

## CITY CENTRE, SOUTH AND EAST PLANNING AND HIGHWAYS COMMITTEE

### Meeting held 2nd July 2012

PRESENT: Councillors Alan Law (Chair), Richard Crowther, Jayne Dunn, Tony Downing, Ibrar Hussain, Nikki Sharpe, Clive Skelton and Diana Stimely

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#### 1. **JULIAN WARD**

- 1.1 Prior to the commencement of the meeting the Chair announced that this would be the last meeting of the Committee attended by Julian Ward, Legal Services, as he would shortly be retiring from the Council. On behalf of the Committee, the Chair thanked Julian for all his hard work in many years service at the Council and wished him well for the future.

#### 2. **WELCOME AND HOUSEKEEPING ARRANGEMENTS**

- 2.1 The Chair welcomed members of the public to the meeting and the basic housekeeping and fire safety arrangements were outlined.

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

- 3.1 No items were identified where resolutions may be moved to exclude the public and press.

#### 4. **APOLOGIES FOR ABSENCE**

- 4.1 An apology for absence was received from Councillor Janice Sidebottom and Councillor Clive Skelton attended the meeting as the duly appointed substitute.

#### 5. **DECLARATIONS OF INTEREST**

- 5.1 Councillor Richard Crowther declared a personal interest in an application for planning permission for the erection of 24 dwellinghouses including associated car parking and landscaping at land to the rear of 21 to 99 Beacon Road and land adjoining 131 Sandstone Road (Case No. 11/03972/FUL) (formerly PP-01727017) as an employee of a Member of Parliament who had made representations in respect of the application.

#### 6. **MINUTES OF PREVIOUS MEETING**

- 6.1 The minutes of the meeting of the Committee held on 11 June 2012 were approved as a correct record.

#### 7. **SITE VISIT**

- 7.1 RESOLVED: That the Director of Development Services, in liaison with the Chair, be authorised to make arrangements for a site visit on Thursday 19th July 2012 in connection with any planning applications requiring a visit by

Members prior to the next meeting of the Committee.

**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 for this date in respect of Case Nos. (12/01431/ADV) and (12/00572/ADV) 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) following consideration of (i) additional representations and an officer's response to those representations, and an amendment to informatives to remove Directive number 3, as outlined in a supplementary report circulated at the meeting, and (ii) a petition containing 1200 signatures submitted at the meeting opposing the application, and, notwithstanding the officer's recommendation, an application for planning permission for the erection of 24 dwellinghouses including associated car parking and landscaping at land to the rear of 21 to 99 Beacon Road and land adjoining 131 Sandstone Road (Case No. 11/03972/FUL) (formerly PP-01727017) be refused as the proposed development would involve the loss of an open space area which the Committee (i) in view of this matter concurred with the local community that the area was considered to be of high quality with heritage and ecological merit and also to be valued and well used by people in the local area and (ii) considered that the development may also result in damage to a significant archaeological site and further erode the setting of a Scheduled Ancient Monument and these would be contrary to policies BE22 and CS47 of the adopted Unitary Development Plan; and

(c) subject to (i) amendments to conditions 16, 27 and 28, (ii) the deletion of condition 30, (iii) an additional condition to state 'The surface water discharge from the site shall be reduced by at least 30% compared to the existing peak flow and detailed proposals for surface water disposal, including calculations to demonstrate the reduction, must be submitted to and approved in writing by the Local Planning Authority. In the event that the existing discharge arrangements are not known, or if the site currently discharges to a different outlet, then a discharge rate of 5 litres/hectare should be demonstrated. The development shall thereafter be carried out in accordance with the approved details.' and (iv) an amendment to the deadline for completion of a legal agreement to be extended to 23 July 2012, as outlined in a supplementary report circulated at the meeting, applications for planning permission and conservation area consent for the demolition of 2 church halls and erection of 3 detached houses and 4 flats with associated car parking at Norton Church Hall and Norton Church Youth Hall, Norton Lane (Case Nos. 12/01165/FUL and 12/01162/CAC) be granted, conditionally, subject to legal agreement.

**9. ENFORCEMENT OF PLANNING CONTROL**

9.1 38 Parkhead Crescent

9.1.1 The Director of Development Services submitted a report informing Members of a breach of advertisement regulations in respect of the display of an unauthorised advertisement at 38 Parkhead Crescent and making recommendations on any further action required.

9.1.2 The report stated that a complaint had been received regarding an advertisement banner that had been fixed to the side elevation of 38 Parkhead Crescent. Correspondence was entered into with the owner/occupier advising them that the banner required advertisement consent; but that it was unlikely to be supported by the Local Planning Authority given its size and the prominent location in a street scene within a residential area. The owner/occupier responded by claiming the sign was necessary to promote their business.

9.1.3 Officers were very aware of the difficult economic climate that businesses were operating within, and were appreciative of the need for business to advertise. However, this has to be weighed against any harm to the visual amenity of the local area, and there were alternative ways to advertise the business. For example a small plaque identifying the location of the business by the front door.

9.1.4 Despite correspondence instructing the owners to remove the banner they had yet to do so.

9.1.5 RESOLVED: That the Director of Development Services or Head of Planning be authorised to take all necessary steps, including the institution of legal proceedings, if necessary, to secure the removal of the unauthorised sign at 38 Parkhead Crescent.

9.2. 280 Ecclesall Road

9.2.1 The Director of Development Services submitted a report on a breach of advertisement control in relation to the advertisement site currently occupied by 'Claypenny Premium Student Housing' Advert, Lower Part of Flank Wall, 280 Ecclesall Road.

9.2.2 The report stated that express consent had not been given for the advert referred to in the report and also on the agenda under application reference 12/01431/ADV. Officers were aware of the difficult economic climate that businesses were operating within, and were appreciative of the need for the business to advertise. However, this had to be weighted against any harm to the visual amenity of the local area and another consideration to note was that there were alternative ways to advertise the business without resorting to placing adverts on buildings that were general promotions and non-specific to the site.

9.2.3 A letter had been sent to the owner of the building and the owner of the company advertised, to outline the proposed enforcement action. A Section 330 information notice was included to establish property ownership and any

other persons with an interest in it.

- 9.2.4 RESOLVED: That the Director of Development Services or Head of Planning be authorised to take any appropriate action including, if necessary, enforcement action, the service of a Discontinuance Notice and the institution of legal proceedings to secure the discontinuance of the use of the site, currently occupied by the 'Claypenny – Premium Student Housing' advert, on the flank wall of 280 Ecclesall Road for the display of advertisements including the removal of the existing advert.

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

- 10.1 The Committee received and noted a report of the Director of Development Services detailing (a) 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.