

# SHEFFIELD CITY COUNCIL

## Planning and Highways Committee

### Meeting held 18 November 2014

**PRESENT:** Councillors Alan Law (Chair), David Baker, Jack Clarkson, Roger Davison, Tony Downing (Deputy Chair), Ibrar Hussain, Bob Johnson, Bryan Lodge, Roy Munn, Peter Price, Denise Reaney and Joyce Wright

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#### **1. APOLOGIES FOR ABSENCE**

- 1.1 An apology for absence was received from Councillor Tony Damms but no substitute was appointed.

#### **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 There were no declarations of interest.

#### **4. MINUTES OF PREVIOUS MEETING**

- 4.1 The minutes of the meeting of the Committee held on 28 October 2014 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 Monday 8 December 2014, 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. 14/02725/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; and

(b) subject to an amended condition, the inclusion of an additional condition and,

following consideration of a late representation, as outlined in a supplementary report circulated at the meeting, and following consideration of representations made at the meeting in support of the application from the applicant's agent, an application for planning permission for demolition of existing food retail unit and two dwellinghouses and erection of new food unit with associated car parking accommodation, landscaping works, amended access and relocation of electricity sub-station (re-submission) (amended as per plans received on 29/10/2014) at LiDL Supermarket, Castlebeck Avenue and 322 and 324 Prince of Wales Road (Case No. 14/03048/FUL) be granted, conditionally.

## **7. ENFORCEMENT OF PLANNING CONTROL: 414 LONDON ROAD**

- 7.1 The Director of Regeneration and Development Services submitted a report informing Members of a breach of the planning regulations in relation to the erection of an unauthorised timber and plastic canopy on the front of 414 London Road, facing London Road and Glover Road and making recommendations on any further action required.
- 7.2 The report stated the area was on the periphery of the District Shopping Area to the north of London Road and the Local Shopping Area to the West of Abbeydale as identified in the Unitary Development Plan. Several unauthorised canopies had appeared in those nearby shopping areas and, to date, enforcement action had been successful in securing the removal of three unauthorised canopies (in 2007) and authority had been given to enforce the removal of two further canopies in September 2014.
- 7.3 The canopy had been erected on the forecourt of the property facing London Road and Glover Road. It had a wooden frame with a clear plastic corrugated roof. Expanding foam had been used extensively to fill gaps and was highly visible around the structure. Plywood sides had also been added under the eaves to partially enclose the structure. The top of the canopy was not uniform and fitted around the existing projecting shop sign.
- 7.4 A written complaint was received from a member of the public on 9<sup>th</sup> September 2014. Since this date a further two written complaints had been received from members of the public.
- 7.5 An initial letter was sent to both the business owner and the property owner. It informed them that planning permission was required to erect a canopy on the front of the premises, but due to the detrimental effect the canopy had on the visual amenities of the street scene, planning permission would not be granted in this case and the canopy should be removed within 14 days. The letter also advised that an application would be welcomed for an alternative canopy.
- 7.6 A representative of the business responded to the letter. They questioned why they could not apply for permission for the existing canopy or if there were more alterations to the canopy that would be considered more favourably. The advice given was that a retractable canopy would be considered in this location but the existing structure, with or without alterations could not be supported, although they

were within their rights to submit an application.

7.7 The business owner informed planning enforcement that they intended to submit a planning application for the existing structure, against the recommendations of planning enforcement. To date no application had been submitted.

7.8 **RESOLVED:** That (a) the Director of Regeneration and 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 canopy at 414 London Road; and (b) the Head of Planning, in liaison with the Chair of this Committee, be authorised to vary the action in order to achieve the objectives hereby confirmed, including taking action to resolve any associated breaches of planning control.

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

8.1 The Committee received and noted a report of the Director of Regeneration and Development Services detailing (a) the 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.

## **9. DATE OF NEXT MEETING**

9.1 It was noted that the next meeting of the Committee will be held on Tuesday 9 December 2014 at 2.00 pm at the Town Hall.