

Planning and Highways Committee

Meeting held 18 January 2022

PRESENT: Councillors Peter Price (Chair), Tony Damms, Roger Davison, Peter Garbutt, Brian Holmshaw, Dianne Hurst, Bob McCann, Zahira Naz, Chris Rosling-Josephs, Andrew Sangar, Garry Weatherall, Richard Williams and Alan Woodcock

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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 Councillor Andrew Sangar declared a personal interest in Agenda Item 7, Tree Preservation Order No. 444, 3 Stortholme Mews, Sheffield, S10 3HT, as a local ward member. Councillor Sangar 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. MINUTES OF PREVIOUS MEETING

4.1 The minutes of the meeting of the Committee held on 30th November 2021 were approved as a correct record.

5. SITE VISIT

5.1 **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.

6. TREE PRESERVATION ORDER NO. 444, 3 STORTHOLME MEWS, SHEFFIELD, S10 3HT

6.1 Vanessa Lyons (Community Tree Officer) attended the meeting and presented the report.

6.2 The Officer informed Committee that a Section 211 notice for removal of an oak tree had been received with the intention of removing a tree in the Conservation Area. In order to prevent the removal of the tree and others in the area, a Tree Preservation Order was therefore served.

6.3 One objection had been received in respect of the oak tree and its impact on a retaining wall. The Officer had responded that oak trees were uncommon in Ranmoor, the property was newer than the tree and the footings were likely to have been built to an adequate standard such that damage from roots was unlikely. The retaining wall was also structurally sound.

6.4 **RESOLVED:** That Tree Preservation Order No. 444 be confirmed unmodified.

7. TREE PRESERVATION ORDER NO. 445, 4 STEPPING LANE, SHEFFIELD, S35 8RA

7.1 Vanessa Lyons (Community Tree Officer) attended the meeting and presented the report.

7.2 The Officer informed Committee a Section 211 notice for works on the tree had been received with the intention of removing the trees in the Conservation Area. In order to prevent the removal of the trees, a Tree Preservation Order was therefore served.

7.3 One objection to the order had been received and the Officer explained to the Committee that the movement to the boundary wall had occurred over many years and there were no other trees of that stature on Middle Lane.

7.4 **RESOLVED:** That Tree Preservation Order No. 445 be confirmed unmodified.

8. PROPOSED DIVERSION OF PUBLIC FOOTPATH BRA\120 OFF CHURCH STREET, OUGHTIBRIDGE, SHEFFIELD, S35

8.1 Mark Reeder (Engineer Highway Records) attended the meeting and presented the report.

8.2 The affected part of footpath BRA\120 had been unlawfully diverted by the landowner approximately 25 years ago and been accepted and used by the public since then. It was considered pragmatic to make an Order to regularise the situation.

8.3 Members raised concerns that landowners had changed the footpath and that the practice should not be encouraged.

8.4 **RESOLVED:** that

1. No objections be raised to the proposed diversion of part of definitive public footpath BRA\120, as shown on the plan at 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

2. Authority be given to the Director of Legal and Governance to
 - a. Take all necessary action to divert the footpath under the powers contained within Section 119 of the Highways Act 1980;
 - b. Confirm the Order as an Unopposed Order, in the event of no objections being received, or any objections received being resolved.

9. APPLICATIONS UNDER VARIOUS ACTS/REGULATIONS

9a. APPLICATION NO. 20/04453/FUL - LAND ADJACENT 19 - 41, WALKLEY LANE, SHEFFIELD, S6 2NX

- 9a.1 The planning history of the site, an additional representation and an additional condition were included within the supplementary report circulated and summarised at the meeting.
- 9a.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.
- 9a.3 Diane Harris and Councillor Bernard Little attended the meeting and spoke against the application.
- 9a.4 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 also had regard to representations made during the meeting.
- 9a.5 **RESOLVED:** That an application for planning permission be GRANTED, conditionally, for the reasons set out in the report and supplementary report including the additional condition for the erection of 4 dwellinghouses with parking provision and associated works (amended plans) at Land adjacent 19 - 41 Walkley Lane, Sheffield, S6 2NX (Application No. 20/04453/FUL).

9b. APPLICATION NO. 21/03512/RG3 - SITE OF HEMSWORTH JUNIOR AND INFANT SCHOOL, BLACKSTOCK ROAD, SHEFFIELD, S14 1AA

- 9b.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.

9b.2 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.

9b.3 **RESOLVED:** That an application for planning permission be GRANTED, conditionally, for the reasons set out in the report for the erection of an old persons independent living (OPIL) accommodation block up to 4-storeys providing 81 residential units together with communal facilities, associated roads, parking, footpaths and landscaping (Application under Regulation 3 - 1992) at the site of Hemsworth Junior and Infant School, Blackstock Road, Sheffield, S14 1AA (Application No. 21/03512/RG3).

9c. APPLICATION NO. 21/00407/FUL - TOTLEY HALL FARM, TOTLEY HALL LANE, SHEFFIELD, S17 4AA

9c.1 An revised condition and additional representations. Along with the officer response 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 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.

9c.4 **RESOLVED:** That an application for planning permission be GRANTED, conditionally, for the reasons set out in the report and supplementary report, including the revised condition, for the demolition of cartshed and erection of a dwellinghouse (relating to plot 11 of existing planning permission 18/03187/FUL) at Totley Hall Farm, Totley Hall Lane, Sheffield, S17 4AA (Application No. 21/00407/FUL).

9d. APPLICATION NO. 20/03919/FUL - 2 ROTHERHAM ROAD, HANDSWORTH, SHEFFIELD, S13 9LL

9d.1 A revised condition, additional representations along with the officer response and additional highways comments were included within the Supplementary Report circulated and summarised at the meeting.

9d.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.

- 9d.3 Tom Vincent attended the meeting and spoke in support of the application.
- 9d.4 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 and also had regard to representations made during the meeting.
- 9d.5 **RESOLVED:** That an application for planning permission be GRANTED, conditionally, for the reasons set out in the report and supplementary report, including the revised condition, for the demolition of existing buildings and erection of a food store (Use Class E) with associated access, parking and highway improvement works to Rotherham Road and Retford Road at 2 Rotherham Road, Handsworth, Sheffield, S13 9LL (Application No. 20/03919/FUL).

9e. APPLICATION NO. 21/02206/FUL - 39-43 CHARLES STREET AND 186-194 NORFOLK STREET, SHEFFIELD, S1 2HU

- 9e.1 An amended condition and an additional representation were included within the Supplementary Report circulated and summarised at the meeting.
- 9e.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.
- 9e.3 Ann Walton and Stuart Bywater attended the meeting and spoke against the application.
- 9e.4 Jeremy Williams attended the meeting and spoke in support of the application.
- 9e.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 and also had regard to representations made during the meeting.
- 9e.6 Various members voiced their concerns about the impact of the development on the residents of the nearby apartments, some of whom referred to the site visit and it being in their view an unacceptable impact on their living conditions. Some members were critical of the design of the building, whereas some expressed positive views about the design but concern about whether it was the right design in the right place due to the heritage of nearby buildings and it being in the conservation area. The vote in favour of the officer's recommendation to grant the application was lost and members further articulated their potential reasons for refusing the application and after taking advice from the planning officer in that regard.
- 9e.7 **RESOLVED:** That an application for planning permission for the demolition of existing buildings and erection of 7-storey office building (Use Class E) with ground floor commercial unit (flexible retail and/or other Use Class E), with

associated cycle parking (Amended Scheme) at 39-43 Charles Street and 186-194 Norfolk Street, Sheffield, S1 2HU (Application No. 21/02206/FUL) be REFUSED, because Members of the Committee considered that the amenity impact on the residents surrounding the site (in terms of loss of light, loss of outlook and overdominance) was unacceptable due to the scale, massing and siting of the building. They also considered that the less than substantial harm to the heritage assets of the Prudential Assurance listed building and this part of the city centre conservation area was not outweighed by the benefits of the scheme. The mass and bulk of the building was unacceptable in this location, the final wording of the decision notice to be agreed with the Co-Chairs of the Planning and Highways Committee.

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, appeals allowed and an enforcement appeal received by the Secretary of State.
- 10.2 The Planning Officer noted that the Secretary of State had allowed an appeal and awarded costs against the Council for the refusal by the Committee of an application at The Plough Inn, 288 Sandygate Road, Sheffield, S10 5SE. The Inspector felt that the Committee had wrongly placed greater weight on the status of the public house being an Asset of Community Value and the likelihood of it being brought back into use. The Inspector concluded that the development should reasonably have been permitted, that it was refused on the basis of local knowledge, general and vague assumptions on the prospect of the public house being brought back into community use, and without any evidence to counter the assessments and conclusions made by the applicant. The Inspector therefore found that unreasonable behaviour resulting in unnecessary or wasted expense, as described in the PPG, has been demonstrated and that a full award of costs was justified.

11. DATE OF NEXT MEETING

- 11.1 It was noted that the next meeting of the Planning and Highways Committee would be held on Tuesday 8th February 2022 at 2pm.