

## SHEFFIELD CITY COUNCIL

### Planning and Highways Committee

#### Meeting held 14 November 2017

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

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

- 1.1 An apology for absence was received from Councillor Alan Law, but no substitute was appointed.

#### **2. EXCLUSION OF PUBLIC AND PRESS**

- 2.1 The public and press were informed by the Chair (Councillor Dianne Hurst) that, if it was deemed necessary in order to avoid the disclosure to them of exempt information as described in Schedule 12A to the Local Government Act 1972 (as amended), they would be excluded from the meeting during consideration of an application for planning permission under Section 73 to remove Condition 22 in respect of planning permission Case No. 16/01169/OUT concerning the Affordable Housing Provision at the Oughtibridge Mill Sheffield Site, 22 to 24 Main Road, Wharnccliffe Side (Case No. 17/02624/OUT).

#### **3. DECLARATIONS OF INTEREST**

- 3.1 Councillor Bob Johnson declared (a) a personal interest in an application for planning permission in respect of the retention of a dwellinghouse and decking at the garage site adjacent to 4 Langsett Avenue (Case No. 17/03331/FUL) as he lived nearby, but had not predetermined his views on the application and would participate in its determination and (b) a personal interest as a local Ward Councillor in (i) an application for planning permission under Section 73 to vary Condition No 2. (Approved plans), Condition No 3. (permitted use), Conditions at Ballast Phoenix Ltd, Beeley Wood Recycling Village, 2 Beeley Wood Lane (Case No. 16/04644/FUL) and (ii) an application for planning permission for the development at land at the junction of Limestone Cottage Lane and Beeley Wood Lane (Case No. 16/04046/FUL), but stated he had not predetermined his views on the applications and would participate in their determination.
- 3.2 Councillor Ian Auckland declared a personal interest as a local Ward Councillor in an application for the erection of 5 dwellinghouses with associated parking accommodation and landscaping at land adjacent to 42 Abbey View Road (Case No. 17/00199/FUL). Councillor Auckland advised that he had not been involved with a survey undertaken by Graves Park Ward Councillors and that he had not predetermined his views on the application and would participate in its determination.

- 3.3 Councillor Roger Davison declared a personal interest as a local Ward Councillor in an application for planning permission for the development at Ecclesall Infant School, High Storrs Road (Case No. 17/02518/FUL). Councillor Davison stated that he had not predetermined his views on the application and would participate in its determination.
- 3.4 Councillor David Baker declared a personal interest as a local Ward Councillor in (a) an application for planning permission under Section 73 to vary Conditions as imposed by planning permission Case No. 13/02199/FUL at Ballast Phoenix Ltd, Beeley Wood Recycling Village, 2 Beeley Wood Lane (Case No. 16/04644/FUL) and (b) an application for planning permission for development at the junction of Limestone Cottage Lane and Beeley Wood Lane, (Case No. 16/04046/FUL) as he had received a number of representations. Councillor Baker advised that he had not commented on the representations and would participate in the determination of the applications as he had not predetermined his views on the proposed developments.
- 3.5 Councillor Jack Clarkson declared a personal interest (a) as a Member of Stocksbridge Town Council in respect of an application for planning permission under Regulation 3 of the Town and Country Planning (General) Regulations 1992 for the construction of a bituminous macadam surfaced shared use route for pedestrians, cyclists and equestrians at the route running between a level crossing over Liberty Steel Rail Lines into Fox Valley Housing Site and track running to Ellen Cliff Farm leading from Wortley Road, Deepcar (Case No. 17/03102/RG3) and (b) as a local Ward Councillor in respect of an application for planning permission under Section 73 to remove Condition 22 under planning permission Case No. 16/01169/OUT concerning the Affordable Housing Provision at the Oughtibridge Mill Sheffield site, 22 to 24 Main Road, Wharnccliffe Side (Case No. 17/02624/OUT). Councillor Clarkson stated that he had not commented on the applications and would participate in their determination as he had not predetermined his views on the proposed developments.
- 3.6 Councillor Tony Damms declared a personal interest as a local Ward Councillor in (a) an application for planning permission under Section 73 to vary Condition No 2. (Approved plans), Conditions at Ballast Phoenix Ltd, Beeley Wood Recycling Village, 2 Beeley Wood Lane (Case No. 16/04644/FUL) and (b) an application for planning permission for development at land at the junction of Limestone Cottage Lane and Beeley Wood Lane (Case No. 16/04046/FUL). Councillor Damms stated that he had not predetermined his views on the applications and would participate in their determination.

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

- 4.1 The minutes of the meeting of the Committee, held on 24 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 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 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) heard representations at the meeting from (A) three local residents objecting to the proposed development and (B) a representative of the applicant and a representative of the infant school and two local residents speaking in support of the proposed development and (ii) noted additional representations from Sport England, High Storrs School Governing Body and ten additional representations objecting to the development together with the officer's responses, as detailed in a supplementary report circulated at the meeting, an application for planning permission for two/single-storey extensions and alterations to a school to form additional teaching accommodation, in order to enable an increase of pupil numbers from 180 to 630, provision of a multi-use games area (MUGA), increase in car parking provision and associated hard and soft landscaping works (amended information received on 13 October 2017, including updated highway mitigation measures) at Ecclesall Infant School, High Storrs Road (Case No. 17/02518/FUL) be granted, conditionally, subject to (1) new conditions (I) to ensure the use of the site by Ecclesall Rangers Junior Football Club and (II) in respect of consideration being given to providing replacement car parking at High Storrs School for their staff and (2) amendments to (I) Condition 2 in respect of any proposals concerning replacement car parking places for High Storrs School staff, (II) Condition 9 in respect of the Community Use Agreement and consultation with Sport England, (III) Condition 29 in respect of the proposed masonry now submitted by the applicant on 3 November 2017 for the extension and (IV) Condition 39 in respect of the deletion of the wording relating to the retention of ten car parking spaces within the site for staff associated with High Storrs School, all as detailed in the aforementioned supplementary report, (3) amendments made at the meeting to Conditions 6 and 7 requiring validation of the surface water drainage and disposal measures to be undertaken to ensure they meet the approved details and (4) the proposed details relating to Condition 21 being submitted to a future meeting of this Committee for approval;

(c) notwithstanding the officer's recommendation, an application for planning permission for the retention of a dwellinghouse and decking, including amendments to the fenestration and facing materials (retrospective application), at the garage site adjacent to 4 Langsett Avenue (Case No. 17/03331/FUL) be refused as the Committee consider that the proposed design and appearance was not in keeping with the character of the street scene and detrimental to the visual

amenities of the area;

(d) having (i) noted additional representations from the applicant and an objector and the officer's response, as detailed in a supplementary report circulated at the meeting and (ii) heard representations from the applicant's representative speaking at the meeting in support of the development, an application for planning permission under Regulation 3 of the Town and Country Planning (General) Regulations 1992 be granted, conditionally, to the City Council for the construction of a bituminous macadam surfaced shared use route for pedestrians, cyclists and equestrians, including removal of existing trees and vegetation, installation of fencing, a bridge over the Little Don river, with access ramps and minor planting and habitat management works, as amended 06.10.17, 11.10.17, 20.10.17 and 24.10.17, at the route running between a level crossing over Liberty Steel Rail Lines into Fox Valley Housing Site and the track running to Ellen Cliff Farm leading from Wortley Road, Deepcar (Case No. 17/03102/RG3), subject to amendments to (A) Condition 2 in respect of revised plans and (B) Condition 9 in respect of the public sewers, all as detailed in the aforementioned supplementary report;

(e) having heard representations from a local Ward Councillor and local resident speaking at the meeting objecting to the proposed development, an application for planning permission for the erection of a raised decking to provide an outdoor seating area to Panahar Restaurant, 478 to 480 Fulwood Road (Case No. 17/02651/FUL) be granted, conditionally;

(f) having (i) noted an additional representation from the South Yorkshire Police Service commenting on the proposed development, as detailed in a supplementary report circulated at the meeting and (ii) heard representations from a representative of the Kelham Island Community Alliance speaking at the meeting objecting to the proposed development and from the applicant's representative speaking in support of the development, an application for planning permission for the demolition of existing buildings and erection of a 5 to 9 storey building comprising 131 apartments, flexible commercial unit to ground floor (421sqm - Use Class A1/A2/A3/B1(a)), with associated access, refuse and cycle storage, car parking, landscaping, amenity space and public realm improvements, at the site of Mackley's building and 2 Chatham Street (Case No. 17/02570/FUL) be granted, conditionally, subject to (A) an additional condition to require a Construction Management Plan, (B) Condition 9 being amended to include the provision of two covered bus stops and (C) an additional directive advising the applicant of the benefit of the building being designed to Secured by Design Standards, all as detailed in the aforementioned supplementary report;

(g) having heard representations at the meeting from the applicant's representative speaking in support of the development, an application for planning permission for the demolition of an existing office building and erection of 43 apartments (amended plans received 27th September 2017) at Hewitts Chartered Accountants, 60 Scotland Street (Case No. 17/01867/FUL) be granted, conditionally;

(h) having (i) noted additional representations commenting on the proposed application and the officer's response, as detailed in a supplementary report

circulated at the meeting and (ii) heard representations at the meeting from two local residents and a local Ward Councillor objecting to the proposed development, an application for planning permission for the erection of 5 dwellinghouses with associated parking accommodation and landscaping at land adjacent to 42 Abbey View Road (Case No. 17/00199/FUL) be granted, conditionally;

(i) having (i) noted the officer's clarification on the proposed development and two additional representations objecting to the development and the officer's response, as detailed in a supplementary report circulated at the meeting and (ii) heard representations at the meeting from a local resident objecting to the proposed development and from the applicant's representative supporting the proposed development, an application for planning permission under Section 73 to vary Condition No 2. (approved plans), Condition No 3. (permitted use), Condition No 8. (opening days/hours) and Condition No 21. (stockpile height) - as imposed by planning permission Case No. 13/02199/FUL, to increase the throughput to 200,000 tonnes per annum, increase the operational hours, increase stockpile heights and revise the external storage layout (this application is accompanied by an Environmental Statement received 15.5.17 - amended description), as amended 15.5.17, 19.7.17, 10.8.17, 11.8.17 and 30.10.17, at Ballast Phoenix Ltd, Beeley Wood Recycling Village, 2 Beeley Wood Lane (Case No. 16/04644/FUL) be granted, conditionally;

(j) having (i) noted four 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 representations at the meeting from three local residents objecting to the proposed development and from two of the applicants supporting the proposed development, an application for planning permission for the erection of general industrial (use class B2), business (use class B1) and storage/distribution (use class B8) building, including steel press shop with associated parking, external storage area/yard and security office, as amended 12.5.17, 1.9.17, 23.10.17, 24.10.17, 25.10.17, at land at the junction of Limestone Cottage Lane and Beeley Wood Lane (Case No. 16/04046/FUL) be granted, conditionally, subject to Condition 9 being amended to require the addition of the details of the equipment and processes to be undertaken and controlled by the Noise Management Plan, as detailed in the aforementioned supplementary report;

(k) having noted that Yorkshire Water had removed their objection to the development and that the officer recommendation, as detailed in a supplementary report circulated at the meeting, for delegated powers to be given to the Chief Planning Officer in respect of this matter was no longer necessary, an application for planning permission for the erection of 23 dwellinghouses, 1 bungalow and 24 apartments in a 4 x 3-storey block at land east of Britannia Road and north of High Hazels Park, Infield Lane (Case No. 16/03529/FUL) be granted, conditionally, subject to (i) additional conditions (A) in respect of obscured glazing for specified windows on the side elevations for (1) plots 8, 9 and 12, (2) plots 14, 15 and 16, with an additional restriction to prevent the windows from opening and (3) plots 21, 22 and 23, (B) requiring the driveways and hardstandings to be appropriately surfaced and (C) in respect of requiring an Employment and Training Strategy, (ii) amendments to (A) Condition 2 being by the deletion of Plan No. 1809-09 Rev A as it had not been approved by officers, (B) Condition 4 in respect of clarifying the

details required, (C) Condition 5 in respect of clarifying the site investigations and report required concerning the exact coal mining legacy issues on the site, (D) Condition 8 in respect of clarifying the trees to be retained by a Tree Survey, as detailed in the Survey's plan and (E) Condition 20 in respect of the two additional items required in large scale details along with their materials and finishes, all as detailed in the aforementioned supplementary report and (iii) an additional condition attached at the meeting requiring the development to be carried out in accordance with the Flood Risk Assessment Report that had been undertaken; and

(l) having (i) noted additional representations from the Campaign to Protect Rural England and the Loxley Valley Protection Society, as detailed in a supplementary report circulated at the meeting and (ii) heard representations from the applicant speaking at the meeting in support of the development, an application for planning permission under Section 73 to remove Condition 22 in respect of planning permission Case No. 16/01169/OUT concerning the Affordable Housing Provision at the Oughtibridge Mill Sheffield site, 22 to 24 Main Road, Wharnccliffe Side (Case No. 17/02624/OUT) be granted, conditionally.

(NOTES: (1) During consideration of the aforementioned application concerning Oughtibridge Mill Sheffield Site, 22 to 24 Main Road, Wharnccliffe Side (Case No. 17/02624/OUT), the Director of Legal and Governance recommended orally that, pursuant to Section 100A and Paragraphs 5 and 10 of Schedule 12A of the Local Government Act 1972 (as amended) the public and press should be excluded from part of the meeting as it related to the future conduct of a pending appeal because:

- the proceedings relate to exempt information; namely, information in respect of which a claim to legal professional privilege could be maintained in legal proceedings; and
- in all the circumstances of the case, the public interest in maintaining the exemption outweighs the public interest in disclosing the information.

Accordingly, it was:- **RESOLVED:** That the public and press be excluded from the meeting during part of the discussion on Case No. 17/02624/OUT on the grounds that, if the public and press were present during the transaction of such business, there would be a disclosure to them of exempt information as described in paragraphs 5 and 10 of Schedule 12A to the Local Government Act 1972, as amended.

(2) The Chair (Councillor Dianne Hurst) was not present in the room with regard to the consideration of the applications for the demolition of an existing office building and erection of 43 apartments at Hewitts Chartered Accountants, 60 Scotland Street (Case No. 17/01867/FUL) and for the erection of 5 dwellinghouses with associated parking accommodation and landscaping at land adjacent to 42 Abbey View Road (Case No. 17/00199/FUL) and the meeting was chaired by Councillor Peter Rippon for those two items.)

## 7. RECORD OF PLANNING APPEAL SUBMISSIONS AND DECISIONS

- 7.1 The Committee received and noted a report of the Chief Planning Officer 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.

**8. DATE OF NEXT MEETING**

- 8.1 It was noted that the next meeting of the Committee will be held at 2:00p.m on Tuesday, 5 December 2017 at the Town Hall.

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