



SHEFFIELD CITY COUNCIL Planning & Highways Committee

Report of: Director of City Growth Department

Date: 12 January 2021

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 delegated decision of the City Council to refuse planning permission for the removal of 12.4m mast and erection of 20m monopole and associated equipment cabinets and ancillary works (Application for determination if approval required for siting and appearance) at telecommunication mast opposite 518 Bellhouse Road, Sheffield, S5 0EP (Case No: 20/02971/TEL)

(ii) 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 and alterations to dormer window to front of house in multiple occupation (HMO) at 5 Cemetery Avenue, Sheffield, S11 8NT Case No: 20/02629/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 the removal of 9.7m monopole and associated cabinets and erection of 20m monopole with 7no associated equipment cabinets and associated works at telecommunications mast north west of 285 Psalter Lane, Sheffield, S11 8UU (Case No: 20/02204/FULTEL)

(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 20m monopole and associated equipment cabinets and ancillary works (Application for determination if approval required for siting and appearance) at telecommunications mast 56M south of junction with Danewood Avenue and Castlebeck Avenue, Sheffield, S2 1DS (Case No: 20/02180/TEL)

(v) An appeal has been submitted to the Secretary of State against the delegated decision of the City Council to refuse planning permission for alterations to and raising roof height of garage to provide living accommodation for dependent relative at Far End Cottage, Rye Lane, Sheffield, S6 6GX (Case No: 20/01862/FUL)

(vi) An appeal has been submitted to the Secretary of State against the committee decision of the City Council to refuse planning permission for the hybrid application for change of use of existing buildings to be retained, altered vehicular access from Loxley Road with secondary public transport access from Rowell Lane and associated works with outline approval (with all other matters reserved) for demolition of existing buildings and structures, provision of a residential led mixed-use development that will deliver up to 300 dwellings, reinstatement works, site remediation, green infrastructure, landscaping and associated infrastructure (Amended Description) at Hepworth Properties Ltd, East Works, Storrs Bridge Lane, Sheffield, S6 6SX (Case No: 20/01301/OUT)

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 a digital advertisement board at 253 Halifax Road, Wadsley Bridge, Sheffield, S6 1AD (Case No: 20/01329/ADV) has been dismissed.

Officer Comment:-

The main issue was the effect of the proposed advertisement on the amenity of the area.

The Inspector noted that the 'V' shaped structure with 2 LED display screens would be located opposite a defined shopping centre but within the visual context of a residential area to the north and open areas to the south, against which the sign would appear as obtrusive clutter. They considered that the visual harm would be exacerbated by the illuminated and changing nature of the images such that the proposal conflicts with policy BE13 of the UDP and with the National Planning Policy Framework with regards to achieving well-designed places.

(ii) To report that an appeal against the delegated decision of the Council to refuse planning permission for the erection of a detached double garage to dwellinghouse at 40 Bridle Stile Gardens, Sheffield, S20 5EH

Officer Comment:-

The Inspector considered the main issues to be the effect of the development on the amenity of the adjoining property; highway and pedestrian safety; and the character and appearance of the area.

They concluded that the garage would, by reason of its height and length, cause unacceptable harm to the garden area of the adjoining property by appearing dominant and enclosing. They also concluded that the garage would result in the loss of a turning area at the end of a private drive which would result in long reversing manoeuvres and conflict between pedestrians and vehicles.

Whilst the overall design of the garage was considered acceptable, the above two factors meant that the proposal was unacceptable and contrary to the development plan, supplementary planning guidance and the national planning policy framework.

(iii) To report that an appeal against the delegated decision of the Council to refuse planning permission for the 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) has been dismissed.

Officer Comment:-

The Inspector identified the main issue as being the impact of the development on occupiers of adjoining residential property with particular regard to noise and disturbance.

She noted the juxtaposition of the external area with flats above the unit and neighbouring properties and concluded that the noise and disturbance from comings and goings, presence of gathered groups of customers, and from the bar below when doors were being constantly opened would be harmful to the living conditions of those residents, as would the proximity to the external staircase access to the flat above in conflict with policy S10 of the UDP.

(iv) To report that an appeal against the delegated decision of the Council to refuse planning permission for the erection of rear and front dormer to dwellinghouse at 26 Logan Road, Sheffield, S9 4PF (Case No: 20/00948/FUL) has been dismissed.

Officer Comment:-

The Inspector considered that the main issue was the impact of the front dormer on the character and appearance of the host building. The Inspector noted that it would be offset from the windows below and would disrupt the symmetry of the window composition as a result. The appeal was therefore dismissed as out of character with the host dwelling, contrary to Policies BE5 and H14 of the UDP, Core Strategy Policy CS74 and the Supplementary Planning Guidance on Designing House Extensions.

(v) To report that an appeal against the delegated decision of the Council to refuse planning permission for the demolition of dwellinghouse and erection of two dwellinghouses with associated parking (Resubmission of planning permission 18/02477/FUL) at 499 Loxley Road, Sheffield, S6 6RP (Case No: 20/00500/FUL) has been dismissed.

Officer Comment:-

The main issues were the effect of the development on the character and appearance of the area and the living conditions of future occupiers of the

dwellings with regard to the provision of external amenity space.

The Inspector particularly felt that the level of amenity space was acceptable and policy compliant, but that the design of the replacement properties with a deep plan form, multiple roof windows and loss of space between dwellings, as well as masking views of the adjoining terraced properties, would lead to an erosion of character on this part of Loxley Road, including a loss of glimpsed views to the valley behind. She concluded that the proposal would be contrary to BE5, H14, CS74 and the Loxley Valley Design Statement.

(vii) To report that an appeal against the delegated decision of the Council to refuse planning permission for the retention of conservatory with undercroft storage and Juliette balcony (re submission of 19/01224/FUL) (Amended description) at 69 Oldfield Road, Sheffield, S6 6DS (Case No: 20/00185/FUL) has been dismissed.

Officer Comment:-

The main issue was the effect of the development on the living conditions of occupants of 67 Oldfield Road with regard to privacy.

The Inspector concluded that, as a result of the elevated position and splayed garden boundary, the extensive conservatory glazing and Juliette balcony would result in a loss of privacy which would harm the neighbour's living conditions, contrary to Policy H14 of the Sheffield Unitary Development Plan, Chapter 12 of the National Planning Policy Framework and guidance contained in the Council's Supplementary Planning Guidance 'Designing House Extensions.'

(viii) To report that an appeal against the committee decision of the Council to refuse planning permission for the 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) 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. She noted that the current street scene has an open and undeveloped quality and that the proposed pole would be taller and wider than the existing pole with more prominent antenna. She considered that the structure would be highly prominent and obtrusive when viewed from adjacent areas. The number and location of the accompanying cabinets exacerbates these concerns and the lack of evidence presented for the need for this pole in this location was a contributory factor in reaching her conclusion that the proposal was in conflict with UDP Policy BE14 and Paragraph 115 of the NPPF.

4.0 APPEALS DECISIONS – ALLOWED

(i) To report that an appeal against the delegated decision of the Council to refuse planning permission for alterations and extensions to detached garage including formation of flat roof with 1.2m screen fencing above and formation of car port, and erection of boundary wall and gates to front at 27 Sandygate Park Road, Sheffield, S10 5TX (Case No: 20/01647/FUL) has been allowed.

Officer Comment:-

The main issue was the effect of the car port on the character and appearance of the host dwelling and area.

The Inspector felt that the car port would project beyond the front porch, but not to significant extent. Moreover, owing to its low profile, open-fronted form and limited width, the car port would be a modest addition comparative to the two-storey host building.

The Inspector concluded that the car port would not cause unacceptable harm to the character and appearance of the host dwelling or area.

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

Officer Comment:-

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

The Inspector concluded that the replacement mast would result in some limited harm to the area's character and appearance, with particular regard to the proposal's scale and siting, but that the harm would, on balance, be outweighed by the economic and social benefits that would arise as a result of the proposed upgrade which would not be achieved with a mast of a lower height, in accordance with Policy BE14 of the UDP and paragraphs 112 and 113 of the NPPF where it outlines that advanced, high quality and reliable communications infrastructure is essential for economic growth and social well-being.

(iii) To report that an appeal against the delegated decision of the Council to refuse planning permission for removal of a 11.7m monopole with a 20.0m high monopole supporting 12 no antenna apertures, 8x equipment cabinets and ancillary works at telecommunications mast to the front of the Telephone Exchange, Greenhill Parkway, Sheffield, S8 7QY (Case No: 19/02281/FULTEL) has been allowed.

Officer Comment:-

The main issue was the effect of the development on the character and appearance of the area, including the nearby Greenhill Conservation Area.

The Inspector considered that the replacement mast would be prominent as it would be taller than other established features including nearby trees, and owing to the separation from the Conservation Area's historic core would result in less than substantial harm to the heritage asset.

The Inspector gave significant weight to the public benefits of enhanced communication capabilities for the general public and emergency services and concluded that these outweighed the less than substantial harm to the conservation area and the general location and allowed the appeal in accordance with Policy BE14 of the UDP and paragraphs 112 and 113 of the NPPF where it outlines that advanced, high quality and reliable communications infrastructure is essential for economic growth and social well-being.

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

12 January 2021

