

21/02109/OUT

Applicant Mr B Thomson

Location Land At Former Bunny Brickworks Site, Loughborough Road, Bunny

Proposal Outline application for the erection of up to 110 dwellings and up to 5,600sqm of employment units including associated infrastructure, access, roadway, parking and landscape/amenity areas (all matters reserved except for access).

Ward Bunny

LATE REPRESENTATIONS FOR COMMITTEE

1. **NATURE OF REPRESENTATION:** Objection

RECEIVED FROM: Neighbour/ member of public

SUMMARY OF MAIN POINTS:

The site would be better suited for a solar farm rather than housing and business premises. Brownfield rather than greenfield sites should be used for solar.

PLANNING OFFICERS COMMENTS:

The site is allocated for mixed use residential and employment under Policy 23 of the Local Plan Part 2.

2. **NATURE OF REPRESENTATION:** Amendments to wording of proposed conditions

RECEIVED FROM: Officer

SUMMARY OF MAIN POINTS:

- Rewording of conditions 4 and 6 so that these apply to any phase of development rather than to the site as a whole
- Rewording of condition 27 to clarify that this condition applies only to the commercial element of the development
- Omit reference to 'hard areas' in condition 15 as this is duplication and

- covered in condition 5
- Omit criterion h) of condition 25 (hours of delivery/ waste collection) which is a duplication of criterion b).

PLANNING OFFICERS COMMENTS:

For the avoidance of doubt, the reworded conditions are detailed in below with proposed changes highlighted:

4. No development shall take place **in the relevant phase**, including any works of demolition, 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:
- a. the parking of vehicles of site operatives and visitors
 - b. loading and unloading of plant and materials
 - c. storage of plant and materials used in constructing the development
 - d. the erection and maintenance of security hoarding including
 - e. decorative displays and facilities for public viewing, where appropriate
 - f. wheel washing facilities
 - g. details of techniques for the control of noise, dust and vibration during demolition and construction.
 - h. a scheme for recycling/disposing of waste resulting from demolition
 - i. and construction works.
 - j. The siting and appearance of contractors compounds including heights of stored materials, boundaries and lighting together with measures for the restoration of the disturbed land and noise mitigation.

The approved Statement shall be adhered to throughout the construction period.

6. No development shall commence **in any relevant phase** until details of the new accesses, internal new roads have been submitted to and approved in writing by the Local Planning Authority including longitudinal and cross-sectional gradients, street lighting, drainage and outfall proposals, construction specification, provision of and diversion of utilities services, and any proposed structural works. The development shall be implemented in accordance with these details to the satisfaction of the Local Planning Authority.
15. No development shall take place in any relevant phase (other than for the access approved under this permission) until the details of the landscaping scheme for that phase, to include those details specified below, have been submitted to and agreed in writing by the Borough Council:
- a. the treatment proposed for all ground surfaces
 - b. full details of tree planting;

- c. planting schedules, noting the species, sizes, numbers and densities of plants. Measure to provide habitat enhancements should be adopted including the use of native fruiting species within landscaping and retention and gapping up hedgerows, new hedgerows, retention of mature trees and the use of bat and bird boxes / tubes.
- d. finished levels or contours;
- e. all existing trees, hedges and other landscape features, indicating clearly those to be removed;
- f. details of all boundary treatments including height, design, location, materials and finish; and
- g. details of how the landscape proposals comply and compliment the ecological requirements set out in the other relevant conditions
- h. details of minor artefacts and structures (e.g. furniture, play equipment, refuse or other storage units, signs and lighting)
- i. proposed and existing functional services above and below ground (e.g. drainage, power, communications cables, pipelines).

The works shall be carried out as approved. Any trees or planting which die, are removed or become seriously damaged or diseased within 5 years of completion of the development within that phase shall be replaced in the next planting season with others of a similar size and species.

25. No non-residential unit shall be occupied until a scheme has been submitted to and agreed in writing by the Borough Council to cover the following:
- a. hours of operation of those premises
 - b. hours of deliveries and waste collection
 - c. details of delivery handling equipment and industrial processes to be undertaken;
 - d. details of externally mounted plant, equipment, tools and machinery or internally mounted plant, equipment, power tools and machinery which vents externally;
 - e. associated structural planting and external and internal buffer zones to mitigate any noise generated;
 - f. details of refuse collection and bin storage and servicing arrangements;
 - g. details of security lighting or flood lighting to be installed on the employment premises or associated open areas including lux plot of estimated illumination and designed, located and installed so as not to cause nuisance to neighbouring residents or to users of the highway and to avoid significant impacts on foraging commuting bats;
 - h. details of any outdoor storage or display of goods or materials.

The units shall thereafter be used, and any plant/equipment shall be installed, and retained in accordance with the approved scheme.

27. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) (England) Order 2015 (or any Order revoking and/or re-enacting that Order) **the commercial element** of the development hereby approved must only be used for uses within Use Class E(g)(i), (ii), and (iii), and/or Use class B2 and/or Use Class B8 purposes and for no other purpose whatsoever (including any other purpose within Class E of the Schedule to the Town and Country Planning (Use Classes) Order 1987 (or any provision equivalent to that class in any Statutory Instrument revoking and/or re-enacting that Order with or without modification) without express planning permission from the Local Planning Authority.

3. **NATURE OF REPRESENTATION:** Change to wording of recommendation

RECEIVED FROM: Officer

SUMMARY OF MAIN POINTS:

As the S106 legal agreement has not been signed prior to the application being considered by the Planning Committee permission cannot be granted, but authority can be delegated to the Director of Planning and Economic Growth to grant permission once the S106 agreement is signed.

PLANNING OFFICERS COMMENTS:

The recommendation should change to the following wording;

It is RECOMMENDED that the Director of Development and Economic Growth is authorised to grant planning permission subject to the prior signing of a Section 106 agreement and the following condition(s), which the Director of Development and Economic Growth is also authorised to amend to correct any matters that do go to the heart of the condition.