



SHEFFIELD CITY COUNCIL Planning & Highways Committee

Report of: Director of Regeneration & Development Services

Date: 20 June 2017

Subject: RECORD OF PLANNING APPEALS
SUBMISSIONS & DECISIONS

Author of Report: Claire Woods 0114 2734219

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

DEVELOPMENT SERVICES

REPORT TO PLANNING &
HIGHWAYS COMMITTEE
20 JUNE 2017

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 erection of a conservatory and raised terrace to front of dwellinghouse at 25 Brincliffe Crescent Sheffield S11 9AW (Case No 16/03110/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 alterations to basement to form additional living accommodation and provision of stairway to front basement entrance at 333 Psalter Lane Sheffield S11 8WA (Case No 16/04706/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 the replacement of P7 pylon with free standing internally illuminated LED Screen at 445 Brightside Lane Sheffield S9 2RR (Case No 17/00127/ADV)

3.0 APPEALS DECISIONS - DISMISSED

(i) An appeal against the delegated decision of the Council to refuse advertisement consent for the retention of a non-illuminated banner sign on the north facing gable at Woodseats Launderette 819 Chesterfield Road Sheffield S8 0SQ (Case No 15/03985/ADV) has been dismissed.

Officer Comment:-

The Inspector identified the main issue as being the effect of the advertisement on the character and appearance of the surrounding area.

He noted the large triangular banner is positioned above a large advertisement hoarding on the gable wall of a two storey domestic scale property, within a busy commercial location.

The appellant argued the banner is an established feature of the busy

shopping area and the Inspector acknowledged that there are many large signs within the centre but stated that a balance must be struck between the extent of those advertisements and their impact upon visual amenity. In this particular case he agreed with officers that the scale and high level position of the banner and it's cumulative visual impact are such that it appears as an excessive, prominent and unacceptably dominant feature within the street scene, in conflict with UDP policy BE13 and dismissed the appeal.

(ii) An appeal against the delegated decision of the Council to refuse advertisement consent for internally illuminated 48 sheet digital LED hoarding at 673 Abbeydale Road Sheffield S7 2BE (Case No 16/03265/HOARD) has been dismissed.

Officer Comment:-

The Inspector identified the main issue as being the effect of the advertisement on the character and appearance of the surrounding area.

He noted the application site was the gable end of a two/three storey end terrace property in retail use but with residential neighbours. He also noted an existing large illuminated hoarding exists on the gable wall, but that there is no evidence of the illumination having advertisement consent.

Although he appreciated the commercial nature of the wider area he felt the immediate street scene was more residential in character and that the illuminated hoarding would be read in conjunction with these. He considered it would be prominent, with a long range of visibility and would be particularly noticeable after dark. He concluded it would be harmful to amenity in this context in conflict with UDP policy BE13.

The appellant argued the Council had granted consent for similar hoardings elsewhere but the Inspector considered that each case has to be assessed on its own merits and the other signs were within a more commercial setting. The appellant also argued the replacement hoarding would provide affordable rates for small businesses to advertise and would reduce waste and carbon emissions. The Inspector acknowledged these potential benefits but felt they did not outweigh the harm caused to amenity.

He dismissed the appeal.

4.0 APPEALS DECISIONS - ALLOWED

(i) To report that an appeal against the delegated decision of the Council to refuse planning consent for a two-storey front/side and single-storey side extensions to dwellinghouse at 1 Vernon Road Sheffield S17 3QE (Case No 16/04247/FUL) has been allowed conditionally.

Officer Comment:-

Given that officers had no issue with the single storey extension, the Inspector identified the main issue as the effect of the two-storey extension on the character and appearance of the dwelling and the surrounding area.

The house is a semi-detached house with an 'L' shaped footprint on a corner plot within a residential area. The Inspector noted the house is screened from view from both Vernon Road and Chatsworth Road by a combination of hedging and fencing but that its front face is to Vernon Road.

She did not agree with officers that the two storey extension would imbalance the pair of dwellings in a manner that would affect the character and appearance of the area, and considered it had an appropriate materials and roof form. She did not therefore feel it caused sufficient material harm to refuse planning permission, and granted planning permission with conditions relating to approved drawings, and materials.

(ii) To report that an appeal against the delegated decision of the Council to refuse planning consent for the erection of 2 flats at 181 School Road Crookes Sheffield S10 1GJ (Case No 16/03245/FUL) has been allowed conditionally.

Officer Comment:-

The site forms part of the side garden of 181 School Road and fronts the adjacent Ainsley Road, within residential area.

The Inspector considered the main issues to be the impact upon:-

- a) the character and appearance of the area; and
- b) the living conditions of future occupants, with particular regard to private amenity space and privacy.

In terms of a) she noted that within the red brick terraces that dominate the area there was variation in their design and a small block of flats opposite the site. She considered the design of the flats would appear as a simple extension of the existing dwelling and would not appear incongruous. In addition she felt the balcony detail would add some visual interest to the prominent side elevation.

She noted officer's concerns about breaching the established building line but felt the change in angle of the road made this logical.

For b) she noted the Council's guideline with Supplementary Planning Guidance for a minimum of 50 square metres of garden space but felt this was not applicable to flats and did not therefore give it significant weight. She was satisfied that the small balcony areas, whilst not generous would provide some area for sitting out and would be proportionate to the size of the flats. She also disagreed with officers that these areas would not be sufficiently private.

For these reasons she allowed the appeal and granted planning permission with conditions relating to approved plans, and materials.

5.0 APPEAL – ENFORCEMENT NOTICE

(i) To report that an appeal against a Enforcement Notice served in respect of breach of planning control at Land at 126 Birley Spa Lane, Sheffield, S12 4EJ (Case No 16/00314/ENUD) has been dismissed and the enforcement notice upheld.

Officer Comment:-

The applicant appealed against the Enforcement Notice on the basis that he considered that planning permission should have been granted for the use of the building as a hot food takeaway, the erection of a metal flue and the siting of a storage container. Planning permission was previously refused for the use and the flue and dismissed at appeal.

The Inspector noted that nothing had been presented to indicate that there had been any change in circumstances in the intervening period and, as such, the issues remain the same – the effect of the development on the vitality of the shopping parade and the effect of the scheme on the living conditions of residents in the vicinity. The shipping container had not been previously considered by an Inspector but the main issue is its effect on the character and appearance of the area.

The Inspector concurred with the conclusions of the previous appeal in that the increased concentration of hot food takeaways would have a harmful impact, resulting in three food premises in a row in the centre of the parade and resulting in a bleak shuttered appearance in the middle of the day, having a negative impact on the feel of the parade and its vitality. Limited information on marketing the unit was presented to the Inspector and little evidence to suggest that another use would be unviable. He did not consider that the employment benefits would outweigh the identified harm.

On living conditions the Inspector noted that the flue is positioned directly outside the rear window of one of the residential units at the rear and its proximity has potential to cause disturbance from noise, vibration and odour. No technical information was submitted to allay these concerns. Furthermore the comings and goings of customers would be an added level of disturbance and the appearance of the flue has an unacceptable effect on the outlook of residents.

On the container the Inspector concluded that it was an industrial and unattractive feature which was out of place in its surroundings.

The Inspector dismissed the appeal on the basis that the development is contrary to the requirements of Policy S10 of the UDP and the National Planning Policy Framework.

6.0 RECOMMENDATIONS

That the report be noted

Rob Murfin
Chief Planning Officer

20 June 2017