

BOROUGH OF LUTON

**TOWN AND COUNTRY PLANNING ACT 1990
TOWN AND COUNTRY PLANNING (DEVELOPMENT MANAGEMENT PROCEDURE) ORDER
2010**

PLANNING PERMISSION NOTICE

Name and Address of Agent (if any):

Mr Sean McGrath - Indigo Planning Ltd
Swan Court
11 Worples Road
London
SW19 4JS

Name and Address of Applicant:

2020 Developments Luton
C/O Agent

Date of Application: 2nd August 2016

Application No: 16/01400/OUTEIA

PARTICULARS AND LOCATION OF DEVELOPMENT:

Outline planning permission, with all matters reserved except for access, for mixed use development comprising: a new football stadium (use class D2), with ancillary stadium-related facilities (including spectator and media facilities, conference rooms, catering facilities and commercial space); residential floorspace (use class C3); flexible educational / community / commercial uses (use class D1/D2/B1(a)); hotel accommodation (use class C1); retail and food and drink (use class A1-A5); a food store (use class A1) car and cycle parking; and associated access, highways, utilities, public realm, landscaping, river works and associated ancillary works and structures.

Power Court, Luton, Bedfordshire,

In pursuance of their powers under the Town and Country Planning Act 1990, the Council of the Borough of Luton HEREBY GRANT OUTLINE CONSENT for the development described above in accordance with the details given in the application numbered above.

Subject to the following condition(s):-

General

- 1 A Masterplan for each phase of the development shall be submitted to and approved in writing by the Local Planning Authority prior to the submission of the details reserved for subsequent approval for that phase. The plan shall set out the intended public realm areas, the areas of the built form and the extent of works to the River Lea. The construction of the proposed development shall then be carried out in accordance with the details set out within the approved Masterplan.

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See Notes for Applicants Overleaf.

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- 1 *Reason: To ensure a satisfactory standard of development and to safeguard the amenities of the surrounding area. To accord with the objectives of Policies LLP1 and LLP25 of the Luton Local Plan.*
- 2 Details of a Design Code as indicated in the Design and Access statement shall be submitted to and approved in writing by the Local Planning Authority prior to the submission of the details reserved for subsequent approval. The plan shall identify all details to maximise the quality and legibility of the spaces, to help reinforce local character and accessibility, the details should ensure that these areas would be high quality and suitable for both match and non-match day use. In this regard the concourse areas and footpaths should be of high quality, with durable landscaping that has a good amount of detail and infrastructure. The construction of the proposed development shall then be carried out in accordance with the details set out within the approved Design Code.
- 2 *Reason: To ensure a satisfactory standard of development and to safeguard the amenities of the surrounding area. To accord with the objectives of Policies LLP1 and LLP25 of the Luton Local Plan.*
- 3 The development hereby permitted shall be begun either before the expiration of 3 years from the date of this permission, or before the expiration of 2 years from the date of approval of the last of the reserved matters to be approved, whichever is the latter.
- 3 *Reason: To accord with the provisions of section 91 of the Town and Country Planning Act 1990.*
- 4 Applications for approval of all reserved matters for the first phase of the outline development hereby permitted shall be made to the Local Planning Authority before the expiration of three years from the date of permission. Thereafter, applications for approval of all subsequent reserved matters relating to all additional phases shall be made to the Local Planning Authority before the expiration of two years from the date of approval of the reserved matters of the preceding phase.
- 4 *Reason: To accord with the provisions of section 91 of the Town and Country Planning Act 1990.*
- 5 Approval in writing by the Local Planning Authority of the details of the layout, scale and appearance of the buildings, and the landscaping of each phase (hereinafter called "the reserved matters") shall be obtained from the Local Planning Authority before that phase of the development is commenced. The development shall be carried out in accordance with the approved details.
- 5 *Reason: To ensure a satisfactory standard of development and to safeguard the amenities of the surrounding area. The development shall be carried out in accordance*



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with the approved details. To accord with the objectives of Policies LLP1 and LLP25 of the Luton Local Plan.

- 6 The proposed development shall be carried out in all respects in accordance with the proposals contained in the application and the parameter plans submitted therewith. For the avoidance of doubt, the approved plans are 400_PCT (0) 001C, 400_PCT (0) 002C, 400_PCT (0) 003C, 400_PCT (0) 101C, 400_PCT (0) 100C 400_PCT (0) 102B, 400_PCT (0) 103B, 400_PCT (0) 104B, 400_PCT (0) 105C, 400_PCT (0) 106C, 400_PCT (0) 107C, 400_PCT (0) 108B, 400_PCT (0) 109B, 400_PCT (0) 110D, 400_PCT (0) 120C and 400_PCT (0) 121C.
- 6 *Reason: To ensure the development is carried out in accordance with the planning permission and to ensure that any development that is carried out is that which has been assessed. To accord with the objectives of Policies LLP1 and LLP25 of the Luton Local Plan.*

Development composition

- 7 The development hereby approved shall be limited to the following:
- A community stadium with a capacity of up to 23,000, with ancillary stadium-related facilities;
 - Up to 550 residential units (use class C3), distributed across eight blocks;
 - An entertainment, music and conference venue (use class D2) of up to 2,700 sq. m;
 - Up to 2,800 sq. m of educational / community / commercial floorspace (use class D1 / B1(a));
 - Up to 2,600 sq. m of other entertainment (use class D1 / D2) floorspace;
 - Up to 12,000 sq. m of hotel accommodation (use class C1);
 - Up to 10,800 sq. m of retail and food and beverage floorspace (uses class A1 - A5);
 - A food store (use class A1) of up to 3,000 sq. m;
 - Up to 1,200 car parking spaces; and
 - Associated access, highways, utilities, public realm, landscaping, river works and other associated works and structures.
- 7 *Reason: To ensure the development is carried out in accordance with the planning permission and to ensure that any development that is carried out is that which has been assessed. To accord with the objectives of Policies LLP1 and LLP25 of the Luton Local Plan.*
- 8 In respect of any of the above Class D1 uses hereby approved, notwithstanding the provisions of the Town and Country Planning (Use Classes) Order 1987, as amended, or in any provision equivalent to that Class in any statutory instrument revoking and re-enacting that Order with or without modification; the use shall not be changed to a place of worship without further approval in writing from the Local Planning Authority.



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- 8 *Reason: To prevent an unsatisfactory form of permanent development. To accord with the objectives of Policies LLP1 and LLP25 of the Luton Local Plan.*
- 9 In respect of the above D2 uses hereby approved, notwithstanding the provisions of the Town and Country Planning (Use Classes) Order 1987, as amended, or in any provision equivalent to that Class in any statutory instrument revoking and re-enacting that Order with or without modification; the use shall not be changed to a cinema, music and concert hall, dance hall, skating rink, bingo hall and casino without further approval in writing from the Local Planning Authority.
- 9 *Reason: To prevent an unsatisfactory form of permanent development. To accord with the objectives of Policies LLP1 and LLP25 of the Luton Local Plan.*
- 10 Prior to commencement of any A3, A4 or A5 use hereby permitted, details of any kitchen extraction system for that use shall be submitted to and approved in writing by the Local Planning Authority. The approved scheme shall be in place prior to occupation of the units.
- 10 *Reason: To prevent an unsatisfactory form of permanent development. To accord with the objectives of Policies LLP1 and LLP25 of the Luton Local Plan.*
- 11 In respect of the Class D2 use of the stadium hereby approved, notwithstanding the provisions of the Town and Country Planning (Use Classes) Order 1987, as amended, or in any provision equivalent to that Class in any statutory instrument revoking and re-enacting that Order with or without modification; the stadium bowl (i.e. the pitch and spectator terraced seats.) shall not be used for events for the purpose of:
- (i) A standalone musical performance.
- 11 *Reason: To prevent an unsatisfactory form of permanent development. To accord with the objectives of Policies LLP1, LLP25 and LLP31 of the Luton Local Plan.*
- 12 Apart from the hotel, stadium and its ancillary uses, the non-residential floor space and uses hereby permitted shall not be open to customers/members of the public outside the hours of 8.00am to 11.00pm Monday to Saturday and 9.00am to 9.00pm on Sundays, Public Holidays and Bank Holidays.
- 12 *Reason: To prevent an unsatisfactory form of permanent development. To accord with the objectives of Policies LLP1, LLP25 and LLP31 of the Luton Local Plan.*
- 13 The stadium shall not hold major events (i.e. football matches) outside the hours of 9.00am to 11.00pm. Ancillary uses within the stadium building shall not be open to customers/members of the public outside the hours of 8.00am to 1.00am (the following



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day) Monday to Saturday and 10.00am to 9.00 pm on Sundays, Bank Holidays and Public Holidays.

- 13 *Reason: To prevent an unsatisfactory form of permanent development. To accord with the objectives of Policies LLP1, LLP25 and LLP31 of the Luton Local Plan.*

Archaeology

- 14 A) Each phase of the development shall not commence until the applicant has secured the implementation of a programme of archaeological evaluation in accordance with a written scheme which has been submitted to and approved by the Local Planning Authority.
- B) If heritage assets of archaeological interest are identified by the evaluation under Part A, then before development of each phase commences a programme of archaeological investigation in accordance with a Written Scheme of Investigation which has been submitted by the applicant and approved by the Local Planning Authority in writing shall be implemented in accordance with approval details.
- C) No development or demolition for each phase shall take place other than in accordance with the Written Scheme of Investigation approved under Part B.
- D) Each phase of the development shall not be occupied until the site investigation and post investigation assessment has been completed in accordance with the programme set out in the Written Scheme of Investigation approved under Part B, and the provision for analysis, publication and dissemination of the results and archive deposition has been secured.
- 14 *Reason: to ensure satisfactory regard is given to archaeological heritage. To accord with the objectives of Policies LLP1 and LLP30 of the Luton Local Plan.*

Demolition/Construction

- 15 No demolition or construction works shall take place on the site except between the hours of 8.00am to 6.00pm on Monday to Friday and 9.00am to 1.00pm on Saturdays and none shall take place on Sundays, Bank Holidays and Public Holidays without the prior written agreement of the Local Planning Authority.
- 15 *Reason: To prevent an unsatisfactory form of permanent development. To accord with the objectives of Policies LLP1, LLP25 and LLP31 of the Luton Local Plan.*
- 16 A Construction Environmental Management Plan for each phase of the development, shall be submitted to and approved in writing by the Local Planning Authority prior to the implementation of each phase of the development. The plan shall identify all aspects of construction that could have an environmental impact and provide management controls to eliminate and/or minimise those identified impacts, with impacts to be addressed including but not being limited to piling, traffic, construction



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dust and noise and any disturbance to vegetation. The plan shall also include details of the arrangements for the temporary use and/or management (as appropriate) of those parts of the sites awaiting redevelopment. The construction of the proposed development shall then be carried out in accordance with the details set out within the approved Construction Environmental Management Plan.

- 16 *Reason: To prevent an unsatisfactory form of permanent development. To accord with the objectives of Policies LLP1, LLP25 and LLP31 of the Luton Local Plan.*
- 17 No development of each phase shall commence until a Construction Logistics Plan (CLP) for the relevant phase has been submitted to and approved in writing by the Local Planning Authority. Heavy vehicles are to be routed to avoid travelling through the residential areas near the site. The CLP should include for the relevant phase:
- a) Booking systems
 - b) Consolidated or re-timed trips
 - c) Secure, off-street loading and drop-off facilities
- The CLP shall be carried out as approved.
- 17 *Reason: In order to ensure that deliveries to the site during construction are managed effectively so as to minimise impact upon the road network and to safeguard the amenities of residential properties in the locality and in the interest of road safety. To accord with the objectives of Policies LLP1, LLP25 and LLP31 of the Luton Local Plan.*
- 18 No impact piling shall take place until a piling method statement (detailing the type of piling to be undertaken and the methodology by which such piling will be carried out, including measures to prevent and minimise the potential for damage to subsurface water infrastructure, and the programme for the works) has been submitted to and approved in writing by the Local Planning Authority in consultation with Thames Water. Any piling must be undertaken in accordance with the terms of the approved piling method statement.
- 18 *Reason: To ensure adequate safeguards are taken during construction of the development, having regard to existing ground conditions, and to prevent pollution of the water environment and risk to other receptors. To accord with the objectives of Policies LLP1 and LLP36 of the Luton Local Plan.*
- 19 No development of each agreed development phase shall take place until samples of the materials to be used in the construction of the external surfaces of the buildings hereby approved have been submitted to and approved in writing by the Local Planning Authority. Development shall be carried out in accordance with the approved details.
- 19 *Reason: In order that the Council may be satisfied as to the details of the development relating to appearance in the interest of the visual amenity of the area and having*



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regard to the site's sensitive location. To accord with the objectives of Policies LLP1, LLP25 and LLP30 of the Luton Local Plan.

- 20 No development of the stadium shall take place until samples of all materials to be used for the external surfaces of the stadium, including materials to be re-used, have been submitted to and approved in writing by the Local Planning Authority. The stadium shall be built and completed using the approved materials.
- 20 *Reason: In order that the Council may be satisfied as to the details of the development relating to appearance in the interest of the visual amenity of the area and having regard to the site's sensitive location. To accord with the objectives of Policies LLP1, LLP25 and LLP30 of the Luton Local Plan.*
- 21 Construction work shall not begin until a scheme for protecting neighbouring amenity from noise from the works has been submitted to and approved in writing by the Local Planning Authority. The approved scheme shall be carried out during the duration of all construction works.
- 21 *Reason: To protect the amenities of neighbouring properties. To accord with the objectives of Policies LLP1 and LLP38 of the Luton Local Plan.*

Contamination and remediation

- 22 No development approved by this planning permission shall take place until a remediation strategy that includes the following components to deal with the risks associated with contamination of the site has been submitted to and approved in writing by the Local Planning Authority.
1. A preliminary risk assessment which has identified
 - a. all previous uses
 - b. potential contaminants associated with those uses
 - c. a conceptual model of the site indicating sources, pathways and receptors
 - d. potentially unacceptable risks arising from contamination at the site.
 2. A site investigation scheme, based on (1) to provide information for a detailed assessment of the risk to all receptors that may be affected, including those off site.
 3. The results of the site investigation and the detailed risk assessment referred to in (2) and, based on these, an options appraisal and remediation strategy giving full details of the remediation measures required and how they are to be undertaken.
 4. A verification plan providing details of the data that will be collected in order to demonstrate that the works set out in the remediation strategy in (3) are complete and identifying any requirements for longer-term monitoring of pollutant linkages, maintenance and arrangements for contingency action.



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Any changes to these components require the express written consent of the Local Planning Authority. The scheme shall be implemented as approved.

- 22 *Reason: To protect ground water and ensure adequate safeguards are taken during construction of the development, having regard to existing ground conditions, and to prevent pollution of the water environment and risk to other receptors. To accord with the objectives of Policies LLP1 and LLP38 of the Luton Local Plan.*
- 23 Prior to any part of the approved development being occupied, a verification report demonstrating the completion of works set out in the approved remediation strategy and the effectiveness of the remediation shall be submitted to, and approved in writing, by the Local Planning Authority. The report shall include results of sampling and monitoring carried out in accordance with the approved verification plan to demonstrate that the site remediation criteria have been met.
- 23 *Reason: To ensure adequate safeguards are taken during construction of the development, having regard to existing ground conditions, and to prevent pollution of the water environment and risk to other receptors. To accord with the objectives of Policies LLP1 and LLP38 of the Luton Local Plan.*
- 24 The development hereby permitted shall not commence until a monitoring and maintenance plan in respect of contamination, including a timetable of monitoring and submission of reports to the Local Planning Authority, has been submitted to and approved in writing by the Local Planning Authority. Reports as specified in the approved plan, including details of any necessary contingency action arising from the monitoring, shall be submitted to and approved in writing by the Local Planning Authority. The maintenance plan shall be carried out as approved including any contingency works required.
- 24 *Reason: To ensure adequate safeguards are taken during construction of the development, having regard to existing ground conditions, and to prevent pollution of the water environment and risk to other receptors. To accord with the objectives of Policies LLP1 and LLP38 of the Luton Local Plan.*
- 25 If, during development, contamination not previously identified is found to be present at the site then no further development (unless otherwise agreed in writing with the Local Planning Authority) shall be carried out until a remediation strategy detailing how this contamination will be dealt with has been submitted to, and approved in writing by, the Local Planning Authority. The remediation strategy shall be implemented as approved.
- 25 *Reason: To ensure adequate safeguards are taken during construction of the development, having regard to existing ground conditions, and to prevent pollution of the water environment and risk to other receptors. To accord with the objectives of Policies LLP1 and LLP38 of the Luton Local Plan.*



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- 26 Before the development hereby permitted commences:
- a) A contaminated land Phase 1 desk study report shall be submitted to, and approved in writing by the Local Planning Authority. Should the Phase 1 report recommend that a Phase 2 site investigation is required, then this shall be carried out and submitted to, and approved in writing by the Local Planning Authority. The site shall be investigated by a competent person to identify the extent and nature of contamination. The report should include a tiered risk assessment of the contamination based on the proposed end use of the site. Additional investigation may be required where it is deemed necessary.
 - b) If required, a scheme for decontamination of the site shall be submitted to the Local Planning Authority, for written approval. The scheme shall account for any comments made by the Local Planning Authority before the development hereby permitted is first occupied.
- 26 *Reason: Contamination is known or suspected on the site due to a former land use. The Local Planning Authority therefore wishes to ensure that the development can be implemented and occupied with adequate regard for public and environmental safety. To accord with the objectives of Policies LLP1, LLP28 and LLP38 of the Luton Local Plan.*

Drainage, Water Supply and River Lea

- 27 No drainage systems for the infiltration of surface water to the ground are permitted other than with the written consent of the Local Planning Authority. Any proposals for such systems must be supported by an assessment of the risks to controlled waters. The development shall be carried out in accordance with the approved details.
- 27 *Reason: To prevent pollution of the water environment. To accord with the objectives of Policies LLP1 and LLP38 of the Luton Local Plan.*
- 28 Piling or any other foundation designs using penetrative methods shall not be permitted other than with the express written consent of the Local Planning Authority, which may be given for those parts of the site where it has been demonstrated that there is no resultant unacceptable risk to groundwater. The development shall be carried out in accordance with the approved details.
- 28 *Reason: To prevent pollution of the water environment. To accord with the objectives of Policies LLP1 and LLP38 of the Luton Local Plan.*
- 29 A scheme for managing any borehole installed for the investigation of soils, groundwater or geotechnical purposes shall be submitted to and approved in writing by the Local Planning Authority prior to any development in that phase. The scheme shall provide details of how redundant boreholes are to be decommissioned and how any



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boreholes that need to be retained, post-development, for monitoring purposes will be secured, protected and inspected. The scheme as approved shall be implemented prior to the occupation of any part of the approved development.

- 29 *Reason: To ensure that redundant boreholes are safe and secure, and do not cause groundwater pollution or loss of water supplies. To accord with the objectives of Policies LLP1 and LLP38 of the Luton Local Plan.*
- 30 The new channel for the River Lea must be fully functional before any flows are diverted into it.
- 30 *Reason: To prevent the risk of flooding upstream should the River Lea be diverted before the new channel is correctly constructed. To prevent the increased risk of flooding and to prevent pollution of the water environment. To accord with the objectives of Policies LLP1 and LLP36 of the Luton Local Plan.*
- 31 No occupation of any part of the approved development shall take place until a scheme for the provision and management of a buffer zone alongside the River Lea has been submitted to and agreed in writing by the Local Planning Authority. Thereafter the development shall be carried out in accordance with the approved scheme and any subsequent amendments shall be agreed in writing with the Local Planning Authority. The buffer zone scheme shall be free from built development including lighting, and formal landscaping; and could form a vital part of green infrastructure provision. The schemes shall include:
- plans showing the extent and layout of the buffer zone.
 - details of any proposed planting scheme (for example, native species).
 - details demonstrating how the buffer zone will be protected during development and managed/maintained over the longer term including adequate financial provision and named body responsibility for management, plus production of a detailed management plan.
 - details of any proposed footpaths, fencing and lighting.
- 31 *Reason: Land alongside watercourses is particularly valuable for wildlife and it is essential this is protected, and to safeguard drainage interests. To accord with the objectives of Policies LLP1, LLP25, LLP28 and LLP36 of the Luton Local Plan.*
- 32 No occupation of any part of the approved development shall take place until the newly proposed section of the River Lea is constructed in accordance with a scheme to be submitted to and approved in writing by the Local Planning Authority.
- 32 *Reason: To ensure that the proposed section of the River Lea is developed in a way that contributes to the nature conservation value of the site, and to safeguard drainage interests. To accord with the objectives of Policies LLP1, LLP25, LLP28 and LLP36 of the Luton Local Plan.*



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- 33 Prior to commencement of development, impact studies of the existing water supply infrastructure shall be submitted to, and approved in writing by the Local Planning Authority (in consultation with Thames Water). The studies should determine the magnitude of any new additional capacity required in the system and a suitable connection point, and where new infrastructure is required this shall be implemented in accordance with approval given in writing, prior to occupation of each phase of the development.
- 33 *Reason: To ensure that the water supply infrastructure has sufficient capacity to cope with the/this additional demand. To accord with the objectives of Policies LLP1 and LLP25 of the Luton Local Plan.*
- 34 No development shall take place until a detailed design and associated management and maintenance plan of surface water drainage for the site using sustainable drainage methods has been submitted to and approved in writing by the Local Planning Authority in consultation with the Environment Agency and Thames Water. The design should generally be in accordance with the Flood Risk Assessment and Drainage Strategy dated August 2016, prepared by Peter Brett Associates LLP and subsequent Technical Notes 3244 4001/001 (dated 30/09/2016) and 3244 4001/002 (dated 13/10/2017) and contain the agreed principles and details of:
- Appropriate plans showing the detail of the proposed drainage system including levels, locations and detailed drawings;
 - Flow control, conveyance and attenuation features;
 - Exceedance route in the event of the drainage system becoming blocked or overwhelmed;
 - Clear demonstration of roof, car park and road drainage with appropriate water quality treatment stages and pollution control devices;
 - Clear demonstration of relationship between the drainage and landscape strategy and their integrated approach to at source attenuation and treatment, open and/or overground conveyance features, biodiversity and amenity;
 - Details of the pitch drainage system;
 - Clear demonstration how water harvesting and recycling has been incorporated into the drainage strategy, especially for the football pitch.
- 34 *Reason: To ensure a satisfactory standard of development and to safeguard the amenities of the surrounding area. To accord with the objectives of Policies LLP1, LLP25 and LLP30 of the Luton Local Plan.*
- 35 Prior to the commencement of development, the drainage system approved under Condition 34 above, shall be implemented in accordance with the approved detailed design. Implementation of the approved drainage system shall be checked by a suitably qualified person and confirmation submitted in writing to the Local Planning



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Authority that the system operates as designed, together with a set of "as built" drawings.

- 35 *Reason: To prevent an increased risk of flooding and surface and ground water pollution and ensure the long term maintenance of sustainable drainage systems to accord with the objectives of Policy LLP36 of the Luton Local Plan and the National Planning Policy Framework (NPPF).*

Sustainability and Design

- 36 No above ground works of any phase shall take place until a detailed scheme of feasible on-site sustainability measures covering:
- (a) The sourcing of materials to be used in the construction of and fitting out of the building (involving reuse, recycling and other sustainable sourcing);
 - (b) Certification that the stadium would achieve a BREEAM Good rating for the relevant areas of stadium;
 - (c) The use of passive ventilation and other passive measures;
 - (d) Reducing carbon emissions from the total energy needs (heating, cooling and power) by 25% from the 2010 Part L Building Regulations Standards for the overall outline phases (including from the on-site generation of renewable energy);
 - (e) Details of arrangements to allow future connection to a centralised energy centre either on the site or in the locality (district heating network);
 - (f) Details of ecological enhancements including biodiversity and habitat planting, provision of bird boxes, bat roots; and
 - (g) Rainwater harvesting
- has been submitted for each phase and approved in writing by the Local Planning Authority. The scheme as approved for each phase shall be implemented prior to occupation of that phase and retained and maintained thereafter.
- (h) Within 3 months of first use of the stadium a BREEAM Post Construction Certificate for the relevant aspects of the stadium, issued by the BRE or equivalent licensing organisation, must be submitted for the stadium to the Local Planning Authority to demonstrate that a BREEAM Good has been achieved. All the measures integrated shall be retained for as long as the development is in existence.
- 36 *Reason: To prevent an unsatisfactory form of permanent development. To accord with the objectives of Policies LLP1, LLP25 and LLP37 of the Luton Local Plan.*
- 37 Prior to the commencement of any above ground works of each phase of the development, a scheme shall be submitted to and approved in writing by the Local Planning Authority, giving details of how the buildings, open spaces and car parking shall address 'Secured by Design' principles. Each phase of the development shall be carried out in full accordance with the approved details and maintained thereafter. The



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scheme shall include adequate provision for emergency access to the football pitch and 'real time' travel information for spectators.

- 37 *Reason: To ensure a satisfactory standard of development and to safeguard the amenities of the surrounding area. To accord with the objectives of Policies LLP1 and LLP25 of the Luton Local Plan.*

Landscaping/Trees

- 38 (i) Full details of hard and soft landscaping works for each phase of the areas covered by the outline planning permission shall be submitted to and approved in writing by the Local Planning Authority prior to the commencement of above ground works in that phase on the site. An appropriate area of communal amenity space shall be provided on site, and each dwelling shall have a private balcony that meets minimum standards.
- (ii) The landscape details shall include provision of on-site children's play space for children under five years old and children aged six to eleven years old. The children's play space shall be completed prior to the first occupation of residential units in each phase of the development and shall be permanently maintained thereafter.
- (iii) For both (i) and (ii) above, hard landscaping details shall include hard surfacing materials, proposed finished levels or contours, means of enclosure and boundary treatments, vehicle and pedestrian access and circulation area, minor artefacts and structures (including benches, lighting, CCTV, works of art and other similar aspects of the development), proposed and existing functional services above and below ground (including drainage, power, communications cables, pipelines indicating lines, manholes, supports and other similar aspects of the development), walls, gates, fences and boundary treatments.
- (iv) All hard landscape work shall be carried out in accordance with the approved details prior to any occupation of the relevant phase and retained and maintained thereafter.
- (v) Soft landscaping details shall be carried out in accordance with the approved details within 12 months of the occupation of the relevant phase and shall include proposed finished levels or contours, planting plan, written specifications (including cultivation and other operations associated with plant and grass establishment), plant schedules (noting species, plant sizes and proposed numbers/densities) and tree pits and species proposed to be planted therein and measures to ensure protection from services routes and tree species that assist in the mitigation of air pollution. (vii) If within a period of five years from the date of planting any tree or specimen shrub or green roof area or green roofing planted in replacement for it is removed, uprooted or destroyed or dies (or becomes, in the opinion of the Local Planning Authority, seriously damaged or defective), another tree or specimen shrub of the same species and size as that originally planted shall be planted at



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the same place, unless the Local Planning Authority gives its written approval to any variation.

- 38 *Reason: To enable the Local Planning Authority to monitor the implementation of the approved landscaping scheme. To accord with the objectives of Policies LLP1 and LLP25 of the Luton Local Plan.*
- 39 A landscape management plan, including long-term design objectives, management responsibilities and maintenance schedules for each phase of the areas covered by the outline permission for all hard and soft landscape areas shall be submitted to and approved in writing by the Local Planning Authority prior to commencement of above ground works in that phase. The maintenance schedule shall be for a minimum period of ten years and include details of the arrangements for its implementation. The landscape management plan shall be carried out as approved.
- 39 *Reason: To ensure a satisfactory standard of development and to safeguard the amenities of the surrounding area. To accord with the objectives of Policies LLP1 and LLP25 of the Luton Local Plan.*
- 40 The plans and particulars submitted in accordance with condition (39) above shall include:
- (a) A plan showing the location of, and allocating a reference number to, each existing tree on the site which has a stem with a diameter, measured over the bark at a point 1.5 metres above ground level, exceeding 75mm, showing which trees are to be retained and the crown spread of each retained tree;
 - (b) Details of the species, diameter (measured in accordance with paragraph (a) above), and the approximate height, and an assessment of the general state of health and stability, of each retained tree and of each tree which is on land adjacent to the site and to which paragraphs (c) and (d) below apply;
 - (c) Details of any proposed topping or lopping of any retained tree, or of any tree on land adjacent to the site;
 - (d) Details of any proposed alterations in existing ground levels, and of the position of any proposed excavation; and
 - (e) Details of the specification and position of fencing (and of any other measures to be taken) for the protection of any retained tree from damage before or during the course of development.

In this condition "retained tree" means an existing tree which is to be retained in accordance with the plan referred to in paragraph (a) above.

- 40 *Reason: In order that the Local Planning Authority may be satisfied as to the arrangements for protecting trees in the interests of visual amenity area and to accord with policies. To enable the Local Planning Authority to monitor the implementation of*



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the approved landscaping scheme. To accord with the objectives of Policies LLP1 and LLP25 and of the Luton Local Plan.

General Servicing Provisions

- 41 Prior to carrying out any above ground works of development on any phase an external lighting strategy and details of CCTV for that phase of the development shall be submitted to and approved in writing in the Local Planning Authority. Lighting and CCTV for each phase shall be completed in accordance with the approved strategy for each phase prior to occupation of that phase, and shall be maintained in accordance with the approved details permanently thereafter.
- 41 *Reason: To ensure a satisfactory standard of development and to safeguard the amenities of the surrounding area. To accord with the objectives of Policies LLP1, LLP25 and LLP38 of the Luton Local Plan.*
- 42 Prior to commencement of any above ground works of each phase of development, a 'Signage Details Strategy' for any non-residential uses within that phase shall be submitted to and approved in writing by the Local Planning Authority for use in the determination of any subsequent applications for Advertisement Consent. The Strategy shall include details of a universal fascia size, means of projection, the use of materials and the form of illumination. The development shall proceed in accordance with the agreed details.
- 42 *Reason: In the interests of visual amenity by securing some uniformity in the signage of the development whilst not preventing a successful corporate branding. To accord with the objectives of Policies LLP25 and LLP26 of the Luton Local Plan.*
- 43 Prior to the commencement of any above ground works of each phase of the development, details of the arrangements for storage and collection of refuse and recycling for the approved dwellings and uses, shall be submitted to and approved in writing by the Local Planning Authority. The development shall be completed in accordance with the approved details prior to occupation of each phase, and shall be maintained permanently thereafter.
- 43 *Reason: To ensure adequate provision is made for storage and management of refuse and recycling, and to ensure a satisfactory standard of development and to safeguard the amenities of the surrounding area. To accord with the objectives of Policies LLP1, LLP25 and LLP38 of the Luton Local Plan.*
- 44 Prior to commencement of any above ground works a report that details arrangements for accessibility to the Football Stadium, covering matters detailed in the 'Stadium Management Report' shall be submitted to and approved in writing by the Local Planning Authority. No above ground works shall commence until details of



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arrangements for accessibility of disabled people to the buildings and facilities for that phase has been submitted to and approved in writing by the Local Planning Authority. The approved details shall be carried out prior to occupation of the Football Stadium and maintained permanently thereafter.

- 44 *Reason: To ensure satisfactory inclusive access is provided to the development. To accord with the objectives of Policies LLP1 and LLP25 of the Luton Local Plan.*
- 45 No above ground works shall commence until details of anti-terrorism measures for the stadium building and access thereto have been submitted to and approved in writing by the Local Planning Authority. Approved measures shall be implemented prior to the first use of the stadium and maintained permanently thereafter. The approved scheme shall be carried out prior to occupation of each phase and maintained permanently thereafter.
- 45 *Reason: In the interests of public safety and to ensure a satisfactory standard of development and in the interests of security and the prevention of crime. To accord with the objectives of Policies LLP1 and LLP25 of the Luton Local Plan.*
- 46 Floodlighting to the stadium shall only be permitted if details are submitted to and approved in writing by the Local Planning Authority before the stadium is first used. Development shall be carried out in accordance with the approved details. The approved floodlighting shall not be used before 8.00am or after 11.00pm on any day.
- 46 *Reason: To minimise impacts on the surrounding environment, to ensure a satisfactory standard of development and to safeguard the amenities of the surrounding area. To accord with the objectives of Policies LLP1, LLP25 and LLP38 of the Luton Local Plan.*
- 47 Prior to first use of the stadium; details of the location and type of cycle parking for the stadium, (in accordance with the Local Plan cycle parking standards) to provide a minimum of 400 free cycle parking spaces, shall be submitted to and approved in writing by the Local Planning Authority. Cycle parking shall be provided in accordance with the approved details prior to the first use of the stadium, with these facilities to be permanently maintained thereafter and available free for members of the public to use outside match times.
- 47 *Reason: To maximise cycling as a mode of travel to the site and to ensure a satisfactory standard of development and to safeguard the amenities of the surrounding area. To accord with the objectives of Policies LLP1, LLP25 and LLP32 of the Luton Local Plan.*
- 48 Save in respect of the stadium cycle parking specified in condition 47 above, no occupation of any phase shall commence until details of cycle parking in accordance with the Local Plan cycle parking standards for that phase has been submitted to and



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approved in writing by the Local Planning Authority. The approved cycle parking shall be implemented prior to occupation of buildings within that phase.

- 48 *Reason: To maximise cycling as a mode of travel to the site. To ensure a satisfactory standard of development and to safeguard the amenities of the surrounding area. To accord with the objectives of Policies LLP1, LLP25 and LLP32 of the Luton Local Plan.*
- 49 Prior to the first use of the stadium, details of the location and type of car parking for the stadium, in accordance with the Local Plan parking standards shall be submitted to and approved in writing by the Local Planning Authority. Parking shall be provided in accordance with the approved details prior to the first use of the stadium, with these facilities to be permanently maintained thereafter and available free for members of the public to use outside match times.
- 49 *Reason: To avoid the creation of traffic congestion on the highway in the interests of safety and convenience of pedestrians and other road users. To accord with the objectives of Policies LLP1, LLP2 and LLP31 of the Luton Local Plan.*
- 50 Save in respect of the stadium car parking specified in condition 49 above, no occupation of any phase shall commence until details of parking in accordance with the Local Plan parking standards for that phase has been submitted to and approved in writing by the Local Planning Authority. Parking shall be provided in accordance with the approved details prior to the first use of the approved phase, with these facilities to be permanently maintained thereafter.
- 50 *Reason: To avoid the creation of traffic congestion on the highway in the interests of safety and convenience of pedestrians and other road users. To accord with the objectives of Policies LLP1, LLP2 and LLP31 of the Luton Local Plan.*
- 51 No part of the development hereby approved shall be brought into use until a Travel Plan has been submitted to and approved in writing by the Local Planning Authority (who shall consult with Highways England). The Travel Plan shall be in line with the prevailing policy and best practice and shall include as a minimum:
The identification of targets for trip reduction and modal shift;
The methods to be employed to meet these targets;
The mechanisms for monitoring and review;
The mechanisms for reporting;
The penalties to be applied in the event that the targets are not met;
The mechanisms for mitigation;
Implementation of the travel plan to an agreed timetable and its operation thereafter;
and
Mechanisms to secure variations to the Travel Plan following monitoring and review, in particular whilst the Stadium has an initial capacity of 17,500, and prior to the consideration of an increase to 23,000 capacity.



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The Travel Plan shall be implemented as approved before occupation of the development.

- 51 *Reason: To avoid the creation of traffic congestion on the highway in the interest of safety and convenience of pedestrians and other road users. To accord with the objective of Policies LLP31 and LLP32 of the Luton Local Plan.*
- 52 Prior to the first use of the Stadium, details of arrangements for and management of coach parking, and taxi pick up and drop off areas for the Stadium shall be submitted to and approved in writing by the Local Planning Authority. The parking management scheme shall be implemented as approved before first use of the Stadium.
- 52 *Reason: In the interests of highway and pedestrian safety. To accord with the objectives of Policies LLP1, LLP25 and LLP31 of the Luton Local Plan.*
- 53 Save for the Stadium parking management scheme set out in condition 52 above, no occupation of any phase shall commence until details of arrangements for taxi pick up and drop off areas for that phase, including any coach parking necessary for the hotel, has been submitted to and approved in writing by the Local Planning Authority. The parking management scheme shall be implemented as approved before occupation of the approved phase.
- 53 *Reason: In the interests of highway and pedestrian safety. To accord with the objectives of Policies LLP1, LLP25 and LLP31 of the Luton Local Plan.*
- 54 The vehicular and pedestrian access identified on the approved plan 32444/1001/SK03/P4 shall be laid out and made ready for use prior to the occupation of the relevant phase of the development hereby permitted.
- 54 *Reason: To avoid the creation of traffic congestion on the highway in the interest of safety and convenience of pedestrians and other road users. To accord with the objective of Policies LLP31 and LLP32 of the Luton Local Plan.*
- 55 Prior to the first use of the Stadium a Framework Car Park Management Plan shall be submitted to and approved by the Local Planning Authority in writing. The Management Plan shall provide details as to the use of the transport facilities available to provide match day car parking on site and other park and ride facilities. The approved Management Plan shall be implemented before first use of the Stadium.
- 55 *Reason: To avoid the creation of traffic congestion on the highway in the interest of safety and convenience of pedestrians and other road users. To accord with the objective of Policies LLP31 and LLP32 of the Luton Local Plan.*



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- 56 Prior to first use of the Stadium, an updated Framework Stadium Travel Demand Management Strategy based on the plan prepared by PBA and dated August 2016 is to be submitted to the Local Planning Authority for review in consultation with Highways England to take on board conditions prevailing at the time and adjustments made to accommodate them. The approved strategy shall be carried out as approved upon first use of the Stadium.
- 56 *Reason: To avoid the creation of traffic congestion on the highway in the interest of safety and convenience of pedestrians and other road users. To accord with the objective of Policies LLP31 and LLP32 of the Luton Local Plan.*

Operations

- 57 Deliveries and servicing of the non-residential elements of the site shall only take place between the hours of 6.00am and 9.00pm Monday to Saturday and 7.00am to 9.00pm on Sundays, Bank Holidays or Public Holidays, apart from servicing of the stadium on match-days, where deliveries and servicing may occur from 6.00am to 11.00pm.
- 57 *Reason: To prevent an unsatisfactory form of permanent development. To accord with the objectives of Policies LLP1, LLP25 and LLP31 of the Luton Local Plan.*
- 58 A Stadium Management Plan, shall be submitted to and approved in writing by the Local Planning Authority prior to the first use of the stadium. The Plan shall identify all aspects of stadium administration and operation that could have an impact and shall provide management controls to eliminate and/or minimise those identified impacts. Such impacts to be addressed include but are not limited to the use of the stadium on match days, traffic, crowd management and potential disturbance in the area. The Plan shall also include details of the arrangements for the use or management (as appropriate). The management of the stadium development shall then be carried out in accordance with the details within the Stadium Management Plan.
- 58 *Reason: To ensure a satisfactory standard of development and to safeguard the amenities of the surrounding area. To accord with the objectives of Policies LLP1 and LLP25 of the Luton Local Plan.*
- 59 The Stadium shall only be used for association football events using the football pitch hereby approved and shall be limited to the following, unless otherwise agreed in writing by the Local Planning Authority:
- (a) Luton Town Football Club first team competitive league games in accordance with fixture lists as agreed by the relevant football authorities (e.g. Football League);
 - (b) Luton Town Football Club first team cup games in accordance with fixtures agreed by the relevant football authorities (e.g. the Football Association);



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- (c) Luton Town Football Club pre-season friendlies, reserve, youth and ladies team matches; the screening of Luton Town Football Club's first team away Association Football matches;
 - (d) Three international matches plus three international pre match training sessions per annum;
 - (e) Two charity matches per annum; and
 - (f) Local community matches including local leagues and schools, Luton Town Community Sports Trust related sporting activities and corporate matches.
- No other professional competitive sport or other uses shall be permitted to be played on the pitch.

- 59 *Reason: To minimise disruption to the local environment. To ensure a satisfactory standard of development and to safeguard the amenities of the surrounding area. To accord with the objectives of Policies LLP1, LLP25 and LLP38 of the Luton Local Plan.*
- 60 The Stadium capacity of 23,000 shall be limited to an initial capacity limitation of 17,500. The initial capacity may be increased pending the submission of a Transport Assessment to the Local Planning Authority to determine and assess the impact of the use of the stadium development on the highway network. Any approval given to increase capacity may require measures to be carried out before the initial capacity is permitted to be increased.
- 60 *Reason: To avoid the creation of traffic congestion on the highway in the interest of safety and convenience of pedestrians and other road users. To accord with the objective of Policies LLP31 and LLP32 of the Luton Local Plan.*
- 61 Before any above ground works of the relevant phase, details of the public realm works and the future management of these areas, shall be submitted to and approved in writing by the Local Planning Authority. The approved public realm works shall be implemented in accordance with these details prior to occupation of the buildings within the relevant phase.
- 61 *Reason: To ensure a satisfactory standard of development and to safeguard the amenities of the surrounding area. To accord with the objectives of Policies LLP1 and LLP25 of the Luton Local Plan.*

Noise

- 62 No residential unit shall be occupied until details of a scheme of acoustic insulation for each unit has been submitted to an approved in writing by the Local Planning Authority, and the approved details have been completed, with internal noise levels not to exceed 'reasonable' during daytime and 'good' at night as detailed in BS 8233:2014 for all units. The scheme shall take account of any noise from mechanical ventilation necessary for the units.



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- 62 *Reason: To prevent an unsatisfactory form of permanent development. To accord with the objectives of Policies LLP1, LLP25 and LLP31 of the Luton Local Plan.*
- 63 Noise emitted from any fixed plant on site shall be at least 10dB lower than the existing background noise level as measured at the nearest noise sensitive location outside the site and the measurement should be made in accordance with BS4142:1997.
- 63 *Reason: To ensure a satisfactory standard of development and to safeguard the amenities of the surrounding area. To accord with the objectives of Policies LLP1, LLP25 and LLP38 of the Luton Local Plan.*
- 64 Full details, including location and noise levels of any visual display, Public Address System (PA), or amplified sound system for the stadium shall be submitted to and approved in writing by the Local Planning Authority prior to the use of the stadium as set out in condition 59 above. The approved PA system shall only be used during events that take place within the Stadium two hours prior to the event commencing (apart from for testing purposes) and within 30 minutes of the completion of the event. No PA system, other than for transmission and travel information or emergency use shall take place outside the stadium building. The PA system shall be operated in accordance with the approved details.
- 64 *Reason: To minimise impacts on the surrounding environment, to ensure a satisfactory standard of development and to safeguard the amenities of the surrounding area. To accord with the objectives of Policies LLP1, LLP25 and LLP38 of the Luton Local Plan.*

Residential restrictions

- 65 Detailed drawings of windows, balconies and privacy screens for all dwellings in each phase shall be submitted to and approved in writing by the Local Planning Authority prior to the commencement of above ground works in this phase. The development shall be carried out in accordance with the approved details prior to occupation.
- 65 *Reason: In order that the Local Planning Authority may be satisfied as to the details of the development in respect of privacy and outlook for occupants. To accord with the objectives of Policies LLP1 and LLP25 of the Luton Local Plan.*
- 66 Notwithstanding the provisions of the Town and Country Planning (General Permitted Development)(England) Order 2015 (or any order revoking and re-enacting that Order with or without modification), no aerials or satellite dishes shall be erected on a building of the development hereby approved without first securing the approval in writing of the Local Planning Authority.



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66 *Reason: To ensure a satisfactory standard of development and to safeguard the amenities of the surrounding area. To accord with the objectives of Policies LLP1 and LLP25 of the Luton Local Plan.*

Section 278 Agreement

67. No development which affects the public highways shall commence until the Local Authority (as the Highway Authority) has approved in writing full details of works affecting the public highway including:

- (i) Construction of the proposed buildings inclusive of any basement levels, covering structural works and support for adjoining land;
- (ii) New pavement surfacing;
- (iii) Any proposed street tree planting; and
- (iv) Maintenance of pedestrian access on the footpaths past the site during construction.

The approved works shall be completed in accordance with the Local Planning Authority's written approval and have been certified in writing as complete on behalf of the Local Planning Authority prior to occupation of any part of the development.

67 *Reason: To ensure appropriate arrangements for highways works are in place to avoid the creation of traffic congestion on the highway in the interest of safety and convenience of pedestrians and other road users and to accord with the objective of Policies LLP31 and LLP32 of the Luton Local Plan.*

INFORMATIVES :-

- 1 This Notice forms only part of the planning decision and must be read in conjunction with the attached Section 106 Agreement or Unilateral Agreement.
- 2 This development will require a permit under the Environmental Permitting (England and Wales) Regulations 2010 from the Environment Agency for any proposed works or structures, in, under, over or within eight metres of the culverted River Lee, designated a 'main river'.
This was formerly called a Flood Defence Consent. Some activities are also now excluded or exempt. A permit is separate to and in addition to any planning permission granted.
Further details and guidance are available on the GOV.UK website: <https://www.gov.uk/guidance/flood-risk-activities-environmental-permits>.



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- 3 BEFORE carrying out any work you must:
 - Note the presence of an Above Ground Installation (AGI) in proximity to your site. You must ensure that you have been contacted by National Grid prior to undertaking any works within 10m of this site.
 - Carefully read these requirements including the attached guidance documents and maps showing the location of National Grid apparatus.
 - Contact the landowner and ensure any proposed works in private land do not infringe National Grid's legal rights (i.e. easements or wayleaves). If the works are in the road or footpath the relevant local authority should be contacted.
 - Ensure that all persons, including direct labour and contractors, working for you on or near National Grid's apparatus follow the requirements of the HSE Guidance Notes HSG47 - 'Avoiding Danger from Underground Services' and GS6 - 'Avoidance of danger from overhead electric power lines'. This guidance can be downloaded free of charge at <http://www.hse.gov.uk>
 - In line with the above guidance, verify and establish the actual position of mains, pipes, cables, services and other apparatus on site before any activities are undertaken.
- 4 Once planning permission has been granted and at least six weeks prior to works commencing on site the Asset Protection Project Manager (OPE) MUST be contacted. The OPE will require to see any method statements/drawings relating to any excavation, drainage, demolition, lighting and building work or any works to be carried out on site that may affect the safety, operation, integrity and access to the railway.
- 5 A Groundwater Risk Management Permit from Thames Water will be required for discharging groundwater into a public sewer. Any discharge made without a permit is deemed illegal and may result in prosecution under the provisions of the Water Industry Act 1991. We would expect the developer to demonstrate what measures he will undertake to minimise groundwater discharges into the public sewer. Permit enquiries should be directed to Thames Water's Risk Management Team by telephoning 02035779483 or by emailing wwriskmanagement@thameswater.co.uk. Application forms should be completed on line via www.thameswater.co.uk/wastewaterquality.
- 6 As the development is close to the approach to the runway LLA draw attention for the need to carefully design any external lighting schemes so that there is no light spill above the horizontal and that they avoid causing any distraction to pilots. This is further explained in Advice Note 2 'Lighting near Aerodromes' (Available at www.aoa.org.uk/policy-campaigns/operations-safety/) Details of any craneage associated with the development must be submitted to London Luton Airport Operations Ltd for approval a minimum of 28 days before the commencement of works.
- 7 The applicant should use Sport England's Active Design guidance for informing the detailed design of the scheme.



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The plans/documents which are the subject of this decision can be viewed on the on-line planning system at www.eplan.luton.gov.uk by entering 16/01400/OUTEIA into the application search. Please note that the numbers given here are used so that the Document number and number on the decision notice are compatible. They are not the plan numbers on the drawings themselves used by the Applicant/Agent. The documents are viewable on the "Documents" tab and comprise the following Luton Borough Council numbers:-

PLAN NUMBERS AS SET OUT IN THE CONDITIONS ABOVE

NOTES

- 1.1 If you are aggrieved by the decision of your local planning authority to refuse permission for the proposed development or to grant it subject to conditions, then you can appeal to the Secretary of State under section 78 of the Town and Country Planning Act 1990 within 6 months of the date of this notice or for certain applications from 01.10.13, within the following timescales:-
- a) within 28 days of the date of this notice for a decision on a planning application relating to the same or substantially the same land and development as is already the subject of an enforcement notice [see reference above]
 - b) within 28 days of the date of service of the enforcement notice, or within 6 months [12 weeks in the case of a householder appeal] of the date of this notice, whichever period expires earlier if an enforcement notice is served relating to the same or substantially the same land and development as in your application
 - c) within 12 weeks of the date of this notice for a decision to refuse planning permission for a householder application or for a minor commercial application
 - d) within 8 weeks of the date of receipt of this notice for a decision to refuse express consent for the display of an advertisement

If you want to appeal against your local planning authority's decision then you must do so.

Appeals must be made using a form which you can get from the Secretary of State at Temple Quay House, 2 The Square, Temple Quay, Bristol BS1 6PN or online at www.planningportal.gov.uk/pcs.

The Secretary of State can allow a longer period for giving notice of an appeal but will not normally be prepared to use this power unless there are special circumstances which excuse the delay in giving notice of appeal.

The Secretary of State need not consider an appeal if it seems to the Secretary of State that the local planning authority could not have granted planning permission for the proposed development or could not have granted it without the conditions they imposed, having regard to the statutory requirements, to the provisions of any development order and to any directions given under a development order.



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- 1.2** If permission to develop land is refused or granted subject to conditions, whether by the Local Planning Authority or by the Secretary of State for the Environment and the owner of the land claims that the land has become incapable of reasonably beneficial use in its existing state and cannot be rendered capable of reasonably beneficial use by the carrying out of any development which has been or would be permitted he/she may serve on the Common Council, or on the Council of the District in which the land is situated as the case may be, a purchase notice requiring that Council to purchase his/her interest in the land in accordance with the provisions of Part VI of the Town and Country Planning Act 1990.
- 1.3** In certain circumstances, a claim may be made against the Local Planning Authority for compensation, where permission is refused or granted subject to conditions by the Secretary of State on appeal or on a reference of the application to him/her. The circumstances in which such compensation is payable are set out in section 114 of the Town and Country Planning Act 1990.

2. Where this notice conveys the grant of planning permission, approval of reserved matters or discharge of condition(s):-

If the development involves the carrying out of works:-

- (i) for the demolition of a building listed under Section 1 of the Planning (Listed Buildings and Conservation Areas) Act 1990, as a building of special architectural or historic interest, or for its extension or alteration, or
- (ii) for the demolition of a building which is within a Conservation Area designated under Section 69 of the Act,

The work may not be carried out without Listed Building Consent under Part 1 of the Planning (Listed Buildings and Conservation Areas) Act 1990 or Conservation Area Consent under Part 11 of the Act. A separate application must be made for this purpose.

Exceptions:

- (i) an excepted building within the meaning of Section 60 of the Act, or
- (ii) a building exempt by direction of the Secretary of State.

Any person who fails to comply with the above provisions is committing an offence and may be prosecuted.

3. This permission or approval does not exempt you from complying with Building Regulations and General Statutory Provisions in force in the District



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and in particular does not override any public right of way which may exist.

4. The LPA takes a positive and proactive approach to development proposals with the aim of delivering quality outcomes to the benefit of the applicant, the Council and the community at large by providing access to development plan policies, offering a pre-application advice service and where practicable and appropriate through engagement with applicants/agents during the application process in accordance with the requirements of paras.186 and 187 of the National Planning Policy Framework and the Town and Country Planning (Development Management Procedure) (England) Order 2010 Article 31 (as amended) and having regard to the policies of the development plan and other material considerations. In this instance the LPA has worked in a positive way by assessing the application in a prompt and reasonable manner to achieve an acceptable outcome subject to the imposition of appropriate conditions and for the reasons stated above and as set out in the Case Officers report.

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