



SHEFFIELD CITY COUNCIL Planning & Highways Committee

Report of: Director of City Growth Department

Date: 12 July 2022

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

Nothing to report.

3.0 APPEALS DECISIONS – DISMISSED

<p>(i) To report that an appeal against the delegated decision of the Council to refuse planning permission for the erection of 1no. double-sided freestanding internally illuminated 48-sheet digital LED advertising unit at Martin Lee Car Sales, The Steelworks, 2 Livesey Street, Sheffield, S6 2DB (Case No: 21/05258/HOARD) has been dismissed.</p>
<p>Officer Comment:-</p> <p>The Inspector identified the main issue to be the effect of the proposed advertisement on the amenity of the area.</p> <p>He noted that whilst the advertisement would be located in a busy commercial area, however its size and siting, and being mounted on legs, would lead to it being a dominant and obtrusive feature. Due to its scale, it would appear imposing in the street scene. While the prominent and isolated position would result in it appearing incongruous in the street scene.</p> <p>The Inspector concluded that the proposal would be contrary to Paragraph 136 of the NPPF.</p>
<p>(ii) To report that an appeal against the delegated decision of the Council to refuse planning permission for the partial demolition of existing side extensions to create detached dwellinghouse at 1 Whirlowdale Crescent, Sheffield, S7 2NA (Case No:- 21/03943/FUL) has been dismissed.</p>
<p>Officer Comment:-</p> <p>The Inspector identified the key issue as the effect of the development on the character and appearance of the area.</p>

He noted the area had a regular layout of two storey semi-detached dwellings set back from the highway with regular spacing and a cohesive character. The Inspector agreed with officers that the proposed dwelling had a contrived, tapered form that would not reflect this character as it would be sat too close to the host dwelling and effectively read as a terrace.

He therefore found conflict with policies BE5, H14 and GE4 of the UDP, Policy CS74 of the Core Strategy, and paras 127 and 130 of the NPPF.

The Inspector recognised the tilted balance was in play but felt that the benefit of one additional house were limited (and noted an alternative approval for subdivision of the existing house that provides this) and did not outweigh the harm to the character of the area.

(iii) To report that an appeal against the delegated decision of the Council to refuse planning permission for the demolition of existing outbuilding and erection of 2x 4 bed detached dwellings, detached garages, associated amenity space, parking and access (Re-submission of 20/00569/FUL) at Land and buildings adjacent The Old Barn 29 South Street, Mosborough, Sheffield, S20 5DE (Case No: 20/03765/FUL) has been dismissed.

Officer Comment:-

The Inspector considered the main issues were:-

- a) The living conditions of the occupiers of neighbouring properties with particular regard to outlook and sunlight;
- b) Highway safety with regard to access and visitor parking; and
- c) Biodiversity.

In terms of a) she felt that the height of the proposed dwellings, their large 'T' form would result in an overly oppressive, dominant feature on the boundary with 46 Kelgate, and would create an overbearing effect on the outlook from the rear garden and rear facing habitable rooms of that property, and would be larger and more permanent than existing vegetation. She therefore agreed with officers that there was conflict with policy H14 (UDP) and para 130(f) of the NPPF.

In respect of b) the Inspector noted that South Street was reduced to a single carriageway by parked cars, She noted the access already served 3 dwellings and that it was single width with limited visibility. She also noted the proposed parking layout was significantly compromised and would not function well, resulting in likely additional parking and congestion on South Street to the detriment of highway safety. She therefore agreed with officers there was conflict with policy H14 of the UDP.

With regards to c) she noted the barn on site to be demolished had potential for bat roosts and evidence of nesting birds. No landscape proposals were submitted and the Inspector found the proposal failed to comply with the aims of UDP policy GE11 in that it provided insufficient evidence that the design,

siting and landscaping of the development would respect and promote nature conservation.

The Inspector noted the titled balance was in play owing to the lack of 5 year housing supply within the city but considered the benefits of two additional dwellings did not outweigh the significant harm resulting to neighbours living conditions, highway safety and biodiversity and dismissed the appeal.

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

Nothing to report.

9.0 RECOMMENDATIONS

That the report be noted.

Michael Johnson
Head of Planning

12 July 2022