

SHEFFIELD CITY COUNCIL

West and North Planning and Highways Committee

Meeting held 12 February 2013

PRESENT: Councillors Peter Rippon (Chair), Trevor Bagshaw, Janet Bragg, Adam Hurst, Talib Hussain, Bob McCann, Denise Reaney, Garry Weatherall, Joyce Wright and Ibrar Hussain (Substitute Member)

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1. APOLOGIES FOR ABSENCE FROM MEMBERS OF THE COMMITTEE

1.1 An apology for absence was received from Councillor Roy Munn and Councillor Ibrar Hussain 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 public and press.

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 Janet Bragg declared an interest in an application for reserved matters for the erection of 69 dwellinghouses (application to approve appearance, landscaping, layout and scale) in relation to planning permission ref. 11/00915/OUT at the Site of Loxley College, Myers Grove Centre, Wood Lane, Stannington (Case No. 12/03015/REM) as she had participated in a campaign against the closure of the college. Councillor Bragg left the room prior to consideration of the item and took no part in the discussion or vote on the item.

4. MINUTES OF PREVIOUS MEETING

4.1 The minutes of the meeting of the Committee held on 22 January 2013 were approved as a correct record.

5. SHEFFIELD CONSERVATION ADVISORY GROUP

5.1 The Committee received and noted the minutes of the meeting of the Sheffield Conservation Advisory Group held on 11 December 2012.

6. SITE VISIT

6.1 **RESOLVED:** That a site visit be arranged for the morning of Tuesday 5 March 2013 at 10.00 am, in connection with any planning applications requiring a site

visit by Members prior to the next meeting of the Committee.

7. APPLICATIONS UNDER VARIOUS ACTS/REGULATIONS

7.1 **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. 12/03054/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) following consideration of additional representations and additional information in relation to an ecological survey, as contained within a supplementary report circulated at the meeting, and, notwithstanding the officers recommendation, an application for planning permission for the use of first and second floors as two houses in multiple occupation (HIMOs) including alterations to door and window openings (re-submission of 12/01676/FUL) at Stocksbridge Furnishing, 610-614 Manchester Road (Case No. 12/03876/FUL) be refused as the Committee considered that the development would be an over intensive use of the building and would result in insufficient amenity space for local residents;

(c) following consideration of an additional representation, clarification from the applicant on drainage issues and, subject to the inclusion of additional conditions (i) 'Prior to the dwellings becoming occupied, the car parking accommodation shall have been provided as indicated on the approved plans. The parking/drives shall be surfaced and drained to the satisfaction of the Local Planning Authority, and thereafter retained/maintained for the sole purpose intended', (ii) 'Notwithstanding the submitted plans, the development shall not be begun until details have been submitted to and approved in writing by the Local Planning Authority of arrangements which have been entered into which will secure the construction of a 1.8 metre wide footway along the Carsick Hall Road frontage of the site before the development is brought into use (including any accommodation works to street furniture and a new front boundary wall, to be no greater than 1m high). The detailed materials specification shall have first been approved in writing by the Local Planning Authority', as outlined in a supplementary report circulated at the meeting, and subject to the inclusion of additional conditions (i) requiring wheel washing on site within condition 15, (ii) residual waste arising from the clearing of the reservoirs be removed from site to avoid contamination and (iii) the developer be requested to enter into arrangements to promote a Traffic Regulation Order for parking restrictions on Carsick Hill Road, as outlined in a supplementary report circulated at the meeting, an

application for planning permission for the part demolition of existing redundant underground reservoir and erection of 5. no dwellinghouses (re-submission of planning application 12/02126/FUL) at Carsick Service Reservoir, Carsick Hill Road (Case No. 12/03671/FUL) be granted, conditionally, subject to legal agreement; and

(d) following consideration of additional representations and additional information, as outlined in a supplementary report circulated at the meeting, an application for planning permission for reserved matters for the erection of 69 dwellinghouses (application to approve appearance, landscaping, layout and scale) in relation to planning permission ref. 11/00915/OUT at the site of Loxley College Myers Grove Centre, Wood Lane, Stannington (Case No. 12/03015/REM) be granted, conditionally.

8. DIAL HOUSE, BEN LANE: UPDATE

- 8.1 The Director of Development Services submitted a report providing information to Members on the status of the discharge of conditions imposed following the granting of planning permission and Listed Building Consent on appeal for the development of Dial House on Ben Lane and to confirm whether the development gives rise to any outstanding planning enforcement issues.
- 8.2 The request for the update report followed Member concerns that the development had not been implemented in accordance with the requirements of the planning conditions as well as a primary concern in relation to the state of the bowling green to the rear of the site.
- 8.3 The report stated that there was no record of a formal discharge of condition application having been submitted in relation to the conditions imposed by the Inspector on either the planning permission or listed building consent. The applicant maintains that full details were submitted at a meeting previously held with officers and it would appear that some details were provided but there was no written evidence of the submission nor was there any record of a fee having been paid for the discharge of the planning conditions. Accordingly, there was no formal record of the discharge of planning conditions having been undertaken prior to works commencing.
- 8.4 However, it was evident from meeting notes and the advice of the Council's Conservation Officer and Planning Enforcement Officer who attended the meetings that the applicant did engage with Officers prior to the commencement of works and did verbally agree some of the key details required by the conditions such as the facing materials to the apartments, the roof materials to the apartments and the works to protect the Listed Building, the latter being secured separately as part of a Section 21 notice.
- 8.5 Officers had been in recent contact with the applicant and had advised that a formal discharge of conditions application for the conditions set out in both the planning permission and the listed building consent must be submitted to the Local Planning Authority on or before Friday 15th February 2013. Given that the

applicant did undertake verbal discussions with the Council during the course of the construction, this period to formalise the discharge of conditions applications was not considered unreasonable. Furthermore, Officers were satisfied with the materials used in the construction of the apartments and with the details of the construction to date and the Conservation Officer was also satisfied with the repairs to Dial House such that the discharge of Conditions application will serve to formalise the works on site and also provide a basis for the completion of the development in terms of providing large scale details of windows and doors and landscaping etc.

- 8.6 Members had raised a specific concern about the state of the Bowling Green and whether there were any breaches of planning in this regard. The area for the bowling green was still in situ on site. The conditions required details of a pavilion and a programme for installation and details of a planned programme of maintenance as well as the provision of a pedestrian access to the new bowling green. With the exception of the pedestrian access, whilst accepting that the details to the conditions should have been formally submitted prior to works commencing, Conditions 9 and 10 required the applicant to submit a programme for installation and a programme for maintenance and it was unlikely that this programme would have required the works to be completed before development commenced although it was clearly appropriate that such details were provided imminently and a programme agreed with Officers for the delivery of the pavilion, as well as a programme of maintenance for the bowling green and pavilion. However, there were no conditions that required the Bowling Green to be available for use before first occupation of either the apartments or Dial House.

RESOLVED: That (a) the report be noted; and
(b) the Director of Development Services be requested to provide a further verbal update to the next meeting of the Committee on 5 March 2013.

9. QUARTERLY OVERVIEW OF ENFORCEMENT ACTIVITY

- 9.1 The Committee noted for information a report of the Director of Development Services providing a quarterly update of progress on the work being undertaken by the enforcement team.

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

- 10.1 The Committee (a) noted for information a report of the Director of Development Services outlining progress on enforcement actions authorised by the Committee, or under delegated powers, in the West and North area and (b) requested that an update on enforcement activity in relation to 183 Fox Street and 290-308 Pitsmoor Road be provided to Burngreave Ward Councillors.

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.