

DEVELOPMENT CONTROL COMMITTEE

27th February, 2002 at 6.00 p.m.

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

LAND REAR OF NO. 48 BIRDSFOOT LANE (REF: 6.3)

30 The Development Control Manager reported on Application No. 02/00006/OUT submitted by Alan Choice for planning permission in respect of the development of land for residential purposes, one detached bungalow on land rear of No. 48 Birdsfoot Lane.

He reported that the Application site fell within a Primarily Residential Area of the Borough of Luton Local Plan and that the proposed development did not have a separate frontage and vehicular access to the highway as set out in Policy H3 and had therefore been advertised as a departure from the Development Plan in accordance with the requirements of the Town and Country Planning (Development Plans and Consultations) Direction 1992.

He also reported on three letters and a seven signature petition objecting to the proposal which had been received.

Members of the Committee had earlier inspected the Application site.

Resolved to recommend: That Application No. 02/00006/OUT be approved subject to compliance with the following conditions:

(01) In the case of any matter hereinafter reserved for the subsequent approval of the Local Planning Authority, application for this approval shall be made not later than the expiration of five years beginning with the date of this permission and the development hereby permitted shall be begun not later than whichever is the later of the following dates:

- (a) The expiration of three years from the date of this permission
- (b) The expiration of two years from final approval of the matters hereinafter reserved for the subsequent approval of the Local Planning Authority or in the case of approval on different dates, the final approval of the last such matter to be approved.

(Reason: To enable the Local Planning Authority to exercise proper control over the details of development in the case of an outline planning permission granted under Article 3(1) of the Town and Country Planning (General Development Procedure) Order, 1995.)

(02) Full details and particulars of all buildings and other works hereby permitted including design, external appearance and landscaping shall be submitted to and approved by the Local Planning Authority before any development is commenced.

(Reason: To enable the Local Planning Authority to exercise proper control over the details of development in the case of an outline planning permission granted under Article 3(1) of the Town and Country Planning (General Development Procedure) Order, 1995.)

(03) All planting included in the scheme submitted in compliance with Condition No. (02) of this permission and approved by the Local Planning Authority 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: To enhance the appearance of the proposed development.)

(04) Notwithstanding the provisions of Section 55 of the Town and Country Planning Act 1990 and provisions of the Town and Country Planning (General Permitted Development) Order 1995, (or any Order revoking and re-enacting that Order with or without modification) at no time shall the garage facility hereby permitted be converted to living accommodation without the prior permission of the Local Planning Authority. (Reason: To ensure that adequate provision is made for vehicles to park clear of the highway in the interest of road safety.)

(05) Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order, 1995, (or any Order revoking and re-acting that Order with or without modification) no building, extension or other structure shall be erected, constructed or placed within the curtilage of any dwelling hereby permitted without the prior permission of the Local Planning Authority. (Reason: To ensure a satisfactory standard of development and to safeguard the amenities of the surrounding area.)

(06) No building shall exceed one storey(s) in height. (Reason: To ensure a satisfactory standard of development and to safeguard the amenities of the surrounding area.)

(07) Notwithstanding the submitted plans 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.)