

DEVELOPMENT CONTROL COMMITTEE

28th August, 2002 at 6.00 p.m.

PRESENT: Councillor Hoyle (Chair), Councillors Boyle, Dolling, Jenkins, Johnston, McCowen, Stewart and Taylor.

NOS. 10-10A DUNSTABLE PLACE (REF:7.5)

175 The Development Control Manager reported on Application No. 02/00533/COU submitted by Mr. M. Khan for planning permission in respect of the change of use of premises at Nos.10-10A Dunstable Place from offices to use as premises for the sale of food and drink (wine bar) within use class A3.

He reported that the Application site fell within an Employment Policy Area of the Borough of Luton Local Plan, and therefore the Application had been advertised in accordance with the requirements of the Town and Country Planning (Development Plans and Consultation) Direction 1992.

Resolved to recommend: That Application No. 02/00533/COU be approved subject to the receipt of amended plans and to compliance with the following conditions:-

- (01) The development hereby permitted shall be begun not later than the expiration of five years beginning with the date of this permission. (Reason: To limit the duration of the permission in accordance with the provisions of Sections 91-96 of the Town and Country Planning Act, 1990.)
- (02) No alterations to the external appearance of the building(s) other than any alterations approved under this permission, shall be carried out without the prior permission of the Local Planning Authority. (Reason: To prevent an unsatisfactory form of permanent development.)
- (03) A fume extractor of a type approved by the Local Planning Authority shall be installed in the premises before the use to which this permission relates is commenced and the siting of the extractor shall be in accordance with details to be submitted to and approved by the Local Planning Authority. (Reason: To ensure a satisfactory standard of development and to safeguard the amenities of the surrounding area.)
- (04) Before the converted building is used for any purpose it shall be insulated against internally generated noise in accordance with a scheme to be approved by the Local Planning Authority before any development is commenced. (Reason: To protect the amenities of neighbouring properties.)

NO. 5 CASTLE STREET (REF: 7.6)

176 The Development Control Manager reported on Application No. 02/00694/COU submitted by Unique Employment Services Limited for planning permission in respect of the change of use of the ground floor of premises at No. 5 Castle Street to an employment agency (Class A2).

He reported that the Application site fell within an Employment Policy Area of the Borough of Luton Local Plan, and therefore the Application had been advertised in accordance with the requirements of the Town and Country Planning (Development Plans and Consultation) Direction 1992.

Resolved to recommend: That Application No.02/00694/COU be approved subject to compliance with the following conditions:-

- (01) The development hereby permitted shall be begun not later than the expiration of five years beginning with the date of this permission. (Reason: To limit the duration of the permission in accordance with the provisions of Sections 91-96 of the Town and Country Planning Act, 1990.)
- (02) No goods, waste or other materials shall be stored outside the building (s) in the open except in such locations and containers (including skips) as may be approved beforehand by the Local Planning Authority. (Reason: In the interests of visual amenity.)

NOS. 6-14 MILL STREET (REF: 7.7)

177 The Development Control Manager reported on Application No. 02/00668/COU submitted by Mr. R. Khan for planning permission in respect of the change of use of part of the premises at Sommerview Court (formally Redcliffe House) Nos. 6-14 Mill Street to a letting and estate agency (Class A2)

He reported that the Application site fell within an Employment Policy Area of the Borough of Luton Local Plan, and therefore the Application had been advertised in accordance with the requirements of the Town and Country Planning (Development Plans and Consultation) Direction 1992.

He also reported on one letter objecting to the proposal which had been received. In accordance with the Council's Right to Speak policy the Applicant and the objector addressed the meeting.

Resolved to recommend: That Application No.02/00668/COU be approved subject to compliance with the following conditions:-

- (01) The development hereby permitted shall be begun not later than the expiration of five years beginning with the date of this permission. (Reason: To limit the duration of the permission in accordance with the provisions of Sections 91-96 of the Town and Country Planning Act, 1990.)
- (02) The area to be used for car parking in connection with the development hereby permitted shall not be used for any purpose other than for the parking of residents, customers and employees cars and the standing of vehicles while servicing the premises and shall be ready for use prior to the occupation of the building(s) comprised in the development hereby permitted. (Reason: To avoid the creation of traffic congestion on the highway in the interests of safety and convenience of pedestrians and other road users.)
- (03) No goods, waste or other materials shall be stored outside the building(s) in the open except in such locations and containers (including skips) as may be approved beforehand by the Local Planning Authority. (Reason: In the interests of visual amenity.)
- (04) The land and premises shall not be used for the approved purpose outside the hours of 08:00 to 19:00 Mondays to Saturdays. (Reason: To protect the amenities of neighbouring properties.)
- (05) Notwithstanding the terms of the Town and Country Planning (General Permitted Development Order) 1995, the premises shall not be used at any time for retail purposes within Use Class A1 of the Schedule to the Town and Country Planning (Use Classes) Order 1987. (Reason: To ensure that the development is consistent with the policies of the Borough of Luton Local Plan which includes a presumption against Retail Development in this area.)

NOS. 95-97 WELLINGTON STREET (REF: 7.9)

178 The Development Control Manager reported on Application No. 02/00671/COU submitted by A. Ahmed for planning permission in respect of the conversion and change of use of light industrial

building to 4 one-bedroom flats and 4 bedsit flats with associated parking and amenity space at Nos. 95-97 Wellington Street.

He reported that the Application site fell within an Employment Policy Area of the Borough of Luton Local Plan, and therefore the Application had been advertised in accordance with the requirements of the Town and Country Planning (Development Plans and Consultation) Direction 1992.

Resolved to recommend: That Application No.02/00671/COU be approved subject to compliance with the following conditions:-

- (01) The development hereby permitted shall be begun not later than the expiration of five years beginning with the date of this permission.(Reason: To limit the duration of the permission in accordance with the provisions of Sections 91- 96 of the Town and Country Planning Act, 1990.)
- (02) Notwithstanding the submitted plans and drawings, the roof profile and ridge height of the building shall be retained as existing, unless alternative plans have been submitted to and approved by the Local Planning Authority.(Reason: To preserve the setting of the adjacent listed building and also in the interests of the amenities of the occupiers of that building.)
- (03) Full details of the proposed boundary treatment of the site shall be submitted to and approved by the Local Planning Authority before the development is commenced and the approved treatment shall be installed before the building hereby permitted is occupied. (Reason: To ensure a satisfactory standard of development and to safeguard the amenities of the surrounding area.)
- (04) Full details of the materials to be used in the construction of and alterations to the walls, roof and fenestration of the buildings shall be submitted to and approved by the Local Planning Authority before the development is commenced (Reason: In the interests of visual amenity.)
- (05) Before the development is commenced a landscaping scheme to include all hard surfaces shall be submitted to and approved by the Local Planning Authority and all planting thereby approved shall be carried out by a date not later than the end of the full planting season immediately following the completion of that development. Any trees or shrubs removed, dying, being severely damaged or becoming seriously diseased within five years of planting shall be replaced by trees or shrubs of similar size and species to those originally required to be planted. (Reason - In the interests of visual amenity.)
- (06) The area to be used for car parking in connection with the development hereby permitted shall not be used for any purpose other than for the parking of residents and visitors cars and the standing of vehicles while servicing the premises and shall be ready for use prior to the occupation of the building(s) comprised in the development hereby permitted.(Reason: To ensure that adequate provision is made for vehicles to park clear of the highway in the interest of road safety.)
- (07) The garden/amenity space approved as part of the development hereby permitted shall be available for use prior to the occupation of any flat or dwelling and shall be accessible to the occupants of all dwelling units in the scheme.(Reason: In the interests of the amenities of the future residents of the residential accommodation hereby approved.)

NO. 4 UNION STREET (REF: 7.10)

The Development Control Manager reported on Application No. 02/00312/COU submitted by Central Cash and Carry (Watford) Limited for planning permission in respect of the change of use of offices at Central House No. 4 Union Street to a restaurant

He reported that the Application site fell within an Employment Policy Area of the Borough of Luton Local Plan, and therefore the Application had been advertised in accordance with the requirements of the Town and Country Planning (Development Plans and Consultation) Direction 1992.

In accordance with the Council's Right to Speak policy a representative of the Applicant addressed the meeting.

Resolved to recommend: That Application No.02/00671/COU be approved subject to compliance with the following conditions:-

- (01) The development hereby permitted shall be begun not later than the expiration of five years beginning with the date of this permission. (Reason: To protect the amenities of neighbouring properties.)
- (02) A fume extractor of a type approved by the Local Planning Authority shall be installed in the premises before the use of which this permission relates is commenced and the siting of the extractor shall be in accordance with details to be submitted to and approved by the Local Planning Authority. (Reason: To ensure a satisfactory standard of development and to safeguard the amenities of the surrounding area.)
- (03) The restaurant use hereby approved shall not operate outside the hours of 06.30 pm to 01.00 am on Mondays to Saturdays and midday to midnight on Sundays and public holidays. (Reason: To ensure that adequate provision is made for vehicles to park clear of the highway in the interest of road safety.)
- (04) The restaurant use hereby approved shall be operated only in conjunction with the adjacent warehouse and shall be used primarily for the sale for consumption of foods stored at and sold from those premises. (Reason: To ensure a satisfactory standard of development and to safeguard the amenities of the surrounding area.)
- (05) The car parking area shown on the approved plans shall be available for the use of customers and staff without restriction at all times that the restaurant is open. (Reason: To ensure that adequate provision is made for vehicles to park clear of the highway in the interest of road safety)
- (06) The building(s) shall be used for restaurant purposes only and for no other purpose, including any other purpose within Class A1 or A2 specified in the schedule to the Town and Country Planning (Use Classes) Order, 1987, (or any provision equivalent to that Class in any statutory instrument revoking an re-enacting that Order with or without modification). (Reason: To ensure that the development is consistent with the policies of the Borough of Luton Local Plan which includes a presumption against Retail Development in this area.)
- (07) The building shall not be occupied for the use hereby approved until it has been altered in accordance with a scheme to be submitted to and approved by the local planning authority beforehand. (Reason: To enhance the appearance of the proposed development.)