

City Centre, South and East Planning and Highways Committee

Meeting held 3 September 2012

PRESENT: Councillors Ibrar Hussain (Deputy Chair), Richard Crowther, Jayne Dunn, Peter Price, David Baker, Janice Sidebottom, Diana Stimely, George Lindars-Hammond (Substitute Member) and Ian Saunders (Substitute Member)

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1. APOLOGIES FOR ABSENCE

1.1 Apologies for absence were received from the Chair Councillor Alan Law and Councillor Tony Downing and Councillors George Lindars-Hammond and Ian Saunders attended the meeting as the duly appointed substitutes, respectively.

2. EXCLUSION OF PUBLIC AND PRESS

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

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 13th August 2012 were approved as a correct record.

5. SITE VISIT

5.1 RESOLVED: That the Director of Development Services, in liaison with the Chair, be authorised to make arrangements for a site visit on Thursday 20th September 2012 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 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;

6.2 (b) (i) following consideration of additional information, an amendment to condition

6 that 'references within condition 6 to 'north' elevation, should be corrected to read 'south' elevation and clarification of planning obligations as contained within a supplementary report circulated at the meeting, and clarification that the Heads of Terms for the planning obligation should state that 'The owner shall, on or before the commencement of development, pay to the Council the sum of £1,000,000 (£1 million pounds) to be used towards the provision of off-site Affordable Housing', an application for planning permission for the erection of 40 dwellinghouses and 8 apartments, alterations to existing building to form 14 apartments and provision of associated highway works, car parking accommodation and landscaping (as amended) at the site of Psalter Lane campus, Psalter Lane (Case No. 12/01660/FUL) (formerly PP-02005283) be granted, conditionally, subject to legal agreement and (ii) the developer be requested to liaise with the owners of no. 24 Brincliffe Gardens about possible measures to address their concerns about the impact of the access location upon their enjoyment of their rear garden;

- 6.3 (c) following consideration of additional information, and subject to an additional condition that 'Prior to the development commencing, or within an alternative timescale to be agreed, details shall have been submitted to and approved in writing by the Local Planning Authority of arrangements which have been entered into which will secure the reconstruction of the footway adjoining the site in Collegiate Crescent upon completion of the development. The detailed materials specification shall have first been approved in writing by the Local Planning Authority.', and revisions to conditions 11 and 15, as outlined in a supplementary report circulated at the meeting, an application for planning permission for the demolition of the Heart of the Campus building, Marshall Hall, Yorkon building, sub-station, external fire escape stair and external corridor link and erection of single-storey/two-storey/three-storey student centered space with associated landscaping, entrance steps, retaining walls, car and cycle parking, fencing, lighting and CCTV at Sheffield Hallam University, Heart of the Campus, Collegiate Crescent and 25 & 25A Broomgrove Road (Case No. 12/01970/FUL) be granted, conditionally; and
- 6.4 (d) subject to revisions to condition 14 to add "NR25" where it says "variable" and condition 15 to remove reference to use class A4, as outlined in a supplementary report circulated at the meeting, an application for planning permission for the erection of two-storey building with dormer roofspace at second floor level incorporating 6575sq ft of retail space (A1/A2/A3/A5 uses) and 5 no. 2-bed apartments above with 25 car parking spaces, servicing and turning area, at the site of 330-332 Newman Road (Case No. 12/01718/FUL) be granted, conditionally, subject to legal agreement.

7. ENFORCEMENT OF PLANNING CONTROL: 1 ALBANY ROAD

- 7.1 The Director of Development Services submitted a report informing Members of a breach of planning control in relation to the unauthorised replacement of roof tiles to the front and side of 1 Albany Road.
- 7.2 The report stated that an officer noticed the original natural roof slates being replaced with artificial slate on 14 June 2012 without planning consent. A meeting

was arranged with the owner of the property. In the meeting the owner was informed that there were no permitted development rights for alterations to dwelling houses fronting the highway. Therefore, the replacement of the original natural roof slates facing Albany Road and Chippinghouse Road was unauthorised.

7.3 The owner was informed that the artificial roof slates should be replaced with a natural slate and if this was not carried out then the matter will be reported for further enforcement action. To date, the roof slates have not been replaced with natural slate.

7.4 RESOLVED: That authority be given to the Director of Development Services or Head of Planning to take all necessary steps, including enforcement action and the institution of legal proceedings, if necessary, to secure the removal of the unauthorised roof tiles and their replacement with a natural roof slate, substantially similar to those that existed previously at 1 Albany Road.

8. ENFORCEMENT OF PLANNING CONTROL: 253 FULWOOD ROAD

8.1 The Director of Development Services submitted a report informing Members of a breach of advertising regulations in relation to the unauthorised display of illuminated shop fascia and projecting sign at the front of 253 Fulwood Road.

8.2 The report stated that a written complaint was received in September 2011, regarding the erection of a sign at the property of 253 Fulwood Road. A site visit was made by an officer and it was noticed that an internally and externally illuminated shop fascia sign and an internally illuminated projecting sign had been erected without advertisement consent.

8.3 A letter was sent to the owner and occupier requesting that the signs should either be removed and replaced with signs that met the advertisement regulations or alternatively that an advertisement application for a more appropriate signage be submitted. The owner and occupier were also invited to discuss an alternative more acceptable proposal for the signage at this location but had not taken up this offer. To date no application had been submitted.

8.4 Along with the letter a notice under section 330 of the Town and Country Planning Act, 1990 was served on the occupier on 6 March 2012 and on the owner on 11 July 2012 requesting further information regarding the ownership of the property. To date, the notices had not been returned.

8.5 RESOLVED: That authority be given to the Director of Development Services or Head of Planning to take all necessary steps, including enforcement action and the institution of legal proceedings, if necessary, to secure the removal of the unauthorised signs at 253 Fulwood Road.

9. ENFORCEMENT OF PLANNING CONTROL: 60 CLIFTON CRESCENT

9.1 The Director of Development Services submitted a report requesting authority to take legal action against a non compliance with a Planning Contravention Notice

served in connection with a suspected breach of planning control at 60 Clifton Crescent.

- 9.2 The report stated that a complaint was received about an extension being built at the rear of the property and the use of the garage as a workshop. When officers visited the site they noticed a wall being built to partition the house from the rear garden. It appeared that various building materials had been stored in the rear garden.
- 9.3 It was unclear as to what the rear garden and the garage were being used for. It maybe that the building materials stored in the garage and garden were in connection with the building works being carried out at the property or it could be that the materials stored were in connection with the owner's business as a builder.
- 9.4 To establish these facts a Planning Contravention Notice (Section 171C of the Town and Country Planning Act 1990) was served on 10 July 2012. A Planning Contravention Notice was an information notice requiring information about land ownership and details regarding the use of the rear garden and the outbuilding. The Notice required the recipient to respond within 21 days of the date of the Notice. To date, no reply had been received regarding the Notice.
- 9.5 The information requested in the Notice was essential to ensure effective enforcement action. It was appropriate therefore that the Committee considered authorising legal action against the recipient of the Notice for an offence under Section 171 D of the Act.
- 9.6 RESOLVED: That authority be given to the Director of Development Services or the Head of Planning to take all necessary steps, including enforcement action and the institution of legal proceedings, against the recipient of the Planning Contravention Notice served in relation to 60 Clifton Crescent for failing to reply.

10. ENFORCEMENT OF PLANNING CONTROL: 253 MEADOWHEAD

- 10.1 The Director of Development Services submitted a report informing Members of a breach of planning control in relation to the unauthorised decking to the rear of 253 Meadowhead and making representations on any further action required.
- 10.2 The report stated that a complaint was received regarding the erection of a timber decked area in the rear garden of 253 Meadowhead. Following a site visit, and discussion with the property owners on 22nd June 2012, correspondence was entered into with them, confirming that, because the decked area was more than 300mm above ground level, it did not meet the requirements of Class E of the Permitted Development Order 2008, and that, given the impact on the amenities, and privacy, of the users of the rear gardens to 251 and 255 Meadowhead, it was unlikely that planning permission would be granted and they should arrange to have it removed.
- 10.3 RESOLVED: That the Director of Development Services or Head of Planning be authorised to take any appropriate action including, if necessary, enforcement

action and the institution of legal proceedings to secure the removal of the unauthorised timber decking at 253 Meadowhead.

11. RECORD OF PLANNING APPEAL SUBMISSIONS AND DECISIONS

- 11.1 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.

12. DATE OF NEXT MEETING

- 12.1 The next meeting of the Committee will be held on Monday 24th September 2012 at 2.00pm at the Town Hall.

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