



Appeal Decision

Site visit made on 12 July 2019

by Tom Gilbert-Wooldridge BA (Hons) MTP MRTPI IHBC

an Inspector appointed by the Secretary of State

Decision date: 29th July 2019

Appeal Ref: APP/G2625/W/18/3211004

Car Park adjacent to Sentinel House, Surrey Street, Norwich

- 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 SCY Student Accommodation Ltd against the decision of Norwich City Council.
 - The application Ref 18/00437/F, dated 21 March 2018, was refused by notice dated 21 June 2018.
 - The development proposed was originally described as “redevelopment of the site for student accommodation with associated access, hard and soft landscaping”.
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Decision

1. The appeal is allowed and planning permission is granted for redevelopment of site to provide 252 student bedroom development with associated access and landscaping at Car Park adjacent to Sentinel House, Surrey Street, Norwich in accordance with the terms of the application, Ref 18/00437/F, dated 21 March 2018, subject to the 28 conditions set out in the attached schedule.

Procedural Matter

2. The formal decision above uses the description from the decision notice and appeal form, which specifies the number of student bedrooms.

Background and Main Issues

3. The appeal site comprises a disused car park adjacent to Sentinel House and between Queens Road and Surrey Street. Sentinel House was until recently an office development that has now been converted to residential use under the prior approval process. A number of the units now appear to be occupied. To the east of the site is Carlton Terrace, a 2 storey residential terrace divided into a number of flats.
4. An earlier planning application (ref 17/01295/F) for the redevelopment of the site for student accommodation was refused by the Council’s planning committee on 15 December 2017. The reasons for refusal were twofold. Firstly, that the development would have a negative effect on the living conditions of existing residents at Carlton Terrace, future residents of Sentinel House (not yet occupied at the time of the decision) and future residents of the student accommodation in terms of outlook, light and privacy. Secondly, that the development would have a negative effect on Carlton Terrace as a non-designated heritage asset and also the Norwich City Centre Conservation Area.
5. The appellant submitted a revised application in March 2018 and also appealed against the Council’s first decision. The revised proposal reduced the height and mass of the development, omitted roof terraces and introduced angled

windows on part of the elevation facing Sentinel House. The proposal was refused by the Council's planning committee on 21 June 2018 for two reasons. The first related to the negative effect on the living conditions of existing residents of Carlton Terrace. The second related to the negative effect on the heritage assets at Carlton Terrace and the wider conservation area.

6. The appeal decision on the Council's first decision was issued on 21 August 2018 (ref APP/G2625/W/18/3199892). The Inspector considered that the proposal would preserve the conservation area and not harm the setting of the Carlton Terrace as a heritage asset (as well as nearby listed buildings). He also found that it would have an acceptable effect on the living conditions of residents at Carlton Terrace. However, he concluded that the negative effects on the living conditions of future residents of Sentinel House and the development itself in terms of outlook would significantly and demonstrably outweigh the benefits of the proposal. As a result, he dismissed the appeal.
7. In its statement for this appeal, the Council has not sought to expand on the two reasons for refusal given the conclusions reached by the Inspector in the first appeal decision. However, the Council has identified the Inspector's findings in relation to living conditions at Sentinel House and the development itself and has raised concerns on this matter in terms of outlook. Interested parties, including a petition from many of the new residents of Sentinel House, have objected at the appeal stage in terms of the effect of development on the living conditions of Sentinel House amongst other things.
8. It is necessary for me to have regard to the first appeal decision in order to ensure consistency in the planning process. My decision will consider the differences between the first appeal scheme and the appeal proposal before me. Based on the first Inspector's conclusions, the Council's appeal statement and the views of interested parties, it is necessary for me to consider the effects on the living conditions of occupiers of Sentinel House and the development itself. The appellant has had the opportunity to comment on this issue as part of its appeal submission, particularly in their final comments.
9. Therefore, the main issues for this appeal are the effect of the development on:
 - (a) the living conditions of occupiers of Carlton Terrace, Sentinel House and the development itself, with particular regard to outlook; and
 - (b) the character and appearance of the Norwich City Centre Conservation Area and the setting of the non-designated heritage asset of Carlton Terrace.

Reasons

Living conditions – Sentinel House

10. Sentinel House has a projection along the Surrey Street frontage with windows facing directly towards the site on a south-east elevation. Evidence provided by the appellant and confirmed on site reveals that windows on this elevation at the ground and first floor are obscure glazed, while windows further up are mostly non-obscured. Floor plan information from the appellant indicates that the windows nearest to Surrey Street serve a stairwell and landing, the next nearest serves a bathroom, and those furthest from the road serve a bedroom and a living room/kitchen. The latter space is dual aspect.

11. The Inspector dealing with the first appeal scheme found that the development would be too near to windows on this projecting part of Sentinel House and would result in poor outlook for future occupants of the forthcoming apartments. The amendments to the current appeal scheme reduce the height of the development nearest to this part of Sentinel House from 5 to 4 storeys. The obscure glazing would prevent any negative effects on outlook from Sentinel House at ground and first floor levels. Due to the difference in floor to ceiling heights, windows on the third floor and above at Sentinel House would look out over the top of the development. Only the second floor windows would look directly at the development.
12. There have been no revisions to the gap between the development and the projecting part of Sentinel House since the first appeal. The introduction of angled windows on this part of the development would not lessen the mass of the new building. As a consequence, the current appeal scheme would result in negative effects for occupants of the second floor apartment in terms of outlook. This would be offset by the fact that the living room and kitchen space is dual aspect and that the bedroom is unlikely to be occupied as much during waking hours, but there would still be some harm in terms of living conditions.
13. Other parts of Sentinel House would be sufficiently distant and/or have windows at an angle to the development to avoid unacceptable effects on outlook elsewhere. In terms of privacy, the orientation of and obscure glazing on the angled windows of the part of the development next to the protecting part of Sentinel House would limit any overlooking, while there would be sufficient gaps between other windows and Sentinel House.
14. In terms of light, the appellant's daylight and sunlight study does not address Sentinel House specifically. However, the Council has not raised light impacts as a concern and neither did the previous Inspector. The development has been reduced in height along the Sentinel House elevation to lessen any overshadowing. In the absence of evidence to the contrary, there would be a reasonable distance between the development and windows at Sentinel House to maintain adequate levels of light without unacceptable impacts. The development would generate additional noise from the comings and goings of occupants and use of external spaces, but in an urban context next to a busy main road, I do not consider that noise levels would be unacceptable.

Living conditions – future occupants of the development

15. There would be 4 studios/study rooms on each of the 3 upper floors of the 4 storey part of the development nearest to Surrey Street and Sentinel House. Each of these rooms would have one clear glazed window angled to direct views away from Sentinel House and across the road, and one obscure glazed window for privacy purposes. Compared to the first appeal scheme, the outlook from each room would be adequate. Therefore, there would be no harm to living conditions of future occupants.

Living conditions – Carlton Terrace

16. Carlton Terrace has a number of windows and external spaces at the rear. Boundary walls and a residents' car park separate the terrace from the appeal site. The current appeal scheme has been amended to remove the end of the wing on the south-east corner of the site and to pull back the development above the second floor from the shared boundary with the terrace.

17. As noted by the previous Inspector, the existing outlook from the ground floor of the rear of the terrace is limited by level changes and boundary treatments. Upper floors at the rear of the terrace would experience a greater sense of enclosure, but the development would only be 3 storeys at its nearest point to the rear of the terrace and there would be a reasonable separation distance across the car park. Moreover, amendments to the current appeal scheme would lessen the overall mass. Thus, there would be an acceptable effect on living conditions in terms of outlook. Windows at the rear of the 3 storey part of the development would be angled or obscure glazed to avoid direct overlooking of the terrace and so would have an acceptable effect on privacy.
18. Light levels to windows at the rear of the terrace have been assessed in an updated daylight and sunlight study. 10 windows already fall below the recommended daylight levels due to canopies. While the development would further reduce the levels to these windows, the light levels are already low and the difference would not be significant. Two further windows (W1 and W2) would fall below the daylight levels as a result of the development. However, due to the amendments to the scheme, the daylight levels to them would be better than for the first appeal scheme where the Inspector found the impact to be acceptable.
19. The development would reduce summer and winter sunlight levels to windows at the rear of the terrace. Those windows with canopies already have levels below the recommended amount and the further reduction would not be significant. Two windows at lower ground floor would fall below recommended winter sunlight levels, but adjacent windows serve the same rooms and would not fall below. Sunlight levels to rear external spaces would reduce as a result of the development, but only slightly and would still be within recommended limits.
20. Although there would be some effect on outlook and light for occupiers of Carlton Terrace as a consequence of the development, it would not be significant and would not unacceptably harm living conditions. As with Sentinel House, there would be some effects in terms of noise from comings and goings and use of external spaces, but not to an unacceptable level in this location.

Living conditions – conclusions

21. The development would not provide acceptable living conditions for future occupiers of Sentinel House in terms of outlook from the second floor apartment in the protecting part of the building next to Surrey Street. Therefore, the development would conflict with Policy DM2 of the Norwich Development Management Policies Local Plan 2014 (DMP) which, amongst other things, seeks to avoid unacceptable impacts on the living conditions of neighbouring occupants in terms of the loss of outlook. It would also conflict with paragraph 127(f) of the National Planning Policy Framework (NPPF) which seeks a high standard of amenity for existing and future users of places.

Heritage assets

22. The Norwich City Centre Conservation Area covers the city's historic core and contains a wealth of historic buildings, streets and spaces spanning several centuries. This forms a large part of the character and appearance of the conservation area as well as its significance. The site falls within the All Saints Green character area, which is characterised by 18th and 19th century houses as

well as the Edwardian headquarters of Norwich Union. The area is also dominated by a number of tall later 20th century buildings such as Sentinel House and Norfolk Tower which are negative landmarks.

23. Carlton Terrace is a non-designated heritage asset dating from the late 19th century. It has considerable detailing and uniformity, particularly along the Surrey Street front elevation but also at the rear to a lesser extent. This includes decorative brickwork, large bay windows and arched dormers. As such, it makes a positive contribution to the conservation area and has significance as a heritage asset in its own right.
24. Historic maps reveal that the site was an undeveloped plot of land during the 18th and 19th centuries, but into the 20th century it was occupied by buildings before being cleared for a car park. Notwithstanding its varied history, the site today as a disused car park and open area of hard surfacing does not make a positive contribution to the conservation area or the setting of Carlton Terrace.
25. The development would be 7 storeys at its highest point, but this would reflect the height of the adjoining Sentinel House. The development would step down towards Surrey Street and Carlton Terrace to be 3-4 storeys tall. The height and massing of the development has also been reduced compared to the first appeal scheme.
26. Viewed along Surrey Street, the height of the development and the gap between it and Carlton Terrace would ensure an acceptable impact on the street scene and would not overwhelm the historic terrace. There would be views of the taller parts of the development standing to the side of Carlton Terrace, but these parts would be set back into the site so as to avoid negative impacts on the street scene of Surrey Street. Views of the terrace from Queens Road would reduce, but this would affect the lesser rear elevation where trees already provide some screening.
27. The development would strike an appropriate balance in terms of scale, height and mass, taking into account the taller and bulkier 20th century buildings and the more modest Carlton Terrace. The design of the building and the variety of materials would create sufficient visual interest. As a consequence, the development would not harm the significance of the conservation area or Carlton Terrace.
28. Although not mentioned in the reason for refusal, I have had regard to nearby listed buildings at Surrey House, 113 Queens Road, 131 & 133 Queens Road (Phoenix House) and the Former Primitive Methodist Chapel. The existing site forms part of the setting of each building, but all four buildings would be located sufficiently distant from the development such that the scale, height and massing would not be overwhelming. Thus, the setting and significance of the listed buildings would be maintained.
29. Concluding on this main issue, the development would preserve the character and appearance of the Norwich City Centre Conservation Area and would not harm the setting or significance of Carlton Terrace as a non-designated heritage asset. Therefore, it would accord with DMP Policies DM3 and DM9 which seek high quality design and development that preserves the historic environment and heritage assets. The development would also accord with Policies 1 and 2 of the Joint Core Strategy for Broadland, Norwich and South Norfolk 2011-2014 which seek to conserve heritage assets and promote good

design. There would be no conflict with NPPF sections 12 and 16 which seek to well-designed places and the conservation of the historic environment.

Other Matters

30. As noted by the previous Inspector, the site is allocated for office led mixed use development including up to 40 dwellings in Policy CC29 of the Norwich Site Allocations and Site Specific Policies Local Plan 2014 (SAP). It is also identified for office redevelopment in the St Stephens Street Area Outline Masterplan, although this document has no formal status. There is no dispute between the main parties that there is a lack of market demand for office development based on emerging evidence for the new Local Plan. While it is apparent that the site was only marketed alongside Sentinel House with little resulting interest for office use, there is little evidence to indicate that the site alone would generate more interest. The Council is promoting the redevelopment of Prospect House on Rouen Road for office use, but that site is currently used as offices which the Council are keen to retain, so the two sites are not directly comparable. Nevertheless, the development would conflict with SAP Policy CC29 given that it would only provide student accommodation.
31. Interested parties have highlighted that the development would be taller than the 2-4 storeys set out in the supporting text to SAP Policy CC29. However, for the reasons set out in the second main issue, I consider the proposed heights to be acceptable. The lack of provision of potentially 40 dwellings as required by SAP Policy CC29 is noted, but the development would still provide a form of housing. The Council refer to increasing evidence as part of the emerging Local Plan which identifies a continuing need for student accommodation within the city. The apparent unaffordability of student accommodation is noted, but this does not diminish the need for its provision.
32. Concerns regarding community cohesion between students and existing local residents are noted. However, such a mix of occupancy is not unusual for a city centre location and I have little evidence that the development would result in significant social issues. I also have little technical evidence that the development would cause unacceptable negative effects in terms of traffic, drainage, land stability and subsidence.
33. At the appeal stage, the Council is required to notify any interested person consulted on the original application and any other person who make representations about that application. Despite the Council notifying Sentinel House of this appeal, I note that many of its residents were only made aware of the appeal due to local press coverage. However, I have received a petition from over 100 residents and flats within Sentinel House, which I have taken into account and covered as part of my decision. Moreover, the Council and the first Inspector considered the impact on the living conditions of residential occupants of Sentinel House even before the building was occupied. It is unfortunate that Sentinel House residents do not appear to have been fully informed of proposals for this site when buying flats. However, these relate to issues outside of the planning process.

Planning Balance

34. The Council at the appeal stage accepts that it cannot demonstrate a 5 year housing land supply, with the latest evidence before me showing a 4.61 years supply and a shortfall of 1,187 dwellings. NPPF paragraph 11(d) states that

where the policies which are most important for determining the proposal are out of date, planning permission should be granted unless (i) the application of policies in the NPPF that protect areas or assets of particular importance provide a clear reason for refusing the development proposed, or (ii) any adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies in the NPPF taken as a whole.

35. There is no definition of “most important” policies in the NPPF, but it does not have to involve policies for the supply of housing as with the 2012 NPPF. In this instance, the most important policies are SAP Policy CC29 and DMP Policy DM2, as there are conflicts with both. Footnote 7 to NPPF paragraph 11(d) clarifies that such policies can be regarded as out of date in situations where no 5 year housing land supply can be demonstrated. As a consequence, NPPF paragraph 11(d) should be applied to this appeal. The application of policies in the historic environment section of the NPPF do not provide a clear reason for refusing the development. Therefore, I have applied NPPF paragraph 11(d)(ii) only.
36. In terms of the adverse impacts, there would be conflict with SAP Policy CC29. However, given the lack of demand for office development and the absence of a 5 year housing land supply, I only afford limited weight to this conflict. There would be adverse impacts on the living conditions of occupiers of Sentinel House in terms of outlook. However, due to the amendments made following the first appeal proposal, the harm would be restricted to one elevation of a second floor apartment in terms of a single bedroom and dual aspect living room/kitchen. No occupier of any other apartment at Sentinel House would experience unacceptable effects in terms of outlook, while privacy, noise and light effects would be acceptable. The amendments address unacceptable impacts from the first appeal scheme in terms of the outlook for future occupiers of 12 rooms within the development itself. There would be no unacceptable effects on occupiers of Carlton Terrace. While there would be conflict with DMP Policy DM2 and NPPF paragraph 127(f), the weight I give to that conflict is reduced by the above considerations. Therefore, I only attach moderate weight to the adverse impacts.
37. In terms of benefits, the provision of 252 student bedrooms would address emerging Local Plan evidence that indicates a need for such accommodation. The development would help with the shortfall in supply of student and general housing and assist in freeing up private housing including houses in multiple occupation. The development would also deliver a pedestrian link between Queens Road and Surrey Street and would generate economic benefits from its construction and occupation. As a consequence, significant weight can be attached to the benefits.
38. The adverse impacts would not significantly and demonstrably outweigh the benefits of the development. Therefore, despite the conflict with SAP Policy CC29 and DMP Policy DM2, the application of the presumption in favour of sustainable development indicates that planning permission should be granted.

Conditions

39. Condition 1 sets out the standard time limit condition, while it is necessary to set out the approved plans and documents in Condition 2 for clarity and compliance. The list of documents excludes those documents such as the Design and Access Statement which only contain supporting material rather than technical information relevant to the delivery of the development itself.

40. Condition 3 is necessary in the interests of highway safety and the living conditions of occupiers of neighbouring properties. It is a pre-commencement condition as it would not be possible to commence the development without having agreed the methods of construction. Conditions 4, 5, 6 and 7 are necessary to ensure that risks from any site contamination are minimised and that the development can be carried out safely. Condition 4 is a pre-commencement condition as it would not be possible to commence the development without having investigated/remediated any site contamination.
41. Condition 8 is necessary to ensure that the levels of the development have an acceptable effect on the character and appearance of the area and the living conditions of neighbouring occupiers. Condition 9 is necessary in the interests of protecting existing trees. Condition 10 is necessary in the interests of energy efficiency and mitigating the effects of climate change. Condition 11 is necessary in the interests of water efficiency in line with local policies.
42. Condition 12 is necessary in the interest of character and appearance. Conditions 13 and 14 are necessary to ensure that obscure glazing is provided to an acceptable standard to protect the living conditions of neighbouring occupiers and future occupiers of the development. Condition 14 is required as the drawings do not show the location of obscure glazing for these rooms. Conditions 15 and 16 are necessary in the interests of character and appearance and the living conditions of neighbouring occupiers and future occupiers of the development. They do not appear to replicate each other as they refer to different aspects.
43. Condition 17 is necessary to protect potential archaeological remains within the site. Condition 18 is necessary in the interests of flood risk and climate change adaptation. Condition 19 is necessary in the interests of minimising light pollution and effects on biodiversity. Condition 20 is necessary to ensure adequate provision of fire hydrant infrastructure. Conditions 21, 22, 23, 24 and 25 are necessary in the interests of highway safety and securing adequate parking, access and sustainable modes of transport. Conditions 26, 27 and 28 are necessary in the interests of biodiversity, character and appearance and securing a satisfactory living environment for occupants of the development.
44. I have not included the Council's suggested condition removing permitted development rights for means of enclosure, as Condition 26 already requires such details to be provided and retained. The Council also suggested a condition requiring a management plan to safeguard the amenity of the surrounding area, but has not explained what the plan would cover. In the absence of sufficient information, it has not been imposed.

Conclusion

45. For the above reasons, and having had regard to all other matters raised, I conclude that the appeal should be allowed.

Tom Gilbert-Wooldridge

INSPECTOR

Schedule of Conditions (28)

- 1) The development hereby permitted shall begin not later than 3 years from the date of this decision.
- 2) The development hereby permitted shall be carried out in accordance with the following approved plans and documents:

Plans:

813A-00-001, 813A-00-002, 813A-00-003, 813A-00-004, 813A-00-005, 813A-00-006, 813A-00-007, 813A-00-008, 813A-00-010, 813A-00-011, 813A-10-001, 813A-10-002, 813A-10-003, 813A-20-001, 813A-20-002, 813A-20-003 Rev B, 813A-60-001, 813A-60-002, 813A-60-003, 813A-60-004, 813-90-99, OAS/17-103-TS01 Rev A, 170481-CON-X-00-DR-C-1000

Documents:

170481/T Sustainable Drainage Maintenance and Management Plan

170481/M Drainage Strategy Report

FOR001/0813H/02 Written Scheme of Investigation for Archaeological Mitigation

GN21043 -DR004 Proposed Fieldwork Location Plan

GN21043 -DR006 Inferred Geological Model

GN21043_SI Ground Investigation Report

LA/1568/02BR/ML Environmental Noise Assessment

OAS/17-103-AR01 Arboricultural Implications Assessment and Preliminary Method Statement

Transport Statement March 2018

Travel Plan March 2018

- 3) No development shall take place, including any works of demolition, until a Construction Method Statement has been submitted to, and approved in writing by, the local planning authority.

The approved Statement shall be adhered to throughout the construction period. The Statement shall provide for:

- (a) the parking of vehicles of site operatives and visitors;
- (b) loading and unloading of plant and materials;
- (c) storage of plant and materials used in constructing the development;
- (d) the erection and maintenance of security hoarding, including decorative displays and facilities for public viewing, where appropriate;
- (e) wheel washing facilities;
- (f) measures to control the emission of dust and dirt during construction; and
- (g) a scheme for recycling/disposing of waste resulting from demolition and construction.

- 4) No development shall take place until the following components of a scheme to deal with the risks associated with contamination of the site have each been submitted to and approved, in writing, by the local planning authority as necessary:
 - 1) A preliminary risk assessment which has identified:
 - a) all previous uses;
 - b) potential contaminants associated with those uses;
 - c) a conceptual model of the site indicating sources, pathways and receptors; and
 - d) potentially unacceptable risks arising from contamination at the site;
 - 2) If the preliminary risk assessment identifies a potential unacceptable risk from contamination, a site investigation scheme, based on the preliminary risk assessment, to provide information for a detailed assessment of the risk to all receptors that may be affected, including those off site; and
 - 3) A written report containing the site investigation results and the detailed risk assessment of the risk to all receptors that may be affected and, based on these, if required, an options appraisal and remediation strategy giving full details of the remediation measures required and how they are to be undertaken.

Any works on site shall be in accordance with the scheme as approved.
- 5) No occupation of the development hereby approved shall take place until a verification plan and a proposed monitoring, maintenance and contingency plan have been submitted to and agreed in writing by the local planning authority. The verification plan shall provide details of the data that has been collected in order to demonstrate that the works set out in the approved remediation strategy are complete and shall identify any requirements for longer-term monitoring of pollutant linkages, maintenance and arrangements for contingency action. The proposed monitoring, maintenance and contingency plan shall identify how these requirements will be met.
- 6) If, during development, contamination not previously identified is found to be present, then no further development shall be carried out until a scheme has been submitted to and approved in writing by the local planning authority detailing how this contamination shall be dealt with in accordance with the remediation strategy. Only when evidence is provided to confirm the contamination no longer presents an unacceptable risk, can development continue.
- 7) No piling or foundations using penetrative methods shall take place on site unless details are submitted to and approved in writing by the local planning authority. Any piling or foundations using penetrative methods shall take place in full accordance with the agreed details.
- 8) No development above ground shall take place until precise details of the slab levels of the building hereby approved have been submitted to and agreed in writing by the local planning authority. Such details shall also provide comparative levels with existing adjoining properties and details

of the levels of any ground levels and boundary treatments proposed. The development shall be carried out in accordance with the details as approved.

- 9) Tree protection measures and any pre-emptive tree works shall be carried out in accordance with the approved Arboricultural Implications Assessment, Preliminary Method Statement, and Tree Protection Plan. The approved protective fencing shall be retained in a good and effective condition for the duration of the development and shall not be moved or removed, temporarily or otherwise, until all site works have been completed and all equipment, machinery and surplus materials removed from the site.
- 10) No development above ground shall take place until a scheme for generating a minimum of 10% of the predicted energy requirement of the development from decentralised renewable and/or low carbon sources has been submitted to and approved in writing by the local planning authority. The scheme shall include:
 - (a) the estimated average annual energy consumption of the proposed development (in kWh);
 - (b) the average annual energy production of the proposed technology (in kWh);
 - (c) a plan of the location of any equipment associated with the operation of the chosen technology.No occupation of the development shall take place until the approved scheme has been implemented and made operational.
- 11) The development shall be designed and built to meet the regulation 36 2(b) requirement of 110 litres/person/day water efficiency set out in part G2 of the 2015 Building Regulations for water usage.
- 12) No development above ground shall take place until the following details have been submitted to and approved in writing by the local planning authority:
 - (a) materials for walls (including brick bond and mortar)
 - (b) materials for roofs (including green roofs)
 - (c) windows and doors (including lintels and sills, glazing frames and profiles, opaque glazing and reveals)
 - (d) rainwater goods, fascias and bargeboards
 - (e) privacy louvres, glass screens and railings to roof terraces
 - (f) bat and bird boxesThe development shall be carried out in accordance with the approved details and retained thereafter.
- 13) All windows shown on the plans and elevations hereby approved as being obscure glazed shall be:
 - (a) obscure glazed to a specification of not less than the equivalent of classification 5 of Pilkington Glass; and

- (b) non-opening unless the parts of the windows which can be opened are more than 1.7 metres above the floor of the room in which the windows are installed
- 14) Notwithstanding condition 2, no development above ground shall take place until details of the obscure glazing on rooms 112, 113, 114, 115, 212, 213, 214, 215, 312, 313, 314 and 315 as shown on drawings 813A-00-003, 813A-00-004 and 813-00-005 have been submitted to and approved in writing by the local planning authority. The development shall be carried out in accordance with the approved details and retained thereafter.
- 15) No development above ground shall take place until full details of mechanical ventilation systems have been submitted to and approved in writing by the local planning authority. No occupation of the development shall take place until the mechanical ventilation systems have been installed in accordance with the approved details and, once provided, it shall be retained as such thereafter.
- 16) No installation of the plant and machinery shall take place until full details of systems have been submitted to and approved in writing by the local planning authority. No occupation of the development shall take place until the plant and machinery has been installed in accordance with the approved details and, once provided, it shall be retained as such thereafter
- 17) The development shall not be occupied until the site investigation and post investigation assessment has been completed in accordance with the programme set out in the approved Written Scheme of Investigation for Archaeological Mitigation and provision has been made for analysis, publication and dissemination of results and archive deposition has been secured. Any historic or archaeological features not previously identified which are revealed when carrying out the development shall be retained in-situ and reported to the local planning authority in writing within two working days. Works shall be halted in the area of the building affected until provision has been made for the retention and/or recording in accordance with details submitted to and approved in writing with the local planning authority.
- 18) The development shall not be occupied until the sustainable urban drainage scheme for the site has been completed in accordance with the approved plans and documents and a surface water drainage management and maintenance plan has been submitted to and agreed in writing with the local planning authority. The management and maintenance plan shall:
- (a) provide a management and maintenance plan for the lifetime of the development, which shall include the arrangements for adoption by any public authority or statutory undertaker; or
- (b) identify a private organisation or company that will be utilised to manage and maintain the facilities and include details of ownership and organisational structure, and its source of funds; and
- (c) any organisation or company agreed in (b) above shall produce a report annually by 31st March for the previous calendar year identifying the state of the SuDS features, the maintenance undertaken, the

anticipated maintenance in the following 12 months, the anticipated long term maintenance over the following 10 years, the amount spent over the previous 12 months, the anticipated expenditure over the next 12 months and 10 years and the balance of monies available for maintenance at the end of the calendar year and the proposed charges and income for the next year. The report shall be made available to all owners of properties on the site and be available on demand to the local planning authority within 14 days of any such request. If the content of the document is not considered to be acceptably managing the long term maintenance adequately a further revised report shall be submitted and agreed with the local planning authority within 2 months of its request.

The sustainable urban drainage scheme shall be managed and maintained thereafter in accordance with the agreed management and maintenance plan.

- 19) The development shall not be occupied until details have been submitted to and agreed in writing by the local planning authority of all external lighting for the site, including any security or other intermittent lighting. Such details shall include specifications for the lighting proposed, its location and position within the site, height and levels of illumination proposed. The details shall also specify that any external lighting includes cowlings, or other similar device, to ensure that the lighting only illuminates the site directly. The development shall be carried out in accordance with the details as agreed and retained as such thereafter
- 20) The development shall not be occupied until details have been submitted to and agreed in writing by the local planning authority for the provision of fire hydrants (served by mains water supply) for the development. No occupation of the development shall take place until the hydrants have been provided and made available for use in accordance with the details as agreed and, once provided, it shall be retained as such thereafter.
- 21) The development shall not be occupied until details of the following onsite provisions have been submitted to and agreed in writing by the local planning authority:
 - (a) cycle storage and parking for users and visitors to the site; and
 - (b) servicing, including waste and recycling bin storage and collection facilities.

No occupation of the development shall take place until the cycle storage and parking and servicing facilities have been provided and made available for use in accordance with the details as agreed and, once provided, they shall be retained as such thereafter.
- 22) The development shall not be occupied until the vehicular/pedestrian/cyclist accesses shown on the approved plans have been constructed and made available for use in accordance with these approved plans and once provided these accesses shall be retained as such thereafter.
- 23) The development shall not be occupied until details of the parking and management arrangements for dealing with the arrival and departure of residents at the beginning and end of the academic terms have been submitted to and agreed in writing by the local planning authority. This should include details of a review mechanism. The parking and

management arrangement shall be carried out in accordance with the approved details

- 24) The development shall not be occupied until details of the changes to waiting restrictions facilitated by a Traffic Regulation Order for Surrey Street have been submitted to and approved in writing by the local planning authority. No occupation of the development shall take place until the provisions required within the Traffic Regulation Order have been implemented.
- 25) Travel information shall be made available in full accordance with the details set out with the approved Travel Plan. The Travel Plan shall be maintained and reviewed in accordance with the agreed details.
- 26) The development shall not be occupied until a detailed landscaping scheme has been submitted to and agreed in writing by the local planning authority. The landscaping scheme shall include the following information:

Existing landscape details:

- (a) location, spread and levels of existing trees, hedgerows and other significant areas of vegetation on or adjoining the site;
- (b) details of existing boundary treatments and forms of enclosure;
- (c) details of existing open watercourses or other aquatic features and associated vegetation on the site;

Hard landscape details:

- (d) details of the materials for paved areas, including manufacturer, product type and colour;
- (e) proposed and existing functional services above and below ground (e.g. power and communication cables, pipelines, indicating manholes, supports etc.);
- (f) details of all new boundary treatments at the site, including the material and colour finish of any walls, fences or railings;
- (g) details of new external lighting;
- (h) details of vehicle and pedestrian access and circulation areas;
- (i) details of car parking layouts and cycle parking provision;
- (j) proposed finished levels or contours;
- (k) details of any minor artefacts and structures (e.g. furniture, refuse or other storage units, signs);

Soft landscape details:

- (l) planting plans showing the location, species and numbers of proposed new trees, hedging, shrubs and other planting on the site;
- (m) planting schedules, noting species, planting sizes (at time of planting) and proposed numbers and densities where appropriate;
- (n) written specifications (including cultivation and other operations associated with plant and grass establishment).

Implementation and management details:

(o) an implementation programme clearly indicating a timescale for the completion of all landscaping works;

(p) a landscape management plan, including management responsibilities and a schedule of maintenance operations for all landscaped areas for a minimum period of five years following implementation.

The development shall be carried out in full accordance with the agreed details and implementation programme and the landscaped areas of the site shall be made available for the enjoyment of residents of the development. Management of the landscaping shall commence immediately after planting in accordance with the agreed details. All hard and soft landscaping works shall thereafter be retained as such.

If within a period of 5 years from the date of planting, any tree or plant (or any tree or plant planted in replacement for it) is removed, uprooted or is destroyed or dies or becomes, in the opinion of the local planning authority, seriously damaged or defective, another tree or plant of the same species and size as that originally planted shall be planted at the same place no later than the end of the first available planting season (October-March inclusive), unless the local planning authority first gives its written consent to any variation.

- 27) The development shall not be occupied until a scheme has been agreed for the maintenance of trees within the public car park. The maintenance of the trees shall take place in accordance with the approved scheme
- 28) No removal of hedgerows, trees or shrubs shall take place on site within the bird nesting season 1st March – 31st August inclusive, unless it has been demonstrated by a suitably qualified ecologist that their removal will not have any detrimental impacts on protected species including nesting birds and such confirmation has first been provided to and approved in writing by the local planning authority.