



Department for  
Communities and  
Local Government

Mr Vincent Gabbe BA (Hons) MRTPI  
Director – Planning & Development  
Lambert Smith Hampton  
UK House  
180 Oxford Street  
London, W1D 1NN

Our Ref: APP/B1930/W/15/3051164

Date: 1 November 2017

Email: VGabbe@lsh.co.uk

Dear Sir

**TOWN AND COUNTRY PLANNING ACT 1990 – SECTION 78  
APPEAL MADE BY OAKLANDS COLLEGE AND TAYLOR WIMPEY NORTH THAMES  
LAND AT OAKLANDS COLLEGE, ST ALBANS CAMPUS, ST ALBANS, AL4 0JA  
APPLICATION REFERENCE No. 5/13/2589**

1. I am directed by the Secretary of State to say that consideration has been given to the report of the Inspector, Phillip J G Ware BSc (Hons) DipTP MRTPI, who held a public local inquiry on 10-13 May and 17-20 May 2016 into your clients appeal against the decision of St Albans City and District Council to refuse planning permission for your clients application for planning permission for comprehensive redevelopment to provide new and refurbished college buildings, enabling residential development of 348 dwellings, car parking, associated access and landscaping, including the demolition of existing buildings, in accordance with application reference no. 5/13/2589 dated 30 September 2013.
2. On 10 July 2015, this appeal was recovered for the Secretary of State's determination, in pursuance of section 79 of, and paragraph 3 of Schedule 6 to, the Town and Country Planning Act 1990 because it involves proposals for significant development in the Green Belt.

**Inspector's recommendation and summary of the decision**

3. The Inspector recommended that the appeal be allowed, and planning permission granted subject to conditions.
4. For the reasons given below, the Secretary of State agrees with the Inspector's conclusions, except where stated, and agrees with his recommendation. He has decided to grant planning permission. A copy of the Inspector's report (IR) is enclosed. All references to paragraph numbers, unless otherwise stated, are to that report.

## **Environmental Statement**

5. In reaching this position, the Secretary of State has taken into account the Environmental Statement which was submitted under the Town and Country Planning (Environmental Impact Assessment) Regulations 2011 and the environmental information submitted before the inquiry opened. The Secretary of State is satisfied that the Environmental Statement and other additional information provided complies with the above Regulations and that sufficient information has been provided for him to assess the environmental impact of the proposal.

## **Procedural matters**

6. The Inspector notes that following the refusal of planning permission, minor amendments were made to the layout of part of the residential element of the proposal, intended to address the reason for refusal related to the effect of the proposed residential development on protected trees. This was the subject of a 28 day public consultation exercise beginning on 18 May 2015, with responses explained in the Statement of Common Ground. The Secretary of State notes that no party objected to this amendment and he agrees that there is no suggestion that the interests of any party would be prejudiced (IR 2). The Secretary of State does not consider that the issue that led to a minor change raises any matters that would require him to refer back to the parties for further representations prior to reaching his decision on this appeal, and he is satisfied that no interests have thereby been prejudiced.

## **Matters arising since the close of the Inquiry**

7. Following the closure of the inquiry the Secretary of State has received correspondence from the Marshalswick North Residents Association reiterating its concerns about the proposed development along with a copy of the submission document which the Residents Association had presented to the Inspector at the public local inquiry. Anne Main MP has also written to the Secretary of State asking that the impact on residents and services caused by this large development on Green Belt land are taken into account, and raises her constituents' wider fears that major developments in neighbouring areas could result in the eventual coalescence of St Albans, Hatfield and Welwyn. A list of representations which have been received since the inquiry is at Annex A. Copies of these letters may be obtained on written request to the address at the foot of the first page of this letter.
8. On 17 May 2017, the Secretary of State wrote to the main parties to afford them an opportunity to comment on the implications, if any, of the Supreme Court Judgement on the cases of Cheshire East BC v SSCLG and Suffolk DC v SSCLG which was handed down on 10 May 2017. A list of representations received in response to this letter is at Annex B. These representations were circulated to the main parties on 5 June 2017
9. The Secretary of State has given careful consideration to the issues raised when reaching his decision set out below and no other new issues were raised in this correspondence to warrant further investigation or necessitate additional referrals back to parties.

## **Policy and statutory considerations**

10. In reaching his decision, the Secretary of State has had regard to section 38(6) of the Planning and Compulsory Purchase Act 2004 which requires that proposals be determined in accordance with the development plan unless material considerations indicate otherwise.

11. In this case the development plan consists of the saved policies of the St Albans District Local Plan Review (1994) (LP). The Secretary of State considers that the development plan policies of most relevance to this case are those set out by the Inspector at IR114. The site is within the Metropolitan Green Belt as defined on the LP proposals map and is outside the settlement area of St Albans defined by the LP.
12. Other material considerations which the Secretary of State has taken into account include the National Planning Policy Framework ('the Framework') and associated planning guidance ('the Guidance').

#### *Emerging plan*

13. The emerging plan comprises the publication draft St Albans City & District Council Strategic Local Plan 2011-2031 (SLP) which was submitted to the Secretary of State for examination in August 2016. The Secretary of State notes that the appeal site falls within a wider area identified by the SLP as one of the Broad Locations (East St Albans (Oaklands)) where a minimum of 1,000 homes is expected (SLP Policy 13d).
14. Paragraph 216 of the Framework states that decision makers may give weight to relevant policies in emerging plans according to: (1) the stage of preparation of the emerging plan; (2) the extent to which there are unresolved objections to relevant policies in the emerging plan; and (3) the degree of consistency of relevant policies to the policies in the Framework. The Secretary of State notes that following the initial hearing session the Local Plan Inspector wrote to the St Albans City & District Council on 28 November 2016 concluding that the Council had not met its duty to co-operate with neighbouring planning authorities. This remains the current position. The Secretary of State has had regard to the emerging SLP but given its current position he gives it limited weight.

#### **Main Issues**

15. The Secretary of State agrees with the Inspector that all of the considerations set out at IR143 are main considerations. In addition, the Secretary of State finds that the housing land supply figure is a main consideration, including in relation to whether or not those Local Plan policies directly relating to the supply of housing are out of date.

#### *Green Belt considerations*

16. The Secretary of State has taken account of the Inspector's reasoning at IR155-162 and agrees with his overall conclusions at IR163 that the proposal is inappropriate development in the Green Belt, which is harmful by definition and that there would be additional harm by reason of a reduction in openness and by virtue of encroachment into the countryside. The Secretary of State therefore agrees with the Inspector that there is conflict with LP policy 1 and national policy and that the proposal should not be approved except in very special circumstances. In line with paragraph 88 of the Framework, he attributes substantial weight to harm to the Green Belt caused by the proposed development.

#### *The effect on the character and appearance of the area*

17. The Secretary of State has carefully considered the Inspector's reasoning at IR164-178 and he agrees with his conclusion at IR179 that the beneficial effect of the college development in landscape terms goes some way towards balancing the harm caused by the residential development. The Secretary of State agrees that overall the combined proposal would cause some limited harm to the character and appearance of the area, although he shares the Inspector's view that this must be set in the context of the lack of a landscape designation and the absence of any conflict with the development plan. Overall, the

Secretary of State gives limited weight to harm to the character and appearance of the area.

*The effect on the protected trees in Beaumont Wood*

18. The Secretary of States agrees with the Inspector that Beaumont Wood contributes to the visual amenity of the area and is a resource worthy of protection. Having carefully considered the Inspector's analysis at IR 180-190 however, the Secretary of State agrees with him that the proposed residential development would not harm protected trees in Beaumont Wood, and would not conflict with LP policy 74.

*Educational benefits*

19. Like the Inspector, the Secretary of State considers that the importance of the delivery of high quality education is a national and local priority and he notes that this is common ground between the parties. He also notes Oaklands College is agreed to be the main provider of further education in the District and the quality of the educational offer at the College is not in dispute. The Inspector reports that many of the existing buildings are of very poor quality and are wholly unsuited to the provision of the high standard of education which the College continues to provide. Other buildings are temporary structures which have clearly outlived their normal life, and are in a poor state of repair (IR 193) and that a backlog of expensive maintenance has built up, and the running costs of the buildings have escalated (IR 194).
20. The Secretary of State acknowledges the clear evidence of the College that it could only fund the scheme by way of residential development and that the Council did not produce any evidence to indicate that alternative external or internal funding was available (IR 195). Furthermore, the Secretary of State agrees with the Inspector that the Council did not put forward any educational or viability evidence to suggest that development on a smaller scale could properly meet the needs of the College and its students (IR 196).
21. The Secretary of State agrees with the Inspector that overall there is agreement between the parties that significant weight should be attributed to the educational benefits of the proposal (IR 200) and that there is no evidence from the Council to demonstrate that a lesser option could secure the educational improvements needed by the College. The Secretary of State therefore agrees with the Inspector that the delivery of significant improvements to the College weighs heavily in favour of the proposal (IR 201).

*Enhancement of beneficial Green Belt uses*

22. The Secretary of State agrees with the Inspector at IR 202 that the proposed development carries with it a number of benefits for uses and facilities within the Green Belt. These advantages are largely agreed by the parties as material considerations in favour of the proposal as set out in the Statement of Common Ground. The Secretary of State agrees with the Inspector at IR203 that these benefits should be given some weight. The Secretary of State considers they should be given moderate weight in favour of the proposal.

*Housing delivery*

23. The Secretary of State notes that the benefit arising from the provision of market and affordable housing is very largely a matter of common ground between the main parties (IR 204). He also notes that the published assessment of housing land supply in the Annual Monitoring Report (December 2015) indicates an identified supply, at a baseline date of 1 April 2015, of 3.49 years, including a 5% buffer (IR 206), although the more recently published Annual Monitoring Report (December 2016) indicates this supply, at a baseline date of 31 March 2016 has slightly increased to 3.72 years including a 5% buffer.

Despite this increase in housing land supply the Secretary of State considers this does not affect the matter of common ground between the parties that the authority is unable to demonstrate a five year supply of deliverable housing land as required by the Framework (IR 207).

24. While the Inspector considered whether paragraph 14 of the Framework was engaged (IR207-208), this part of his consideration has now been superseded by the Supreme Court Judgement. In this respect, the Secretary of State disagrees with the Inspector that LP policies 1 and 2, dealing with the Green Belt and settlement strategy, are relevant policies for the supply of housing and so are out of date. However, given that the Council cannot demonstrate a five year supply of deliverable housing, and the contribution the proposal would make to meeting the significant shortfall, the Secretary of State considers that those Local Plan policies directly relating to the supply of housing must be deemed as out of date. In accordance with paragraph 49 of the Framework, he therefore considers that paragraph 14 of the Framework is still engaged.
25. The proposal would deliver a significant quantum and range of market housing, which would make a significant contribution towards the need in the District. The Secretary of State agrees with the Inspector that in the light of the absence of a five year supply the provision of the proposed new market housing should be afforded significant weight (IR 209). The scheme would also provide 35% of dwellings (121 units) as affordable housing (IR 210) and the Secretary of State again agrees with the Inspector that this aspect of the proposal should be given significant weight. The Secretary of State agrees with the Inspector overall that the weight this matter adds in favour of the appeal scheme is significant (IR 212).

*The effect on heritage assets*

26. For the reasons given by the Inspector at IR 213-216, the Secretary of State agrees with the Inspector that the removal of unsympathetic extensions to the Mansion House, along with the intention to improve the setting of the other historic features of the campus, would be a benefit in heritage terms. However given the scale of the overall scheme and the undesignated status of the Mansion House, the Secretary of State considers only limited weight can be afforded to this aspect. He agrees however that the clearing of the central area and the improvements to the Mansion House are benefits of the appeal proposal.

*The Watling Chase Community Forest (WCCF)*

27. For the reasons given at IR 217-223, the Secretary of State agrees with the Inspector that this matter is neutral in the planning balance.

*The effect on the Sandpit Lane area – traffic, flooding and Rights of Way*

28. The Secretary of State acknowledges that some residents have expressed concern at the increased level of traffic along Sandpit Lane, but for the reasons given by the Inspector at IR224-225, and in the absence of any objection from the Highway Authority or any detailed evidence from any other party he agrees that this factor is neutral in the planning balance.
29. While the Secretary of State notes the clear photographic evidence from residents of flood events in the recent past, the Environment Agency has withdrawn its initial objection and the Secretary of State agrees that there is no technical evidence to counter the appellants' evidence. The Secretary of State agrees with the Inspector that this factor is neutral in the planning balance (IR 227-228).
30. The Secretary of State also accepts the matters relating to a new footpath as reported by the Inspector at IR 229 are at an early stage and does not weigh against the proposal.

## **Planning conditions**

31. The Secretary of State has given consideration to the Inspector's analysis at IR 231-239 the recommended conditions set out at the end of the IR and the reasons for them, and to national policy in paragraph 206 of the Framework and the relevant Guidance. He is satisfied that the conditions recommended by the Inspector comply with the policy test set out at paragraph 206 of the Framework and that the conditions set out at Annex C should form part of his decision.

## **Planning obligations**

32. Having had regard to the Inspector's analysis at IR 240-242, the planning obligation dated 20 May 2016, paragraphs 203-205 of the Framework, the Guidance and the Community Infrastructure Levy Regulations 2010, as amended, the Secretary of State agrees with the Inspector's conclusion for the reasons given in IR 241 that the obligation complies with Regulation 122 of the CIL Regulations and the tests at paragraph 204 of the Framework and is necessary to make the development acceptable in planning terms, is directly related to the development, and is fairly and reasonably related in scale and kind to the development.

## **Planning balance and overall conclusion**

33. For the reasons given above, the Secretary of State agrees with the Inspector at IR 243 that the appeal scheme is not in accordance with the development plan in relation to Green Belt and settlement policies. The Secretary of State has gone on to consider whether there are material considerations which indicate that the proposal should be determined other than in accordance with the development plan.
34. Paragraph 14 of the Framework states that planning permission should be granted unless (a) any adverse impacts of doing so significantly and demonstrably outweigh the benefits, when assessed against policies in the Framework as a whole or (b) specific policies in the Framework indicate development should be restricted.
35. The Secretary of State agrees with the Inspector (IR 248) that the proposal is inappropriate development in the Green Belt, which is harmful by definition. He further agrees there would be additional harm by reason of a reduction in openness and by virtue of encroachment into the countryside. Therefore he attributes substantial weight to the harm to the Green Belt caused by the proposed development.
36. The Secretary of State agrees with the Inspector that there would be some limited harm to the character and appearance of the area (IR249) and he gives limited weight to this harm.
37. The Secretary of State agrees with the Inspector that the delivery of significant improvements to the College weighs very heavily in favour of the proposal (IR 251). The Secretary of State gives the educational benefits significant weight in favour of the proposal. He also agrees with the Inspector that in light of the lack of a five year housing land supply, the proposed market and affordable housing is a significant benefit (IR 252) that carries significant weight in favour of the proposal. Additionally, the Secretary of State agrees that the enhancement of beneficial Green Belt uses carry moderate weight in favour of the proposal. The Secretary of State gives limited weight to improvements to the non-designated heritage assets (IR 253).
38. The Secretary of State shares the Inspector's view that the effect on protected trees in Beaumont Wood, the relationship with the policies related to the Watling Chase Community

Forest, and the effect on traffic and flooding in the Sandpit Lane area are neutral factors in the planning balance (IR 254).

39. Overall, the Secretary of State agrees with the Inspector that the considerations summarised above clearly outweigh the harm to the Green Belt, justifying the proposal on the basis of very special circumstances (IR 255). He therefore concludes that relevant policies relating to development in the Green Belt do not indicate that the proposed development should be restricted. The Secretary of State also concludes that the adverse impacts of the proposed development would not significantly and demonstrably outweigh the benefits
40. Overall, the Secretary of State agrees with the Inspector that there are persuasive material considerations which warrant a decision other than in accordance with the development plan (IR255).

### **Formal decision**

41. Accordingly, for the reasons given above, the Secretary of State agrees with the Inspector's recommendation. He hereby allows your client's appeal and grants planning permission subject to the conditions set out in Annex C of this decision letter for planning permission for comprehensive redevelopment to provide new and refurbished college buildings, enabling residential development of 348 dwellings, car parking, associated access and landscaping, including the demolition of existing buildings, in accordance with application reference no. 5/13/2589 dated 30 September 2013.
42. 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**

43. A separate note is attached setting out the circumstances in which the validity of the Secretary of State's decision may be challenged. This must be done by making an application to the High Court within 6 weeks from the day after the date of this letter for leave to bring a statutory review under section 288 of the Town and Country Planning Act 1990.
44. A copy of this letter has been sent to St Albans City and District Council, and notification has been sent to others who asked to be informed of the decision.

Yours faithfully

*David Moseley*

**David Moseley**

Authorised by Secretary of State to sign in that behalf

**SCHEDULE OF REPRESENTATIONS**

**Representations received following the closure of the Inquiry**

<b>Party</b>	<b>Date</b>
Jim Watson On behalf of the Marshalwick North Residents' Association	22 July 2016 and 12 August 2016
Mrs Anne Main MP	13 July 2016 and 4 November 2016



**Annex B**

**Representations received in response to the Secretary of State's letter of 17 May 2017**

<b>Party</b>	<b>Date</b>
Vincent Gabbe, VRG Planning	31 May 2017
David Edwards, Principal Legal Executive, St Albans City and District Council	31 May 2017

**Representations received in response to the Secretary of State's email of 5 June 2017, which circulated Vincent Gabbe, VRG Planning representation of 31 May 2017 and David Edwards, Principal Legal Executive, St Albans City and District Council representation of 31 May 2017**

No representations received	
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**APP/B1930/W/15/3051164**

1. The development hereby permitted shall be carried out in accordance with the following approved plans:

College plans: 2012.231/100, 2012-231-ZoX/101, 2012-231-ZoX/105, 2012.231-ZoX/150, 2012-231-ZoX/200, 2012-231-ZoX/201, 2012.231-ZoX/205, 2012-231-ZoX/305, 2012-231-ZoA/200, 2012-231-ZoA/201, 2012-231-ZoA/202, 2012-231-ZoA/203, 2012-231-ZoA/210, 2012-231-ZoA/211, 2012-231-ZoA/220, 2012-231-ZoA/302, 2012-231-ZoB/200, 2012-231-ZoB/201, 2012-231-ZoB/202, 2012-231-ZoB/203, 2012-231-ZoB/204, 2012-231-ZoB/210, 2012-231-ZoB/220, 2012-231-ZoC/200, 2012-231-ZoC/201, 2012-231-ZoC/202, 2012-231-ZoC/203, 2012-231-ZoC/204, 2012-231-ZoC/210, 2012-231-ZoC/220, 2012-231-ZoD/200, 2012-231-ZoD/201, 2012-231-ZoD/202, 2012-231-ZoD/203, 2012-231-ZoD/210, 2012-231-ZoD/220, 2012-231-ZoE/200, 2012-231-ZoE/201, 2012-231-ZoE/203, 2012-231-ZoE/210, 2012-231-ZoE/220, 2012-231-ZoF/200

Residential plans: LSD59-01 Rev S, LSD59-02 Rev S, LSD59-03 Rev P, LSD59-04 Rev E, LSD59-10, LSD59-20, LSD59-30, LSD59-31, LSD59-32, LSD59-33, LSD59-34, LSD59-35, LSD59-36, LSD59-37, LSD59-38, LSD59-40, LSD59-41, LSD59-50 Rev B, LSD59-51 Rev B, LSD59-52 Rev B, LSD59-53 Rev A, LSD59-54 Rev B, LSD59-55 Rev B, LSD59-56 Rev B, LSD59-57 Rev B, LSD59-58 Rev B, LSD59-59 Rev B, LSD59-60 Rev B, LSD59-61 Rev A, LSD59-62 Rev A, LSD59-70-A3-NTS Rev C, LSD59-71-A3-NTS Rev C, LSD59-72-A3-NTS Rev B, LSD59-73-A3-NTS Rev B, LSD59-74-A3-NTS Rev A, LSD59-75-A3-NTS Rev B, LSD59/168-170/PL1, LSD59/59/A/PL1 Rev F, LSD59/59/B/PL1 Rev E, LSD59/59/B/PL2 Rev C, LSD59/59/B/PL3 Rev C, LSD59/59/C/PL1 Rev E, LSD59/59/C/PL2 Rev E, LSD59/59/D/PL1 Rev D, LSD/59/E/PL1 Rev C, LSD/59/E/PL2 Rev B, LSD/59/E/PL3 Rev B, LSD/59/F/PL1 Rev E, LSD/59/G/PL1 Rev E, LSD/59/G/PL2 Rev D, LSD/59/H/PL1 Rev E, LSD/59/J/PL1 Rev F, LSD/59/K/PL1 Rev F, LSD/59/L/PL1 Rev E, LSD/59/L/PL2 Rev D, LSD/59/M/PL1 Rev F, LSD/59/N&P/PL1 Rev D, LSD/59/R/PL1 Rev G, LSD/59/S/PL1 Rev E, LSD/59/T/PL1 Rev E, LSD/59/T/PL2 Rev D, LSD/59/U/PL1 Rev C, LSD/59/V/PL1 Rev D, LSD/59/W/PL1 Rev C, 31278-101 Rev C, 31278-102 Rev C, 31278-103 Rev C, 31278/110/-, 31278/111/-, 17226/1001 Rev H, 17226/1002 Rev E, 17226/1003 Rev E, EED13778-AA-74-001- A10, EED13778-AA-74-002- A10, EED13778-AA-74-003- A06

2. The development hereby permitted shall be begun before the expiration of 3 years from the date of this permission.
3. The proposed development shall be carried out in accordance with the phasing plan contained within the Section 106 agreement dated 20 May 2016, specifically drawing reference LSD59-10 dated July 2013 (Residential phasing) and drawing reference 102\_GR\_ES\_6.1A dated August 2013 (College phasing).

Conditions related to the College development

4. In this condition "retained tree" means an existing tree, hedge or hedgerow which is to be retained in accordance with details to be submitted to and approved in writing by the

local planning authority prior to commencement of development; and paragraphs (a) and (b) below shall have effect until the expiration of 1 year from the date of the occupation of each phase of the College development for the permitted use.

- a) 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 written approval of the local planning authority. Any topping or lopping approved shall be carried out in accordance with British Standard [3998 (Tree Work)].
  - b) 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.
  - c) The erection of fencing for the protection of any retained tree shall be undertaken in accordance with the approved plans and particulars before any equipment, machinery or materials are brought on to the site for the purposes of the development, and shall be maintained until all equipment, machinery and surplus materials have been removed from the site. Nothing shall be stored or placed in any area fenced in accordance with this condition and the ground levels within those areas shall not be altered, nor shall any excavation be made, without the written consent of the local planning authority.
5. If, during the College development, contamination not previously identified is found to be present at the site then no further College development shall be carried out until the developer has submitted a remediation strategy to the local planning authority detailing how this unsuspected contamination shall be dealt with and obtained written approval from the local planning authority. The remediation strategy shall be implemented as approved.
  6. Prior to the commencement of the College development hereby permitted, a survey shall be carried out to identify the presence of any asbestos on the site, either bonded with cement or unbonded. If asbestos cement is found it should be dismantled carefully, using water to dampen down, and removed from site. If unbonded cement is found the Health and Safety Executive shall be contacted and the asbestos shall be removed by a licensed contractor.
  7. No development involved in the College development shall take place on site until the applicant, or their agent or successor in title, has agreed an archaeological watching brief in accordance with a specification which has been submitted by the applicant and approved in writing by the local planning authority. The watching brief shall be implemented as agreed therein.
  8. No works or development shall take place in the College development until full details of all proposed tree planting and soft landscaping and the proposed times of planting, have been approved in writing by the local planning authority, and all tree planting shall be carried out in accordance with those details and at those times. If within a period of five years from the date of the planting of any tree that tree, or any tree planted in replacement for it, is removed, uprooted or destroyed or dies, or becomes, in the opinion of the local planning authority, seriously damaged or defective, another tree of the same species and size as that originally planted shall be planted at the same place, unless the local planning authority gives its written consent to any variation.

9. No College development shall take place until details of hard landscape works for that element of the development been submitted to and approved in writing by the local planning authority and these works shall be carried out as approved prior to the occupation of the relevant phase of the development or in accordance with a programme to be agreed with the local planning authority. These details shall include:
  - a) proposed finished levels and contours;
  - b) means of enclosure;
  - c) car parking layouts;
  - d) other vehicle and pedestrian access and circulation areas;
  - e) hard surfacing materials;
  - f) minor artefacts and structures (e.g. furniture, play equipment, refuse or other storage units, signs, lighting etc);
  - g) proposals for the long term management of the site.
10. No College development shall take place until details of finished floor levels for all of the College and associated buildings have been submitted to and approved in writing by the local planning authority. Development for that element of the development shall be carried out in accordance with the approved details.
11. Prior to the commencement of the construction of the College development, samples of the materials to be used in the construction of the external surfaces of that element of the development hereby permitted shall be submitted to and approved in writing by the local planning authority. Development of the College phase shall be carried out in accordance with the approved details.
12. The College development shall not commence until a drainage strategy detailing any on and/or off site drainage works, has been submitted to and approved by, the local planning authority. No discharge of foul or surface water from the site shall be accepted into the public system until the drainage works referred to in the strategy have been completed.
13. No impact piling shall take place in relation to the College development until a piling method statement (detailing the depth and type of piling to be undertaken and the methodology by which such piling will be carried out, including measures to prevent and minimise the potential for damage to subsurface sewerage infrastructure, and the programme for the works) has been submitted to and approved in writing by the local planning authority. Any piling must be undertaken in accordance with the terms of the approved piling method statement.
14. Prior to the first occupation of the College development, details of external lighting shall be submitted to and agreed in writing by the local planning authority. The development shall be carried out in accordance with the details so approved.
15. Construction of the College development hereby approved shall not commence until details of construction management plan setting out construction vehicle, number,

routing, parking, location of construction materials and equipment, temporary measures and wheel washing facilities to avoid construction vehicles depositing of mud and debris on the highway are submitted to and approved by the planning and highway authority. Development shall be carried out in accordance with the agreed document.

16. No demolition or construction works relating to this permission shall be carried out on any Sunday or Bank Holiday, nor before 07.30 hours or after 18.00 hours on Monday to Friday, nor on any Saturday before 08.00 hours or after 13.00 hours.
17. The College development hereby permitted shall not be commenced until a detailed surface water drainage scheme for the site, based on the agreed Flood Risk Assessment (FRA) prepared by Waterman (ref: CIV 14311 ES002, dated September 2013) and appended Technical Note prepared by Elliott Wood (ref: CIV14311 ES 002) has been submitted to and approved in writing by the local planning authority. The drainage strategy shall include:
  - a) A restriction in run-off and surface water storage on site as outlined in the Drainage Strategy.
  - b) Infiltration systems only to be used where it can be demonstrated that they will not pose a risk to groundwater quality

The scheme shall subsequently be implemented in accordance with the approved details before the development is completed.

18. Prior to commencement of the College development no development (or such other date or stage in development as may be agreed in writing with the local planning authority), shall take place until a scheme that includes the following components to deal with the risks associated with contamination of the site shall each be submitted to and approved, in writing, by the local planning authority:
  - a) A site investigation scheme, based on the submitted Preliminary Environmental Risk Assessment (Oaklands College St Albans Campus: Phase 2 Development. Prepared by Waterman Energy, Environment & Design Limited. Document Reference EED12814-105-R-1-2-1-CC. First Issue. July 2013) to provide information for a detailed assessment of the risk to all receptors that may be affected, including those off site.
  - b) The results of the site investigation and detailed risk assessment referred to in (1) 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.
  - c) 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 (2) 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 occupation of the College development hereby approved shall take place until a verification report demonstrating completion of works set out in the approved remediation strategy and the effectiveness of the remediation shall be submitted to and

approved, in writing, by the local planning authority. The report shall include results of sampling and monitoring carried out in accordance with the approved verification plan to demonstrate that the site remediation criteria have been met.

20. The College development hereby permitted shall not be commenced until such time as a scheme to dispose of foul drainage has been submitted to, and approved in writing by, the local planning authority. The scheme shall be implemented as approved.

#### Conditions related to the Residential development

21. Construction of the Residential development hereby approved shall not commence until details of construction management plan setting out construction vehicle, number, routing, parking, location of construction materials and equipment, temporary measures and wheel washing facilities to avoid construction vehicles depositing of mud and debris on the highway are submitted to and approved by the planning and highway authority. Development shall be carried out in accordance with the agreed document.
22. No demolition or construction works relating to this permission shall be carried out on any Sunday or Bank Holiday, nor before 07.30 hours or after 18.00 hours on Monday to Friday, nor on any Saturday before 08.00 hours or after 13.00 hours.
23. In this condition "retained tree" means an existing tree, hedge or hedgerow which is to be retained in accordance with details to be submitted to and approved in writing by the local planning authority prior to commencement of development; and paragraphs (a) and (b) below shall have effect until the expiration of 1 year from the date of the occupation of each phase of the Residential development for the permitted use.
  - a) 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 written approval of the local planning authority. Any topping or lopping approved shall be carried out in accordance with British Standard [3998 (Tree Work)].
  - b) 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.
  - c) The erection of fencing for the protection of any retained tree shall be undertaken in accordance with the approved plans and particulars before any equipment, machinery or materials are brought on to the site for the purposes of the development, and shall be maintained until all equipment, machinery and surplus materials have been removed from the site. Nothing shall be stored or placed in any area fenced in accordance with this condition and the ground levels within those areas shall not be altered, nor shall any excavation be made, without the written consent of the local planning authority.
24. No development involved in Residential development shall take place on site until the applicant, or their agent or successors in title, has agreed an archaeological watching brief in accordance with a specification which has been submitted by the applicant and approved in writing by the local planning authority. The watching brief shall be implemented as agreed therein.

25. No works or development shall take place in the Residential development until full details of all proposed tree planting and soft landscaping and the proposed times of planting, have been approved in writing by the local planning authority, and all tree planting including the tree buffer along the eastern boundary of the Residential site shall be carried out in accordance with those details and at those times.
26. If within a period of five years from the date of the planting of any tree that tree, or any tree planted in replacement for it, is removed, uprooted or destroyed or dies, or becomes, in the opinion of the local planning authority, seriously damaged or defective, another tree of the same species and size as that originally planted shall be planted at the same place, unless the local planning authority gives its written consent to any variation.
27. No Residential development shall take place until details of hard landscape works for that element of the development been submitted to and approved in writing by the local planning authority and these works shall be carried out as approved prior to the occupation of the relevant phase of the development or in accordance with a programme to be agreed with the local planning authority. These details shall include:
  - a) proposed finished levels and contours;
  - b) means of enclosure;
  - c) car parking layouts;
  - d) other vehicle and pedestrian access and circulation areas;
  - e) hard surfacing materials;
  - f) minor artefacts and structures (e.g. furniture, play equipment, refuse or other storage units, signs, lighting etc);
  - g) proposals for the long term management of the site.
28. The Residential development shall not commence until a drainage strategy detailing any on and/or off site drainage works, has been submitted to and approved by, the local planning authority. No discharge of foul or surface water from the site shall be accepted into the public system until the drainage works referred to in the strategy have been completed.
29. Before each unit within the Residential development is occupied, the associated car parking shown on the approved plan have been constructed, surfaced and permanently marked out.
30. The provisions of Schedule 2, Part 1, Class A of the Town and Country Planning (General Permitted Development) Order 1995 (or any order revoking and re-enacting that Order with or without modification) shall not apply to any garage to which this permission relates. No internal or external alterations shall take place to any garage which would preclude its use for housing motor vehicles without the written permission of the local planning authority first being obtained. The garaging so provided shall be maintained as a permanent ancillary use to the development and shall be used for no other purpose at any time.

31. The garages hereby permitted shall be used for the garaging of private vehicles and no trade or business shall be carried out on or from the site or the building.
32. No development of the Residential development shall take place until details of the materials to be used in the construction of the external surfaces of the Residential development hereby permitted have been submitted to and approved in writing by the local planning authority. Construction of the Residential development shall be carried out in accordance with the approved details.
33. Prior to the commencement of the construction of the Residential development details of the proposed finished floor levels of all the residential and associated buildings and the finished ground levels of surrounding property, shall be submitted to and approved in writing by the local planning authority. The development of the Residential phase shall be carried out in accordance with the details so approved.
34. Prior to the commencement of the Residential development, a scheme for external lighting relating to that element of the development shall be submitted to and approved in writing by the local planning authority. The development shall be implemented in accordance with the details so approved.
35. The Residential development hereby permitted shall not be commenced until a detailed surface water drainage scheme for the site, based on the agreed Flood Risk Assessment (FRA) prepared by Waterman (ref: CIV 14311 ES002, dated September 2013) and the Drainage Strategy produced by Knapp Hick & Partners (ref: 31278/R/001/JAS, dated May 2013) has been submitted to and approved in writing by the local planning authority. The drainage strategy shall include:
  - a) A restriction in run-off and surface water storage on site as outlined in the Drainage Strategy.
  - b) Infiltration systems only to be used where it can be demonstrated that they will not pose a risk to groundwater quality

The scheme shall subsequently be implemented in accordance with the approved details before the development is completed.

36. Prior to commencement of the Residential development approved by this planning permission no development (or such other date or stage in development as may be agreed in writing with the local planning authority), shall take place until a scheme that includes the following components to deal with the risks associated with contamination of the site shall each be submitted to and approved, in writing, by the local planning authority:
  - a) A site investigation scheme, based on the submitted Preliminary Environmental Risk Assessment (Oaklands College St Albans Campus: Phase 2 Development. Prepared by Waterman Energy, Environment & Design Limited. Document Reference EED12814-105-R-1-2-1-CC. First Issue. July 2013) to provide information for a detailed assessment of the risk to all receptors that may be affected, including those off site.
  - b) The results of the site investigation and detailed risk assessment referred to in (1) 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.



- c) 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 (2) 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.

- 37. No occupation of the Residential development hereby approved shall take place until a verification report demonstrating completion of works set out in the approved remediation strategy and the effectiveness of the remediation shall be submitted to and approved, in writing, by the local planning authority. The report shall include results of sampling and monitoring carried out in accordance with the approved verification plan to demonstrate that the site remediation criteria have been met.
- 38. If, during the Residential development, contamination not previously identified is found to be present at the site then no further residential development shall be carried out until the developer has submitted a remediation strategy to the local planning authority detailing how this unsuspected contamination shall be dealt with and obtained written approval from the local planning authority. The remediation strategy shall be implemented as approved.
- 39. The Residential development hereby permitted shall not be commenced until such time as a scheme to dispose of foul drainage has been submitted to, and approved in writing by, the local planning authority. The scheme shall be implemented as approved.
- 40. Prior to the first occupation of the Residential development the works approved under Tree Preservation (Order 1567) consent TP/2016/0138 shall be completed. For the avoidance of doubt, the approved works include understorey / reinforcement planting.

[ENDS]