

DEVELOPMENT CONTROL COMMITTEE

3RD DECEMBER 2014 at 6.00 p.m.

PRESENT: Councillor Lewis (Chair); Councillors: Campbell, Dolling, Malcolm, O'Callaghan, Rivers, Riaz and Whittaker.

58. APOLOGIES (REF: 1)

Apologies for absence from the meeting were received on behalf of Councillors Franks, and Hussain.

59. MINUTES (REF: 2)

Resolved: That the Minutes of the meeting of the Committee held on 5th November 2014, be taken as read, approved as a correct record and signed by the Chair.

60. SCALE OF CHARGES – (INFORMATION ITEM ONLY) (REF: 7)

The Development Control Committee considered the report of the Head of Corporate Finance for the approval of the proposed scale of charges relating to development control, which would apply from 1st January, 2015.

Resolved: That the proposed Scale of Charges to apply from 1st January 2015 be approved.

61. STOPSLEY DAY CENTRE NO 562 HITCHIN ROAD (REF: 8)

The Development Control Manager reported on Application No. 14/01134/FUL, submitted by Fixed Assets Division, Luton Borough Council, for the erection of a new two storey day care centre and a new respite centre together with associated parking and landscaping at the Stopsley Day Centre, 562 Hitchin Road, Luton.

She further reported on 3 letters of representation received in objection to the development.

The Chair formally moved the Recommendation as contained in the report and it was agreed by all Members present.

Resolved: That Application No: 14/01134/FUL be approved subject to the following conditions:-

- (01) The development hereby permitted shall be begun not later than the expiration of three 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 specifications as set out on Luton Borough Council plan numbers 01, 02, 03, 04, 09, 10, 11 and 12. (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) LP1 and LC4 of the Luton Local Plan).
- (03) 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) LP1 and ENV10 of the Luton Local Plan).
- (04) A management plan, including management responsibilities and maintenance schedules, for all external and shared/common areas of the development shall be submitted to and approved by the Local Planning Authority prior to the occupation of the development for its permitted use. The management plan shall be carried out as approved. (Reason: To enhance the appearance of the proposed development. To accord with the objectives of Policy(ies) of the Luton Local Plan).
- (05) No development shall take place, 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: 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). loading and unloading of plant and materials; iv). storage of plant and materials used in constructing the development; v). the erection and maintenance of security hoarding including decorative displays and facilities for public viewing, where

appropriate; vi). wheel washing facilities; vii). measures to control the emission of dust and dirt during construction; viii). a method statement detailing how existing buildings will be demolished and how waste resulting from demolition and construction works will be recycled/disposed of. (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) LP1 and LC4 of the Luton Local Plan).

- (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 staff and visitor's 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) LP1 and T3 of the Luton Local Plan).
- (07) No external lighting shall be installed on the site, other than in accordance with a scheme to be submitted to and approved by the Local Planning Authority beforehand. The scheme, lighting equipment and levels of illumination shall comply with guidance issued by the Institution of Lighting Engineers in their publication "The ILE Outdoor Lighting Guide" and shall be accompanied by a statement from the developer confirming that compliance. The scheme shall thereafter be retained and maintained for so long as the development remains in existence and shall not be varied without the prior written permission of 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) LP1 and ENV9 of the Luton Local Plan).
- (08) Notwithstanding the submitted plans, triangular pedestrian safety visibility splay(s) of 1.8 metres x 1.8 metres shall be provided on each side of the vehicle access points to the site. The splay(s) shall be positioned within the site at right angles to the highway (measured at the highway/site boundary). The visibility splay(s) so described shall be maintained free of any obstruction to visibility exceeding a height of 600mm above the existing ground level. (Reason: In the interests of highway and pedestrian safety. To accord with the objectives of Policy(ies) LP1 and T3 of the Luton Local Plan).
- (09) Notwithstanding the submitted plans, full details of the proposed bin and cycle stores shall be submitted to and approved by the Local Planning Authority before the development hereby approved is commenced. (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) LP1, ENV9 and T8 of the Luton Local Plan).
- (10) Before the development hereby approved is commenced, a scheme providing for an updated integrated package of transportation measures to accord with the principles set out in current guidance to reduce car travel

to the site shall be submitted to the Local Planning Authority for approval and in consultation with the Local Highway Authority, and the details thereby approved shall be implemented prior to the use of the parking area to which this permission refers. (Reason: In the interests of sustainability and encouraging reduced car travel. To accord with the objectives of Policies LP1, T2, T3 and T8 of the Luton Local Plan).

- (11) A scheme for the monitoring of the updated Travel Plan referred to in condition 10 of this permission shall be submitted to and approved in writing by the Local Planning Authority in consultation with the Local Highway Authority. (Reason: In the interests of sustainability and encouraging reduced car travel. To accord with the objectives of Policies LP1, T2, T3 and T8 of the Luton Local Plan).
- (12) 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) LP1, H2 and ENV9 of the Luton Local Plan).
- (13) Samples of the materials to be used in the construction of the external elevations and roofs of the new buildings shall be submitted to and approved by the Local Planning Authority before the development is commenced. (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) LP1 and ENV9 of the Luton Local Plan).
- (14) Notwithstanding the provisions of Section 55 of the Town and Country Planning act 1990 or of the Town and Country Planning (General Development) Order, 1995, (or any Order revoking and re-enacting that order with or without modification) no first floor openings shall be fitted in the southern elevation of the Respite Care building hereby approved, without the prior permission of the Local Planning Authority. (Reason: To protect the amenities of neighbouring properties. To accord with the objectives of Policy(ies) LP1 and LC4 of the Luton Local Plan).
- (15) Prior to the commencement of development, details of a scheme for renewable energy production equipment to provide at least 10% of the predicted energy requirements of the development shall be submitted to and approved by the Local Planning Authority, unless it can be demonstrated that there are overwhelming practical reasons why this is not appropriate. The scheme thereby approved shall be installed before first occupation or in accordance with a timetable agreed in writing by the Local Planning Authority and shall be used, retained and maintained thereafter for so long as the development remains in existence. (Reason: In the interests of sustainability. To accord with the objectives of Policy(ies) U3 of the Luton Local Plan).

- (16) The site layout, internal design and building specifications of the proposed development shall be such that the ambient noise level within the development when unoccupied shall not exceed 40DBLAeq (daytime: 07:00-23:00) and 30DBLAeq or 45 DBLAmax (night time: 23:00- 07:00) and details of noise insulation measures shall be submitted to and approved by the Local Planning Authority before any work is commenced. The approved insulation scheme shall be completed prior to the occupation of the development. (Reason: To ensure a satisfactory standard of development and to safeguard the amenities of the future users of the site. To accord with the objectives of Policies LP1 and LC4 of the Luton Local Plan).
- (17) The cumulative noise from all operational plant, measured 1m from the nearest neighbouring residential facade, shall not exceed 10 dBLAeq (t) above the existing background noise level. (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) LP1 and LC4 of the Luton Local Plan).
- (18) Before the development hereby permitted is commenced, the developer will complete a desktop study to establish whether the site is potentially contaminated. The desktop study shall be submitted to the Local Planning Authority for consideration in consultation with the Environment Agency and the Council's Environmental Health Service and no development shall take place on the site until the Local Planning Authority has formally discharged this condition. (Reason: To prevent pollution of groundwater. To accord with the objectives of Policy(ies) LP1 and ENV14 of the Luton Local Plan).
- (19) Pursuant to the satisfactory discharge of Condition 18 and, if the desktop study required by that condition has so indicated, an intrusive soil investigation shall be undertaken to assess the degree and nature of any contamination present, and to determine its potential for pollution of the water environment and risk to other receptors via a qualitative risk assessment. The method and extent of the investigation shall be agreed with the Local Planning Authority in consultation with the Environment Agency and the Council's Environmental Health Service beforehand and the investigation shall be undertaken prior to the commencement of the development. (Reason: To prevent pollution of groundwater. To accord with the objectives of Policy(ies) LP1 and ENV14 of the Luton Local Plan).
- (20) Subject to the result of the studies required by Conditions 18 and 19, a remediation strategy setting out a timetable of works and the proposed means of dealing with any contamination on site, including provisions for monitoring any specified actions and validating the outcomes, shall then be submitted to and approved by the Local Planning Authority in consultation with the Environment Agency and the Council's Environmental Health Service before the development commences. The development shall then proceed in strict accordance with the approved remediation strategy. (Reason: To prevent pollution of groundwater. To

accord with the objectives of Policy(ies) LP1 and ENV14 of the Luton Local Plan).

- (21) The development hereby approved shall not be commenced until the necessary off-site highway works required to the nearby footpaths and crossovers and to include extension of single yellow line controls made necessary as a result of the development have either been installed or programmed for installation, at the developer's expense, in accordance with a timetable agreed with the Council's Highway Development Manager. Written notification of the completion of the required works shall be provided to the Local Planning Authority before the development hereby approved is occupied. (Reason: In the interests of effective traffic management in the surrounding area and to accord with policies LP1 and T3 of the Luton Local Plan).
- (22) The construction of the surface and foul water drainage system shall be carried out in accordance with details to be submitted to and approved in writing by the Local Planning Authority in consultation with the Environment Agency and Thames Water Utilities before the development is commenced. (Reason: To prevent pollution of the water environment. To accord with Policies LP1 and ENV14 of the Luton Local Plan.

62. FORMER HIGHTOWN RECREATION CENTRE OLD BEDFORD ROAD (REF: 9)

The Development Control Manager reported on Application No. 14/01145/FUL, submitted by QSH & Cheyne for the erection of 80 one and two bedroom affordable residential unit in respect of Former High Town Recreation Centre Old Bedford Road, Luton.

She further reported that one letter of representation from a neighbouring dwelling was received with comments about exposing the boundaries to public areas which up until now have been secured.

The Chair formally moved the Recommendation as contained in the report and it was agreed by all Members present.

Resolved: That Application No: 14/01145/FUL be approved subject to the satisfactory completion of S106 of a legal agreement to secure financial contributions for improvements to education and waste management and subject to the following conditions:-

- (01) The development hereby permitted shall be begun not later than the expiration of three 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 specifications as set out on Luton Borough Council plan numbers 01, 02, 03, 04, 05, 06, 07, 08, 09, 10, 11, 13, 14, 15, 19, 20, 21, 22, 23, and 24. (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) LP1, ENV9, ENV10, H2 and U3 of the Luton Local Plan).
- (03) Before the development is commenced a scheme for the provision of affordable housing as part of the development shall be submitted to and approved in writing by the Local Planning Authority. The affordable housing shall be provided in accordance with the approved scheme. The scheme shall include:- (i) The numbers, type and location of the units of the affordable housing provision to be made; (ii) The timing and the construction of the affordable housing; (iii) The arrangements to ensure that such provision are affordable for both initial and subsequent occupiers of the affordable housing; (iv) The occupancy criteria to be used for determining the identity of prospective and successive occupiers of the affordable housing ; (v) The means by which the scheme shall be enforced, including any necessary legal agreement if appropriate. Affordable housing provided in accordance with this condition shall be in the "social rented" sector to meet identified local housing needs unless the developer is able to demonstrate to the satisfaction of the Local Planning Authority that social rented accommodation is not appropriate on the site, in which case the affordable housing shall be provided as a combination of low-cost housing and shared ownership or, as a last resort, in the form of a commuted payment to enable the provision to be off-site. (Reason: To ensure that provision is made for affordable housing in accordance with Policies H5 and H6 of the Luton Local Plan).
- (04) A Final Landscaping Specification for all areas of planting, to include species which have been previously agreed with the Local Planning Authority, shall be submitted to and approved by the Local Planning Authority before any landscaping work commences. All areas of soft landscaping shall be carried out during the planting season immediately following the completion of the approved works in the locations identified in the approved specification. If within a period of five years from the initial date of planting of the trees, any is removed, uprooted, destroyed or dies, or becomes in the opinion of the Local Planning Authority, seriously damaged, diseased or defective, another tree 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: In the interests of visual amenity. To accord with the objectives of Policy(ies) LP1 and ENV10 of the Luton Local Plan).
- (05) Before any building or engineering works are commenced on site the existing trees, shrubs and/or hedges to be retained shall be safeguarded against damage or injury by the erection of fencing or other suitable protection at a distance of not less than that recommended by

BS5837:2012 from the tree trunk(s) or shrubs or hedging, and no plant, materials or other objects shall be stored or placed against any of the trees, shrubs or hedges. (Reason: To safeguard the existing trees, shrubs and/or hedges on the site. To accord with the objectives of Policy(ies) LP1 and ENV10 of the Luton Local Plan).

- (06) All hard and soft landscape works shall be carried out in accordance with the approved details. The works shall be carried out prior to the occupation of any part of the development or in accordance with a programme agreed with 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) LP1, ENV9 and ENV10 of the Luton Local Plan).
- (07) 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 or any phase 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 safeguard the existing trees, shrubs and/or hedges on the site. To accord with the objectives of Policy(ies) LP1 and ENV10 of the Luton Local Plan).
- (08) A management plan, including management responsibilities and maintenance schedules, for all external and shared/common areas and parking areas of the development shall be submitted to and approved by the Local Planning Authority prior to the occupation of the development for its permitted use. The Management plan shall be carried out as approved. (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) LP1 and H2 of the Luton Local Plan).
- (09) The construction of the surface and foul water drainage system shall be carried out in accordance with details to be submitted to and approved in writing by the Local Planning Authority in consultation with the Environment Agency and Thames Water Utilities before the development is commenced. (Reason: To prevent pollution of the water environment. To accord with Policies LP1 and ENV14 of the Luton Local Plan).
- (10) No external lighting shall be installed on the site, other than in accordance with a scheme to be submitted to and approved by the Local Planning Authority beforehand. The scheme, lighting equipment and levels of illumination shall comply with guidance issued by the Institution of Lighting Engineers in their publication "The ILE Outdoor Lighting Guide" and shall be accompanied by a statement from the developer confirming that compliance. The scheme shall thereafter be retained and maintained for so long as the development remains in existence and shall not be varied without the prior written permission of 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) LP1 and ENV9 of the Luton Local Plan).

- (11) Before the development hereby approved is commenced, a scheme providing for an updated integrated package of transportation measures to accord with the principles set out in current guidance to reduce car travel to the site shall be submitted to the Local Planning Authority for approval and in consultation with the Local Highway Authority, and the details thereby approved shall be implemented prior to the use of the parking area to which this permission refers. (Reason: In the interests of sustainability and encouraging reduced car travel. To accord with the objectives of Policies LP1, T2, T3 and T8 of the Luton Local Plan).
- (12) A scheme for the monitoring of the updated Travel Plan referred to in condition 11 of this permission shall be submitted to and approved in writing by the Local Planning Authority in consultation with the Local Highway Authority. (Reason: In the interests of sustainability and encouraging reduced car travel. To accord with the objectives of Policies LP1, T2, T3 and T8 of the Luton Local Plan).
- (13) 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) LP1, ENV9 and H2 of the Luton Local Plan).
- (14) Prior to the first occupation of the development hereby approved, a scheme to provide site security shall be installed in accordance with details to be submitted to and approved in writing by the Local Planning Authority. The scheme as approved shall be implemented in full and retained and maintained thereafter for so long as the development remains in existence. (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) LP1 and ENV9 of the Luton Local Plan).
- (15) Prior to the commencement of development, details of a scheme for renewable energy production equipment to provide at least 10% of the predicted energy requirements of the development shall be submitted to and approved by the Local Planning Authority, unless it can be demonstrated that there are overwhelming practical reasons why this is not appropriate. The scheme thereby approved shall be installed before first occupation or in accordance with a timetable agreed in writing by the Local Planning Authority and shall be used, retained and maintained thereafter for so long as the development remains in existence. (Reason: In the interests of sustainability. To accord with the objectives of Policy(ies) U3 of the Luton Local Plan).

- (16) No development shall take place, 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: (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) loading and unloading of plant and materials; (iv) storage of plant and materials used in constructing the development; (v) the erection and maintenance of security hoarding including decorative displays and facilities for public viewing, where appropriate; (vi) wheel washing facilities; (vii) measures to control the emission of dust and dirt during construction; (viii) a scheme for recycling/disposing of waste resulting from demolition and construction works. (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) LP1 of the Luton Local Plan).
- (17) No development approved by this planning permission (or such other date or stage in development as may be agreed in writing with the Local Planning Authority), shall take place until a scheme that includes the following components to deal with the risks associated with contamination of the site shall each be submitted to and approved, in writing, by the local planning authority: 1) A site investigation scheme, based on previously submitted phase 1 desk study (Ian Farmer Associates Ref. 51026 dated November 2007) to provide information for a detailed assessment of the risk to all receptors that may be affected, including those off site. 2) The results of the site investigation and detailed risk assessment referred to in (1) and, based on these, an options appraisal and remediation strategy giving full details of the remediation measures required and how they are to be undertaken. 3) A verification plan providing details of the data that will be collected in order to demonstrate that the works set out in the remediation strategy in (2) are complete and identifying any requirements for longer-term monitoring of pollutant linkages, maintenance and arrangements for contingency action. Any changes to these components require the express written consent of the local planning authority. The scheme shall be implemented as approved. (Reason: To prevent pollution of groundwater. To accord with the objectives of Policy(ies) LP1 and ENV14 of the Luton Local Plan).
- (18) No occupation of any part of the permitted development shall take place until a verification report demonstrating completion of works set out in the approved remediation strategy and the effectiveness of the remediation shall be submitted to and approved, in writing, by the local planning authority. The report shall include results of sampling and monitoring carried out in accordance with the approved verification plan to

demonstrate that the site remediation criteria have been met. It shall also include any plan (a "long-term monitoring and maintenance plan") for longer-term monitoring of pollutant linkages, maintenance and arrangements for contingency action, as identified in the verification plan. The long-term monitoring and maintenance plan shall be implemented as approved. (Reason: To prevent pollution of groundwater. To accord with the objectives of Policy(ies) LP1 and ENV14 of the Luton Local Plan).

- (19) If, during development, contamination not previously identified is found to be present at the site then no further development (unless otherwise agreed in writing with the local planning authority) shall be carried out until the developer has submitted a remediation strategy to the local planning authority detailing how this unsuspected contamination shall be dealt with and obtained written approval from the local planning authority. The remediation strategy shall be implemented as approved. (Reason: To prevent pollution of groundwater. To accord with the objectives of Policy(ies) LP1 and ENV14 of the Luton Local Plan).
- (20) No infiltration of surface water drainage into the ground at this site is permitted other than with the express written consent of the local planning authority, which may be given for those parts of the site where it has been demonstrated that there is no resultant unacceptable risk to controlled waters. The development shall be carried out in accordance with the approval details. (Reason: To prevent pollution of groundwater. To accord with the objectives of Policy(ies) LP1 and ENV14 of the Luton Local Plan).
- (21) No impact piling shall take place until a piling method statement (detailing the depth and type of piling to be undertaken and the methodology by which such piling will be carried out, including measures to prevent and minimise the potential for damage to subsurface sewerage infrastructure, and the programme for the works) has been submitted to and approved in writing by the local planning authority in consultation with Thames Water. Any piling must be undertaken in accordance with the terms of the approved piling method statement. (Reason: To prevent pollution of groundwater and to safeguard the local underground sewerage utility infrastructure. To comply with policies LP1 and ENV14 of the Luton Local Plan).
- (22) Full details of the design and construction of the access road into the site shall be submitted to and approved by the Local Planning Authority before the development is commenced. The scheme as approved shall be implemented in full and retained and maintained thereafter for so long as the development remains in existence. (Reason: To ensure a satisfactory standard of development. To accord with policies LP1 and T3 of the Luton Local Plan).
- (23) Details of a controlled gated pedestrian access onto Coupees Path shall be submitted to and approved in writing by the Local Planning Authority.

The details as approved shall be implemented in full unless otherwise agreed in writing by the Local Planning Authority. (Reason: In the interests of sustainability and encouraging reduced car travel. To accord with the objectives of Policies LP1 and T3 of the Luton Local Plan).

63. LAND AT SCOTT ROAD (REF: 10)

The Development Control Manager reported on Application No. 14/00849/FUL, submitted by Forte Development Ltd, for the erection of Foodstore Together with Landscaping and Associated works in respect of Land at Scott Road, Luton.

She further reported that 158 representations have been received with 148 in favour of the proposals and 9 in objection to the proposal. She reported that one letter of representation was neither for nor against.

Members of the Committee had earlier on visited the application site.

In accordance with the Council's Right to Speak Policy, the Applicant's Agent and a resident spoke in support of the application. Two objectors also addressed the Committee.

Councillor Knight addressed the Committee in his capacity as Ward Councillor objecting to the proposal.

A petition containing six hundred and eleven signatures opposing to the development was also received.

The Chair formally moved the Recommendation as contained in the report and it was agreed.

Resolved: That Application No: 14/00849/FUL be approved subject to the following conditions:-

- (01) The development hereby permitted shall be begun not later than the expiration of three 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 specifications as set out on Luton Borough Council plan numbers 01, 02, 03, 04, 07, 08, 09, 10, 11, 13, 14, 15, 16, 17, 18, 19 and 20. (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) LP1, ENV9, S1 and T3 of the Luton Local Plan).

- (03) 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) LP1 and ENV10 of the Luton Local Plan).
- (04) 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 or any phase 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 enhance the appearance of the proposed development. To accord with the objectives of Policy(ies) LP1 and ENV10 of the Luton Local Plan).
- (05) The construction of the surface and foul water drainage system shall be carried out in accordance with details to be submitted to and approved in writing by the Local Planning Authority in consultation with the Environment Agency and Thames Water Utilities before the development is commenced. (Reason: To prevent pollution of the water environment. To accord with Policies LP1 and ENV14 of the Luton Local Plan).
- (06) No external lighting shall be installed on the site, other than in accordance with a scheme to be submitted to and approved by the Local Planning Authority beforehand. The scheme, lighting equipment and levels of illumination shall comply with guidance issued by the Institution of Lighting Engineers in their publication "The ILE Outdoor Lighting Guide" and shall be accompanied by a statement from the developer confirming that compliance. The scheme shall thereafter be retained and maintained for so long as the development remains in existence and shall not be varied without the prior written permission of 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) LP1 and ENV9 of the Luton Local Plan).
- (07) A CCTV surveillance system shall be provided in accordance with a scheme to be submitted to and approved by the Local Planning Authority before the development hereby permitted is commenced and the

approved system shall be installed and fully operational prior to the occupation of the buildings. (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) LP1 and ENV9 of the Luton Local Plan).

- (08) The retail store shall not be open for sales before 0800 hours and after 2200 hours on Mondays to Saturdays, and before 1000 hours and after 1600 hours on Sundays and Bank Holidays. (Reason: To protect the amenities of neighbouring properties. To accord with the objectives of Policy(ies) LP1 and S1 of the Luton Local Plan).
- (09) The development shall not be brought into use until a service management plan detailing the servicing arrangements has been submitted to and approved in writing by the Local Planning Authority. The use shall thereafter be operated in accordance with the approved plan, unless otherwise agreed in writing by the Local Planning Authority. (Reason: To avoid the creation of traffic congestion on the highway in the interests of safety and convenience of pedestrians and other road users. To accord with the objectives of Policy(ies) LP1 and T3 of the Luton Local Plan).
- (10) Notwithstanding the submitted plans, triangular pedestrian safety visibility splay(s) of 1.8 metres x 1.8 metres shall be provided on each side of the vehicle access points to the site. The splay(s) shall be positioned within the site at right angles to the highway (measured at the highway/site boundary). The visibility splay(s) so described shall be maintained free of any obstruction to visibility exceeding a height of 600mm above the existing ground level. (Reason: In the interests of highway and pedestrian safety. To accord with the objectives of Policy(ies) LP1 and T3 of the Luton Local Plan).
- (11) The site layout, internal design and building specifications of the proposed development shall be such that the noise level within any nearby residential unit with windows opened shall not exceed 40DBLAeq (daytime: 07:00-23:00) and 30DBLAeq or 45 DBLAmx (night time: 23:00-07:00) and details of noise insulation measures shall be submitted to and approved by the Local Planning Authority before any work is commenced. The approved insulation scheme shall be completed prior to the occupation of the development. (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) LP1 and ENV9 of the Luton Local Plan).
- (12) Samples of the materials to be used in the construction of the elevations and roofs of the new store shall be submitted to and approved by the Local Planning Authority before the development is commenced. (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) LP1 and ENV9 of the Luton Local Plan).

- (13) Prior to the commencement of development, details of a scheme for renewable energy production equipment to provide at least 10% of the predicted energy requirements of the development shall be submitted to and approved by the Local Planning Authority, unless it can be demonstrated that there are overwhelming practical reasons why this is not appropriate. The scheme thereby approved shall be installed before first occupation or in accordance with a timetable agreed in writing by the Local Planning Authority and shall be used, retained and maintained thereafter for so long as the development remains in existence. (Reason: In the interests of sustainability. To accord with the objectives of Policy(ies) LP1 and U3 of the Luton Local Plan).
- (14) 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) LP1 and ENV9 of the Luton Local Plan).
- (15) Details of the provisions within the car parking layout of a minimum of 5 designated motor cycle parking spaces shall be submitted to and approved by the Local Planning Authority. The details as approved shall be implemented in full prior to the operation of the development hereby approved. (Reason: In the interests of sustainability facilitate designated parking provision for all modes of transport. To accord with the objectives of Policies PL1 and T3 of the Luton Local Plan).

64. WIGMORE PRIMARY SCHOOL – TWYFORD DRIVE (REF: 11)

The Development Control Manager reported on Application No. 14/01176/REG3, submitted in respect of Wigmore Primary School, Twyford Drive for the erection of nine new classrooms, relocation of three mobile units and removal of three mobile units together with external works to improve key stage 2 playground facilities (Wigmore Expansion), and the erection of a two storey special school block with 14 classrooms and associated works in respect of Richmond Hill Special School, Luton.

She further reported on 3 letters of representation received in objection to the development.

In accordance with the Council's Right to Speak Policy, Councillor Moles addressed the Committee in her capacity as Ward Councillor objecting to the development.

The Chair formally moved the Recommendation as contained in the report and it was agreed.

Resolved: That Application No: 14/01176/REG3 be approved subject to the following conditions:-

- (01) The development hereby permitted shall be begun not later than the expiration of three 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 specifications as set out on Luton Borough Council plan numbers 01, 02, 03, 04, 05, 06, 07, 08, 09, 10, 11, 12, 13, 14, 15, 16, 17, 18, 19, 20 and 21. (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) LP1, ENV9, ENV10, ENV14, LC4, T3, T13 and U3 of the Luton Local Plan).
- (03) 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 ensure a satisfactory standard of development and to safeguard the amenities of the surrounding area. To accord with the objectives of Policy(ies) LP1 and ENV10 of the Luton Local Plan).
- (04) 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 prevent the increased risk of flooding and to prevent pollution of the water environment. To accord with the objectives of Policy(ies) LP1 and ENV14 of the Luton Local Plan).
- (05) No external lighting shall be installed on the site, other than in accordance with a scheme to be submitted to and approved by the Local Planning Authority beforehand. The scheme, lighting equipment and levels of illumination shall comply with guidance issued by the Institution of Lighting Engineers in their publication "The ILE Outdoor Lighting Guide" and shall be accompanied by a statement from the developer confirming that

compliance. The scheme shall thereafter be retained and maintained for so long as the development remains in existence and shall not be varied without the prior written permission of 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) LP1 and ENV9 of the Luton Local Plan).

- (06) 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 ensure a satisfactory standard of development and to safeguard the amenities of the surrounding area. To accord with the objectives of Policy(ies) LP1 AND ENV9 of the Luton Local Plan).
- (07) Full details of the materials to be used in the construction of the elevations of the buildings shall be submitted to and approved by the Local Planning Authority before the development is commenced. (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) LP1 and ENV9 of the Luton Local Plan).
- (08) Prior to the commencement of development, details of a scheme for renewable energy production equipment to provide at least 10% of the predicted energy requirements of the development shall be submitted to and approved by the Local Planning Authority, unless it can be demonstrated that there are overwhelming practical reasons why this is not appropriate. The scheme thereby approved shall be installed before first occupation or in accordance with a timetable agreed in writing by the Local Planning Authority and shall be used, retained and maintained thereafter for so long as the development remains in existence. (Reason: In the interests of sustainability. To accord with the objectives of Policy(ies) LP1, ENV9 and U3 of the Luton Local Plan).
- (09) A CCTV surveillance system shall be provided in accordance with a scheme to be submitted to and approved by the local planning authority before first occupation of any extension hereby permitted and the approved system shall be installed and fully operational prior to the final occupation of the extensions hereby permitted. (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 policies LP1 and ENV9 of the Luton Local Plan).
- (10) The boundary treatment hereby approved shall be erected prior to the occupation of the building(s) hereby permitted. (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) LP1 and ENV9 of the Luton Local Plan).
- (11) The scheme shall make provision for dustbin/enclosed refuse collection area(s) to be sited at a distance of not more than 20 metre(s) from an

adopted highway, which 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) LP1 and ENV9 of the Luton Local Plan).

- (12) The development hereby approved shall not be commenced until the necessary off-site highway works required as a result of the development have either been installed or programmed for installation, at the developer's expense, in accordance with a timetable agreed with the Council's Highway Development Manager. Written notification of the completion of the required works shall be provided to the Local Planning Authority before the extension hereby approved is occupied. (Reason: in the interests of effective traffic management in the surrounding area and to accord with Policies LP1 and T3 of the Luton Local Plan).
- (13) The first floor window(s) in the Eastern elevation of the Richmond Hill extension shall be of a fixed type except at top vent level and glazed with obscure glass for so long as the development hereby permitted remains in existence. (Reason: To protect the amenities of neighbouring properties. To accord with the objectives of Policy(ies) LP1 and ENV9 of the Luton Local Plan).
- (14) No development shall take place, 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: (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) loading and unloading of plant and materials; (iv) storage of plant and materials used in constructing the development; (v) the erection and maintenance of security hoarding including decorative displays and facilities for public viewing, where appropriate; (vi) wheel washing facilities; (vii) measures to control the emission of dust and dirt during construction; (viii) a scheme for recycling/disposing of waste resulting from demolition and construction works. (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) LP1 and ENV9 of the Luton Local Plan).
- (15) A scheme for providing for an integrated package of transportation measures, including measures to manage on-street parking and provision of a secure bicycle store, and details to monitor the implementation of the scheme, to accord with the principles set out in current guidance to reduce car travel to both sites, shall be submitted to the Local Planning Authority for approval in consultation with the Council's Highways Development

Manager. The scheme shall be implemented in accordance with the approved details. (Reason: In the interests of sustainability and reduced car travel. To accord with the objectives of Policies LP1 and T3 of the Luton Local Plan).

- (16) Before any building or engineering works are commenced on site the existing trees, shrubs and/or hedges to be retained shall be safeguarded against damage or injury by the erection of fencing or other suitable protection at a distance of not less than 6meter (s) from the tree trunk(s) or shrubs or hedging, and no plant, materials or other objects shall be stored or placed against any of the trees, shrubs or hedges. (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) LP1 and ENV10 of the Luton Local Plan).
- (17) Any floodlights should not be operated outside the following hours: Mondays to Thursdays, 7.30am to 9.30pm; Fridays, 7.30am to 7.00pm; Saturdays, 9.00am to 7.00pm; Sundays and Bank Holidays, 10.00am to 5.30pm. The scheme shall be retained and maintained for so long as the development remains in existence and shall not be varied without the prior written permission of 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) LP1 and ENV10 of the Luton Local Plan).
- (18) Before the development hereby permitted is commenced, the developer will complete a desktop study to establish whether the site is potentially contaminated. The desktop study shall be submitted to the Local Planning Authority for consideration in consultation with the Environment Agency and the Council's Environmental Health Service and no development shall take place on the site until the Local Planning Authority has formally discharged this condition. (Reason: To prevent pollution of groundwater. To accord with the objectives of Policy(ies) LP1 and ENV14 of the Luton Local Plan).
- (19) Pursuant to the satisfactory discharge of Condition 18 and, if the desktop study required by that condition has so indicated, an intrusive soil investigation shall be undertaken to assess the degree and nature of any contamination present, and to determine its potential for pollution of the water environment and risk to other receptors via a qualitative risk assessment. The method and extent of the investigation shall be agreed with the Local Planning Authority in consultation with the Environment Agency and the Council's Environmental Health Service beforehand and the investigation shall be undertaken prior to the commencement of the development. (Reason: To prevent pollution of groundwater. To accord with the objectives of Policy(ies) LP1 and ENV14 of the Luton Local Plan).
- (20) Subject to the result of the studies required by Conditions 18 and 19, a remediation strategy setting out a timetable of works and the proposed means of dealing with any contamination on site, including provisions for

monitoring any specified actions and validating the outcomes, shall then be submitted to and approved by the Local Planning Authority in consultation with the Environment Agency and the Council's Environmental Health Service before the development commences. The development shall then proceed in strict accordance with the approved remediation strategy. (Reason: To prevent pollution of groundwater. To accord with the objectives of Policy(ies) LP1 and ENV14 of the Luton Local Plan).

- (21) No development shall take place until a surface water drainage scheme for the site, based on sustainable drainage principles and an assessment of the site hydrological and hydro geological context of the development, has been submitted to and approved in writing by the local surface water run off generated up to and including the 100 year critical storm will not exceed the run-off from the underdeveloped site following the corresponding rainfall event. The scheme shall subsequently be implemented in accordance with the approved details before the development is completed. (Reason: To ensure a satisfactory surface water drainage system is provided within the site. To accord with Policies LP1 and ENV14 of the Luton Local Plan).
- (22) The applicant will need to demonstrate that, activities on the hard play area shall not cause the sound level in terms of LAeq (5min) to exceed 40dB in any living or sleeping rooms of adjacent properties and 53dB in any gardens of adjacent properties or in terms of LAm_{ax} to exceed 65dB. Details of noise limitation measures to comply with these requirements should be submitted to and approved by the Local Planning Authority before any work is commenced. (Reason: To protect the amenities of neighbouring properties. To accord with the objectives of Policy(ies) LP1 and ENV9 of the Luton Local Plan).
- (23) Prior to first occupation of the development, an agreement for the community use of the Wigmore Primary School and Richmond Hill Primary School's sports facilities (including the school hall, hard play areas and playing field) will be submitted to and approved by the Local Planning Authority in consultation with Sport England. The agreement will be implemented upon completion of the development. (Reason: To secure well managed safe community access to the sports facilities, to ensure sufficient benefit to the development of sport and to accord with Policies LP1 and LC4 of the Luton Local Plan).
- (24) No development shall commence until a detailed playing field works specification (including a long term maintenance programme and implementation programme), for Wigmore Primary School is prepared in consultation with Sport England has been submitted to and approved in writing by the Local Planning Authority. The approved specification shall be complied with in full prior to the completion of the development unless otherwise agreed with the Local Planning Authority. (Reason: To ensure provision of adequate improvements to the quality of the playing field and to accord with Policies LP1, ENV9 and LC4 of the Luton Local Plan).

- (25) No development shall commence until details of the design and layout of the existing and proposed hard play areas for both Wigmore Primary and Richmond Hill schools including an implementation programme have been submitted to and approved in writing by the Local Planning Authority in consultation with Sport England]. The new and enhanced hard play areas shall not be constructed other than substantially in accordance with the approved details. (Reason: To ensure the development is fit for purpose and sustainable and to accord with Policies LP1, ENV9 and LC4 of the Luton Local Plan).
- (26) No development shall commence until details of the design and layout of the Richmond Hill School Sports Hall have been submitted to and approved in writing by the Local Planning Authority [after consultation with Sport England]. The Richmond Hill Sports Hall shall not be constructed other than substantially in accordance with the approved details. (Reason: To ensure the development is fit for purpose and sustainable and to accord with Policies LP1, ENV9 and LC4 of the Luton Local Plan).

65 DEPOSITED PLANS AND APPLICATIONS FOR PLANNING PERMISSION AND OTHER PROPOSALS (REFS: 12.1 to 12.6)

The Development Control Manager and Planning Officer reported on certain applications for planning permission. They also reported on representations of objection or support to the grant of planning permission referred to below, which were made available to the Committee. Also detailed below are those Applications where the Applicant (A) and/or Objector (O) addressed the Committee under the Council's Right to Speak Policy.

Members of the Committee had earlier on visited a number of the application sites.

Application No.	Number of representations Objection / Support	Right to Speak
14/01085/FUL	1 letter of objection received	
14/00138/FUL	3 letters of objection received 1 letter in support A petition containing 383 signatures in objection	O
14/00927/FUL	1 Representation received in objection 1 Representation received in support	
14/00840/FUL	6 written objection received Councillor Garrett spoke in his capacity as a Ward Councillor in objection to the proposal.	O

- 14/01144/FUL 26 letters of Representation received in objection
Councillor Taylor spoke in his capacity as a Ward Councillor
in objection to the proposal.
- 14/00998/FUL 5 letters of objection received

Resolved: (i) That the Applications detailed in Schedule 'A (1)' to these Minutes be **APPROVED** subject to compliance with the conditions stated therein.

(ii) That Application No. 14/00927/FUL be approved subject to the satisfactory completion of a S106 Agreement and the conditions as set out in Schedule A (1) below.

(iii) That Application No. 14/01144/FUL be approved subject to satisfactory completion of a S106 Agreement or Unilateral Undertaking to secure contributions to education and waste management improvements and subject to the conditions set out in Schedule A (1) below:

(iv) That the Application detailed in Scheduled 'A (2)' to these Minutes be refused for the reasons stated therein.

(Notes: (i) Agenda Items were considered in the following order: 7, 10, 12.4, 12.5, 11, 12.6, 9, 12.2, 12.3, 8, and 12.1

(ii) Councillor Rivers declared pecuniary interests regarding Agenda Item 11 as a School Governor of Wigmore Primary School. He had been involved in the discussions around the planning proposal. He left the room and did not partake in the discussions and or decision thereafter. He returned at the start of Agenda Item 12.6.

(iii) Councillors Malcolm and Whittaker where present for the following items on the Agenda; Items 7, 10 and 12.4 only. They both left the room at 7.30pm, just before Agenda item 12.5 regarding 62 Ludlow Avenue.

(iv) Councillor O'Callaghan was not present at Agenda Item 8 as she left the meeting at 9.35pm.

(v) The meeting ended at 10.00p.m.)

SCHEDULE A
TO MINUTES OF DEVELOPMENT CONTROL COMMITTEE OF 3RD DECEMBER 2014
DEPOSITED PLANS AND APPLICATION FOR PLANNING PERMISSION

(A1) Planning Permission GRANTED subject to Conditions:

No.	Proposal	Conditions	Reasons
14/00138/FUL	Erection of single storey rear extension 5A – 5C Riddy Lane Dau & Bell Surveyors	(01) The development hereby permitted shall be begun not later than the expiration of three years beginning with the date of this permission	(01) 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 specifications as set out on Luton Borough Council plan numbers 07, 08, 09, 10, 11, 14,15, 16, 17 and.	(02) To ensure a satisfactory standard of development and to safeguard the amenities of the surrounding area. To accord with the objectives of Policy(ies) LP1 and ENV9 of the Luton Local Plan.
		(03) The materials used in the construction of the extension hereby permitted shall be the same colour, texture and design as the materials of the existing building.	(3) <i>To ensure a satisfactory standard of development and to safeguard the amenities of the surrounding area. To accord with the objectives of Policy(ies) LP1 and ENV9 of the Luton Local Plan.</i>

No.	Proposal	Conditions	Reasons
14/00138/FUL (Cont'd)		(04) Before commencement of the development hereby approved, a management plan shall be submitted detailing the servicing arrangements including the management of the locking gate, the size of delivery vehicle, and the hours of the delivery vehicles. The use shall thereafter be operated in accordance with the approved plan, unless otherwise agreed in writing by the Local Planning Authority. Reason: To avoid traffic congestion on the highway in the interests of highway safety, and to safeguard the amenities of neighbouring properties.	(4) To avoid traffic congestion on the highway in the interests of highway safety, and to safeguard the amenities of neighbouring properties. To accord with the objectives of Policies LP1 and T3 of the Luton Local Plan.
		(05) The development hereby permitted shall not be brought into use until a legal agreement pursuant to Section 278 of the Highways Act 1980 has been completed and lodged with the Council. The said legal agreement will require a contribution towards a traffic enhancement scheme for the area. .	(5) To avoid traffic congestion on the highway in the interest of safety and convenience of pedestrians and other road users, and to protect the amenities of neighbouring properties. To accord with the objectives of Policies LP1 and T3 of the Luton Local Plan.
14/00927/FUL	Erection of second floor rear extension and creation of ten self-contained flats with associated amenity space and parking 5-7 London Road Ms M Joseph and Mr R Grandison	(01) The development hereby permitted shall be begun not later than the expiration of three years beginning with the date of this permission.	(01) To limit the duration of the permission in accordance with the provisions of Sections 91-96 of the Town and Country Planning Act, 1990.

No.	Proposal	Conditions	Reasons
14/00927/FUL (Cont'd)		(02) The development hereby permitted shall not be carried out other than in complete accordance with the approved plans and specifications as set out on Luton Borough Council plan numbers 01, 02, 06, 08, 09, 10, 11, 12, 13, 14, 15, 16, 17, 18, 19 and 20.	(02) To ensure a satisfactory standard of development and to safeguard the amenities of the surrounding area. To accord with the objectives of Policy(ies) LP1, ENV8, ENV9, H2, T3, T13 and IMP1 of the Luton Local Plan.
		(03) 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	(3) To ensure a satisfactory standard of development and to safeguard the amenities of the surrounding area. To accord with the objectives of Policy(ies) LP1 and ENV10 of the Luton Local Plan.

No.	Proposal	Conditions	Reasons
14/00927/FUL (Cont'd)		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.	
		(04) 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.	(4) To prevent the increased risk of flooding and to prevent pollution of the water environment. To accord with the objectives of Policy(ies) LP1, H2, ENV9 and ENV14 of the Luton Local Plan.
		(05) 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.	(05) To enable the Local Planning Authority to exercise proper control over development within a designated Conservation Area. To accord with the objectives of Policy(ies) LP1, ENV8 and ENV9 of the Luton Local Plan.

No.	Proposal	Conditions	Reasons
14/00927/FUL (Cont'd)		<p>(06) 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.</p> <p>(07) Full details of the materials to be used in the construction of the Roof, external elevations, windows, doors, railings and steps of the building shall be submitted to and approved by the Local Planning Authority before the development is commenced.</p>	<p>(06) To ensure a satisfactory standard of development and to safeguard the amenities of the surrounding area. To accord with the objectives of Policy(ies) LP1, ENV9 and H2 of the Luton Local Plan.</p> <p>(07) To ensure a satisfactory standard of development and to safeguard the amenities of the surrounding area. To accord with the objectives of Policy(ies) LP1, ENV8, ENV9 and H2 of the Luton Local Plan.</p>
		<p>(08) No development shall take place, 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: (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</p>	<p>(08) To protect the amenities of neighbouring properties. To accord with the objectives of Policy(ies) LP1, ENV9 and H2 of the Luton Local Plan.</p>

No.	Proposal	Conditions	Reasons
14/00927/FUL (Cont'd)		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) loading and unloading of plant and materials; (iv) storage of plant and materials used in constructing the development; (v) the erection and maintenance of security hoarding including decorative displays and facilities for public viewing, where appropriate; (vi) wheel washing facilities; (vii) measures to control the emission of dust and dirt during construction; (viii) a scheme for recycling/disposing of waste resulting from demolition and construction works.	
		(09) The windows on the first floor south and second floor east of the development shall be of a fixed type except at top vent level and glazed with obscure glass for so long as the development hereby permitted remains in existence.	(09) To protect the amenities of neighbouring properties. To accord with the objectives of Policy(ies) LP1, ENV9 and H2 of the Luton Local Plan.
		(10) A management plan, including management responsibilities and maintenance schedules, for all external and shared /common of the development shall be submitted to and approved by	(10) To ensure a satisfactory standard of development and safeguard the amenities of the surrounding area. To accord with the objectives of Policies

No.	Proposal	Conditions	Reasons
		the Local Planning Authority prior to the occupation of the development for its permitted use. The Management plan shall be carried out as approved.	LP1and H2 of the Luton Local Plan
14/00840/FUL	Erection of Detached outbuilding in rear garden 49 Blakeney Drive J S Chattha	(01) The development hereby permitted shall be begun not later than the expiration of three years beginning with the date of this permission.	(01) 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 external materials used in the construction of the development hereby permitted shall be the same colour, texture and design as the external materials of the existing dwelling.	(02) To enhance the appearance of the proposed development. To accord with the objectives of Policy(ies) LP1, H4 and ENV9 of the Luton Local Plan.
		(03) The door and window(s) in the front elevation(s) of the development shall be fitted with obscure glazing at all times.	(03) To protect the amenities of the adjoining dwelling at No. 51 Blakeney Drive. To accord with the objectives of Policy(ies) LP1 and H4 of the Luton Local Plan.
		(04) Notwithstanding the provisions of Section 55 of the Town and Country Planning Act 1990 or of the Town and Country Planning (General Development) Order, 1995, (or any Order revoking and re-enacting that Order with or without modification) no additional openings shall	(04) To protect the amenities of neighbouring properties. To accord with the objectives of Policy(ies) (LP1 and H4of the Luton Local Plan.

No.	Proposal	Conditions	Reasons
14/00840/FUL (Cont'd)		be fitted in the front, flank or rear elevation(s) of the building(s) without the prior permission of the Local Planning Authority.	
		(05) The outbuilding hereby permitted shall only be used for purposes ancillary to the principal use of the property as a single family dwelling house, and no trade or business shall be carried on there from, nor shall it be used as a separate of self-contained dwelling unit.	(05) To protect the amenities of neighbouring properties. To accord with the objectives of Policy(ies) LP1 and H4 of the Luton Local Plan.
		(06) The development hereby permitted shall not be carried out other than in complete accordance with the approved plans and specifications as set out on Luton Borough Council plan numbers 01 and 03.	(06) To ensure a satisfactory standard of development and to safeguard the amenities of the surrounding area. To accord with the objectives of Policy(ies) LP1, H4 and ENV9 of the Luton Local Plan.
14/01144/FUL	Erection of detached dwelling house – Resubmission 62 Ludlow Avenue Mr J Olney	(01) The development hereby permitted shall be begun not later than the expiration of three years beginning with the date of this permission.	(01) 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 specifications as set	(02) To ensure a satisfactory standard of development and to safeguard the amenities of the surrounding area. To accord

No.	Proposal	Conditions	Reasons
14/01144/FUL (Cont'd)		out on Luton Borough Council plan numbers 02, 04, 05, 06, 07, 08, 09 and 10.	with the objectives of Policy(ies) LP1, ENV9 and H2 of the Luton Local Plan.
		(03) 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.	(03) To enhance the appearance of the proposed development. To accord with the objectives of Policy(ies) LP1 and ENV10 of the Luton Local Plan.

No.	Proposal	Conditions	Reasons
14/01144/FUL (Cont'd)		(04) Before the development is commenced a method statement for all construction activities and works within 6 metres of the protected trees at the front of the site, designed to ensure that the trees are protected from damage, shall be submitted to and approved by the Local Planning Authority. The construction activities and works shall be undertaken in strict accordance with the approved method statement unless the Local Planning Authority has agreed any variation in writing beforehand.	(04) To ensure a satisfactory standard of development and to safeguard the amenities of the surrounding area. To accord with the objectives of Policy(ies) LP1 and ENV10 of the Luton Local Plan.
		(05) Before any building or engineering works are commenced on site the existing trees, shrubs and/or hedges to be retained shall be safeguarded against damage or injury by the erection of fencing or other suitable protection at a distance of not less than that recommended by BS5837:2012 from the tree trunk(s) or shrubs or hedging, and no plant, materials or other objects shall be stored or placed against any of the trees, shrubs or hedges.	(05) To safeguard the existing trees, shrubs and/or hedges on the site. To accord with the objectives of Policy(ies) LP1 and ENV10 of the Luton Local Plan.
		(06) The area to be used for car parking in connection with the development hereby permitted shall not	(06) To ensure that adequate provision is made for vehicles to park clear of the highway in the

No.	Proposal	Conditions	Reasons
14/01144/FUL (Cont'd)		be used for any purpose other than for the parking of residents and visitors 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.	interest of road safety. To accord with the objectives of Policy(ies) LP1 and T3 of the Luton Local Plan.
		(07) 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.	(07) To prevent the increased risk of flooding and to accord with the objectives of Policy(ies) LP1 and ENV14 of the Luton Local Plan.
		(08) No external lighting shall be installed on the site, other than in accordance with a scheme to be submitted to and approved by the Local Planning Authority beforehand. The scheme, lighting equipment and levels of illumination shall comply with guidance issued by the Institution of Lighting Engineers in their publication "The ILE Outdoor Lighting Guide" and shall be accompanied by a statement from the developer confirming that compliance. The scheme shall thereafter be retained	(08) To ensure a satisfactory standard of development and to safeguard the amenities of the surrounding area. To accord with the objectives of Policy(ies) LP1 and ENV9 of the Luton Local Plan.

No.	Proposal	Conditions	Reasons
14/01144/FUL (Cont'd)		and maintained for so long as the development remains in existence and shall not be varied without the prior written permission of the Local Planning Authority.	
		(09) Notwithstanding the submitted plans, triangular pedestrian safety visibility splay(s) of 1.8 metres x 1.8 metres shall be provided on each side of the vehicle access points to the site. The splay(s) shall be positioned within the site at right angles to the highway (measured at the highway/site boundary). The visibility splay(s) so described shall be maintained free of any obstruction to visibility exceeding a height of 600mm above the existing ground level.	(09) In the interests of highway and pedestrian safety. To accord with the objectives of Policy(ies) LP1 and T3 of the Luton Local Plan.
		(10) 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.	(10) To ensure a satisfactory standard of development and to safeguard the amenities of the surrounding area. To accord with the objectives of Policy(ies) LP1, ENV9 and H2 of the Luton Local Plan.
		(11) Samples of the materials to be used in the construction of the elevations and roof of the dwelling shall be	(11) To ensure a satisfactory standard of development and to safeguard the amenities of the

No.	Proposal	Conditions	Reasons
14/01144/FUL (Cont'd)		submitted to and approved by the Local Planning Authority before the development is commenced.	surrounding area. To accord with the objectives of Policy(ies) LP1, ENV9 and H2 of the Luton Local Plan.
		(12) Notwithstanding the provisions of Section 55 of the Town and Country Planning Act 1990 or of the Town and Country Planning (General Development) Order, 1995, (or any Order revoking and re-enacting that Order with or without modification) no first floor openings shall be fitted in the north or south elevation(s) of the building(s) without the prior permission of the Local Planning Authority.	(12) To protect the amenities of neighbouring properties. To accord with the objectives of Policy(ies) LP1 and H2 of the Luton Local Plan.
		(13) No development shall take place, 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: (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	(13) To protect the amenities of neighbouring properties. To accord with the objectives of Policy(ies) LP1 and H2 of the Luton Local Plan.

No.	Proposal	Conditions	Reasons
14/01144/FUL (Cont'd)		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) loading and unloading of plant and materials; (iv) storage of plant and materials used in constructing the development; (v) the erection and maintenance of security hoarding including decorative displays and facilities for public viewing, where appropriate; (vi) wheel washing facilities; (vii) measures to control the emission of dust and dirt during construction; (viii) a scheme for recycling/disposing of waste resulting from demolition and construction works.	
		(14) Provision of a minimum of 3 car parking spaces shall be provided within the boundary of the existing dwelling No.62 Ludlow Avenue prior to the development hereby approved commencing.	(14) To ensure adequate off road parking is provided in the interests of highway and pedestrian safety. To accord with Policies LP1 and T3 of the Luton Local Plan
14/00998/REM	Development of land for residential purposes – Erection of 2 three bedroom dwellings with individual garages – Approval of reserved matters relating to appearance landscaping, layout of planning permission 11/01046/OUT	(02) Full details and particulars of all buildings and other works hereby permitted in respect of the appearance, landscaping and layout of the site/development shall be submitted to and approved by the Local Planning	(02) 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

No.	Proposal	Conditions	Reasons
14/00998/REM	dated 28 th May 2014. Rear of 96 Shelley Road Mr P Couine	Authority before any development is commenced.) insofar to matters relating to layout, appearance and landscape of the site/development.	the Town and Country Planning (General Development Procedure) Order, 1995.

SCHEDULE A2

(A2) Applications for Planning Permission REFUSED

No.	Proposal	Reasons for Refusal
14/01085/FUL	Erection of a building with 14 flats over four storeys comprising 14 one bedroom flats after demolition of existing warehouse unit. 15-19 Liverpool Road Mr. B Grewal	<p>It is recommended that planning permission is refused on plans 01, 02, 03, 04, 05 and 06 for the following reasons:</p> <p>(01) The proposed development, by reason of its design would be unduly prominent in the streetscene, to the detriment of the character and visual amenity of the surrounding area and would set an undesirable precedent for further proposals of a similar nature. The proposal would thereby be contrary to Policies LP1, H2 and ENV9.</p> <p>(02) The proposed development would injuriously affect the amenities of the adjoining properties by reason of overlooking, visual intrusion and loss of privacy. The proposal would thereby be contrary to Policy(ies) LP1, H2 and ENV9 of the Luton Local Plan.</p> <p>(03) The proposal represents an overintensive development of the site to an extent where inadequate space remains for the proper provision of rear garden amenity space and parking layout. The proposal would thereby be contrary to Policy(ies) LP1, H2 and ENV9 of the Luton Local Plan.</p>