

SHEFFIELD CITY COUNCIL

Planning and Highways Committee

Meeting held 10 November 2015

PRESENT: Councillors Peter Rippon (Chair), Nasima Akther, David Baker, Tony Damms, Roger Davison, Adam Hurst, Ibrar Hussain, Alan Law, Bryan Lodge, Peter Price, Denise Reaney, Chris Rosling-Josephs, Garry Weatherall, Joyce Wright and John Booker (Substitute Member)

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1. APOLOGIES FOR ABSENCE

1.1 An apology for absence was received from Councillor Jack Clarkson and Councillor John Booker 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 David Baker declared a personal interest as he knew the applicant in respect of an application for planning permission for the demolition of an extension and conversion of a nursing home into a dwellinghouse, erection of 3 dwellinghouses with detached double garages and alterations and an extension to a former coach house to form 3 mews houses, with associated car parking, at Brincliffe Towers Old Peoples Home, Brincliffe Edge Road (Case No. 15/00740/FUL) and did not speak or vote thereon.

3.2 Councillor Alan Law declared a personal interest as he knew the objector in respect of applications for planning permission for (i) the installation of a conservation rooflight and (ii) the retention of 1.8m to 2.5m high fencing panels (eastern boundary) and retention and erection of 1.2m to 1.5m fencing panels with access gates (southern boundary) at Bank Cottage, Bank Lane (Case Nos. 15/03390/FUL and 15/02574/FUL) but did speak and vote thereon.

3.3 Councillor Garry Weatherall declared an interest as a Member of the Ecclesfield Parish Council, in relation to a report of the Director of Regeneration and Development Services concerning the proposed Enforcement Action with regard to 2A Stanley Road (Item 10, Page 97 of the Agenda), but indicated that he would participate in its determination as he had not pre-determined his views on the breach of Planning control when considered at a meeting of the Parish Council.

4. MINUTES OF PREVIOUS MEETING

4.1 The minutes of the meeting of the Committee held on 20 October, 2015 were approved as a correct record

5. SHEFFIELD CONSERVATION ADVISORY GROUP

- 5.1 The Committee received and noted (a) the minutes of the meeting of the Sheffield Conservation Advisory Group held on 29 September 2015 and (b) the observations of the Sheffield Conservation Advisory Group on the outline planning application for the Sheffield Retail Quarter.

6. SITE VISIT

- 6.1 **RESOLVED:** That the Director of Regeneration and Development Services, in liaison with the Co-Chair, be authorised to make arrangements for a site visit on Monday, 30 November 2015, in connection with any planning applications requiring a 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 as shown 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 (i) noted (A) an additional representation from a local Ward Councillor commenting on the proposed development and (B) an additional officer recommendation that Condition 4 be deleted, as detailed in a supplementary report circulated at the meeting and (ii) heard representations from a neighbour speaking at the meeting objecting to the development and from another neighbour speaking in support of the development, an application for planning permission for the installation of a conservation rooflight at Bank Cottage, Bank Lane (Case No. 15/03390/FUL) be granted, conditionally, subject to Condition 4 being deleted;

(c) having (i) noted (A) additional representations from two separate local groups of neighbours objecting to the proposed development, along with supporting information on policies and sections of the Conservation Area Appraisal on which it was considered the development did not comply with, (B) objections from two local Ward Councillors to the development and (C) the officer's response, as detailed in a supplementary report circulated at the meeting and (ii) heard representations at the meeting from a local resident speaking against the development and from the applicant's representative speaking in support of the development, an application for planning permission for the demolition of dwellinghouse and erection of 2 semi-detached dwellinghouses at 44 Oak Hill Road (Case No. 15/02943/FUL) be granted, conditionally, subject to condition 15 being deleted;

(d) having (i) noted an additional representation from a local Ward Councillor commenting on the development, as detailed in a supplementary report circulated at the meeting and (ii) heard representations from a neighbour speaking at the meeting objecting to the development and from the applicant speaking in support of the development, an application for planning permission for the retention of 1.8m

to 2.5m high fencing panels (eastern boundary) and retention and erection of 1.2m to 1.5m fencing panels with access gates (southern boundary) at Bank Cottage, Bank Lane (Case No. 15/02574/FU) be granted, conditionally;

(e) having heard a representation at the meeting from the applicant's representative speaking in favour of the development, an application for advertising consent and listed building consent for the retention of an internally illuminated fascia sign at the Broomhill Property Shop, Kennedy House, 319 Glossop Road (Case Nos. 15/01776/ADV and 15/01777/LBC) be refused (i) for the reason detailed in the report now submitted and (ii) with authority given to (A) the Director of Regeneration and Development Services to take any appropriate action including, if necessary, enforcement action and the institution of legal proceedings to secure the removal of the unauthorised signage at Broomhill Property Shop, Kennedy House, 319 Glossop Road and (B) the Head of Planning, in liaison with a Co-Chair of the 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; and

(f) having (i) noted additional representations from the applicant and the officer's response, as detailed in a supplementary report circulated at the meeting and (ii) heard representations from two people speaking at the meeting objecting to the development and from the applicant's representative speaking in support of the development, an application for planning permission for the demolition of an extension and conversion of a nursing home into a dwellinghouse, erection of 3 dwellinghouses with detached double garages and alterations and an extension to a former coach house to form 3 mews houses, with associated car parking, at Brincliffe Towers Old Peoples Home, Brincliffe Edge Road (Case No. 15/00740/FUL) be refused for the reasons detailed in the report now submitted.

8. ENFORCEMENT OF PLANNING CONTROL: 181 TO 185 ABBEYDALE ROAD

8.1 The Director of Regeneration and Development Services submitted a report on his investigation into a complaint received concerning a breach of planning control, in respect of the erection of an unauthorised timber canopy on the front of 181 to 185 Abbeydale Road. The report explained that although canopies were often a traditional feature of shops in the area, they tended to be a retractable metal and canvas fascia type for the shops of this type and age. The canopy erected though was a fixed metal structure with a PVC sheet roof, which the owner had failed to remove or submit a planning application for an alternative acceptable canopy.

8.2 An assessment of the breach of control considered that the erected canopy had a detrimental effect on the visual amenities of the street scene and, as such, was contrary to Policy BE5 and S10 of the Unitary Development Plan.

8.3 **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 181 to 185 Abbeydale Road; and

(b) the Head of Planning, in liaison with a Co-Chair of the 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.

9. ENFORCEMENT OF PLANNING CONTROL: 2A STANLEY ROAD, BURNCROSS

9.1 The Director of Regeneration and Development Services submitted a report on his investigation into a breach of planning control, in respect of the siting of an unauthorised metal container at 2A Stanley Road, Burncross. The report explained that the container was originally sited on adjacent land at the corner of Hollow Gate which was also owned by the occupier of 2A Stanley Road. An enforcement notice was served to remove the container and an agreement was reached in 2012 with officers, to temporarily site the container at the front of 2A Stanley Road, with a view to a planning application being submitted for a permanent brick built garage to replace the container. It was stated that the container had now been in position in excess of three years and a planning application for a garage on land at 2A Stanley Road had not been submitted.

9.2 An assessment of the breach of planning control considered that the metal container was contrary to Policy CS74 of the Core Strategy and policies H14 and BE5 of the Unitary Development Plan.

9.3 **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 metal container at 2A Stanley Road, Burncross; and

(b) the Head of Planning, in liaison with a Co-Chair of the 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.

10. QUARTERLY OVERVIEW OF ENFORCEMENT ACTIVITY

10.1 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.

11. QUARTERLY UPDATE OF ENFORCEMENT CASES IN THE SOUTH 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 in the South area of the city and (b) further information provided orally by the Director of Regeneration and Development Services on enforcement matters in response to questions from Members of the Committee.'

12. QUARTERLY UPDATE OF ENFORCEMENT CASES IN THE CITY CENTRE AND EAST AREAS

12.1 The Committee noted (a) a report of the Director of Regeneration and

Development Services providing an update on the progress of enforcement cases in the City Centre and East areas of the City and (b) further information provided orally by the Director of Regeneration and Development Services on enforcement matters in response to questions from Members of the Committee

13. QUARTERLY UPDATE OF ENFORCEMENT CASES IN THE WEST AND NORTH AREAS

- 13.1 The Committee noted (a) a report of the Director of Regeneration and Development Services providing an update on the progress of enforcement cases in the West and North areas of the City and (b) that in connection with Oak lodge Farm (Page 137, Item 14 of the report now submitted), as detailed in the supplementary report circulated at the meeting, officers would be taking a revised approach to the enforcement matter, by writing to the occupier of the land and the previous owner to seek evidence that they had continuously used the land for residential purposes for 10 years or more and (c) further information provided orally by the Director of Regeneration and Development Services on enforcement matters in response to questions from Members of the Committee.

14. RECORD OF PLANNING APPEAL SUBMISSIONS AND DECISIONS

- 14.1 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.

15. DATE OF NEXT MEETING

- 15.1 **RESOLVED:** That it be noted that the next meeting of the Committee will be held on Tuesday, 1 December, 2015 at 2.00 pm, at the Town Hall.