

PLANNING AND

HIGHWAYS COMMITTEE

SUPPLEMENTARY INFORMATION - 24 May 2022

APPLICATIONS UNDER VARIOUS ACTS / REGULATIONS – SUPPLEMENTARY INFORMATION

1. **Application Number: 21/03651/FUL**

Address: Royal Oak, 53 High Street, Mosborough, S20 5AF

Confirmation on the issue of land contamination and the impact on neighbouring sites

A multiagency group including the Council's Environmental Protection Service (EPS) has been set up outside of the planning process to consider the impact of the chemical spill incident in terms of public health on the land in question and onward migration.

The EPS is working with the insurance company and appointed consultants for the affected properties together with experts from the UK Health Security Agency to manage the risks arising from the chemical spill including issues arising from contaminant migration.

Additional Highways Comments

A vehicle tracking plan was requested to confirm adequate turning arrangements for the largest delivery vehicle that would use the site.

The applicant supplied this with appropriate tracking for a 12m rigid vehicle, which shows that these vehicles can exit the site in a forward gear and not cause highway safety issues on High Street.

The revised plan also amended the third disabled access bay to be fully compliant with access zones on both sides. The proposal now therefore includes 3 no. disabled bays to full disability standard.

Amended Condition 2

Amended to replace the site plan with the revised site plan with tracking;

“Drawing number: 003 rev E (proposed site plan) published 10.05.22” to be replaced with;

“Drawing number: 003 rev F (site location plan with tracking) published 19.05.22”

Additional Condition

Additional condition to stipulate that a 12m rigid vehicle is the largest permitted to enter and service the site:

“The largest permitted vehicle to service the development shall be a 12m long rigid vehicle, and at no time shall larger or articulated vehicles either enter the site or service the development from the highway.

Reason: In the interests of highway safety and the amenities of the locality”.

Additional representation from an interested party

Objection received, in summary stating that; pubs are being closed and converted at an alarming rate. Sheffield has been a cultural hotspot for beer and it is a shame to lose another. Have been looking for a public house but due to developer action these assets are being lost.

Confirmation on private rights of way

In response to concerns raised by the occupier of no. 63 High Street regarding maintaining a right of way to the rear of their property, the report stipulates that “rights of way are not material planning considerations, although the proposed plan does indicate that this would be maintained adjacent to no. 63 High Street”. This should read “private rights of way are not material planning considerations”.

Additional representation from Clive Betts MP

In summary stating that the decision to demolish the Royal Oak was an outrageous breach of planning rules, signalling to others in the future that it is alright not to abide by the rules because nothing will happen, bringing the Planning system into disrepute.

The comments about toxic materials were no excuse or proper justification for why the building should be knocked down. The issue of toxic materials could have been dealt with if the building remained.

It might have been possible for the community, if they were aware that demolition was a potential outcome, to apply for an Asset of Community Value. You cannot do that once the building has been demolished.

OFFICER RESPONSE

The issues raised in the additional representations are already addressed in the officer report. Whilst it is clearly disappointing that the building was demolished without first obtaining consent, this is not reason in itself to resist the grant of planning permission. Members must judge the scheme as presented and determine whether the adverse impacts of approving the development as proposed would significantly and demonstrably outweigh the benefits. Your officers' clear advice is that planning permission should be granted in this case.

2. **Application Number: 21/03835/FUL**

Address: Land With Existing Buildings At 443 - 447 Queens Road, Sheffield, S2 4DR

Additional Representation

The Sheaf and Porter Rivers Trust have submitted a further comment following publication of the committee report.

They state that the recommendation is in many ways positive with regard to access to and care of the river within the site boundary and they are most appreciative of the efforts of Planning Officers to secure these improvements. However, two concerns remain. The Trust would like the Council to adopt the route and that of the adjoining sites, and are concerned that there is a wall shown on the plans between this site and the adjacent site providing a barrier to achieving a future link.

Firstly, the wall has been removed from the plans and an annotation included which states that a temporary lightweight security fence is to be constructed where the section of the footpath meets the adjacent site to the south. This can easily be removed in the event of connection being achieved.

Secondly, in order for a route to be adopted by the Council, there are normally 4 general conditions to be met. These are that (1) there is a direct link with the existing public highway; (2) it is of sufficient use to the public; (3) it is open to the public at all times; and (4) it is constructed to an appropriate standard. The proposal at present does not meet 1 and 2 and is unlikely to meet 4.

There is currently therefore no intention of the proposed link being adopted.

Amended Conditions

Condition 2

Amended condition 2 to replace the Proposed Site Plan Ref: J9318-20 Published Date 22 Mar 2022 with the Proposed Site Plan Ref: J9318/12 F Published Date 20 May 2022

Condition 22

Remove condition 22 relating to a walkway agreement.

Amended Recommendation

A legal agreement (s106) is a more effective way to ensure that the public access areas adjacent to the riverside are provided, remain accessible to the public and are maintained. Since publication of the agenda, officers have discussed this with the applicant who has agreed to enter into an agreement to secure this.

Therefore, there is a change to the recommendation from 'Grant Conditionally', to 'Grant 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.