



SHEFFIELD CITY COUNCIL Planning & Highways Committee

Report of: Director of City Growth Department

Date: 6 July 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 City Council for the refusal of planning permission for the replacement of original front door with a full height window at 80 Brincliffe Edge Road, Sheffield, S11 9BW (Case No. 20/04322/FUL).

3.0 APPEALS DECISIONS – DISMISSED

(i) To report that an appeal against the delegated decision of the Council to refuse planning permission and listed building consent applications for the provision of an outdoor covered shelter at Chantreyland Nursery, Grange Barn, 34 Matthews Lane, Sheffield, S8 8JS (Case No's 20/03633/FUL and 20/03634/LBC) have both been dismissed.

Officer Comment:-

The Inspector considered the main issue in both appeals to be whether the proposals would preserve the listed building and its special features, and if not whether public benefits existed to outweigh the identified harm.

She noted the building was a grade 2 listed 18th Century former outbuilding to the adjoining house (Norton Grange), originally a wash house and stables, now in use as a children's nursery. She noted also the 12m x 2.5m structure proposed was intended to provide flexibility in external play and a shelter for parents/guardians.

In assessing the impact of the structure proposed she noted the building retained its simple linear form, functional appearance and subservience to the main house. She agreed with officers that the proposal would represent an imposing, assertive feature that in tandem with a more modest recent addition would create visual clutter and diminish the simple functional form of the building, and that the Victorian style of the addition would be at odds with the building's earlier simple appearance.

She did not consider that the benefits outlined by the applicant of flexibility in play, and shelter for parents, assisting with social distancing, were public benefits that outweighed the harm (as required by paras 193-196 of the NPPF).

She also agreed with officers that the harm was limited to the impact on the listed building rather than the wider Norton Conservation Area.

Owing to the above and the conflict with UDP policies BE15, BE17, and BE19 and Core Strategy Policy CS74 she dismissed both appeals.

(ii) To report that an appeal against the delegated decision of the Council to refuse planning permission for advertisement consent for the erection of an illuminated digital display panel at K R Auto's, 522 London Road, Sheffield, S2 4HP (Case No: 20/02423/ADV) has been dismissed.

Officer Comment:-

The main issue was the impact of the hoarding on the character and/or appearance of the street scene and the area.

The Inspector noted the commercial nature of the location and the presence of signage of many forms on surrounding buildings, including hoardings.

However he considered the immediate application site contained mainly 1 or 2 storey properties, including the adjacent building associated historically with Heeley train station, which despite its current association with the adjacent scrap yard had retained its architectural features and if restored could add positively to the street scene.

He agreed with officers that given its size, position and illumination, the hoarding would be an excessively prominent and dominant presence, detrimental to the character and appearance of the area.

Therefore given the conflict with UDP policy BE13 the appeal was dismissed.

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 ENFORCEMENT APPEALS ALLOWED

(i) To report that an appeal against the Enforcement Notice issued by the Council for the unauthorised erection of a large timber building at field at rear of 254 and 254A High Greave, Sheffield, S5 9GR (Planning Inspectorate Ref: APP/J4423/C/21/3270434) has been allowed subject to amendments to the Enforcement Notice.

Officer Comment:-

The appeal was lodged on the ground that the Council was out of time to take enforcement action under the 4 year time limit. The enforcement notice alleged a change of use of part of the Land, (within the green belt), under the 10 year time limit to domestic use and the erection of a timber building for domestic purposes. The steps required were to stop using the Land for domestic purposes and remove the building which was alleged to be part and parcel to the use. The timber building had been erected in 2014. The Inspector rejected this approach and stated the correct time limit had to be 4 years on the building operations.

9.0 RECOMMENDATIONS

That the report be noted.

Michael Johnson
Head of Planning

6 July 2021