



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

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**Date:** 14 January 2025

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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 advertisement consent for the installation of 1no. non-illuminated free-standing entrance sign at land between 216b and 288 Twentywell Lane, Sheffield, S17 4QF (Case No: 24/02775/ADV).

(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 erection of two-storey side and rear extension, and single-storey extension with stepped access to rear of dwellinghouse at 80 Richmond Avenue, Sheffield, S13 8TJ (Case No: 24/02596/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 provision of a double sided digital static advertising unit (Pulse Smart Hub) with integrated digital screens at pavement outside 463 Ecclesall Road, Sheffield, S11 8PP (Case No: 24/02129/FUL).

(iv) 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 existing building (used in association with the lawful use of the wider site (Use Class C2)) and erection of an annexe (for use in association with the lawful use of the wider site (Use Class C2)) with landscaping and additional parking at Oak Farm, Tofts Lane, Sheffield, S6 5SL (Case No: 24/01172/FUL).

(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 removal of front bay windows and replaced with flat windows and French doors (retrospective) at 496 Manchester Road, Sheffield, S10 5PN (Case No: 24/00772/FUL).

### 3.0 APPEAL DECISIONS – DISMISSED

(i) To report that an appeal against the delegated decision of the Council to refuse planning permission for the change of use from massage parlour (Use Class E) to HMO (Use Class C4) with provision of 4no. off street parking spaces at 697 Attercliffe Road, Sheffield, S9 3RE (Case No: 24/01266/FUL) has been dismissed.

Officer Comment:-

The main issues in this appeal were:-

- The effect of the development on the character and appearance of the area.
- The living conditions of prospective residents.

#### *Character and appearance of the area*

The Inspector noted that the appeal site has previously been used as a massage parlour and is allocated as being within a local shopping centre and an area of special character.

It was observed that the property has had a roller shutter door to the front elevation for a number of years but infilling the frontage and inserting one single door into the infilled section would not lift the outward appearance and could be considered to be hostile in appearance.

In the opinion of the Inspector this alteration and extension would cause harm the character and appearance of the existing building, the wider locality including the area of Special Character from the poor quality of the proposed design. The proposal was therefore judged to be contrary to the relevant local and national planning policies regarding design and appearance.

#### *Living Conditions*

The Inspector was of the view that the current internal layout is not suitable for conversion to residential property. At ground floor level each of the rooms would have natural light to a minimum, which would all be on the side elevation, which in turn could cause issues with the cleared land to the side, initially from parking of vehicles and loss of privacy. This could cause issues in the longer term if that land was subject to development proposals.

In addition, the Inspector commented that the corridor that serve the rooms has no form of natural light other than the access doors, and would lead to an oppressive, dark environment for any person using the corridor for access or egress or using the facilities, which are located toward the rear of the premises. This would lead to harm to the living conditions of prospective residents from the lack of natural light to the corridors, compounded with the small windows to the rooms at ground floor level.

As such, the Inspector found conflict with policy BE5 of the UDP as it relates to criteria h) and i) in particular and conflict with the amenity aspirations of the National Planning Policy Framework, specifically Paragraphs 135 and 191.

Overall, the Inspector determined that the proposal was both unacceptable having regard to the impact upon the character and appearance of the area and in relation to inadequate standards of living conditions that it would create for future residents and the appeal was dismissed.

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

Officer Comment:-

The main issues were:-

- The effect of the development on the character and appearance of the area
- The living conditions of the residents of the immediate neighbouring properties.

#### *Character and Appearance*

The Inspector identified that the site consists of a two-storey mixed use residential and commercial building, which is located on a corner site on the junction of High Greave, Colley Road and Tunwell Avenue in the Ecclesfield part of Sheffield.

The proposal sought to create a single storey extension to the side of the property that faces toward Tunwell Avenue, and would allow for a kitchen extension, freeing up more available space within the unit to allow for additional customer seating. It would have had a flat roof and be triangular in shape.

In the opinion of the Inspector the extension would substantially increase the bulk and mass of the building, in a small site area which has the outward effect of already looking visually congested. He also considered that the proposals appearance would be at odds with the main visual components of the larger building and would give the impression of a cramped and harmful overdevelopment of a relatively small site.

Overall, therefore the Inspector determined that the proposed development would not fit harmoniously or acceptably into its visual context, thus harming the character and appearance of the site's surroundings. The proposal was therefore judged to be contrary to the relevant local and national planning policies regarding design and appearance.

*Living conditions*

The Inspector acknowledged the concerns that had been raised by the Council about the impact the proposal would have on the living conditions of residents that live opposite on Tunwell Avenue. However, he took the view that the combination of the distance across the highway, and the additional setback from front amenity spaces would not cause harm to the living conditions of those residents to any material degree that would necessitate a reason for dismissal of the appeal for this reason alone. Notwithstanding, his ultimate conclusion was that the impact of the extension on the character and appearance of the area would still generate sufficient harm to warrant the dismissal of the appeal.

(iii) To report that an appeal against the delegated decision of the Council to refuse planning permission for the demolition of part of the 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 (revised submission of planning application 22/03856/FUL) at 12-18 Haymarket, Sheffield, S1 2AX (Case No: 23/03720/FUL) has been dismissed.

Officer Comment:-

The Inspector considered the main issues to be:

- (i) the living conditions of future occupiers;
- (ii) the balance of housing stock; and
- (iii) waste, recyclable material and bicycle storage.

The Inspector considered that it was unacceptable for accommodation to rely on internally facing windows given their proximity to the adjacent communal area resulting in privacy and amenity issues. The rooms would also feel claustrophobic, lack natural light and in conclusion would not provide adequate living conditions.

The Inspector considered the Council's evidence that the development would imbalance the housing stock within the area given that more than 20% of accommodation within 200m of the site was already 'shared housing'. In the absence of any evidence from the applicant they agreed with the Council's position and concluded that the scheme was contrary to Core Strategy Policy CS41 and CS74.

Furthermore, they stated that insufficient evidence had been submitted to demonstrate that the proposed waste and recycling storage was adequate but that cycle provision was acceptable subject to condition.

In conclusion the Inspector noted the Council's absence of the requisite housing land supply but found that the adverse impacts would outweigh the benefits.

#### 4.0 APPEAL DECISIONS – ALLOWED

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

##### Officer Comment:-

The Inspector noted the advertisement is already in place and has been for some time. They describe that the poster board is within the Conservation Area but is also seen within the commercial context of buildings

and other signage. They note that the appeal sign has static poster advertising only and is read in the context of the wider bustling city centre street scene, on a busy trafficked highway approaching the railway station and in proximity to other advertisements.

They conclude that the locality has a character which the PPG identifies as likely to be a suitable location for a poster-boarding and that they consider that the display can be accommodated without adversely affecting the amenities of the neighbourhood of the site. Therefore they did not find conflict with the advertisement guidance as set out in the National Planning Policy Framework.

#### 5.0 CIL APPEAL DECISIONS

Nothing to report.

#### 6.0 NEW ENFORCEMENT APPEALS

(i) To report that an appeal 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 installation of external wall insulation and render to dwellinghouse at 1 Havelock Street, Sheffield, S10 2FP (Inspectorate Ref: APP/J4423/C/24/3350356).

#### 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

*14 January 2025*

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