

SHEFFIELD CITY COUNCIL

Planning and Highways Committee

Meeting held 24 June 2014 at 2.00 p.m.

PRESENT: Councillors Alan Law (Chair), Tony Downing (Deputy Chair), Ibrar Hussain, Bob Johnson, Joyce Wright, Nasima Akther, Denise Reaney, Jack Clarkson, Roger Davison, Tony Damms (Substitute Member), Bryan Lodge (Substitute Member) and Jayne Dunn (Substitute Member)

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1. APOLOGIES FOR ABSENCE

1.1 Apologies for absence were received from Councillors Terry Fox, Peter Price and Tim Rippon and Councillors Bryan Lodge, Jayne Dunn and Tony Damms attended the meeting as the duly appointed substitutes. Apologies for absence were also received from Councillor David Baker.

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 meetings of the Committee held on 3 June and 4 June 2014 were approved as correct records.

5. SITE VISIT

5.1 **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 14th July 2014, in connection with any planning applications requiring a visit by Members prior to the next meeting of the Committee.

6. APPLICATIONS UNDER VARIOUS ACTS/REGULATIONS

6.1 **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 Nos. 13/04226/LBC and 13/04225/LBC, 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) subject to amendments to conditions, 2, 4, 5, 14 and 24 as outlined in a supplementary report circulated at the meeting, and following representations from the agent for the applicant speaking in favour of the application, an application for planning permission for the erection of part single storey/part two storey restaurant/public house (Use Class A3/A4) with ancillary residential accommodation at first floor, and associated play areas, car parking, landscaping and ancillary works (as amended 6/6/2014) at land between Broadfield Close and Little London Road, Broadfield Close (Case No. 14/01361/FUL) be granted, conditionally; and

(c) following consideration of an amended open space contribution, as outlined in a supplementary report circulated at the meeting, representations from the applicant and, subject to the removal of the recommendation that if a satisfactory S111 legal agreement covering the Heads of Terms set out in the preceding paragraphs is not concluded before 4 July 2014 (in order to meet the Government's target time for the determination of the application), the application be refused, an application for planning permission for the erection of 42 dwellings in 4 terraces with associated landscaping and parking accommodation at Hazelhurst Residential Home, 1 Dyche Drive (Case No. 14/01254/FUL) be granted conditionally, subject to legal agreement.

(Note. An application for planning permission for change of use of land for siting of event marquee/tents for up to 68 days a year at Townfield Head Farm, Long Lane, Dungworth (Case No. 14/00637/CHU) was withdrawn by the applicant prior to the meeting).

7. ENFORCEMENT OF PLANNING CONTROL: MULTIPLE LOCATIONS IN THE CITY INCLUDING STANIFORTH ROAD, EARL MARSHAL ROAD, PAGE HALL ROAD, WALKLEY LANE

- 7.1 The Director of Regeneration and Development Services submitted a report informing Members of breaches of planning control in relation to the unauthorised installation of external wall insulation (cladding) to houses at Staniforth Road, Earl Marshall Road and Page Hall Road.
- 7.2 The report stated that so far officers were aware of 31 houses that had been fitted with external cladding to insulate external walls, including the front elevations facing the road. There were 19 on Staniforth Road, 10 on Earl Marshall Road and 2 on Page Hall Road.
- 7.3 The report further stated that the 'Green Deal' was a Government programme to retrofit homes with measures designed to cut energy usage and reduce the UK's CO2 emissions. Sheffield City Council was committed to supporting this scheme in a bid to improve energy efficiency, reduce CO2 emissions and reduce fuel poverty. Some of the measures included the addition of external insulation, which involved cladding over the outside of the house walls with an insulation material and then finishing off with a top coat, typically a render material of some type.

- 7.4 Awareness that External Wall Insulation (EWI) cladding had been fitted to the front walls of homes facing the highway came when officers in the Council's Building Standards Service advised some installers that planning consent might be required for such work; planning enforcement was then notified. At that point a number of houses in Darnall and Grimesthorpe had already been completed or substantially completed.
- 7.5 Planning Contravention Notices were served on two companies in connection with the works already carried out to houses on Staniforth Road and Earl Marshall Road to establish the details.
- 7.6 Letters had been sent to all 40 companies listed on the Council's list of potential contractors in this field of work, advising that external cladding to the front elevations of houses would need planning permission if the conditions under 'permitted development' rules were not adhered to.
- 7.7 Letters had also been sent to householders on Staniforth Road and Earl Marshall Road advising that planning permission was needed for the work carried out on their homes. The letter went on to say that, on this occasion, enforcement action would only be considered against the installer and the householders would not be facing enforcement action/legal proceedings due to the particular circumstances identified. It had transpired, due to feedback obtained, that the installation companies had poorly advised householders and in particular had not informed them about planning permission and building regulations.
- 7.8 Any new breaches at other properties may result in action being taken against home owners and/or installers.
- 7.9 Since April, other houses that had come to the attention of officers were 107 and 111 Page Hall Road. In addition to these there had been a number of pre-application enquiries for external cladding to front elevations (not implemented) and there were now at least five planning applications to clad front elevations (decisions pending/not implemented). However, of all the unauthorised works, only 111 Page Hall Road was subject to a planning application (building regulations application was also submitted).
- 7.10 **RESOLVED:** That (a) the Director of Regeneration and Development Services or Head of Planning be authorised to (i) take any appropriate action including, if necessary, enforcement action, the service of stop notices and the institution of legal proceedings to secure:
- (A) the prevention of further harmful unauthorised external wall insulation to house elevations fronting to a highway; and
 - (B) the removal of harmful unauthorised external wall insulation from any house elevation fronting to a highway (except those listed below); and
- (ii) take no further action in relation to external wall insulation at the following addresses:

- 368, 392, 401, 403, 405, 407, 409, 416, 447, 451, 453, 463, 465, 471, 476, 480, 482, 489, 500 Staniforth Road
- 397, 399, 403, 405, 409, 415, 423, 427, 429 Earl Marshall Road
- 107 and 111 Page Hall 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.

8. RECORD OF PLANNING APPEAL SUBMISSIONS AND DECISIONS

- 8.1 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.

9. DATE OF NEXT MEETING

- 9.1 It was noted that the next meeting of the Committee will be held on Tuesday 15th July 2014 at 2.00 pm at the Town Hall.