

PLANNING AND HIGHWAYS COMMITTEE 24 September 2013

SUPPLEMENTARY INFORMATION

APPLICATIONS UNDER VARIOUS ACTS / REGULATIONS – SUPPLEMENTARY INFORMATION

1. **Application Number** **13/01689/FUL.**

 Address **Adjacent 47, Roach Road.**

Additional Information

The applicant has provided some additional supporting information.

- A) In relation to the window that has been inserted into the side elevation of 47, Roach Road, a copy of a letter from the previous owner of the site dated 5 February 2010 is enclosed along with photographs of the side of 47, Roach Road before the window was inserted and afterwards.

The letter says that the then site owner, Yorkshire Electricity Distribution Ltd. (YED) have no knowledge of the works regarding the new window on the party boundary. YED state that they will not be granting any consent for the window and note that it has only been in place for a few weeks. There is photographic evidence to support this.

YED also state that to establish right to light under the Prescriptions Act 1832, a period of 20 years uninterrupted benefit is required, which is not the case at this site.

The occupier of 47 Roach road has responded to this submission by stating that he never received the letter referred to and despite several conversations with the previous owners, not once did they inform him it was illegal.

Officer Comment: This dispute does not directly relate to the planning issues associated with the proposed development of the site. As stated in the report, the recently inserted window is borrowing amenity and light from neighbouring land and should not be afforded any weight in the determination of the application.

- B) In relation to the garden areas of approximately 35 square metres per property as stated in the report the applicant has provided his own calculated areas of 45 and 48 square metres, which include areas such as front gardens/forecourts which were not reflected in the report.

Officer Comment: These figures are not disputed and do not change the overall view that the garden areas are reflective of the character and density of the locality.

2. **Application Number** **13/02539/FUL**

have accepted. The phasing of payment is at the applicants request but still meets planning objectives.

RECOMMENDATION:

Grant, subject to the recommended conditions and to a Unilateral Planning Obligation under Section 106 with the following Heads of Terms:

- (a) A financial contribution of £62,398 towards public open space in the City Centre payable on commencement of development of the student residential tower;
- (b) A financial contribution of £10,000 towards a study by the Council of the enhancement of Fitzalan Square, including redesign and any impact upon traffic and bus movements, payable upon commencement of the conversion of the listed building.

4. Application Number 13/02171/FUL

Address 176-178 Main Street, Grenoside

Representations

1 additional letter of objection has been received. The grounds of objection are included in the report but with the addition of the concern that the café will lead to a loss of jobs in the local area as existing businesses will not be able to cope with the increased competition and will close as a result.

Members will be aware that competition is not a planning consideration.

This page is intentionally left blank