

Planning and Highways Committee

Meeting held 11 October 2016

PRESENT: Councillors Peter Rippon (Chair), Ian Auckland, David Baker, Jack Clarkson, Michelle Cook, Dawn Dale, Tony Damms, Roger Davison, Dianne Hurst, Alan Law, Joe Otten, Zahira Naz, Peter Price and Zoe Sykes

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1. APOLOGIES FOR ABSENCE

1.1 An apology for absence was received from Councillor Chris Rosling-Josephs, 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 Councillors Jack Clarkson and Alan Law declared personal interests in an application for the erection of 7 x 2 bed terraced houses on two sites either side of Ash Lane, Deepcar, adjacent to 19 Haywood Lane and 8 Ash Lane (Case No. 16/00802/FUL) as they were Members of Stocksbridge Town Council, but stated they had not been involved or commented on the application and that they would speak and vote thereon.

Councillors Alan Law and Jack Clarkson declared personal interests in an application for a residential development comprising 413 dwellings with associated car parking accommodation, landscaping works, access roads, bridge, site infrastructure and open space at land East of the River Don and to the South West of Station Road, Deepcar (Case No. 14/00318/FUL) as they were Members of Stocksbridge Town Council. Councillor Alan Law stated he had not been involved or commented on the application and that he would speak and vote thereon. Councillor Jack Clarkson stated that he had objected to the development and would not speak and vote thereon and left the room prior to consideration of the item.

4. MINUTES OF PREVIOUS MEETING

4.1 The minutes of the previous meeting of the Committee, held on 20 September 2016, were approved as a correct record.

5. SITE VISIT

5.1 **RESOLVED:** That the 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. OBJECTION TO TREE PRESERVATION ORDER NO. 410: LAND ADJACENT 6 CANTERBURY DRIVE

6.1 The Interim Head of Planning submitted a report outlining a response to an objection received to Tree Preservation Order No. 410 which had been made in respect of trees situated on land adjacent to 6 Canterbury Drive. The report stated that the objections to the Tree Preservation Order, received from a relative on behalf of the property owner, related, in particular, to concerns over the safety of several trees around the perimeter of the adjacent land to the property, that appeared to be poor specimens approaching the end of their lives and therefore likely to cause property damage. An independent tree surgeon's assessment classed 11 trees as potentially hazardous to neighbouring houses. In response, it was explained that the trees had been inspected by the Local Authority Community Tree Officer and that no obvious defects were noted other than for one sycamore tree which was found to have an unidentified bracket fungus. The objector though was advised to obtain a written tree survey by an arboriculturist or other appropriate expert, who would provide evidence and, if necessary, an application could be made for work to be carried out to the trees which could then be considered by officers.

6.2 The Tree Preservation Order and the letter of objection were attached to the report now submitted. It was also stated that three written representations supporting the Order have been received, one of which had been signed by seventeen people living in properties on Canterbury Crescent.

6.3 **RESOLVED:** That, following consideration of the objection, as now reported, Tree Preservation Order No. 410 at land adjacent to 6 Canterbury Drive be confirmed unmodified.

7. OBJECTION TO TREE PRESERVATION ORDER NO. 411: 33 HOLYROOD AVENUE

7.1 The Interim Head of Planning submitted a report outlining a response to an objection received to Tree Preservation Order No. 411 which had been made in respect of three lime trees situated on land at 33 Holyrood Avenue. The report stated that the reason given for the proposed removal of one tree and the possible removal of another was because the owner had noticed the appearance of a crack at the base of the property's side elevation wall near to the front porch. A hump had also been noticed in the lawn and the owner presumed that it was a tree root growing in a direct line between the tree referred to for removal and the crack in the property wall. A Building Surveyor from the Authority's Structural and Public Safety Team found no compelling evidence to suggest the damage had been caused by the trees. In addition, the objections to the TPO from the property owner related, in particular, to the view that removing the trees would not have a significant negative impact on the local environment and its enjoyment by the public. The development was home to over 200 trees, many of which were on the public open spaces adjacent to Redmires Road and Lodge Moor Road and as well

as being more prominent, they also play a much more significant role in the visual amenity of the locality. In response, it was explained that a Tree Evaluation Method for Preservation Orders (TEMPO) had been carried out by officers, which was a nationally accepted method for assessing trees that were under potential threat of removal. The TEMPO assessment found the trees at the property were suitable for protection and the Order was served to maintain the visual amenity value the trees provide to the local environment by softening and adding character to the housing development's built form and street scene for the enjoyment of the public.

7.2 The Tree Preservation Order, letter of objection and TEMPO assessment were attached to the report now submitted.

7.3 **RESOLVED:** That, following consideration of the objection, as now reported, Tree Preservation Order No. 411 at 33 Holyrood Avenue be confirmed unmodified.

8. APPLICATIONS UNDER VARIOUS ACTS/REGULATIONS

8.1 **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 (i) considered additional representations objecting to the proposed development and the officer's response, as detailed in a supplementary report circulated at the meeting and (ii) heard oral representations at the meeting from a local resident objecting to the proposed development and from the applicant supporting the proposed development, an application for planning permission for the erection of 2 dwellinghouses with integral garages within the curtilage of 172 Prospect Road, Bradway (Case No. 16/03027/FUL) be granted, conditionally;

(c) having (i) considered a revised application report and recommendation circulated prior to the meeting and (ii) considered an additional representation and the officer's response, all as detailed in a supplementary report circulated at the meeting, an application for planning permission for the construction of 2 football pitches with floodlighting, a grass rugby pitch and a grass training area, improvements to existing pitches, erection of a pavilion building including changing facilities, kitchenette, education space, a gymnasium, club room and bar, provision of car parking accommodation and formation of a new access road to Moss Way, at the site of the old Westfield School and Sports Centre, Westfield Crescent (Case No. 16/02148/FUL) be granted, conditionally, subject to (A) an additional condition in respect of the re-grading works to be approved separately, as detailed in the aforementioned supplementary report and (B) clearance by the Secretary of State;

(d) 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 7, 8, 9 and 10 storey buildings comprising 146 student cluster units, 237 studio/apartments, retail space (Use Class A1) and cafe/restaurant (Use Class A3), with new access, car parking accommodation and landscaping works, including works to the Porter Brook embankment, at the site of Gordon Lamb Limited, 10 Summerfield Street (Case No. 16/01362/FUL) be granted, conditionally, subject to (i) the completion of a legal agreement and (ii) amendments to (A) Condition 2 in respect of the approved plans and (B) Condition 40 in respect of limiting the access gates/barriers to those shown on the approved plan, as detailed in a supplementary report circulated at the meeting;

(e) having considered two additional letters of objection, including an objection from a local Ward Councillor and the officer's response, as detailed in a supplementary report circulated at the meeting, an application for planning permission for the erection of 7 x 2 bed terraced houses on two sites either side of Ash Lane, adjacent to 19 Haywood Lane and 8 Ash Lane, Deepcar (Case No. 16/00802/FUL) be granted, conditionally;

(f) an application for planning permission for the demolition of a working mens club and erection of 27 apartments in 1 x 3 storey block with the provision of underground car parking accommodation and associated landscaping works at Handsworth Working Mens Club and Institute, 445 Handsworth Road (Case No. 16/00480/FUL) was withdrawn from consideration to allow officers to review the air quality information that had only just been submitted by the applicant following a decision of the Committee at its meeting held on 20 September 2016, and it be noted that the application would be reported back to a future meeting of the Committee;

(g) having noted an additional representation from a local Ward Councillor supporting local residents concerns and the officer's response, an application for planning permission for the erection of three dwellings and a detached garage building at land at the junction with Broomfield Court, Broomfield Road, Stocksbridge (Case No. 16/00388/FUL) be granted, conditionally;

(h) having heard oral representations at the meeting from the applicant's representative supporting the proposed development and notwithstanding the officer's recommendation, an application for planning permission for the erection of a dwellinghouse at land adjoining 21 Leyburn Road (Case No. 15/04308/FUL) be granted, conditionally, as the Committee viewed that the development represented the addition of one dwelling in an area of established housing, that would contain flood resilience measures, and would significantly improve the appearance of the site, and as such outweighed the development's flood risk; and

(i) having noted (i) the officer's amended recommendation to grant the proposed development conditionally, (ii) additional information provided by the officer in respect of affordable housing, Community Infrastructure Levy requirements and flood risk and (iii) additional representations received from the Environment Agency and the Coal Authority and the response from the applicant's representative, all as detailed in a supplementary report circulated at the meeting, an application for planning permission for a residential development comprising 413 dwellings with associated car parking accommodation, landscaping works, access roads, bridge,

site infrastructure and open space at land East of the River Don and to the South West of Station Road, Deepcar (Case No. 14/00318/FUL) be granted conditionally, subject to (A) amendments to (1) Condition 6 in respect of the waste water treatment works, (2) Conditions 8 and 9 in respect of The Sidings, Station Yard concerning (I) land and ground gas contamination and (II) the Phase 11 Intrusive Site Investigation Report, (3) Condition 16 in respect of a management plan concerning the linear park along the River Don and the surface water balancing pond, (4) Condition 26 in respect of the Flood Risk Assessment and (5) Condition 27 in respect of the "Specification for Preparatory and Remedial Works for Land at Manchester Road, Deepcar (ref: C0932B, dated November 2007)", (B) additional conditions in respect of (1) the boundary treatment, (2) materials and finishes in respect of window reveals, doors and eaves, (3) a sample panel of the proposed masonry being erected at the site to illustrate colour, texture and bonding of masonry and mortar that would be used for the development and (4) restricting occupation of the dwellings with regard to the Mine Water Treatment Scheme until the mine water treatment facility has been designed, constructed, managed and maintained and (C) Conditions 17 and 25 being deleted, all as detailed in the aforementioned supplementary report.

9. RECORD OF PLANNING APPEAL SUBMISSIONS AND DECISIONS

- 9.1 The Committee received and noted a report of the Director of Development Services 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 1 November, 2016 at the Town Hall.

11. JOHN WILLIAMSON, DEVELOPMENT SERVICES TEAM MANAGER

- 11.1 The Co-Chair (Councillor Peter Rippon) advised the Committee that John Williamson, was absent from the meeting due to an illness that had required him to be admitted to hospital. The Committee conveyed their best wishes to him for a speedy recovery.

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