

# SHEFFIELD CITY COUNCIL

## Planning and Highways Committee

### Meeting held 24 May 2022

**PRESENT:** Councillors Dianne Hurst (Chair), Peter Price, Tony Damms, Roger Davison, Brian Holmshaw, Bob McCann, Garry Weatherall, Richard Williams, Alan Woodcock, Mike Chaplin, Tony Downing (Substitute Member) and Barbara Masters

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#### **1. APPOINTMENT OF CO-CHAIRS OF THE COMMITTEE FOR THE MUNICIPAL YEAR 2022-23**

1.1 It was noted that Councillors Dianne Hurst and Alan Woodcock had been elected Joint Chairs of the Planning and Highways Committee at the Annual Meeting of the Council held on 18<sup>th</sup> May 2022.

#### **2. APOLOGIES FOR ABSENCE**

2.1 Apologies for absence were received from Councillors Nighat Basharat and Sophie Wilson

2.2 Councillor Tony Downing acted as substitute Member for Councillor Basharat.

#### **3. EXCLUSION OF PUBLIC AND PRESS**

3.1 No items were identified where resolutions may be moved to exclude the press and public.

#### **4. DECLARATIONS OF INTEREST**

4.1 Councillor Brian Holmshaw declared a personal interest in Agenda Item 9, Tree Preservation Order No. 448, 6 Hardwick Crescent, Sheffield, S11 8WB, as a local ward member. Councillor Holmshaw declared that he had not given an opinion or made up his mind on the tree preservation order prior to the meeting, therefore would take part in the discussion and voting thereon.

4.2 Councillor Tony Downing declared a personal interest in Agenda Item 10c, Application No. 21/03651/FUL – The Royal Oak, 53 High Street, Mosborough, Sheffield, S20 5AF, as a local ward member. Councillor Downing declared that he had not given an opinion or made up his mind on the application prior to the meeting, therefore would take part in the discussion and voting thereon.

**5. MINUTES OF PREVIOUS MEETING**

- 5.1 The minutes of the meeting of the Committee held on 12<sup>th</sup> April 2022 were approved as a correct record.

**6. SITE VISIT**

- 6.1 **RESOLVED:** That the Chief Planning Officer, in liaison with a Co-Chair, be authorised to make any 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. TREE PRESERVATION ORDER NO. 447, 45A BROOKLANDS AVENUE, SHEFFIELD, S10 4GB**

- 7.1 Vanessa Lyons (Community Tree Officer) attended the meeting and presented the report.
- 7.2 In late November 2021, the site had been cleared of many trees and in response, an inspection of the remaining trees had been carried out by the Community Tree Officer. In order to prevent the removal of further trees, a Tree Preservation Order was therefore served.
- 7.3 One representation had been received from residents whose land bordered site who were supportive of the TPO.
- 7.4 **RESOLVED:** That Tree Preservation Order No. 447 be confirmed unmodified.

**8. TREE PRESERVATION ORDER NO. 448, 6 HARDWICK CRESCENT, S11 8WB**

- 8.1 Vanessa Lyons (Community Tree Officer) attended the meeting and presented the report.
- 8.2 A planning application had been received for the site which had raised concerns regarding how the potential development would be realised in such close proximity to the trees. An inspection of the trees had been carried out by the Community Tree Officer. In order to prevent the removal of the trees, a Tree Preservation Order was therefore served.
- 8.3 One objection had been received from a neighbouring property asking that the TPO be amended to allow pruning. The objection was responded to giving information on how to apply for pruning through the application process. As of the date of the Committee, no application had been received.
- 8.4 **RESOLVED:** That Tree Preservation Order No. 448 be confirmed unmodified.

**9. APPLICATIONS UNDER VARIOUS ACTS/REGULATIONS**

**9a. APPLICATION NO. 21/04262/FUL - LAND ASSOCIATED WITH INGFIELD HOUSE, 11 BOCKING HILL, SHEFFIELD, S36 2AL**

9a.1 The Officer presented the report which gave details of the application and highlighted the history of the site and the key issues in addition to presenting photographs of the site which were provided to committee members in advance of the meeting.

9a.2 Tom Vincent attended the meeting and spoke in support of the application.

9a.3 The Committee considered the report and recommended conditions having regard to the development plan, the National Planning Policy Framework and other relevant considerations as summarised in the report, now submitted and also had regard to representations made during the meeting.

9a.4 **RESOLVED:** That an application for planning permission be GRANTED, conditionally, for the reasons set out in the report for the erection of 14 dwellinghouses with associated works, parking and landscaping at land associated with Ingfield House 11 Bocking Hill Sheffield S36 2AL (Application No. 21/04262/FUL).

**9b. APPLICATION NO. 21/03835/FUL - LAND WITH EXISTING BUILDINGS ON 443 - 447 QUEENS ROAD, HIGHFIELD, SHEFFIELD, S2 4DR**

9b.1 An additional representation, along with the officer response, amended conditions and an amended recommendation were included within the supplementary report circulated and summarised at the meeting.

9b.2 The Planning Officer also informed Committee of the relevant policy, GE17 of the UDP, with particular reference to part d) of that policy which had been omitted from the report but made reference to the creation of riverside walkways.

9b.3 The Officer presented the report which gave details of the application and highlighted the history of the site and the key issues in addition to presenting photographs of the site which were provided to committee members in advance of the meeting.

9b.4 Simon Ogden attended the meeting and made representations regarding the application.

9b.5 Tom Vincent attended the meeting and spoke in support of the application.

9b.6 The Committee considered the report and recommended conditions having regard to the development plan, the National Planning Policy Framework and other relevant considerations as summarised in the report and supplementary report including the amended conditions and recommendation, now submitted and also had regard to representations made during the meeting.

9b.7 Councillor Richard Williams proposed an amendment to the conditions to restrict opening times to 10pm on Sundays. This was seconded by Councillor Weatherall. A vote was taken by show of hands and was passed.

9b.8 **RESOLVED:** That an application for planning permission be GRANTED, conditionally, subject to a Planning Obligation under Section 106 (updated) with the following Heads of Terms that require the applicant to:-

1. Provide a public access area adjacent to the River Sheaf as shown on the Proposed Site Plan Ref: J9318/12 F;
2. Ensure the public access area remains open to the public;
3. Maintain the public access area; and
4. Prevent closure of the public access area other than for maintenance;

for the reasons set out in the report and supplementary report including the amended and deleted conditions and the amended condition regarding opening times, for the demolition of existing building and erection of Drive-Thru Coffee Outlet with associated works and landscaping at land with existing buildings on 443 - 447 Queens Road, Highfield, Sheffield, S2 4DR (Application No. 21/03835/FUL).

**9c. APPLICATION NO. 21/03651/FUL - THE ROYAL OAK, 53 HIGH STREET, MOSBOROUGH, SHEFFIELD, S20 5AF**

9c.1 Confirmation of the actions taken with regard to the issue of land contamination and the impact on neighbouring sites, additional Highways comments, additional representations along with the officer response, amended conditions, an additional condition and confirmation on private rights of way were included within the supplementary report circulated and summarised at the meeting.

9c.2 The Officer presented the report which gave details of the application and highlighted the history of the site and the key issues in addition to presenting photographs of the site which were provided to committee members in advance of the meeting.

9c.3 As Members of the public were present who had an interest in the site, the Chair asked if they wished to make a representation.

9c.4 Michael Wattam and Chris Rosling-Josephs spoke against the application.

9c.5 The Committee considered the report and recommended conditions having regard to the development plan, the National Planning Policy Framework and other relevant considerations as summarised in the report and supplementary report, now submitted including the additional condition and amended condition and also had regard to representations made during the meeting.

9c.6 Due to the discussions focusing on the unlawful demolition of the building, legal

advice was given that the Planning Practice Guidance provides that one option to regularise breaches of planning control is to invite a retrospective application for the site and such an application must be considered in the normal way. The officer report and recommendation had been written with this in mind and did not take the fact that the demolition had already occurred into account.

- 9c.7 Councillor Richard Williams proposed an amendment to condition 35 to restrict delivery times to 10pm on Sundays and Bank Holidays. This was seconded by Councillor Weatherall. A vote was taken by show of hands and was passed.
- 9c.8 **RESOLVED:** That an application for planning permission be GRANTED, conditionally, for the reasons set out in the report and supplementary report including the amended conditions and additional condition and the amended condition 35 regarding delivery times, for the demolition of public house (retrospective) and erection of single-storey building comprising 3 no. retail units (Use Class E) with associated parking and landscaping (amended description as per amended plans published 08.02.2022) at The Royal Oak 53, High Street, Mosborough, Sheffield, S20 5AF (Application No. 21/03651/FUL).

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

- 10.1 The Committee received and noted a report of the Chief Planning Officer detailing new planning appeals received, appeals dismissed and appeals allowed by the Secretary of State.
- 10.2 The Planning Officer noted that the Secretary of State had dismissed an appeal for the refusal by the Committee of an application at 162-170 Devonshire Street, Sheffield, S3 7SG. The Inspector agreed that the development was contrary to local and national heritage and design policies as well as local and national policies designed to protect the living conditions of existing residents.

## **11. DATE OF NEXT AND FUTURE MEETINGS**

- 11.1 It was noted that the next meeting of the Planning and Highways Committee would be held on Tuesday 14<sup>th</sup> June 2022 at 2pm.
- 11.2 Future meetings would be held on Tuesdays at 2pm, as follows:

12<sup>th</sup> July 2022  
9<sup>th</sup> August 2022  
13<sup>th</sup> September 2022  
11<sup>th</sup> October 2022  
8<sup>th</sup> November 2022  
6<sup>th</sup> December 2022  
10<sup>th</sup> January 2023  
14<sup>th</sup> February 2023  
14<sup>th</sup> March 2023  
18<sup>th</sup> April 2023

