

SHEFFIELD CITY COUNCIL

Planning and Highways Committee

Meeting held 1 December 2015

PRESENT: Councillors Alan Law (Chair), Roger Davison, Adam Hurst, Ibrar Hussain, Bryan Lodge, Joe Otten (Substitute Member), Peter Price, Denise Reaney, Peter Rippon, Chris Rosling-Josephs and Joyce Wright

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1. APOLOGIES FOR ABSENCE

1.1 An apology for absence was received from Councillor David Baker and Councillor Joe Otten attended the meeting as the duly appointed substitute. Apologies for absence were also received from Councillors Nasima Akther, Jack Clarkson, Tony Damms and Gary Weatherall but no substitutes were 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 There were no declarations of interest.

4. MINUTES OF PREVIOUS MEETING

4 The minutes of the meeting of the Committee held on 10 November, 2015 were approved as a correct record.

5. SHEFFIELD CONSERVATION ADVISORY COMMITTEE

5.1 The Committee received and noted the minutes of the meeting of the Sheffield Conservation Advisory Group held on 20 October, 2015.

6. SITE VISIT

6.1 **RESOLVED:** That the Director of Regeneration and Development Services, in liaison with a Co-Chair, be authorised to make arrangements for a site visit on Monday, 21 December 2015, 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. 15/03871/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) having heard representations at the meeting from two local residents speaking against the proposed development and from the applicant's agent speaking in support of the development, an application for planning permission for the conversion of an existing building to form 6 apartments and the erection of 7 dwellinghouses with associated car parking and landscaping works at the former Heeley and Sheffield Public House, 781 Gleadless Road (Case No. 15/03371/FUL) be granted, conditionally, subject to Condition 17 being deleted, as detailed in the supplementary report circulated at the meeting;

(c) an application for planning permission for the construction of a glass balustrade to the rear of a dwellinghouse at 30 Stainton Road (Case No. 15/03156/FUL) be refused (i) for the reason detailed in the report now submitted and (ii) with authority given to (A) the Director of Regeneration and Development Services to take any appropriate action including, if necessary, enforcement action and the institution of legal proceedings to secure the removal of the unauthorised balustrade at 30 Stainton Road and (B) the Head of Planning, in liaison with a Co-Chair of the Committee, to vary the action in order to achieve the objectives hereby confirmed, including taking action to resolve any associated breaches of planning control; and

(d) having (i) noted officer information confirming that there was no relevant site history for the application site, as detailed in a supplementary report circulated at the meeting and (ii) heard representations at the meeting from the applicant's agent speaking in support of the development, an application for planning permission for the erection of a dwellinghouse at the rear of 52 Arundel Road (Case No. 15/02664/OUT), be granted, conditionally.

8. ENFORCEMENT OF PLANNING CONTROL: 261 STANIFORTH ROAD

8.1 The Director of Regeneration and Development Services submitted a report on his investigation into a breach of planning control regarding the failure to comply with conditions attached to planning permission granted for the retention of a single-storey extension to the Murpuri Dhera Restaurant at 261 Staniforth Road (Case No. 14/01512/FUL) and also in connection with the unauthorised erection of a marquee to the rear of the property. The report stated that the retrospective planning application for the extension was granted planning permission with four conditions and that the owner had not complied with Conditions 1, 2 and 3. It was also confirmed that a Breach of Condition Notice served on 27 October 2015 had not been complied with in respect of this matter.

8.2 With regard to the marquee, it was explained that it had been on site for 18 months approximately and that it was considered to be a development requiring planning permission. An assessment of the marquee considered it to be inappropriate and not in keeping with the character of the building or the area and

was not an acceptable use to alternative traditional building materials. The marquee's position also prevented some on-site car parking bays, that had been required under planning permission Case No. 14/01512/FUL, from being used, which contributed to the owner's failure to comply with one of the attached conditions to the aforementioned permission.

- 8.3 **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 (i) the removal of the marquee from the land altogether at 261 Staniforth Road and (ii) the removal of the unauthorised single-storey extension in the event that full compliance is not made with conditions and drawings attached to planning permission Case No. 14/01512/FUL at 261 Staniforth Road; and

(b) the Head of Planning, in liaison with a Co-Chair of the 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.

9. ENFORCEMENT OF PLANNING CONTROL: 16 MOOR OAKS ROAD

- 9.1 The Director of Regeneration and Development Services submitted a report on his investigation into a complaint received concerning a breach of planning control in respect of the unauthorised replacement UPVC windows at 16 Moor Oaks Road. The report stated that the property was located within the Broomhill Conservation area and that the associated Article 4 Direction removed the permitted development right to replace windows. The owner of the property indicated that the UPVC windows had been installed to comply with the recommendations of the Private Housing Standards to obtain a housing license. It was explained though that a caveat within the Private Housing Standards literature advised that all work should be carried out in accordance with building regulations and that all planning and build control permissions should be in place. The owner had been advised by officers that the UPVC windows needed to be replaced with timber sliding sash windows, but this had not been carried out since the last correspondence sent by officers in August 2014.

- 9.2 **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 unauthorised UPVC windows fronting the highway at 16 Moor Oaks Road; and

(b) the Head of Planning, in liaison with a Co-Chair of the 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.

10. RECORD OF PLANNING APPEAL SUBMISSIONS AND DECISIONS

- 10.1 The Committee received and noted a report of the Director of Regeneration and Development Services detailing the planning appeals recently submitted to the Secretary of State.

11. DATE OF NEXT MEETING

- 11.1 **RESOLVED:** That it be noted that the next meeting of the Committee will be held on Tuesday, 22 December, 2015 at 2.00 pm, at the Town Hall.