

SHEFFIELD CITY COUNCIL

City Centre, South and East Planning and Highways Committee

Meeting held 14 January 2013

PRESENT: Councillors Alan Law (Chair), David Baker, Tony Downing, Jayne Dunn, Ibrar Hussain (Deputy Chair), Diana Stimely, Andrew Sangar (Substitute Member) and Ian Saunders (Substitute Member)

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1. APOLOGIES FOR ABSENCE

1.1 Apologies for absence were received from Councillors Janice Sidebottom and Peter Price and Councillors Andrew Sangar and Ian Saunders attended the meeting as the duly appointed substitutes. An apology for absence was also received from Councillor Richard Crowther but no substitute was appointed.

2. EXCLUSION OF PUBLIC AND PRESS

2.1 No items were identified where resolutions may be moved to exclude the public and press.

3. DECLARATIONS OF INTEREST

3.1 There were no declarations of interest.

4. MINUTES OF PREVIOUS MEETING

4.1 The minutes of the meeting of the Committee held on 17 December 2012 were approved as a correct record subject to an amendment to the case reference in paragraph (e) of item 7 on page 7 to read 12/02874/LBC.

5. SITE VISIT

5.1 **RESOLVED:** That the Director of Development Services, in liaison with the Chair, be authorised to make arrangements for a site visit on Thursday 31st January, 2013 in connection with any planning applications requiring a visit by Members prior to the next meeting of the Committee.

6. APPLICATIONS UNDER VARIOUS ACTS/REGULATIONS

6.1 **RESOLVED:** That (a) the applications now submitted for permission to develop land under the Town and Country Planning Act 1990 and the Regulations made thereunder and for consent under the Town and Country Planning (Control of Advertisements) Regulations 1989, be decided, granted or refused as stated in the report to this Committee for this date as amended as in the minutes of this meeting, and the requisite notices issued; the granting of any permission or consent shall not constitute approval, permission or consent by this Committee or the Council for any other purpose;

(b) (i) following consideration of additional representations as contained within a supplementary report circulated at the meeting and subject to amendments to condition 4 outlined in the officer report to limit Heavy Goods Vehicle Movements to the site to 8 per day and 40 per week, and condition 6 to amend the commencement hour of operation from 0700 hours to 0900 hours, Monday-Saturday, an application for planning permission for change of use of units for sorting and baling of non hazardous and non putrescible waste with external storage of empty skips at Units 6A and 6B, Junction 34 Industrial Estate, Greasbro Road (Case No. 12/03594/CHU) be granted, conditionally, (ii) the Head of Transport, Traffic and Parking Services be requested to give consideration to the introduction of advisory 20mph speed limit signs or other safety measures on Greasbro Road, (iii) the Director of Development Services be requested to undertake direct public consultation with residents on Greasbro Road on any future applications at the Industrial Estate and (iv) the Director of Development Services be requested to give consideration to including the provision of an alternative access to the Junction 34 Industrial Estate (avoiding Greasbro Road) within the Sheffield Development Framework or, if this is not possible, to include this within any future formal Planning Brief that is prepared for the adjoining vacant Outukumpo site.

(c) following consideration of additional supporting submissions and officer response, as contained within a supplementary report circulated at the meeting, an application for planning permission for the demolition of storage building and erection of two dwellinghouses including construction of temporary access road (as amended 23/11/12) at Fern Glen Farm, Hathersage Road (Case No. 12/03177/FUL) be refused as the Committee considered that the proposed development, by reason of the scale, form, massing, siting and external layout of the two dwellinghouses, was out of keeping with the farmstead character of the site and would be injurious to the visual amenities of the rural green belt and an area of high landscape value and this would, therefore, be contrary to Policies BE5(a), GE4 and GE8 of the adopted Unitary Development Plan and Policy CS74 of the Sheffield Development Framework Core Strategy;

(d) following consideration of additional information and officer recommendations as contained within a supplementary report circulated at the meeting, applications for listed building consent and planning permission for the addition of 4 rooms in existing roofspace and alteration to arrangement of rooflights (application under Section 73 to vary condition 2 (approved plans) of planning permission no. 11/04038/FUL (conversion of former church building to form 19 student cluster flats)) at Crookes Valley Methodist Church, Crookesmoor Road (Case Nos. 12/03172/LBC and 12/03078/FUL) be granted, conditionally, subject to the signing of a Section 106 legal agreement; and

(e) following consideration of amended plans as outlined within a supplementary report circulated at the meeting, an application for planning permission for the erection of 64 residential units comprising 44 dwellinghouses and 20 apartments with associated access, car parking and landscaping and 3 business units (Use Class B1) at land at Infield Lane, Britannia Road and Catcliffe Road (Case No. 12/03042/FUL) be granted, conditionally, subject to the completion of a legal agreement or the addition of a condition requiring the completion of a legal

agreement in a pre-agreed form before any development commences on site.

7. ENFORCEMENT OF PLANNING CONTROL: 326 GRANVILLE ROAD

- 7.1 The Director of Development Services submitted a report informing Members of a breach of planning control in relation to the unauthorised creation of a hardstanding surface at the front of 326 Granville Road and making recommendations on any further action required.
- 7.2 The report stated that a complaint was received in August 2010 about the creation of a drive and a hard standing area at the front of the property. A site visit was carried out and it was noticed that a small wall with a hedge had been removed and a concrete based hard standing area had been created which was more than 5 square metres. No dropped kerb had been created and officers had not witnessed any vehicles parked on the hard standing area.
- 7.3 Several letters had been sent to the owner of the property and telephone conversations had taken place in trying to resolve this issue. The owner had removed a small part of the hard standing near to the pavement to create a porous area to allow water to run-off into it. However, this permeable area was not sufficient to stop water run off onto the highway.
- 7.4 Further letters had been sent to the owner suggesting that a drain or gully was created at the bottom of the hard standing area to allow water to run-off into a permeable or porous area, so that water can be soaked into the ground and not onto the highway. The owner had ignored any requests to do this and it was now considered that the matter should be reported for further action.
- 7.5 **RESOLVED:** That (a) authority be given to the Director of Development Services or the Head of Planning to take all necessary steps, including enforcement action and the institution of legal proceedings, if necessary, to secure the removal of the unauthorised hard standing at the front of 326 Granville Road; and
- (b) delegated authority be given to the Head of Planning, in consultation with the Chair (Councillor Alan Law) to vary the action authorised to achieve the objectives hereby confirmed including taking action to resolve any associated breaches of planning control.

8. ENFORCEMENT OF PLANNING CONTROL: 40 WOOLLEY WOOD ROAD & 11 HOLYWELL ROAD

- 8.1 The Director of Development Services submitted a report informing Members of a breach of planning control in relation to the unauthorised use of premises for the storage and hire of skips at 40 Woolley Wood Road, Sheffield and potential breaches at 44 Woolley Wood Road and 11 Hollywell Road.
- 8.2 The report stated that previously enforcement action had been taken against the property at 40 Woolley Wood Road for the breaking and dismantling of equipment including vehicles and for the storage of

scrap metal, pallets and associated machinery and also for the unauthorised use of the highway in the vicinity of 30 to 72 Woolley Wood Road for the open storage of scrap metal on vehicles and for the purpose of storage of commercial vehicles and trailers.

- 8.3 A recent complaint had been received regarding the use of 40 Woolley Wood Road for the storage of skips and the use of premises as a skip hire business. An officer visited the site and noticed numerous skips stored at the property and a skip loader outside the premises. Skip hire uses do not fall within any use class and were considered to be sui generis use.
- 8.4 Several requests had been made asking the owner/occupier to stop this use and remove the skips and the skip loader. Assurances had been given by the occupier that the skips would be removed, however, to date the skips and skip loader had not been removed.
- 8.5 It was considered expedient that this matter was reported directly for enforcement action because of the extensive nature of the problems and the fact that the owner/occupier had been un-cooperative in the past with issues relating to these properties and the Council had had to take enforcement action against the owner to resolve these issues.
- 8.6 At the time of writing the report there had been no evidence of a breach of planning control in relation to either 44 Woolley Wood Road or 11 Hollywell Road. The concern was that the service of an enforcement notice at 40 Woolley Wood Road may result in the displacement of activity from that site to the other two sites as has occurred in the past.
- 8.7 44 Woolley Wood Road had previously also been the subject of enforcement action against the property for the storage of scrap metal, pallets and the parking of commercial vehicles, trailers and parking of vehicles associated with the scrap metal business.
- 8.8 11 Hollywell Road is the formal place of business of the owner/occupier of the business and had not previously been the subject of planning enforcement action as it had permission for a B8 – Storage or Distribution use but it had been the subject of previous complaints. The formation of a skip hire business would however require planning permission as this was a sui generis activity which fell outside the use class.
- 8.9 **RESOLVED:** That the Committee:-
- (a) gives authority to the Director of Development Services or Head of Planning to take all necessary steps, including enforcement action, service of a stop notice and the institution of legal proceedings, if necessary, to secure the cessation of the use of the premises at 40 Woolley Wood Road for the storage of skips

and skip hire and the removal of skips and skip loaders from the property;

- (b) delegates to the Director of Development Services or the Head of Planning power to authorise the taking of all necessary steps, including enforcement action, service of a stop notice and the institution of legal proceedings, if necessary, to secure the cessation of the use of the premises at 44 Woolley Wood Road or 11 Hollywell Road for the storage of skips, skip hire and the removal of skips and skip loaders from those premises in the event that the evidence of a breach of planning control relating to the running of such a skip hire business from either premises comes into the possession of the Council; and
- (c) delegated authority be given to the Head of Planning, in consultation with the Chair (Councillor Alan Law), to vary the action authorised to achieve the objectives hereby confirmed including taking action to resolve any associated breaches of planning control.

9. RECORD OF PLANNING APPEAL SUBMISSIONS AND DECISIONS

- 9.1 The Committee received and noted a report of the Director of Development Services detailing (a) planning appeals recently submitted to the Secretary of State and (b) the outcome of recent planning appeals along with a summary of the reasons given by the Secretary of State in his decision.