

**TIME LIMIT FOR COMMENCEMENT**

- (01) The development hereby permitted shall be begun not later than the expiration of 3 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 development hereby permitted shall not be carried out other than in complete accordance with the approved plans and document Nos.: **1460-LP (Location Plan), 1460-011-Rev A (Level 1), 1460-012-Rev A (Level 2), 1460-013 (Level 3), 1460-014 (Level 4), 1460-015 (Level 5), 1460-016 (Level 6), 1460-017 (Level 7), 01460-018 (Level 8), 01460-019-Rev E (Roof Plan), 1460-003-Rev A (Site Plan), 1460-009-Rev A (Level 0), 1460-010-Rev A (Level 0.5), 1460-050-Rev A (North / Side Elevation), 1460-051-Rev B (South / Front Elevation), 1460-052-Rev B (West / Side Elevation) and 1460-053-Rev B (East / Side Elevation).**

*Reason: To ensure a satisfactory standard of development and to safeguard the amenities of the surrounding area.*

- (03) Prior to the commencement of any demolition or construction works a Construction Method Statement shall be submitted in writing to the Local Planning Authority for approval. Demolition and construction shall only then commence in accordance with those approved details. The Statement shall provide for:

- (i) operating hours: No demolition, construction or contaminated land remediation activities, movement of traffic, or deliveries to and from the premises, shall occur other than within the hours agreed with the Local Planning Authority. Any proposed extension to these agreed hours, other than for emergency works, shall be agreed with the Local Planning Authority before work commences;
- (ii) the parking of vehicles of site operatives and visitors;
- (iii) a dilapidation survey demonstrating the condition of the highway, inclusive of crossovers, kerbs and pedestrian footways, prior to the commencement of demolition and construction to be used for comparison following the completion of works and first operation of the development;
- (iv) loading and unloading of plant and materials;
- (v) storage of plant and materials used in constructing the development;
- (vi) the erection and maintenance of security hoarding including decorative displays and facilities for public viewing, where appropriate;
- (vii) wheel washing facilities;
- (viii) measures to, where appropriate, manage the safe removal and disposal of asbestos material;
- (ix) measures to control the emission of dust and dirt during construction; and
- (x) a scheme for recycling/disposing of waste resulting from demolition and construction works.

*Reason: To protect human health, the environment, the highway and the amenities of adjoining occupiers and surrounding uses.*

- (04)** Prior to the commencement of above-ground works, excluding demolition and enabling works, full details of the materials to be used in the construction of the external materials of the building hereby approved shall be submitted in writing to the Local Planning Authority for approval. The development shall be carried out only in full accordance with those approved materials.

***Reason: To ensure a satisfactory standard of development and to safeguard the amenities of the surrounding area.***

- (05)** No above ground works 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 submitted in writing to the Local Planning Authority for approval. 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 and to provide suitable amenity areas.***

- (06)** A landscape management plan, setting out management and maintenance responsibilities for all hard and soft landscape areas, shall be submitted to and approved by the Local Planning Authority prior to the occupation of the development for its permitted use. The landscape management plan shall be carried out as approved and shall remain in force for as long as the development remains in existence.

***Reason: To ensure a satisfactory standard of development and to safeguard the amenities of the surrounding area.***

- (07)** Prior to the commencement of development, excluding demolition and enabling works, a surface water drainage scheme, based on sustainable drainage principles should be submitted to the Local Planning Authority in writing for their subsequent approval in consultation with Thames Water. The drainage scheme should demonstrate that the surface water run-off generated by critical storms up to and including the 100 year + 40 % climate change uplift storm will not exceed the drainage capacity of the site. Thereafter the scheme shall be implemented as approved.

***Reason: To prevent the increased risk of flooding, to improve and protect water quality and to improve habitat and amenity.***

- (08)** No building shall be occupied until a verification report (appended with substantiating evidence demonstrating that the approved construction details and specifications have been implemented in accordance with the surface water drainage scheme) has been submitted to the Local Planning Authority in writing for their approval. The verification report shall include photographs of

excavations and soil profiles / horizons, any installation of any surface water structure and control mechanism.

***Reason: To prevent the increased risk of flooding, to improve and protect water quality and to improve habitat and amenity.***

**(09)** Prior to first occupation of the development hereby approved, a detailed Travel Plan shall be submitted in writing to the Local Planning Authority for approval. The Travel Plan shall be in line with the prevailing policy and best practice and shall include as a minimum:

- A car park management strategy;
- The identification of targets for trip reduction and modal shift;
- The methods to be employed to meet these targets;
- The mechanisms for monitoring and review, which should include a monitoring regime within six months of first occupation or 75% of building floorspace occupation, whichever occurs the soonest;
- The mechanisms for reporting;
- The penalties to be applied in the event that the targets are not met;
- The mechanisms for mitigation;
- Implementation of the Travel Plan to an agreed timetable or timetable and its operation thereafter;
- Mechanisms to secure variations to the Travel Plan following monitoring and reviews; and
- The provision of a car club scheme including the provision of one car club car.

The Travel Plan shall be implemented as approved and retained for the life of the development.

***Reason: To ensure a satisfactory standard of development and to safeguard the amenities of the surrounding area.***

**(10)** The building hereby approved shall not be occupied until triangular pedestrian visibility splays of 1.8 x 1.8 metres have been provided on either side of the new vehicular access. The splays shall be positioned within the site at right angles to the highway as measured at the highway boundary / site boundary. The visibility splays so described shall be maintained free of any obstruction to visibility exceeding a height of 600mm above the existing ground level and shall remain in situ for the lifetime of the development.

***Reason: To ensure a satisfactory standard of development in the interest of highway and pedestrian safety.***

**(11)** Prior to first occupation of the development, at least 10% of car parking spaces as shown on approved drawing reference 1460-003-Rev A shall be equipped with working electric vehicle charge points for residents. The electric vehicle charge points shall thereafter be retained in perpetuity.

***Reason: In the interests of sustainable travel.***

**(12)** No development approved by this permission shall take place until a Phase 3 Remediation Strategy, to address the contamination risks identified in the previously submitted GeoDyne Phase II Exploratory Investigation Final Report

dated 12<sup>th</sup> September 2019 (Ref: 38040), has been submitted in writing to the Local Planning Authority for approval. The remediation strategy shall include an options appraisal giving full details of the remediation measures required and how they are to be undertaken. The strategy shall include a plan providing details of how the remediation works shall be judged to be complete and arrangements for contingency action. Works shall only then proceed in accordance with the approved remediation strategy.

*Reason: To protect human health and the environment.*

- (13) Prior to occupation of any dwelling, a validation report shall be submitted in writing for the approval of the Local Planning Authority to demonstrate the effectiveness of any agreed remediation strategy. Any such validation report shall include responses to any unexpected contamination discovered during works.

*Reason: To protect human health and the environment.*

- (14) In the event that contamination is found at any time when carrying out the approved development, it shall be reported in writing immediately to the Local Planning Authority. An investigation and risk assessment shall then be undertaken by a competent person, in accordance with 'Model Procedures for the Management of Land Contamination, CLR 11'. A written report of the findings should be forwarded for approval to the Local Planning Authority. Following completion of remedial measures a verification report shall be prepared that demonstrates the effectiveness of the remediation carried out. No part of the development should be occupied until all remedial and validation works are approved in writing.

*Reason: To ensure that no future investigation is required under Part 2A of the Environmental Protection Act 1990.*

- (15) Details of any external lighting to be installed on the site, including the design of the lighting unit, any supporting structure and the extent of the area to be illuminated, shall be submitted in writing to the Local Planning Authority for approval prior to the installation of any lighting at the development. Only the details thereby approved shall be implemented.

*Reason: To protect the amenity of existing and future neighbouring occupiers from adverse artificial light impacts.*

- (16) Prior to first occupation of the development, a management plan, including management responsibilities and maintenance schedules for all internal, external and shared/common areas of the development hereby permitted, shall be submitted in writing to the Local Planning Authority for approval. The management plan shall be carried out as approved from first occupation and retained for the lifetime of the development.

*Reason: To ensure a satisfactory standard of development and to safeguard the amenities of the surrounding area.*

- (17) Prior to the first occupation of the building, a comprehensive scheme of site security measures, to provide for matters of CCTV and secure entry systems, in addition to including details of the ongoing management and maintenance

thereof, shall be submitted in writing to the Local Planning Authority for approval. The scheme thereby approved shall be installed prior to first occupation and retained thereafter for the lifetime of the development.

*Reason: In the interests of crime prevention and good design.*

- (18) Prior to first occupation of any part of the development, a refuse and recycling management plan, including management responsibilities and maintenance schedules for all processes and relevant areas, shall be submitted in writing to the Local Planning Authority for approval. The refuse and recycling management plan shall be carried out as approved from first occupation/use and retained for the lifetime of the development.

*Reason: To ensure a satisfactory standard of development and to safeguard the amenities of the surrounding area and future residents.*

- (19) The refuse bins shall be stored at all times in the designated refuse storage area as shown on the approved plans.

*Reason: To enhance the appearance of the development and safeguard the character and appearance of the area.*

- (20) Prior to the commencement of above-ground works (not including clearance/demolition), a scheme for the production of renewable energy, the reduction of energy and water demand, conservation and best-use of generated resources, and mitigation against wastage, together with details of management, maintenance and servicing, shall be submitted in writing to the Local Planning Authority for approval. All measures thereby approved shall be installed and implemented in accordance with a timetable to be agreed in writing by the Local Planning Authority as a part of those submitted details and shall be retained thereafter for the lifetime of the development.

*Reason: In the interests of sustainability and the mitigation of climate change.*

- (21) The on-site drainage system shall incorporate an oil/water interceptor which acts to prevent petrol/oil being discharged into the surface and groundwater network.

*Reason: To prevent pollution of the water environment.*

- (22) The applicant shall notify Affinity Water at least 15 days in advance of commencing the development.

*Reason: To enable Affinity Water to intensify monitoring and to plan for potential interruption of the service.*

- (23) Any works involving excavations below the chalk groundwater table shall be avoided (for example, piling or the implementation of a geothermal open/closed loop system). If these are necessary, an intrusive ground investigation should first be carried out to identify appropriate techniques and to avoid displacing any shallow contamination to a greater depth, which could impact the chalk aquifer. The results of this investigation should be submitted in writing to the Local Planning Authority for approval before any construction works commence.

***Reason: To prevent pollution of the water environment.***

- (24)** Prior to commencement of development a piling risk assessment and piling methodology shall be submitted in writing to the Local Planning Authority for approval. The assessment should include the Crescent Road and Albert Road pumping station and lower aquifer receptors. It should also specify clearly how the risk of mobilising contaminants in the aquifer will be mitigated. Construction shall only then proceed in accordance with the approved details.

***Reason: To prevent pollution of the water environment.***

- (25)** Full details of the proposed boundary treatment of the site shall be submitted in writing to the Local Planning Authority for approval before above ground works are commenced. The approved boundary treatment shall be installed prior to occupation of the building and be retained for so long as the development hereby permitted remains in existence.

***Reason: To ensure a satisfactory standard of development and to safeguard the amenities of the surrounding area.***

- (26)** Notwithstanding the provisions of Section 55 of the Town and Country Planning Act 1990 or of the Town and Country Planning (General Permitted Development) Order, 2015 (as amended), (or any Order revoking or re-enacting that Order with or without modification), no radio or TV aerials, satellite dishes or other antennae shall be affixed to the development or erected within its curtilage without the prior planning permission of the Local Planning Authority.

***Reason: To ensure the satisfactory appearance of the completed development.***

- (27)** No above-ground works shall commence until a scheme for noise insulation and odour management to protect the proposed dwellings from the noise generated from road traffic, adjoining religious and commercial uses and odour from neighbouring commercial premises (to include details of management and maintenance) has been submitted in writing to the Local Planning Authority for approval. None of the dwellings shall be occupied until such a scheme has been implemented in full accordance with those approved details, and has been shown to be effective, and it shall be retained as approved thereafter.

***Reason: To protect the amenities of future occupiers.***

- (28)** Prior to occupation of any dwelling hereby permitted, a scheme to demonstrate that the rating level of sound emitted from any external fixed plant and/or machinery associated with the development does not exceed the typical background sound level at any existing or proposed sound sensitive premises on or neighbouring the approved development site shall be submitted in writing to the Local Planning Authority for approval. All measurements shall be made in accordance with BS4142:2014 (as amended), and the development shall only be occupied in full accordance with those approved details, which shall prevail for the lifetime of the development.

***Reason: To protect the amenities of future occupiers.***

- (29) No development shall take place until a written scheme of archaeological investigation (WSI); that includes provision for fieldwork, post excavation analysis and publication, has been submitted in writing to the Local Planning Authority for approval. The development hereby approved shall only be implemented in full accordance with the approved archaeological scheme.**

***Reason: This condition is pre-commencement as a failure to secure appropriate archaeological investigation in advance of development would be contrary to paragraph 189 of the National Planning Policy Framework (NPPF) and Policy LLP30F of the Luton Local Plan that require developers to record and advance of understanding of the significance of any heritage assets affected by development before they are lost (wholly or in part), and to make this evidence publically available.***

- (30) No above ground works shall commence until the applicant has submitted full details of all energy producing plant to be installed at the site in writing to the Local Planning Authority for approval. The details shall include predictions of the content and amount of all emissions to air likely to arise from all plant when in operation and the measures to be instigated to adequately control such emissions. The approved details shall be fully implemented prior to any energy producing plant coming into operation.**

***Reason: To prevent pollution and protect local air quality.***