

SHEFFIELD CITY COUNCIL

Planning and Highways Committee

Meeting held 7 July 2015

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

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1. APOLOGIES FOR ABSENCE

1.1 An apology for absence was received from Councillor Joyce Wright and 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 MEETINGS

4.1 The minutes of the meetings of the Committee held on 20 May and 16 June 2015 were approved as correct records.

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 27 July 2015, in connection with any planning applications requiring a visit by Members prior to the next meeting of the Committee.

6. PROPOSED DIVERSION OF PUBLIC FOOTPATH SHE/174A BETWEEN TOTLEY HALL LANE AND STOCKS GREEN DRIVE, TOTLEY

6.1 The Director of Regeneration and Development Services submitted a report seeking authority to process the Public Path Diversion Order required to divert the public footpath which runs through the site of the former Fleur de Lys pub linking Totley Hall Lane and Stocks Green Drive in the Totley area of Sheffield.

6.2 The report stated that on 30th January 2015 planning consent was granted for the demolition of part of building, alterations to existing public house to form 6 apartments, alterations to outbuildings to form 2 cottages and erection of 3 detached dwellinghouses and garages, including associated external works and a footpath diversion.

- 6.3 In order to enable the approved development to be carried out, it was necessary to re-align the footpath which ran through the site. To be done legally, a Public Path Diversion Order must first be made and confirmed.
- 6.4 Consultations had been carried out with Statutory Undertakers (i.e. utility companies), the Emergency Services, and other relevant bodies, including footpath societies.
- 6.5 Not all the consultees had responded at the time of writing the report. Of those that had responded, no objections had been received.
- 6.6 **RESOLVED:** That (a) no objections are raised to the proposed diversion of the footpath linking Totley Hall Lane and Stocks Green Drive, as shown by a solid black line on the plan included as Appendix A to the report, subject to satisfactory arrangements being made with Statutory Undertakers in connection with any of their mains and services that may be affected; and
- (b) authority be delegated to the Director of Legal and Governance to:-
- (i) take all necessary action to divert the footpath by order under the powers contained within Section 257 of the Town and Country Planning Act 1990;
- (ii) confirm the Order as an unopposed order, in the event of no objections being received, or any objections being resolved and withdrawn prior to the Order being confirmed; and
- (iii) submit the Order to the Secretary of State for confirmation in the event that objections are received which cannot be resolved.

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. 15/01176/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 amendments to the report, additional information on highways, and, subject to an amendment to condition 2, as outlined in a supplementary report circulated at the meeting, an application for planning permission for demolition of existing public house and erection of 9 apartments including new boundary walls, bicycle store and associated works at Thorncliffe Arms, 135 Warren Lane (Case No. 15/01291/FUL) be granted, conditionally;
- (c) (i) following consideration of (A) representations at the meeting from two local

residents opposing the application and from a representative of the Council speaking in favour of the application, and (B) additional information in relation to a bat survey in the area, as outlined in a supplementary report circulated at the meeting, (ii) subject to an amendment to condition 2, as outlined in the aforementioned supplementary report, and (iii) following a decision to consider this item alongside 15/01264/RG3 and to vote simultaneously on both items an application for planning permission for demolition of existing school buildings and use of land, including existing playing fields, as public open space at Tinsley Junior School, Bawtry Road (Case No. 15/01265/RG3) be granted, conditionally;

(d) (i) following consideration of (A) a petition, containing 53 signatures, submitted at the meeting, requesting that, if the application was granted, the youth centre on site be extended with the loss of two parking spaces, (B) representations at the meeting from two local residents speaking against the application and a representative of the Council speaking in favour of the application and (C) clarification on parking numbers, (ii) additional representations from the Director of Public Health and a member of the public, as outlined in a supplementary report circulated at the meeting, (iii) subject to the inclusion of an additional condition and amendments to conditions 2, 9 and 10 also as outlined in the afore-mentioned supplementary report, (iv) subject to an additional condition that, prior to the commencement of development, details of the surfacing of the car park be agreed with the Local Planning Authority with the view to providing a green surface, and (v) following a decision to consider this item alongside 15/01265/RG3 and to vote simultaneously on both items, an application for planning permission for refurbishment of existing building and erection of three-storey extension to form a new primary school for ages 2-11 with associated hard and soft landscaping works, additional car parking accommodation and relocation of multi-use games area (MUGA) at Tinsley Green Centre, 34A Norborough Road (Case No. 15/01264/RG3) be granted, conditionally;

(e) following consideration of an amended description and additional representations, and subject to the inclusion of an additional condition, 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 the erection of 1 no. detached dwellinghouse with integral garage, separate hard standing, provision of landscaping and amenity space at curtilage of 172 Prospect Road, Bradway (Case No. 15/00739/FUL) be granted, conditionally;

(f) following consideration of an additional representation from a local Ward Councillor, as outlined in a supplementary report circulated at the meeting, and an additional representation at the meeting speaking against the application, an application for planning permission for demolition of existing office building (use class B1) and erection of 72 studios/one bedroom apartments and 1 two bedroom apartment in 7 storey building at Minalloy House, 10-16 Regent Street and 2 Pitt Street (Case No. 15/00731/FUL) be granted, conditionally, subject to legal agreement;

(g) (i) an application for planning permission for the retention of fence/gate to front/side of dwellinghouse at 42 Wostenholm Road (Case No. 15/00679/FUL) be

refused as the Committee considered that the proposed development, by reason of its prominent location and external appearance, gave rise to an unsatisfactory design, detrimental to the character of the Nether Edge Conservation Area and contrary to the aims of Policies BE15 and BE16 of the Unitary Development Plan and Policy CS74 of the Sheffield Core Strategy and paragraph 134 of the National Planning Policy Framework, (ii) authority be delegated to the Director of Regeneration and Development Services or Head of Planning to take any appropriate action including, if necessary, enforcement action and the institution of legal proceedings to secure the removal of the unauthorised fence and gate and (iii) authority be delegated to the Head of Planning, in consultation with a Co-Chair of the 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;

(h) following consideration of representations from the applicant speaking against the recommendation to refuse the application and from a representative of the Broomhall Park Association speaking in favour of the recommendation to refuse the application, an application for planning permission for alterations and extension to height of building to provide five student cluster flats at second, third and fourth floor levels with ancillary cycle store and bin store at ground floor level (as amended 23/6/15) at Broompark House, 200-208 Broomhall Street (Case No. 15/00467/FUL) be refused as the Committee considered that (i) the proposed increase in the height of the building and the proposed flat roof form would detract from the building proportions and roof form of a key unlisted heritage asset building in the Hanover Conservation Area, (ii) the proposed increase in the height of the building and the proposed flat roof form would also detract from the appearance of a strong group of buildings, including No's 194, 196, 200 and 210 Broomhall Street and No. 177 Upper Hanover Street, (iii) the less than substantial harm caused would be detrimental to the character and appearance of the Hanover Conservation Area and was not outweighed by any public benefit considerations, and (iv) the proposed development was thereby contrary to Policies BE5, BE15, BE16 and S10(d) of the Unitary Development Plan and Policy CS74 of the Core Strategy and was unjustified having regard to Paragraph 134 of the National Planning Policy Framework; and

(i) following consideration of an updated recommendation, as outlined in a supplementary report circulated at the meeting, an application for planning permission for demolition of former conference facility and erection of five detached dwellinghouses and nine apartments in a 3-storey block including provision of garages/parking at Whirlow Grange Conference Centre, Whirlow Grange Drive (Case No. 15/00138/FUL) be granted, conditionally, subject to legal agreement.

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, 28 July 2015, at 2.00 pm, at the Town Hall.