Appeal Decisions

Inquiry held on 24 February 2015
Site visit made on 27 February 2015

by Simon Hand MA

an Inspector appointed by the Secretary of State for Communities and Local Government

Decision date: 12 May 2015

Appeal A: APP/J1915/A/14/2222974
Land West of Hertford Regional College, Hertford Road, Ware, Hertfordshire, SG12 9JF

- The appeal is made under section 78 of the Town and Country Planning Act 1990 against a refusal to grant planning permission.
- The appeal is made by Hertford Regional College and Charles Church against the decision of East Hertfordshire District Council.
- The application Ref 3/12/1762/FP, dated 30 September 2013, was refused by notice dated 5 February 2014.
- The development proposed is redevelopment to provide a new college building and enabling residential development of 50 dwellings, associated access and landscaping including demolition of existing buildings.

Appeal B: APP/J1915/W/14/3001550
Land West of Hertford Regional College, Hertford Road, Ware, Hertfordshire, SG12 9JF

- The appeal is made under section 78 of the Town and Country Planning Act 1990 against a refusal to grant planning permission.
- The appeal is made by Charles Church against the decision of East Hertfordshire District Council.
- The application Ref 3/14/1766/FP, dated 30 September 2014, was refused by notice dated 10 December 2014.
- The development proposed is demolition of existing buildings and the creation of 49 no. two, three and four bedroom houses and apartments, plus associated roads, car parking and landscaping.

Decisions

Appeal A - 2222974

1. The appeal is dismissed.

Appeal B - 3001550

2. The appeal is allowed and planning permission is granted for demolition of existing buildings and the creation of 49 no. two, three and four bedroom houses and apartments, plus associated roads, car parking and landscaping at Land West of Hertford Regional College, Hertford Road, Ware, Hertfordshire, SG12 9JF in accordance with the terms of the application, Ref 3/14/1766/FP, dated 30 September 2014, subject to the conditions contained in the 'conditions annex'.

Main Issues

3. Whether the proposals represent good design and whether sufficient parking would be provided.

Preliminary Matters

4. It was agreed at the opening of the inquiry that the Council could not show a 5 year supply of housing land. There was at best a shortfall of 1095 houses and it was agreed that substantial weight should be accorded to the provision of open market housing on the site in accordance with paragraphs 47 to 49 of the NPPF.

5. The appellants and the Council had also reached agreement on the amount of affordable housing that should be provided. For appeal A there would be 14 affordable units or 28% and for appeal B there would be 13 affordable units or 27%. As a consequence the Council withdrew the reason for refusal that concerned lack of affordable housing.

Background to the Appeals

6. The site is occupied by a large building belonging to Hertford Regional College and is part of the much larger college campus. The College decided it needed to modernise its campus and have constructed a new building, next to the appeal site. They planned more development on the campus to be funded by selling-off the appeal site for housing and, after considerable negotiation with the Council came up with scheme A. This was refused, against officers' recommendation, and is the subject of Appeal A. It includes proposals for new college buildings, the demolition of the large building on the housing site and its replacement by a block of flats and houses.

7. Following further negotiation a scheme B was proposed which forms Appeal B. In between the two, for complex financial reasons, the college decided it could not wait for the outcome of any appeals and applied for just the college building element of scheme A. This was granted by the Council and work has begun on the college buildings. The housing elements of schemes A and B occupy exactly the same site. It was agreed at the end of the inquiry that the appellants would withdraw the college elements of scheme A, so that both schemes could be treated in a similar fashion for the purposes of conditions and a new site plan for scheme A was substituted for the old one, showing the same red line site as for scheme B.

8. Both schemes now comprise an apartment block, occupying the northern end of the site, with housing on the middle and southern ends. Both apartment blocks contain 28 flats but scheme A has 22 dwellings and scheme B only 21 dwellings. The Council's design arguments relate solely to the apartment block, although a number of third parties have queried the design of the houses as well.

Reasons

9. The site lies at the foot of a steep hill. At the bottom of the valley is the River Lea, the New River and the railway line, separated from the site by Hertford Road. The land then slopes upwards with Scott's Road forming the western edge of the site. In the 1960s considerable earthworks created a plateau at the northern, lower, end of the site, so that a new college building could be

built with a level entrance off Scott's Road. This four storey concrete building stands on the plateau dominating Hertford Road. A narrower concrete building runs along the site parallel to Scott's Road, supported partly on concrete pillars or piloti, in the middle and partly dug into the ground at the southern end.

10. Scott's Road and the rest of the area to the west and south (uphill) is residential, with mostly detached dwellings. To the north is the river corridor with apartment blocks some way beyond and the town centre behind them. To the east, immediately adjacent to the site is the new college building, which is of a modern design with monopitched roofs, about 2 storeys in height on the road frontage, with larger buildings rising up the hill behind. Next to that is Amwell House, also part of the college, a grade II* listed building, an attractive brick built Georgian style house, with 2 storey side wings and a three storey central section. Amwell House stands at the head of Amwell End which links Hertford Road, over the river and railway to Ware town centre, only a few hundred metres away. There is a small metal bridge over the New River and various historic signs and railings on the New River which stand directly in front of the Hertford Road façade of the proposed apartment block. These are listed and lie in Conservation Area the southern boundary of which follows Hertford Road.

Design of the apartment blocks

11. It was agreed that policy ENV1 of the East Herts Local Plan Review (2007) was relevant and up to date in NPPF terms and requires a high standard of design. Paragraph 64 of the NPPF was also important which states that "permission should be refused for development of poor design….". It was agreed ENV1 was a footnote 9 policy for the purposes of paragraph 14 of the NPPF.

12. The existing block standing on its plateau is the first large building one encounters when entering Ware from the west. It is a dominant feature on Hertford Road. The narrower building is less prominent, but it is common ground that the buildings have reached the end of their natural life and their replacement by a high quality housing development would be of benefit. The Council described the block as 'of its time', but I prefer 'ugly'. The top floor facing Scott's Road has no windows and creates a top heavy and over-dominant feeling. I agree that this is a gateway site. The building is hidden by trees and the curve of the road until one is relatively close. At this point there are houses on higher ground to the south and the open river corridor to the north when the corner of the building appears in front of the viewer, providing a clear view of its bulk and dominance. The appellant has sought to design a suitable replacement building which will still act as a 'gateway' building, announcing the arrival at the main built up part of Ware but which also addresses its position between the clearly low-level fairly low density residential development to the west and the high density, large campus buildings to the east.

13. The Council did not suggest any other preferable designs, but their main objection was to the height of the proposed four storey apartment block. It seemed a three storey block would be preferable. Councillor Pope suggested an entirely housing led scheme would be best with no apartment block. The apartment blocks proposed in both schemes would be no taller than the existing building, but because they would have a pitched roof (scheme A) and monopitched roofs (scheme B) they would have a much less dominant feel.

The blank, solid upper storey of the existing building would be replaced by sloping roof structures and the eaves would be much lower. In both cases the apartment blocks would appear less dominant than the existing building.

14. The Council had specific design criticisms of scheme A. Mainly that the facades, especially that to Hertford Road, were unrelieved by articulation and dominated by serried ranks of balconies and incongruously small windows. I have some sympathy with this view. There are proposed projections and recessions, which with the differing use of materials will create 6 different vertical blocks facing Hertford Road, but these are not substantial, and taken with the width of the proposed gables facing Scott's road and towards the new college building and the shallow pitched roofs, do recreate something of a sense of the monolithic building currently on the site that the design is trying to get away from. The windows on the Hertford Road frontage seem to be to well proportioned but those facing across the college buildings to the east are perhaps a little small for the size of the building proposed. I have no issue with the proposed balconies which serve to break up the frontage.

15. The Council were also concerned that the building was 3-4m closer to the edge of the plateau than the existing building. This, along with a further 2m projection by the balconies, would pull the whole building closer to the pavement on Hertford Road. While this is true, I am not satisfied that it is harmful in itself. The Council's main concern was the overbearing nature of the 4 storey proposal, accentuated by being closer to the pavement. I did not find the existing building to be overbearing when stood on the pavement in front of it. Because it is set up on top of a grassy bank, which slopes away from the viewer there seems to be a reasonable separation between pedestrian and building. Although the height is accentuated by the bank, one does not feel as if it is overbearing, especially as the land is so open on the other side of the road. The building in scheme A would be closer to the road but the eaves would be lower so I am not convinced the effect, such as it is, would be any more marked than at present. However, I do consider the overall impact of scheme A on the street scene would not be successful. The minor criticisms outlined above while, each on their own would not be serious, amount cumulatively to produce a rather insipid design that looks like an 'anywhere' modern block of flats which does not do justice to this important gateway site.

16. The Council had similar concerns about Scheme B, the roof design, the scale and height, repetitive design of the Juliet balconies and lack of articulation. I tend much more to agree with the appellants that the monopitch roofs, which do, in my opinion, relate well to the similar features on the new college building, serve to create a strong sense that the Hertford Road frontage is broken up into different sections, even though the projections and recessions are still shallow. Here the repetitive design works as a positive rather than as a negative. I consider that the scheme B design would appear to work very well in creating an interesting façade which sits well with the new college building to the east.

17. Scheme B would be higher off the street than scheme A as the plateau would be raised by about 1m and the slope of the grassy bank extended to accommodate it. It would be no closer to the edge than the existing building and the ridge heights would be similar to both scheme A and the existing building. As explained above I am not convinced by the argument that any of the buildings are or would be overbearing to Hertford Road.

18. The relationship of both schemes to Scott's Road was also an issue, especially for local residents. I agree that because a tall building is to be replaced it does not necessarily mean the replacement should be the same height, and the four storey schemes would both be taller than the houses on the opposite side of the road. However, these are generally substantial buildings themselves and set up on a raised bank, so that they have short steep drives up to them. They are thus set higher than the road and set back behind drives and front gardens. There is about 35m between either of the proposed schemes and the front of the nearest house. Neither scheme would appear to be out of scale with the streetscene. While an entirely housing led scheme could be designed, I do not consider that it would effect the transition from the new college building to the houses as well as the proposed scheme B, and the opportunity for a well designed gateway building would be lost.

19. In long views from the eastern end of Hertford Road there are currently three clearly defined buildings. Amwell House in the foreground, then the new college building, with its modern monopitch roofs, and then the existing building on the site, looming up like the concrete monstrosity it is. The removal of this building would represent an improvement, but scheme A would continue with the three distinct buildings theme. It would appear as an obvious residential apartment block and as noted above would not sit well in the street scene. Scheme B however, while still clearly residential rather than educational, because of its more subtle nods to the design of the new college building, offers a much better transition from college to residential beyond. This important view, across the front of the adjacent Conservation Area would, because of the impact of the existing building, be made no worse by scheme A, but would be positively improved by scheme B.

20. Bringing all this together I consider that scheme A has some flaws. Paragraph 56 of the NPPF makes it clear the Government's commitment to good design, and so on balance, while it would be clearly better than the existing building, given its important location I consider scheme A represents poor design such as to make it contrary to paragraph 64 of the NPPF. I also do not consider that it is of a 'high standard' as required by policy ENV1. I consider scheme B is considerably better than scheme A, it would provide a well designed gateway building without over-dominating the houses in Scott's Road and also create an effective transition from college to residential along Hertford Road. In Conservation Area terms, given the impact of the current building I consider that Scheme A does preserves the character and appearance of the Conservation Area whereas Scheme B enhances it.

21. The houses are of the three storey town house design, with the third storey in the roof. They would be set back from the road behind an internal access road, car parking spaces and boundary landscaping and so would have little if any impact on the houses across the road. At the top of the development the houses would back onto Scotts Close, but the houses in the Close, being further up the hill would not be overlooked or overshadowed in any way. Scott's Road contains houses of various different designs and I do not consider the more contemporary look to the proposed houses would be out of place.

Adequacy of Car Parking Arrangements

22. Following agreement over the adequacy of the affordable housing contribution scheme A will provide 14 two-bed affordable units, 14 two-bed open market

units, 11 three-bed open market units and 11 four-bed open market units or 50 in total. Scheme B will provide 13 two-bed affordable units, 15 two bed open market units, 8 three bed open market units and 13 four bed open market units or 49 in total. The appellants propose either 72 or 76 spaces for scheme A and 70 spaces for scheme B.

23. Policy TR7 of the local plan concerns car parking standards. It says "*Car parking provision for new development proposals will be assessed in accordance with the District Council's car parking standards (which should be taken as maximum standards) …….the actual provision made will be determined on a site-specific basis having regard to the proposed use, location, and availability of, or potential for access to, modes of transport other than the private car in accordance with the Councils SPD 'Vehicle Parking Provision at New Development'*". The explanatory paragraph 5.11.7 says "*In forwarding the aims of encouraging alternative modes of transport to the private car, the Council will seek reduced car parking provision where there is good access to alternative modes of transport in accordance with the Council's SPD …… however, the Council is particularly concerned that any reduction in car parking provision should not lead to displacement parking elsewhere and will, therefore, seek measures to ensure that this does not occur*".

24. The SPD relies partly on a zonal approach for parking provision. Four zones are identified, zone 1 is a town centre type area and zone 4 is furthest from the centre. However, Ware town centre is zone 2 (and only a very small area around the main street) there being no zone 1 in Ware. The site lies in zone 3, which hugs zone 2 and the rest of Ware, where the majority of housing lies, is in zone 4. Paragraph 3.58 of the SPD deals with residential parking and states that in zone 2 less parking is required than "elsewhere". The elsewhere figures which include the appeal site in zone 3 amount to 100 spaces for scheme A and 99 for scheme B. The reduced maximum figures for zone 2 would be 66.5 for scheme A and 66 for scheme B. The appellant claims this is acceptable for the appeal site, particularly as the site is only 120m from zone 2 and leaves excess spaces for visitors as well.

25. There was much discussion at the inquiry involving census data, which showed the average car ownership in the ward where the appeal site is located when multiplied up for the various houses and flats proposed suggests even the reduced maximum figures are too large. I found this helpful but not hugely relevant. I agree with the appellant that the development proposed would be high quality and could, according to the Council, attract occupiers with more disposable income than the average in the ward. The appellant argued that average car ownership figures for the ward were low because of its accessibility, but the Council argued this could also be due to finance. I also note that the proposed three-bedroom properties all have studies and some of the four bedroom properties in scheme B have studies too. As these rooms could be used as bedrooms, this makes the calculation of parking figures based solely on average car ownership per bedroom less reliable.

26. In any case regardless of the weight to be attached to the census data the Council's own policy approach as outlined in the SPD and TR7 is clear. In addition to the quotes from TR7 above, paragraph 3.58 of the SPD says "*Reductions below the maximums may also be applied outside zone 2 and will be sought where the location and/or characteristics of the development could reduce car ownership levels*". It seems to me the Council are not only

prepared to, but are actively looking to reduce maximum car spaces where a site is well located for alternative means of transport, subject to the proviso that displacement parking will not occur.

27. There is no dispute between the parties that the site is sustainably located. The Council baulked at the phrase "highly sustainable", but I consider it is not unwarranted. The site lies across the river from the town centre, nearly all of which is within 10 minutes walking distance. Local schools and virtually every other facility in Ware lie within 15 minutes walk, the station is only 5 minutes away and two bus stops are right outside (closer to the site than to development within zone 2). The station has direct services to London and to other towns across the region, while there are regular buses to Hertford, Ware itself and other towns. This evidence was not disputed and is strong enough on its own to suggest to me the site is one envisaged in the SPD and TR7 where lower standards should apply. In which case the parking proposed would seem to be perfectly adequate.

28. The local residents opposed the proposal on a number of grounds but car parking was a significant concern for many. The Council argued that all those local people could not be wrong, although it was never actually explained what the parking issue was. Because of concerns about overspill parking from the College, the local streets have parking restrictions. Essentially there is no parking allowed anywhere until after 8pm in Scott's Road, or 6pm in roads further away. There are some short stretches of unrestricted parking, Scott's Road has room for 3 cars to park without blocking residents' drives and I noted other spaces potentially available in Warner Road which is slightly further away. The appellant's parking survey found that the unrestricted spaces were seldom full during the day and there was plenty of off-street parking available on single yellow lines when the restrictions were relaxed. In addition a further survey showed that all the houses in these roads had plenty of off-street parking, many people having turned their whole front gardens into parking, presumably because on-street parking was so limited. Several residents complain that current restrictions are too onerous; others request tighter restrictions, especially on Scott's Road to prevent any parking at all. The "chronic" parking problem is regularly mentioned, but I can only assume this is because there is no on-street parking allowed for most of the time. The problem of students attracted to Scott's Road by the entrance to the college would also reduce slightly once this entrance is closed. I am not convinced the parking to be provided is inadequate, but even if at times there is some overspill, this could well be balanced by the slight reduction of student activity. In any event, on-street parking would, because of the restrictions, mostly be confined to evenings and weekends when there would not appear to be any particular parking stress.

29. Local residents were also concerned about the extra traffic using Scott's Road. The appellant's traffic survey suggested this would be acceptable and the highway authority had no objection on traffic grounds. It seems to me that the reduction in college traffic using Scott's Road would more than make up for the extra residential traffic.

30. Taking all this together I consider that parking below the maximum standards in the SPD is acceptable, and the provision suggested by the appellants would be adequate. Of the various options it makes sense to maximise the on-site parking and to have more rather than less unallocated, so that Scheme A

option 3 (76 spaces, 41 unallocated) and scheme B option 1 (70 spaces 36 unallocated) should be preferred.

Conclusions

31. On design I find that scheme A is unacceptable, whereas scheme B should be a successful transitional and gateway building in the context of the appeal site. Both schemes provide for adequate car parking. There are no other objections that I have identified and so scheme B is clearly sustainable when considering the three dimensions of sustainability described in paragraph 7 of the NPPF. There are significant benefits in terms of extra housing and affordable housing and there are no impacts that significantly and demonstrably outweigh those benefits. Scheme B should therefore be allowed. Scheme A on the other hand does not represent a high standard of design as required by policy ENV1 and is "poor design" in NPPF paragraph 64 terms. In view of the NPPF's insistence on good design it would be wrong to allow scheme A as this would represent a lost opportunity for a high quality gateway building. I shall therefore allow appeal B but refuse appeal A.

32. I have considered all the other matters raised but none outweigh my findings on the main issues.

S106 Obligation and Conditions

33. A s106 unilateral obligation has been provided for scheme B which has been agreed by both parties and provides for the affordable housing, and green space, children and youth services, a libraries, outdoor sports, public gardens, primary and secondary education and transport contributions. I have no evidence to suggest these are not CIL compliant.

34. There is an outstanding dispute with the County Council on the timing of payments and the provision of a monitoring fee. I agree with the appellants that there is no need to pay the contributions up front. Their proposal of 50% on commencement and 50% on first occupation would seem to be reasonable. The fact that it does not fit with the County Council's toolkit is of little relevance. I also agree that a general monitoring fee for the travel plan should not be paid, following the judgement in Oxfordshire CC v SSCLG ([2015] EWHC 186 Admin). I consider such monitoring is part of the highway authority's duties and in any event the location of the site is so obviously well located for sustainable transport modes I am uncertain what the travel plan would accomplish. I also note the number of dwellings falls below the 50 required for a Travel Plan Statement.

35. The following conditions were agreed between the parties and are necessary for the development to go ahead; submission of materials, boundary fences and walls, completion of accesses and junctions, a detailed scheme for visibility splays, construction traffic and parking management plans, control of demolition and construction hours, ground levels, the garages to be kept free for parking, 5 year landscaping maintenance scheme, protection of trees on the boundary of the site, external lighting, a contamination remediation strategy and surface water drainage and infiltration schemes. A scheme for the allocation of parking which kept 36 spaces unallocated was discussed, but a plan showing the correct number of unallocated spaces was not provided. A condition to ensure such a plan is agreed with the Council is also required and the spaces should thereafter be retained.

36. The following conditions were disputed. There was no evidence of any likelihood of archaeological remains being found, especially as the site was extensively remodelled in the 1960s. The existing access was to be incorporated into the proposed access and any verge reinstatements were included on the agreed plans so a separate condition was not required. A second condition for pedestrian visibility was not required as such splays were included in the agreed design of the access. A separate landscaping condition was not needed as the details were already covered in the submitted landscaping scheme.

37. The disputed conditions are not required but those that have been agreed shall be included in a 'conditions annex', as they are all reasonably necessary to enable the development to go ahead.

Simon Hand

Inspector

APPEARANCES

FOR THE LOCAL PLANNING AUTHORITY:

Rebecca Clutton	Of counsel
She called	
Dr Valerie Scott	Head of Conservation – BEAMS
Mr Nik Smith BA(Hons), MA, MRTPI	WYG Planning

FOR THE APPELLANT:

Andrew Tabachnik	Of counsel
He called	
Michael Smith BA(Hons), Dip TP	JCN Design
Matthew Last BEng(Hons), MCIHT	Ardent Consulting Engineers

INTERESTED PERSONS:

Councillor Pope

DOCUMENTS

1. Supplementary statement of common ground
2. Appearances for both parties
3. Subset of plans at A3 size
4. Minutes of committee meetings for both applications
5. Council's opening
6. Photographs of nearby tall buildings
7. Supplementary proof for car parking following affordable housing agreement
8. Map showing off-street car parking spaces
9. Summary of various proposed parking options
10. Officers' report on the Hertfordshire police station site
11. Letter from Nik Smith to Matthew Last concerning census data
12. Plans showing revised parking options
13. Unilateral Undertaking for scheme A
14. Unilateral Undertaking for scheme B
15. Revised site plan for scheme A
16. County Council written statement on s106 contributions
17. Conditions schedule for scheme A
18. Conditions schedule for scheme B
19. Council's closing
20. Appellants' closing
21. Horsham DC v SSCLG & Barratt Southern Counties Ltd [2015]

Conditions Annex – 20 Conditions

1) The development hereby permitted shall begin not later than three years from the date of this decision.

2) The development hereby permitted shall be carried out in accordance with the following approved plans: PH171-OP10-PL01, PH171-OP10-PL02 B, PH171-OP10-PL03, PH171-OP10-PL04, PH171-OP10-PK01 Rev A, PH171-OP10-PL10, PH171-LS01 B, PH171-LS02 A, PH171-HT-01 C, PH171-HT-02 C, PH171-HT-03 D, PH171-HT-04 D, PH171-AP1-01 G, PH171-AP1-02 G, PH171-AP1-03 C, PH171-AP1-04 F, PH171-AP1-05 B, PH171-ST-01 F, PH171-ST-02 D.

3) Prior to the commencement of works above ground level (excluding demolition) samples of the external materials of construction for the buildings hereby permitted shall be submitted to and approved in writing by the Local Planning Authority and the development shall thereafter be implemented in accordance with the approved materials.

4) Prior to the first occupation of any dwellings hereby approved, the boundary walls, fences or other means of enclosure relating to the residential development shown on drawing no PH171- OP10 PL02B shall be erected and retained in accordance with the approved details.

5) Prior to the commencement of works above ground level (excluding demolition) for the residential development hereby permitted all materials to be used for hard surfaced areas within the residential site including roads, driveways and car parking areas shall be submitted to and approved in writing by the Local Planning Authority. The development shall then be carried out in accordance with the approved details.

6) Prior to the first occupation of the new residential buildings, all accesses and junction arrangements serving the residential development shall be completed in accordance with drawing number PH171-OP10-PL02 B, unless otherwise agreed in writing.

7) Concurrent with the construction of each access to this site (listed below) and unless otherwise agreed in writing by the local planning authority, visibility splays of 2.4 metres X 43 metres shall be provided in both directions. These splays shall be permanently retained, within which there shall be no obstruction to visibility between 600mm and 2m above the carriageway level: i) At the existing access to the site from Scotts Road. ii) At the new access to the site from Scotts Road.

8) Prior to the first occupation of any of the new residential buildings, all on-site vehicular areas, including (but not limited to) internal access roads, forecourts, garages and car ports shall be accessible, surfaced and fully completed in accordance with drawing number PH171-OP10-PL02 B. Arrangements shall be made for surface water from the site to be intercepted and disposed of separately so that it does not discharge into the highway. 70 parking spaces shall be provided prior to the first occupation of any of the new residential buildings of which 34 shall be allocated and the remainder unallocated in accordance with a scheme to be agreed in writing with the local planning authority prior to the first

occupation of any dwelling on the site. Notwithstanding any of the provisions of the Town and Country Planning (General Permitted Development) Order 1995 or any amendments to such, the areas shown for parking on the agreed plan shall thereafter be retained solely for parking and for no other purpose and no alteration to the balance of allocated and unallocated spaces shall be made.

9) The garages provided on site shall be used for the housing of private vehicles solely for the benefit of the occupants of the dwelling of which it forms part and their visitors, and not as additional living accommodation or for any commercial activity.

10) Prior to the commencement of development (including demolition) for the new residential buildings, a 'Construction Traffic Management Plan' shall be submitted to and approved in writing by the Local Planning Authority. Thereafter the construction of the development shall only be carried out in accordance with the approved Plan. The 'Construction Traffic Management Plan' shall identify details of: phasing for the development of the site, including all highway works; methods for accessing the site, including construction vehicle numbers and routing; location and details of wheel washing facilities; associated parking areas and storage of materials clear of the public highway.

11) Prior to the commencement of the development (including demolition) for the new residential buildings a 'Parking Management Plan' shall be submitted to and approved in writing by the Local Planning Authority. This plan shall provide details of parking that will be available for users of the college during the construction work. Thereafter the construction of the development shall only be carried out in accordance with the approved plan.

12) In connection with all site demolition, site preparation and construction works, no plant or machinery shall be operated on the premises before 0730hrs on Monday to Saturday, nor after 1830hrs on weekdays and 1300hrs on Saturdays, nor at any time on Sundays or bank holidays.

13) Prior to the commencement of the development for the new residential buildings hereby approved, detailed plans showing the existing and proposed ground levels of the site relative to adjoining land, together with the slab levels and ridge heights of the proposed buildings, shall be submitted to, and approved in writing by the Local Planning Authority and the development shall be carried out in accordance with the approved details.

14) All trees and hedges immediately adjoining the site shall be protected from damage as a result of works on the site, in accordance with *BS5837:2012 Trees* in relation to demolition and construction, for the duration of the works on site and until at least five years following contractual practical completion of the approved development.

15) All hard and soft landscape works shall be carried out in accordance with the approved details. Any trees or plants that, within a period of five years after planting, are removed, die or become, in the opinion of the Local Planning Authority, seriously damaged or defective, shall be replaced as soon as is reasonably practicable with others of species, size and number as originally approved, unless the Local Planning Authority gives its written consent to any variation.

16) The development hereby permitted shall be carreid out in accordance with the provisions of the Landscape Management Plan.

17) Details of any external lighting proposed in connection with the residential development shall be submitted to and approved in writing by the Local Planning Authority prior to the commencement of the development, and no external lighting shall be provided without such written consent. The development shall then be carried out in accordance with the approved details.

18) No development (except demolition) shall commence on site until a remediation strategy that includes the following components to deal with the risks associated with contamination of the site are submitted to and approved, in writing, by the local planning authority:

(1) A preliminary risk assessment which has identified: all previous uses; potential contaminants associated with those uses; a conceptual model of the site indicating sources, pathways and receptors; and potentially unacceptable risks arising from contamination at the site.

(2) A site investigation scheme, based on (1) and any further site investigation works required on site post demolition, 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 these site investigations 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.

Any changes to these components require the express written consent of the local planning authority. The scheme shall be implemented as approved.

19) No infiltration of surface water drainage into the ground is 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 controlled waters.

20) The development hereby permitted (except demolition) shall not be commenced until a detailed surface water drainage scheme for the site, based on the agreed Flood Risk Assessment (FRA) (prepared by: Ardent Consulting Engineers; reference: R780-02; dated: September 2013) has been submitted to and approved in writing by the local planning authority. The drainage strategy shall include an assessment of the use of further Sustainable Drainage Systems in addition to those already proposed and confirmation of the required attenuation volumes on site. The scheme shall subsequently be implemented in accordance with the approved details before the development is completed.