

APPENDIX A

DEVELOPMENT CONTROL COMMITTEE

WEDNESDAY 16TH MARCH 2005

RECOMMENDATIONS OF THE DEVELOPMENT CONTROL MANAGER FOR APPROVAL OF PLANNING PERMISSION

APPLICATION NO 04/01782/REM
PROPOSAL : Erection of a four storey office building and six storey car park
 (Scheme A) (Resubmission)
LOCATION : Plot 600-710 Capability Green
APPLICANT : Astazeneca UK Ltd
POLICY/ALLOCATION: BP1, E1, E8, T7,
WARDS AFFECTED: SOUTH

CONDITIONS :

- 1 Condition No.12 of Permission No.04/01038/VARCON dated 13th October 2004 is hereby discharged insofar as it relates to the siting, height, design, external appearance, access, landscaping and the layout and siting of car parking, loading, unloading and manoeuvring for the development of Plots 700 - 710.

 - 2 Within six months of the date of the permission hereby granted, a scheme providing for an 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 in consultation with the Local Highway Authority and the details thereby approved shall be implemented prior to the occupation of the accommodation to which this permission refers. Scheme so submitted shall be prepared in joint consultation with the Local Highway Authority.
Reason: In the interests of sustainability and encouraging reduced car travel to work. To accord with the objectives of Policies BP1 and E1 of the Borough of Luton Local Plan.
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APPLICATION NO 04/01783/REM
PROPOSAL : Erection of a four storey office building, 4 storey part
 underground car park and one storey parking deck (Scheme B)
 (Resubmission)
LOCATION : Plot 600-710 Capability Green
APPLICANT : Astazeneca UK Ltd
POLICY/ALLOCATION: BP1, E1, E8, T7
WARDS AFFECTED: SOUTH

CONDITIONS :

- 1 Condition No.12 of Permission No.04/01038/VARCON dated 13th October 2004 is hereby discharged insofar as it relates to the siting, height, design, external appearance, access, landscaping and the layout and siting of car parking, loading, unloading and manoeuvring for the development of Plots 700 - 710.

- 2 Within six months of the date of the permission hereby granted, a scheme providing for an 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 in consultation with the Local Highway Authority and the details thereby approved shall be implemented prior to the occupation of the accommodation to which this permission refers. Scheme so submitted shall be prepared in joint consultation with the Local Highway Authority.
Reason: In the interests of sustainability and encouraging reduced car travel to work. To accord with the objectives of Policies BP1 and E1 of the Borough of Luton Local Plan.

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APPLICATION NO 04/01903/FUL
PROPOSAL : Erection of a two storey building to form extension to existing office building.
LOCATION : 200 Capability Green Luton
APPLICANT : Anritsu Ltd And Denbigh Land Ltd
POLICY/ALLOCATION: BP1, E1, EMP1, EMP2,
WARDS AFFECTED: SOUTH

CONDITIONS :

- 1 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 91-96 of the Town and Country Planning Act, 1990.

- 2 The buildings hereby permitted shall only be used for purposes falling within Class B1 of the Town and Country Planning (Use Classes) Order 1987, as amended.
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) BP1, E1 and EMP1 of the Borough of Luton Local Plan.

- 3 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) BP1, E1, E8 and EMP1 of the Borough of Luton Local Plan.

- 4 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 employees 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.
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) BP1, E1 and EMP1 of the Borough of Luton Local Plan.

- 5 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 ensure a satisfactory standard of development and to safeguard the amenities of the surrounding area. To accord with the objectives of Policy(ies) BP1, E1 and EMP1 of the Borough of Luton Local Plan.

- 6 External lighting shall be provided to the parking/service area(s) 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 in the interests of security and the prevention of crime. To accord with the objectives of Policy(ies) BP1, E1, E8 and EMP1 of the Borough of Luton Local Plan.

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- 7 Samples of the materials to be used in the construction of the roof and elevations of the building 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) BP1, E1 and EMP1 of the Borough of Luton Local Plan.
 - 8 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) BP1, E1 and EMP1 of the Borough of Luton Local Plan.
 - 9 Noise insulation details shall be submitted to and approved by the Local Planning Authority, before development commences and such details shall be in accordance with the provisions of Planning Policy Guidance Note 24 "Planning and Noise" and specifically shall follow the procedures set out in Annex 3 to that guidance. All insulation works required shall be carried out in accordance with the approved plans.
Reason: To protect the amenities of neighbouring properties and to safeguard the amenities of the occupants of the buildings hereby permitted in accordance with the provisions of Planning Policy Guidance Note 24 "Planning and Noise". To accord with the objectives of Policies BP1, E1 and E12 of the Borough of Luton Local Plan.
 - 10 No other structures including masts, plant rooms, aerials and air conditioning units, shall be constructed which increase the height of the buildings without the prior permission of the Local Planning Authority. Details of any such works shall be submitted to and approved by the Council in consultation with London Luton Airport Operations Ltd, before the works are undertaken.
Reason: In the interests of Aircraft Safety. To accord with the objectives of Policies BP1 and E1 of the Borough of Luton Local Plan.
 - 11 Full details of any external plant to be affixed to the building, including siting, design, means of construction and noise emission details shall be submitted to and approved by the Local Planning Authority before any such plant is installed.
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) BP1, E1, E8 and EMP1 of the Borough of Luton Local Plan.
 - 12 No construction work likely to cause detriment to the amenities of the adjoining properties by reason of noise, vibration, smoke or dust shall be carried out before the hour of 07.30 hours Mondays to Saturdays or after 19.00 hours on Mondays to Fridays or after 13.30 hours on Saturdays or at any time on Sundays and Bank Holidays.
Reason: To protect the amenities of neighbouring properties. To accord with the objectives of Policy(ies) BP1, E1 and H1 of the Borough of Luton Local Plan.
 - 13 Within six months of the date of the permission hereby granted, a scheme providing for an 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 in consultation with the Local Highway Authority for approval and the details thereby approved shall be implemented prior to the occupation of the accommodation to which this permission refers.
Reason: In the interests of sustainability and encouraging reduced car travel to work. To accord with the objectives of Policies BP1, E1 and T1 of the Borough of Luton Local Plan.
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APPLICATION NO 04/01904/FUL
PROPOSAL : Erection of 9 no. two storey office units in 5 blocks
LOCATION : 200 Capability Green Luton
APPLICANT : Anritsu Ltd And Denbigh Land Ltd
POLICY/ALLOCATION: BP1, E1, EMP1, EMP2,
WARDS AFFECTED: SOUTH

CONDITIONS :

- 1 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 91-96 of the Town and Country Planning Act, 1990.
- 2 The buildings hereby permitted shall only be used for the purposes falling within Class B1 of the Town and Country Planning (Use Classes) Order 1987, as amended.
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) BP1, E1 and EMP1 of the Borough of Luton Local Plan.
- 3 Notwithstanding the submitted plans 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) BP1, E1, E8 and EMP1 of the Borough of Luton Local Plan.
- 4 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 employees 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.
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) BP1, E1 and EMP1 of the Borough of Luton Local Plan.
- 5 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 ensure a satisfactory standard of development and to safeguard the amenities of the surrounding area. To accord with the objectives of Policy(ies) BP1, E1 and EMP1 of the Borough of Luton Local Plan.
- 6 External lighting shall be provided to the parking/service area(s) 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 in the interests of security and the prevention of crime. To accord with the objectives of Policy(ies) BP1, E1, E8 and EMP1 of the Borough of Luton Local Plan.

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- 7 Samples of the materials to be used in the construction of the roof and 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) BP1, E1 and EMP1 of the Borough of Luton Local Plan.
- 8 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) BP1, E1 and EMP1 of the Borough of Luton Local Plan.
- 9 Noise insulation details shall be submitted to and approved by the Council, before development commences such details shall be in accordance with the provisions of Planning Policy Guidance Note 24 "Planning and Noise" and specifically shall follow the procedures set out in Annex 3 to that guidance. All insulation works required shall be carried out in accordance with the approved plans.
Reason: To protect the amenities of neighbouring properties and to safeguard the amenities of the occupants of the buildings hereby permitted in accordance with the provisions of Planning Policy Guidance Note 24 "Planning and Noise". To accord with the objectives of Policies BP1, E1 and E12 of the Borough of Luton Local Plan.
- 10 No other structures including masts, plant rooms, aerials and air conditioning units, shall be constructed which increase the height of the buildings without the prior permission of the Local Planning Authority. Details of any such works shall be submitted to and approved by the Council in consultation with London Luton Airport Operations Ltd, before the works are undertaken.
Reason: In the interests of Aircraft Safety. To accord with the objectives of Policies BP1 and E1 of the Borough of Luton Local Plan.
- 11 Full details of any external plant to be affixed to the buildings, including siting, design, means of construction and noise emission details shall be submitted to and approved by the Local Planning Authority before any such plant is installed.
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) BP1, E1, E8 and EMP1 of the Borough of Luton Local Plan.
- 12 No construction work likely to cause detriment to the amenities of the adjoining properties by reason of noise, vibration, smoke or dust shall be carried out before the hour of 07.30 hours Mondays to Saturdays or after 19.00 hours on Monday to Friday or after 13.30 hours on Saturdays or at any time on Sundays and Bank Holidays.
Reason: To protect the amenities of neighbouring properties. To accord with the objectives of Policy(ies) BP1, E1 and H1 of the Borough of Luton Local Plan.
- 13 Within six months of the date of the permission hereby granted, a scheme providing for an 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 in consultation with the Local Highway Authority for approval and the details thereby approved shall be implemented prior to the occupation of the accommodation to which this permission refers.
Reason: In the interests of sustainability and encouraging reduced car travel to work. To accord with the objectives of Policies BP1, E1 and T1 of the Borough of Luton Local Plan.

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- 14 Before any work on site is commenced, full details shall be submitted to and approved by the Local Planning Authority for the safeguarding of the trees, shrubs and/or hedges within the site. The safeguarding measures thereby approved shall be implemented prior to the commencement of any demolition works, removal of topsoil or commencement of building operations and retained in a position until development is completed. The land so enclosed shall be kept clear of plant, building materials, machinery and other objects and the existing soil levels not altered.

Reason: To safeguard the existing trees, shrubs and/or hedges on the site. To accord with the objectives of Policy(ies) BP1, E1, E2 and E6 of the Borough of Luton Local Plan.

- 15 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) BP1, E1 and E8 of the Borough of Luton Local Plan.

APPLICATION NO 04/01916/VARCON
PROPOSAL : Variation of Condition 9 of 04/ 01425/REG3 to allow the submission of a package of integrated transport measures within 6 months of the date of occupation.
LOCATION : Lea Manor High School Northwell Drive
APPLICANT : Lifelong Learning
POLICY/ALLOCATION: BP1, E1, EMP1, EMP2, T1,
WARDS AFFECTED: NORTHWELL

CONDITIONS :

- 1 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 91-96 of the Town and Country Planning Act, 1990.

- 2 Full details of the materials to be used in the construction of the walls 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) BP1, E1, E8, EMP1 and EMP2 of the Borough of Luton Local Plan.

- 3 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) BP1, E1, E8, EMP1 and EMP2 of the Borough of Luton Local Plan.

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- 4 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 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.

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) BP1, E1, E8, EMP1, EMP2 and T7 of the Borough of Luton Local Plan.
- 5 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 ensure a satisfactory standard of development and to safeguard the amenities of the surrounding area. To accord with the objectives of Policy(ies) BP1, E1, E8, EMP1, EMP2 and T7 of the Borough of Luton Local Plan.
- 6 External lighting shall be provided to the parking/service area(s) 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: In the interests of highway and pedestrian safety. To accord with the objectives of Policy(ies) BP1, E1, E8, EMP1, EMP2 and T7 of the Borough of Luton Local Plan.
- 7 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) BP1, E1, E8, EMP1, EMP2 and T7 of the Borough of Luton Local Plan.
- 8 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: In the interests of visual amenity. To accord with the objectives of Policy(ies) BP1, E1, E8, EMP1, EMP2 and T7 of the Borough of Luton Local Plan.
- 9 Notwithstanding the draft scheme previously submitted within six months of the date of occupation of the building, a scheme providing for an 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 the details thereby approved shall be implemented within six months of the date of that approval. The scheme so submitted shall be prepared in joint consultation with the Local Highway Authority.

Reason: In the interests of sustainability and encouraging reduced car travel. To accord with the objectives of Policies BP1 and E1 of the Borough of Luton Local Plan.
- 10 Notwithstanding the submitted plans, development shall not be commenced until details of the footway arrangements between Redgrave Gardens and the site have been approved in writing by the Local Planning Authority, and the building shall not be occupied until those works have been constructed in accordance with the approved details.

Reason: In the interests of visual amenity and highway safety. To accord with the objectives of Policy(ies) BP1, E1, LC2 and LC6 of the Borough of Luton Local Plan.

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- 11 **In order to secure adequate replacement playing field provision:-**
- (i) Within twelve months of the grant of planning permission, details of (a) scheme(s) for the provision or improvement of playing fields in the local area shall be submitted to and approved by the Local Planning Authority in consultation with Sport England.
- (ii) The scheme(s) identified in Condition 11(i) shall be funded by the payment of a principle sum of £50,000.00. A further sum of £25,000.00 shall be committed for the maintenance of the scheme(s) referred to herein. Both the sums referred to shall relate to the Retail Price Index and adjusted according to the variation thereof and shall be committed and safeguarded for their specific purposes by a date no later than 1st April 2005.
- (iii) The scheme(s) and payments required by Condition 11(i) and Condition (ii) above shall be implemented and completed no later than five years from the occupation of the building and confirmation of satisfactory completion of the improvements shall be provided in writing to the Local Planning Authority and to Sport England.
- Reason: To protect the level of public open space provision, and to accord with the objectives of Policies BP1, E1, OS1, LC1 and LC2 of the Borough of Luton Local Plan.*

APPLICATION NO 05/00006/REG3
PROPOSAL : Erection of a single and two storey extensions to provide classroom extensions and new classroom block.
LOCATION : Lea Manor High School Northwell Drive
APPLICANT : Lifelong Learning Department
POLICY/ALLOCATION: BP1, E1, E12, H1, LC2 & LC5
WARDS AFFECTED: NORTHWELL

CONDITIONS :

- 1 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 91-96 of the Town and Country Planning Act, 1990.
- 2 Before the development hereby permitted is commenced, a scheme shall be submitted to and approved by the Local Planning Authority which specifies the provisions to be made for the control of noise emanating from the music technology and student support rooms. For the avoidance of doubt, these provisions shall include an acoustic report to demonstrate; the noise levels in any residential properties with partially open windows shall not be caused to exceed as a result of noise emanating from this source 30dB(A)eq between the hours of 18:00 and 08:00 nor 40dB(A)eq between the hours of 08:00 and 18:00. If these noise levels are already exceeded, no contribution from the said noise source shall be permitted. Any insulation scheme necessary to achieve compliance with the noise levels so specified shall be installed and 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) BP1, E1, E12 and LC2 of the Borough of Luton Local Plan.
- 3 The high-level window(s) in the southeast elevation(s) of the development shall be fitted with obscure glazing at all times.
Reason: To protect the amenities of neighbouring properties. To accord with the objectives of Policy(ies) BP1, H1, E1 and LC2 of the Borough of Luton Local Plan.

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APPLICATION NO 04/01841/FUL
PROPOSAL : Erection of a 5 & 7 storey building comprising offices at ground floor with 27 no. one bedroom flats above.
LOCATION : 16-26 Mill Street Luton
APPLICANT : E.S. & G. Coleman
POLICY/ALLOCATION: H1, H8, E1, E7, E8, EMP1, EMP2, T7,
WARDS AFFECTED: SOUTH

CONDITIONS :

- 1 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 91-96 of the Town and Country Planning Act, 1990.
- 2 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) BP1, E1 and E8 of the Borough of Luton Local Plan.
- 3 A management plan, including management responsibilities and maintenance schedules, for all external 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) BP1, E1 and H2 of the Borough of Luton Local Plan.
- 4 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 occupiers 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.
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) BP1, H2 and T7 of the Borough of Luton Local Plan.
- 5 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 ensure a satisfactory standard of development and to safeguard the amenities of the surrounding area. To accord with the objectives of Policy(ies) BP1, E1 and H2 of the Borough of Luton Local Plan.
- 6 No external lighting shall be installed to the parking/service area(s) or to the perimeter of the building(s) hereby approved, other than in accordance with a scheme to be submitted to and approved by the Local Planning Authority prior to the installation of any external lighting 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) BP1, E1, H2 and E8 of the Borough of Luton Local Plan.

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- 7 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) E1 and T7 of the Borough of Luton Local Plan.
- 8 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 safeguard drainage interests. To accord with the objectives of Policy(ies) BP1, E1 and E10 of the Borough of Luton Local Plan.
- 9 The finished floor level of the building shall be set at a minimum of 300mm above existing ground levels.
Reason: To protect the property from flooding in the event of any inaccuracies in the flood modeling and/or the wash of passing vehicles through flood waters. To accord with policies BP1, E1 and E10 of the Borough of Luton Local Plan.
- 10 There shall be no raising of ground levels at the site apart from the footprint of the new building.
Reason: To minimise any loss of flood plain at the site. To accord with Policies BP1, E1 and E10 of the Borough of Luton Local Plan.
- 11 Before the development hereby permitted is/are occupied a fence, not less than 1.8 metre(s) high, shall be erected along the rear and side boundary(ies) of the site in accordance with plan to be submitted to and approved by the Local Planning Authority. A fence to this height shall thereafter be retained in this position 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) E1, E7 and E8 of the Borough of Luton Local Plan.
- 12 Full details of the materials to be used in the construction of the elevations of the building shall be submitted to and approved by the Local Planning Authority before the development is commenced.
Reason: To enable the Local Planning Authority to exercise proper control over the development proposed, in the interests of securing a satisfactory standard of work and of safeguarding the amenities of the surrounding area. To accord with the objectives of Policy(ies) BP1, E1, H2 and E8 of the Borough of Luton Local Plan.
- 13 At no time shall any gates or other means of enclosure be provided to the car park access to the development hereby approved without the prior permission of the Local Planning Authority.
Reason: In the interests of highway and pedestrian safety. To accord with the objectives of Policy(ies) BP1, E1 and T7 of the Borough of Luton Local Plan.
- 14 The design and specifications of the proposed residential conversion works shall be such that the night time noise levels within a bedroom, with windows closed, shall not exceed 30dB(A)LAeq. Details of the noise insulation measures including the windows to the front and rear facades of the building shall be submitted to and approved by the Local Planning Authority before any work is commenced and the approved insulation scheme shall be completed prior to the occupation of the development.
Reason: To protect the amenities of the residents of the development. To accord with Policies BP1, E1 and E12 of the Borough of Luton Local Plan.

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APPLICATION NO 05/00070/COU
PROPOSAL : Conversion and change of use of first and second floors of light industrial building to 10 No. one bedroom and 2 No. two bedroom flats.
LOCATION : Abacus House 17-33 Dudley Street
APPLICANT : Robert Murphy
POLICY/ALLOCATION: BP1, EMP1, E1, H7,
WARDS AFFECTED: HIGH TOWN

CONDITIONS :

- 1 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 91-96 of the Town and Country Planning Act, 1990.
- 2 The garden/amenity space approved as part of the development hereby permitted shall be available for use prior to the occupation of any flat or dwelling and shall be accessible to the occupants of all dwelling units in the scheme.
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) BP1, E1, E8 and H2 of the Borough of Luton Local Plan.
- 3 Notwithstanding the submitted plans, full details of a bin storage area shall be submitted and approved by the Local Planning Authority and be available for use prior to the occupation of any flat and shall be accessible to the occupants of all dwelling units in the scheme.
Reason: In the interests of the amenities of the future residents of the residential accommodation hereby approved. To accord with the objectives of Policies BP1, E1 and H2 of the Borough of Luton Local Plan.
- 4 Full details of the materials to be used in the construction of the elevations of the building 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) BP1, E1, E8, H2 and H7 of the Borough of Luton Local Plan.
- 5 A management plan, including management responsibilities and maintenance schedules, for all external 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) BP1 and E1 of the Borough of Luton Local Plan.
- 6 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) BP1, E1, H2 and H7 of the Borough of Luton Local Plan.

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- 7 The ground floor facilities shall be used for purposes within Use Class B1 (offices) specified in the schedule to the Town and Country Planning (Uses Classes) Order 1987, (or any provision equivalent to that Class in any statutory instrument revoking and re-enacting that Order with or without modification) and not for any other purpose without the prior written permission of the Local Planning Authority.
Reason: To protect the amenities of the adjoining properties and the occupiers of the upper levels of the development hereby approved. To accord with the objectives of Policy(ies) BP1, E1, H1 and H7 of the Borough of Luton Local Plan.
- 8 Before the converted building is used for any purpose it shall be insulated against internally generated noise in accordance with a scheme to be approved by the Local Planning Authority before any development is commenced.
Reason: To protect the amenities both of neighbouring properties and also of the future residents of the residential accommodation hereby approved. To accord with the objectives of Policy(ies) BP1, E1, H1 and H7 of the Borough of Luton Local Plan.
- 9 The design and specifications of the proposed residential conversion works shall be such that the night time noise levels within any residential unit, with windows closed, shall not exceed 35dB LAeq (2300-700) and the day time levels shall not exceed 40dB LAeq (0700-2300). Details of the noise insulation measures, including the windows to the front and rear facades of the building shall be submitted to and approved by the Local Planning Authority before any work is commenced and the approved insulation scheme shall be completed prior to the occupation of the development.
Reason: To protect the amenities of the residents of the development. To accord with the objectives of Policies BP1, E1 and H12 of the Borough of Luton Local Plan.
- 10 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 occupiers 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.
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) BP1, E1, H2 and T7 of the Borough of Luton Local Plan.
- 11 External lighting shall be provided to the parking/service area(s) 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. To accord with the objectives of Policy(ies) BP1, E1, H2 and H7 of the Borough of Luton Local Plan.
- 12 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) BP1, E1, E8 and H7 of the Borough of Luton Local Plan.

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- 13 Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order, 1995, (or any Order revoking and re-enacting that Order with or without modification) no fence, wall or other means of enclosure shall be erected or constructed in front of the forwardmost 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: In the interests of highway and pedestrian safety. To accord with the objectives of Policy(ies) BP1, E1 and T7 of the Borough of Luton Local Plan.

APPLICATION NO 05/00069/FUL
PROPOSAL : Demolition of buildings and erection of 14 industrial units within B1, B2 and B8 use class with associated car parking
LOCATION : 46-60 Bilton Way
APPLICANT : Real Estate & Commercial Trust Ltd
POLICY/ALLOCATION: BP1, E1, E8, EMP1, EMP2, T7,
WARDS AFFECTED: DALLOW

CONDITIONS :

- 1 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 91-96 of the Town and Country Planning Act, 1990.
- 2 Full details of the materials to be used in the construction of the walls and roof 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) BP1, E1, E8, EMP1 and EMP2 of the Borough of Luton Local Plan.
- 3 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) BP1, E1, E8, EMP1 and EMP2 of the Borough of Luton Local Plan.
- 4 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 employees 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.
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) BP1, E1, E8, EMP1, EMP2 and T7 of the Borough of Luton Local Plan.

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- 5 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 ensure a satisfactory standard of development and to safeguard the amenities of the surrounding area. To accord with the objectives of Policy(ies) BP1, E1, E8, EMP1, EMP2 and T7 of the Borough of Luton Local Plan.
- 6 External lighting shall be provided to the parking/service area(s) 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 in the interests of security and the prevention of crime. To accord with the objectives of Policy(ies) BP1, E1, E8, EMP1, EMP2 and T7 of the Borough of Luton Local Plan.
- 7 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) BP1, E1, E8, EMP1, EMP2 and T7 of the Borough of Luton Local Plan.
- 8 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: In the interests of visual amenity. To accord with the objectives of Policy(ies) BP1, E1, E8, EMP1, EMP2 and T7 of the Borough of Luton Local Plan.
- 9 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 the objectives of Policy(ies) BP1, E1, E8 and E10 of the Borough of Luton Local Plan.
- 10 Within six months of the date of the permission hereby granted, a scheme providing for an 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 occupation of the accommodation to which this permission refers.
Reason: In the interests of sustainability and encouraging reduced car travel. To accord with the objectives of Policies BP1, T1 and E1 of the Borough of Luton Local Plan.
- 11 A management plan, including management responsibilities and maintenance schedules, for all external 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) BP1, EMP1 and E1 of the Borough of Luton Local Plan.

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- 12 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.
To ensure that any contamination on the site is treated effectively and to accord with Policies BP1, E1 and E13 of the Borough of Luton Local Plan and with the requirements set out in Planning Policy Statement 23: Planning and Pollution Control.
- 13 Pursuant to the satisfactory discharge of condition 12 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.
To ensure that any contamination on the site is treated effectively and to accord with Policies BP1, E1 and E13 of the Borough of Luton Local Plan and with the requirements set out in Planning Policy Statement 23: Planning and Pollution Control.
- 14 Subject to the result of the studies required by conditions 12 and 13, 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.
To ensure that any contamination on the site is treated effectively and to accord with Policies BP1, E1 and E13 of the Borough of Luton Local Plan and with the requirements set out in Planning Policy Statement 23: Planning and Pollution Control.

