

**SHEFFIELD CITY COUNCIL**

**Planning and Highways Committee**

**Meeting held 13 May 2014**

**PRESENT:** Councillors Alan Law (Chair), Trevor Bagshaw, David Baker, Janet Bragg, Tony Downing (Deputy Chair), Ibrar Hussain, Bryan Lodge, Bob McCann, Peter Price, Peter Rippon and Joyce Wright

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**1. COUNCILLORS TREVOR BAGSHAW, JANET BRAGG AND BOB MCCANN**

1.1 Prior to the commencement of the meeting, the Chair, Councillor Alan Law, informed the Committee that this would be the last meeting attended by Councillors Trevor Bagshaw, Janet Bragg and Bob McCann as they would not be seeking re-election at the forthcoming municipal elections. On behalf of the Committee, Councillor Law thanked Councillors Bagshaw, Bragg and McCann for their contribution to the work of the Committee over the years and wished them well for the future.

**2. APOLOGIES FOR ABSENCE**

2.1 Apologies for absence were received from Councillors Bob Johnson and Garry Weatherall.

**3. EXCLUSION OF PUBLIC AND PRESS**

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

**4. DECLARATIONS OF INTEREST**

4.1 Councillor Joyce Wright declared a personal interest, as a resident of Woodburn Drive, in an application for planning permission for use of disused railway line as public footpath/bridle path, installation of associated fencing and bollards and erection of security fencing along residential boundaries (revised plans received 18<sup>th</sup> February 2014) at land between Chapeltown Park and Cowley Hill (Case No.13/03711/FUL).

**5. MINUTES OF PREVIOUS MEETING**

5.1 The minutes of the meeting of the Committee held on 22<sup>nd</sup> April 2014 were approved as a correct record.

**6. SHEFFIELD CONSERVATION ADVISORY GROUP**

6.1 The Committee received and noted the minutes of the meeting of the Sheffield Conservation Advisory Group held on 18<sup>th</sup> March 2014.

**7. SITE VISIT**

7.1 **RESOLVED:** That the Director of Regeneration and Development Services, in liaison with the Chair, be authorised to make arrangements for a site visit on Monday 2<sup>nd</sup> June 2014, in connection with any planning applications requiring a visit by Members prior to the next meeting of the Committee.

**8. PROPOSED CLOSURE OF FOOTPATHS AT HARBOROUGH FIELDS, MOTEHALL FIELDS AND SEATON FIELDS, MANOR**

8.1 The Director of Regeneration and Development Services submitted a report seeking authority to process the Highway Stopping-Up Order required to close public footpaths at Harborough Fields, Motehall Fields and Seaton Fields in the Manor area of Sheffield.

8.2 **RESOLVED:** That:-

(a) no objections be raised to the formal closure of the following adopted footpaths:-

- Harborough Fields: Shown hatched on the plan included as Appendix A to the report
- Motehall Fields: Shown hatched on the plan included as Appendix B to the report
- Seaton Fields: Shown hatched on the plan included as Appendix C to the report

subject to satisfactory arrangements being made with Statutory Undertakers in connection with any of their mains and services that may be affected; and

(b) delegated authority be given to the Director of Legal and Governance to:-

- (i) take all necessary action to close the footpaths under the powers contained within Section 118 of the Highways Act 1980;
- (ii) confirm the Order as an unopposed Order in the event of no objections being received or any objections received being resolved; and
- (iii) submit the Order to the Secretary of State for confirmation in the event that objections are received which cannot be resolved.

**9. PROPOSED DIVERSION OF PUBLIC FOOTPATH OFF LAMB HILL, LOW BRADFIELD**

9.1 The Director of Regeneration and Development Services submitted a

report seeking authority to process the Public Path Diversion Order required to alter the course of definitive public footpath BRA\37B, off Lamb Hill, Low Bradfield.

**9.2 RESOLVED:** That:-

- (a) no objections be raised to the proposed diversion of definitive public footpath BRA\37B, as shown on the plan included as Appendix A to the report, subject to satisfactory arrangements being made with Statutory Undertakers in connection with any of their mains and services which may be affected; and
- (b) delegated authority be given to the Director of Legal and Governance to:-
  - (i) take all necessary action to divert the footpath under the powers contained within Section 119 of the Highways Act 1980;
  - (ii) confirm the Order as an unopposed Order, in the event of no objections being received, or any objections received being resolved; and
  - (iii) submit the Order to the Secretary of State for confirmation in the event that objections are received which cannot be resolved.

**10. PROPOSED CONVERSION OF A PUBLIC FOOTPATH LINKING WATERSMEET ROAD TO THORESBY ROAD, WALKLEY INTO A SHARED USE FOOTPATH/CYCLE TRACK**

- 10.1 The Director of Regeneration and Development Services submitted a report seeking authority to refer the Cycle Track Order relating to Watersmeet Road to Thoresby Road to the Secretary of State for Transport with a request to confirm the Order with a modified path width.
- 10.2 The report stated that, on 27<sup>th</sup> March 2012, the former West and North Planning and Highways Committee gave authority to process a cycle track order required to convert the footpath between Watersmeet Road and Thoresby Road, Walkley, into a shared footpath/cycle track.
- 10.3 On 25<sup>th</sup> October 2012, the City of Sheffield (Thoresby Road to Watersmeet Road) Cycle Tracks Order 2012 ("the Cycle Track Order") was made, and was duly advertised and placed 'on deposit' for public inspection, as per the Cycle Tracks Regulations 1984.
- 10.4 In response to this, two objections were received. One had subsequently been withdrawn but the other remained. Thus, the Council did not have the power to confirm the Order as unopposed, necessitating that the matter be referred to the Secretary of State in order to be progressed.

- 10.15 The remaining objection was from the Byways and Bridleways Trust, a national organisation which was a statutory consultee for such Orders. The objection was on the grounds that the width of the footpath was insufficient to have cyclists on it whilst retaining pedestrian safety.
- 10.6 After some further discussion with them it became apparent that, unfortunately, due to an error, the Schedule to the Order had been published stating the current width of the path (a varying width from point A to B between 1.5 metres to 2 metres”) instead of the proposed new width of 3 metres on that section.
- 10.7 In subsequent informal discussions explaining the situation, the objector had indicated that, if the Order were to be modified to quote the correct proposed width, then he would be happy to accept and agree to the proposal.
- 10.8 However, once an Order of this type had been made, the Council did not have the power to modify it in any way. Any modification required to address concerns raised in an objection must be made by the Secretary of State, after referral of the matter to him by the Council.
- 10.9 **RESOLVED:** That the Director of Legal and Governance be authorised to submit the City of Sheffield (Thoresby Road to Watersmeet Road) Cycle Tracks Order 2012 to the Secretary of State for Transport for modification and confirmation.

## **11. APPLICATIONS UNDER VARIOUS ACTS/REGULATIONS**

- 11.1 **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 as shown 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) an application for planning permission for the erection of 16 dwellinghouses at land at the junction of Brotherton Street and Catherine Street and land to the side and rear of 4-22 Cranworth Road (Case No. 13/04223/FUL) be granted, conditionally, subject to legal agreement and (ii) Section 106 funding accrued from the development be spent in the locality of the site and in conjunction with the Local Area Partnership;

(c) having noted an amendment to the heads of terms to read ‘An agreement to limit the number of people, excluding staff, on the premises at any one time to no more than 240’, reported orally at the meeting by the Director of Regeneration and Development Services and following consideration of representations from the applicant’s agent in support of the application, an application for planning permission for change of use and extensions to existing building for use as private hire venue and Shisha Lounge with restaurant/café (Sui Generis Use) at TRC Truck Rental, 2B Dannemora Drive (Case No. 13/04007/FUL) be granted, conditionally, subject to legal agreement;

(d) following consideration of (i) an additional request from the applicant in relation to the development plan allocation and an additional representation, as contained within a supplementary report circulated at the meeting, and (ii) representations from two local residents and members of the Friends of Parkwood Springs opposing the application and the applicant in support of the application, and, notwithstanding the officer's recommendation, consideration of an application for planning permission for demolition of fire damaged buildings, levelling of ground and associated filling over extent of former buildings, viewing area and amenity building at Sheffield Ski Village, Vale Road (Case No. 13/03814/GUL) be deferred pending a site visit;

(e) subject to the inclusion of an additional condition to read 'Before the development is commenced, full details of directional signs at the north of the park end of the Trans-Pennine Trail shall have been submitted to and approved by the Local Planning Authority. The signs shall be provided prior to the use of the footpath commencing', as detailed in a supplementary report circulated at the meeting, and following consideration of representations from three local residents opposing the application, an application for planning permission for use of disused railway line as public footpath/bridle path, installation of associated fencing and bollards and erection of security fencing along residential boundaries at land between Chapeltown Park and Cowley Hill (Case No.13/03711/FUL) be granted, conditionally;

(f) following consideration of additional information and an officer response, as outlined in a supplementary report circulated at the meeting, and notwithstanding the officer's recommendation, an application for planning permission for retention of front porch to dwellinghouse at 414 Windmill Lane (Case No. 13/03618/FUL) be granted, as the Committee considered that the design of the porch was acceptable; and

(g) subject to the inclusion of an additional condition that no more than 31 caravans be allowed on site at any time, and following consideration of an amended description and additional representations, as outlined in a supplementary report circulated at the meeting, and following representations from two members of the public opposing the application and from the applicant's agent in support of the application, an application for planning permission for change of use from grazing land to caravan and campsite, conversion of redundant agricultural buildings to create a reception area, indoor play area and Shire Horse stud area and the construction of a toilet and shower block in existing building at Little Intake Farm, Woodhead Road, Grenoside (Case No. 13/03412/FUL) be granted, conditionally.

(Note. Councillor Trevor Bagshaw voted against the decision to grant, conditionally, an application for planning permission for change of use from grazing land to caravan and campsite, conversion of redundant agricultural buildings to create a reception area, indoor play area and Shire Horse stud area and the construction of a toilet and shower block in existing building at Little Intake Farm, Woodhead Road, Grenoside (Case No. 13/03412/FUL) and asked for this to be recorded.)

**12. ENFORCEMENT OF PLANNING CONTROL: 277A FULWOOD ROAD, SHEFFIELD**

12.1 The Director of Regeneration and Development Services submitted a report informing Members of a breach of planning control in relation to the unauthorised installation of UPVC windows in an Article 4 area at 277A Fulwood Road and making representations on any further action required.

12.2 The report stated that the windows installed at the first and second floor of the property were of very poor quality and did not respect the character and detailing of the original buildings, or the surrounding conservation area. The materials, width and detailing of the windows were considered to constitute an incremental erosion of the character of the area and as such were deemed to be visually prominent within the street. In addition their number and concentration within the terrace, and their prominent location exacerbated such concerns.

12.3 **RESOLVED:** That:-

- (a) the Director of Regeneration and Development Services or Head of Planning be authorised to take any appropriate action including, if necessary, enforcement action and the institution of legal proceedings to secure the removal of the UPVC windows installed on the first and second floors at 277A Fulwood Road; and
- (b) the Head of Planning, in liaison with the Chair of this Committee, be authorised to vary the action in order to achieve the objectives hereby confirmed, including taking action to resolve any associated breaches of planning control.

**13. RECORD OF PLANNING APPEAL SUBMISSIONS AND DECISIONS**

13.1 The Director of Regeneration and Development Services submitted a report detailing (a) the 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.

**14. DATE OF NEXT MEETING**

14.1 It was noted that the next meeting of the Committee will be held on Tuesday, 3<sup>rd</sup> June 2014 at 2.00 pm at the Town Hall.