streetscene.

The Inspector considered that the development would provide adequate parking provision in the form of two off-street parking spaces.

(iii) To report that an appeal against the delegated decision of the Council to refuse planning permission for the erection of an open-sided extension with roof to existing unit for use as storage area, and additional open-sided storage unit with roof on existing hardstanding at Redcar Brook Company Ltd, Warehouse and office 80 metres west of Fern Glen, Hathersage Road, Sheffield, S17 3AB (Case No: 21/03947/FUL) has been dismissed.

Officer Comment:-

The Inspector identified the main issues as being:-

a) whether or not the proposal would be inappropriate development in the

Green Belt in line with the National Planning Policy Framework; and
b) whether the harm by inappropriateness, and any other harm, would be clearly outweighed but very special circumstances.

She noted in respect of a) that para 149 of the NPPF identifies disproportionate additions to existing buildings as 'inappropriate' and that the existing warehouse building has been extended from its original form. The appellant argued the 'original building' for the purposes of considering later additions should be the building as it stood at the time of a grant of a lawful development certificate for its use, but the Inspector agreed with officers that this was not the case, and the 'original building' is that which stood in July 1948 as identified by Annex 2 to the NPPF.

She then considered the proposed additions, in conjunction with an earlier office extension would more than double the size of the original building and agreed with officers that the extensions were disproportionate and therefore inappropriate by definition.

In terms of b) she noted the aim of para 137 of the NPPF to prevent urban sprawl in the Green Belt, to keep land permanently open and protect the Green Belt characteristics of openness. She noted openness has spatial and visual aspects.

She felt the extension would add considerable bulk and would be materially larger than the existing building, which would be discernible from open views towards the site, including from Hathersage Road. She did not feel the appellants suggestion of landscaping to screen the development would resolve this given the spatial consideration of openness.

The Inspector did not consider that the open storage on the site was of a significance or permanence to impact on openness in the same manner that a permanent structure of the kind proposed does. She concluded on openness that the proposal would erode the openness of the Green Belt in spatial and visual terms conflicting with UDP policies GE1, GE2, GE3 and GE8, Core Strategy policy CS71 and the NPPF.

Shen then considered other aspects of the appellants case including the visual improvement over open storage, consolidation of the business on the site avoiding relocation, difficulties of the pandemic and Brexit, local employment opportunities and potential environmental benefits, and gave them moderate weight in favour of the application.

In considering whether very special circumstances exist she confirmed the development is inappropriate and haresms openness. The moderate weight she gave to the benefits outlined were not considered to represent very special circumstances necessary to justify the development, and the Inspector therefore dismissed the appeal.

(iv) To report that an appeal against the delegated decision of the Council to refuse 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) has been dismissed.

Officer Comments:-

The Inspector considered that the mast would be significantly taller than the existing vertical structures already present, greater in thickness and a noticeably different shape. The mast would protrude above trees and be visible from long range views along the straight highway. The grey colour would also accentuate the mast and increase its prominent. The mast would therefore be out of context with the surrounding low scale form of development.

The mast would sit in close proximity to an existing mast and there is also an unimplemented permission for a 20 metre high mast close to the site. Cumulatively, the masts would lead to a cluttered and congested appearance.

The proposal does not robustly consider the option of site sharing and so does not comply with Paragraph 115 of the NPPF.

The Inspector gave weight to the need for a high quality telecommunications network as set out in the NPPF, but found that this did not outweigh the significant harm to the character and appearance of the area.

4.0 APPEALS DECISIONS – ALLOWED

Nothing to report.

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 ENFORCMENT APPEALS ALLOWED

Nothing to report.

9.0 RECOMMENDATIONS

That the report be noted.

Michael Johnson
Head of Planning

14 February 2023

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