

**SUPPLEMENTARY INFORMATION**

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

<b>1. Application Number</b>	<b>18/02802/FUL</b>
<b>Address</b>	<b>Tudor Gates, Unit 1, Parkers Yard, Stannington Road, Sheffield, S6 5FL</b>

**Deleted Condition**

Condition 3 can be deleted as the Coal Authority is satisfied with the information supplied by the applicant.

**Additional Representations**

8 additional letters in support have been received, summarised as follows:

- The proposal will reduce traffic on Holme Lane as customers will not have to travel to Lidl at Halifax Road.
- People without cars will be able to access the store via public transport.
- Investment in Hillsborough Park is a bonus.
- The store will provide residents of Malin Bridge, Loxley, Wisewood and Stannington with a store that serves the local community.
- Support the provision of 40 new jobs.
- The extra parking for the dentists is welcomed.

3 additional letters of objection have been received, summarised as follows:

- The development will do irreparable damage to transport links and the environment, especially as there is a strong possibility of 350 dwellings being built in Loxley.
- A new supermarket will add significantly to existing traffic issues.
- Moving the bus stop onto Holme Lane will be dangerous.
- The traffic model is flawed as it does not take account of impatient and erratic driver actions.
- Traffic modelling is out of date and inaccurate.
- Another supermarket could harm independent businesses who are already struggling as well as damage Hillsborough shopping area.
- Extra traffic will be generated by residents of Stannington accessing the new facilities.
- Peak hour traffic movements used by officers are too short.
- There are safety issues for school children.
- There will be an impact on small shops in Stannington Village and in the Stanwood Area.

- The replacement leisure facilities do not benefit those in Stannington where a cricket pitch has already been lost and the local community are seeking to improve facilities.

Councillor David Baker has also commented that lower Stannington includes some areas of deprivation and as such members of the committee should consider directing at least a portion of the section 106 contribution towards sporting/leisure facilities on the green space adjacent to the Deer Park high rise flats.

## **Officer Response to Additional Representations**

### Highways Issues

A robust traffic modelling exercise has been undertaken using the Council owned micro simulation model. The applicant undertook traffic counts, and gathered traffic generation figures from other stores at officer's request. Officers benchmarked the traffic generation by undertaking some snap surveys of their own at the Doe Royd Lane (A61) Lidl.

The peak traffic periods assessed were the AM weekday 0800 – 0900 hrs; PM weekday 1700 – 1800 hrs; and Saturday (no football) 1200 – 1300 hrs which reflects industry recognised peak traffic flow times.

The traffic assessment was undertaken in school term times and took account of the movement of an existing bus stop from Stannington Road onto the Malin Bridge Gyratory.

Any potential future housing (350 dwellings) in the Loxley area will need to take account the proposed development.

It is considered that a robust assessment of the highways impacts of the development has been carried out.

The proposal is not considered to give rise to any highways safety issues. A Road Safety Audit has been undertaken and all issues addressed as part of the design of the development.

### Retail Issues

The retail impact associated with the development is detailed in the committee report.

Centres within a 5 minute drive-time catchment were included (as calculated by Experian, an industry standard used for retail impact assessments). Stannington Local Centre is beyond the 5 minute catchment.

Liberty Road/ Stanwood Road Local Centre are within the 5 minute catchment and contain a very small selection of convenience stores, takeaways and hair and beauty salons. Only the convenience stores will compete directly with the proposal and officers consider that the trade diversion will be small because of the very local catchment.

## Section 106 Sports Facilities

Hillsborough Park was selected for improvement following discussions with Sport England and the Council's Parks Department as the existing facility is in need of upgrading and the site is in a highly sustainable location, accessible from the wider catchments of Stannington, Loxley and Hillsborough.

<b>2. Application Number</b>	<b>19/01274/FUL</b>
<b>Address</b>	<b>Land Opposite The Griifs Between Riggs Low Road And Riggs High Road</b>

### **Additional Representations**

Three additional representations have been received – two from local residents and the other from the Sheffield & Rotherham Wildlife Trust. These are summarised below:

#### Local Residents:

- Why is the application being publicised on Radio Sheffield when the application has not yet been agreed? I wish to lodge a complaint about this as it is clearly anticipating a decision.
- The area is very popular with local residents for walking, free access land and green space is constantly taken up by housing despite objections.
- Areas like this which are unsuitable for housing should be preserved.
- The area has numerous wildlife which will suffer if this development goes ahead.

#### Officer response

The local resident has been advised that the planning application and committee agenda are public documents and are therefore in the public domain. Publicity on Radio Sheffield has not been undertaken by the Local Planning Authority.

#### Sheffield & Rotherham Wildlife Trust

Objection due to insufficient information on impacts to Grassland habitats within the Local Wildlife Site, however the proposal could potentially benefit the site if undertaken sensitively if strongly worded and well implemented conditions are able to alleviate the following concerns:

- The Preliminary Ecological Assessment (PEA) confirms that the development can co-exist with protected species providing a full risk assessment and impact mitigation strategy is adopted – these should be standalone condition or a chapter in the ecological management plan.
- Badgers are known to dig up graves. As part of a risk plan, all badger paths should be mapped ensuring these are not used as burial sites.
- The PEA states that trees must be planted to retain grassland – this is key for the preservation of one of the key ecological features of the Local Wildlife Site.

- Potential impact that the planting of trees (for up to 7000 burial plots) would have on the grassland habitats.
- Tree planting can provide ecological benefits, however the development needs to ensure that the site does not lose its high quality grassland habitat.
- The retention of this unimproved grassland is important as there are very few left in Sheffield.
- If approved, the Ecological and Landscape Management Plan should refer back to 2002 and 2008 surveys of the site held by SCC Ecology Unit.
- Area of high quality grass or some phases should be free of tree planting so it does not change the ecology of the site.
- Any plan should also state that grass dug for a burial plot should be replaced in situ post burial.
- Pleased that the management plan states that the development aims to introduce additional habitats as well as protecting existing habitats – this needs to be secured through the condition and what happens on the ground.
- The PEA states that suitable management must be planned for the site to maintain and enhance wildlife - agreement that Ecological and Landscape Management needs to be submitted and considered alongside further details on a layout, maintenance and management of the site.
- Agree with the Landscape and Ecology sections of the Officer Report but consider that it needs amending to specifically refer to grasslands and the on-going need for management and monitoring.
- If the existing ecology interest is retained, this change in use could result in this Local Wildlife Site being brought back into a cycle of positive conservation management and regular ecological monitoring.
- The Ecological and Landscape Management Plan should incorporate the recommendation in the tree report to retain the veteran pussy willow and restore the hedgerow and should include geodiversity considerations.

### Officer Response

Condition 3 has been recommended to secure an Ecological and Landscape Management Plan which includes securing the recommendations outlined within the Preliminary Ecological Assessment (PEA). The aims of the management plan are to secure the preservation of the key ecological features (such as grassland) of the site. The plan will inevitably direct the position of burial plots and restrict areas from having burials. The plan also aims to provide biodiversity improvements as well.

It is considered that this addresses all aspects of the Trust's comments.

### **Amend condition**

Condition 3 is to be reworded to include the words in bold as shown below. This amendment is required to ensure that the development is carried out in accordance with the Ecological and Landscape Management Plan which is required to be submitted to and approved by the Local Planning Authority.

### Condition 3:

Prior to the commencement of development, an ecological and landscape management plan shall be submitted to **and approved in writing** by the Local Planning Authority ~~for approval in writing~~. This plan shall include survey details of

the important habitats species and their location on site, and shall incorporate the recommendations of the Preliminary Ecological Appraisal (Whitcher Wildlife Ltd. Ecological Consultants) - Ref 190108/1. Date 25th July 2019. The habitats and species shall thereafter be managed in accordance with the ecological and landscape management plan with clear requirements for mitigation of impacts and avoidance strategies and includes the following:

- Aims and objectives of management
- Detailed surveys of important grassland and woodland habitats.
- Detailed location, management and enhancement measures for important ecological features.
- Identification of protected species using site and avoidance/protection measures.
- Operational methods for the burial ground that will minimise impacts on habitats and wildlife .
- Guidelines for the planting of additional trees throughout the site including species, planting specifications and locations.
- Details of root protection areas of veteran trees, to form basis of exclusion zones for burial areas.

**Thereafter the development shall be carried out in accordance with the approved Ecological and Landscape Management Plan.**

Reason: In the interests of biodiversity.

- 3. Application Number            18/03109/FUL**
- Address                                Cemetery Road Car Sales, 300 Cemetery Road,  
Sheffield, S11 8FT**

### **Additional Representations**

Two additional representations have been received, both raising objections, one of which is from the Sheffield General Cemetery Trust, on the following grounds:-

#### **Cemetery Trust**

- The site was originally part of the designed cemetery landscape, albeit degraded in the twentieth century. This was then used as the cemetery stone yard, and then cleared and ground levels raised to accommodate the present commercial garage building. Principle views from Cemetery Road have been compromised by changes to the application site.
- Furthermore, it seems certain that the aggregate used for the raising of the land was the original gate and wall structure and implications for important archaeology are high. A thorough investigation of the site should be a condition on any approval.
- The Trust is generally not minded to involve itself in Planning matters outside of the historic curtilage, this site is very much part of the designated area. Whilst redevelopment is in principle acceptable and necessary, there are serious concerns over the proposed development.

- The visual impact of the proposal on the setting of ten designated structures and a designated landscape, in particular on views towards the Cemetery Offices, the Egyptian Gate and the Nonconformist Chapel.
- The impact of the proposal on views 'into' and 'out of' the Conservation Area will cause substantial harm relating to the scale and height being overwhelming, and a poor design and materiality as defined by the NPPF.
- The proposal includes the demolition of the west boundary wall, which there is no justification for or reference to, only the twentieth century structures to be demolished.

### **Other Individual**

- The proposed development would create light pollution, detrimental to nocturnal wildlife, in what is as present part of a darker and quieter area in a busy built up part of the city.

### **Officer Response**

The issues raised above are discussed and assessed in the committee report.

To clarify, the reference to less than substantial harm to heritage assets within the report relates to the impact on their setting of the presence and scale of significant built form in close proximity to the heritage assets, where currently the physical features, whilst unattractive, are of modest scale and proportions.

However, officers have drawn a different conclusion to the objector in considering this level of impact is 'less than substantial' rather than 'substantial', hence the positive recommendation.

An assessment of archaeological potential had been carried out, hence the conclusion of 'no implications' within the report. Since receipt of the above objection further discussions have taken place with the South Yorkshire Archaeology Service (SYAS) regarding the specific points raised and SYAS do not concur with the objectors judgement of the significance of the archaeological potential within the site, and no further conditions, such as a watching brief are therefore recommended.

Although it is acknowledged that the introduction of apartments will bring additional light sources to the site, over and above those from the current use, given its location within the urban envelope of the city, the adjacent apartments, and street lights, the increase is not considered likely to have significant impact upon light pollution or nocturnal wildlife.

All demolitions on the site that form part of the proposal have been given due consideration by officers and the statutory consultees and their comments and consideration is reflected in the report.

### **Report Correction**

On page 161, penultimate paragraph, the report states '...ensuring that it does dominate the neighbouring properties of more traditional character'  
This should read '...ensuring that it does **not** dominate the neighbouring properties of more traditional character'

## **Amended Conditions**

### **Condition 11**

Condition 11 at present reads:

*Before the development commences, a strategy to control/mitigate dust and emissions from the construction phase shall be submitted to and approved in writing by the Local Planning Authority. The construction phase shall be carried out in accordance with the approved details thereafter.*

*Reason: In order to help mitigate the effects of dust and construction traffic during the construction phase.*

As a true pre-commencement condition it should read:

***No development shall commence until final details of a strategy to control/mitigate dust and emissions from the demolition/construction phases shall be submitted to and approved in writing by the Local Planning Authority. The demolition/construction phases shall be carried out in accordance with the approved details thereafter.***

***Reason: In order to help mitigate the effects of dust and construction traffic during the construction phase.***

### **Condition 12**

Condition 12 currently reads:

*No development shall commence until works to the trees within the Cemetery adjacent to the site have:*

- a) been carried out in accordance with details that shall have been submitted to and approved by the Local Planning Authority; or*
- b) details have been submitted to and approved in writing by the Local Planning Authority of arrangements which have been entered into which will secure that such works will be carried out before any above ground floor works are commenced, and the development shall not be brought into use until the improvements listed below have been carried out.*

*Landscape Works: Removal and Pruning of Trees, and provision of Tree Protection Areas.*

*Reason: To enable the occupiers of the proposed units to have a good level of outlook from the windows in the rear of the building, and to ensure that retained trees are protected during construction works.*

It should read:-

**No development shall commence until a scheme relating the trees within the Cemetery adjacent to the site, identified on (Weddle Landscape Design) drawing number CRG 03 (Scan date 13 Dec 2018) has been submitted to and approved by the Local Planning Authority. The scheme must include:-**

- a) A plan showing the location of existing trees within the Cemetery adjacent the site that are proposed to be removed, and that will be retained;**
- b) Details of the location, and proposed measures for the protection, of all retained trees, during the carrying out of the development;**
- c) Details of any proposed works to any retained trees; and**
- d) A timetable for the implementation of the approved scheme.**

**No development shall commence until the approved tree protection measures are installed in accordance with the approved scheme. All tree removals and any works to trees must be carried out in accordance with the approved scheme. The development shall not be brought into use until all approved removals and works to trees have been carried out in accordance with the approved scheme.**

**Reason: To enable the occupiers of the proposed units to have a good level of outlook from the windows in the rear of the building, and to ensure that retained trees are protected during construction works.**

#### **Condition 18**

Condition 18 at present reads:

*Where development commences more than two years from the date of the original protected species surveys(October 2018),or, having commenced, is suspended for more than 12 months, additional/updating surveys should be carried out to ensure that approved mitigation is appropriate for the current situation.*

*Reason: To ensure the ecological interests of the site are maintained in accordance with Policy GE11 of the Unitary Development Plan and that no offence is committed in respect of protected species legislation.*

It should be revised to:

**Where any development including demolition commences more than two years from the date of the original protected species surveys (October 2018), or, having commenced is suspended for more than 12 months, development shall cease, until additional/updated protected species surveys have been submitted to and approved in writing by the Local Planning Authority and thereafter be the proposed development shall be carried out in accordance with the approved details, including any revised or additional mitigation measures identified.**

**Reason: To ensure the ecological interests of the site are maintained in accordance with Policy GE11 of the Unitary Development Plan and that no offence is committed in respect of protected species legislation.**

4. **Application Number**      **19/03779/FUL**

**Address**                              **Land Bounded by Rockingham Street and Wellington Street and Trafalgar Street**

### **Amended Conditions**

#### Condition 3

This condition to be reworded to set out the phases of the development as follows:

The development is a phased planning permission which shall be carried out in accordance with the following phases:

1. Phase one shall comprise the demolition of existing building, including the removal of existing foundations and ground slabs
2. Phase two shall include all other construction works, including, but not limited to enabling, engineering and preparatory works

Reason: In order to define the permission and to assist with the identification of each chargeable development (being the Phase) and the calculation of the amount of CIL payable in respect of each chargeable development in accordance with the Community Infrastructure Levy Regulations 2010 (as amended).

#### Phasing within conditions

Conditions 6, 7, 9, 10, 11, 12, 13, 14, 15, 21, 22 and 28 will be reworded to reflect the phasing of the permission. This does not affect their substantive content or meaning.

#### Condition 34

This condition to be amended as follows:

Notwithstanding the approved plans, in accordance with the email received from Chris May on the 24th January 2020, the windows will not be UPVC. Furthermore, the grey render shown on the plans is not approved. Prior to above ground works commencing amended drawings showing alternative materials will be submitted to and approved in writing by the Local Planning Authority. Thereafter the development shall proceed in accordance with the approved details.

Reason: In order to ensure an appropriate quality of development

### **Affordable Housing**

The applicant has confirmed that it is anticipated at this stage that the affordable units will be provided in the form of 12 two-bed and 53 one bed flats which equates to at least 10% of occupied residential floor space. The eligibility criteria for occupation of the units needs to be considered by the developer working with the local authority and these will be set out in the proposed legal agreement. The Heads of Terms for the Legal Agreement will therefore need to include the following:

The provision of 12 x two bed apartments and 53 one bed apartments (which must equate to at least 10% of the residential floor space) as affordable housing for rent (as defined in the NPPF) with the final eligibility criteria being agreed by working with the Local Planning Authority.

### **Daylight/Sunlight**

The daylight/sunlight analysis on Kangaroo Works should have included reference to the roof garden located on the 8<sup>th</sup> floor of the block at the corner of Wellington Street and Trafalgar Street. Owing to the difference in scales and proximity of the developments, the scheme will lead to some overshadowing of this roof terrace area.

### **Additional Representations**

An additional letter of representation has been received, from a representative of the Kangaroo Works site opposite. This raises the following points:

- The accommodation mix has been updated but still provides 75% studios and fails to comply with Core Strategy Policy CS41
- The wind assessment indicates a number of areas where the wind conditions are worsened, namely the corner of Wellington Street and Rockingham Street where conditions are expected to be suitable for fast walking. It is highlighted that a pedestrian entrance is located in this area and that further assessment should be undertaken to confirm the impact on pedestrians entering and exiting the building at this point
- No assessment has been undertaken to confirm the impact on wind conditions to the roof terrace on Kangaroo Works
- It is concluded that insufficient assessment of wind conditions on Kangaroo Works has been undertaken and that no decision should be taken until the above points have been clarified
- The updated Daylight Sunlight Survey indicates that the proposed building will reduce the daylight in 48 apartments in kangaroo Woks below the British Standard.
- The mirror massing scheme reduces the height of the scheme to 10 storeys when Kangaroo Works steps down to 7/8 storeys
- It is requested that a true mirror massing survey is undertaken
- An assessment of the impact on the roof terrace has not been undertaken
- The proposal will dominate the immediate local townscape, have a significant impact on long views. It would become one of the tallest structures in Sheffield, the appearance on the skyline would be that of a chunky and indefinite grouping of three blocks, lacking in elegance
- The scheme does not comply with relevant fire safety standards contained within the British Standard 9991:2015 as entrance doors are placed next to cooking facilities and could prevent safe egress
- Consider that Kangaroo Works should be included in CGI images so that the visual impact of the proposal on the city's skyline and immediate townscape can be fully assessed
- It is summarised that the letter is not an objection, however it is considered that insufficient assessment of the impact on Kangaroo Works has been undertaken.

A late representation has been received from Councillor Martin Phipps which can be summarised as follows:

- The studio flats are very small (16.9m<sup>2</sup> – 18.4m<sup>2</sup>) and well below the recommendations in the South Yorkshire Residential Design Guide which suggests 33m<sup>2</sup>. Even the accessible studio is only 28m<sup>2</sup>. The one and two bed flats do not meet the criteria either.
- The small living spaces will have a negative effect on mental health and wellbeing. Whilst high density accommodation is important for tackling climate change it should not be at the expense of health and wellbeing. We must avoid Sheffield City Centre becoming a race to the smallest apartments.
- More information is needed in respect of the 5 year housing supply and an up to date housing needs assessment in order to understand the need for this type of housing, which is currently unknown.

A further late representation has been received from an occupier of offices on Rockingham Street to the north-west of the site, which can be summarised as follows:

- Shocked at the height of the development with the lower element being the same height as Vita (17 storeys) and the taller element towering above this at 38 storeys. Object due to the height and bulk.
- Without sunlight modelling it is assumed that buildings to the north will be in constant shadow, given this wall of development. There may be legal right to light cases as a result of the development.
- Without wind modelling it is likely that this building will present significant challenges and potential for wind tunnelling which is already evident at the base of Vita student. We don't want a repeat of Bridgewater Place in Leeds.
- The development will greatly restrict the ability of nearby premises to generate solar power given its sheer scale and impact on properties to the north.
- The development is out of character with Sheffield's skyline. This is not London – it is a city of hills and the views out of the city to the hills are important. This development will block some of those views. Whilst some may want a statement building, one which is much more in keeping with the character of Sheffield would be far more appropriate.

### **Officer Response**

- Issues relating to unit mix are discussed in the officer report
- With regards to the wind assessment, the results indicate that position 71 at the junction of Rockingham Street/Wellington Street and close to the entrance of one of the ground floor commercial units in Kangaroo Works will have a wind comfort rating of 'business walk'. Ideally the wind conditions here should be for strolling or entrances. However the model results suggest that if the development proposed in the current application were built and the Kangaroo Works development was not constructed then wind conditions would be suitable for strolling at point 71. The wind environment is therefore worsened in the situation that both developments are built and therefore cannot be attributed solely to the current proposal. Nevertheless, the design of the entrance to Kangaroo Works will provide some protection from the wind as will the piers that are part of the design of that scheme fronting Wellington Street.

- A specific wind assessment has not been undertaken for the 8<sup>th</sup> floor terrace area at Kangaroo Works. However, with or without the proposed development, and given the elevated nature of the roof terrace it is considered that the developer of that space would need to address wind mitigation in any event and would need to provide landscape features in its own right which protect users of this space.
- Kangaroo Works is proposed as 8/9/14 storeys on Wellington Street, it is considered that an average mirror massing height of 10 storeys is suitable for consideration of an alternative scheme in respect of daylighting analysis, given the context of the approved Kangaroo Works scheme and the adjacent Vita Student tower. The results of the analysis show that even on 21<sup>st</sup> March 80% of the terrace would receive 2 hours of direct sun.
- The visual impact of the development is discussed in the officer report
- Compliance with British Standards will be considered at Building Regulations stage
- The size of the units is presented on page 73 of the report and is cited as a negative aspect of the proposal to be weighed against other factors.
- The lack of an up to date housing needs assessment is acknowledged but we have to determine the application on the basis of current information rather than on predicted information.
- All the microclimate impacts of the development are explained in detail in the report. The application was accompanied by a daylighting and wind assessment as discussed.

Whilst the objectors' points are acknowledged, it is considered that the negative aspects raised have been highlighted in the officer report, but these are balanced against the positive attributes of the scheme, in particular the very significant economic investment in the city and the contribution to the Council's 5 year housing supply.

**5. Application Number            19/02632/FUL**

**Address                                1 Worcester Drive, Sheffield, S10 4JG**

#### **Additional Representations**

Additional representations have been received from two local residents who raised concerns regarding wind speeds in Lodge Moor, an underground stream that passes through the area, the precedent set if planning permission is granted, the impact of the shadow cast by a 3-storey building and the additional surface water run off created by the proposed parking areas.

In response, officers consider it unlikely that future residents of the upper floor apartment would be subject to unacceptable living conditions from occasional high winds and there is no evidence of an underground stream running through or adjacent to the site.

While previous planning decisions can be material, planning applications are determined in accordance with the local development plan unless material considerations indicate otherwise. The granting of consent on this site does not

automatically mean a precedent would be set that would result in similar schemes on nearby sites.

The highest part of the proposal is similar to the ridge line of neighbouring dwellings. The development is therefore unlikely to lead to any significant overshadowing that would create a hazard for cars and pedestrians.

The proposed development includes areas of lawn and planting that would help to limit the extent of surface water run-off. In addition, condition 12 requires details to be submitted showing how surface water will be prevented from running onto the highway.

### **Amended Condition**

Omit 'noisy' from condition 16:

16. No works of demolition and construction shall be carried out at the site outside the following times: 0800 to 1800 hours Monday to Friday, and 0800 to 1300 hours on Saturdays, nor at any time on Sundays or Public Holidays.

Reason: In the interests of the residential amenity of the locality.

<b>6. Application Number</b>	<b>19/00037/FUL</b>
<b>Address</b>	<b>Land At Junction With Herries Road, Herries Road South And Penistone Road North, Sheffield, S6 1QA</b>

### **Additional Representations**

2 additional representations have been received:

Derwent Group:

- There is no condition requiring the developer to deliver the employment uses in tandem with the retail uses, as such there is a residual risk that the non-compliant retail uses are built out and that the appropriate employment uses are neglected.

Killultagh Estates:

- Conditions 52 and 54 do not protect Hillsborough District Centre as they would allow occupation by a range of budget and discount retailers who could otherwise be located in the redeveloped Hillsborough Exchange shopping centre.

- Simply preventing the sale of footwear and fashion goods does not remove the potential for a significant adverse impact on planned investment.

- The only way to prevent any given retailer electing to occupy space at the proposal site in preference to Hillsborough Exchange and thereby prevent a significant adverse impact upon planned investment is to apply a bulky goods restriction.

- The Council is adopting a position whereupon it is placing investment in a new out of centre retail location above planned investment in Hillsborough District Centre.

- Killultagh remain of the view that the application should be refused, and state that if the Council is minded to approve the development it should only be granted subject to the revised wording to: condition 52 (*that Units 2 and 3 shall not be used for the sale of any convenience food retail goods and shall not be used for any other use within use class A1*), and condition 54 (*that units 2 and 3 shall only be used for the sale of DIY goods, gardening products, furniture, carpets, floor coverings, motor vehicle goods, bulky electrical items and for no other purposes within use class A1*).

### **Officer response**

NPPF paragraph 55 states that planning conditions should only be imposed where they are necessary, relevant to planning and to the development to be permitted, enforceable, precise and reasonable in all other respects (the six tests).

Officers do not consider that a condition requiring the developer to build out the employment uses alongside the retail is reasonable or necessary in this instance.

The proposed retail elements pass the sequential test and impact assessment as described in the Officer Report and are acceptable in their own right.

Officers consider that there are insufficient grounds to impose a bulky goods condition on the proposed retail element of the development and are satisfied that the proposed conditions will prevent a significant adverse impact on investment and give Hillsborough Exchange an advantage over the proposal at Penistone Road.

There are no changes to the recommendation or conditions as outlined on the agenda.

**7. Application Number            18/04773/OUT**

**Address                                Fulwood House, Old Fulwood Road**

### **Amended Condition**

Add *'Thereafter the CEMP shall be complied with in carrying out the development'* to the end of condition 14:

14. Development shall not commence until a Construction Environmental Management Plan (CEMP) has been submitted to and approved by the local planning authority. The CEMP shall assist in ensuring that all site activities are planned and managed so as to prevent nuisance and minimise disamenity at nearby sensitive uses, and will document plans and procedures designed to ensure compliance with relevant best practice and guidance in relation to noise, vibration, dust, air quality and pollution control measures. The CEMP shall include strategies to mitigate any residual environmental or amenity impacts that cannot be adequately controlled at source.

Reason: In the interests of the amenities of the locality and occupiers of adjoining property.