

## SHEFFIELD CITY COUNCIL

### Planning and Highways Committee

#### Meeting held 24 October 2017

**PRESENT:** Councillors Peter Rippon (Chair), David Baker, Jack Clarkson, Michelle Cook, Tony Damms, Roger Davison, Dianne Hurst, Bob Johnson, Zahira Naz, Joe Otten, Peter Price, Chris Rosling-Josephs, Zoe Sykes and Vickie Priestley

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

- 1.1 An apology for absence was received from Councillor Ian Auckland and Councillor Vickie Priestley attended the meeting as the duly appointed substitute. An apology 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 meeting of the Committee, held on 3 October 2017, were approved as a correct record.

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

- 5.1 **RESOLVED:** That the Chief Planning Officer, in liaison with a Co-Chair, be authorised to make arrangements for a site visit on Tuesday 7 November 2017 at 2.00pm, in connection with any planning applications requiring a visit by Members prior to the next meeting of the Committee.

#### **6. PROPOSED CLOSURE OF PUBLIC FOOTPATH SHE/346: OFF CLAY WHEELS LANE, WADSLEY BRIDGE**

- 6.1 The Director of Culture and Environment submitted a report seeking authority to process a Public Path Closure Order required for the closing of definitive footpath SHE/346 off Clay Wheels Lane, Wadsley Bridge. The report stated that the original footpath route was between Clay Wheels Lane and Halifax Road. Following the closure of the Wadsley Bridge Railway Station, the path was terminated on the eastern side of the former Station, preventing access to Halifax Road. Although the land is now in private ownership, under the British Transport Commission Act 1949 (as amended by Railways Act 1993), a public right of way

could not be claimed over the former railway property. In view of this matter, it was considered that the remaining footpath was surplus to requirements.

6.2 **RESOLVED:** That (a) no objection be raised to the proposed closure of definitive public footpath SHE/346, as detailed in the report now submitted and shown on the plan now exhibited, subject to satisfactory arrangements being made with Statutory Undertakers in connection with any of 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 close the footpath under the powers contained within Section 118 of the Highways Act 1980; and

(ii) confirm the Order as an Unopposed Order, in the event of no objections being received, or any objections received being resolved.

## 7. **CONVERSION OF PARTS OF TWO PUBLIC FOOTPATHS TO SHARED FOOTPATH/CYCLE TRACK AT HUTCLIFFE WOOD BETWEEN HUTCLIFFE WOOD ROAD AND ABBEY LANE**

7.1 Further to a decision of this Committee at its meeting held on 7 March 2017, to make an Order, under the Cycle Tracks Act 1984, for the conversion of parts of footpaths SHE/270 and SHE/271 to a shared use footpath/cycle track, the Director of Culture and Environment submitted a report seeking authority to refer the proposed City of Sheffield (Hutcliffe Wood to Abbey Lane) Cycle Track Conversion Order 2017 to the Secretary of State for confirmation. The report stated that this was necessary as an objection had been received to the proposed Order which, under the Act, required that it either be formally withdrawn or referred to the Secretary of State to be confirmed.

7.2 In assessing the objection and the justifications for the conversion of the footpath to a shared Cycle Track, it was proposed that the Order be submitted to the Secretary of State for confirmation.

7.3 The proposed Cycle Tracks Order and the objection to the Order, along with the Officer's responses were attached as appendices to the report now submitted.

7.4 **RESOLVED:** That the Director of Legal and Governance be requested to refer the City Of Sheffield (Hutcliffe Wood Road to Abbey Lane) Cycle Track Conversion Order 2017 to the Secretary of State for confirmation.

## 8. **CONFIRMATION OF TREE PRESERVATION ORDER NO. 414: 22 BRINCLIFFE EDGE ROAD**

8.1 The Director of City Growth Service submitted a report seeking confirmation of Tree Preservation Order No. 414 on land at 22 Brincliffe Edge Road. The report stated that the Order was made on 27 June 2017 to protect a mature oak tree in the front garden of the property following a Tree Notice (17/02243TCA), received on 19 May 2017, to remove the tree following concerns that it was damaging the

frontage boundary wall.

8.2 An inspection of the section of boundary wall and tree was carried out by the Structural and Public Safety and the Trees and Woodlands Teams, respectively, and their findings were outlined in the report now submitted.

8.3 It was stated that an objection had not been received to the proposed Order.

8.4 **RESOLVED:** That no objections having been received, Tree Preservation Order No. 414 made on 27 June 2017, in respect of a tree on land at 22 Brincliffe Edge Road, be confirmed as an unopposed Order.

## **9. APPLICATIONS UNDER VARIOUS ACTS/REGULATIONS**

9.1 **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 17/03706/FUL and 16/04583/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; and

(b) having heard representations at the meeting from a local resident speaking against the proposed development and from the applicant speaking in support of the proposed development, an application for planning permission under Section 73 to vary Condition 6 in respect of landscaping relating to planning permission Case No. 98/0844P, to allow the removal of a small area of landscaping to facilitate site investigation at land between James Walton Court and Station Road (Case No. 17/01274/FUL) be granted, conditionally.

## **10. RECORD OF PLANNING APPEAL SUBMISSIONS AND DECISIONS**

10.1 The Committee received and noted a report of the Director of City Growth Service 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.

## **11. DATE OF NEXT MEETING**

11.1 It was noted that the next meeting of the Committee will be held at 2:00p.m. on Tuesday 14 November, 2017 at the Town Hall.

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