

## LUTON BOROUGH COUNCIL

### DEVELOPMENT MANAGEMENT

#### Application for a Section 73 Amendment at:

Car Park, Taylor Street, Luton LU2 0EY

**Case Officer Recommendation (GRD):** Approval (15 January 2021)

**Recommendation Reviewed (N/A):** Agreed (N/A)

**Recommendation Verified (SS):** Authorised (18 January 2021)

**LPA Reference:** 20/00050/REMCON      **Valid Date:** 15 January 2021

**Target Date:** 16 April 2021

#### Report of the Case Officer

**OFFICER NOTES:** All conditions already processed within Uniform, so no appendices.

#### The Recommendation

#### **GRANT CONSENT, subject to the following conditions:**

- (01) **Time limit;**
- (02) **Approved Documents and Plans;**
- (03) **Construction Method Statement;**
- (04) **External Materials;**
- (05) **Hard and Soft Landscaping;**
- (06) **Boundary Treatment;**
- (07) **Shared/Common Area Management Plan;**
- (08) **Travel Plan;**
- (09) **Noise Assessment;**
- (10) **Surface and Foul Water Drainage;**
- (11) **'As-built' Drainage Plans**
- (12) **Piling;**
- (13) **Boreholes;**
- (14) **Electric Vehicle Charging Points;**
- (15) **Contamination (Validation Report);**
- (16) **Contamination (Unidentified Contamination);**
- (17) **Householder Permitted Development Rights; and**
- (18) **Boundary Treatment Permitted Development Rights.**

#### Approved Development

Erection of 32 dwellings comprising of 4 bedroom town houses and 8 garages on existing car park

**Reference:** 19/00925/FUL

**Decision Date:** 11 June 2020

**Public Consultation (N/A)**

<i>Press Notice:</i>		No
<i>Site Notice:</i>		No
<i>Direct Consultation:</i>	<b>Total Consulted:</b>	<b>0</b>
	Support:	0
	Objection:	0
<i>Expiration of Consultation:</i>		N/A

## ***The Site and Surroundings***

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The application site comprises a pair of car parks.

## ***Policy Implications***

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***Strategic Allocation:*** *High Town.*

***Luton Local Plan 2011-2031:*** *LLP1, LLP2, LLP10, LLP15, LLP16, LLP25, LLP30, LLP31, LLP32, LLP36, LLP37, LLP38 and LLP39.*

***Other:*** *National Planning Policy Framework (NPPF) and Planning Practice Guidance (PPG).*

## ***Summary of Relevant Planning History***

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The application relates to a previously approved scheme for 32 dwellinghouses that was granted consent in June 2020 (ref: 19/00925/FUL).

## ***Material Planning Considerations***

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- Policy compliance.

## ***Strategic Notes***

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There are no strategic implications associated with the application or development.

## ***Details of the Material Amendment to the Permission***

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The material amendments proposed to the planning permission relate to:

- Removal of condition No. 15 (BREEAM compliance).

## **Planning Assessment**

### ***Removal of Condition No. 15***

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Condition No. 15 relates to the requirement of the approved scheme to comply with BREEAM, however, this does not comply with Policy LLP37, within which BREEAM applies only to non-residential development.

The condition is not, therefore, applicable to the development in accordance with the relevant policy and should be removed.

### ***Conclusions and Recommendation***

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It is concluded that the removal of Condition No. 15 is acceptable and that the development would, therefore, continue to be in accordance with Policies LLP1, LLP2, LLP10, LLP15, LLP16, LLP25, LLP30, LLP31, LLP32, LLP36, LLP37, LLP38 and LLP39 of the Luton Local Plan 2011-2031. On that basis, approval is recommended.