

COMMITTEE: DEVELOPMENT CONTROL

DATE: 27TH APRIL 2005

SUBJECT: 2 DALLOW ROAD, SIKH TEMPLE. ERECTION OF A THREE STOREY BUILDING FOR USE AS A SIKH TEMPLE AND ERECTION OF A TWO STOREY BUILDING COMPRISING GYM AND CLASSROOMS AFTER DEMOLITION OF EXISTING TEMPLE. (RESUBMISSION). (APPLICANT: GURU NANAK GURDWARA) (APPLICATION NO. 05/00255/FUL).

REPORT BY: DEVELOPMENT CONTROL MANAGER

CONTACT OFFICER: DAVID HALL 546317

IMPLICATIONS:

LEGAL	COMMUNITY SAFETY
EQUALITIES	ENVIRONMENT
FINANCIAL	CONSULTATIONS
STAFFING	OTHER

WARDS AFFECTED: DALLOW

PURPOSE

1. To advise Members of a current application for planning permission and to seek their decision.

RECOMMENDATION(S)

2. The proposal complies with Policies EMP2, BP1 and E1 of the Borough of Luton Local Plan 1997. Therefore, Development Control Committee is recommended to grant Planning Permission, subject to 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 works or development shall take place until full details of a landscaping scheme to include all hard surfaces, grassed areas, tree and shrub plantings and the proposed times of planting, has been approved in writing by the Local Planning Authority, and all grassed areas shall be laid out and all tree and shrub planting shall be carried out in accordance with those details and at those times. Within one month of the completion of the landscaping scheme written confirmation of the completion date shall be submitted to the Local Planning Authority. If within a period of five years from the initial date of planting of any tree or shrub, any such plant is removed, uprooted or destroyed, or dies or becomes in the opinion of the Local Planning Authority, seriously damaged, diseased or defective, another tree or shrub of the same species and size as that originally planted shall be planted at the same place, unless the Local Planning Authority gives its written consent to any variation.

Reason: To enhance the appearance of the proposed development. To accord with the objectives of Policy(ies) E1 of the Borough of Luton Local Plan.

- (03) No means of broadcasting amplified speech, music or any other sound to the exterior of the building shall be used on the land and premises at any time.

Reason: To protect the amenities of neighbouring properties and to accord with Policies E1 and H1 of the Borough of Luton Local plan.

- (04) Full details of the materials to be used in the construction of all external features of the buildings, including walls, windows and the domes, shall be submitted to and approved by the Local Planning Authority before the development is commenced.

Reason - In the interests of visual amenity. To accord with the objectives of Policy(ies) BP1 and E1 of the Borough of Luton Local Plan.

- (05) 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(s) hereby permitted is/are occupied.

Reason - To ensure a satisfactory standard of development and to safeguard the amenities of the surrounding area. To accord with the objectives of Policy(ies) BP1, E1 and H1 of the Borough of Luton Local Plan.

- (06) Before the development is commenced, a detailed site investigation shall be carried out to establish if the site is contaminated, to assess the degree and nature of the contamination present, and to determine its potential for the pollution of the water environment. The method and extent of this site investigation shall be agreed with the Local Planning Authority prior to commencement of the work. Details of appropriate measures to prevent pollution of groundwater and surface water, including provisions for monitoring, shall then be submitted to and approved in writing by the Local Planning Authority before development commences. The development shall then proceed in strict accordance with the measures approved.

Reason - To prevent pollution to groundwater. To accord with the objectives of Policy(ies) BP1, E1 and E10 of the Borough of Luton Local Plan.

- (07) 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 staff 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. To accord with the objectives of Policy(ies) BP1, E1 and T7 of the Borough of Luton Local Plan.

- (08) Details of the surfacing and drainage of any parking service area(s) hereby approved shall be submitted to and approved by the Local Planning Authority before the development hereby permitted is commenced. The details thereby approved shall be installed prior to the occupation of any building on the site.

Reason: To ensure a satisfactory standard of development and to safeguard the amenities of the surrounding area. To accord with the objectives of Policy(ies) BP1 and E1 of the Borough of Luton Local Plan.

- (09) External lighting shall be provided to the parking/service area(s) and to the perimeter of the building(s) in accordance with British Standard luminance levels and the lighting shall be submitted to and approved by the Local Planning Authority and installed and fully operational prior to the occupation of the building(s).

Reason – To ensure a satisfactory standard of development and in the interests of security and the prevention of crime. To accord with the objectives of Policy(ies) BP1, E1 and E8 of the Borough of Luton Local Plan.

- (10) 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 - To ensure a satisfactory standard of development and to safeguard the amenities of the surrounding area. To accord with the objectives of Policy(ies) BP1 and E1 of the Borough of Luton Local Plan.

- (11) The gymnasium building, hereby permitted shall not be used for any purpose other than purposes incidental to the principal use of the site for religious assembly and education.

Reason – To ensure a satisfactory standard of development and to safeguard the amenities of the surrounding area. To accord with the objectives of Policy(ies) BP1, H1 and E1 of the Borough of Luton Local Plan.

BACKGROUND

3. The site is located between Dallow Road and Hatters Way with access from Dallow Road. Presently there is a large 3-storey building located to the front of the site on Dallow Road. Originally there were 2 buildings on the site but, the smaller building of similar design which was at the rear closer to Hatters Way has been demolished.

4. To the east is a cleared site once occupied by a row of 10 terraced properties. Wedged in between the subject site and the cleared site is Trend House, used for Health care and ancillary offices. To the northwest is Dallow Junior and Infant Schools whose playing field abuts the subject site.

5. The site was identified as a Proposed Employment Development Site on the Adopted Borough of Luton Local Plan 1997 Proposals Map but is not designated as such on the Proposals Map of the Emerging Luton Local Plan 2001-20011.

REPORT

The Proposal

6. The application shows the construction of a two storey Sikh Temple (the Guru Nanak Gurdwara), topped by two large and five lesser domes. A separate two storey flat-roofed building fronting Hatters Way is intended to accommodate a gymnasium and classrooms. 95 parking spaces are shown located on the front of the site facing Dallow Road

Planning History

7. The Sikh community acquired the former school buildings on the site about 6 years ago. They did not need planning permission to use the buildings for religious purposes.

8. In October 2001, consent was granted for the erection of a flagpole on the site.
9. An application for residential conversion of the premises was withdrawn in November 2004. The applicants were advised that the proposal would be a departure from the Development Plan.
10. An application similar to the current application was withdrawn in January 2005 because of inadequate information.

Relevant Planning Policy

11. Policy EMP2 of the Plan states that priority will be given to retaining land in existing employment uses and to encouraging its re-use and regeneration within Use Classes B1-B8.
12. Policy 26 of the Bedfordshire Structure Plan requires each of the Bedfordshire Districts and Luton to undertake employment land audits to assess needs and to establish whether there is a shortage of land and buildings compared to future job requirements.
13. Policy 28 of the Bedfordshire Structure Plan seeks to safeguard key employment sites according to sustainable development considerations and also the circumstances where mixed uses or redevelopment for other non-employment uses may be beneficial.
14. LC7 of the Local Plan seeks to safeguard land for new religious facilities and LC2 identifies the requirements for new community facilities. On balance, therefore, it is considered that the current proposal is contrary to the development plan but, as it involves redevelopment of an existing community use it is likely to be acceptable in principle.

Consultations and Statutory Publicity

15. As a result of technical consultations the following responses have been received:-
16. Highway Authority comments – Some concerns: the proposal could lead to demand for on street parking as the development is under provided for on site parking considering the stated number of people likely to attend.
17. Environment Agency – Unable to respond.
18. Veolia Water – Site within Groundwater Protection Zone: recommends site investigation.
19. Environment and Consumer Services (Environmental Protection) – No comments.
20. Police Architectural Liaison Officer – Acceptable boundary treatment and external lighting to car park required.

21. No objections have been received as a result of notification of the proposal to local occupiers.

Main Planning Considerations

22. The main issues to consider are the impact on the street scene and adjoining occupiers and the Policy implications.

Policy Issues

23. As the site is within a proposed employment development site and Policy EMP2 of the Local Plan therefore applies. This states that redevelopment for employment purposes will be encouraged.

24. However, the site has been used as a Sikh Temple for some time and the application is to demolish the existing building and re-build to a more acceptable and functional design.

25. Although re-development of the site will establish its use as a place of worship rather than employment, the existing use is a material consideration to the use of the site. In this case, considering the Local Plan, the Emerging Plan and the existing use, it is considered that a departure from the Local Plan is acceptable in this instance.

Street Scene Impact

26. The proposed temple will be set back from the street by 52m; 35m more than the existing building. It will, however, be quite imposing, with its domes being the main architectural feature. It will be an exciting addition to Luton's townscape.

27. In addition to the main Temple, is the erection of a gym with classrooms above. Although this will be a plain structure, the main Temple building will dominate the site. This is acceptable in the street scene.

Impact On Adjoining Occupiers

28. The surrounding area is mixed in nature, and it is considered that the proposed building will not increase noise and disturbance above existing levels. It should be noted in this regard that no objections have been received as a result of notification to local occupiers.

Parking

29. 95 car parking spaces would be provided for the Temple. The application form states the building is to be used for various religious purposes and that it will have a total capacity of 400 people. This would require 80 spaces to meet the Council's normal planning standards. Within the site there is also a library within the main building and a separate gym and classrooms. The classrooms are to be used on one night, once a week for religious education.

30. The Highways Development Manager has some concern that the use could result in overspill of car parking. However, the concern is not a strong objection, and considering the level of parking provided and the proposed uses within the site, it can be seen that 95 car parking spaces is acceptable. The site is also 600m from the town centre.

LIST OF BACKGROUND PAPERS
LOCAL GOVERNMENT ACT 1972, SECTION 100D

- 31. Borough of Luton Local Plan 1997.
- 32. Emerging Luton Local Plan 2001-2011.
- 33. Application File No. 01/01142/ADV.
- 34. Bedfordshire Structure Plan 2011.