

SHEFFIELD CITY COUNCIL

Planning and Highways Committee

Meeting held 11 June 2013

PRESENT: Councillors Alan Law (Chair), Trevor Bagshaw, Janet Bragg, Tony Downing (Deputy Chair), Jayne Dunn, Bob Johnson, Mohammad Maroof, Joe Otten, Bob McCann, Peter Price, Peter Rippon, Garry Weatherall and Joyce Wright

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1. APOLOGIES FOR ABSENCE

1.1 Apologies for absence were received from Councillors David Baker and Ibrar Hussain and Councillors Joe Otten and Mohammad Maroof 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 meetings of the Committee held on 15 and 21 May 2013, were approved as correct records.

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 27 June 2013, in connection with any planning applications requiring a visit by Members prior to the next meeting of the Committee.

6. PROPOSED DIVERSION OF A PUBLIC FOOTPATH BETWEEN CHORLEY DRIVE AND SLAYLEIGH LANE, FULWOOD

6.1 The report of the Director of Development Services in respect of a proposed diversion of a public footpath between Chorley Drive and Slayleigh Lane, Fulwood was withdrawn from consideration to allow officers to consider further representations from the applicant's representative.

7. VARIATION OF PLANNING OBLIGATIONS IN RESPECT OF LAND AT ALSING ROAD, BLACKBURN MEADOWS

- 7.1 The Director of Development Services submitted a report seeking authority to enter into a deed of variation, to effect the deletion of an unnecessary and unworkable planning obligation, which formed part of the planning permission for the construction of a bio-mass fired renewable energy plant, with associated flood management works, landscaping and improvements to an existing access, in respect of land at Alsing Road, Blackburn Meadows (Case No. 08/01225/OUT). The report stated that the modification was in respect of a required highway access that was not practicable due to topographical and flood risk issues.
- 7.2 The former Section 106 Legal Agreement dated 23 September 2008 and the proposed varied Agreement were attached to the report now submitted.
- 7.3 **RESOLVED:** That (a) the deletion of clause 1.7 of schedule 2 contained within the Section 106 Agreement, dated 23 September 2008 and attached to Planning Permission Case No. 08/01225/OUT, by entering into a deed of variation of planning obligations as attached to the report now submitted or in a substantially similar form, be authorised; and
- (b) The Director of Legal and Governance be authorised to take all steps necessary to effect the variation to the Section 106 Agreement, including applying the City Council's common seal to the deed of variation of planning obligations.

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 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) having noted an additional representation, as detailed in a supplementary report circulated at the meeting and an oral representation made at the meeting by the applicant's representative, an application for planning permission for the use of a building for A2 (Financial and Professional) purposes at 193 to 195 Main Road, Darnall (Case No. 13/01043/FUL) be granted, conditionally;
- (c) an application for planning permission for the erection of 20 dwellinghouses at land south of Queen Elizabeth Court and Queen Anne Court, Raeburn Place (Case No. 13/00720/FUL) be granted, conditionally, subject to the completion of a Legal Agreement, but in the event that the Heads of Terms are not concluded by the date of 14 June 2013, the application be refused in accordance with the dual recommendation;
- (d) an application for planning permission for a single-storey front extension and creation of shop fronts for use of the ground floor as two retail units (use class A1/A2/A3/A5) and use of the first floor as four residential units, with associated landscaping works (revised scheme) at the Windsor Hotel, 35 to 39 Southend Road (Case No. 13/00207/FUL) be granted (i) conditionally, subject to Condition 6

being amended in respect of an alarm being fitted to the door giving access to the flat roof and to the fire escape stairs, as detailed in a supplementary report circulated at the meeting and (ii) with a request that officers, in the event of the need for a Breach of Condition Notice to be served, inform this Committee accordingly;

(e) having heard an oral representation from the applicant's representative and notwithstanding the officer's recommendation, an application for planning permission for the erection of a dwellinghouse within the curtilage of Wadsley Lodge, 1 Laird Road (Case No. 13/00199/FUL) be granted (i) as the Committee considered that the scale and massing of the proposed dwelling would be appropriate in the location and not out of character, in view of the variety of different dwelling types and (ii) with standard conditions attached in respect of (A) the planning permission term, (B) the approved plans, (C) materials, (D) car parking, (E) Permitted Development Rights (F) landscaping and (G) boundary treatments, (iii) with a standard directive attached in respect of the felling of an existing highway tree, as now mentioned by the Director of Development Services and (iv) with a requirement that the aforementioned condition referred to in paragraph (ii)(C) be amended to include natural stone to be used for the building elevations and finishes; and

(f) having noted an amendment to information provided in the report now submitted in respect of site archaeology, mobility/access issues and Affordable Housing/Open Space contribution and the associated Heads of Terms, as detailed in a supplementary report circulated at the meeting, and having heard an oral representation from the applicant at the meeting, an application for planning permission for the demolition of a building and erection of 128 self-contained student flats with ancillary facilities in a 7 storey block (amended plans received 18/04/13) at Portobello House, 3 Portobello Street (Case No. 12/03338/FUL) be granted, conditionally, subject to (i) the completion of a Legal Agreement, (ii) (A) Condition 2 being amended in respect of the submitted plans, (B) additional conditions being attached in respect of (1) demolition and groundworks, (2) the retrieval of the ornamental concrete Yorkshire rose and its deposition with the Sheffield Industrial Museums Trust, (3) the relocation of the existing public art from the existing Q park site, (4) the provision of a level threshold to the building entrance and (5) the details of the 15 mobility units, all as detailed in the aforementioned supplementary report and (iii) the aforementioned condition referred to in paragraph (B)(2) be amended to include a requirement for the applicant to provide details on the provision and location of an interpretation plaque in respect of the history of the site.

9. RECORD OF PLANNING APPEAL SUBMISSIONS AND DECISIONS

- 9.1 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.

10. DATE OF NEXT MEETING

- 10.1 It was noted that the next meeting of the Committee will be held on Tuesday 2 July 2013 at 2.00 pm at the Town Hall.