

**SECOND SUPPLEMENTARY REPORT**  
**TO THE PLANNING COMMITTEE**  
**26<sup>th</sup> May 2020**

**Agenda Item 4**

**Application Ref. 20/00123/OUT**

**Land West of Pit Head Close, Lymedale Business Park**

The consultation comments of the **Coal Authority (CA)** have now been received and they advise that significant concerns are raised with the two indicative layout options submitted due to the presence of recorded mine shaft entries. However, due to the outline nature of the application, with layout reserved, they recognise that there is scope to amend the layout in a manner that buildings are not over or within influencing distance of the two recorded mine entries on the site. Therefore, they raise no objections to the application subject to conditions which secure intrusive site investigations and the implementation of any remedial works.

The intrusive site investigations will need to be undertaken prior to the submission of the reserved matters applications to ensure that the footprint of the building avoids the two recorded mine entries. Identified remedial works will then dictate how close any building can be to the mine entries.

The **Landscape Development Section** have advised that they have no further comments to make on information submitted by the applicant, which was reported in the first supplementary report published on the 22<sup>nd</sup> May.

**Officers Comments**

As set out by the CA, the layout of the scheme is reserved for subsequent approval which would allow the coal mining risks to be addressed at a future time. However, the Local Planning Authority still need to be content that the proposed development can proceed. In this respect, it is accepted that any building would need to avoid the recorded mine shafts which are located close to the western boundary of the site. This may result in the proposed building(s) having a stepped footprint but your officers do not have any significant concerns in this respect and an acceptable layout can still be achieved to ensure an appropriate level of car parking, servicing arrangements and turning areas, as well as providing a suitable landscape buffer and appearance of the building. These details will need to be agreed at the reserved matters stage.

Following the advice of the CA the recommendation will need to be revised to ensure conditions reflect the comments received and that intrusive site investigations are undertaken prior to the submission of the reserved matters applications and the findings to form part of the reserved matter application. The implementation of the remedial works will then take place prior to the commencement of the development.

**The RECOMMENDATION is revised as follows;**

**A. Subject to the applicant first entering into a Section 106 obligation by the 1st July 2020 to secure a contribution sum of £2,407 towards Travel Plan monitoring,**

**PERMIT the application subject to conditions relating to the following matters:-**

- 1. Standard time limits for submission of applications for approval of reserved matters and commencement of development;**
- 2. Approved plans;**
- 3. Any reserved matters application to comply with principles of the Design and Access Statement;**
- 4. The building(s) shall have a maximum height of 22 metres;**
- 5. Prior approval of full site access details, including the footway / cycle path;**
- 6. The existing site access on Loomer Road permanently closed off;**
- 7. Secure weatherproof cycle parking facility;**
- 8. Implementation of Travel Plan Framework;**
- 9. Prior approval of access gates;**
- 10. Highway & Environmental Construction and Demolition Management Plan (CMP)**
- 11. Reserved matters application to be accompanied by a noise assessment and noise a management plan;**
- 12. Prior approval of external lighting**
- 13. Electric vehicle charging provision**
- 14. Land contamination investigations and mitigation measures;**
- 15. Unexpected ground water contamination;**
- 16. Reserved matters application to include a detailed surface water drainage scheme (SuDS);**
- 17. Reserved matters application to be accompanied by a landscape masterplan;**
- 18. TV reception mitigation measures;**
- 19. Reserved matters application to include refuse collection arrangements;**
- 20. intrusive coal mining site investigations and the findings to form part of the reserved matters application**
- 21. Implementation of coal mining remedial works;**
- 22. Recommendations as per the submitted ecological report**

**B. Should the matters referred to in (A) above not be secured within the above period, then the Head of Planning be given delegated authority to refuse the application on the grounds that without such matters being secured the development would fail to secure sustainable development objectives, or, if he considers it appropriate, to extend the period of time within which the obligation can be secured.**