



## SHEFFIELD CITY COUNCIL Planning & Highways Committee

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**Report of:** Director of City Growth Department

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**Date:** 15 September 2020

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

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**Author of Report:** Marie Robinson 0114 2734218

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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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## DEVELOPMENT SERVICES

### REPORT TO PLANNING & HIGHWAYS COMMITTEE 15 September 2020

#### 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 demolition of existing garage and erection of two-storey dwellinghouse with associated access driveway (As per amended plans received on the 5 August 2019) at curtilage of 21 Slayleigh Lane Sheffield S10 3RF (Case No 19/01356/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 demolition of car showroom and workshops, erection of 14no. townhouses with integral garages and parking spaces plus associated external works at Cloverleaf Cars Main Road Wharncliffe Side Sheffield S35 0DQ (Case No 19/03142/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 erection of two-storey side extension, single-storey rear extension, alterations to roof to form hip to gable roof, rear dormer extension and formation of front porch at 34 Littledale Road Sheffield S9 4GB (Case No 19/04203/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 retention of pitched roof to detached garage, erection of single-storey rear extension to dwellinghouse at 13 Rupert Road Sheffield S7 1RN (Case No 20/00292/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 retention of replacement entrance doors and surrounds (Retrospective application) at 37 and 39 Crookes Road Sheffield S10 5BA (Case No 18/01049/FUL)

### 3.0 APPEALS DECISIONS – DISMISSED

(i) To report that an appeal against the delegated decision of the Council to refuse planning permission for application for erection of internally illuminated, 48-sheet digital advertising display at land at Savile Street and Spital Hill Sheffield S4 7UD (19/03493/HOARD) has been dismissed.

Officer Comment:-

The proposed advertisement was a freestanding digital display mounted on support poles within a fenced area of land at the corner of Savile Street and Spital Hill where it would appear in the foreground of the Grade II\* listed Wicker Arches.

The Inspector noted that, while a number of the arches have been infilled, they remain striking and dominant features of the townscape with considerable architectural and historic significance evoking Sheffield's industrial heritage.

The Inspector considered that the display would stand immediately in front of the first viaduct arch and next to the main roadway arch in a prominent and conspicuous position; that the contemporary nature of the display, with changing digital images, would appear particularly strident in front of the 19th century viaduct architecture; and that its height and freestanding form would add to its incongruous presence and harmful impact on the setting of the listed buildings, concluding that the proposal would adversely affect the setting of the listed buildings and the wider streetscape, and would harm the amenity of the area.

They concluded that there would be conflict with Policies BE13, BE15 and BE19 of the Sheffield Unitary Development Plan (March 1998) and with the National Planning Policy Framework, which sets out that the quality and character of places can suffer when advertisements are poorly sited and designed.

(ii) To report that an appeal against the delegated decision of the Council to refuse planning permission retention of use of car park as hand car wash and car park (Use Class Sui Generis) including siting of shipping container and alterations to canopy at Jumeirah Spice 1 The Common Sheffield S35 9WJ (19/03644/FUL) has been dismissed.

Officer Comment:-

The Inspector observed that the main issues are the effect of the proposal on highway safety with regards to access and the effect of the proposal on the character and appearance of the surrounding area.

The site is the car park for an existing restaurant and the access for the proposal is the existing access into the restaurant car park from the adopted highway. The access is located on a bend, directly opposite a highway

junction, and the Inspector noted that the bend is significant and visibility when leaving the site is restricted. He also noted that, if permission was granted for the proposed car wash facility, there is a possibility that it could be operating as well as the restaurant operating for up to a 24-hour period. In such a scenario, he considered that this could lead to a significant increase in traffic entering and leaving the site and creating conflict within the highway that would compromise safety.

The Inspector noted that the area surrounding the appeal site is characterised by a mix of residential and commercial properties which are mainly traditional in design, style and materials. He considered the steel container to be visually prominent and an incongruous feature which detracts from the appearance of the nearby buildings and surrounding area, concluding that it would have a harmful effect on the character and appearance of the surrounding area.

The proposal would therefore be in conflict with Policy H14 of the Sheffield Unitary Development Plan, which seeks change of use proposals to provide safe access to the highway network and appropriate off-street parking as well as new buildings to be well designed and in scale and character with neighbouring buildings, and the National Planning Policy Framework.

(iii) To report that an appeal against the delegated decision of the Council to refuse planning permission for Installation of a digitally imprinted hi-tech micromesh PVC banner depicting Portland stone cladding to first and second floor exterior wall facing Rockingham Gate incorporating an 7.6m x 9.8m commercial advertising area at Plug Box Office 1 Rockingham Gate Sheffield S1 4JD (20/00458/ADV) has been dismissed.

Officer Comment:-

The Inspector noted that the banner would be large and in an elevated position at first and second floor level such that it would be highly visible and overly dominant in the surrounding area. The banner would be an incongruous and large feature and would unacceptable harm the visual amenity of the area, contrary to policy BE13 of the UDP and Paragraph 132 of the NPPF. He therefore dismissed the appeal.

(iv) To report that an appeal against the delegated decision of the Council to refuse planning permission for use of detached garage as a dwellinghouse (Use Class C3) with associated alterations including replacement and additional windows and doors, and provision of 4 rooflights (re submission of 19/01411/FUL) at Garage Site at rear of 23 To 31 Hanson Road Sheffield S6 6RF (20/00379/FUL) has been dismissed.

Officer Comment:-

The main issues were the effect of the development on the character and appearance of the area and the living conditions of new and existing residents with specific regard to overlooking.

The inspector noted that the proposal would introduce a dwelling into the edge of the rear garden environment of the Hanson Road dwellings and that the single storey nature of the proposal would be at odds with the prevailing pattern of development in this residential area, even with the mix of dwelling types in the locality. The use of the garage as a dwelling would fragment and disrupt this pattern and compromise the linear pattern of development which would be detrimental to the character and appearance of the locality.

He also concluded that the proposal would result in both harm to the living conditions of the occupiers of the adjoining properties on Hanson Road in terms of the impact of the overlooking on their rear gardens, and also the overlooking of the private amenity space of the proposed dwelling from the first floor of the Hanson Road properties.

(v) To report that an appeal against the delegated decision of the Council to refuse planning permission for replacement of existing 9.70m monopole with a 20.0m high monopole including ground-based equipment cabinets and associated works at land adjacent existing mast Stradbroke Road Sheffield S13 8LR (19/03679/FULTEL) has been dismissed.

Officer Comment:-

The Inspector noted that the mast would sit well above the tree line and be extremely visible when seen in its context, particularly as the scale of the mast is industrial in nature. He concluded that the mast would be harmful to the residential nature of the locality, appearing dominant in this setting. He concluded that the development would be contrary to Policies BE14 and H14 of the UDP and Paragraph 115 of the NPPF as the applicant had failed to fully justify the requirement for siting the mast at this location.

(vi) To report that an appeal against the delegated decision of the Council to refuse planning permission for replacement of existing 11.7m monopole with a 20.0m high monopole supporting 12 no antenna apertures, together with the installation of ground-based equipment cabinets and ancillary development thereto at Telecommunications Mast near junction with Hollybank Road and Mansfield Road Sheffield S12 2AJ (19/02278/FULTEL) has been dismissed.

Officer Comment:-

The Inspector noted that the proposed replacement mast would be sited just a short distance from the existing mast. However, it would be significantly taller and wider than the existing mast. At 20m in height, the proposed mast would tower markedly above the street lighting columns, buildings and trees in the immediate wider area. The width and bulk of the mast and its open headgear would accentuate its visual prominence, particularly when visible against the skyline. He concluded that the replacement mast would be far more prominent and wholly inconsistent with the uniform scale and character of the townscape in this location. This would be contrary to Policy BE14 of the UDP and Paragraph 115 of the NPPF as the applicant had failed to fully justify the

requirement for siting the mast at this location.

(vii) To report that an appeal against the delegated decision of the Council to refuse planning permission for the erection of 2.4m high triple palisade access gates (blue in colour) and palisade fencing to top of existing wall associated (fencing height between 2m and 2.6m) at 80 Norjen Precision Ltd, Holywell Road, Sheffield S4 8AS (19/03471/FUL) has been dismissed.

Officer Comment:-

The inspector noted that the public frontage of the appeal site as well as that of the other industrial units located within proximity of the site is open. The position of the industrial units set back from the road, and their low boundary treatments contribute to the openness of the immediate area. The openness is a positive feature of the street scene which facilitates the transition between the Industry and Business Area and the residential area. He considered that the proposal would have a prominent position within the street scene and have an oppressive effect that would significantly reduce the quality of what is a generally open area. He concluded that the proposed development would be harmful to the character and appearance of the area and contrary to Policies IB9 and BE5 of the UDP, Policy CS74 of the Core Strategy and the NPPF.

#### 4.0 APPEALS DECISIONS – ALLOWED

(i) To report that an appeal against the committee decision of the Council to refuse planning permission for the erection of a 5/6/7 storey mixed use building comprising commercial units A1/A2/A3/B1 use at ground floor and 77 residential apartments with associated amenity space including cycle/bin store at the Old Coroners Court Business Centre, 14-38 Nursery Street, Sheffield S3 8GG (19/02258/FUL) has been allowed.

Officer Comment:-

The Inspector considered that the main issue was the effect of the proposal on the character and appearance of the area. He noted that the existing building shows considerable signs of disrepair and, apart from the Nursery Street frontage, it is noticeably less visually pleasing, albeit contributing favourably to its surroundings in overall terms.

He noted that the proposal would adhere to a number of the main character elements of its surroundings. It would be built of red brick and it would reinforce the grid street pattern of development. When the design of the proposed building is considered in the round he considered that it had been informed by the characteristics of its surroundings, rather than being generic, safe and unimaginative.

Whilst accepting that the existing building on the site is of merit to the area,

despite its state of repair, when taking the above considerations together, he considered that the proposal would be of sufficient high quality and would take adequate opportunities to improve the character of the area.

He noted that the proposal would result in the loss of what remains of the significance of the unlisted heritage asset (the Coroner's Court). However, he noted that the proposal affords the opportunity of bringing a previously developed site back into use and contribute a substantial number of dwellings to the housing supply. It would also result in economic benefits during construction and when in use, and it is in a location that is highly accessible to local services. Furthermore, he concluded that it would provide a clear regeneration benefit to the area.

He therefore concluded that the proposed development would be in accordance with the provisions of the Development Plan and of the National Planning Policy Framework and approved the scheme subject to the imposition of conditions.

#### 5.0 CIL APPEALS DECISIONS

Nothing to report

#### 6.0 ENFORCEMENT APPEALS NEW

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.

Colin Walker  
Interim Head of Planning

*15 September 2020*

