



SHEFFIELD CITY COUNCIL Planning & Highways Committee

Report of: The Head of Planning

Date: 20 August 2024

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 advertisement consent for a double-sided internally illuminated digital 6 sheet advertising panel on new bus shelter at shelter 29m from 133 Ecclesall Road, Sheffield, S11 8HY (Case No: 24/01168/HOARD).

(ii) An appeal has been submitted to the Secretary of State against the delegated decision of the City Council to refuse advertisement consent for a double-sided internally illuminated digital 6 sheet advertising panel on new bus shelter at shelter opposite 560 Retford Road, Sheffield, S13 9WF (Case No: 24/01034/HOARD).

(iii) An appeal has been submitted to the Secretary of State against the delegated decision of the City Council to refuse advertisement consent for a double-sided digital 6 sheet advertising panel on new bus shelter at pavement to front of 95 & 97 Wicker, Sheffield, S3 8HS (Case No: 24/01030/HOARD).

(iv) An appeal has been submitted to the Secretary of State against the delegated decision of the City Council to refuse advertisement consent for a double-sided digital 6 sheet advertising panel on new bus shelter at shelter opposite Fairleigh, Prince of Wales Road, Sheffield, S2 1EW (Case No: 24/01029/HOARD).

(v) An appeal has been submitted to the Secretary of State against the delegated decision of the City Council to refuse advertisement consent for a double-sided digital 6 sheet advertising panel on new bus shelter at shelter adjacent 63 Meadowhead, Sheffield, S8 7UA (Case No: 24/01027/HOARD).

(vi) An appeal has been submitted to the Secretary of State against the delegated decision of the City Council to refuse advertisement consent for a double-sided digital 6 sheet advertising panel on new bus shelter at shelter outside 55-59 Wicker, Sheffield, S3 8HS (Case No: 24/01026/HOARD).

(vii) An appeal has been submitted to the Secretary of State against the delegated decision of the City Council to refuse advertisement consent for a double-sided digital 6 sheet advertising panel on new bus shelter at bus

shelter adjacent to Meadowcourt, Meadowhall Road, Sheffield, S9 1BS (Case No: 24/01024/HOARD).

(viii) An appeal has been submitted to the Secretary of State against the delegated decision of the City Council to refuse advertisement consent for a double-sided digital 6 sheet advertising panel on new bus shelter at bus shelter opposite Meadowhall Riverside, Meadowhall Road, Sheffield, S9 1BS (Case No: 24/01023/HOARD).

(ix) An appeal has been submitted to the Secretary of State against the delegated decision of the City Council to refuse advertisement consent for a double-sided digital 6 sheet advertising panel on new bus shelter outside ASDA, Handsworth Road, Sheffield, S9 4AD (Case No: 24/01021/HOARD).

(x) An appeal has been submitted to the Secretary of State against the delegated decision of the City Council to refuse advertisement consent for a double-sided digital 6 sheet advertising panel on new bus shelter at shelter outside 129 Whitham Road, Sheffield, S10 2SS (Case No: 24/01020/HOARD).

(xi) An appeal has been submitted to the Secretary of State against the delegated decision of the City Council to refuse advertisement consent for a double-sided digital 6 sheet advertising panel on new bus shelter at bus shelter adjoining Tesco, Savile Street, Sheffield, S4 7UD (Case No: 24/01019/HOARD).

(xii) An appeal has been submitted to the Secretary of State against the delegated decision of the City Council to refuse advertisement consent for a double-sided digital 6 sheet advertising panel on new bus shelter at shelter fronting Berkeley Precinct, Ecclesall Road, Sheffield, S11 8PN (Case No: 24/01018/HOARD).

(xiii) An appeal has been submitted to the Secretary of State against the delegated decision of the City Council to refuse advertisement consent for a double-sided digital 6 sheet advertising panel on new bus shelter at shelter opposite 188 Abbey Lane, Sheffield, S8 0BJ (Case No: 24/01017/HOARD).

(xiv) An appeal has been submitted to the Secretary of State against the delegated decision of the City Council to refuse a prior notification application for the erection of a single-storey rear extension - the extension will be 3.7 metres from the rear of the original dwellinghouse, ridge height no more than 3.5 metres and height to the eaves of 2.35 metres at 21 Springfield Avenue, S7 2GA (Case No: 24/01004/HPN).

(xv) An appeal has been submitted to the Secretary of State against the delegated decision of the City Council to refuse advertisement consent for 1x internally illuminated totem sign at Starbucks, 2 The Common, Sheffield, S35 9AJ (Case No: 24/00899/ADV).

(xvi) 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 and extension to roof including hip to gable extension and rear dormer extension with provision of Juliet balcony to rear of dwellinghouse at 7 Laverdene Way, Sheffield, S17 4HL (Case No: 24/00669/FUL).

(xvii) 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 part of existing building (central part of 2nd/3rd floor ceilings/ roofing over 3rd floor) and provide new glazed roof to create an atrium, internal/external alterations and conversion of 2nd/3rd floor offices (Use Class E) to create co-living accommodation HMO (60 en-suite rooms with kitchen) (Use Class Sui Generis) including separate kitchen diner, installation of new windows, alterations to entrance (Dixon Lane), provision of new entrance (Haymarket), alterations to basement to form gym and shared amenity space at 12-18 Haymarket, Sheffield, S1 2AX (Case No: 23/03720/FUL).

(xviii) An appeal has been submitted to the Secretary of State against the decision of the City Council to refuse permission for the removal of a tree (Tree Preservation Order No. 808/465) (T1) at 9 Clumber Road, Sheffield, S10 3LE (Case No: 23/02061/TPO).

(xix) 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 an agricultural building (Resubmission of application 22/01086/FUL) at Harrison Springs, Penistone Road, Sheffield, S35 1WN (Case No: 23/01858/FUL).

3.0 APPEALS DECISIONS – DISMISSED

(i) To report that an appeal against the delegated decision of the Council to refuse advertisement consent for the replacement of 4no. freestanding externally illuminated 48-sheet displays with 2no. internally illuminated digital displays at land in front of Elliot Business Park, Upwell Street, Sheffield, S4 8AJ (Case No: 23/03703/ADV) has been dismissed.

Officer Comment:-

The main issues were the effect of the proposed advertisement display on amenity of the area and its impact upon public safety:-

Amenity

The appeal site is located adjacent to a busy main road in the Lower Don Valley part of the City. Four existing poster advertisements are in-situ, which the Council has no record of any previous applications for. The proposal would replace those advertisements with two new digital “48 sheet” advertisements, which would be the standard 6m x 3m screen size. The proposed digital displays would emit light continuously during operational hours to create an image.

The Inspector was of the view that the bright appearance of the proposed digital screens would make it a more prominent part of the street scene and much more visually intrusive than the hoardings previously located on site. They also considered that the continuous illumination would also emphasise the large scale of the display. As a consequence, the Inspector took the view that it would dominate and overwhelm the immediate locality, and harm the amenity of the area, especially for the residents of the properties near to the appeal site.

Public Safety

The Inspector observed that the approach to the appeal site is relatively straight from both sides of the highway, and the layout in that area is uncomplicated and vehicle users do not have excessive amounts of to concentrate vigorously on, such as cornering or significant traffic lights.

Within this context, the Inspector did not consider that the advertisements would offer a significant distraction to users of the highway. The advertisement would not therefore have any significant adverse impact on public safety. However, this did not overcome the harms to amenity that the Inspector identified.

Summary and conclusion

Overall, therefore the Inspector was of the view that the proposals would form a rather intrusive and incongruous feature within this particular location and would jar with the visual setting of the locality. As such the proposals would cause significant harm to the visual amenity of the area, dominating the locality and surroundings, contrary to policy BE13 of the UDP and paragraph 141 of the NPPF. Due to those concerns and the associated conflict with the local and national policies the appeal was dismissed.

4.0 APPEAL DECISIONS – ALLOWED

(i) To report that an appeal against the delegated decision of the Council to grant planning permission for the erection of 2 dwellinghouses and associated works at land between 94 and 98 Wheel Lane, Sheffield, S35 8RN (Case No: 23/00394/FUL, and impose condition 8 regarding highway improvements, has been allowed.

Officer Comment:-

The proposal sought to remove Condition 8 in order to remove the requirement to demolish and reinstate the front boundary wall inside the boundary of the site and to create a 2m footpath across the site frontage.

This meant that the main issue in the appeal was whether the relocation of the front boundary wall is necessary to make the development acceptable in planning terms.

The Inspector observed that the boundary wall in question is a considerable structure, constructed of stone which has been subject to weathering over its lifespan. The same design of wall runs past 94 Wheel Lane onwards, but on the other boundary in front of 98 Wheel Lane, the structure is of red brick construction to a lower height. The Inspector was understanding that the site was originally a covered reservoir, and the wall was built to a high level in order to assist in keeping the site secure.

The Inspector noted that the condition was added following discussions between the Planning Officer and the appellant, in order to allow for a full 2m metre footway to the front of the site, for highway safety purposes. However, the Inspector was in receipt of information that the wall does not require moving in order to achieve sufficient vehicle visibility to exit the site at the proposed access.

In their observations they noted the existing footway to the front of the appeal site and opposite along its length. At the time of the Inspectors site visit, there were two cars parked on the footpath above and below the site frontage, which he presumed were for visitors to the other properties. These had the effect of making the footpath inaccessible at those points, so any pedestrians using that side of the footpath would have to walk into the highway to pass the parked cars. This situation would still occur if the wall were to be moved back and a vehicle was parked on the footway.

In visual amenity terms the Inspector observed that the wall is of long-standing construction, and it is unlikely to it could be removed and reinstated, yet still remain visually appealing, due to its time and weathering in-situ.

Overall, therefore the Inspector found that the limited benefit to the relocation of the wall is outweighed by the negative aspects, and the original planning permission was not dependant on the move in order to be acceptable. Therefore, the Inspector took the view that condition 8 was not necessary or reasonable and allowed the appeal.

5.0 APPEAL DECISIONS – PART DISMISSED PART ALLOWED

(i) 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 windows to rear and erection of ground floor infill extension to front of dwellinghouse (Re-submission of planning application number 23/01447/FUL) at 54 Blair Athol Road, Sheffield, S11 7GB (Case No: 23/03548/FUL) has been partially dismissed and partially allowed.

Officer Comment:-

The Inspector identified the main issue as being the effect of the development on the character and appearance of the building and the street scene.

He agreed with officers that the ground floor front infill extension raised no objections in terms of effect on the dwelling or street scene.

He noted the staggered ridge lines of terraced dwellings on Blair Athol Road reflecting its topography and that the raising of the roof would introduce a stagger to the ridge line of the pair of semi-detached dwellings. However, with an increase of 1m this would unduly unbalance the symmetry in the pair such that it would be detrimental to their character.

He felt that whilst the flat roofed dormer was set down from the ridge it was only marginally set in from each side making it appear overly dominant on the rear elevation but acknowledge a similar form of dormer could be constructed under Permitted Development rights.

Overall he considered the raising of the ridge height would be significantly harmful to the character and appearance of the building and street scene, in conflict with policies BE5 and H14 (UDP), CS74 (Core Strategy), House Extension Supplementary Planning Guidance, and the design objectives of the NPPF.

6.0 CIL APPEALS DECISIONS

Nothing to report.

7.0 NEW ENFORCEMENT APPEALS

Nothing to report.

8.0 ENFORCEMENT APPEALS DISMISSED

Nothing to report.

9.0 ENFORCEMENT APPEALS ALLOWED

Nothing to report.

10.0 RECOMMENDATIONS

That the report be noted.

Michael Johnson
Head of Planning

20 August 2024

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