

SHEFFIELD CITY COUNCIL

Planning and Highways Committee

Meeting held 13 August 2013

PRESENT: Councillors Alan Law (Chair), Trevor Bagshaw, David Baker, Janet Bragg, Tony Downing (Deputy Chair), Jayne Dunn, Ibrar Hussain, Bob Johnson, Bob McCann, Peter Rippon, Garry Weatherall and Joyce Wright

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1. APOLOGIES FOR ABSENCE

1.1 An apology for absence was received from Councillor Peter Price 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 press and public.

3. DECLARATIONS OF INTEREST

3.1 Councillor Tony Downing declared an interest in an application for planning permission for the conversion of church to form 6 apartments with provision of associated amenity space and car parking accommodation at the Salvation Army Church, Queen Street, Mosborough (Case No. 13/01706/FUL) as a local ward Councillor for the area although he had not been involved in the application process or declared his position on the application and would therefore participate in the determination of the application.

4. MINUTES OF PREVIOUS MEETING

4.1 The minutes of the meeting of the Committee held on 23 July 2013 were approved as a correct record.

5. SHEFFIELD CONSERVATION ADVISORY GROUP MINUTES

5.1 The Committee received and noted the minutes of the meeting of the Sheffield Conservation Advisory Group held on 18 June 2013.

6. SITE VISIT

6.1 **RESOLVED:** That the Director of Regeneration and Development Services, in liaison with the Chair, be authorised to make arrangements for a site visit in connection with any planning applications requiring a visit by Members prior to the next meeting of the Committee.

7. APPLICATIONS UNDER VARIOUS ACTS/REGULATIONS

7.1 **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 in respect of Case No. 13/01999/FUL 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) following consideration of additional representations, as contained in a supplementary report circulated at the meeting, an application for planning permission for the conversion of church to form 6 apartments with provision of associated amenity space and car parking accommodation at Salvation Army Church, Queen Street, Mosborough (Case No. 13/01706/FUL) be granted, conditionally;

(c) having heard oral representations from a local resident and a local ward Councillor opposing the application, an application for outline planning permission for the erection of 4 detached dwellinghouses (resubmission of withdrawn planning application 12/01095/OUT) (amended plans received 16/05/13) at land at rear of 315 to 329 Baslow Road (Case No. 13/01273/OUT) be granted, conditionally; and

(d) having heard oral representations from the agent of the applicant opposing the recommendation to refuse and a local ward Councillor in favour of the recommendation to refuse, an application for planning permission for the erection of two detached dwellinghouses (C3 Use), including private access road and associated landscaping at the curtilage of 7 Stocks Green Court and land to the rear of 3-7 Stocks Green Court (Case No. 13/00660/FUL) be refused for the reason outlined in the report.

(Note. Councillor Tony Downing abstained from voting on the decision to grant, conditionally, an application for planning permission for the conversion of church to form 6 apartments with provision of associated amenity space and car parking accommodation at Salvation Army Church, Queen Street, Mosborough (Case No. 13/01706/FUL) and asked for this to be recorded.)

8. ENFORCEMENT OF PLANNING CONTROL: 60 CLIFTON CRESCENT

8.1 The Director of Regeneration and Development Services submitted a report informing Members of a breach of planning control in relation to the unauthorised use of garden area for the storage of building materials and machinery at 60 Clifton Crescent.

8.2 The report stated that a number of complaints had been received regarding this property in the past which had been investigated and the case subsequently closed. However, in May 2012 a further complaint was received regarding the use of the property as a builder's yard and the untidy condition of the garden area. A number of site visits had been carried out since May 2012. These visits have

revealed that on most occasions there have been building materials such as breeze blocks, concrete mixer, wheel barrow and scaffolding at the property and in some cases concrete lintels, mini diggers and a dumper truck being stored at the property. The site visit also highlighted that some of the machinery and materials did not move from the property for several months.

8.3 The owner has stated that the storage of these materials is due to works being carried out at the property and the potential future works to the garage and the rear extension. Officers had noticed some works being carried out at the property, however, the pace and type of work being carried out does not reflect the materials and machinery stored at the property. It was officer opinion that the lack of traditional domestic environment and the scale and intensity of the storage is in excess of what could reasonably be considered to be incidental to the enjoyment of the dwelling house and therefore a material change of use had occurred.

8.4 **RESOLVED:** That the Committee:-

(a) authorises the Director of Regeneration and Development Services or Head of Planning to take all necessary steps:-

(i) 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 garden area, at 60 Clifton Crescent, as a builder's storage yard and the removal of the building materials and machinery from the garden area and the garage; and

(ii) including the service of a S215 Notice and the institution of legal proceedings, if necessary, to secure the removal of all the other waste materials currently stored on the site, including, but not limited to, plastic containers, chairs, punch bag, metal flue, fridge freezer, tyres and household waste; and

(b) delegates authority to the Head of Planning, in consultation with the Chair of the Committee, to vary the action authorised in order 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 Regeneration and 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.

10. DATE OF NEXT MEETING

10.1 It was noted that the next meeting of the Committee will be held on Tuesday 3rd September 2013 at 2.00 pm at the Town Hall.