



**Subject:** RECORD OF PLANNING APPEALS  
SUBMISSIONS & DECISIONS

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**Date:** 12 November 2024

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**Report of:** The Head of Planning

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**Report to:** Planning and Highways Committee

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**Author of Report:** Abby Hartley

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**Summary:**

List of all newly submitted planning appeals and decisions received, together with a brief summary of the Inspector's reason for the decision

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**Reasons for Recommendations**

**Recommendations:**

To Note

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**Background Papers:**

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**Category of Report:** OPEN

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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 laying out and construction of a means of vehicular access to dwellinghouse, including removal of part of existing boundary wall and hedge to form off-street car parking space at 43 Crimicar Lane, Sheffield, S10 4FA (Case No: 24/02243/FUL).

(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 installation of a double sided static advertising unit "Pulse Smart Hub" with integrated digital screens at pavement outside Berkeley Centre, Ecclesall Road, Sheffield, S11 8PN (Case No: 24/02133/FUL).

(iii) 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, double sided digital static advertising unit at pavement outside 463 Ecclesall Road, Sheffield, S11 8PP (Case No: 24/02130/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 the retention of non-illuminated timber poster board at Dennis Williams LTD, 152 Shoreham Street, Sheffield, S1 4SQ (Case No: 24/01767/HOARD).

(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 change of use from massage parlour (Use Class E) to HMO (Use Class C4) with provision of 4 off street parking spaces at 697 Attercliffe Road, Sheffield, S9 3RE (Case No: 24/01266/FUL).

(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 single-storey side extension at Intracam, 244a High Greave, Sheffield, S5 9GR (Case No: 23/03957/FUL).

### 3.0 APPEAL DECISIONS – DISMISSED

(i) To report that an appeal against the delegated decisions of the Council to refuse advertisement consent for:

Appeal A:

Double sided digital 6 sheet advertising panel on new bus shelter at bus shelter outside 87-89 Wicker, Sheffield, S3 8HS (Case No: 24/01025/HOARD), and

Appeal B:

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) have both been dismissed.

Officer Comment:-

The main issues for both appeals was the impact on the visual amenity of the area, with particular regard to the setting of the adjacent listed buildings.

The Inspector considered that the advertisements would represent overtly modern and commercial additions to the predominantly traditional character of the immediate streetscene. The proposals would visually compete with the listed buildings and attract undue prominence, competing with the listed Wicker Arch at medium and short range. The prominence would be highlighted by the illumination and changing images.

The Inspector concluded that the advertising panels would have a harmful effect on the visual amenity of the area, both individually and cumulatively.

(ii) To report that an appeal against the delegated decisions of the Council to refuse advertisement consent for:

Appeal 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), and

Appeal B:

Double sided digital 6 sheet advertising panel on new bus shelter at bus shelter, Prince Of Wales Road, adjacent to Fairleigh, Sheffield, S2 1HJ (Case No: 24/01022/HOARD) have both been dismissed.

Officer Comment:-

The main issue for both appeals was the impact on the visual amenity of the

area.

The Inspector agreed with officers that the adverts were harmful to visual amenity and in conflict with policy BE13 of the UDP and NPPF paragraphs 135 and 141.

(iii) To report that an appeal against the delegated decision of the Council to refuse advertisement consent for a double sided internally illuminated digital 6 sheet advertising panel on new bus shelter at shelter opposite 960 Gleadless Road, Sheffield, S2 3AA (Case No: 24/01028/HOARD) has been dismissed.

Officer Comment:-

The main issue was the impact on the visual amenity of the area.

The Inspector agreed with officers that the advert was harmful to visual amenity and in conflict with policies BE13 and S10 of the UDP and NPPF paragraphs 135 and 141.

(iv) To report that an appeal 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 Meadow Head, Sheffield, S8 7UA (Case No: 24/01027/HOARD) has been dismissed.

Officer Comment:-

The main issue was the impact on the visual amenity of the area.

The Inspector agreed with officers that despite replacing an existing panel on the shelter the proposed bulky, digitally illuminated advert was harmful to visual amenity and in conflict with policy BE13 of the UDP and NPPF paragraphs 135 and 141.

(v) To report that an appeal 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) has been dismissed.

Officer Comment:-

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

The Inspector deemed that the advertisement would not have a harmful impact on the significance of the setting of nearby listed buildings owing to adequate separation distances. Nevertheless, they considered that the advertisement would still attract undue prominence as a commercial addition to the streetscape, even with the street level backdrop of other commercial activity. The creation of additional bulky massing would intensify the commercial character, at the expense of the good quality public realm. The

prominence would be highlighted by the illumination and changing images

The Inspector also considered that the proposal, alongside existing advertisements and street paraphernalia, would add to street clutter in this location and would have a cumulatively harmful effect.

(vi) To report that an appeal against the delegated decision of the City Council to refuse advertisement consent for a double sided digital 6 sheet advertising panel to new bus shelter at shelter outside 129 Whitham Road, Sheffield, S10 2SS (Case No: 24/01020/HOARD) has been dismissed.

Officer Comment:-

The main issue was the impact on the visual amenity of the area, with particular regard to the preservation or enhancement of the character of the Broomhill Conservation Area (CA).

The Inspector agreed with officers that the advert would be harmful as it would present an overtly modern and commercial addition to the distinct local stone and green character of Broomhill and as such would be harmful to visual amenity and fail to preserve or enhance the character and appearance of the CA and conflict with policies BE13 and S10 of the UDP and NPPF paragraphs 135 and 141.

(vii) To report that an appeal against the delegated decision of the City Council to refuse planning permission for the demolition of 2 single garage, erection of a detached dwellinghouse and provision of associated landscaping works at garages between 273 and 277 Brincliffe Edge Road, Sheffield, S11 9DA (Case No: 23/02241/FUL) has been dismissed.

Officer Comment:-

The main issues in the appeal were the effect of the proposed development on (i) the character and appearance of the area; (ii) the living conditions of future occupiers; and (iii) the highway network.

On i) the Inspector agreed with officers and considered the proposed dwelling to be harmful to local character, owing to its constrained plot size and small footprint which would be incongruous and at odds with the prevailing character of the area, in conflict with policy H14 of the UDP.

In respect of living conditions he agreed with officers that the development would not produce satisfactory living conditions, principally due to the absence of sufficient and private external amenity space for occupiers of a 2 bedroom dwelling, with the small areas proposed being significantly overlooked, in conflict with policy H14 of the UDP.

The Inspector noted the presence of parking on street, poor visibility and the location on the brow of the hill, and despite submissions from the appellant considered they had failed demonstrate that the absence of off street parking in this location would not harmful to highway safety, in conflict with policy H14.

He acknowledge the absence of housing supply and the minor benefit the one dwelling would provide in the context of the tilted balance but did not consider this outweighed the harm identified.

#### 4.0 APPEAL DECISIONS – ALLOWED

(i) To report that an appeal against the delegated decision of the City Council to refuse advertisement consent for a double sided 6 sheet advertising panel on new bus shelter at shelter opposite 188 Abbey Lane, Sheffield, S8 0BJ (Case No: 24/01017/HOARD) has been allowed.

Officer Comment:-

The main issue was the impact on the visual amenity of the area.

The Inspector in 'a finely balanced decision' did not agree with officers that the panel was harmful to amenity as despite the replacement panel being more bulky, and digitally illuminated the area is not so traditional or verdant that the modernity of the design and its commerciality would be too much of a juxtaposition against the domestic character. He felt it would be read more in the context of the wide arterial road, and as a result would not be harmful to visual amenity nor in conflict with policy BE13 of the UDP and NPPF paragraphs 135 and 141.

(ii) To report that an appeal against the delegated decision of the Council to refuse advertisement consent for 1x internally illuminated totem sign at Starbucks, 2 The Common, Sheffield, S35 9AJ (Case No: 24/00899/ADV) has been allowed.

Officer Comment:-

The main issue was the effect of the proposal on the amenity of the surrounding area.

The Inspector observed the local area to be a mix of commercial and residential development with the majority of commercial premises being located on the west side of The Common, including the appeal site. They also noted that the proposal would be situated in an area where other totem signs serve nearby commercial properties, including an internally illuminated sign for Aldi to the south-east (approximately 6 metres in height), Greggs (also about 6 metres high) and Jumaira Spice Indian Restaurant to the north-east (around 4 metres high).

Residential amenity – The Inspector was of the view that the separation distance of over 21m, the height of the sign being limited to 6m in height and the presence of existing similar signs on the existing commercial premises in the area meant that the impact of an additional sign on residential amenity would be limited.

Visual amenity – In the opinion of the Inspector the introduction of the proposed totem sign would not, individually, result in any further substantive harm to the character and appearance compared with the signage already in place serving the existing commercial developments in the area. Furthermore, when considered on its own merits the Inspector determined that the proposed design of the totem sign would be consistent with the character and appearance of the drive-through building and its associated signage in scale, quality and use of materials. Furthermore, they also felt that colours proposed for the totem signage would not be brash and would suitably blend with those used on the nearby building.

Conclusion – Overall the Inspector concluded that the proposed totem sign would not result in any substantive harmful impact to amenity in the surrounding area and any relevant features of scenic, historic, architectural, cultural or other special interest. It would therefore accord with Policy BE13 of the UDP and be consistent with Paragraph 141 of the Framework in their opinion and the appeal was allowed.

## 5.0 CIL APPEAL DECISIONS

Nothing to report.

## 6.0 NEW ENFORCEMENT APPEALS

(i) To report that an appeal against has been submitted to the Secretary of State against the Enforcement Notice issued by the Council for the unauthorised execution of operational development consisting of the provision of two front dormer windows at 39 Handsworth Road, Sheffield, S9 4AA (Inspectorate Ref: APP/J4423/C/24/3346603).

## 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

12 November 2024

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