

SHEFFIELD CITY COUNCIL

West and North Planning and Highways Committee

Meeting held 2 October 2012

PRESENT: Councillors Peter Rippon (Chair), Janet Bragg, Adam Hurst, Talib Hussain, Roy Munn, Garry Weatherall, Joyce Wright, Trevor Bagshaw, Bob McCann and Denise Reaney

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1. APOLOGIES FOR ABSENCE FROM MEMBERS OF THE COMMITTEE

1.1 There were no apologies for absence.

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 Councillor Garry Weatherall declared an interest as a Member of the Ecclesfield Parish Council, in relation to those applications that the Parish Council had considered, but indicated that he would participate in their determination if they were to be considered by this Committee as he had not pre-determined his views on applications during the meetings of the Parish Council.

4. MINUTES OF PREVIOUS MEETING

4.1 The minutes of the meeting of the Committee held on 11th September 2012 were approved as a correct record.

5. SITE VISIT

5.1 **RESOLVED:** That a site visit be arranged for the morning of Tuesday 23rd October 2012 at 10.00 am, in connection with any planning applications requiring a site 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 submitted to this Committee for this date in respect of Case No 12/01653/FUL (formerly PP-02007245) and other applications considered be 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) subject to a revision to condition 2, and an additional condition that 'Notwithstanding the approved plans, no work shall commence on site until revised details of the proposed fenestration treatment to Plots 313-331 have been submitted to and agreed in writing by the Local Planning Authority. The development shall then be carried out in accordance with the approved details and thereafter retained.', as outlined in a supplementary report circulated at the meeting, an application for reserved matters approval for the erection of 341 dwellinghouses with associated car parking accommodation and landscaping works (application to approve appearance, layout and scale relating to outline scheme ref. 03/0020/OUT) (amended description and revised plans received 06.07.2012) at land at Station Road and Manchester Road, Deepcar (Case No. 10/01915/REM) be granted, conditionally;

(c) following consideration of an additional representation from the Loxley Valley Protection Society, as contained within a supplementary report circulated at the meeting, an application for planning permission for the erection of a detached double garage at 385 Wood Lane, Stannington (Case No. 12/01239/FUL) (formerly PP-01943575) be refused as the Committee considered that (i) the design of the proposed garage, by reason of its overall size and siting would be out of keeping with the design of the existing house and would be injurious to the character of the property itself and the street scene and as such it would therefore be contrary to Policy H14 of the Unitary Development Plan and (ii) the proposed development would be overbearing in relation to the adjoining residential property and would therefore result in an unacceptable affect on the living conditions of the occupiers of adjoining property and as such the development would be contrary to Policy H14 of the Unitary Development Plan; and

(d) following consideration of an additional representation, as contained within a supplementary report circulated at the meeting, an application for planning permission for the retention of boundary wall incorporating proposals to reduce the height of wall sections along Slayleigh Lane and Hallamshire Road and erection of new gates (amended description) (as amended 31/08/2012) at 83 Slayleigh Lane (Case No. 12/01788/FUL) be granted, conditionally. However, should the requirement of condition one on the approval notice not be complied with, authorisation is given for legal action including enforcement action to be taken to ensure compliance with this condition."

(Note. The application for outline planning permission for the demolition of garage and outbuilding and erection of 2/3 storey extension to existing building to form new cookery school at 377 Fulwood Road (Case No. 11/03980/OUT) (formerly PP-01755827) was withdrawn from consideration prior to the meeting).

7. PROPOSED REFUGES FOR PEDESTRIANS ON THE A61 NEAR SALT BOX LANE AND COMPLETION OF INTERNAL HIGHWAY WORKS RELATING TO PLANNING APPLICATION NUMBER 05/04790/FUL

- 7.1 The Director of Development Services submitted a report outlining to Members the response from Salt Box Developments Ltd (managed by Jaguar Estates Ltd) to the possibility of Planning Enforcement Action being pursued and presented options for Members to consider and decide upon a strategy that should resolve

the two issues outstanding at this development.

- 7.2 The report stated that there were two outstanding issues at this development. Firstly the construction of the road inside the development had not been completed and therefore the Highway Authority had been unable to adopt the road as 'highway maintained at the public expense'.
- 7.3 Secondly, it was a condition of the Planning Consent for this development that pedestrian refuges be constructed on the A61 prior to work commencing on site and to date, these refuges had not been constructed, although the majority of the development had taken place. There was also a requirement to resurface the footway abutting the development site boundary.
- 7.4 At its meeting held on 2nd November 2010, the Committee received a report from the Director of Development Services which gave an update in relation to the provision of refuges on the A61 near Salt Box Lane. The Committee resolved that (a) the report now submitted be noted; (b) the decision to provide refuges at the junction be reaffirmed; and (c) officers be requested to continue negotiations with the developer of Case No. 05/04790/FUL (for a period of up to three months) to seek a signed and sealed Section 278 legal agreement for the provision of the refuges as outlined in the report and, should this not be agreed within three months, for the Director of Legal Services and Head of Transport and Highways to pursue enforcement action against the developer.
- 7.5 During the intervening period, progress had been made regarding development of an acceptable layout and bollard specification for the refuges. Verbal updates had been given by officers at various meetings of the Committee. However, the necessary work to construct the refuges had not yet begun and Jaguar Estates who manage the site did not anticipate the work being completed this year. Officers and Members had been sensitive to the need to reach a negotiated solution with the developer in order to try to ensure that Salt Box Developments Ltd remained in an economically sound position to complete the development. However, the lack of progress had become increasingly frustrating and culminated in the Chair of the Committee requesting an internal meeting with officers from Planning, Highways and Legal Services to discuss options for securing a more positive outcome than had thus far been achieved.
- 7.6 Rod Wadsworth, representing Jaguar Estates Ltd., attended the meeting and informed the Committee that the highway works outlined in the report would commence shortly. However, he could not commit to work on the refuges being installed at the present time due to a lack of funding available to support the works.
- 7.7 **RESOLVED:** That (a) the report be noted;
(b) the Director of Development Services be informed of the concerns of the Committee that the situation had been allowed to remain unresolved up to this point;
(c) requests that officers continue dialogue with Jaguar Estates Ltd. to attempt to resolve the issues outlined; and
(d) a further report be submitted to the Committee in four months outlining

progress made since this meeting in attempting to resolve the issues outlined in the report.

8. RECORD OF PLANNING APPEAL SUBMISSIONS AND DECISIONS

- 8.1 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.