

# SHEFFIELD CITY COUNCIL

## Planning and Highways Committee

### Meeting held 22 November 2016

**PRESENT:** Councillors Chris Rosling-Josephs (Chair), Ian Auckland, David Baker, Jack Clarkson, Michelle Cook, Dawn Dale, Tony Damms, Dianne Hurst, Joe Otten, Zahira Naz, Peter Price, Peter Rippon, Andrew Sangar (Substitute Member) and Zoe Sykes

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#### **1. APOLOGIES FOR ABSENCE**

1.1 An apology for absence was received from Councillor Roger Davison and Councillor Andrew Sangar attended as the duly appointed substitute. An apology for absence was also received from Councillor Alan Law, 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 There were no declarations of interest.

#### **4. MINUTES OF PREVIOUS MEETING**

4.1 The minutes of the previous meeting of the Committee, held on 1 November 2016, were approved as a correct record.

#### **5. SITE VISIT**

5.1 **RESOLVED:** That the Interim Director of Development Services, in liaison with a Co-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.

#### **6. PROPOSED DIVERSION OF FOOTPATH BRA/71: BROAD OAK HOUSE, STOPES ROAD**

6.1 The Interim Head of Planning submitted a report seeking authority to process the Public Path Diversion Order required altering the course of definitive public footpath BRA/71, at Stopes Road, Stannington. The report stated that it was proposed by the land owner of Broad Oaks Farm to divert a 120m section of footpath by moving it 22 metres to the West. Although the proposed route would be slightly longer, it was considered by the land owner that it would be beneficial in terms of security and privacy at the Farm and that it would be an easier walk

through open fields, with pedestrians not in potential conflict with private vehicle movements around the Farm.

6.2 **RESOLVED:** *That (a) no objection be raised to the proposed diversion of definitive public footpath BRA/71, as detailed in the report of the Interim Head of Planning and as shown on the plan now exhibited, subject to satisfactory arrangements being made with the Statutory Undertakers with regard to their mains and services that may be affected; and*

(b) authority be given to the Director of Legal & 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 received cannot be resolved.

## 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 and as amended 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 an oral representation at the meeting from the applicant's representative in support of the proposed development, an application for planning permission for the erection of a mixed use development incorporating student accommodation, comprising 69x studio apartments, 17x one bedroom apartments and 85x cluster flats providing a total of 543 bedspaces, two commercial units (Use Class A1 (with no more than 250sqm retail floorspace per unit), A2, A3, A4, A5, B1 & D1), associated works including access, cycle parking, a pedestrian link walkway, and ancillary facilities at the site of the former car park at Rockingham Street (Case No. 16/03503/FUL) be granted, conditionally, subject to amended conditions in respect of (i) Condition 2 concerning a revised drawing, (ii) Condition 3 concerning the completion of a "Written Scheme of Investigation for an Archaeological Strip, Map and Recording Watching Brief", and as a result of the amendment, the Condition be reallocated under "Other Pre-Commencement, Pre-Occupancy and other Stage of Development

Condition(s)", (iii) Condition 4 concerning highway improvements and (iv) Condition 33 concerning opening hours, all as detailed in a supplementary report circulated at the meeting;

(c) having (i) noted that no further comments on the proposed development had been made by the Sheffield Conservation Advisory Group had at its meeting held on 18 October, 2016, as detailed in a supplementary report circulated at the meeting and (ii) heard an oral representation at the meeting from the applicant's representative in support of the proposed development, an application for planning permission under Regulation 3 of the Town and Country Planning (General) Regulations 1992 for the erection of a mixed use development comprising a six-storey office (Use Class B1) and retail block (Use Classes A1/A2) with rooftop plant room, basement car park and service area, erection of a standalone food and beverage/retail unit (Use Classes A1, A3, A4 and A5) with enhanced public realm and formation of new highway between Backfields and Carver Street at land at the junction of Pinstone Street, Wellington Street & Charter Square (Case No 16/03328/RG3) be granted, conditionally, subject to (A) amended conditions in respect of (1) Condition 2 concerning revised plans, (2) Condition 6 concerning revised working hours, (3) Condition 17 by the addition of the words "including cap profiles and reveal details" after the words "Glazed curtain walling", (4) Condition 19 by the addition of the words "within six months of the commencement of development" after the words Local Planning Authority", (5) Condition 24 by the addition of the words (I) "pedestrians and motorised traffic along Pinstone Street and Union Street, and on streets linking these, between and including its junctions with Charles Street and Furnival Gate" after the words "movement of cyclists" and (II) "to mitigate for development works on Wellington Street and Charles Street" after the words "cycling routes", (6) Condition 30 by the addition of the words (I) "office floorspace" prior to the words "hereby approved" in the first paragraph and (II) "retail floorspace" prior to the words "hereby approved" in the second paragraph and (7) Condition 31 in respect of revised drawings and (B) additional conditions in respect of (1) the opening hours of the A3 and A4 units and (2) highway closures, all as detailed in the aforementioned supplementary report;

(d) having (i) noted an amended recommendation from the officer that the proposed application, if approved, would not be referred to the Secretary of State for clearance, as detailed in a supplementary report circulated at the meeting and (ii) having heard oral representations at the meeting from a local resident and a local Ward Councillor objecting to the proposed development and from the applicant's representative supporting the proposed development, an application for planning permission for the demolition of an existing building and erection of 28 apartments with associated car parking accommodation at the site of TTS Car Sales Ltd, Archer Road (Case No. 16/02751/FUL) be granted, conditionally, subject to (A) the completion of a legal

agreement and (B) Conditions 12 and 13 being deleted, as detailed in the aforementioned supplementary report;

(e) having noted additional information provided by the officer on the revised appearance and prominence of the entrance points to the building that had been recently negotiated with the developer, as detailed in a supplementary report circulated at the meeting, an application for planning permission for the demolition of an existing industrial unit and the erection of 54 flats in 4 x 4 storey blocks with associated cycle parking and landscaping at Ewen Engineering Co., Roscoe Road (Case No. 16/02551/FUL) be granted, conditionally, subject to (i) amended conditions in respect of (A) Condition 2 concerning revised plans and (B) Condition 22 by the addition of the words "Meadow Street" prior to the words "Permit Parking Zone" and (ii) an additional condition in respect of the proposed balconies, railings and surrounds, all as detailed in the aforementioned supplementary report;

(f) an application for planning permission for the demolition of bungalow and garage, and erection of 5 apartments with associated landscaping and undercroft parking at 33 Lyndhurst Road (Case No. 16/00833/FUL) be deferred pending a visit of inspection to the site;

(g) having (i) considered eight additional representations objecting to the development and the officer's response, as detailed in a supplementary report circulated at the meeting and (ii) heard an oral representation at the meeting from the applicant's representative in support of the proposed development, an application for planning permission for the erection of 6 dwellinghouses, associated landscaping, parking and access arrangements at land to the rear of 183 to 273 Greystones Road (Case No. 16/00530/FUL) be granted, conditionally, subject to an additional condition requiring the development to be carried out in accordance with the skyline Ecology Phase 1 Habitat Survey (dated 24<sup>th</sup> May 2016), as detailed in the aforementioned supplementary report; and

(h) having heard oral representations at the meeting from a representative of the Loxley Valley Protection Society and a local resident objecting to the proposed development and from the applicant's representative supporting the proposed development, a retrospective application for planning permission for alterations and retention of the use of a former barn as a dwellinghouse at White Acres Farm, Spout Lane (Case No. 15/04365/CHU) be refused (i) for the reasons detailed in the report now submitted and (ii) with authority given to (A) the Interim Director of Development Services or the Interim Head of Planning, having noted the officer's view that in respect of this application the planning policies outweighed the Human Rights Act 1998, to take all appropriate action including, if necessary, enforcement action and the institution of legal proceedings at White Acres Farm, Spout Lane to secure the return of the building to its

former open fronted structure; used for storage purposes in connection with the livery business and (B) the Interim Head of Planning, in liaison with a Co-Chair of this Committee, to vary the action in order to achieve the objectives hereby confirmed, including taking action to resolve any associated breaches of planning control.

**8. ENFORCEMENT OF PLANNING CONTROL: LAND AT LITTLE INTAKE FARM, WOODHEAD ROAD, GRENOSIDE**

8.1 The Interim Head of Planning submitted a report on his investigation into a breach of planning control in respect of the unauthorised alterations to a building to form a dwellinghouse, unauthorised use of land and building for the storage of building materials, non-compliance with planning permission Case No. 13/03412/FUL and the unauthorised erection of an advertisement at land at Little Intake Farm Woodhead Road, Grenoside. The report stated that planning permission Case No. 13/03412/FUL, which allowed the land owner to change the land use from grazing to a caravan and campsite, the conversion of redundant agricultural buildings to create a reception area with accommodation for a site manager at first floor level, indoor play area and Shire Horse stud area, had not been implemented so far and that the pre commencement conditions had also not commenced. A site visit to the property had also revealed that other alterations had been carried out to a barn which were unauthorised and did not meet the conditions attached to the aforementioned planning permission. The breaches of control and non-compliance with eight pre commencement conditions attached to Planning Permission 13/03412/FUL, were identified in the report.

8.2 In assessing the breach of control, regard was given to the enforcement options under Sections 171C 172 and 224(3) of the Town and Country Planning Act 1990.

8.3 **RESOLVED:** That (a) the Interim Director of Development Services or the Interim Head of Planning be authorised to take all appropriate action including, if necessary, enforcement action and the institution of legal proceedings to secure at land at Little Intake Farm, Woodhead Road, Grenoside:

- (i) the removal of the unauthorised harmful alterations to the rear elevation of the barn and the reinstatement of the wall;
- (ii) cessation of the use of the land and buildings for storage of building materials and building waste and the removal of the said materials and waste;
- (iii) compliance with the approved plans and conditions imposed on planning permission 13/03412/FUL should the permission be commenced; and

(iv) the removal of the advertisement board from the field adjacent to Woodhead Road; and

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

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

9.1 The Committee received and noted a report of the Interim Head of Planning 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.

**10. DATE OF NEXT MEETING**

10.1 It was noted that the next meeting of the Committee will be held at 2:00p.m. on Tuesday 13 December, 2016 at the Town Hall.