

## SHEFFIELD CITY COUNCIL

### Planning and Highways Committee

#### Meeting held 5 December 2017

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

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

1.1 Apologies for absence were received from Councillor Tony Damms, Alan Law and Chris Rosling-Josephs, but no substitutes were 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 Councillor Dianne Hurst declared a personal interest in an application for the use of a building as a seven bed house in multiple occupation at the former Crusty's café at 86 Richmond Road (Case No. 17/03967/FUL) as she had been approached by members of the community in respect of the proposed development. Councillor Hurst advised that she had not made any comments on the development and had directed the members of the community to other local Ward Councillors for assistance and that she had not predetermined her view on the application and would speak and vote thereon.

3.2 Councillor Zoe Sykes declared a personal interest as a local Ward Councillor and Parish Councillor in respect of Item 9 on the agenda Proposed Closure of Public Footpath ECC/80 at Ecclesfield (Item 8 of these minutes), as she had received information from the Montenev and Ecclesfield Tenants' and Residents' Association concerning the closure. Councillor Sykes stated that she had not commented on the information and had not predetermined her view on the matter and would speak and vote thereon.

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

4.1 The minutes of the meeting of the Committee, held on 14 November 2017, were approved as a correct record, and arising therefrom, in response to a question from a Member of the Committee concerning the proposed details of Condition 21 relating to Ecclesall Infant School (Case No. 17/02518/FUL) being submitted to a future meeting for approval, the Director of Growth Service stated that he was unable at this point in time to give a timescale when this would occur.

#### **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 17 October 2017.

## **6. SITE VISIT**

6.1 **RESOLVED:** That the Chief Planning Officer, in liaison with a Co-Chair, be authorised to make arrangements for a site visit on Monday 18 December 2017 at 10.00am, in connection with any planning applications requiring a visit by Members prior to the next meeting of the Committee.

## **7. PROPOSED CLOSURE OF PART OF PUBLIC FOOTPATH ECC/16B AT CHAPELTOWN**

7.1 The Director of Culture and Environment submitted a report seeking authority to process a Public Path Closure Order required to close part of the definitive public footpath ECC\16B between Stanley Road and footpath ECC/32B, Chapeltown. The report stated that there was little evidence of pedestrian use and that several parts of the path were blocked by damaged fencing and overgrown vegetation. It was also explained that there were two alternative routes available for pedestrians along the footways of Charlton Brook Crescent or Livingstone Road which, whilst longer routes, were well-lit and are generally more pleasant to walk.

7.2 In assessing the closure, it was indicated that complaints had not been received regarding obstructions to the path and that the proposed closure should not adversely affect the public's enjoyment of the area or have a detrimental effect on the surrounding highway network and its users.

7.3 **RESOLVED:** That (a) no objections be raised to the proposed closure of definitive public footpath ECC/16B, as detailed in the report now submitted and shown on the plan now exhibited, subject to satisfactory arrangements being made with the 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.

## **8. PROPOSED CLOSURE OF PUBLIC FOOTPATH ECC/80 AT ECCLESFIELD**

8.1 The Director of Culture and Environment submitted a report seeking authority to process a Public Path Closure Order required to close definitive public footpath ECC/80 between Well Lane (private road) and bridleway ECC/81, Ecclesfield. The report stated that, over a number of years, parts of the route had become overgrown, through lack of use, and had consequently become inaccessible. It was also explained that there was an alternative route along High Street and

Picking Lane that was shorter, well-lit, more open and generally more appealing to pedestrians.

- 8.2 In assessing the closure, it was indicated that complaints had not been received regarding obstructions to the path and that the proposed closure should not adversely affect the public's enjoyment of the area or have a detrimental effect on the surrounding highway network and its users.
- 8.3 In response to comments made by a Member of the Committee over the proposed closure, the Director of Culture and Environment advised on the condition and safety of pedestrians using the path as it was considered to be imposing due to its high hedges, its narrowness with a lack of vision around bends and a danger having to cross a haulage yard with Heavy Goods Vehicles reversing. It was stated that there would be consultation with the Ecclesfield Parish Council and the Montenev and Ecclesfield Tennants' and Residents' Association with regard to the closure and that, subject to the proposed closure being agreed by the Committee, the Order would not be made until the consultation had taken place. It was further stated that arising from the consultation meeting, the Order could be made if all objections had been satisfied. If any objections remained though, the Order could then be submitted to a future meeting of this Committee which could request determination on its closure by the Secretary of State or it could be decided that the proposed closure should be withdrawn.
- 8.4 **RESOLVED:** That (a) no objections be raised to the proposed closure of definitive public footpath ECC/80, as detailed in the report now submitted and shown on the plan now exhibited, subject to satisfactory arrangements being made with the 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

## **9. PROPOSED CLOSURE OF PUBLIC FOOTPATH SHE/460 AT NORTON**

- 9.1 The Director of Culture and Environment submitted a report seeking authority to process a Public Path Closure Order required to close definitive public footpath SHE460 between Hackthorn Road and Cherry Bank Road, Norton. The report stated that the footpath has a recorded length of 25 yards and commences at Hackthorn Road, heading north between numbers 85 and 87 until it met the unadopted part of Cherry Bank Road. At a visit to site though, no physical or historical evidence showed the route of the path and it has been concluded that it was probably informally extinguished some years ago.
- 9.2 In assessing the closure, given that there was no evidence of the path at the location, the proposed closure should not adversely affect the public's enjoyment of

the area or have a detrimental effect on the surrounding highway network and its users.

9.3 In response to comments made by Members of the Committee over the proposed closure, the Director of Culture and Environment advised that although the Land Registry showed the route of the path, there was no physical evidence that it was ever constructed on site, although it may have been planned due to additional houses being constructed at the location. The area where the path should be was described as steep and dangerous and would need steps to be constructed to use it safely. It was also noted from a Member's comments that there was a safer alternative route that could be used without providing too much inconvenience to pedestrians travelling between the two roads.

9.4 **RESOLVED:** That (a) no objections be raised to the proposed closure of definitive public footpath SHE/460, as detailed in the report now submitted and shown on the plan now exhibited, subject to satisfactory arrangements being made with the 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.

## 10. APPLICATIONS UNDER VARIOUS ACTS/REGULATIONS

10.1 **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 noted an additional representation and the officer's response, as detailed in a supplementary report circulated at the meeting, a retrospective application for planning permission for the change of use of the lower ground floor to a boxing gym (Use Class D2 - Assembly and Leisure), demolition of an existing porch and provision of 5 car parking spaces (Resubmission of application 17/02077/FUL) at The Wharnccliffe Hotel, 127 Bevercotes Road (Case No. 17/04213/FUL) be deferred pending a visit of inspection to the site; and

(c) an application for planning permission for the use of building as a seven bed House in Multiple Occupation (HMO) (Use Class Sui Generis) at the former Crusty's Café, 86 Richmond Road (Case No. 17/03967/FUL) be deferred pending a visit of inspection to the site;

(NOTE: An application for planning permission for the development of a 20MW Synchronous Gas Standby Power Generation Facility, including ancillary infrastructure and equipment at the site of 1 to 11 Rotherham Place, Orgreave Road (Case No 17/01437/FUL), was withdrawn from consideration by the Director of City Growth Service to allow a petition being prepared in respect of the proposed development to be submitted to the meeting of full Council on Wednesday, 6 December, 2017. The planning application would be rescheduled to a future meeting.)

**11. RECORD OF PLANNING APPEAL SUBMISSIONS AND DECISIONS**

- 11.1 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.

**12. DATE OF NEXT MEETING**

- 12.1 It was noted that the next meeting of the Committee will be held at 2:00p.m. on Tuesday, 19 December 2017 at the Town Hall.

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