

SUPPLEMENTARY INFORMATION

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

1. Application Number 14/01856/RG3

Address Greystones Primary School, Tullibardine Road

Additional Conditions

The following additional conditions are recommended to ensure that any potential land contamination is dealt with satisfactorily.

1. Post demolition of the existing building in the location of the proposed Multi Use Games Area (MUGA), further intrusive site investigation shall be undertaken in this area to characterise the nature and chemical composition of the strata. The findings shall be presented in a written report that shall have been submitted to and approved in writing by the Local Planning Authority prior to commencement of construction. The report shall be prepared in accordance with Contaminated Land Report CLR 11 (Environment Agency 2004).

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

2. 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.

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

3. 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.

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

4. 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.

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

Amended Condition

Condition 13

The applicant has indicated that the School has requested lighting of the MUGA in order for children to play in the late afternoons during the winter months. This is expected to be relatively low level (75 lux) and will not amount to 'floodlighting' (approx. 400-500 lux). It is recommended that the condition (13) requiring full details of the MUGA is modified as follows to allow for details of the lighting to be submitted for assessment.

Prior to installation of the multi-use games area (MUGA), full details thereof shall have been submitted to and approved in writing by the Local Planning Authority. Such details shall include sound dampening measures to the means of enclosure and any proposed lighting, the illumination of which shall not to exceed 75 lux. Thereafter the MUGA shall be constructed in accordance with the approved details and shall not be altered without the prior consent of the Local Planning Authority.

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| 2. Application Number | 14/02418/FUL |
| Address | 20 Hallamgate Road |

Additional Representations

A representation has been received from Councillor Brian Webster objecting to the proposal on the basis that the scale of the proposed outbuilding would be inappropriate and not in keeping with the Conservation Area.

An additional 7 representations from the public have been received in relation to this application making objections to the proposal. Objections are summarised below:

The proposed building would constitute overdevelopment.

The proposed building is not ancillary, and is the size of a separate dwellinghouse in scale.

The size of the proposed outbuilding is larger than other outbuildings in the vicinity and is out of character with the neighbourhood.

The proposal would be out of character with the neighbourhood and would detract from the Conservation Area.

The design of the outbuilding would conflict with the historical nature of the local neighbourhood.

Overlooking will occur from the proposed side windows.

Reference has been given to the scheme being contrary to the aims of policies BE5, BE16 and H14 from the Unitary Development Plan (UDP) and CS74 from the Core Strategy.

Representations have also referred to previous breaches on site, and the fact that the proposed outbuilding could be turned into a separate use. However, members are advised that these issues can carry little weight in this assessment given that only the scheme put forward in this case, for ancillary accommodation, is subject to this assessment.

3. Application Number 14/01314/FUL

Address Kilner Way

Corrections to Officer's Report:

In the Summary of Planning History section on page 98:

- the floorspace for Unit A should be 1,390 sq.m. (15,000 sq ft.);
- the floorspace for Units F should read 1,020 sq..m not 1,030 sq.m.

In the Impact Assessment section on page 108:

- the cumulative impact (which includes all permissions granted since the baseline study, including the Sainsbury, Asda and Tesco stores) on Hillsborough should read 30% not 10.4%.

ADDITIONAL SUBMISSIONS

The applicant has submitted clarification of the proposed hours of opening and deliveries, revisions to swap the type of retail use proposed in Units 1 and Unit E, and consequent revisions to the retail impact assessment.

The applicant is seeking hours of opening of between 0700 hours and 2300 hours Mondays to Fridays, 0700 hours and 2215 hours on Saturdays, and to between 1000 hours and 1700 hours Sundays and Public Holidays.

The applicant is seeking hours of deliveries of between 0700 hours and 2300 hours Monday to Friday, 0800 hours and 1800 on Saturdays, and 0900-1400 on Sundays and Public Holidays.

PLANNING ASSESSMENT

It is considered that the revised proposals for hours of opening and deliveries would not significantly harm the living conditions of nearby residents.

The proposed revisions to the type of retail use proposed in Units 1 and Unit E would result in the food retail use in Unit 1 swapping with the proposed fashion and footwear retail use in Unit E. As Unit 1 is slightly larger than Unit E by approximately 1,150 sq ft, this would result in slightly less floorspace being proposed for food retail and slightly more for fashion and footwear. The effect on the calculated impacts is a slightly increased impact on retailers of fashion goods however this increase will not be significant. The consequent revisions to the maximum floorspace figures in condition no. 3 are outlined below.

Condition no. 3 is also reworded to give greater clarity.

The revisions to the retail impact assessment submitted by the applicant also take into account the change in likely operators and their average turnover densities which reduce the likely impact on food retailers in existing centres, take into account the IKEA scheme which would experience some trade draw to the Kilner way proposal, and reduce trade draw from other locations including the Stocksbridge town centre expansion scheme. It is considered that the applicant's assumptions are realistic. These revised impacts would not significantly harm the vitality and viability of the existing district centres or prejudice their development.

Additional conditions are recommended to control noise emissions from external plant and equipment, external lighting and land quality.

REVISIONS TO CONDITIONS

Delete condition no.3 and replace with the following condition:

The cumulative total of gross floorspace of units on the application site shall not exceed the limitations listed below:

- (i) the cumulative total of gross floorspace of units on the application site whose use is primarily for retail purposes within use class A1 shall not exceed 12,580 sqm (135,385 sq ft);
- (ii) the cumulative total of gross floorspace (excluding basement floorspace) of units on the application site whose use is primarily for food retail shall not exceed 2,200 sqm (23,700 sq ft);
- (ii) the cumulative total of gross floorspace (excluding basement floorspace) of units on the application site whose use is primarily for the sale of non-food goods shall not exceed 5,680 sqm (61,130 sq ft) of which the cumulative total of gross floorspace (excluding basement floorspace) of units on the application site whose use is primarily for the sale of fashion and footwear goods shall not exceed 1,450 sqm (15,535 sq ft);
- (iii) the remaining retail units on the application site shall not be used for the sale of the following goods:- (a) food and drink, except for consumption on the premises, or where ancillary to a main non-food retail use; (b) books, newspapers and magazines except where ancillary to another main non-food retail use; (c) clothing and footwear; (d) fashion accessories; (e) jewellery; (f) cosmetics and toiletries; (g) pharmaceutical products; (h) toys; (i) sports goods; (j) music and video recordings, video and computer games, mobile phones, cameras and other photographic equipment except where ancillary to a bulky non-food retail use.

Reason: In the interests of the vitality and viability of the Central Shopping Area and nearby District Shopping Centres in the City.

Amend condition no. 5:

delete "1,000 sqm (10,076 sq ft)" and insert "500 sqm (5,380 sq ft)"

Delete condition no. 7 and replace with the following condition:

Notwithstanding the provisions of the Town and Country Planning (Use Classes) Order 1987 as amended the leisure use (within use class D2) hereby approved shall not include use as a cinema.

Reason: In the interests of the vitality and viability of the Central Shopping Area and nearby District Shopping Centres in the City.

Amend condition no. 9:

Delete "0800 hours and 2000 hours Mondays to Saturdays and to between 1000 hours and 1700 hours Sundays and Public Holidays" and insert "0700 hours and 2300 hours Mondays to Saturdays, and to between 1000 hours and 1700 hours Sundays and Public Holidays.

Amend condition no. 10:

Delete "0800 hours and 1800 hours Monday to Friday and 0800 hours and 1300 on Saturdays with no deliveries or servicing taking place on Sundays and Public Holidays" and insert "0700 hours and 2300 hours Monday to Friday, 0700 hours and 1800 on Saturdays, and 0900-1400 on Sundays and Public Holidays.

Amend conditions nos. 11, 12, 14, 15, 16 and 17:

Delete "the new Units" insert "Units 1, 1A, 2, 3, 4, 5, F1, F2 and F3".

Delete condition no. 19 and replace with the following condition:

The approved landscape works shall be implemented prior to the Units 1, 1A, 2, 3, 4, 5, F1, F2 and F3 being brought into use or within an alternative timescale to be first approved in writing by the Local Planning Authority. Thereafter the landscaped areas shall be retained and they shall be cultivated and maintained for a period of 5 years from the date of implementation and any plant failures within that five year period shall be replaced.

Add the following conditions:

For the avoidance of doubt, Unit 5 shall not be used for any purpose within use class A1.

Reason: In the interests of the vitality and viability of the Central Shopping Area and nearby District Shopping Centres in the City.

No externally mounted plant or equipment for heating, cooling or ventilation purposes, nor grilles, ducts, vents for similar internal equipment, shall be fitted to the building unless full details thereof, including acoustic data, have first been submitted to and approved in writing by the Local Planning Authority. Once installed such plant or equipment should not be altered without prior written approval of the Local Planning Authority.

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

Construction and demolition works that are audible at the site boundary shall only take place between 0730 hours and 1800 hours on Monday to Fridays, and 0800 hours and 1300 hours on Saturdays, and not at any time on Sundays and Public Holidays.

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

No external lighting shall be installed on the site unless full details thereof have first been submitted to and approved in writing by the Local Planning Authority. Once installed such external lighting should not be altered without prior written approval of the Local Planning Authority. The details of the external lighting shall be designed in accordance with the recommendations of the Institution of Lighting Professionals' "Guidance Notes for the Reduction of Obtrusive Light" (GN01; 2011).

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

A method statement for the installation and validation of gas protection measures appropriate to gas characteristic situation 2 and basic radon protection requirements, and in accordance with the recommendations of the Local Planning Authority approved Ground Gas Assessment report by Clancy Consulting (ref. 10/0140/FF/AKC; 07/04/2008) shall be submitted for Local Planning Authority approval prior to above ground construction works commencing.

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

Upon completion of the installation of gas protection measures a validation report shall be submitted to the Local Planning Authority. The development 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.

Add Directive:

The developer is advised that in the event that any un-natural ground or unexpected contamination is encountered at any stage of the development process, the Local Planning Authority should be notified immediately. This will enable consultation with the Environmental Protection Service to ensure that the site is developed appropriately for its intended use. Any necessary remedial measures will need to be identified and subsequently agreed in writing by the Local Planning Authority.

4. Application Number 14/02503/FUL

Address 135 Folds Lane

Representation

A representation has been received from Councillor Roy Munn stating that the extension does not complement the existing scale, form and style of the surrounding buildings (BE5 part c) and does not respect the scale, detail and prominence of the original materials of the original building.

It further states the impact on the street scene is unacceptable as the extension does not tie in with the main house in terms of scale and does not retain the prominence of the main building, as demonstrated by the indicative view on the application file

5. Application Number 13/02892/FUL

Address Former Oakes Park School, Matthews Lane

Amendments to Heads of Terms for Unilateral Undertaking

Since the draft of the original report, the Heads of Terms have been subject to negotiation, principally concerning the timing of payments. The following reflects the agreed position:

- (i) The owner(s) of the site shall serve on the Council, within 21 days of the commencement of development, notice of the commencement of the development, and in the event of such notice not being served, covenant to pay the Council, immediately on demand, all sums due under the provisions of this Deed,*
- ii) The owner(s) of the site shall serve on the Council, within 21 days of the occupation of the 1st, 15th and 30th dwelling, occupation of that dwelling and in the event of such notice not being served, covenant to pay the Council, immediately on demand, all sums due under the provisions of this Deed,*
- (iii) On or before occupation of the first dwelling, the owner(s) shall pay to the Council the sum of £41,596.55 towards the provision and enhancement of open space within the 1200m of the site, and a further £41,596.55 prior to occupation of the 15th dwelling and shall not permit the occupation of more than 15 dwellings until the total Open Space sum of £83,193.10.*
- (iv) On or before the occupation of the first dwelling, the owner(s) shall pay to the Council the sum of £142,636 to be used to provide additional school places generated by the development within the Planning Area 7 – East.*

- (v) *On or before the occupation of the 15th dwelling, the owner(s) shall pay to the Council the sum of £530,000 towards the provision of affordable housing within the South Affordable Housing Market Area, and shall pay a further £530,000 on or before occupation of the 30th dwelling. The owner shall not permit occupation of more than 15 and 30 dwellings respectively until such sums have been paid.*
- (vi) *The owner(s) shall construct the on-site affordable housing unit within 24 months of the commencement of development and the Affordable Housing Unit will be made available for acquisition by the Council*
- (vii) *On or before the commencement of development, the owner(s) shall pay to the Council the sum of £10,000 towards the improvement of the bus shelter next to the site.*