

## PLANNING AND HIGHWAYS COMMITTEE

### SUPPLEMENTARY INFORMATION

#### APPLICATIONS UNDER VARIOUS ACTS / REGULATIONS – SUPPLEMENTARY INFORMATION

1.     **Application Number**        **16/01161/CHU**  
  
       **Address**                    **34 Northwood Drive**

#### **Representations**

One further letter has been received withdrawing the objection made previously.

A further representation has been received from a local resident re-iterating concerns raised previously regarding restrictive covenants; the number of deliveries at the property (setting out that these are more akin to 3 – 4 times per day and that deliveries are occurring at weekends); concerned that the appearance of the property has changed; spray painting is being carried out on the driveway; cars are parked on surrounding streets and there are strangers around the location. The representation is also concerned that UDP Policy H13 has not been mentioned. This policy lists housing sites (of which the Middlewood Hospital site is one). This policy was to steer residential development to the sites listed.

Should planning permission be granted, the wording of a number of the condition set out in the Committee Report should be altered, to avoid ambiguity and to ensure that they are enforceable.

#### Condition 1

The development must be carried out in complete accordance with the following approved documents:

Drawing No 261-1 Existing garden floor plan  
Drawing No 261-2 Current ground floor plan  
Drawing No 261-3 Existing first floor plan  
Drawing No 261-4 Existing front elevation  
Drawing No 261-5 Existing LH elevation  
Drawing No 261-6 Existing rear elevation  
Drawing No 261-7 Existing RH elevation.

Reason: In order to define the permission.

#### Condition 2

Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) (England) Order 2015 (or any order revoking and re-enacting that Order with or without modification) the development hereby permitted shall relate solely to the current Lego minifigure customisation business and for no other purpose (including any other purpose in Class B1 of the Schedule to the Town

and Country Planning (Use Classes) Order 1987, or in any provision equivalent to that Class in any statutory instrument revoking and re-enacting that Order with or without modification). Upon the Lego minifigure customisation business ceasing the Local Planning Authority shall be notified and the property shall revert to a solely residential use.

Reason: In the interests of the amenity of the locality and occupiers of neighbouring property.

#### Condition 3

The use of part of the property for business purposes shall remain ancillary and incidental to the main use of the property as a dwellinghouse. At no time shall the part of the dwelling that has been converted for the business use be sold or let separately from the rest of the dwelling.

Reason: In the interests of the amenity of the locality and occupiers of neighbouring property.

#### Condition 4

No more than 8 people (in addition to the two applicants) shall be permitted on the site in connection with the business use at any one time.

Reason: In the interests of the amenity of the locality and occupiers of neighbouring property.

#### Condition 7

All processes associated with the business use shall be carried out within that part of the dwellinghouse which has been converted to B1 use as identified on drawing 261-2 Current Ground Floor Plan. The equipment used shall be restricted to general office equipment and a single printer. No processes shall be carried out in the open air.

Reason: In the interests of the amenity of the locality and occupiers of neighbouring property.

**2. Application Number 15/03881/OUT**

**Address 250 Thompson Hill**

#### **Coal Mining**

A report has now been submitted confirming that any potential risk is low.

#### **Additional conditions**

4) No development shall take place until an arboricultural impact assessment, identifying trees to be removed and retained, and a tree protection plan has been submitted to and approved in writing by the local planning authority. Development shall be carried out in accordance with the approved arboricultural impact assessment and tree protection plan.

Reason

In the interests of the amenities of the locality

5) No development shall take place until an Affordable Housing Scheme has been submitted to and approved in writing by the local planning authority. The Affordable Housing Scheme shall include details of:

- i. the numbers, type, tenure and location on the site of the affordable housing provision to be made;
- ii. the arrangements for the transfer of the affordable housing to an affordable housing provider or the management of the affordable housing (if no Registered Provider is involved);
- iii. the occupancy criteria to determine the identity of prospective and successive occupiers of the affordable housing, including the identification of means to ensure such occupancy criteria are enforced;
- iv. the timing of the construction of the affordable housing and its phasing in relation to the occupancy of the market housing;
- v. the arrangements to ensure that such provision is affordable for both first and subsequent occupiers of the affordable housing.

The amount of affordable housing shall be equal to 35% of the total number of dwellings hereby permitted, and it shall be provided in accordance with the approved scheme.

Reason

In order to comply with Policies H4 of the Unitary Development Plan and CS40 of the Core Strategy

6) No development shall take place until a Construction Method Statement has been submitted to, and approved in writing by, the local planning authority. The approved Statement shall be adhered to throughout the construction period. The Statement shall provide for:

- i. the parking of vehicles of site operatives and visitors;
- ii. the phasing of the construction traffic and details of temporary highway vehicle and pedestrian access;
- iii. loading and unloading of plant and materials;
- iv. storage of plant and materials used in constructing the development;
- v. the erection and maintenance of security hoarding including decorative displays and facilities for public viewing, where appropriate;
- vi. wheel washing facilities;
- vii. measures to control/mitigate the emission of dust, dirt, noise, vibration and light during construction;
- viii. a scheme for recycling/disposing of waste resulting from construction works; and
- ix. details of any piling.

Reason

In the interests of pedestrian and vehicular safety on the highway

7) Construction works shall not take place outside the hours of 08.00 hours to 18.00 hours Mondays to Fridays and 08.00 hours to 13.00 hours on Saturdays, nor at any time on Sundays, Bank or Public Holidays.

Reason

In the interests of the living conditions of local residents

8) During demolition and/or construction works hereby permitted no deliveries shall be taken at or despatched from the site outside the hours of 08.00 hours to 18.00 hours Mondays to Fridays, and 08.00 hours to 13.00 hours on Saturdays nor at any time on Sundays, Bank or Public Holidays. During demolition and/or construction works hereby permitted no deliveries by heavy goods vehicle shall be taken at or despatched from the site outside 09:00 hours and 15.00 hours Mondays to Fridays, and 08.00 hours to 13.00 hours on Saturdays, nor at any time on Sundays, Bank or Public Holidays.

Reason

In the interests of the living conditions of occupiers of neighbouring properties

9) No development shall take place until a scheme of external lighting (including any floodlighting) has been submitted to and approved in writing by the Local Planning Authority. Such details shall include the equipment and supporting structures, together with isolux drawings to demonstrate the levels of illumination within the site and the amount of any overspill of lighting beyond the site boundaries. The details shall include the hours at which such lighting is to be operated. The development shall not be occupied or brought into use until the lighting scheme has been constructed in accordance with the approved details, and no external lighting shall be operated other than in accordance with details approved by the Local Planning Authority.

Reason

In the interests of the living conditions of occupiers of neighbouring properties

10) No development shall take place until full details of both hard and soft landscape works have been submitted to and approved in writing by the local planning authority and thereafter these works shall be carried out as approved. These details shall include:

- i. means of enclosure/boundary treatments;
- ii. hard surfacing materials;
- iii. minor artefacts and structures (e.g. furniture, play equipment, refuse or other storage units, signs, lighting, etc.);
- iv. retained historic landscape features and proposals for restoration, where relevant;
- v. planting plans (including written planting specifications and plans with schedules of plants noting species, plant sizes and proposed numbers/densities where appropriate); and
- vi. an implementation programme/Management and Maintenance Plan.

Reason

In the interests of the visual amenities of the locality

11) No development shall take place until a scheme for the provision of parking for cars, cycles and powered two-wheelers has been submitted to and approved in writing by the local planning authority. Details shall include the number, type and design of all parking facilities. The parking

facilities in relation to any single dwelling shall be implemented as approved prior to first occupation of that dwelling, and shall be retained and remain available for use by the occupiers of the development at all times thereafter.

Reason

In the interests of the living conditions of occupiers of neighbouring properties

12) No development shall take place until full details of existing and proposed ground levels have been submitted to and approved in writing by the local planning authority. Development shall be carried out in accordance with the approved details.

Reason- to ensure accurate levels are shown for the appropriate development

13) No development shall take place until a scheme for the laying out, construction, surfacing and drainage of the vehicular and pedestrian accesses to the site and the phasing of these works has been submitted to and approved in writing by the local planning authority. Development shall be carried out in accordance with the approved scheme and the vehicular and pedestrian accesses shall be retained thereafter.

Reason

In the interests of pedestrian and vehicular safety and the proper drainage of the site

14) No development shall take place until a scheme for (a) the provision and implementation of a surface water regulation system, and (b) the management of overland flow from surcharging of the site's surface water drainage system, has been submitted to and approved in writing by the local planning authority. The scheme of surface water regulation and overland flow management shall be implemented in accordance with the approved details.

Reason

In order to mitigate against the risk of flooding

15) No development shall commence until the actual or potential land contamination and ground gas contamination at the site shall have been investigated and a Phase 1 Preliminary Risk Assessment Report shall have been submitted to and approved in writing by the Local Planning Authority. The Report shall be prepared in accordance with Contaminated Land Report CLR11 (Environment Agency 2004).

Reason: In order to ensure that any contamination of the land is properly dealt with and the site is safe for the development to proceed, it is essential that this condition is complied with before the development is commenced.

16) Any intrusive investigation recommended in the Phase I Preliminary Risk Assessment Report shall be carried out and be the subject of a Phase II Intrusive Site Investigation Report which shall have been submitted to and approved in writing by the Local Planning Authority prior to the development being commenced. The Report shall be prepared in accordance with Contaminated Land Report CLR 11 (Environment Agency 2004).

Reason: In order to ensure that any contamination of the land is properly dealt with.

17) Any remediation works recommended in the Phase II Intrusive Site Investigation Report shall be the subject of a Remediation Strategy Report which shall have been submitted to and approved in writing by the Local Planning Authority prior to the development being commenced. The Report shall be prepared in accordance with Contaminated Land Report CLR11 (Environment Agency 2004) and Local Planning Authority policies relating to validation of capping measures and validation of gas protection measures.

Reason: In order to ensure that any contamination of the land is properly dealt with and the site is safe for the development to proceed, it is essential that this condition is complied with before the development is commenced.

18) All development and associated remediation shall proceed in accordance with the recommendations of the approved Remediation Strategy. In the event that remediation is unable to proceed in accordance with the approved Remediation Strategy, or unexpected contamination is encountered at any stage of the development process, works should cease and the Local Planning Authority and Environmental Protection Service (tel: 0114 273 4651) should be contacted immediately. Revisions to the Remediation Strategy shall be submitted to and approved in writing by the Local Planning Authority. Works shall thereafter be carried out in accordance with the approved revised Remediation Strategy.

Reason: In order to ensure that any contamination of the land is properly dealt with.

19) Upon completion of any measures identified in the approved Remediation Strategy or any approved revised Remediation Strategy a Validation Report shall be submitted to the Local Planning Authority. The development or any part thereof shall not be brought in to use until the Validation Report has been approved in writing by the Local Planning Authority. The Validation Report shall be prepared in accordance with Contaminated Land Report CLR11 (Environment Agency 2004) and Local Planning Authority policies relating to validation of capping measures and validation of gas protection measures.

Reason: In order to ensure that any contamination of the land is properly dealt with.

20) The reserved matters shall include details of the boundary treatments to each property within each phase of the development to be approved in writing by the local planning authority. No dwelling hereby permitted shall be occupied until the boundary treatment associated with that property has been implemented in accordance with the approved details.

Reason

In the interests of the amenities of the locality

21) The reserved matters shall include details of bin storage for all properties within the phase of development to which the application relates. The approved storage shall be provided prior to first occupation of the dwellings and shall thereafter be retained.

Reason

In the interests of the visual amenities of the locality

22) The site shall be drained on a separate system with only foul drainage connected into the foul sewer.

**Reason**

In the interests of the proper drainage of the site

23) Unless shown not to be feasible and viable, no development shall commence until a report has been submitted to and approved in writing by the Local Planning Authority identifying how a minimum of 10% of the predicted energy needs of the completed development will be obtained from decentralised and renewable or low carbon energy, or an alternative fabric first approach to offset an equivalent amount of energy. Any agreed renewable or low carbon energy equipment, connection to decentralised or low carbon energy sources, or agreed measures to achieve the alternative fabric first approach, shall have been installed/incorporated before any part of the development is occupied, and a report shall have been submitted to and approved in writing by the Local Planning Authority to demonstrate that the agreed measures have been installed/incorporated prior to occupation. Thereafter the agreed equipment, connection or measures shall be retained in use and maintained for the lifetime of the development.

**Reason:** In order to ensure that new development makes energy savings in the interests of mitigating the effects of climate change and given that such works could be one of the first elements of site infrastructure that must be installed it is essential that this condition is complied with before the development commences.

**Directives**

The applicant/agent is advised that the Affordable Housing Scheme will come into effect should there be 15 or more dwellings proposed on the site

The proposed development lies within a coal mining area. In the circumstances applicants should take account of any coal mining related hazards to stability in their proposals. Developers must also seek permission from the Coal Authority before undertaking any operations that involves entry into any coal or mines of coal, including coal mine shafts and adits and the implementation of site investigations or other works. Property specific summary information on any past, current and proposed surface and underground coal mining activity to affect the development can be obtained from the Coal Authority. The Coal Authority Mining Reports Service can be contacted on 0845 762 6848 or at [www.coal.gov.uk](http://www.coal.gov.uk).

**3. Application Number            15/04308/FUL**

**Address                                Land Adjoining 21 Leyburn Road, S8 0XA**

Representations supporting the scheme have been submitted by Cllrs Mahammad Maroof and Nasima Akther.

Cllr Maroof's representation can be summarised as:

- Acknowledged there are lower flood risk areas capable of accommodating development, however, there are significant planning merits supporting the application which outweigh the failure of the Sequential Test.
- Development makes a small and important contribution to overall housing land availability. It was previously developed, so is a brownfield site. Would make an efficient use of land, reducing pressure of greenfield sites.  
Has previously been fly tipped, harming street scene.
- Sustainable location, with good public transport links, will include renewable energy measures and be designed with minimal carbon footprint. An area of concrete would be removed, to create a green garden area at a lower level, comparable with Broadfield Park, creating an additional area where and flood waters can go. Scheme would include measures to mitigate flood risk to an acceptable level.
- Permission has been granted for residential development in Flood Zone 3 locations with higher flood risk, including Beeley Street and Abbey Glen Laundry. The Council have therefore accepted that the failure of the Sequential Test is one material consideration to be weighed against a wide range of sustainable benefits.

Cllr Akther's representation is summarised as:

- Supportive of more housing.
- Applicant wishes to use dwelling for own use, so no public safety risk.
- Site is located in Flood Risk Zone 2, permission previously granted at Zone 2 and 3 sites.
- Site is sustainably located, incorporating renewable energy measures. An additional flood storage area will be incorporated. Mitigation measures are included to mitigate flood risk to an acceptable level.



**4. Application Number**

**Address**

**5. Application Number**

**Address**

**6. Application Number**

**Address**

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