

SHEFFIELD CITY COUNCIL

Planning and Highways Committee

Meeting held 16 June 2015

PRESENT: Councillors Alan Law (Chair), David Baker, Jack Clarkson, Tony Damms, Roger Davison, Adam Hurst, Ibrar Hussain, Bryan Lodge, Denise Reaney, Chris Rosling-Josephs, Garry Weatherall and Joyce Wright

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1. APOLOGIES FOR ABSENCE

1.1 Apologies for absence were received from Councillors Nasima Akther, Peter Price and Peter Rippon but no substitutes were 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 Councillor Garry Weatherall declared a personal interest in an application for planning permission for the erection of 2 artificial grass pitches with associated fencing, lighting and access; 2 new natural grass sports pitches; drainage improvements; single storey changing pavilion and social facilities, and associated parking and access road at Thorncliffe Recreation Ground, Mortomley Close (Case No. 15/00684/RG3) as a Member of Ecclesfield Parish Council. Councillor Weatherall indicated that he would participate in the discussion and vote on the application as he had not pre-determined his views on the application during the meetings of the Parish Council.

4. MINUTES OF PREVIOUS MEETING

4.1 The minutes of the meeting of the Committee held on 26 May 2015 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 6 July 2015, in connection with any planning applications requiring a visit by Members prior to the next meeting of the Committee.

6. TREE PRESERVATION ORDER NO. 398 - 442 GLOSSOP ROAD

6.1 The Director of Regeneration and Development Services submitted a report outlining an objection to Tree Preservation Order No. 398 at 442 Glossop Road.

- 6.2 The report stated that the reason given in the tree notice for the trees removal was that the trees were damaging the side boundary retaining wall between 442 Glossop Road and 1 Beech Hill Road. No written technical evidence with respect to structural damage to the wall was provided with the tree notice or when requested from the applicant.
- 6.3 Officers had no objection to the removal of one of the lime trees because of its close proximity to 442 Glossop Road and because it was obscured by the other lime tree when viewed from Glossop Road. A decision notice agreeing to its removal was sent to the applicant's agent on 22 January 2014.
- 6.4 The other lime tree is growing approximately 6.50 metres from the property and Provisional Tree Preservation Order No. 398 was served on 22 January 2015 to protect the tree, referred to as T1 in the Order, because of its visual amenity value.
- 6.5 An objection to the Tree Preservation Order had been received from the owner of the neighbouring property at 1 Beech Hill Road. Submitted with the objection letter was a structural inspection report which referred to the side boundary retaining wall between 442 Glossop Road and 1 Beech Hill Road. The conclusions and recommendations of the report included the following: 'That the two lime trees threaten the long-term stability of the wall and that the trees should be removed to enable the wall to be rebuilt.'
- 6.6 The structural inspection report had been considered by Sheffield City Council's Building Control Team who were in general agreement with the report and noted that the wall was in a state of disrepair, was structurally unstable and if not repaired will continue to deteriorate. Also the wall could not be reasonably rebuilt without damaging tree roots nor would it be possible to safely re-build the wall without removing support to the tree and thereby creating a risk of the tree falling during the works.
- 6.7 **RESOLVED:** That Tree Preservation Order No. 398 at 442 Glossop Road not be confirmed and be revoked as soon as practicable.

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 Nos. 14/04577/FUL and 14/00632/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 clarification that the legal agreement was only relevant for the second application, as outlined in a supplementary report circulated at the meeting, and following consideration of representations from the applicant speaking in favour of

the application, applications for listed building consent and planning permission for demolition of No. 90 Garden Street, alterations to Provincial House including four-storey rear extension to create 55 apartments with associated facilities and common room, erection of five-storey block fronting Solly Street to create 38 apartments and erection of three-storey block to create 14 apartments with associated landscaped courtyard and cycle parking accommodation (amended plans received 21/5/2015) at Provincial House, Solly Street and 90 Garden Street (Case Nos. 15/00979/LBC and 15/00978/FUL) be granted, conditionally, subject to legal agreement;

(c) subject to the deletion of condition 4 and amendments to conditions 8 and 11, as outlined in a supplementary report circulated at the meeting, an application for planning permission for alterations to former church including demolition of single storey extension to form 10 apartments with associated car parking (amended plans and email content received on 30/4/15) at United Reformed Church Wadsley, 83 Carlton Road (Case No. 15/00950/FUL) be granted, conditionally;

(d) subject to the inclusion of an additional condition and amendment to condition 6, as outlined in a supplementary report circulated at the meeting, an application for planning permission for the erection of 2 artificial grass pitches with associated fencing, lighting and access; 2 new natural grass sports pitches; drainage improvements; single storey changing pavilion and social facilities; and associated parking and access road at Thorncliffe Recreation Ground, Mortomley Close (Case No. 15/00684/RG3) be granted, conditionally;

(e) subject to the removal of, and amendments to, conditions, as outlined in a supplementary report circulated at the meeting, and following consideration of representations from the applicant speaking in favour of the application, an application for planning permission for demolition of existing buildings and erection of student living accommodation comprising 192 units (305 bed spaces) in blocks ranging between 5 and 8 storeys with ancillary facilities, landscaping, access and other associated works at site of St Philips Social Club, Radford Street (Case No. 15/00650/FUL) be granted, conditionally subject to legal agreement and the wording of a condition and the mechanism for securing the Section 106 agreement to be agreed with the Chair prior to issuing the decision notice;

(f) (i) following consideration of an amended description and an additional representation from the applicant, as outlined in a supplementary report circulated at the meeting, and following consideration of representations from a local Ward Councillor and the agent for the applicant speaking against the recommendation to refuse permission, an application for planning permission for change of use of part of ground floor of dwellinghouse to retail unit (Class A1), demolition of bay window and erection of shop front (as per amended drawings and Site Location Plan – received on 7th April 2015) at 134 Abbeydale Road (Case No. 15/00303/FUL) be refused as the Local Planning Authority considered that owing to its size and design, the replacement bay/shop front would dominate the front elevation being an incongruous and detrimental feature to the character of the property itself and the street scene and would therefore be contrary to Policies BE5 (c) and S10 (d) of the Adopted Unitary Development Plan and Policy CS74

(c) of the Sheffield Development Framework Core Strategy, (ii) 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 restoration of the ground floor elevation to its former condition including the reinstatement of the bay window and (iii) authority be delegated to the Head of Planning, in liaison with a Joint Chair of this Committee, to vary the action authorised in order to achieve the objectives hereby confirmed, including taking action to resolve any associated breaches of planning control.

(g) following clarification in relation to car parking and trees, and subject to an additional condition and an amendment to condition 11, as outlined in a supplementary report circulated at the meeting, an application for planning permission for the erection of 5. no apartments in two-storey split level single block with associated landscaping and car parking (re-submission of 13/01730/FUL) (as per amended drawings received 11 December 2014) at land at the junction of Middlewood Road and Middlewood Drive (Case No. 14/00632/FUL) be granted, conditionally; and

(h) subject to an addition to condition 18, as outlined in a supplementary report circulated at the meeting, and following consideration of representations from a representative of a local business adjacent to the site commenting on the noise impacts associated with the application and two representatives of the applicant speaking in favour of the application, an application for outline planning permission for residential development with all matters reserved except access (amended plans showing alterations to proposed link road received 21 August 2013) at land South of Arnold Lavers, Oxclose Park Road North, rear of 1-47 Ox Close Gardens, rear of 63-81 Deepwell Avenue and adjoining 5-7 Ox Hill (Case No. 13/01674/OUT) be granted, conditionally, subject to legal agreement.

(Note. Councillor Jack Clarkson abstained from voting in respect of the application for erection of 2 artificial grass pitches with associated fencing, lighting and access; 2 new natural grass sports pitches; drainage improvements; single storey changing pavilion and social facilities, and associated parking and access road at Thorncliffe Recreation Ground, Mortomley Close (Case No. 15/00684/RG3) and asked for his vote to be recorded).

8. ENFORCEMENT OF PLANNING CONTROL: 1 BLACKMORE STREET

- 8.1 The Director of Regeneration and Development Services submitted a report in respect of a breach of planning regulations related to the unauthorised replacement of roof slates with steel profile cladding on a Grade II listed building at 1 Blackmore Street.
- 8.2 The report stated that a complaint had been received, from a member of the public, on 1 May 2014 concerning the fact that the original slate roof covering had been removed and replaced with profiled steel cladding.
- 8.3 Correspondence was entered into with the owners of the property informing them that, because it was a Grade II listed building, planning permission and listed

building consent was required for works of this nature. They were also advised that it was unlikely that either would be granted because the steel cladding was not considered to be in keeping with the original character of the building.

8.4 A representative, acting on behalf of the property owner, contacted the Council and was informed that the steel cladding must be replaced with a natural slate. To date no attempt had been taken by the owner to remove the canopy as requested in the original correspondence dated 25 July 2014.

8.5 **RESOLVED:** That (a) authority be delegated to the Director of Regeneration and Development Services or the Head of Planning to take any appropriate action including, if necessary, enforcement action and the institution of legal proceedings to secure the replacement of the profile metal sheeting with natural slates at 1 Blackmore Street; and

(b) authority be delegated to the Head of Planning, in liaison with a Joint Chair of this Committee, to vary the action authorised in order to achieve the objectives hereby confirmed, including taking action to resolve any associated breaches of planning control.

9. **ENFORCEMENT OF PLANNING CONTROL: NEW AGE TRAVELLERS SITE, WALLACE ROAD**

9.1 The Director of Regeneration and Development Services submitted a report in relation to a breach of planning control in respect of a New Age Travellers Encampment at Wallace Road and setting out the options available to remedy the breach.

9.2 The report stated that the land was cleared of unauthorised occupation in 2005 but since then, occupation by New Age Travellers (NATS) had incrementally increased over time.

9.3 As the NATS had been on site since 2005, there was a concern that there was potential for residential use to become authorised under Town Planning legislation and potentially adversely affect the Parkwood Springs Regeneration Masterplan that was being prepared for future use of the Parkwood Springs area.

9.4 The report concluded that Town Planning powers could be used to regain possession of the land but, as the Council was the landowner, the success of any action could ultimately revert to its use whatever means it had to comply with any notice served.

9.5 Given that the Council had the power to gain possession of the land without resort to planning powers, it was recommended that Members confirmed that Planning Enforcement action be not taken at this time.

9.6 **RESOLVED:** That, in the circumstances now reported, no action be taken in respect of the New Age Travellers Encampment at Wallace Road.

10. **RECORD OF PLANNING APPEAL SUBMISSIONS AND DECISIONS**

- 10.1 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.

11. DATE OF NEXT MEETING

- 11.1 It was noted that the next meeting of the Committee will be held on Tuesday, 7 July 2015, at 2.00 pm, at the Town Hall.