

# SHEFFIELD CITY COUNCIL

## Planning and Highways Committee

### Meeting held 1 November 2016

**PRESENT:** Councillors Chris Rosling-Josephs (Chair), Ian Auckland, Alan Law, Jack Clarkson, Dawn Dale, Tony Damms, Roger Davison, Dianne Hurst, Joe Otten, Zahira Naz, Peter Price, Peter Rippon and Zoe Sykes

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

1.1 Apologies for absence were received from Councillors Michelle Cook and David Baker 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 There were no declarations of interest.

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

4.1 The minutes of the previous meeting of the Committee, held on 11 October 2016, were approved as a correct record.

#### **5. SHEFFIELD CONSERVATION ADVISORY GROUP**

5.1 The Committee received and noted the minutes of the Sheffield Conservation Advisory Group held on 20 September 2016.

#### **6. SITE VISIT**

6.1 **RESOLVED:** That the Interim Head of Planning, in liaison with a Co-Chair, be authorised to make arrangements for a site visit 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, granted or refused as stated in the report to this Committee and as amended 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 at the meeting of representations from three local residents speaking against the application, and from the applicant's agent and the developer speaking in favour of the application, an application for planning permission for demolition of car showroom and associated buildings and erection of mixed use development comprising four blocks ranging from 6 to 11 storeys in height to provide 1,956sqm of retail floorspace, 144 residential apartments, 40 student cluster flats (190 student beds) with basement car parking, associated landscaping, bin stores, cycle parking and electricity substation (amended resubmission of previously refused application no. 15/01180/FUL) at 245 Ecclesall Road (Case No. 16/03159/FUL) be granted, conditionally;

(c) following consideration of a clarification to the officer's report, and subject to an additional directive, as outlined in a supplementary report circulated at the meeting, and following consideration at the meeting of representations from a resident speaking against the application, and from the applicant's agent speaking in favour of the application, an application for planning permission for demolition of existing buildings and erection of a mixed use development incorporating student accommodation, comprising 346 studio apartments, 6 x 1 bed apartments, 3 x 2 bed apartments and 102 cluster flats providing at a total of 972 bed spaces, commercial units and Hub Space (Use Class A1 [with no more than 250sqm of sales area], A2, A3, A4, A5, B1 and D1), with associated works, access, landscaping and ancillary features at site of 20 Hollis Croft and 31 Hollis Croft, City Centre (Case No. 16/02910/FUL) be granted, conditionally;

(d) subject to an amendment to condition 2, as outlined in a supplementary report circulated at the meeting, and following consideration of representations at the meeting from a local resident speaking against the application, and from the applicant's agent speaking in favour of the application, an application for planning permission for partial demolition, alterations and extension to building to form 21 apartments with restaurant/café (Use Class A3) at ground floor and basement level at Acorn House, 288-292, Shalesmoor (Case No. 16/01915/FUL) be granted, conditionally; and

(e) following consideration of an additional representation, and subject to an additional condition, as outlined in a supplementary report circulated at the meeting, and following consideration of representations at the meeting from two local residents speaking against the application and from the applicant's agent speaking in favour of the application, an application for planning permission for demolition of working men's club and erection of 27 apartments in 1 x 3 storey block with the provision of underground car parking accommodation and associated landscaping works at Handsworth Working Men's Club and Institute, 445 Handsworth Road (Case No. 16/00480/FUL) be granted, conditionally, subject to the completion of a legal agreement.

## **8. ENFORCEMENT OF PLANNING CONTROL: BARLEYWOOD ROAD**

8.1 The Interim Head of Planning submitted a report informing Members of a breach of planning control in respect of the unauthorised use of land as a vehicle

breakers yard, storage of vehicles, parts and waste and unauthorised erection of a building, at Barleywood Road.

- 8.2 The report stated that a complaint had been received about the use of land at Barleywood Road, adjoining the cemetery, for a scrap yard. On visiting the site, a car breakers use was found, including storage of scrap vehicles, parts and a large new building was under construction. The owner of the business reported that he had applied for building regulations for the building. This had been checked and confirmed. However, there was no permission for the new building or for the use of the land. The access lane, part of Barleywood Road, was also being used to store vehicles and waste material.
- 8.3 The owner was verbally advised at the site that, although the use was described as acceptable in principle due to the local plan zoning as industrial land, the close proximity to the cemetery and to the setting of listed buildings raised serious concerns. The quiet enjoyment of the cemetery by families visiting graves could be spoiled and the setting of the listed buildings and listed wall was considered to be spoiled by the visual impact of the use and large new building. A letter, dated 8 September 2016, was sent to the business owner giving the officer view in writing.
- 8.4 It had been confirmed that some of the unauthorised use was taking place at Barleywood Road carriageway, itself a public highway (un-adopted), owned by Sheffield City Council. Highways enforcement were taking this up with the business owner to ensure that it was free from obstructions. It was currently used for storing scrap vehicles and depositing waste. A public footpath was also affected, in that some of the storage/waste obscured the view of the path line for the members of the public that wished to use it. The Highways Public Rights of Way Team were investigating.
- 8.5 **RESOLVED:** That (a) the Interim Head of Planning be authorised to take any appropriate action including, if necessary, enforcement action, including the use of stop notice powers, and the institution of legal proceedings to secure the cessation of the use of the land at Barleywood Road as a vehicle breakers yard and removal of the unauthorised building and clearance of the land of any items associated with the unauthorised use; and
- (b) the Interim Head of Planning, in consultation with a Co-Chair of this Committee, be designated 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. QUARTERLY OVERVIEW OF ENFORCEMENT ACTIVITY**

- 9.1 The Committee received and noted a report of the Interim Head of Planning providing a quarterly update of progress on the work being undertaken by the enforcement team within the City.

## **10. QUARTERLY UPDATE OF ENFORCEMENT CASES**

- 10.1 The Committee noted (a) a report of the Interim Head of Planning providing an

update on the progress of enforcement cases across the City and (b) further information provided orally by the Interim Head on enforcement matters in response to questions from Members of the Committee.

**RESOLVED:** That (i) the information now reported be noted and; (ii) with regard to Land at Kettlebridge Road, S9 (item 1, page 153) (A) the Committee concurs with the assessment of the Interim Head of Planning that no further enforcement action should be pursued in respect of the planning obligation monies, which were required as part of the Legal Agreement associated with the planning permission granted for the property because the Council no longer wishes to progress with the highway improvement works associated with the agreement; and (B) the outstanding invoice be written off accordingly.

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

- 11.1 The Committee received and noted a report of the Interim Head of Planning 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.

**12. DATE OF NEXT MEETING**

- 12.1 It was noted that the next meeting of the Committee will be held at 2:00p.m on Tuesday 22 November 2016 at the Town Hall.