

Planning and Highways Committee

Meeting held 8 November 2022

**PRESENT:** Councillors Alan Woodcock (Joint Chair), Nighat Basharat, Mike Chaplin, Tony Damms, Roger Davison, Brian Holmshaw, Barbara Masters, Cliff Woodcraft and Tony Downing (Substitute Member)

**1. APOLOGIES FOR ABSENCE**

- 1.1 Apologies for absence were received from Councillors Dianne Hurst, Bob McCann, Peter Price and Garry Weatherall.
- 1.2 Councillor Tony Downing attended as substitute for Councillor Dianne Hurst.

**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 Brian Holmshaw raised a Point of Order regarding the possible deferral of Agenda Item No. 9e - Planning Application No. 22/01617/FUL - 39-43 Charles Street and 186-194 Norfolk Street, Sheffield, S1 2HU. The Legal Officer advised that this should be raised at the appropriate point in the meeting.
- 3.2 Councillor Alan Woodcock declared a personal interest in Agenda Items 9b and 9c, Planning Application No. 22/02585/FUL and 22/02586/LBC - Mobri Bakery, St Mary's Lane, Ecclesfield, Sheffield, S35 9YE, as a local ward member. Councillor Woodcock declared that would vacate the Chair and speak on the application as a ward Member. He would take no part in the voting thereon.

**4. MINUTES OF PREVIOUS MEETING**

- 4.1 **RESOLVED UNANIMOUSLY:-** that the minutes of the meeting of the Committee held on 11<sup>th</sup> October 2022 were approved as a correct record.

**5. SITE VISIT**

5.1 **RESOLVED UNANIMOUSLY:-** That the Chief Planning Officer, in liaison with a Co-Chair, be authorised to make any 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. TREE PRESERVATION ORDER NO. 451, 2 BROOMGROVE ROAD, SHEFFIELD, S10 2LR**

6.1 The signed Variation Order was included within a supplementary report circulated and summarised at the meeting.

6.2 Vanessa Lyons (Community Tree Officer) attended the meeting and presented the report.

6.3 The trees had been implicated in a number of planning applications and upon inspection were found worthy of protection.

6.4 One objection had been received which was outlined in the report, along with the officer response.

6.5 **RESOLVED:-** That Tree Preservation Order No. 451 be confirmed unmodified.

**7. TREE PRESERVATION ORDER NO. 458, 41 ST ANDREWS ROAD, NETHER EDGE, SHEFFIELD, S11 9AL**

7.1 Vanessa Lyons (Community Tree Officer) attended the meeting and presented the report.

7.2 The tree was subject to a Section 211 notice stating intended removal of the tree.

7.3 The Community Tree Officer had visited the site and carried out a TEMPO assessment which had identified the tree as suitable for protection.

7.4 No objections had been received.

7.5 **RESOLVED:-** That Tree Preservation Order No. 458 be confirmed unmodified.

**8. APPLICATIONS UNDER VARIOUS ACTS/REGULATIONS**

**8a. PLANNING APPLICATION NO. 22/03144/FUL - 27 BLACKBROOK DRIVE, SHEFFIELD, S10 4LS**

8a.1 The Officer presented the report which gave details of the application and

highlighted the history of the site and the key issues in addition to presenting photographs of the site which were provided to committee members in advance of the meeting.

8a.2 The Committee considered the report and recommendation having regard to the development plan, the National Planning Policy Framework and other relevant considerations as summarised in the report, now submitted and also had regard to representations made during the meeting.

8a.3 **RESOLVED:** That an application for planning permission be GRANTED, conditionally, for the reasons set out in the report, now submitted, for alterations and extension to roof to form front and rear gables and a side dormer extension to form additional living accommodation at first floor level, and a flat roof single storey extension to the rear (amended description) at 27 Blackbrook Drive, Sheffield, S10 4LS (Application No. 22/03144/FUL)

**8b. PLANNING APPLICATION NO. 22/02585/FUL - MOBRI BAKERY, ST MARY'S LANE, ECCLESFIELD, SHEFFIELD, S35 9YE**

8b.1 Having previously declared his interest, the Chair asked for nominations to chair the next two items on the agenda. Councillor Barbara Masters moved that Councillor Mike Chaplin be appointed as Chair and this was seconded by Councillor Brian Holmshaw. On being put to the vote, the motion was passed and Councillor Mike Chaplin took the Chair.

8b.2 Additional representations, along with the officer response and an additional condition were included within the supplementary report circulated and summarised at the meeting.

8b.3 The Officer presented the report which gave details of the application and highlighted the history of the site and the key issues in addition to presenting photographs of the site which were provided to committee members in advance of the meeting.

8b.4 Vicky Athorne, Kirsty Foster and Councillor Alan Woodcock attended the meeting and spoke against the applications

8b.5 The Committee considered the report and recommendation having regard to the development plan, the National Planning Policy Framework and other relevant considerations as summarised in the report and supplementary report, now submitted and also had regard to representations made during the meeting.

8b.6 On being put to the vote, the officers recommendation was lost and it was:

8b.7 Moved by Councillor Barbara Masters and seconded by Councillor Roger Davison that the application be refused on the grounds that the property was a heritage asset that should be protected. Members considered that the compartmentalisation of the building to form a residential unit would harm the

character and special interest of the listed building, with particular reference to the cruck frame. They considered that the tilted balance was not in play, having regard to NPPF Paragraph 11d)i because of the harm to a designated heritage asset which, they considered, gave a clear reason for refusing the development.

**8b.8 RESOLVED** that:-

1. An application for planning permission for the demolition of outbuildings and use of former bakery/cafe (Use Class E) as a dwellinghouse (Use Class C3) with associated alterations to fenestration and landscaping (Re-submission of 21/03292/FUL) at Mobri Bakery St Mary's Lane Ecclesfield Sheffield S35 9YE (Application No. 22/02585/FUL) be REFUSED on the grounds that in converting the building to residential use, it would lead to a compartmentalisation of the space which would result in the special significance of this Grade 2 listed building (the cruck frame) being diminished. This less than substantial harm is not outweighed by the public benefits of the proposal; and
2. Members agreed that the final wording of the reason for refusal with the correct policy references should be delegated to the Head of Planning in conjunction with the co-opted Chair for this item.

**8c. PLANNING APPLICATION NO. 22/02586/LBC - MOBRI BAKERY, ST MARY'S LANE, ECCLESFIELD, SHEFFIELD, S35 9YE**

- 8c.1 Additional representations, along with the officer response and an additional condition were included within the supplementary report circulated and summarised at the meeting.
- 8c.2 The Officer presented the report which gave details of the application and highlighted the history of the site and the key issues in addition to presenting photographs of the site which were provided to committee members in advance of the meeting.
- 8c.3 The Committee considered the report and recommendation having regard to the development plan, the National Planning Policy Framework and other relevant considerations as summarised in the report and supplementary report, now submitted and also had regard to representations made during the meeting under the previous, associated, Application No. 22/02585/FUL.
- 8c.4 On being put to the vote, the officers recommendation was lost and it was:
- 8c.5 Moved by Councillor Barbara Masters and seconded by Councillor Roger Davison that the application be refused on the grounds that the property was a heritage asset that should be protected. Members considered that the compartmentalisation of the building to form a residential unit would harm the character and special interest of the listed building, with particular reference to the cruck frame. They considered that the tilted balance was not in play, having

regard to NPPF Paragraph 11d)i because of the harm to a designated heritage asset which, they considered, gave a clear reason for refusing the development.

8c.6 **RESOLVED** that:-

1. An application for Listed Building Consent for the demolition of outbuildings and use of former bakery/cafe (Use Class E) as a dwellinghouse (Use Class C3) with associated alterations to fenestration and landscaping at Mobri Bakery, St Mary's Lane, Ecclesfield, Sheffield, S35 9YE (Application No. 22/02586/LBC) be REFUSED on the grounds that in converting the building to residential use, it would lead to a compartmentalisation of the space which would result in the special significance of this Grade 2 listed building (the cruck frame) being diminished. This less than substantial harm is not outweighed by the public benefits of the proposal; and
2. Members agreed that the final wording of the reason for refusal with the correct policy references should be delegated to the Head of Planning in conjunction with the co-opted Chair for this item.

8d. **PLANNING APPLICATION NO. 22/01805/FUL - LAND AT JUNCTION OF DERBYSHIRE LANE AND NORTON LEES ROAD, MEERSBROOK, SHEFFIELD, S8 9EL**

- 8d.1 Councillor Alan Woodcock re-took the chair.
- 8d.2 A condition deletion was included within the supplementary report circulated and summarised at the meeting.
- 8d.3 The Officer presented the report which gave details of the application and highlighted the history of the site and the key issues in addition to presenting photographs of the site which were provided to committee members in advance of the meeting.
- 8d.4 The Committee considered the report and recommendation having regard to the development plan, the National Planning Policy Framework and other relevant considerations as summarised in the report and supplementary report, now submitted.
- 8d.5 **RESOLVED:-** That an application for planning permission be GRANTED, conditionally, for the reasons set out in the report, now submitted, for demolition of existing dwelling and outbuildings and erection of 11 flats (7 x 2-bedroom and 4 x 1-bedroom) with 2 off-street parking spaces and associated hard and soft landscaping works at Land at junction of Derbyshire Lane and Norton Lees Road, Meersbrook, Sheffield, S8 9EL (Application No. 22/01805/FUL)

**8e. PLANNING APPLICATION NO. 22/01617/FUL - 39-43 CHARLES STREET AND 186-194 NORFOLK STREET, SHEFFIELD, S1 2HU**

- 8e.1 Councillor Brian Holmshaw moved that the application should be deferred to allow local residents and ward members more time to make their representations because he stated that they had not been consulted. The Officer explained to the Committee the nature of the publicity which had been carried out, which included direct neighbour notification to affected residents; a notice in the Sheffield Telegraph; and notices posted adjacent to the site. This is in line with the statutory requirements for publicising planning applications as well as the Council's Statement of Community Involvement and Code of Practice for publicity. The motion was not seconded, so the application proceeded to be heard.
- 8e.2 Additional representations, along with the officer response were included within the supplementary report circulated and summarised at the meeting.
- 8e.3 The Officer presented the report which gave details of the application and highlighted the history of the site and the key issues in addition to presenting photographs of the site which were provided to committee members in advance of the meeting.
- 8e.4 Ann Walton attended the meeting and spoke against the application.
- 8e.5 Steve Davis and Chloe Parmenter attended the meeting and spoke in support of the application.
- 8e.6 The Committee considered the report and recommendation having regard to the development plan, the National Planning Policy Framework and other relevant considerations as summarised in the report and supplementary report, now submitted and also had regard to representations made during the meeting.
- 8e.7 **RESOLVED:** That an application for planning permission be GRANTED, conditionally, for the reasons set out in the report, now submitted, for demolition of existing buildings and erection of 6-storey office building (Use Class E) with ground floor commercial unit (flexible retail and/or other Use Class E), with associated cycle parking (Resubmission of 21/02206/FUL) at 39 - 43 Charles Street and 186 - 194 Norfolk Street, Sheffield, S1 2HU (Application No. 22/01617/FUL).

**8f. PLANNING APPLICATION NO. 22/00491/OUT - 9 - 11 WOOD ROYD ROAD, SHEFFIELD, S36 2TA**

- 8f.1 Councillor Nighat Basharat left the meeting during discussion of this item.
- 8f.2 An additional representation, along with the officer response and corrections to the list of conditions were included within the supplementary report circulated and summarised at the meeting.

- 8f.3 The Officer presented the report which gave details of the application and highlighted the history of the site and the key issues in addition to presenting photographs of the site which were provided to committee members in advance of the meeting.
- 8f.4 Adam Timm, Mark Whittaker, Julie Brearley, Councillor Lewis Chinchon and Jenny Anderson attended the meeting and spoke against the application.
- 8f.5 Jim Lomas attended the meeting and spoke in support of the application.
- 8f.6 The Committee considered the report and recommendation having regard to the development plan, the National Planning Policy Framework and other relevant considerations as summarised in the report and supplementary report, now submitted and also had regard to representations made during the meeting.
- 8f.7 Discussions took place regarding possible flooding risks and highway safety and it was moved by Councillor Tony Damms and seconded by Councillor Barbara Masters that the application be deferred to allow representatives from the Lead Local Flood Authority and Highways to attend the Committee to respond to Members questions in relation to these two matters.
- 8f.8 **RESOLVED:-** that an application for planning permission for outline planning application (all matters reserved except for access) for the partial demolition of the western gable of former farmhouse, retention of 2- storey barn, demolition of single-storey ancillary buildings, erection of up to 41 dwellinghouses, formation of vehicular access point and provision of open space and landscape buffer (Resubmission of application 19/03890/OUT) at 9 - 11 Wood Royd Road, Sheffield, S36 2TA (Application No. 22/00491/OUT) be DEFERRED to allow representatives from the Lead Local Flood Authority and Highways to attend the Committee to respond to Members questions in relation to these two matters.

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

- 9.1 The Committee received and noted a report of the Chief Planning Officer detailing planning appeals received, dismissed and allowed, and an enforcement appeal partially dismissed and partially allowed by the Secretary of State.
- 9.2 The enforcement appeal was on the land at Donkey Field, land at junction with Long Lane and Hagg Lane, Sheffield, S10 5PJ. The Inspector felt that most of the buildings did not affect the openness of the green belt, but one building was considered inappropriate. The Inspector concluded that the alleged material change of use and some of the operational development is unacceptably harmful to the Green Belt.

## **10. DATE OF NEXT MEETING**

- 10.1 The next meeting of the Planning and Highways Committee would be held on

Tuesday 6<sup>th</sup> December 2022 at 2pm in the Town Hall.