

Appendix I: Conditions and Reasons

- (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 two 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

or

(b) The expiration of one year 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 limit the duration of the permission in accordance with the provisions of Sections 91-96 of the Town and Country Planning Act, 1990.

- (02) *Full details and particulars of all buildings and other works hereby permitted in respect of appearance, landscaping, layout and scale of the development shall be submitted to and approved by the Local Planning Authority before any above ground work is commenced.***

Reason: To enable the Local Planning Authority to exercise proper control over the details of the development in the case of an outline planning permission granted under Part 2, paragraph 5(1) of the Town and Country Planning (Development Management Procedure) Order 2015 (as amended).}

- (03) *Prior to commencement of the development findings from the infiltration testing as stated in the SUDS assessment and drainage strategy by Motion shall be submitted to the Local Planning Authority.***

Reason: To prevent an increased risk of flooding and surface and ground water pollution

- (04) *No development shall take place until a detailed design and associated management and maintenance plan of surface water drainage using sustainable urban drainage methods and***

foul water drainage for the development has been submitted in writing to the Local Planning Authority for approval. The approved details shall be implemented prior to occupation of the development and retained thereafter.

Reason: To prevent an increased risk of flooding and surface and ground water pollution

INFORMATIVE: Surface Water from the car park is likely to carry oil and hydrocarbons. It is therefore recommended that the onsite drainage system should incorporate an oil/water interceptor which acts to prevent petrol/oil being discharged into the surface and groundwater network.

- (05) *No 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 mitigation measures to prevent and minimise the potential for damage to subsurface sewerage infrastructure, and the programme of works) has been submitted writing to the Local Planning Authority for approval. Any piling must be undertaken in accordance with the terms of the approved piling method statement.***

Reason: The proposed works will be in close proximity to underground sewerage utility infrastructure. Piling has the potential to significantly impact / cause failure of local underground sewerage utility infrastructure.

- (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 and document numbers: 7369-PL-033 Rev C, 7369-PL-100***

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

- (07) *Details of the surfacing and drainage of any parking service area(s) hereby approved shall be submitted in writing to the Local Planning Authority for approval before any above ground works commence. The details thereby approved shall be installed prior to the occupation of any building on the site.***

Reason: In the interests of highway safety

- (08) Prior to the demolition of any buildings on the site, a detailed demolition method statement shall be submitted for approval to the Local Planning Authority. All Works thereafter shall be carried out in accordance with the approved demolition method statement.**

Reason: In the interests of highway safety and control of environmental impacts.

- (09) Prior to the commencement of the development, a detailed Construction Management Plan (CMP) shall be submitted for approval the Local Planning Authority, and the plan shall include the following:**

- a) The construction programme and phasing**
- b) Hours of operation, delivery and storage of materials**
- c) Details of any highway works necessary to enable construction to take place**
- d) Parking and Loading arrangements**
- e) Details of hoarding**
- f) Management of traffic to reduce congestion**
- g) Control of Dust and Dirt on the public highway**
- h) Details of consultation and complaint management with local businesses and neighbours**
- i) Waste management proposals**
- j) Mechanisms to deal with environmental impacts such as noise and vibration, air quality and dust, light and odour**
- k) Details of any proposed piling operations, including justification for the proposed piling strategy, a vibration impact assessment and proposed control and mitigation measures**

All works shall be carried out in accordance with the approved CMP thereafter

Reason: In the interests of highway safety and control of environmental impacts.

- (10) Prior to first occupation of any part of the development, 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.

- (11) *Prior to the first occupation of the development hereby permitted, a scheme for external lighting shall be submitted in writing to the Local Planning Authority for approval. 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 be implemented prior to first occupation and thereafter be retained as approved for so long as the development remains in existence.***

Reason: To ensure a satisfactory standard of development, to safeguard the amenities of adjoining occupiers and in the interests of highway and pedestrian safety.

- (12) *Prior to first occupation of any part of the development hereby permitted, full details of the boundary treatment of the site shall be submitted in writing to the Local Planning Authority for approval. Those approved details shall be installed prior to the first occupation of the development and retained thereafter.***

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

- (13) *Prior to commencement of the development hereby approved a scheme of habitat creation and enhancements which will provide ecological net gain on the site shall be submitted for approval to the Local Planning Authority. The scheme thereby approved shall be installed/planted prior to first occupation and retained thereafter for the lifetime of the development.***

Reason: In the interests of sustainability

- (14) ***Prior to commencement of the development hereby approved and the demolition of any buildings on site a bat survey of the buildings on site shall be carried out by a suitably qualified ecologist and submitted to the Local Planning Authority for approval. The development shall be carried out in accordance with the recommendations of the report.***

Reason: In order to ensure that the development is not to the detriment of any protected species

- (15) ***A management plan, including management responsibilities and maintenance schedules, for all external and internal shared/common areas of the development shall be submitted to in writing to the Local Planning Authority for approval 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

- (16) ***No above ground construction works shall take place until full details of a landscaping scheme to include all hard surfaces, grassed areas, green roofs, roof terraces, tree and shrub plantings and the proposed times of planting, has been submitted to the Local Planning Authority in writing for approval, 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 and adjoining occupiers.

- (17) *Prior to the first occupation of the development, a scheme to provide CCTV, including details of ongoing maintenance, 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: To ensure a satisfactory standard of development and in the interests of security and the prevention of crime.

- (18) *Prior to the first occupation of the 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 in writing to the Local Planning Authority for approval. The scheme thereby approved shall be installed before first occupation or in accordance with a timetable to be agreed in writing by the Local Planning Authority as a part of those submitted details. The development shall be occupied only in accordance with those approved details and shall be retained thereafter for the lifetime of the development.*

Reason: In the interests of sustainability

- (19) *Prior to the first occupation of the development, a comprehensive scheme to provide site security measures, including details of ongoing maintenance, 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: To ensure a satisfactory standard of development and in the interests of security and the prevention of crime.

- (20) *Prior to the commencement of above-ground works, samples of materials to be used in the construction of the external walls and roofing and balconies of the development hereby approved shall be submitted to and approved in writing by the Local Planning Authority. The development shall be carried out only in full accordance with those approved materials.*

Reason: To ensure that the development proposal uses high quality materials in the interest of visual amenity.

- (21) ***No works involving excavations (for example, piling or the implementation of a geothermal open/closed loop system) shall be carried until a method statement which will include an intrusive ground investigation to identify appropriate techniques to avoid displacing any shallow contamination to a greater depth has been submitted in writing to the Local Planning Authority. Any excavations must be undertaken in accordance with the terms of the approved method statement.***

Reason: To prevent an increased risk of flooding, surface and ground water pollution and to understand the risks posed to the nearby public water abstraction boreholes.

- (22) ***Prior to the occupation of the building hereby permitted, an Electric Charging Point Strategy (ECPS) for the parking area shall be submitted in writing to the Local Planning Authority for approval. The development shall only be completed and operated in accordance with that approved scheme. The ECPS shall include details of how many charging points will be provided, where they will be located and how they will be managed and maintained.***

Reason: In the interests of sustainability

- (23) ***Prior to the first occupation of the development, details of cycle storage shall be provided in writing to the Local Planning Authority for approval. The cycle storage shall be constructed in full accordance with those approved details before the development is first occupied and then shall be retained thereafter for its lifetime***

Reason: To encourage future residents to use more sustainable methods of transport

- (24) ***The development shall not be occupied until a means of access from Addington Way has been constructed in accordance with the approved plans.***

Reason: In the interests of Highway Safety

- (25) ***Surface water should not be disposed of via direct infiltration into the ground via a soakaway***

Reason: This is due to the proximity to a public water supply abstraction and the risk for contaminants to remobilise and cause groundwater pollution.

- (26) *The development hereby permitted shall not begin until a scheme to deal with contamination of land/ground gas/controlled waters has been submitted to and approved in writing by the local planning authority. The scheme shall include all of the following measures, unless the local planning authority dispenses with any such requirement specifically in writing:***
- 1. A Phase I site investigation report carried out by a competent person to include a desk study, site walkover, the production of a site conceptual model and a human health and environmental risk assessment, undertaken in accordance with BS10175: 2011 Investigation of Potentially Contaminated Sites – Code of Practice***
 - 2. A Phase II intrusive investigation report detailing all investigative works and sampling on site, together with the results of the analysis, undertaken in accordance with BS 10175:2011 Investigation of Potentially Contaminated Sites – Code of Practice. The report shall include a detailed quantitative human health and environmental risk assessment.***
 - 3. A remediation scheme detailing how the remediation will be undertaken, what methods will be used and what is to be achieved. A clear end point of the remediation shall be stated, and how this will be validated. Any ongoing monitoring shall also be determined.***
 - 4. If during the works contamination is encountered which has not previously been identified, then the additional contamination shall be fully assessed in an appropriate remediation scheme which shall be submitted to and approved in writing by the local planning authority.***
 - 5. A validation report detailing the proposed remediation works and quality assurance certificates to show that the works have been carried out in full accordance with the approved methodology shall be submitted prior to [first occupation of the development. Details of any post-remedial sampling and analysis to demonstrate that the site has achieved the required clean-up criteria shall be included, together with the necessary documentation detailing what waste materials have been removed from the site.***

Reason: To minimise and prevent pollution of the land and the water environment and in accordance with national planning

policy guidance set out in section 11 of the National Planning Policy Framework, and in order to protect human health and the environment