

Planning and Highways Committee

Meeting held 23 July 2013

PRESENT: Councillors Alan Law (Chair), Trevor Bagshaw, Janet Bragg, Tony Downing (Deputy Chair), Jayne Dunn, Ibrar Hussain, Bob Johnson, Bob McCann, Peter Price, Peter Rippon, Garry Weatherall, Joyce Wright and Andrew Sangar (Substitute Member)

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1. APOLOGIES FOR ABSENCE

1.1 An apology for absence was received from Councillor David Baker and Councillor Andrew Sangar attended the meeting as the duly appointed substitute.

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 Garry Weatherall declared an interest as a Member of the Ecclesfield Parish Council, in relation to those applications that the Parish Council had considered, but indicated that he would participate in their determination if they were to be considered by this Committee as he had not pre-determined his views on applications during the meetings of the Parish Council.

3.2 Councillor Bob McCann declared an interest in respect of a report of the Director of Regeneration and Development Services concerning the breach of planning control at 73 Sandford Grove Road, as he had been involved with previous action regarding the site as a former Cabinet Member for Housing and Sustainable and Safer Communities, but stated that he would consider the report, now submitted, with an open mind and speak and vote thereon.

4. MINUTES OF PREVIOUS MEETING

4.1 The minutes of the meeting of the Committee held on 2 July 2013 were approved as a correct record.

5. SITE VISIT

5.1 **RESOLVED:** That the Director of Regeneration and Development Services, in liaison with the Chair, be authorised to make arrangements for a site visit on Thursday 8 August 2013, 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 in respect of Case No. 13/01238/FUL 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) an application submitted by the City Council under Regulation 3 of the Town and Country Planning (General) Regulations 1992, in respect of planning permission for the demolition of redundant school buildings and erection of a new-build primary school with a capacity for 420 pupils, a 26 place nursery, associated external hard and soft landscaping, car parking and vehicle service facilities at Watermead Community Learning Centre, Barrie Crescent (Case No. 13/01603/RG3) be granted, conditionally;

(c) an application for planning permission for the demolition of a care home and the erection of 34 x 2-bed apartments and 21 x 1-bed apartments for elderly persons, with associated car parking and landscaping works at Newton Grange, 1A Horner Close (Case No. 13/01452/FUL) be granted, conditionally, subject to (i) additional conditions being attached in respect of (A) sound insulation measures, (B) remediation measures, (C) a validation report, (D) a Materials Management Plan, (E) ground gas protection measures and (F) pedestrian routes with associated measures into and through the development site, as detailed in a supplementary report circulated at the meeting and (ii) the completion of a Legal Agreement; and

(d) having heard oral representations at the meeting from a local Parish Councillor who spoke on behalf of the Parish Council and as a local resident and from a second local resident, an application for planning permission for the erection of a dwellinghouse at land adjacent to 2A, Penistone Road, Grenoside (Case No. 13/01146/OUT) be refused in accordance with the reason detailed in the report now submitted.

7. ENFORCEMENT OF PLANNING CONTROL: 73 SANDFORD GROVE ROAD

7.1 The Director of Regeneration and Development Services submitted a report on his investigation into a complaint, concerning a breach of planning control in respect of the unauthorised excavation works and erection of fences to the front garden at 73 Sandford Grove Road. The report explained that the owner had previously been prosecuted following action by the City Council for the unauthorised excavation works to the front and rear of the property. It was stated that in view of the legal action already taken, it would be expedient to seek enforcement action to resolve the unauthorised works now undertaken to the front of the building.

7.2 An assessment of the unauthorised works considered that they were contrary to Policies H14 and BE5 of the Unitary Development Plan.

7.3 A site location map was circulated at the meeting and, in considering the report, Members expressed concern over the previous and recent unauthorised works that been carried out and the impact on neighbouring residents.

7.4 RESOLVED: That (a) authority be given to the Director of Regeneration and Development Services or the Head of Planning to take all necessary steps including enforcement action, service of a temporary Stop Notice, a Stop Notice and, if necessary, the institution of legal proceedings, including injunctive action, to secure the cessation of the excavation works, the reinstatement of the ground levels and the removal of fences at 73 Sandford Grove Road;

(b) delegated authority be given to the Head of Planning, in consultation with the Chair (Councillor Alan Law), to vary the action authorised to achieve the objectives hereby confirmed, including taking action to resolve any associated breaches of planning control; and

(c) officers be requested to expedite all appropriate action in respect of the unauthorised works and provide an update report to a meeting of this Committee in September 2013.

8. QUARTERLY OVERVIEW OF ENFORCEMENT ACTIVITY

8.1 The Committee received and noted a report of the Director of Regeneration and Development Services providing a quarterly update of progress on the work being undertaken by the enforcement team within the city.

9. QUARTERLY UPDATE OF ENFORCEMENT CASES IN THE SOUTH AREA

9.1 The Committee noted (a) a report of the Director of Regeneration and Development Services providing an update on the progress of enforcement cases being undertaken with respect to developments and advertisements in the South area and (b) further information provided by the Director of Regeneration and Development Services to Members' questions in respect of enforcement matters.

10. QUARTERLY UPDATE OF ENFORCEMENT CASES IN THE WEST AND NORTH AREA

10.1 The Committee noted (a) a report of the Director of Regeneration and Development Services providing an update on the progress of enforcement cases being undertaken with respect to developments and advertisements in the West and North area and (b) further information provided by the Director of Regeneration and Development Services to Members' questions in respect of enforcement matters.

10.2 RESOLVED: That the Director of Regeneration and Development Services be requested to (a) submit a progress report in respect of the proposed refuge for pedestrians on the A61 near Salt Box Lane relating to planning application Case

No. 05/04790/FUL to the next meeting of the Committee and (b) provide, in addition to the report now submitted, further updates where appropriate, in respect of enforcement matters concerning Dial House Club (Page 117, No. 15).

11. QUARTERLY UPDATE OF ENFORCEMENT CASES IN THE CITY CENTRE AND EAST AREA

11.1 The Committee noted (a) a report of the Director of Regeneration and Development Services providing an update on the progress of enforcement cases being undertaken with respect to developments and advertisements in the City Centre and East area and (b) further information provided by the Director of Regeneration and Development Services to Members' questions in respect of enforcement matters.

12. RECORD OF PLANNING APPEAL SUBMISSIONS AND DECISIONS

12.1 The Committee received and noted a report of the Director of Regeneration and 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.

13. DATE OF NEXT MEETING

13.1 It was noted that the next meeting of the Committee will be held on Tuesday 13 August 2013 at 2.00 pm at the Town Hall.