



Appeal Decision

Site visit made on 25 May 2021

by Eleni Randle BSc (hons) MSc FRICS FAAV MRTPI

an Inspector appointed by the Secretary of State

Decision date: 15 June 2021.

Appeal Ref: APP/B1930/W/20/3261064
61-65 St Peters Street, St Albans, AL1 3EA

- 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 Mr Alasdair McInnes (Gatsby Retail Ltd) against the decision of St Albans City and District Council.
 - The application Ref 5/19/3099 dated 6 December 2019, was refused by notice dated 17 June 2020.
 - The development proposed is demolition of existing buildings to provide three retail units (class A1) at ground floor level and twenty residential dwellings above, with associated access, landscaping and other related works.
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Decision

1. The appeal is allowed and planning permission is granted for demolition of existing buildings to provide three retail units (class A1) at ground floor level and twenty residential dwellings above, with associated access, landscaping and other related works at 61-65 St Peters Street, St Albans, AL1 3EA in accordance with the terms of the application ref: 5/19/3099, dated 6 December 2019, subject to the conditions set out in the schedule at the end of this decision.

Procedural Matters

2. I have utilised the Council's description of the development as presented on the decision notice. It is, however, confirmed for the avoidance of doubt that there are already three retail units at ground floor level which would be re-provided.
3. This appeal is accompanied by an application for costs. This is determined within a separate decision.
4. The appeal is submitted with amended drawings, however, having assessed the proposal against the originally submitted plans I have found the appeal should be allowed. I have not, therefore, had regard for the amended drawings that the Council are noted to not have accepted during the application process.

Main Issues

5. The main issues are:
 - i) the impact of the design and detailing of the front elevation upon the character and appearance of the Conservation Area and street scene;
 - ii) the impact of the height, scale, bulk and mass of the rear block upon the character and appearance of the Conservation Area and street scene;

iii) whether the proposal can be appropriately serviced in terms of refuse and recycling collection; and

iv) whether a suitable mechanism is in place to secure mitigation for the social and infrastructure needs of the proposal.

Reasons

Design and detailing of the front elevation

6. The appeal site is located off St Peters Street and consists of three commercial units. The frontage, onto St Peters Street, is two storeys with the rear of the site consisting of an area of hardstanding. No. 61 and no. 63 are more historic in their appearance compared to no. 65 which is more modern and the front elevation reads as three units. The appeal site stands within the St Albans Conservation Area (CA).
7. The first refusal reason is specific to the design and detailing of the front elevation in terms of its treatment. The Council do not raise any other design issues and confirm that the design of the rear, side and courtyard elevations are acceptable. It also confirmed that the height of the front block is acceptable in principle but that development should preserve the pattern of two or three distinct plots with narrow frontages on to St Peters Street. I have no evidence to conclude differently on these points. The Council's report places heavy emphasis upon preservation of three distinct plots with narrow frontages. The Council's statement of case does not realistically expand on the points raised within their original committee report.
8. Based upon drawings no. PL12 and PL17 (proposed street scenes and proposed elevations) I find that the street scene – St Peters Street – would present as three plots. The proposed fenestration is individual for each unit in terms of windows and doors across all three storeys – I do not find it homogenous due to the setting and detailing. This is combined with short gaps and/or breaks in the overall height at the very front of the elevation, and brick work between the glazed retail frontages along the street scene, which contributes to overall visual presentation as three separate plots which are narrow, viewed from the front elevation, consistent with the former burgage plots.
9. The fenestration on nearby properties within the street scene I find presented as quite symmetrical by comparison to the proposal but these are generally as a result of them stated to have been larger sites prior to their redevelopment which would not have resulted in the loss of the narrow plots sought to be retained with the appeal site. To reference other nearby features I find would in this case, result in the site not having its own identity and make it difficult to present as three plots.
10. The proposal as submitted is as a result of the vertical emphasis divided into three segments. There is sufficient distinction to reflect the historic plot pattern which I find preserves the appearance of the CA. As a result of the above I do not find that the proposal would be harmful to the character or appearance of the street scene or the CA as a result of the design or detailing of the front elevation.
11. The proposal would be consistent with City and District of St Albans District Council Local Plan Review 1994 (LP) Policy 69 which requires development to have an adequately high standard of design taking into account the scale and

character of the surroundings and LP Policy 85 which requires that development will only be granted permission where a high standard of design is achieved and the proposal enhances or preserves the appearance of the CA.

Height, scale, bulk and mass of the rear block

12. The second refusal reason is specific to the full width fifth storey, in the rear block, which the Council state would be a dominant feature. The appellant has submitted a Heritage, Townscape and Visual Impact Assessment which includes a viewpoint assessment. The proposal would have limited impact on long range views however, the block would not be fully screened in medium and short range views. At the time of my site visit I walked along St Peters Street and viewed the general site context and found that this part of St Peters Street is characterised by varied roof heights and a mix of scale buildings. The rear block would be limited in visibility from St Peters Street. Any visibility would be behind (and physically separate to) the front block and back from the street scene. This would, I find, reduce the visual dominance of the proposal viewed in the street scene of St Peters Street.
13. The buildings would be read as one of the more recent buildings within the CA and the rear building would ultimately be viewed as part of Drover's Way, behind Butlers Yard, which is more urban in its character. I find the proposed street scenes (drawing no. PL12) demonstrate the scheme being appropriate when viewed from Drovers Way taking into account the adjacent built form, scale and massing. Some of the developments referred to within 8.1.29 of the Council's report are large scale developments. Regardless of whether or not they are located on sites which already had buildings of considerable mass or scale they are now part of the character and appearance of the area and are part of the baseline for assessment of site context.
14. The combination of the location, adjoining development such as the Travelodge and varying roof heights means that I do not find the storey would be a dominant or incongruous feature and that this is demonstrated within the short range views submitted. Overall I find that the changes in views would not alter the public's experience of this view. Views within the CA itself would be limited and, from St Peters Street, I do not find it would erode its character taking into account the adjoining development at the Travelodge.
15. It would not read as higher or more prominent than adjoining development in the vicinity from the adjacent footpath. At such close proximity I find the overall height would be indecipherable and the fifth storey would, in any case, be slightly stepped in away from the footpath resulting in limited differences between the proposal the adjoining development in terms of impact on this access point to St Peters Street. I find it would enhance the footpath between Drovers Way and St Peters Street compared to the existing built form which makes a very poor contribution to the CA, which is exacerbated by the contrast to the surrounding, newer, built form.
16. I note the Council's contention that the proposal would likely be visible from the public area between Lockey House and the Grange and further north along the East side of St Peters Street. A proposal may well be visible from limited points, but it does not automatically result in development which is dominant and out of character. I find the proposal would overall be read within a site context which is characterised by scale and modernity. Given that there is no objection to overall design, with the exception of the front elevation which I

have addressed above, I do not find the proposal would negatively impact upon the character and appearance of the street scene or CA based upon height, scale, bulk and mass of the rear block taking into account the adjacent built form nor that it would represent a visually dominant and incongruous form of development.

17. LP Policy 114 was saved in 2007 and the CA and built form in the area has undoubtedly evolved since then. The Council confirm this policy relates to height and roofscape. I find that the proposal is consistent with paragraph 1 of LP Policy 114 which states that applications to exceed existing eaves, parapet or ridge heights will generally be permitted only if the scale of the proposed building is appropriate to the street scene. Based on my assessment of the proposal I have found the scheme to be appropriate to the street scene and that the policy allows room for assessment as to appropriateness within the context of the site.
18. Paragraph 2 is noted to state that within the Building Height Control Area proposal shall be compatible with the local roofscape and not break the skyline or mask the skyline features shown on figure 16. Concern is raised in relation to viewpoint 4 due to what the Council state would be a partial break, however, the timing of the photographs submitted (November, winter) means I find they represent maximum visibility of the scheme. The development would not break the skyline on the majority of views nor would it mask any skyline features. I do not find that a partial break of the skyline from one viewpoint is sufficient to warrant refusal given that I have found the proposal to be appropriate to the street scene and scale of built form in the vicinity of the appeal site. The proposal is compatible with the local roofscape and there is no detrimental impact to the skyline.
19. The proposal would be consistent with LP Policy 69 which requires development to have an adequately high standard of design taking into account the scale and character of its surroundings, LP policy 70 which requires new housing development to have regard for its setting and the character of its surroundings, LP Policy 85 which requires proposals to enhance or preserve the appearance of the CA and LP Policy 114 which seeks to ensure that the scale of proposed buildings is appropriate to the street scene and are compatible with the local roofscape.

Refuse and recycling collection

20. The Council confirm that the retail units would continue to be serviced in the same way as existing units from St Peters Street, outside of market days and Sundays. The residential units would be served by bins which are stated to meet the Council's requirements, however, it is proposed that collection of said bins would take place from St Peter's Street service road for which collections are on a Wednesday – Market Day. The Council suggest collection should be from the rear of the site at Drovers Way to minimise potential conflict between users of St Peters Street on Market Day.
21. The appellant's original transport statement does clearly state that the existing arrangement for the retail units (outside of market days and Sundays) would be extended to the new dwellings proposed on site. The Council's comments, that their own residential collections would fall on a Wednesday, are noted. For matters to be considered by condition I find there must be a realistic prospect of a solution being available to overcome the concerns raised at a later stage.

From the evidence before me I find that there are indeed several alternative strategies which could be explored, including procuring the services of a private contractor enabling collections on an alternative day or collection of residential waste and recycling from Drovers Way as suggested by the Council.

22. As a result of this I find that how the residential units are serviced in terms of refuse and recycling can appropriately be agreed, and secured, as a condition to any consent granted. LP Policy 70 relates to design and layout of new housing. It does not specifically deal with refuse and recycling collection. The proposal would be consistent with paragraph 127 of the National Planning Policy Framework 2019 (the Framework) which seeks to ensure that developments will function well and add to the overall quality of an area, not just for the short term but over the lifetime of the development.

Social and infrastructure needs of the proposal

23. The appellant has submitted a certified copy of a Unilateral Undertaking (UU) dated 10 June 2021. It is noted that, at final comments stage, two versions of a potential UU were submitted with option B including a sustainable transport contribution. It is this version which is certified and is before me. The Council's committee report outlines the planning obligations and affordable housing required as part of the proposal. These include seven affordable units and contributions towards St Albans Library, the Rose Garden Play Area, Shirley Road Allotment Site, Alban Arena Improvements and a Sustainable Transport contribution.
24. The certified UU before me secures the above contributions at the amounts outlined in the Council's report as well as securing seven affordable units in the form of affordable rent and intermediate units. The Council's appeal submission simply upholds this refusal reason based upon the lack of a signed legal agreement to secure the aforementioned items. Given that I have a certified UU before me I find that the social and infrastructure needs of the proposal would be sufficiently mitigated and that the fourth refusal reason has been overcome.
25. The proposal would be consistent with LP Policy 7A and LP Policy 143B which require development to provide a proportion of affordable housing based on site and marking conditions and local need and include provision for infrastructure consequences. The proposal would also be consistent with the Affordable Housing Supplementary Planning Guidance March 2004 which is committed to the provision of affordable housing needs in the district.

Other Matters

26. I note that during the application process two representations were received from neighbouring residents with a further representation received as part of the appeal process. The main concern raised is with regard to disturbance during construction works should the proposal be allowed. As noted by the Council, potential nuisance from construction work is covered by the Control of Pollution Act (1974). Conditions requiring a Construction Traffic Management Plan and Piling Method Statement will protect amenity of neighbouring occupiers during construction.
27. Historic England have objected to the proposal due to harm to the character of the CA. I have dealt with this earlier within this decision letter. Their objection

is also based upon loss of the existing buildings on the appeal site and a contention that the existing buildings should be retained. Whilst the appeal site is in the CA the buildings themselves are not listed and the Council confirm that there is no in principle objection to their demolition. I have no evidence before me to conclude differently on this matter.

Planning Balance

28. The Council cannot currently demonstrate a five-year housing land supply (5HYLS). It is acknowledged that paragraph 11 d) states that where there are no development plan policies, or the policies which are most important for determining the application are out of date, planning permission should be granted unless i) the application of policies in the Framework that protect assets of particular importance provide a clear reason for refusing the development proposed. Footnote 6 includes designated heritage assets which would include the CA.
29. Notwithstanding this paragraph 196 of the Framework states that where a development proposal will lead to less than substantial harm to the significance of a designated heritage asset, this harm should be weighed against the public benefits of the proposal including, where appropriate, securing its optimal viable use. For the reasons set out above I do not find the proposal results in harm to the CA. Even if I had found the proposal to result in less than substantial harm to the CA the provision of twenty residential units, in an area which is substantially below its 5HYLS required by paragraph 73 of the Framework, and enhanced retail units, I find would have provided public benefits which would have outweighed any less than substantial harm found.

Conditions

30. The Council have suggested conditions in the event an appeal is allowed. The appellant has had chance to review these suggestions and has provided comments at final comments stage along with general acceptance of the proposed conditions. I have taken both parties comments into account. A time condition is attached to comply with section 51 of the Planning and Compulsory Purchase Act 2004. A condition requiring the development to be in accordance with the approved plans is required in order to control and define the development which is granted consent. A condition requiring the materials to be approved (external surfaces, brickwork, zinc cladding, windows, rainwater goods, external doors and door openings) is required to ensure a satisfactory finish.
31. A condition restricting signage, external lighting and external plant is required to control any additional development on site and allow for its appropriate assessment in the context of the CA and a condition controlling slab levels to ensure appropriate control over the finished levels of the site. Archaeological mitigation is required to ensure the appropriate identification, recording and publication of archaeological and historic remains affected by the development. A servicing and delivery plan is required to ensure appropriate refuse and recycling collection whilst ensuring no conflict with surrounding site users. A construction traffic management plan, and piling method statement, are needed to protect the amenities of residents of neighbouring properties during construction as well as protect the underground sewerage infrastructure in the area.

32. A condition requiring cycle parking is required to meet the needs of future occupiers and encourage sustainable modes of transport and a condition preventing overhang onto land with highway rights is to protect highway safety and amenity. Surface and foul water drainage conditions are required to prevent flood risk and ensure satisfactory disposal and storage of surface water/foul drainage as well as ensure their management and safety. Turbidity mitigation is required to prevent disruption to the public water supply. Conditions relating to noise are required to protect the amenity of future occupiers. Control over delivery times is required to protect the amenity of nearby residential properties. A condition relating to contamination is required to protect human health and groundwater quality and a condition relating to landscaping (hard and soft) is required to ensure a satisfactory finish in the interest of visual amenity. Finally, a condition relating to translucent glazing is required to protect the amenity of existing and future occupiers around the appeal site.

Conclusion

33. For the reasons outlined above, and taking account all other matters raised, I conclude that the appeal should be allowed subject to conditions.

Eleni Randle

INSPECTOR

SCHEDULE OF CONDITIONS

- 1) The development hereby permitted shall be begun before the expiration of three years from the date of this permission;
- 2) The development hereby permitted shall be carried out in accordance with the following approved plans: PL01, PL11, PL13, PL14, PL15, PL16, PL17, PL18 and PL22;
- 3) Prior to the commencement of above ground construction works, samples of the materials to be used in the construction of all external surfaces of the development hereby permitted shall have been approved in writing by the Local Planning Authority. Sample materials should be made available on site when discharging this condition. The development shall be carried out in accordance with the approved details and maintained for the lifetime of the development;
- 4) Prior to the commencement of above ground construction works, sample panels of the facing brickwork to be used in the construction of the development hereby permitted shall have been made available on site for inspection and shall have been approved in writing by the Local Planning Authority. The development shall be carried out in accordance with the approved details and maintained for the lifetime of the development;
- 5) Prior to the commencement of above ground construction works, a sample panel of the zinc cladding to be used in the construction of the development hereby permitted shall have been made available on site for inspection and shall have been approved in writing by the Local Planning Authority. The sample panel should show the material type, colour, standing seam and joining method. The development shall be carried out in accordance with the approved details and maintained for the lifetime of the development;
- 6) Prior to the commencement of above ground construction works, details of all windows (including window surrounds, cills, reveals, setback, opening method, glazing bars, materials and colour) at a scale of 1:20 shall have been submitted to and approved in writing by the Local Planning Authority. Details should include typical vertical sections through windows and window surrounds and window dressing. The development shall be carried out in accordance with the approved details and maintained for the lifetime of the development;
- 7) Prior to the commencement of above ground construction works, details of all external doors and door openings (including door surrounds, materials and colour) at a scale of 1:20 shall 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 maintained for the lifetime of the development;
- 8) Prior to the commencement of above ground construction works, details of:
 - a) The angled window bays (including window surrounds, cills, reveals, setback, opening method, glazing bars, materials and colour)
 - b) All railings and balustrades (including materials, colour and pattern)
 - c) The zinc-clad walkway

- d) Rainwater goods shall have been supplied to and approved in writing by the Local Planning Authority, and the development shall be carried out in accordance with the approved details and maintained for the lifetime of the development;
- 9) This permission does not extend to the shopfronts, nor any signage, external lighting or external plant. Such works will require prior approval in writing from the Local Planning Authority;
- 10) The development hereby permitted shall not be commenced until drawings showing existing levels and proposed slab levels have been submitted to and approved in writing by the Local Planning Authority;
- 11) No development-related works shall take place within the site until a written scheme of archaeological work (WSI) has been submitted to and approved in writing by the Local Planning Authority. This scheme shall include on-site work, and off-site work such as the analysis, publication, and archiving of the results, together with a timetable for completion of each element. A public engagement strategy should also be produced if considered appropriate. All works shall be carried out and completed in accordance with the approved scheme, unless otherwise agreed in writing by the Local Planning Authority. This must be carried out by a professional archaeological/building recording consultant or organisation in accordance with the agreed written scheme of investigation;
- 12) Following the completion of the fieldwork and the post-excavation assessment in the previous condition, appropriate resources will be agreed with the LPA for the post-excavation project generated by the archaeological WSI in the previous condition. This will include all necessary works up to and including an appropriate publication and archiving and will include an agreed timetable and location for that publication;
- 13) Prior to occupation of the development, the applicant shall submit a Servicing and Delivery Plan to be submitted to and approved in writing by the Local Planning Authority. The Servicing and Delivery Plan shall contain the delivery and servicing requirements, including refuse and recycling collection, for the proposed uses, a scheme for coordinating deliveries and servicing for the proposed development, areas within the development site that would be used for loading and manoeuvring of delivery and servicing vehicles, and access to / from the site for delivery and servicing vehicles;
- 14) No development shall commence until a Construction Traffic Management Plan has been submitted to and approved in writing by the Local Planning Authority. Thereafter the construction of the development shall only be carried out in accordance with the approved Plan. The Construction Traffic Management Plan shall include details of:
- a. Construction vehicle numbers, type, routing;
 - b. Access arrangements to the site;
 - c. Traffic management requirements
 - d. Construction and storage compounds (including areas designated for car parking, loading / unloading and turning areas);
 - e. Siting and details of wheel washing facilities;

- f. Cleaning of site entrances, site tracks and the adjacent public highway;
 - g. Timing of construction activities (including delivery times and removal of waste) and to avoid school pick up/drop off times;
 - h. Provision of sufficient on-site parking prior to commencement of construction activities;
 - i. Post construction restoration/reinstatement of the working areas and temporary access to the public highway;
 - j. where works cannot be contained wholly within the site a plan should be submitted showing the site layout on the highway including extent of hoarding, pedestrian routes and remaining road width for vehicle movements.
- 15) Prior to the use of the development hereby permitted a scheme for the short term parking of cycles including details for the design, level and siting of the proposed parking shall be submitted to and approved in writing by the Local Planning Authority. The approved scheme shall be fully implemented before the development is first occupied or brought into use and thereafter retained for this purpose;
- 16) No part of the proposed structure (to include fascia board / rainwater goods and guttering) shall overhang or encroach upon land to which highway rights apply and no gate /door / window if installed shall open or extend over the highway;
- 17) The development permitted by this planning permission shall be carried out in accordance with the updated Proposed Surface Water Drainage Strategy prepared by MLM Group, ref: 669562-MLM-ZZ-XX-CP-S-0002, rev: P03 and associated updated information submitted, and the following mitigation measures detailed within the FRA:
- 1. Limiting the surface water run-off generated by the critical storm events so that it will not exceed the surface water run-off rate of 2.5 l/s during the 1 in 100 year event plus 40% of climate change event.
 - 2. Providing storage to ensure no increase in surface water run-off volumes for all rainfall events up to and including the 1 in 100 year + 40 % of climate change event of total storage volume in geo-cellular crate storage.
 - 3. Discharge of surface water from the private drain into the Thames Water sewer network.
- The mitigation measures shall be fully implemented prior to occupation and subsequently in accordance with the timing / phasing arrangements embodied within the scheme, or within any other period as may subsequently be agreed, in writing, by the local planning authority.
- 18) No development above ground level shall take place until the final design of the drainage scheme has been submitted to, and approved in writing by, the local planning authority. The surface water drainage system will be based on the updated Proposed Surface Water Drainage Strategy prepared by MLM Group, ref: 669562-MLM-ZZ-XX-CP-S-0002, rev: P03 and associated updated information submitted. The scheme shall also include;

1. A detailed drainage plan including the location and provided volume of all SuDS features, pipe runs and discharge points into any storage features.
 2. Detailed engineered drawings of the proposed SuDS features including cross section drawings, their size, volume, depth and any inlet and outlet features including any connecting pipe runs.
 3. Silt traps for protection for any residual tanked elements.
 4. Provision of half drain down times less than 24 hours for proposed SuDS features.
 5. Final detailed management plan to include arrangements for adoption and any other arrangements to secure the operation of the scheme throughout its lifetime.
- 19) Upon completion of the drainage works for each site in accordance with the timing / phasing, a management and maintenance plan for the SuDS features and drainage network must be submitted to and approved in writing by the Local Planning Authority. The scheme shall include;
1. Provision of complete set of built drawings for site drainage;
 2. Maintenance and operational activities;
 3. Arrangements for adoption and any other measures to secure the operation of the scheme throughout its lifetime.
- 20) No development shall take place until details of mitigation measures have been submitted to and approved in writing by the Local Planning Authority to minimise the risk of turbidity in the chalk aquifer, which could travel to the public water abstraction point and cause disruption to the service.
- 21) No piling shall take place until a Piling Method Statement (detailing the depth and type of piling to be undertaken, 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, and noise emissions) 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.
- 22) Before the use commences a noise assessment should be carried out in accordance with BS4142: 2014 Methods for rating and assessing industrial and commercial sound to establish whether the plant and/or machinery that are to be installed or operated in connection with carrying out this permission are likely to give rise to complaints at any adjoining or nearby noise sensitive premises. The assessment shall be submitted to and approved in writing by the Local Planning Authority prior to commencement of the use. All plant, machinery and equipment installed or operated in connection with the carrying out of this permission shall be so enclosed and/or attenuated that noise from the plant and/or machinery does not, at any time, increase the ambient equivalent continuous noise level. The rating level of any plant/machinery/equipment to be used shall not exceed the background sound level.
- 23) Before above ground works commence, a scheme providing for the insulation and double glazing of residential properties against the transmission of noise

and vibration from surrounding commercial uses [road traffic, the Market, industry] shall be submitted to and approved in writing by the Local Planning Authority.

- 24) The units hereby approved shall not be occupied unless details of noise and vibration levels within a selection of the most affected units/flats' living rooms and bedrooms and within the external amenity space (post completion of the building works) have been submitted to and approved in writing by the Local Planning Authority in the form of an acoustic report demonstrating that "reasonable" resting levels of noise attenuation have been achieved in accordance with standards set out within BS8233: 2014 Guidance on sound insulation and noise reduction for buildings. The selection of the most affected premises shall be made by a competent person.

If "reasonable" noise levels have not been achieved, the report will details what additional measures will be undertaken to ensure that they are achieved. These additional measures shall be implemented prior to the occupation of the building in accordance with details so approved.

- 25) No deliveries shall be taken at or dispatched from the premises outside the following times: before 06:30 hours or after 22:00 hours Monday to Saturday, or before 09:00 hours or after 17:00 on Sundays or Bank Holidays.
- 26) In the event that contamination is found at any time when carrying out the approved development that was not previously identified it must be reported in writing immediately to the Local Planning Authority. An investigation and risk assessment must be undertaken and where necessary a remediation scheme must be prepared, subject to the approval of the Local Planning Authority. Following the completion of any measures identified in the approved remediation scheme a validation report must be prepared, which is subject to the approval in writing of the Local Planning Authority prior to the occupation of any buildings.
- 27) Prior to occupation, details of both hard and soft landscape works shall have been submitted to and approved in writing by the Local Planning Authority, in relation to the first floor amenity space and to the green roof, and these works shall be carried out as approved. These details shall include proposed finished levels; means of enclosure; hard surfacing materials; minor artefacts and structures (e.g. furniture, play equipment, refuse or other storage units, signs, lighting etc). Soft landscape works shall include planting plans; written specifications (including cultivation and other operations associated with the plant and grass establishments); schedules of plants, noting species, plant sizes and proposed numbers/densities where appropriate; an implementation programme should be submitted. All hard and soft landscape works shall be carried out in accordance with the approved details. The works shall be carried out prior to the occupation of any part of the development or in accordance with the programme agreed with the Local Planning Authority.
- 28) Translucent glazing shall be used for the panels indicated as having 'translucent glazing' on Drawing Nos. PL17 and PL18. The windows shall not thereafter be altered in any way without the prior written approval of the Local Planning Authority.