

DEVELOPMENT CONTROL COMMITTEE

15th January, 2003 at 6.00 p.m.

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

LAND AND BUILDINGS ON EAST SIDE OF LEICESTER ROAD (REF: 7.7)

2 The Development Control Manager reported on Application Nos. 02/01660/REG3 and 02/01661/REG3 submitted by the Department of Housing and Social Services under Regulation 3 of the Town and Country Planning General Regulations 1992 for consent to the development of land and buildings on the east side of Leicester Road for housing and community purposes.

He reported that part of the Application site fell within an area designated for open space purposes on the Luton Local Plan and therefore the Applications been advertised in accordance with the requirements of the Town and Country Planning (Development Plans and Consultations) Direction 1992.

He also reported that Sport England had objected to Application No. 02/01660/REG3 Option 1 (Scheme A) on the grounds that it would result in the net loss of playing fields, however they had raised no objections in respect of Application No. 02/01661/REG3 Option 2 (Scheme B).

He further reported on three letters objecting to the proposals which had been received and with the Committee's agreement an objector to the proposals addressed the meeting.

Resolved to recommend: (i) That for the purposes of the Town and Country Planning General Regulations 1992, Application No. 02/01660/REG3 be referred to the Office of the Deputy Prime Minister in accordance with the Town and Country Planning (Development Plans and Consultation) Directions 1992, and the Town and Country Planning (Playing Fields) (England) Direction 1998, with a statement to the effect that the Council is minded to grant planning permission subject to compliance with the following conditions:-

- (01) In the case of any matter hereinafter reserved for the subsequent approval of the Local Planning Authority, application for this approval shall be made not later than the expiration of three 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 five years from the date of this permission
 - (b) The expiration of two years from final approval of the matters hereinafter reserved for the subsequent approval of the Local Planning Authority or in the case of approval on different dates, the final approval of the last such matter to be approved.

(Reason: To 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 including siting, design, external appearance and landscaping shall be submitted to and approved by the Local Planning Authority before any development is commenced. (Reason: To enable the Local Planning Authority to exercise proper control over the details of development in the case of an outline planning

permission granted under Article 3 (1) of the Town and Country Planning (General Development Procedure) Order, 1995.)

- (03) All planting included in the scheme submitted in compliance with Condition No. 2 of this permission and approved by the Local Planning Authority shall be carried out by a date not later than the end of the full planting season immediately following the completion of that development. Any trees or shrubs removed, dying, being severely damaged or becoming seriously diseased within five years of planting shall be replaced by trees or shrubs of similar size and species to those originally required to be planted. (Reason: To enhance the appearance of the proposed development.)
- (04) Car parking shall be provided to the Council's approved standards. (Reason: To ensure that adequate provision is made for vehicles to park clear of the highway in the interest of road safety.)
- (05) Details of the surfacing and drainage of any car parking area(s) provided in accordance with the requirements of this permission shall be submitted to and approved by the Local Planning Authority before the development hereby permitted is commenced. (Reason: To ensure a satisfactory standard of development and to safeguard the amenities of the surrounding area.)
- (06) In respect of the community centre development fronting Dunstable Road, external lighting shall be provided to the car parking area and to the perimeter of the building(s) 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 lighting shall be installed and fully operational prior to the occupation of the building(s). (Reason: To ensure a satisfactory standard of development and to safeguard the amenities of the surrounding area.)
- (07) Notwithstanding the submitted plans, triangular pedestrian safety visibility splays of 1.8 metres x 1.8 metres shall be provided on each side of the vehicle access points to the site. The splays shall be positioned within the site at right angles to the highway (measured at the highway/site boundary). The visibility splays so described shall be maintained free of any obstruction to visibility exceeding a height of 600mm above the existing ground level. (Reason: In the interests of highway and pedestrian safety.)
- (08) The layout and alignment, widths and levels of the proposed access and estate roads to the housing development site and all drainage details shall be in accordance with detailed plans and sections to be submitted to and approved by the Local Planning Authority before development is commenced. (Reason: To ensure a satisfactory standard of development and to safeguard the amenities of the surrounding area.)
- (09) No building shall exceed two storeys in height. (Reason: To protect the amenities of neighbouring properties and in the interests of visual amenity.)
- (10) Full details of the proposed boundary treatment of the community facilities site fronting Dunstable Road (to include frontage hedge planting) 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.)

- (11) Full details of the proposed boundary treatment of the housing development site (to include the construction of brick walls not less than 1.8 metres high along the side boundaries of the proposed access road adjacent to 35 and 41 Leicester Road) shall be submitted to and approved by the Local Planning Authority before the development is commenced and approved treatment shall be installed before the buildings hereby permitted are occupied. (Reason: To ensure a satisfactory standard of development and to safeguard the amenities of the surrounding area.)
- (12) Before the development hereby permitted is commenced, a detailed site investigation shall be carried out to establish whether the site is contaminated, to assess the degree and nature of any contamination present, and to determine its potential for the pollution of the water environment and risk to other receptors. The method and extent of the investigation shall be agreed with the Local Planning Authority in consultation with the Environment Agency prior to the commencement of work. A method statement setting out the proposed means of dealing with any contamination present on the site, including measures to prevent pollution of groundwater and surface water, shall then be submitted to and approved by the Local Planning Authority in consultation with the Environment Agency before the development commences. The development shall then proceed in strict accordance with the measures approved. (Reason: To prevent pollution of the water environment.)
- (13) The development of the community centre site fronting Dunstable Road shall not commence until details have been submitted to and approved by the Local Planning Authority showing a scheme and timetable of works for the management and control of the adjacent service road on the Dunstable Road frontage for parking for staff and visitors in association with that development for the control of on-street parking in Leicester Road and for the alteration of the highway layout at the service road junction with Leicester Road. All works required to be implemented in accordance with this condition shall be in place before the building is occupied. (Reason: To ensure that adequate provision is made for vehicles to park clear of the highway in the interest of road safety.)
- (14) The multi-use games area shown on the approved plans shall be laid out and available for use prior to the occupation of any building constructed pursuant to this permission on the community centre development site fronting Dunstable Road. (Reason: To ensure a satisfactory standard of development and to safeguard the amenities of the surrounding area, and to ensure that appropriate replacement is made for the loss of open space pursuant to this permission.)
- (15) A Green Travel Plan for the community facilities site shall be submitted to and approved by the Local Planning Authority before any building on that part of the site is occupied. The measures thereby approved shall be introduced and maintained in accordance with a programme within the Green Travel Plan. (Reason: To avoid the creation of traffic congestion on the highway in the interest of safety and convenience of pedestrians and other road users.)
- (16) The community facilities building fronting Dunstable Road shall not be occupied until appropriate sports pitch facilities in replacement of the existing football pitch are laid out on the public open space area adjacent to the application site. (Reason: To ensure a satisfactory standard of development and to safeguard the amenities of the surrounding area and to ensure that adequate sports field provision is maintained.)

(ii) That for the purposes of the Town and Country Planning General Regulations 1992, Application No. 02/01661/REG3 be referred to the Office of the Deputy Prime Minister in accordance with the Town and Country Planning (Development Plans and Consultation) Directions 1992 with a statement to the effect that the Council is minded to grant planning permission subject to compliance with the following conditions:-

- (01) In the case of any matter hereinafter reserved for the subsequent approval of the Local Planning Authority, application for this approval shall be made not later than the expiration of three 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 five years from the date of this permission
 - (b) The expiration of two years from final approval of the matters hereinafter reserved for the subsequent approval of the Local Planning Authority or in the case of approval on different dates, the final approval of the last such matter to be approved.

(Reason: To 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 including siting, design, external appearance and landscaping shall be submitted to and approved by the Local Planning Authority before any development is commenced. (Reason: To enable the Local Planning Authority to exercise proper control over the details of development in the case of an outline planning permission granted under Article 3 (1) of the Town and Country Planning (General Development Procedure) Order, 1995.)
- (03) All planting included in the scheme submitted in compliance with Condition No. 2 of this permission and approved by the Local Planning Authority shall be carried out by a date not later than the end of the full planting season immediately following the completion of that development. Any trees or shrubs removed, dying, being severely damaged or becoming seriously diseased within five years of planting shall be replaced by trees or shrubs of similar size and species to those originally required to be planted. (Reason: To enhance the appearance of the proposed development.)
- (04) Car parking shall be provided to the Council's approved standards. (Reason: To ensure that adequate provision is made for vehicles to park clear of the highway in the interest of road safety.)
- (05) Details of the surfacing and drainage of any car parking area(s) provided in accordance with the requirements of this permission shall be submitted to and approved by the Local Planning Authority before the development hereby permitted is commenced. (Reason: To ensure a satisfactory standard of development and to safeguard the amenities of the surrounding area.)
- (06) In respect of the community centre development fronting Dunstable Road, external lighting shall be provided to the car parking area and to the perimeter of the building(s) 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 lighting shall be installed and fully operational

prior to the occupation of the building(s). (Reason: To ensure a satisfactory standard of development and to safeguard the amenities of the surrounding area.)

- (07) Notwithstanding the submitted plans, triangular pedestrian safety visibility splays of 1.8 metres x 1.8 metres shall be provided on each side of the vehicle access points to the site. The splays shall be positioned within the site at right angles to the highway (measured at the highway/site boundary). The visibility splays so described shall be maintained free of any obstruction to visibility exceeding a height of 600mm above the existing ground level. (Reason: In the interests of highway and pedestrian safety.)
- (08) The layout and alignment, widths and levels of the proposed access and estate roads to the housing development site and all drainage details shall be in accordance with detailed plans and sections to be submitted to and approved by the Local Planning Authority before development is commenced. (Reason: To ensure a satisfactory standard of development and to safeguard the amenities of the surrounding area.)
- (09) No building shall exceed two storeys in height. (Reason: To protect the amenities of neighbouring properties and in the interests of visual amenity.)
- (10) Full details of the proposed boundary treatment of the community facilities site fronting Dunstable Road (to include frontage hedge planting) 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.)
- (11) Full details of the proposed boundary treatment of the housing development site (to include the construction of brick walls not less than 1.8 metres high along the side boundaries of the proposed access road adjacent to 35 and 41 Leicester Road) shall be submitted to and approved by the Local Planning Authority before the development is commenced and approved treatment shall be installed before the buildings hereby permitted are occupied. (Reason: To ensure a satisfactory standard of development and to safeguard the amenities of the surrounding area.)
- (12) Before the development hereby permitted is commenced, a detailed site investigation shall be carried out to establish whether the site is contaminated, to assess the degree and nature of any contamination present, and to determine its potential for the pollution of the water environment and risk to other receptors. The method and extent of the investigation shall be agreed with the Local Planning Authority in consultation with the Environment Agency prior to the commencement of work. A method statement setting out the proposed means of dealing with any contamination present on the site, including measures to prevent pollution of groundwater and surface water, shall then be submitted to and approved by the Local Planning Authority in consultation with the Environment Agency before the development commences. The development shall then proceed in strict accordance with the measures approved. (Reason: To prevent pollution of the water environment.)
- (13) The development of the community centre site fronting Dunstable Road shall not commence until details have been submitted to and approved by the Local Planning Authority showing a scheme and timetable of works for the management and control of the adjacent service road on the Dunstable Road

frontage for parking for staff and visitors in association with that development for the control of on-street parking in Leicester Road and for the alteration of the highway layout at the service road junction with Leicester Road. All works required to be implemented in accordance with this condition shall be in place before the building is occupied. (Reason: To ensure that adequate provision is made for vehicles to park clear of the highway in the interest of road safety.)

- (14) The multi-use games area shown on the approved plans shall be laid out and available for use prior to the occupation of any building constructed pursuant to this permission on the community centre development site fronting Dunstable Road. (Reason: To ensure a satisfactory standard of development and to safeguard the amenities of the surrounding area, and to ensure that appropriate replacement is made for the loss of open space pursuant to this permission.)
- (15) A Green Travel Plan for the community facilities site shall be submitted to and approved by the Local Planning Authority before any building on that part of the site is occupied. The measures thereby approved shall be introduced and maintained in accordance with a programme within the Green Travel Plan. (Reason: To avoid the creation of traffic congestion on the highway in the interest of safety and convenience of pedestrians and other road users.)
- (16) The community facilities building fronting Dunstable Road shall not be occupied until appropriate sports pitch facilities in replacement of the existing football pitch are laid out on the public open space area adjacent to the application site. (Reason: To ensure a satisfactory standard of development and to safeguard the amenities of the surrounding area and to ensure that adequate sports field provision is maintained.)

(Note: Councillor Banerji declared a personal interest in the above item.)

3 NO. 82 PUTTERIDGE ROAD (REF: 7.8)

The Development Control Manager reported on Application No. 02/01246/COU submitted by M. Patel for planning permission in respect of the change of use of premises at No. 82 Putteridge Road from a shop to a dwellinghouse.

He reported that the site, the subject of the application fell within a shopping policy area identified in the Borough of Luton Local Plan and therefore the application had been advertised in accordance with the requirements of the Town and Country Planning (Development Plans and Consultations) Direction 1992 and that no objections in response to the advertisement had been received.

Resolved to recommend: That Application No. 02/01246/COU be approved subject to compliance with the following conditions:-

- (01) The development hereby permitted shall be begun not later than the expiration of five years beginning with the date of this permission. (Reason: To limit the duration of the permission in accordance with the provisions of Sections 91 to 96 of the Town and Country Planning Act 1992.)
- (02) The materials used in the construction of the alterations hereby permitted shall match as closely as possible those of the original building. (Reason: To ensure a satisfactory standard of development and to safeguard the amenities of the surrounding area.)

- (03) 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 residents' and visitors' 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.)
- (04) Full details of the proposed boundary treatment of the site, to include a low wall to the front of the premises, 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 is occupied for its approved use. (Reason: In the interests of visual amenity.)