

Planning and Highways Committee

Meeting held 26 November 2013

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

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1. APOLOGIES FOR ABSENCE

1.1 An apology for absence was received from Councillor Jayne Dunn and Councillor Tony Damms attended the meeting as the duly appointed substitute. An apology was also received from Councillor Bob McCann but no substitute was provided.

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 Alan Law declared an interest in respect of an application for planning permission for the siting of two wind turbines with a tip height of 34.5 metres at Hollin Edge Farm, Common Lane, Deepcar (Case No. 13/02433/FUL) as he resided near to the development site and had objected to other proposed turbines sites in the area as a former Stocksbridge Town Councillor and he vacated the Chair which was occupied by Councillor Tony Downing during consideration of this item and left the room prior to the Committee considering the item.

3.2 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.

3.3 Councillor Trevor Bagshaw declared a personal interest respect of an application for planning permission for the siting of two wind turbines with a tip height of 34.5 metres at Hollin Edge Farm, Common Lane, Deepcar (Case No. 13/02433/FUL) as a former Member of the Peak District National Park Planning Authority.

4. MINUTES OF PREVIOUS MEETING

4.1 The minutes of the meeting of the Committee held on 5 November 2013 were approved as a correct record.

5. SHEFFIELD CONSERVATION ADVISORY GROUP

- 5.1 The Committee received and noted the minutes of the meeting of the Sheffield Conservation Advisory Group held on 22 October 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 on Monday 16th December 2013, 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 and 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 considered (i) 23 additional representations, as outlined in a supplementary report circulated at the meeting and (ii) representations from 4 local residents speaking against the application and from the agent for the applicant speaking in favour of the development, an application for planning permission for the erection of retail unit (class A1) with associated car parking and means of vehicular access at the site of the former St. Johns Church, Sharrow Lane (Case No. 13/03495/FUL) be granted, conditionally;

(c) subject to the removal of condition 1, and having considered (i) amended conditions and 6 additional representations, as contained within a supplementary report circulated at the meeting and (ii) representations against the application from 3 local residents and a representation in support of the development from the agent for the application, an application for retrospective planning permission for site clearance and excavation works at land between Nos. 1 to 3 and Nos. 5 and 7 Dover Road (Case No. 13/03282/FUL) be granted, conditionally;

(d) subject to the removal of condition 1, and having considered (i) amended conditions and additional representations, as contained in a supplementary report circulated at the meeting and (ii) representations against the application from 5 local residents and a local ward Councillor and representations in favour of the development from the agent for the applicant, an application for planning permission for the demolition of single-storey extension to the rear of the property, erection of single-storey extension to the east of the existing building, alterations to existing elevations and formation of new pedestrian access from Ecclesall Road (as amended by plans received by the Local Planning Authority on 14th November 2013) at the former Polish Ex-Servicemans Club, 1-3 Dover Road (Case No. 13/02847/FUL) be granted conditionally; and

(e) having (i) considered (A) a supplementary report circulated at the meeting

detailing additional representations and an amendment to the summary and conclusion of the report now submitted and (B) a petition submitted at the meeting containing 349 signatures in support of the proposed development and (ii) heard six representations objecting to and one in support of the proposed development at the meeting, an application for planning permission for the siting of two wind turbines with a tip height of 34.5 metres at Hollin Edge Farm, Common Lane, Deepcar (Case No. 13/02433/FUL) be refused in accordance with the reasons stated in the report now submitted, with an amendment to (1) reasons 1, 3, 4 and 5 by the addition of the words “and Planning Practice Guidance for Renewable and Low Carbon Energy (2013)” at the end of each reason, as detailed in the aforementioned supplementary report and (2) reason 1 by the addition of the words “and would also have a significant impact on the immediate upland pastoral hills and ridges landscape and adjacent river valleys landscape and the nearby Peak District National Park. The two wind turbines would be a defining feature and have an adverse cumulative landscape impact in this immediate landscape” after the words “High Landscape Value”.

8. ENFORCEMENT OF PLANNING CONTROL: OAK LODGE FARM, THOMPSON HILL

8.1 The Director of Regeneration and Development Services submitted a report on his investigation into a breach of planning control in respect of an unauthorised telecommunication mast at Oak Lodge Farm, Thompson Hill, High Green. The report stated that the mast was originally erected in July 2011, as an emergency under temporary permitted development rights, to maintain network coverage for a maximum period of 6 months. It was stated that whilst a planning application (Case No. 1200530/TEL) to retain the mast on site was refused planning permission, a further planning application (Case No. 12/00963/TEL) for an alternative location at the Farm was granted permission on appeal. In pursuing the re-siting of the mast in accordance with the permission that had been granted, the telecommunications company had cited that there was a delay due to negotiation difficulties with the new site owner.

8.2 The reasons given by the Planning Inspector for refusing planning permission for the mast remaining in its existing position were outlined in the report now submitted.

8.3 RESOLVED: That (a) the Director of Regeneration and Development Services and Head of Planning be authorised to take all appropriate steps including, if necessary, enforcement action and the institution of legal proceedings to remove the unauthorised telecommunications mast from the land at Oak Lodge Farm, Thompson Hill, High Green; 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.

9. QUARTERLY OVERVIEW OF ENFORCEMENT ACTIVITY

9.1 The Committee received and noted a report of the Director of Regeneration and

Development Services providing a quarterly update of progress on the work being undertaken by the enforcement team within the city.

10. QUARTERLY UPDATE OF ENFORCEMENT CASES IN THE SOUTH AREA

- 10.1 The Committee noted (a) a report of the Director of Regeneration and Development Services providing an update on the progress of enforcement cases being undertaken with respect to developments and advertisements in the South area and (b) further information provided by the Director of Regeneration and Development Services to Members' questions in respect of enforcement matters.

11. QUARTERLY UPDATE OF ENFORCEMENT CASES IN THE WEST AND NORTH AREA

- 11.1 The Committee noted (a) a report of the Director of Regeneration and Development Services providing an update on the progress of enforcement cases being undertaken with respect to developments and advertisements in the West and North area and (b) further information provided by the Director of Regeneration and Development Services to Members' questions in respect of enforcement matters.
- 11.2 RESOLVED: That officers be requested to submit an update report on Dial House Club, Far Lane/Ben Lane (Item 12, Page 131) to a meeting of the Committee in to be held in January 2014.

12. QUARTERLY UPDATE OF ENFORCEMENT CASES IN THE CITY CENTRE AND EAST AREA

- 12.1 The Committee noted (a) a report of the Director of Regeneration and Development Services providing an update on the progress of enforcement cases being undertaken with respect to developments and advertisements in the City Centre and East area and (b) further information provided by the Director of Regeneration and Development Services to Members' questions in respect of enforcement matters.

13. RECORD OF PLANNING APPEAL SUBMISSIONS AND DECISIONS

- 13.1 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.

14. DATE OF NEXT MEETING

- 14.1 It was noted that the next meeting of the Committee will be held on Tuesday 17 December 2013 at 2.00 pm at the Town Hall.