

SHEFFIELD CITY COUNCIL

Planning and Highways Committee

Meeting held 3 March 2015

PRESENT: Councillors Alan Law (Chair), David Baker, Jack Clarkson, Tony Damms, Roger Davison, Tony Downing (Deputy Chair), Ibrar Hussain, Bryan Lodge, Roy Munn, Peter Price and Denise Reaney

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1. APOLOGIES FOR ABSENCE

1.1 Apologies were received from Councillors Bob Johnson and Joyce Wright, but no substitutes were provided.

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 meeting of the Committee held on 10 February 2015 were approved as a correct record.

5. SHEFFIELD CONSERVATION ADVISORY GROUP

5.1 The Committee received and noted the minutes of the meeting of the Sheffield Conservation Advisory Group held on 20 January 2015.

6. SITE VISIT

6.1 **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 23 March 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 heard representations at the meeting from a local resident speaking against the development, an application for planning permission for the erection of a dwellinghouse and single-storey side/rear extension to an existing dwellinghouse (Amended scheme to 14/01848/FUL) at High Bank Eckington Road (Case No. 15/00146/FUL) be granted, conditionally, subject to (i) Condition 5 being amended by the addition of the word “not” prior to the word “projecting” and (ii) an additional Directive being attached advising the applicant that the site had been identified as potentially contaminated land under Part 2A of the Environmental Protection Act 1990 and that the responsibility for safe development and occupancy of the site rested with the developer, as detailed in a supplementary report circulated at the meeting;

(c) having noted an update to the report now submitted from the Environmental Protection Service in respect of the number of complaints to the Police non-emergency telephone number 101, as detailed in a supplementary report circulated at the meeting, an application for planning permission for the use of a restaurant (Class A3) as a restaurant/drinking establishment (Class A3/A4) at D Michaels 543 Ecclesall Road (Case No. 14/04521/CHU) be granted, conditionally, subject to amendments to Conditions 4, 6 and 7, as detailed in the aforementioned supplementary report circulated;

(d) having (i) noted (A) an amendment to the report now submitted in respect of substituting the road “Granville Road” for references to “City Road” under “Location and Proposal” and “Design Issues” (Pages 46 and 48), (B) additional representations and (C) that the incorrect plan numbers had been referenced under Condition 2, all as detailed in a supplementary report circulated at the meeting and (ii) an additional public representation objecting to the development, reported orally at the meeting by the Director of Regeneration and Development Services, an application for planning permission for alterations to a basement to form a Youth Centre to be ancillary to the existing Community Centre and provision of an associated means of access at basement level at 84 Norfolk Road (Case No. 14/04495/FUL) be granted, conditionally, subject to Condition 2 being amended in respect of the plans relating to the development, as detailed in the aforementioned supplementary report;

(e) (i) having (A) noted additional representations from a local ward Councillor in support of the development and from the Broomhill Action and Neighbourhood Group objecting to the development, as detailed in a supplementary report circulated at the meeting and (B) heard a representation at the meeting from a local resident speaking against the development and (ii) notwithstanding the officer’s recommendation, an application for planning permission for the demolition and rebuilding of the existing north east boundary wall at 20 Hallamgate Road (Case No. 14/04476/FUL) be refused as the Committee consider that the existing boundary wall made a positive contribution to the character and appearance of the Broomhill Conservation Area which would be lost by the proposed design of the replacement wall, as such there was no public benefit or justification for its removal;

(f) having noted amendments to plot 7, as detailed in a supplementary report circulated at the meeting, an application for planning permission for the erection of 41 dwellinghouses and associated car parking accommodation and landscaping works (Phase 2) on land between Maltravers Place and Whites Lane Cricket Inn Road (Case No. 14/04287/FUL) be granted, conditionally, subject to (i) (A) Condition 2 being amended in respect of the plans relating to the development (B) the completion of a legal agreement, with payment made in two phases, all as detailed in the aforementioned supplementary report and (ii) the advertising of proposed highway closures in connection with the scheme, and (A) no objection be raised to the proposed stopping-up of the areas of highway shown hatched on the Plan No. 14/04287/FUL-STOP_UP subject to satisfactory arrangements being made with Statutory Undertakers with regards to their mains and services that may be affected and (B) authority be given to the Director of Legal and Governance to take all necessary action on the matter under the relevant powers contained within Section 257 of the Town and Country Planning Act 1990;

(g) having noted the consultation update from the Environment Agency, as detailed in a supplementary report circulated at the meeting, an application for planning permission for the erection of 34 dwellings with associated car parking accommodation and landscaping works (Phase 3) on land at Maltravers Way (Case No. 14/04277/FUL) be granted, conditionally, subject to (i) (A) Condition 2 being amended in respect of the plans relating to the development and (B) an additional condition being attached in respect of the retained substation on the site, as detailed in the aforementioned supplementary report and (ii) the advertising of proposed highway closures in connection with the scheme, and (A) no objection be raised to the proposed stopping-up of the areas of highway shown hatched on the Plan No. 14/04277/FUL-STOP_UP subject to satisfactory arrangements being made with Statutory Undertakers with regards to their mains and services that may be affected and (B) authority be given to the Director of Legal and Governance to take all necessary action on the matter under the relevant powers contained within Section 247 of the Town and Country Planning Act 1990;

(h) having heard representations at the meeting from the owner of an adjacent company speaking against the development and from the applicant's agent speaking in support of the development, an application for planning permission for the part demolition and erection of a mixed use development, incorporating 138 studio apartments with associated works, landscaping and ancillary facilities plus a commercial unit (Use Class A3/B1) in a retained element of the existing building at W W Laycock and Sons Ltd at 33 to 41 Suffolk Road (Case No. 14/03505/FUL) be granted, conditionally, subject to (i) amendments to Conditions 3, 4, 5, 10, 14, 15, 16, 18, 20, 27, 34, 37, 39, 42, 43 and 44, (ii) Directive 3 being deleted, all as detailed in a supplementary report circulated at the meeting and (iii) the completion of a legal agreement;

(i) having noted an officer update on various options for improving the light to the adjacent White Rose Works, as detailed in a supplementary report circulated at the meeting, an application for planning permission for the demolition of the former Eon Works and erection of 129 studios and apartments with ground floor ancillary laundry, cinema, gym and commercial unit for retail, café/restaurant and office use

(Classes A1, A3, B1) at the former Eon Works, Earl Street (Case No. 14/02979/FUL) be granted, conditionally, subject to the completion of a legal agreement and an additional condition in respect of demolition works;

(j) having (i) noted (A) the additional representations and the officer's response and (B) the officer's revised recommendation in respect of adding a dual recommendation with regard to the legal agreement, all as detailed in a supplementary report circulated at the meeting and (ii) heard representations from a local Councillor, the Chair of the Sharrow Vale Community Association and a local resident speaking at the meeting against the development and from the applicant's agent speaking at the meeting for the development, an application for planning permission for a mixed use development, including the demolition of existing single-storey buildings and erection of 20 apartments (Use Class C3), change of use of the existing buildings to create 2 commercial units (A1/A3/A4/B1/D2 use) and formation of 3 apartments (Use Class C3), and change of use of garage premises to a management office, residents gym and facilities ancillary to residential accommodation on land and buildings at the junction with Dyson Place and Gordon Road (Case No. 14/01724/FUL) be granted, conditionally, subject to (I) an additional Condition in respect of restricting, other than for emergency purposes, pedestrian access/egress with regard to the development from Ashford Road and (II) the completion of a legal agreement, but in the event that the legal agreement is not concluded by 24 March 2015, unless an alternative timescale is agreed with the Local Planning Authority, authority be given for the application to be refused in accordance with the dual recommendation, as detailed in the report now submitted; and

(k) having (i) noted additional representations and the officer's response, as detailed in a supplementary report circulated at the meeting and (ii) heard additional representations from, a local ward Councillor at the meeting objecting to the development, an application for planning permission for the demolition of a petrol filling station and erection of a retail development (Use Class A1) with access, car parking, servicing and associated works at the BP Crosspool Garage, 459 Manchester Road, Fulwood (Case No. 14/01275/FUL) be granted, conditionally.

8. ENFORCEMENT OF PLANNING CONTROL: 215 TO 219 FULWOOD 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 relating to the unauthorised roller shutter in front of the main recessed door at 215 to 219 Fulwood Road. The report stated that the property was located in a row of shops within the Broomhill Conservation area and that the owner of the property had been informed that, whilst the shutter fitted was considered detrimental to the amenities of the streetscene, planning permission was required to install such a shutter. It was explained that, whilst the owner had indicated that planning permission would be sought for an alternative and more acceptable method of securing the entrance to the property, a planning application had not been submitted and a response had not been received to a Section 330 Notice that had been served.

8.2 An assessment of the breach of control indicated that the shutter did not respect the character of the building or that of properties in the immediate vicinity, with regard to the negative impact it had on the street scene and as such was considered contrary to Policy BE5 and S10 of the Unitary Development Plan.

8.3 **RESOLVED:** That (a) the Director of Regeneration & Development Services and 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 roller shutter and housing at 215 to 219 Fulwood Road; and

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

9. ENFORCEMENT OF PLANNING CONTROL: 166 ABBEYDALE ROAD

9.1 The Director of Regeneration and Development Services submitted a report on his investigation into a complaint received concerning a breach of planning control relating to the unauthorised timber canopy on the front of 166 Abbeydale Road. The report stated that the building was located within a local shopping centre and that the timber and plywood canopy had been fixed above the property's display window. It was explained that the owner had been informed planning permission was required to erect the canopy and that, whilst it had been indicated the structure would be removed, the canopy was still in place.

9.2 An assessment of the breach of control indicated that the canopy was visually intrusive and did not respect the character of the building or that of properties in the immediate vicinity, in view of the materials used in its construction and as such was considered contrary to Policy BE5 and S10 of the Unitary Development Plan.

9.3 **RESOLVED:** That (a) the Director of Regeneration & 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 166 Abbeydale Road; and

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

10. ENFORCEMENT OF PLANNING CONTROL: 20 HALLAMGATE ROAD

10.1 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 quadruple garages at 20 Hallamgate Road not being built in accordance with the approved plans. The report stated that planning permission related to a single-storey rear extension to a dwellinghouse and erection of new quadruple garages and re-roofing of an existing house (Case No. 13/02297/FUL). An investigation of the failure to comply with the approved plans found that the eaves of the garage had been increased by 0.30 metres.

- 10.2 An assessment of the breach of control found that it had not compromised the design of the garage building or that it would be out of character within the conservation area. Also, due to the garage being sited next to an access road, the increase in the eaves height did not result in any significant overshadowing of the neighbouring property with regard their amenity space and property windows.
- 10.3 The Director of Regeneration and Development Services reported on additional representations received from Broomhill Action and Neighbourhood Group in respect of concerns over the planning history of the site and requesting enforcement action to be taken in respect of the breach of the planning control, as detailed in a supplementary report circulated at the meeting.
- 10.4 The Committee also heard a representation at the meeting from an adjacent resident objecting to the increase in the eaves height of the garage by 300mm, as it was not in accordance with the approved plan and asking that enforcement action be taken in respect of the breach of planning control. In response, the Director of Regeneration and Development Services explained that although the eaves height of the garage had been increased by 300mm, when seen in context of the possible impact on neighbours and the Conservation Area, in view of the distance, the increased height was considered not to be sufficient enough to recommend taking enforcement action on this occasion.
- 10.5 **RESOLVED:** That, as detailed in the report now submitted, no further action be taken with regard to the breach of planning control concerning planning permission Case No. 13/02297/FUL in respect of the eaves height of the quadruple garage at 20 Hallamgate Road.

11. RECORD OF PLANNING APPEAL SUBMISSIONS AND DECISIONS

- 11.1 The Committee received and noted a report of the Director of Regeneration and Development Services detailing 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 on Tuesday 24 March 2015 at 2.00 pm at the Town Hall.