

**TOWN AND COUNTRY  
PLANNING ACT 1990**

**Planning, Design and Access  
Statement**

**Construction of a two storey  
industrial building  
(resubmission following  
approval of 18/00955/FUL)**

**12 Gloucester Road  
Luton  
LU1 3HX**

**March 2024**

**Statement on behalf of**

**S.P.B. Metal Works Ltd**

**Prepared by  
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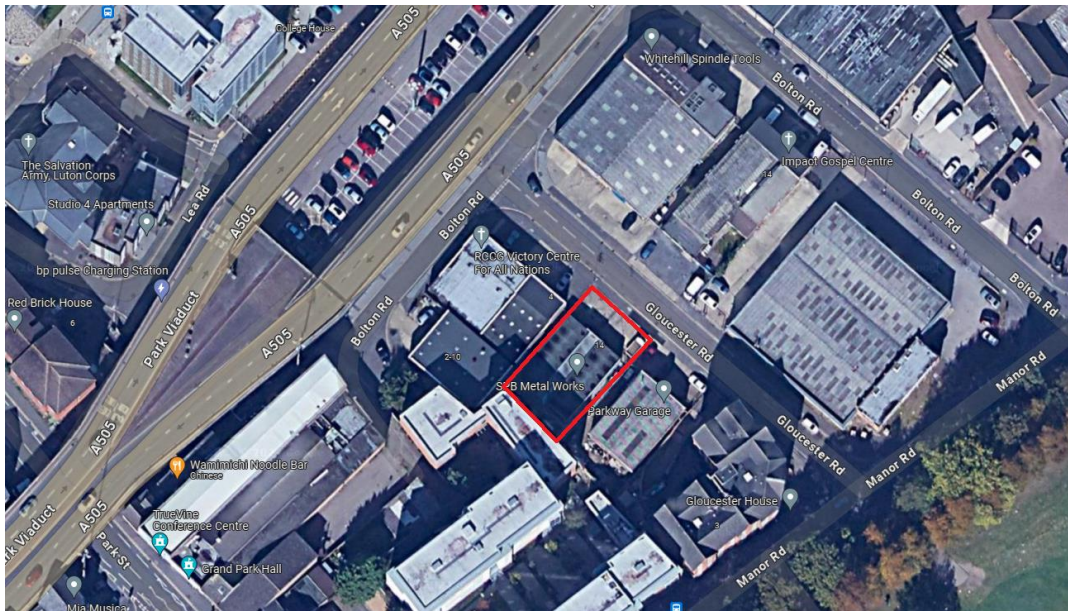
## 1. INTRODUCTION

- 1.1 My name is Hayden Todd and I am an Associate Director with Aitchison Raffety, Chartered Town Planning Consultants. I have a Bachelor's Degree in Environmental and Resource Planning (Hons) and am a Member of the Royal Town Planning Institute.
- 1.2 This Planning, Design and Access Statement has been prepared in support of a full planning application for the construction of a two storey industrial building (resubmission following approval of 18/00955/FUL) at 12 Gloucester Road, Luton, LU1 3HX.
- 1.3 This proposal is identical to the recently approved scheme for a replacement industrial building. This application is required to formalise the approved development due to a concern that a pre-commencement condition had not been discharged. It is noted that the required information was prepared but not formally submitted, resulting in a technical breach of part of the relevant condition. The development is under construction and nearing completion (part retrospective). The proposed works are being carried out in accordance with the previously approved details.
- 1.4 This Statement demonstrates why the development is acceptable having regard to local and national planning policies and guidance. It should be read in conjunction with the previously submitted Construction Method Statement and updated Phase 1 Geo-Environmental Desk Study Report.

## 2. SITE DESCRIPTION AND SURROUNDINGS

### The Application Site

- 2.1 The Application Site is broadly rectangular in shape and located on the western side of Gloucester Road. The Site is sustainably located on the edge of Luton Town Centre.



*Location of the Application Site*

- 2.2 The Site is occupied by SPB Metal Works which is an important and established local business that has been operating at this premises for a considerable amount of time. SPB Metal Works provides sheet metal fabrication services and undertakes various types of architectural metal works.
- 2.3 The Site comprises a single storey industrial building. A new two storey building is currently under construction, which is been built around the original structure to allow for the business operations to continue during the building works. The new structure is the subject of this application.



*Photographs of the existing premises and ongoing construction works*

- 2.4 Vehicle access is from Gloucester Road. The frontage is covered in hardstanding and has four onsite parking bays.

#### Surrounding area

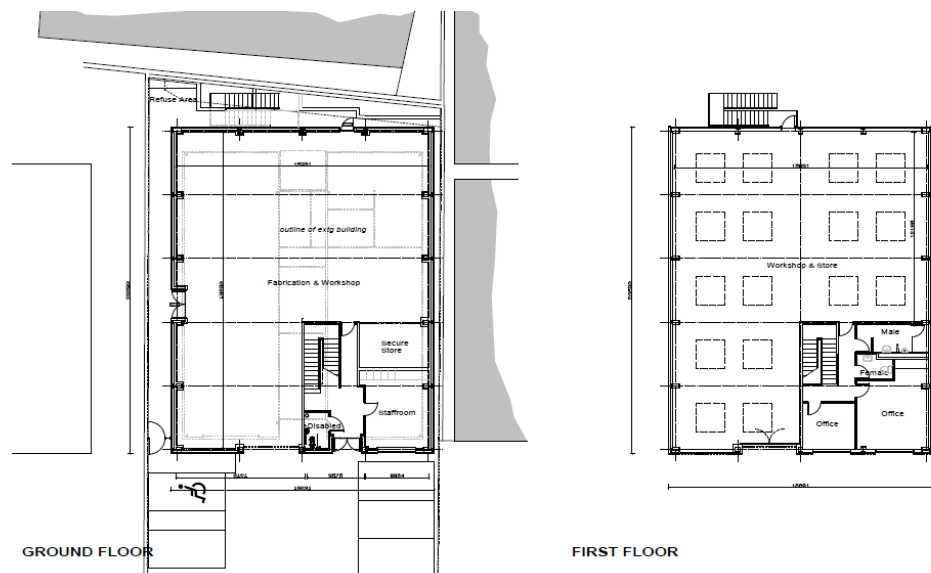
- 2.5 To the north, east and west the Site adjoins various industrial type uses. To the south is a large building which appears to be in use as student accommodation. The surrounding buildings vary in size and scale. This area has an industrial character.

#### Designations

- 2.6 The Site forms part of the built-up area of Luton and is in a designated Category 'B' Employment Area. The site is in Flood Zone 1 where it is at low risk from flooding.

### 3. PROPOSED DEVELOPMENT

- 3.1 Planning permission is sought for the construction of a replacement two storey industrial building.
- 3.2 The proposed building is set back from the highway on a similar footprint as the existing single storey structure. The building has a rectangular footprint with a simple pitched roof form. A roller shutter door is centrally positioned on the front elevation. Various ground and first floor openings extend around the building. An external fire escape is attached to the rear elevation. The building has a steel frame and will be finished in profile metal sheeting.
- 3.3 The ground floor would accommodate the main workshop and staff facilities (similar to the existing arrangement). The newly formed first floor would provide much needed space for an office and storage area.
- 3.4 The existing access and general parking area would be retained. The only difference would be the introduction of a disabled parking bay.



*Proposed floor plans and layout*

- 3.5 The purpose of the proposed development is to improve the existing working conditions and allow for the expansion of the business operations. The proposal would not change or introduce any new industrial processes.

### 4. RELEVANT PLANNING HISTORY

#### Application Site

#### Replacement building (18/00955)

- 4.1 A planning application for erection of a two storey industrial building following demolition of existing building was granted conditional permission 28 September 2018. This proposal is identical to the scheme subject to this application. There have been no changes to the onsite

situation or to the policy framework that would change the conclusion that the proposal represents an acceptable and sustainable form of development.

#### Minor material amendment (19/01482)

- 4.2 A Section 73 application to vary condition 2 (approved drawings) of the above planning permission for the erection of a building was granted conditional permission 24<sup>th</sup> December 2019. This application changed the external finish of the building (cladding). This permission will not be implemented and the proposal will revert back to the initially approved details.

#### Change of Use (00/00461)

- 4.3 A planning application for use of premises for light engineering on a permanent basis was granted conditional permission on 15 June 2000.

## 5. PLANNING POLICY FRAMEWORK

### Local Planning Policy

#### Development Plan

- 5.1 The starting point for assessing development proposals is always the Development Plan. Section 38 (6) of the Planning and Compulsory Purchase Act 2004 states *'if regard is to be had to the development plan for the purpose of any determination to be made under the Planning Acts, the determination must be made in accordance with the plan unless material considerations indicate otherwise'*.
- 5.2 The Development Plan relevant to the assessment of this application comprises the Luton Local Plan 2011-2031. The National Planning Policy Framework (NPPF) is also an important material planning consideration.

#### Luton Local Plan 2011-2031 (Local Plan)

- 5.3 The Local Plan was adopted on 7 November 2017 and contains policies designed to deliver the Council's vision for the physical, economic, environmental and social development of the Borough. The policies most relevant to the assessment of this proposal include:

Policy LLP1	Presumption in Favour of Sustainable Development
Policy LLP2	Spatial Development Strategy
Policy LLP13	Economic Strategy
Policy LLP14	Employment Areas
Policy LLP25	High Quality Design
Policy LLP31	Sustainable Transport Strategy
Policy LLP32	Parking
Policy LLP36	Flood Risk
Policy LLP37	Climate Change, Carbon and Waste Reduction and Sustainable Energy
Policy LLP38	Pollution and Contamination

## National Planning Policy Framework (2023)

- 5.4 Central Government advice relevant to this application is contained within the National Planning Policy Framework. The most relevant aspects of the Framework are summarised below.
- 5.5 The purpose of the planning system is to contribute to the achievement of sustainable development. At a very high level, the objective of sustainable development can be summarised as meeting the needs of the present, without compromising the ability of future generations to meet their own needs.
- 5.6 Achieving sustainable development means that the planning system has three overarching objectives, which are interdependent and need to be pursued in mutually supportive ways. Paragraph 8 identifies the three dimensions to sustainable development, which are economic, social and environmental.
- 5.7 Section 6 ‘Building a strong, competitive economy’ notes that planning should help create the conditions in which businesses can invest, expand and adapt. It notes that significant weight should be placed on the need to support economic growth and productivity, taking into account local business needs and wider opportunities for development.
- 5.8 Section 9 ‘Promoting sustainable transport’ at paragraph 115 confirms that development should only be prevented or refused on highways grounds if there would be an unacceptable impact on highway safety, or the residual cumulative impacts on the road network would be severe.
- 5.9 Section 12 ‘Achieving well-designed places’, at paragraph 131, states that creation of high quality, beautiful and sustainable buildings and places is fundamental to what the planning and development process should achieve. It notes that good design is a key aspect of sustainable development, creates better places in which to live and work and helps make development acceptable to communities.
- 5.10 Section 11 ‘Making effective use of land’ seeks to promote an effective use of land in meeting the need for homes and other uses. Paragraph 120 promotes and supports the development of under-utilised land and buildings.

## 6. PLANNING APPRAISAL

- 6.1 The main issues to consider in the assessment of this proposal are the principle of development, character and appearance, amenity, highway safety, waste and other environmental impacts.

### Development acceptable in principle

- 6.2 Policy LLP1 of the Local Plan confirms that a ‘presumption in favour of sustainable development’ will be applied to development management decisions. It notes that the Council will work proactively and positively with all applicants to help shape development proposals to deliver growth and sustainable development. It confirms that planning permission will be granted if it accords with local plan policies.

- 6.3 Policy LLP2 of the Local Plan sets out the spatial development strategy for Luton and confirms that priority will be given to increasing employment floor space on the existing designated employment sites.
- 6.4 Policy LLP13 of the Local Plan states planning applications will be granted where they deliver sustainable economic growth and prosperity to serve the needs of Luton and the wider sub region. It reinforces the importance of delivering jobs on allocated and existing employment sites.
- 6.5 Policy LLP14 of the Local Plan relates specifically to employment areas. It states that in Category B Employment Sites, redevelopment, extensions and intensifications that result in additional floorspace for B1, B2 or B8 uses will be supported, subject to not harming amenity, providing appropriate unit sizes and acceptable levels of parking.
- 6.6 The Application Site is in a designated employment area where the above local policies seek to concentrate new business development and support the expansion of existing premises. The proposed development would upgrade and enhance the existing building to improve working conditions and productivity. The expansion of the existing premises would generate significant economic benefits, sustainable growth and allow this important local business to provide new employment opportunities.
- 6.7 The proposal would maintain the existing light industrial operations and no new processes will be introduced, ensuring the proposal would not have any additional implications on amenity. The new unit size provides a more functional space for this type of operation and there is ample onsite parking for this sustainable central location. These issues will be considered in more detail in the following sections of this Statement.
- 6.8 The proposed upgrading of the existing premises in this designated Category B Employment Area is therefore acceptable in principle and complies with the relevant provisions of the Local Plan. These points were all confirmed in the recently approved application for an identical form of development (18/00955) where the Council stated the following:

*Policy LLP14 of the Luton Local Plan (Employment Areas), as it relates to the scheme, considers the redevelopment and/or extension of sites for continued employment use within identified employment areas. It states that permission should be granted where the proposal would not have unacceptable amenity or highway implications, is appropriate in terms of size and benefits from an adequate provision of parking.*

*As will be furthered within the subsequent sections of this report, these implications would be acceptable as regards the submitted scheme.*

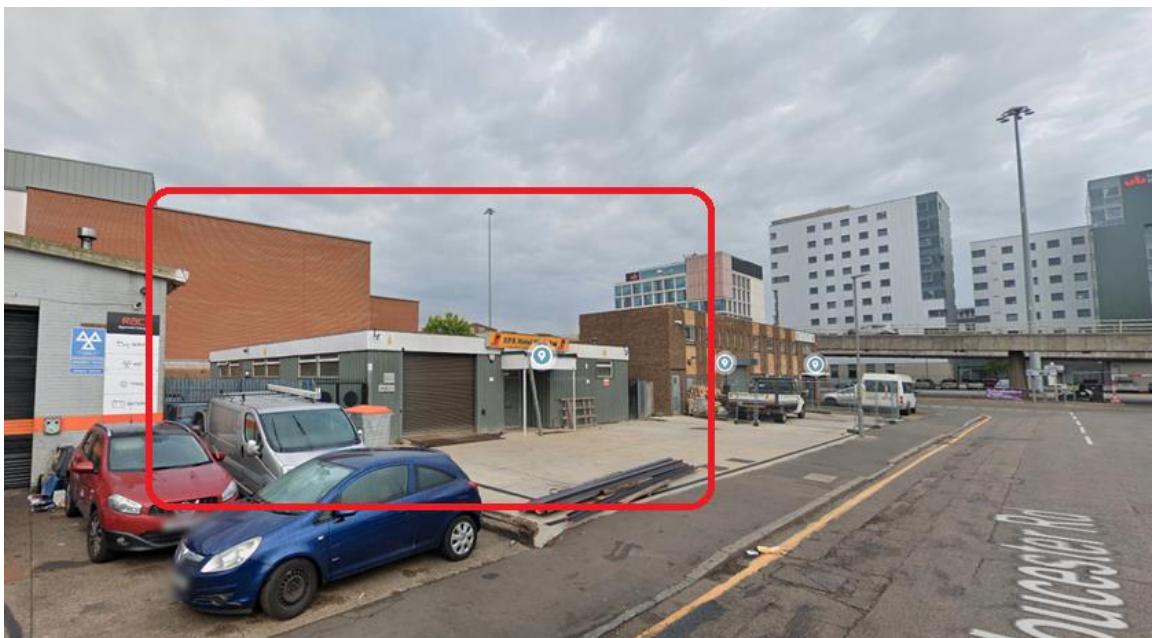
*The principle of development is, therefore, acceptable.*

- 6.9 Furthermore, the proposed development is required to allow this important business to adapt to changing circumstances and to support productivity, which the NPPF confirms at paragraph 85 attracts significant weight in the planning balance. As such, not only is the development acceptable in principle, but the proposed upgraded facilities needed to support this important local business must be given significant weight in the planning assessment.



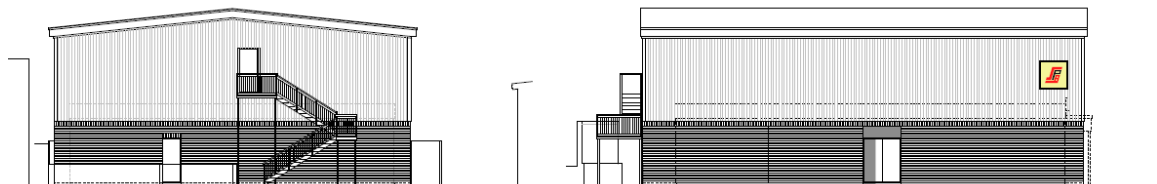
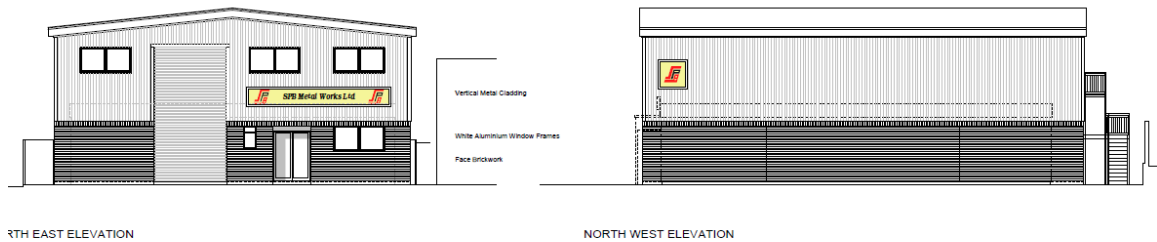
## Character and Appearance

- 6.10 Policy LLP25 of the Local Plan seeks to achieve a high quality design. It notes that developments should enhance the character of the area by responding positively to the townscape, street scene, site and building context, form, scale, height, pattern and materials, distinctiveness and natural features.
- 6.11 The NPPF states the creation of high quality, beautiful and sustainable buildings and places is fundamental to what the planning and development process should achieve. The NPPF seeks to achieve a high quality of design and that new development is sympathetic to local character, while not preventing appropriate innovation or change.
- 6.12 Gloucester Road comprises industrial buildings which vary in size but are typically one to two storeys in scale. The buildings are closely grouped, formally arranged and utilitarian in appearance. The area has a diverse industrial character which provides a flexible environment for further changes.
- 6.13 The Application Site consists of a single storey industrial building which is set back from the highway and utilitarian in appearance. The proposed replacement building would be positioned on a similar footprint as the existing structure, where it respects and responds appropriately to the formal layout and general arrangement of the surrounding development.
- 6.14 The proposed building is relatively modest in size and scale. The two storey form would be similar in size and scale to many of the surrounding industrial buildings. The proposal would be read and understood in the wider context where there are significantly larger and taller buildings. As such, the proposal would respect the size, scale and massing of the surrounding built environment and would sit comfortably within this varied street scene and area.



*The proposal would not result in any visual harm to this diverse street scheme and area (street view of the application site pre-development and surrounding built form)*

- 6.15 The proposed building is of an appropriate style and design for this context. The building has a simple pitched roof form that is compatible with the industrial character of the street scene and wider area. The design of the proposed building is an improvement on the existing situation and would have a sympathetic and cohesive appearance. The external finish (metal sheeting) would have a clean and tidy appearance and is appropriate within this context, where many of the surrounding buildings have been constructed in similar materials. A high standard of design has been achieved.



*The simple pitched roof form of the proposed building is compatible with the character and appearance of the surrounding built environment*

- 6.16 The proposal is identical to the previously approved building and the Council raised no design concerns in the assessment of that application. With reference to this, the Council stated the following:

*The size and scale of the scheme would be generally consistent with other buildings within the surrounding Employment Area, while the detailed design and materials of the proposal would be broadly reflective of the appearance of the existing building. This is especially true of the two adjoining buildings, with a height similar to that of No. 4 to the north-west and a design approach, specifically roof form and materials of the principal elevation, of No. 3 to the south-east.*

*Even with the increased height and scale, the resultant building would not, therefore, be visually obtrusive within the streetscape or discordant with the prevailing pattern of development within the locality. The development would, thereby accord with Policies LLP1, LLP14 and LLP25 of the Luton Local Plan 2011-2031.*

### Amenity

- 6.17 Policy LLP25 of the Local Plan seeks to achieve a high quality design. Policy LLP14 of the Local Plan seeks to avoid unacceptable impacts on amenity. These approaches are consistent with a core planning principle, as set out in the NPPF, which is to always seek to secure high quality

design and a good standard of amenity for all existing and future occupants of land and buildings.

- 6.18 The Application Site forms part of an established designated employment area and adjoins various industrial premises, including a car repair garage (typically Class B2). Background noise levels are fairly high and a degree of disturbance would be expected during normal working hours.
- 6.19 Gloucester House, which is located to the rear of the Application Site, has been converted into a type of residential use. However, this building has a blank rear wall and no windows or openings directed towards the Application Site, reducing the potential for any harm or conflict between the uses.
- 6.20 The proposed development is only seeking to upgrade the existing premises and no new industrial processes will be introduced. SPB Metal Works undertake various types of metal work, including cutting and fabricating sheet and sectional metal parts, laser cutting, and welding. These light industrial processes are fairly quiet and would not be audible outside the building. These processes are already being undertaken within the existing building and the introduction of the first floor office and storage area would not have any additional implications on noise or disturbance. Additionally, the new building would be constructed to a higher standard than the existing structure and would fully accord with modern building control practices which require suitable insulation, improving onsite noise mitigation measures.
- 6.21 The main impact of this type of use relates to loading and the associated comings and goings of vehicles. However, the proposal would not result in a material increase in vehicle movements and the larger storage area would reduce the number of deliveries required. The business only operates to 5pm and this type of impact would not cause any additional harm within this industrial area where background noise levels are fairly high.
- 6.22 The proposed building is relatively modest in size, positioned in a similar footprint as the existing structure and set-in from the site boundaries. There are no nearby gardens or residential windows facing the Application Site, ensuring the proposal would not have an overbearing impact, any implications on light or harm privacy.
- 6.23 It is important to note that this proposal is a resubmission of a previously approved development and no amenity or noise concerns were raised in the assessment of that development. With reference to this, the Council stated the following:

*Gloucester House has been converted to flats and these residential occupiers would be within the setting of the resultant building. The application site is set within and identified employment area and is adjacent to the Park Street Viaduct (A505). A degree of noise and disturbance would, therefore, be anticipated and, in this context, it is not considered that the proposal would result in a significant increase in these levels. With regard to visual and light implications, given the location of the scheme in relation to these properties and the comparative height of the proposed in relation to surrounding commercial buildings, no material implications relating to light, outlook or visual intrusion are anticipated. This view is supported by the orientation and the acceptability of the design approach.*

No adjoining occupiers would, therefore, be materially affected.

- 6.24 There have been no changes to the policy framework or to the onsite situation that would affect the above conclusion. As such, refusal on amenity grounds would be unreasonable and difficult to justify.

### **Car parking and highway safety**

- 6.25 The NPPF seeks to provide safe and suitable access for all users. It sets out the Government's approach to promoting sustainable transport and encourages solutions which reduce congestion and facilitate the use of sustainable modes of transport. It specifies that local parking standards should take into account the accessibility of a proposed development, the type, mix and use of the development, the availability of, and opportunities for, public transport, local car ownership levels, and an overall need to reduce the use of high emission vehicles. This is underpinned by a core principle of the Framework to make the fullest possible use of public transport, walking and cycling. The NPPF confirms that development should only be prevented or refused on highway grounds if there would be an unacceptable impact on highway safety, or the residual cumulative impacts on the road network would be severe.
- 6.26 The Application Site is located in a sustainable area on the edge of the town centre near various public transport networks, including the train station and main bus routes. Parking is controlled in the surrounding area, ensuring the proposal would not result in a material increase in the demand for onsite parking. Vicarage Street Car Park is located near the application site (50m) providing a convenient alternative parking area for any overspill or visitors.
- 6.27 The proposed development would introduce a disabled parking bay, increasing onsite parking provision from 4 to 5. This is considered an appropriate level of parking in this highly sustainable area, as confirmed in the recently approved application for an identical form of development.

### **Waste management**

- 6.28 SPB Metal Works operates at a relatively low intensity and given the nature of the business produces minimal trade waste. No changes are proposed or required to the existing waste management arrangements. Waste and recycling are stored in the rear service yard. The waste bin (1100L) is collected weekly by Luton Borough Council. Recycling is typically collected biweekly or when required by private contractors.

### **Flooding and other considerations**

- 6.29 The Site is in Flood Zone 1 where there is a low risk of flooding. Ground levels are flat and the proposed building would have similar floor levels as the existing arrangement. The proposed building would be centrally positioned in an already built up site, ensuring it would not increase surface water run-off. As such, the proposal would not be at risk of flooding or increase flood risk elsewhere.
- 6.30 The Site is an existing industrial premises with very limited ecological value. The proposed building would replace the existing structure when completed and would not extend into any



landscaped areas. There are no nearby trees or important landscaped areas that would be affected by the development. The proposal would not have any implications on the natural environment.

- 6.31 An updated Geo-Environmental Desk Study Report has been prepared by Earth Environmental & Geotechnical. This investigation concluded that the site was at low risk of contamination and no further action was required. Please refer to the Report for a more detailed explanation of this issue.

## 7. CONCLUSION

- 7.1 Planning permission is sought for a replacement industrial building within a designated employment area where the principle of the development is acceptable.
- 7.2 The proposed development would upgrade the existing premises, resulting in sustainable growth and providing new local employment opportunities. These are important planning benefits that attract significant weight in the assessment of the application.
- 7.3 The proposal is identical to a recently approved scheme that was assessed under the existing Development Plan. There have been no changes to the onsite situation or to the policy framework that would change the Council's previous conclusion that the proposal represented a sustainable form of development that was acceptable in planning terms.
- 7.4 The proposed building respects and responds appropriately to the site and local context. The buildings are appropriately positioned and integrated with the existing development. A high quality design has been achieved.
- 7.5 The proposal would not introduce any new industrial processes. The existing use and proposed development would not harm the visual or residential amenity of any surrounding occupiers.
- 7.6 The proposal would not result in conditions prejudicial to highway safety.
- 7.7 For the reasons outlined above, the proposal represents a sustainable form of development in accordance with the Development Plan and the National Planning Policy Framework.