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Our Ref: APP/B1930/A/05/1177923;
APP/B1930/E/05/1177924; &
APP/B1930/E/05/1177926

9 August 2006

Dear Sir,

**TOWN AND COUNTRY PLANNING ACT 1990 (SECTION 78)
PLANNING (LISTED BUILDINGS AND CONSERVATION AREAS) ACT 1990
(SECTIONS 20 AND 74)
APPEALS BY FAIRVIEW NEW HOMES LIMITED
SITE AT OAKLANDS COLLEGE, CITY CAMPUS, HATFIELD ROAD, ST ALBANS,
HERTS, AL1 3RX
APPLICATION REFS: 5/04/2766; 5/04/2767LB & 5/04/2769CA**

1. I am directed by the Secretary of State to say that consideration has been given to the report of the Inspector, John L Gray DipArch MSc Registered Architect, who held a public inquiry between 28 February 2006 and 20 April 2006 into your client's appeals:
 - under section 78 of the Town and Country Planning Act 1990 against the decision of St Albans City and District Council (application ref: 5/04/2766 dated 17 December 2004) to refuse planning permission for the change of use of some existing buildings; construction of new residential units; provision of associated car parking, landscaping, open space, internal roads, cycle parking and refuse storage; construction of new access; modification of existing access; renewal of existing curtain walling system; and erection/reinstatement of the entrance canopy to Block E at Oaklands College, Hatfield Road, St Albans (**Appeal A**);
 - under section 20 of the Planning (Listed Buildings and Conservation Areas) Act 1990 against the decision of St Albans City and District Council (application ref: 5/04/2767LB dated 17 December 2004) to refuse listed building consent for the renewal of the existing curtain walling system to listed buildings; renewal of roof decks; internal works to facilitate conversion of some of the listed buildings to residential use; demolition of the existing rear extension to Block C; refurbishment of the existing walkways connecting Blocks B, C, D and E; and the erection/reinstatement of the entrance canopy to Block E at Oaklands College, Hatfield Road, St Albans (**Appeal B**); and
 - under sections 20 and 74 of the Planning (Listed Buildings and Conservation Areas) Act 1990 against the decision of St Albans City and District Council

(application ref: 5/04/2769CA dated 17 December 2004) to refuse conservation area consent for the demolition of various unlisted buildings and structures on the site at Oaklands College, Hatfield Road, St Albans (**Appeal C**).

2. The appeals were recovered for determination by the Secretary of State on 18 April 2005, in pursuance of section 78 of the Town and Country Planning Act 1990 and sections 20 and 74 of the Planning (Listed Buildings and Conservation Areas) Act 1990.

Inspector's Recommendation and Summary of the Decision

3. The Inspector, whose conclusions are reproduced in Annex A to this letter, recommended that planning permission, listed building consent and conservation area consent be granted subject to conditions. For the reasons given below, the Secretary of State agrees with the Inspector's conclusions, and agrees with his recommendation to grant planning permission, listed building and conservation area consent subject to conditions. A copy of the Inspector's report (IR) is enclosed. All references to paragraph numbers, unless otherwise stated, are to that report.

Policy Considerations

4. Section 38 (6) of the Planning and Compulsory Purchase Act 2004 requires that proposals be determined in accordance with the development plan unless material considerations indicate otherwise. The development plan for the purposes of these appeals comprises the Regional Spatial Strategy for the South East (RSS 9), published in March 2001; Hertfordshire Structure Plan Review 1991-2011, adopted in 1998, and the St Albans District Local Plan Review 1994, adopted in 1994. The Secretary of State considers that the development plan policies most relevant to the appeal are those set out by the Inspector at IR3.1-3.4.
5. The Secretary of State acknowledges that Hertfordshire has transferred to the East of England region. Since the close of the Inquiry into the above appeals, the report following an examination in public into the emerging Regional Spatial Strategy for the East of England (RSS14) has been published. The Secretary of State does not consider that this report raises any new issues in relation to the decisions now before her, which need to be referred back to parties before the Secretary of State proceeds to a decision.
6. Material considerations that the Secretary of State has taken into account include: Planning Policy Statement 1 (PPS1): *Delivering Sustainable Development*; Planning Policy Guidance note 3 (PPG3): *Housing*; Planning Policy Guidance note 13 (PPG13): *Transport*; Planning Policy Guidance note 15 (PPG15): *Planning and the Historic Environment*; Planning Policy Guidance note 25 (PPG25): *Development and Flood Risk*; Circular 11/95: *The Use of Conditions in Planning Permission*; and Circular 05/2005: *Planning Obligations*. The Secretary of State has taken into account draft Planning Policy Statement 3 (PPS3): *Housing* and draft Planning Policy Statement 25 (PPS25): *Development and Flood Risk*, which were published in December 2005. Since both documents may be subject to change, she affords them little weight.

7. The Secretary of State has also taken into account the Supplementary Planning Guidance (SPG), as set out in IR3.5, and the *Home Zone Design Guidelines*, published in 2002 (IR3.7).
8. In deciding all three appeals, the Secretary of State has had regard to the status of Blocks A, B, C, D, E, F and L of the appeal site as Grade II listed buildings. In accordance with sections 16(2) and 66(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990, she has paid special regard to the desirability of preserving the listed building or its setting or any special features of special architectural or historic interest which it may possess. Given that the appeal site is situated within the conservation area, the Secretary of State has also paid special attention to the desirability of preserving or enhancing the character or appearance of that area, as required by section 72(1) of the same Act.

Main Issues

9. The Secretary of State agrees with the Inspector that the main considerations in determining the current application are those listed in IR11.1. The Secretary of State has also considered whether the proposal complies with the housing policies in the development plan.

The relationship of the proposals to housing policies in the development plan

10. The Secretary of State agrees with the Inspector that the site is allocated for housing development as site RS27 in policy 4 of the current Local Plan (IR11.2, IR11.3) and that the allocation has been confirmed subsequent to the listing of the 1960s buildings in 2003 (IR11.2). The Secretary of State recognises that to comply with the Local Plan policy for the site, any proposal should comply with five planning guidelines, as set out in paragraph 6.9 of the Statement of Common Ground (document CD47). The Secretary of State considers that, since planning permission has been granted for relocation of the College at the Smallford Campus (IR11.2), and since the Council no longer requires a Planning Brief for the appeal site, guidelines (ii) and (iii) under RS27 of policy 4 have been fulfilled. The Secretary of State assesses the proposal's compliance with guidelines (i), (iv) and (v) in paragraphs 27, 29 and 36-38 below.
11. The Secretary of State has had regard to the Council's view that there is no need to release this site in order to maintain an adequate supply of housing land (IR6.88). She has taken account of the fact that the housing provision forecast in the period 1991-2011 is estimated to exceed development plan targets. However, given the site's allocation for housing in the Local Plan and the fact that it is in a highly sustainable location and is previously developed land (IR6.87), she considers that this is not a sufficient reason to dismiss this appeal.
12. For the reasons given in IR11.94-96, the Secretary of State agrees with the Inspector that, although clarification of the number and siting of spaces for visitors would be welcome; the proposed car parking provision is acceptable (IR11.97). She considers that there is no conflict with Local Plan policies 39 and 40.
13. For the reasons given in IR11.104, the Secretary of State agrees with the Inspector that, although the proposed affordable housing provision is not consistent with the SPG on Affordable Housing, the level of provision is satisfactory.

14. For the above reasons, the Secretary of State concludes that the appeal proposal is in accordance with the housing policies in the development plan.

The effect of the proposed change to residential use on the special architecture and historic interest of the listed buildings

15. The Secretary of State agrees with the Inspector that the housing allocation does not mean that the site must be put exclusively to residential use and notes that two of the listed buildings will be retained for use as a hall and gymnasium respectively (IR11.4). The Secretary of State has had regard to the Council's suggestions for other uses (IR11.5) but, given that the site is allocated for residential development in the development plan, the Secretary of State accords these suggestions limited weight.

The effect of the proposed alterations on the special architectural and historic interest of the listed buildings

16. The Secretary of State agrees with the Inspector that any new use for the listed buildings would demand radical refurbishment of the curtain walling to secure its structural integrity, its weather resistance and its thermal insulation (IR11.9). For the reasons given in IR11.6-11.16, the Secretary of State agrees with the Inspector that, in this particular case, replacement of the curtain walling is an appropriate solution to the problems of converting the listed buildings to a new use when the standards of today (and the expectations) are very much higher than they were around 1960. The Secretary of State agrees with the Inspector that, for the reasons set out in IR11.17, the proposed replacement roof would have no obvious effect on the visual character or appearance of the buildings.

17. The Secretary of State agrees with the Inspector that, for the reasons set out in IR11.18, there is no real objection to the conversion of the Blocks A, B, C, E and F to include new internal partitions.

18. For the reasons set out in IR11.20, the Secretary of State agrees with the Inspector that, while the sub-division in Blocks A, B, E and F might be different to what exists, it would generally not be significantly greater or more noticeable, certainly in terms of what would be perceived from outside the buildings.

19. The Secretary of State has had regard to the effect of party walls meeting the curtain walling (IR11.21). She considers that the junction of the party walls with the curtain wall would satisfactorily limit flanking sound transmission. She also considers that, whilst the junctions would be less obvious with a secondary glazing system, this is outweighed by the fact that the secondary system would be generally more visually intrusive than replacement curtain walling (IR11.21).

20. For the reasons given in IR11.22-24, the Secretary of State agrees with the Inspector that there are no fundamental objections to the demolition of the extension to Block C or to the proposed alterations to Block C itself.

21. Overall, the Secretary of State agrees with the Inspector that there is no compelling objection to those parts of the proposals which require listed building consent

(IR11.25). The Secretary of State considers that the proposal complies with Structure Plan policy 38, and with Local Plan policies 86(i), (ii) and (iii) (a)-(d).

The effect of demolition of the unlisted and locally listed buildings

22. Paragraphs 4.25-4.29 of PPG15 set out the Government's policy on conservation area control over demolition. Paragraph 4.26 makes it clear that, in exercising conservation area controls, the Council is required to pay special attention to the desirability of preserving or enhancing the character or appearance of the area and that should be the prime consideration in determining a consent application. Paragraph 4.27 of PPG15 states that the general presumption should be to retain the buildings which make a positive contribution and that proposals to demolish such buildings should be assessed against the same broad criteria as proposals to demolish listed buildings, as set out in paragraphs 3.15-3.19 of PPG15. In cases where the building makes less or no contribution, it is the proposals for redevelopment that should be considered.
23. The Secretary of State agrees with the Inspector, for the reasons in IR11.26, that none of the 13 unlisted buildings mentioned in that paragraph need to be preserved for the sake of the character or appearance of the conservation area.
24. For the reasons given in IR11.27-37, the Secretary of State agrees with the Inspector that, having regard to the criteria in PPG15, few of the locally listed buildings make positive contributions to the character and appearance of the conservation area. She agrees that 38 St Peter's Road, 4 and 6 Manor Road and 23 Hatfield Road make positive contributions to the conservation area (IR11.38). She also agrees that 36 St Peter's Road and 25 Hatfield Road are important, if only in supporting roles to their neighbours, and that 13/15 Lemsford Road, while representative of the style of original development, stand in a somewhat isolated position on the site (IR11.38).
25. The Secretary of State also agrees with the Inspector that, for the reasons set out in IR11.41-11.42, it would unacceptably diminish and dilute the exceptional qualities found in and around the listed buildings to seek to retain and convert Blocks H, J and K.
26. However, for the reasons set out in paragraph 22 above, the Secretary of State disagrees with the Inspector's conclusion that the architectural and townscape quality of the redevelopment proposals must be a key consideration in decisions on the proposed demolition of locally listed buildings on the appeal site (IR11.40). On the basis of the available evidence, the Secretary of State considers that the appellant has concentrated on meeting the requirement of paragraph 3.19(iii) of PPG15 but, in not also taking into account paragraphs 3.19(i) or (ii), has not fully explored the potential for the retention of all the buildings mentioned in paragraph 24 above. Overall, she considers that there are shortcomings in the appellant's justification for the demolition of the locally listed buildings mentioned in paragraph 24 above that contribute positively to the character and appearance of the conservation area. She considers that this is a factor which weighs against the appellant, but considers that these shortcomings are outweighed by the factors in support of the proposal.

27. Overall, the Secretary of State considers that this aspect of the proposal complies with Local Plan policy 85(ii)(c) but does not fully comply with policy 85(ii)(a) and (b), or with guideline (iv) under RS27 of Local Plan policy 4.

The effect of the proposed buildings on both the setting of the listed buildings and the character and appearance of the conservation area

28. The Secretary of State has had regard to the contrast in architectural styles between the listed buildings on the site and the Victorian/Edwardian character of the surrounding area. She agrees with the Inspector that what is required is a development designed with both in mind (IR11.44).

29. For the reasons given in IR11.45-56, the Secretary of State agrees with the Inspector that the proposals would enhance the setting of the listed buildings and, with one caveat, would, at least preserve the character and appearance of the conservation area (IR11.56, IR11.113(d)). The Secretary of State agrees with the Inspector that the mass and height of Block 6 would dominate over the retained locally listed building, 20 Manor Road (IR11.52, IR11.114). While the Secretary of State acknowledges that this is a weakness in the proposal, she agrees with the Inspector that this is not a sufficient reason to dismiss the appeal (IR11.114). She therefore considers that the proposal complies with Structure Plan policy 38 and with Local Plan policies 69, 85(i), (ia), (ib), (id), (if), (ig) and (iib), 86 (i), (ii) and (iii), 114, and guideline (i) under RS27 of policy 4.

The overall quality of the proposed residential layout

30. The Secretary of State agrees with the Inspector that the proposed layout is innovative, securely based on the layout of the listed buildings and potentially extremely attractive (IR11.58). She considers, like the Inspector, that the proposal is an urban development which takes full advantage of the benefit of an existing mature landscape (IR11.59). She therefore considers that the proposal complies with Local Plan policy 69, and accords this issue significant weight.

31. The Secretary of State recognises the uncertainty about the landscaping proposals in some areas and about access for the disabled (including the visually disabled) (IR11.60). For the reasons set out in IR11.60-11.61, the Secretary of State considers that the Local Planning Authority can ensure that the proposals required by condition take full account of these concerns.

32. The Secretary of State also considers that any criticisms made in terms of vehicular and pedestrian movement and possible conflict between them were largely addressed by the amended layout and the detail can also be taken into account when the Local Planning Authority considers proposals required by conditions (IR11.61-62).

33. For the reasons given in IR11.63, the Secretary of State agrees with the Inspector that the density of the proposals is not too high, and that there are no criticisms that could be attributed directly to the density sought by the proposals.

The quality of the living environment

Privacy and overlooking

34. The Secretary of State agrees with the Inspector that there are places where the listed buildings are much closer together than the 27m advocated in policy 70(vi) of the Local Plan as the distance which will provide tolerable privacy within habitable rooms (IR11.65). She also considers that, as pedestrian routes often come within 3.0m of the building facades, the distance specified in Policy 70(x) of the Local Plan, there is a lack of defensible space around the Listed Buildings (IR11.71). However, given that the site is allocated for residential development and the proposal seeks to preserve the statutory listed buildings on the site, the Secretary of State accepts that there will be parts of the site where the standards set out in the Local Plan cannot be met.

Open space

35. The Secretary of State has had regard to the appellant's claims that the standard for private amenity space is met (IR7.80), and that much of the concern centres on the amount of public open space to be provided (IR11.73). The Secretary of State has had regard to the different interpretation put on the design and layout of new housing in Local Plan policy 70(xi) and the SPG. She considers that, as the SPG was prepared specifically for development control purposes and has been subject to public consultation (Page 1 of CD24), it carries weight. On the basis of the evidence before her, and taking into account the Inspector's reasoning and conclusions set out in IR11.73-11.76, the Secretary of State considers that the proposal provides sufficient toddlers' play areas and private amenity space, but that it does not provide as much public open space as is required under the development plan and SPG. However, given the nature of the proposal and the desire to protect the listed buildings, combined with the proximity of the appeal site to Clarence Park, she affords this slight deficiency limited weight.

Sunlight and daylight

36. The Secretary of State agrees with the Inspector that there are a number of places where the orientation of the buildings and proximity of the trees could affect the amount of daylight or sunlight within the flats (IR11.77-81). In terms of the retention of existing trees, the Secretary of State has had regard to the fact that almost a third of the existing trees identified in the appellant's survey would be lost (IR11.82). For the reasons set out in IR11.83-11.90, the Secretary of State agrees with the Inspector that the only additional trees likely to be threatened by construction works for development are T19 and T22 (IR11.91). She also agrees that tree T173 is more likely to be threatened by works to be done to it than by works to the adjacent 31/33 Hatfield Road.

37. For the reasons set out in IR11.92, the Secretary of State considers that, given the circumstances of this particular case, it is much more important to strive for a quality development in which the effect of the trees would be seen as adding to, rather than detracting from, the quality of life. She agrees with the Inspector that the advantages of the proposals and the quality of design overall outweigh what some would consider flaws in relation to privacy and sunlight and daylight (IR11.115).

38. The Secretary of State agrees with the Inspector that, for the reasons set out in IR11.80, the loss of T70 is inevitable even though it is not directly affected by the construction works, and is a serious flaw with the proposal (IR11.115). However, taking into account the overall provisions for replanting, the Secretary of State does not consider that this loss overrides the benefits of these proposals and agrees with the Inspector that the proposals should not fail for this reason alone.

Other matters

The effect on surrounding roads

39. The Secretary of State agrees with the Inspector that, although clarification of the number of spaces to be provided for visitors and their location would be welcome, the proposed car parking provision is acceptable (IR94-97). The Secretary of State also agrees with the Inspector that, for the reasons set out in IR11.98-11.99, it is very unlikely that the change from college to residential use would bring any noticeable change in traffic flows in the surrounding streets (IR11.113(i)).

Provisions for surface water drainage

40. For the reasons set out in IR11.101-11.102, the Secretary of State agrees with the Inspector that surface water run-off issues have been sensibly resolved (IR11.113(j)). She therefore considers that the proposal complies with Local Plan policy 84.

Other services and facilities

41. The Secretary of State has had regard to the concerns of local people about pressure on health, education and other local services (IR11.103). However, although the number of dwellings is higher than the estimated capacity as set out by the Council, the Secretary of State agrees with the Inspector that, in the absence of objection from the Council, pressure on services and facilities cannot compel dismissal of the appeals.

Viability

42. The Secretary of State agrees with the Inspector's reasoning and conclusions in IR11.105-108 that the Council's concerns relating to viability do not amount to a significant issue.

Conditions and Obligations

43. The Secretary of State has considered the proposed conditions and national policy as set out in Circular 11/95. She agrees with the Inspector (IR10.1-10.2 and IR11.109) that the conditions are necessary, relevant to planning and the development permitted; and are enforceable, precise and reasonable in all other respects.

44. The Secretary of State considers, for the reasons set out in IR11.110-11.112, that the section 106 Obligation is necessary and relevant to the proposed development and meets the policy tests of Circular 05/0005.

Overall Conclusion

45. The Secretary of State has carefully considered the Inspector's conclusions in IR11.113-118 and agrees with the recommendation that the appeals be allowed. She has considered the shortcomings of the proposals but considers that these do not outweigh the benefits of the scheme and the quality of the design overall. The site has been allocated for residential use and its sustainable location on a previously developed site makes it very attractive for housing development. She also considers that the proposed affordable housing will meet a local need. The Secretary of State considers the proposals to be innovative. They would enhance the setting of the listed buildings and, with one caveat, would preserve the character and appearance of the conservation area. She recognises that there are some concerns about the quality of the living environment and that there will be parts of the site where the standards set out in the Local Plan will not be met. However, the Secretary of State concludes that, given the innovative design layout and the need to base any design around the layout of the listed buildings, these concerns are not serious and the privacy, overlooking and defensible space aspects of the scheme are acceptable. Overall the Secretary of State considers that the appeal should be allowed.

Formal Decision

46. Accordingly, for the reasons given above, the Secretary of State agrees with the Inspector's recommendation and hereby allows your client's appeals and grants planning permission, listed building consent and conservation area consent for residential development on Oaklands College, City Campus, Hatfield Road, St Albans, in accordance with application numbers 5/04/2766, 5/04/2767LB and 5/04/2769CA dated 17 December 2004, subject to the conditions appended to Annex A of this letter.

47. An applicant for any consent, agreement or approval required by a condition of this permission for agreement of reserved matters has a statutory right of appeal to the Secretary of State if consent, agreement or approval is refused or granted conditionally or if the Local Planning Authority fail to give notice of their decision within the prescribed period.

48. This letter does not convey any approval or consent which may be required under any enactment, bye-law, order or regulation other than section 57 of the Town and Country Planning Act 1990.

Right to challenge the decision

49. A separate note is attached setting out the circumstances in which the validity of the Secretary of State's decision may be challenged by making an application to the High Court within 6 weeks of the date of this letter.

50. A copy of this letter has been sent to St Albans City and District Council and interested third parties.

Yours faithfully

Jean Nowak

Authorised by the Secretary of State to sign in that behalf

Annex B: CONDITIONS

APPEAL A: APP/B1930/A/05/1177923

Planning permission should be granted in accordance with the drawings listed in Inquiry Document A44 and subject to the following conditions:

- 1) The development hereby permitted shall begin before the expiration of five years from the date of this decision.
- 2) Notification shall be given in writing to the local planning authority and Hertfordshire County Council of the commencement of the development hereby approved.
- 3) No development shall take place until details, including samples, of the materials to be used in the construction of the external surfaces of the buildings hereby permitted have been submitted to and approved in writing by the local planning authority. Development shall be carried out in accordance with the approved details.
- 4) Notwithstanding the information shown on the application plans:
 - a) the replacement curtain walling for all the listed buildings shall be constructed in accordance with the details shown on the drawings in Appendix 4 in Inquiry Document A11 unless the local planning authority gives written consent to any variation;
 - b) the spandrel panels and glass to be used in the curtain walling shall be in accordance with details, including samples, first submitted to and approved in writing by the local planning authority.
- 5) Notwithstanding the information shown on drawing A3503/2.1/55, the new west façade to Block C, including all windows and doors, and the new roof over the western part of Block C shall all be constructed in accordance with details first submitted to and approved in writing by the local planning authority.
- 6) The canopy on the south side of Block E shall be constructed in accordance with details first submitted to and approved in writing by the local planning authority.
- 7) Notwithstanding the information shown on the application plans, the windows and doors (and their openings) and the balconies of the new buildings shall be constructed in accordance with details first submitted to and approved in writing by the local planning authority.
- 8) Site foundations shall be constructed in accordance with details first submitted to and approved in writing by the local planning authority.
- 9) No dwelling in any building shall be occupied until the vehicular access to the site relevant to that building has been constructed in accordance with details first submitted to and approved in writing by the local planning authority.
- 10) No dwelling in any building shall be occupied until the car parking spaces assigned to that building (in accordance with a parking assignment layout first submitted to and approved in writing by the local planning authority) have been constructed, surfaced and permanently marked out. No car parking space shall thereafter be used for any purpose other than car parking.
- 11) No dwelling shall be occupied until the play area shown on drawing A3503/2.1/13A and related to that dwelling has been laid out and equipped in accordance with details first submitted to and approved in writing by the local planning authority. No play area shall thereafter be used for any purpose other than as a play area.

- 12) No dwelling shall be occupied before the means of enclosure for refuse storage related to that dwelling has been provided in accordance with details first submitted to and approved in writing by the local planning authority.
- 13) Development shall not begin until a scheme to deal with contamination of the site has been submitted to and approved in writing by the local planning authority. The scheme shall include an investigation and assessment to identify the extent of contamination and the measures to be taken to avoid risk of pollution to groundwater or surface water run-off. No dwelling shall be occupied until the measures approved in the scheme have been implemented and a closure report certifying such implementation has been submitted to the local planning authority.
- 14) No dwelling in any building shall be occupied until works for the disposal of surface water from that building and its associated hard surfaces have been completed in accordance with the details contained in Inquiry Document A43 or any variation first submitted to and approved in writing by the local planning authority.
- 15) No external lighting shall be installed other than in accordance with the details first submitted to and approved in writing by the local planning authority.
- 16) No satellite antennae shall be fixed to any of the listed buildings save for two satellite antennae, each no more than 80cm diameter, to be erected on Block B in accordance with details of locations and fixings first submitted to and approved in writing by the local planning authority.
- 17) Development shall not begin until an Arboricultural Method Statement (AMS) for the protection of trees to be retained (hereafter referred to as retained trees) has been submitted to and approved in writing by the local planning authority. The AMS shall be generally in accordance with the guidance in BS5837:2005, *Trees in relation to construction – Recommendations*, and BS3998:1989, *Recommendations for tree work*, and shall include:
 - a) a plan showing the positions, crown spreads, and root protection areas (RPAs) of all retained trees on the site; the ground level at the base of all retained trees and the position of all trees to be removed;
 - b) a schedule giving details of each retained tree;
 - c) a schedule of works to every retained tree, specifying pruning and all other remedial or preventative work;
 - d) written proof of the credentials of the arboricultural contractor authorised to carry out the scheduled works;
 - e) the positions and details of ground protection zones (GPZs);
 - f) the positions and details of tree protection barriers (TPBs) and any ground protection, all identified separately where required for different phases of development, including demolition;
 - g) the positions and details of construction exclusion zones (CEZs);
 - h) the positions and details of existing and proposed underground service runs;
 - i) details of any special engineering (in connection with foundations, bridging, surfacing water features and the like) required to accommodate the protection of retained trees;
 - j) details of the working methods to be used for demolition work within or adjacent to RPAs;
 - k) details of the working methods to be used for the installation of hard surfaces within RPAs;

- l) details of the working methods to be used with regard to access for and the use of large, heavy or difficult to use plant on the site;
 - m) details of the working methods to be used with regard to site logistics and storage;
 - n) details of any site cabins within RPAs, including their stationing, use and removal;
 - o) details of tree protection measures during the implementation of hard and soft landscaping;
 - p) the timing of the various phases of the development in the context of tree protection measures.
- 18) TPBs must be erected prior to each phase for which they are necessary and must remain in place and intact for the duration of that phase and until all equipment, machinery and surplus materials associated with that phase have been removed from the site. Nothing shall be stored or placed within any area fenced in accordance with this condition, the existing ground levels shall not be altered and nor shall any excavation be made within the RPAs without the prior written consent of the local planning authority.
- 19) No excavation or hard surface replacement or refurbishment within any RPA shall be undertaken other than in accordance with full details of the method of excavation, the type of foundation, sub-base or surface treatment proposed, the means of protection of tree roots and an arboricultural method statement, all of which have first been submitted to and approved in writing by the local planning authority.
- 20) Development, including demolition, shall not begin until a scheme of supervision of the arboricultural protection measures by an appropriately qualified arboriculture consultant has been submitted to and approved in writing by the local planning authority. The scheme shall be implemented as approved and shall include details of:
- a) induction and personnel awareness of arboricultural matters;
 - b) identification of key responsibilities and key personnel;
 - c) a statement of delegated powers;
 - d) timing and methods of site visiting and record keeping;
 - e) procedures for dealing with variations and incidents, and
 - f) methods for and contents of interim and final reports.
- 21) No retained tree shall be cut down, uprooted or destroyed, nor shall any retained tree be topped or lopped other than in accordance with the approved plans and particulars, without the prior written approval of the local planning authority. If any retained tree is removed, uprooted or destroyed or dies, another tree shall be planted at the same place and that tree shall be of such size and species and shall be planted at such time as may be specified in writing by the local planning authority.
- 22) No development shall take place until full details of both hard and soft landscape works have been submitted to and approved in writing by the local planning authority. The details shall include proposed finished levels or contours, means of enclosure, car parking layouts, other vehicle and pedestrian access and circulation areas, hard surfacing materials, furniture and signs, and planting plans and specifications, including schedules of plants. All hard and soft landscape works

shall be carried out in accordance with the approved details and to a programme agreed in writing with the local planning authority.

- 23) A landscape management plan for all landscape areas shall be submitted to and approved in writing by the local planning authority prior to first occupation of any phase of the development. The plan shall include long term design objectives, management responsibilities, maintenance schedules and provisions for the replacement of any tree, new or retained, which is removed, uprooted or destroyed or dies. The landscape management plan shall be carried out as approved.
- 24) No demolition, site clearance or construction work shall take place before appropriate provision has been made, in accordance with details first submitted to and approved in writing by the local planning authority, for:
 - a) site huts, materials storage and contractors' compounds;
 - b) on-site parking for contractors and other personnel;
 - c) wheel washing facilities; and
 - d) temporary fencing of site boundaries or of compounds within the site.
- 25) No demolition, site clearance or construction work, and no deliveries to or collections from the site during the construction period, shall take place outside the hours of 0730-1800 on Mondays to Fridays, 0800-1300 on Saturdays or at any time on Sundays or Bank or Public Holidays.
- 26) No burning shall take place on the site without the prior written consent of the local planning authority.

APPEAL B: APP/B1930/E/05/1177924

Listed building consent should be granted in accordance with the drawings listed in Inquiry Document A44 and subject to the following conditions:

- 1) The works hereby authorised shall begin not later than five years from the date of this consent.
- 2) Notwithstanding the information shown on the application plans:
 - a) the replacement curtain walling for all the listed buildings shall be constructed in accordance with the details shown on the drawings in Appendix 4 to Inquiry Document A11 unless the local planning authority gives written consent to any variation;
 - b) the spandrel panels and glass to be used in the curtain walling shall be in accordance with details, including samples, first submitted to and approved in writing by the local planning authority.
- 3) Notwithstanding the information shown on the application plans, the following shall be implemented in accordance with details first submitted to and approved in writing by the local planning authority:
 - a) the replacement roofing on all the listed buildings, including verge details;
 - b) the floating floors to be installed in all the flats in the listed buildings; and
 - c) the blind system to be installed in all the listed buildings, including details of materials.

- 4) No satellite antennae shall be fixed to any of the listed buildings save for two satellite antennae, each no more than 80cm diameter, to be erected on Block B in accordance with details of locations and fixings first submitted to and approved in writing by the local planning authority.
- 5) Notwithstanding the information shown on drawing A3503/2.1/55, the new west façade to Block C, including all windows and doors, and the new roof over the western part of Block C shall be constructed in accordance with details first submitted to and approved in writing by the local planning authority.
- 6) The canopy on the south side of Block E shall be constructed in accordance with details first submitted to and approved in writing by the local planning authority.
- 7) All works, externally and internally, shall be made good in materials to match those existing.

APPEAL C: APP/B1930/E/05/1177926

Conservation area consent should be granted in accordance with the drawings listed in Inquiry Document A44 and subject to the following conditions:

- 1) The works hereby authorised shall be begun not later than five years from the date of this consent.
- 2) The works of demolition hereby authorised shall not be carried out before a contract for the carrying out of works of redevelopment of the site has been made and planning permission has been granted for the redevelopment for which the contract provides.