

Planning and Highways Committee

Meeting held 17 May 2016

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

.....

1. APOLOGIES FOR ABSENCE

1.1 There were no apologies for absence.

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 26 April 2016 were agreed as a correct record.

5. SITE VISIT

5.1 **RESOLVED:** That the Director of Regeneration and Development Services, 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.

6. APPLICATIONS UNDER VARIOUS ACTS/REGULATIONS

6.1 **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. 15/03581/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) (i) following consideration of an amendment to condition 2, an update to the report and an additional representation and officer response, and, subject to the

inclusion of an additional condition, all as outlined in a supplementary report circulated at the meeting, (ii) subject to an additional condition that 'No development shall commence on site until a landscape management plan, including long-term design objectives, management responsibilities and maintenance schedules for all landscaped areas (other than small, privately owned, domestic gardens) has been submitted to and approved in writing by the Local Planning Authority. The landscape management plan shall be carried out as approved in accordance with the approved details', and (iii) following consideration of representations at the meeting from a representative of the Mosborough Village Action Group and from a representative of the applicant speaking in favour of the application, an application for planning permission for erection of 150 dwellinghouses with associated access, car parking, landscaping and open space at site of Old Westfield School and Sports Centre, Westfield Crescent (Case No. 16/00375/FUL) be granted, conditionally, subject to the signing of a legal agreement;

(c) (i) following consideration of additional representations, as outlined in a supplementary report circulated at the meeting, (ii) subject to an amendment to condition 7 to state that 'Construction and demolition works that are audible at the site boundary shall only take place between 0830 hours and 1800 hours on Monday to Fridays, and between 0900 hours and 1300 hours on Saturdays, and not at any time on Sundays and Public Holidays, and (iii) having heard representations at the meeting from a local Ward Councillor speaking against the application and the applicant speaking in favour of the application, an application for planning permission for demolition of existing dwellinghouse and erection of a dwellinghouse including living accommodation to basement and roofspace at 77 Walden Road (Case No. 16/00071/FUL) be granted, conditionally;

(d) (i) an application for planning permission for erection of a warehouse-storage unit at land adjacent to Finestra Systems Ltd, Old Lane, Halfway (Case No. 15/04500/FUL) be refused for the reasons outlined in the report, (ii) the Director of Development Services or the Head of Planning be authorised to take all necessary steps, including enforcement action and the institution of legal proceedings, if necessary, to secure the removal of the unauthorised building; and

(e) following consideration of an additional condition, as outlined in a supplementary report circulated at the meeting, having heard representations at the meeting from a local resident and a local Ward Councillor speaking against the application and a representative of the applicant speaking in favour of the application, and, notwithstanding the officer's recommendation, consideration of an application for planning permission for demolition of existing buildings and erection of 6 apartments with car parking accommodation (as amended by drawings received 14 April 2016) at Creevela Works, Parsonage Street (Case No. 15/04196/FUL) be deferred pending a visit to the site.

7. ENFORCEMENT OF PLANNING CONTROL: 15 WESTFIELD TERRACE

7.1 The Director of Development Services submitted a report informing Members of a breach of the Listed Building Regulations in respect of the erection of unauthorised signs on a Grade II Listed Building at 15 Westfield Terrace and

making recommendations on any further action required.

- 7.2 The report stated that a complaint, from a Planning Officer, was received on 20 January 2016 concerning the fixing of three unauthorised signs that had been fixed to the principal elevation of the property.
- 7.3 On 22 January 2016 correspondence was entered into with the owners of 15 Westfield Terrace informing them that, because this property was a Grade II Listed Building, that listed building consent was required for a development of this nature. It was also explained that because the signs were not in keeping with the character of the building, it was unlikely that listed building consent would be granted.
- 7.4 Whilst the Local Planning Authority recognised the restaurant's legitimate need to advertise, the signs that were currently displayed on the property were not in keeping with its historic character. However, it was suggested that signs that were more sympathetic to the building's character would be permitted.
- 7.5 To date the owners had not responded to this letter and the signs remained attached to the property; although the Planning Service was still willing to work with the owners and to provide guidance to help them achieve a more acceptable design for the signs which would meet both their legitimate business needs and achieve compliance with the Council's requirements for advertisements on Listed Buildings.
- 7.6 **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 signs at 15 Westfield Terrace; and
- (b) the Head of Planning, in liaison with a Co-Chair of this Committee, be granted the power to vary the action authorised in order to achieve the objectives hereby confirmed, including taking action to resolve any associated breaches of planning control.

8. QUARTERLY OVERVIEW OF ENFORCEMENT ACTIVITY

- 8.1 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.

9. QUARTERLY UPDATE OF ENFORCEMENT CASES

- 9.1 The Committee noted (a) a report of the Director of Regeneration and Development Services providing an update on the progress of enforcement cases across the City and (b) further information provided orally by the Director on enforcement matters in response to questions from Members of the Committee.

10. RECORD OF PLANNING APPEAL SUBMISSIONS AND DECISIONS

- 10.1 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.

11. DATE OF NEXT MEETING

- 11.1 It was noted that the next meeting of the Committee will be held at 2:00p.m on Tuesday 7 June 2016 at the Town Hall.