

PLANNING AND HIGHWAYS COMMITTEE

SUPPLEMENTARY INFORMATION

APPLICATIONS UNDER VARIOUS ACTS / REGULATIONS – SUPPLEMENTARY INFORMATION

1. Application Number: 23/03631/FUL

Address: 45A Brooklands Avenue, Sheffield, S10 4GB

Since the publication of the agenda additional representations have been received from 2 neighbouring properties No 45 to the east of the access drive and No 47 to the west. Further comments have also been received from the applicant and their agent. These parties have previously commented on the scheme.

In summary, No 45 assert that there has been a transfer of land ownership from the applicant to 47, which is not reflected in the submitted plans. The concern is that if there was a requirement to install an acoustic fence and if this were positioned on what they regard as the actual boundary, then this would result in the access being narrowed. This would have the following implications;

- A fire appliance would be unable to pass down the drive as a minimum width of 3.7 m is required.
- The line of sight for cars turning into the drive will be affected.
- The drive would no longer meet the requirements of Manual for Streets recommended carriage widths. The swept path analysis shows two cars passing all the way down the drive and this would no longer be possible.

The Neighbour at No 47 (the property which abuts the site in the area of land being questioned) and the applicant and their agent have responded to this comment.

No 47 confirm that there is no boundary dispute and that a Deed of Easement allows for a fence to be installed along this agreed boundary and that no land transfers have taken place. This neighbour is of the view that the land within the redline boundary is in the applicant's ownership and the existing fence has been erected along this boundary.

The agent has again confirmed that all the land relating to the red line application boundary is within the applicant's ownership.

Applicant confirms all land to which the development relates is in their ownership and the width of the access as measured for the purposes of the planning application is accurate.

In light of the recent comments raised, Officers have set out the requirement that if any land to which the application relates is outside the applicant's ownership then the relevant notification would need to be served.

In response to this the applicant has reiterated that no notice is required and confirmed all the land within the redline is within their ownership.

It is not the planning systems role to involve itself in any disputes over land ownership. Any approval would require the development to be carried out in accordance with the approved plans and if indeed the plans needed to change as a result for any reason, these would need to be reassessed via a separate submission.