

Appendix 1: Conditions and Reasons

- (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 and document numbers: DC01, DC02, DC03, DC04, DC05, DC06, DC07, DC08, DC09, DC10, DC11, 02964-PC-00-00-DR-A-00100, 02964-PC-00-00-DR-A-20100, 02964-PC-00-00-DR-A-20200, 02964-PC-00-00-DR-A-20300, 02964-PC-00-00-DR-A-20400, 02964-PC-00-00-DR-A-20500, 02964-PC-00-DR-A-001, 129249 Rev. B, 602-1001-P02, 602-1002-P02, 602-1003-P02, 602-1004-P02, 61353-FG-002, RP01-18647 Rev. 3, 02964 PC-00-00-DR-A-00101-P0, 02964-PC-00-00-DR-A-00103-P0, 02964-PC-00-00-DR-A-10100-P1, 02964-PC-00-00-DR-A-10101-P1, 02964-PC-00-00-DR-A-10200-P1, 02964-PC-00-00-DR-A-10201-P1, 02964-PC-00-00-DR-A-10300-P1, 02964-PC-00-00-DR-A-10301-P1, 02964-PC-00-00-DR-A-10400-P1, 02964-PC-00-00-DR-A-10401-P1, 02964-PC-00-00-DR-A-10500-P1, 02964-PC-00-00-DR-A-10501-P1, 02964-PC-00-00-DR-A-00102 Rev. P1 and J32-4074-PS-08.**

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

- (03) No development, including any works of demolition, shall take place until a Construction Method Statement (CMS) has been submitted in writing to the Local Planning Authority for approval. The approved Statement shall be adhered to throughout the demolition/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) a dilapidation survey demonstrating the condition of the highway, inclusive of crossovers, kerbs and pedestrian footways, prior to the commencement of demolition and construction to be used for comparison following the completion of works and first operation of the development;**
- (iv) loading and unloading of plant and materials;**
- (v) storage of plant and materials used in constructing the development;**
- (vi) the erection and maintenance of security hoarding including decorative displays and facilities for public viewing, where appropriate;**
- (vii) wheel washing facilities;**

- (viii) measures to, where appropriate, manage the safe removal and disposal of asbestos material;*
- (ix) details of the protection of the existing fire hydrant situated to the rear of No. 6 Sherd Close for the duration of construction;*
- (x) measures to control the emission of dust and dirt during construction; and*
- (xi) a scheme for recycling/disposing of waste resulting from demolition and construction works.*

The development shall then proceed only in strict accordance with those approved details.

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

- (04) Prior to the commencement of above-ground works, full details (including samples) of the materials to be used in the construction of the external elevations of the development, including drawings showing the depth of window reveals on each of the elevations, shall be submitted in writing to the Local Planning Authority for approval. The development shall be carried out only in full accordance with those approved materials.*

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

- (05) Prior to first occupation of the development hereby permitted, full details of hard and soft landscaping, including the details of the management and maintenance of those hard and soft landscaped areas, shall be submitted in writing to the Local Planning Authority for approval. Those approved details shall be implemented prior to first occupation of the development and retained thereafter for so long as it remains in existence.*

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

- (06) Prior to first use of the development, a management plan, including management responsibilities and maintenance schedules for all external and shared/common areas of the development hereby permitted that are not adopted by the Local Highways Authority, shall be submitted in writing to the Local Planning Authority for approval. The management plan shall be carried out as approved from first occupation and retained for the lifetime of the development.*

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

- (07) Prior to first occupation 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 future occupiers and the surrounding area.

- (08) No above-ground works (excluding works of demolition) 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, installed with oil/petrol/grit interceptor facilities, 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 to prevent pollution of the water environment.

- (09) No infiltration shall be implemented and no soakaways shall be installed in contaminated ground.***

Reason: To prevent pollution of the water environment.

- (10) Prior to first occupation of the development, a verification report, to include photographs of excavations and soil profiles/horizons, any installation of any surface water structure and Control Mechanism and appended with substantiating evidence demonstrating that the approved construction details and specifications have been implemented in accordance with the surface water drainage scheme, shall be submitted in writing to the Local Planning Authority for approval. The development shall not be occupied until those details have been agreed in writing.***

Reason: To prevent and increased risk of flooding and the pollution of the water environment.

- (11) If, during development, contamination not previously identified is found to be present at the site then no further development shall be carried out until the developer has submitted in writing a remediation strategy to the Local Planning Authority for approval. The report shall detail how this unsuspected contamination shall be dealt with and the development shall only recommence in full accordance with those approved details.***

Reason: To protect human health.

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

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

- (13) Prior to the commencement of any works or activities associated with the development, full details of biodiversity/ecological protection measures shall be***

submitted in writing to the Local Planning Authority for approval. The development shall then proceed only in strict accordance with those approved details.

Reason: in the interests of ecological preservation.

- (14)** *Prior to the commencement of any works or activities associated with the development, full details of biodiversity/ecological enhancement measures, inclusive of details of ongoing maintenance and management, shall be submitted in writing to the Local Planning Authority for approval. All measures thereby approved shall be implemented before first occupation of the development and shall be retained thereafter for the lifetime of the development.*

Reason: in the interests of ecological preservation and enhancement.

- (15)** *Notwithstanding the provisions of Section 55 of the Town and Country Planning Act 1990 or of the Town and Country Planning (General Permitted Development) Order, 2015 (as amended), (or any Order revoking or re-enacting that Order with or without modification), no window openings other than those approved under this permission, which shall be fitted with obscure-glazing and fixed to a height of 1.7m, shall be fitted within the flank elevations of the dwellinghouses without the prior written permission of the Local Planning Authority.*

Reason: To prevent the over-intensive development of the site, to the detriment of the amenities of the surrounding area.

- (16)** *Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 2015 (as amended) (or any Order revoking and re-enacting that Order with or without modification), no building, extension or other structure shall be erected, constructed or placed within the curtilage of any dwellinghouse hereby permitted without the prior permission of the Local Planning Authority.*

Reason: To prevent the over-intensive development of the site, to the detriment of the amenities of the surrounding area.

- (17)** *Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 2015 (as amended) (or any Order revoking and re-enacting that Order with or without modification), the use of the premises shall not be changed to any use falling within Class C4 specified in the schedule to the Town and Country Planning (Use Classes) Order, 1987, (or any provision equivalent to that Class in any statutory instrument revoking and re-enacting that Order with or without modification), without the prior permission of the Local Planning Authority.*

Reason: To safeguard the provision of dwellings for which there is a recognised/identified need within the Borough and to prevent the over-intensive development of the site, to the detriment of the amenities of the surrounding area.

- (18)** *Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 2015 (as amended) (or any Order revoking and re-enacting that Order with or without modification), no fence, wall or other means of enclosure shall be erected or constructed in front of the forward most*

part of any dwelling which fronts a highway, a footpath or approved open amenity space without the prior permission of the Local Planning Authority.

Reason: To prevent the over-intensive development of the site, to the detriment of the amenities of the surrounding area.

- (19) Prior to first occupation of any part of the development, a refuse and recycling management plan, including management responsibilities, cleaning and maintenance schedules and security measures 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 and retained for the lifetime of the development.***

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

Informative: Acceptable details submitted in pursuance of this condition should include details of a CCTV system covering both collection areas, with that adjacent to Sherd House covering the relevant area as well as the highway/garages with Sherd Close and that adjacent to Flint Close covering the relevant area, the approach vehicular approach from Sherd Close and the pathway towards Flint Close and garages to the west-south-west.

- (20) Prior to the first occupation of the development hereby permitted, an Electric Charging Point Strategy (ECPS), covering each of the 15 dwellinghouses, shall be submitted in writing to the Local Planning Authority for approval. The development shall only be completed and occupied in full accordance with that approved scheme.***

Reason: In the interests of sustainability.