
Appeal Decision

Site visit made on 26 January 2016

by Kevin Gleeson BA MCD MRTPI

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

Decision date: 18 March 2016

Appeal Ref: APP/Q0505/W/15/3137454

West's Garage Ltd, 217 Newmarket Road, Cambridge CB5 8HD

- 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 HUB Cambridge LLP against the decision of Cambridge City Council.
 - The application Ref 14/1154/FUL dated 15 July 2014, was refused by notice dated 1 May 2015.
 - The development proposed is described as the erection of new student housing (222 study bedrooms) and associated communal facilities, cycle parking, and external landscaping following demolition of the existing buildings.
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Decision

1. The appeal is allowed and planning permission is granted for the erection of new student housing (202 study bedrooms) and associated communal facilities, cycle parking, and external landscaping following the demolition of the existing buildings at West's Garage Ltd, 217 Newmarket Road, Cambridge CB5 8HD in accordance with the terms of the application, Ref 14/1154/FUL, dated 15 July 2014, subject to the conditions in the schedule at the end of the decision.

Procedural Matter

2. As submitted the application was for 222 study bedrooms. Changes to the scheme during the consideration of the application resulted in the number of study bedrooms being reduced to 202. I have determined the appeal on this basis and referred to the revised number in my formal decision.
3. The main parties have submitted a signed and dated Agreement in accordance with Section 106 of the Town and Country Planning Act 1990, containing a range of obligations including restrictions on the occupation of the accommodation, the keeping of cars by residents, the preparation of a servicing management plan and travel plan and contributions to infrastructure.

Main Issues

4. The main issues are:
 - a) the effect of the proposed development on the character and appearance of the surrounding area including the setting of the adjacent City of Cambridge Conservation Area No. 1 (Central);
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- b) whether future occupiers would be likely to experience acceptable living conditions particularly in respect of the proposed communal space;
- c) whether it has been demonstrated that there is a need for student accommodation in this location having regard to the principles of sustainable development; and
- d) whether the proposal makes adequate provision for infrastructure comprising open space and sports facilities, waste facilities and public art.

Reasons

Character and Appearance

5. The appeal site adjoins the City of Cambridge Conservation Area No. 1 (Central) which is characterised by the ancient Colleges, open spaces, the commercial heart of the city and a variety of residential buildings. The conservation area boundaries run along the northern and western boundaries of the appeal site. The Riverside section of the conservation area is primarily characterised by two storey Victorian terraced houses, with pitched roofs and projecting chimneys being particularly prominent. The appeal property was previously used as a motor vehicle business and the buildings, which include a number being of lightweight functional construction, are now vacant.
6. The development plan comprises the Cambridge Local Plan, 2006 with the Eastern Gate Development Framework Supplementary Planning Document (SPD), 2011, setting out further guidance about the development of the site and the local area.
7. With regard to building heights, the SPD sets parameters to achieve a varied skyline and roofscape. It seeks to avoid long unvaried rooflines which would detract from the adjoining conservation area and the wider city skyline. Additionally the SPD advises that on development sites with long frontages building heights should vary across individual buildings.
8. The proposed development would incorporate a variety of building heights on the Newmarket Road and River Lane frontages including upper storeys set back from the frontages. On the River Lane frontage the development would step up from two storeys adjacent to the terraced housing to the north of Rowlinson Way to four storeys on the corner with Newmarket Road. On the Newmarket Road frontage a step down from four storeys on the corner to three storeys on the western boundary is proposed. On the Godesdone Road and Rowlinson Way elevations variety in height would be achieved through a series of pitched roofs. Consequently I find that the proposals would achieve the objective within the SPD to generate a variety of building heights.
9. The SDP sets out a range of recommended storey heights as a starting point for the consideration of scale. It addresses building heights in terms of indicative storey heights. Whilst the SPD describes maximum storey heights it also provides for proposals to exceed the guidance should it be demonstrated, following robust testing, that the proposal will not unduly impact upon the surrounding context.
10. Properties on the north side of Newmarket Road between the appeal site and Godesdone Road are either single storey or two storeys and reflect the low rise character of the Riverside part of the conservation area. In contrast, recent

developments on the south side of Newmarket Road comprising hotel developments on either side of Coldham's Lane are considerably higher. The scale and form of the proposed development would be lower than that on the south side of Newmarket Road, reflecting this different local character.

11. The SPD indicates that on the Newmarket Road frontage, within the appeal site development of three storeys with a fourth storey set back would be appropriate. It also envisages an increase in height on the adjoining frontage to the west should it be redeveloped. The proposed development would comprise a three storey element with a fourth storey set back two bays from the western end of the block. Given the distance of the fourth floor from the houses on the eastern side of Godesdone Road I find that the proposal would not have an unacceptable sense of visual domination on occupiers of those properties. Consequently I find that three storey development on the Newmarket Road frontage with the additional set back storey would be appropriate in terms of the SPD's massing strategy.
12. The four storey section of the development on the corner of Newmarket Road and River Lane would not correspond with the SPD in terms of recommended height. However, the proposals have been robustly tested through verified images and I find that the proposed form is appropriate as it would contribute to the variety of building heights and provide visual presence. The set back of the River Lane frontage would reduce the dominance and provide an appropriate response to the height of the public house opposite.
13. The height of the Rowlinson Way and Godesdone Road elevations would reflect the existing scale of development and overall bulk on this part of the appeal site. Whilst floor to ceiling heights would be greater than those in nearby properties, the creation of two storey buildings with pitched roofs on each elevation would not be out of character with the two storey houses in Godesdone Road, River Lane and Beche Road. The articulation of the elevations through devices such as the introduction of blank windows to the brick bays of the Godesdone Road elevation and a different expression of form for the central bay, and a step back to allow trees to be planted in place of existing trees on the Rowlinson Way elevation, would help reduce the perceived bulk of these buildings. Such design measures would also address concerns about an overly horizontal form of development.
14. The distance from the houses in Godesdone Road, and Beche Road in particular is such that I do not consider the proposal would result in visual domination in the context of the existing outlook. With regard to the properties on the western side of River Lane, the set back of the block at the corner of River Lane and Rowlinson Way would also avoid visual dominance. Consequently, in respect of the Rowlinson Way and Godesdone Road elevations I find that the proposal would respond appropriately to the local context and to the character of the adjacent conservation area replacing existing buildings which detract from the character of the area with development which is sensitive to the location.
15. The River Lane frontage would be set back some distance from the existing site boundary. There would be a step up from two storeys adjacent to the conservation area boundary through a three storey section to three storeys plus an additional setback storey to four storeys on the corner with Newmarket Road. Whilst River Lane narrows toward Newmarket Road, because of the set

back from the site boundary the impact would not be overbearing or dominant in respect of the two storey residential properties opposite, even taking account of the fact that the fourth floor would not be set back in line with the guidance in the SPD.

16. The articulation of River Lane frontage, presented as a series of separate bays would include visual breaks in the elevation which would also ensure that the block would not overwhelm the properties opposite. Additionally, the introduction of trees and landscaping on this frontage would enhance the public realm, reduce the visual impact of the development and would highlight the point of entry into the residential area in line with the SPD guidance.
17. Consequently I find that the stepped form of development along River Lane would provide an appropriate response to the character of the adjoining properties within the conservation area and the buildings opposite. The proposed distance between the frontages would not result in the houses opposite being dominated visually or result in an unacceptable sense of enclosure.
18. The articulation of individual bays with a vertical emphasis on the River Lane and Newmarket Road elevations reflecting the proportions of nearby houses together with the roof form on the Godesdone Road and Rowlinson Way elevations would respect the local character and context including those of the adjoining conservation area.
19. Consequently I find that the proposal is in accordance with Policy 3/4 of the Cambridge City Council Local Plan 2006 which requires developments to demonstrate that they have responded to their context. The proposal also accords with Policy 3/12 which requires new buildings to demonstrate that they have a positive impact on their setting in terms of location on the site, height, scale, form and wider townscape. It is in line with the guidance in the Eastern Gate SPD and addresses the requirements of the National Planning Policy Framework (the Framework) in respect of good design.
20. The proposed development would also comply with Policies 3/1 and 4/11 of the Cambridge Local Plan, the former requiring development to meet the principles of sustainability, safeguarding and enhancing the historic built environment and the latter by enhancing the appearance of the adjoining conservation area. It would also meet the requirements of the Framework in respect of conserving and enhancing the historic environment.

Living Conditions

21. The proposed courtyard would be at lower ground level resulting in the surrounding buildings extending to three storeys above it. Proposals for a double height communal space within the Newmarket Road block would provide a visual connection from the courtyard through the block to the street which would emphasise access to it, relate well to the surrounding buildings and enhance the quality of the space. In addition, proposals for a high quality landscaped space to be secured through a planning condition would ensure that the courtyard provided attractive and stimulating living conditions for occupiers of the development. In spite of the height of the surrounding blocks and the size of the space I do not find that the courtyard would be a poor environment for its users.

22. Consequently I find that the proposals would meet the requirements of Policy 3/7 of the Local Plan which seeks to ensure that new development provides attractive, high quality, accessible, stimulating and socially inclusive living environments. It would appropriately address the requirements of Policy 3/11 of the Local Plan which require the design of external spaces and boundary treatments to relate to the character and function of the spaces and surrounding buildings. It would also accord with government guidance on good design as set out in the Framework.
23. A number of representations suggested that the courtyard would be overshadowed by the surrounding blocks and that the proposed development would have an adverse effect in respect of daylight and sunlight on properties on the eastern side of River Lane. Having reviewed the appellant's submission and the Council's review I consider that the daylight and sunlight analysis for central courtyard demonstrates that the light levels would be acceptable and that there would be no adverse impacts on the living conditions of neighbouring occupiers in respect of daylight and sunlight.
24. Concerns about the possibility of overlooking from windows in the western end of the Newmarket Road building affecting the privacy of residents in Godesdone Road can be adequately addressed through the provision of extended mullions on windows in the rear of the block. With respect to properties in River Lane and Beche Road I consider that in the case of properties closest to the proposed development detailed design elements would address any concerns about loss of privacy or overlooking and in general the distance between properties would be sufficient to ensure that there would be no harmful effect from overlooking.
25. The effects of noise arising from the proposed development can be appropriately addressed through a condition.

Student Accommodation

26. One of the Council's reasons for refusal was that occupancy of the student accommodation was not limited to full time students of the University of Cambridge or Anglia Ruskin University (ARU), nor did management arrangements exist to ensure occupiers do not keep cars in the city, nor could it be guaranteed that the location was suitably close to the educational institution involved.
27. Since the determination of the application the appellant has provided a letter of intent from ARU in support of the proposal. There is also a clause in the Section 106 Agreement restricting the occupancy of the accommodation to students of the University of Cambridge or ARU and with other restrictions during the summer recess. The Council stated that it did not intend to defend reason for refusal number 5, subject to the completion of the legal agreement. Having reviewed the agreement I am content that in respect of student accommodation it complies with the requirements of Policy 7/10 of the Local Plan relating to the development of speculative purpose-built student accommodation. I am also content that the provisions relating to student accommodation meet the tests set out in paragraph 204 of the Framework.

Open Space and Sports Facilities, Waste Facilities and Public Art

28. Another reason for refusal was that the proposed development did not make adequate provision for open space and sports facilities, waste facilities or public art.
29. The Section 106 Agreement makes provision for contributions towards outdoor and indoor sports facilities to reflect the additional demand arising from the provision of student accommodation. In addition the Council is no longer seeking commuted payments for waste facilities.
30. The Council has confirmed that it is no longer seeking financial contributions in respect of public art and is instead seeking on-site provision of public art projects. This is a matter which can be addressed by condition.
31. The Council confirmed that, subject to the completion of the legal agreement, it was not intending to defend reason for refusal number 6. I am content that in respect of open space and sports facilities the legal agreement complies with Policy 3/8 of the Local Plan which provides for commuted payments to the City Council in respect of open space and recreation provision, Policy 10/1 regarding infrastructure improvements and the Council's Open Space Standards Guidance for Interpretation and Implementation, 2010. It also meets the tests in Regulation 122 of the Community Infrastructure Regulations, 2010.

Other Matters

32. The Section 106 agreement provides for a car-free development, a servicing management plan, highways improvements and a travel plan. Together with specific elements of the scheme design, these provisions would ensure that the development would have no materially harmful impact on traffic, servicing, parking or highway safety. I am satisfied that these elements of the Section 106 agreement would meet the requirements of policies 8/6, 8/9 and 8/10 of the Local Plan, the tests in Regulation 122 of the Community Infrastructure Regulations, 2010 and paragraph 204 of the Framework.
33. The impact of the proposed development on archaeology which was raised in representations can be addressed through an appropriate planning condition. No other matters raised would provide sufficient grounds for dismissing the appeal.

Conditions and Obligations

34. I have had regard to the conditions which the Council has suggested in the light of Planning Practice Guidance. I note that the appellant has confirmed their agreement to these conditions.
35. In addition to the standard implementation condition I have imposed a condition specifying the relevant drawings as this provides certainty (Condition 2). Conditions are necessary for the benefit of the appearance of the development and its surroundings, including the adjoining conservation area (17, 18, 19, 20, 21, 22, 23, 26 and 27). Conditions are required in order to minimise the effects of the proposed development on the living conditions of occupiers of the proposed development and neighbouring residents and to address matters of highway safety during the construction phase (8 and 25).

36. It is necessary to impose conditions to address any ground contamination associated with the previous use and require its remediation before residential occupation (3, 4, 5, 6 and 7). Measures are also necessary to ensure a satisfactory acoustic environment for residential occupiers and neighbouring residents (9, 10 and 11). Conditions are also required to ensure appropriate arrangements for waste storage and collection from the site (24). Conditions to protect the quality of controlled waters in the local area, provide a satisfactory method of surface water drainage and prevent an increased risk of flooding are necessary (12, 13, 14 and 15) as is a condition to ensure that appropriate archaeological investigations are undertaken (16).
37. The measures provided for through the Section 106 Agreement are described above. They comply with the relevant development plan policies and supplementary planning guidance and meet the tests in Regulation 122 of the Community Infrastructure Regulations, 2010. In terms of Regulation 123 which requires obligations to relate to projects where fewer than five contributions have already been provided, I have no reason to believe that this test has not been met.

Conclusion

38. For the reasons set out above, the appeal is allowed.

Kevin Gleeson

INSPECTOR

CONDITIONS

1. The development hereby permitted shall begin not later than three years from the date of this decision.
2. The development hereby permitted shall be carried out in accordance with the following approved plans: 2003-A-L-P-100 Rev 02, 2003-A-L-P-101 Rev 02, 2003-A-L-P-102 Rev 01, 2003-A-L-P-103 Rev 01, 2003-A-L-P-104 Rev 02, 2003-A-L-P-105 Rev 02, 2003-A-L-E-210 Rev 04, 2003-A-L-E-211 Rev 05, 2003-A-L-E-212 Rev 03, 2003-A-L-E-213 Rev 01, 2003-A-L-E-214 Rev 01, 2003-A-L-E-215 Rev 01, 2003-A-L-E-216 Rev 01, 2003-A-L-S-300 Rev 03, 2003-A-L-P-400, 2003-A-L-P-401 and 2003-A-L-P-402.
3. *Contaminated Ground: Submission of Preliminary Contamination Assessment.* Prior to the commencement of the development including investigations required to assess the contamination of the site, the following information shall be submitted to and approved in writing by the local planning authority: (a) desk study to include a detailed history of the site uses and surrounding area (including any use of radioactive materials); general environmental setting; site investigation strategy based on the information identified in the desk study, and (b) report setting out what works/clearance of the site (if any) is required in order to effectively carry out site investigations.
4. *Contaminated Ground: Submission of Site Investigation Report and Remediation Strategy.* Prior to the commencement of the development with the exception of works agreed under condition 3 and in accordance with the approved investigation strategy agreed under clause (b) of condition 3, the following shall be submitted to and approved in writing by the local planning authority: (a) a site investigation report detailing all works that have been undertaken to determine the nature and extent of any contamination, including the results of the soil, gas and/or water analysis and subsequent risk assessment to any receptors, and (b) a proposed remediation strategy detailing the works required in order to render harmless the identified contamination given the proposed end use of the site and surrounding environment including any controlled waters. The strategy shall include a schedule of the proposed remedial works setting out a timetable for all remedial measures that will be implemented.
5. *Contaminated Ground: Implementation of Remediation.* Prior to the first occupation of the development the remediation strategy approved under clause (b) to condition 4 shall be fully implemented on site following the approved schedule of works.
6. *Contaminated Ground: Materials Management Plan.* Prior to importation or re-use of ground fill material for the development a Materials Management Plan (MMP) shall be submitted to and approved in writing by the local planning authority. The MMP shall include: details of the volumes and types of material proposed to be imported or reused on site; details of the proposed source(s) of the imported or reused material; details of the chemical testing for all ground fill material to be undertaken before placement onto the site; the results of the chemical testing which must show the material is suitable for use on the development; confirmation of the chain of evidence to be kept during the materials movement, including

material importation, reuse placement and removal from and to the development. All works shall be undertaken in accordance with the approved document.

7. *Contaminated Ground: Unexpected Contamination.* If unexpected contamination which has not previously been identified is encountered whilst undertaking the development, works shall immediately cease on site until the local planning authority has been notified and/or the additional contamination has been fully assessed and remediation approved following steps (a) and (b) of condition 4 above. The approved remediation shall then be fully implemented in accordance with condition 5.
8. Prior to the commencement of development, a Demolition and Construction Environmental Management Plan (DCEMP) shall be submitted to and approved in writing by the local planning authority. The DCEMP shall include the consideration of the following aspects of demolition and construction:
 - (a) Demolition, construction and phasing programme;
 - (b) Contractors' access arrangements for vehicles, plant and personnel including the location of construction traffic routes to, from and within the site, details of their signing, monitoring and enforcement measures;
 - (c) No construction/demolition work shall be carried out or construction plant operated other than between the following hours: 0800 hours to 1800 hours Monday to Friday, 0800 hours to 1300 hours on Saturday and at no time on Sundays, Bank or Public Holidays.
 - (d) There shall be no collection from or deliveries to the site during the construction period outside the hours of 0730 hours to 1800 hours Monday to Friday, 0800 hours to 1300 hours on Saturdays and at no times on Sundays, Bank or Public Holidays, unless agreed in writing by the local planning authority in advance;
 - (e) Soil Management Strategy;
 - (f) Noise method, monitoring and recording statements in accordance with the provisions of BS 5228-1: 2009;
 - (g) Maximum noise mitigation levels for construction equipment, plant and vehicles;
 - (h) Vibration method, monitoring and recording statements in accordance with the provisions of BS5228-2: 2009;
 - (i) Maximum vibration levels;
 - (j) Dust management and wheel washing measures in accordance with the provisions of London Best Practice Guidance: The Control of Dust and Emissions from Construction and Demolition;
 - (k) Use of concrete crushers;
 - (l) Prohibition of the burning of waste on site during demolition/construction;
 - (m) Site lighting;
 - (n) Drainage control measures including the use of settling tanks, oil interceptors and bunds;
 - (o) Screening and hoarding details;
 - (p) Access and protection arrangements around the site for pedestrians, cyclists and other road users;
 - (q) Procedures for interference with public highways, including permanent and temporary re-alignment, diversions and road closures;
 - (r) External safety and information signing and notices;
 - (s) Consideration of sensitive receptors;
 - (t) Prior notice and agreement procedures for works outside agreed limits;
 - (u) Complaints procedures, including complaints response procedures;
 - (v) Membership of the Considerate Contractors Scheme.
9. Prior to the commencement of development/construction, a noise insulation scheme detailing the acoustic noise insulation performance specification of the external building envelope of the residential units (having regard to building fabric, glazing and ventilation) to reduce the level of noise experienced in the residential units as a result of the proximity of the habitable rooms to the high ambient noise levels in the area shall be

submitted to and approved in writing by the local planning authority. The scheme shall achieve the internal noise levels recommended in British Standard 8233:1999 'Sound Insulation and Noise Reduction for Buildings – Code of Practice'. The approved scheme shall be fully implemented and a completion report submitted to the local planning authority prior to the occupation of the residential development. The approved scheme shall remain unaltered in accordance with the approved details.

10. Prior to the commencement of development, a noise report shall be submitted to and approved in writing by the local planning authority that considers the impact of noise from the neighbouring public house on the bedrooms/living rooms of the development. Following the submission of the noise report and prior to the commencement of development works, a noise insulation scheme detailing the acoustic noise insulation performance specification of the external building envelope of the residential units (having regard to the building fabric, glazing and ventilation) for protecting the residential units from noise shall be submitted to and approved in writing by the local planning authority. The scheme as approved shall be fully implemented before the use hereby permitted is commenced and prior to the occupation of the residential units and shall not be altered without the prior approval of the local planning authority.
11. Before the development hereby permitted is occupied, a scheme for the insulation of the plant in order to minimise the level of noise emanating from the plant shall be submitted to and approved in writing by the local planning authority and the scheme as approved shall be fully implemented before the use hereby committed is commenced.
12. No infiltration of surface water drainage into the ground is permitted other than with the express written consent of the local planning authority, which may be given for those parts of the site where it has been demonstrated that there is no resultant unacceptable risk to controlled waters. The development shall be carried out in accordance with the approved details.
13. Piling or other foundation designs using penetrative methods shall not be permitted other than with the express written consent of the local planning authority, which may be given for those parts of the site where it has been demonstrated that there is no resultant unacceptable risk to groundwater. The development shall be carried out in accordance with the approved details.
14. No development shall take place until such time as a scheme to provide surface water drainage has been submitted to and approved in writing by the local planning authority. The scheme shall be fully implemented and subsequently maintained 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.
15. Prior to the commencement of development a scheme for the provision and implementation of pollution control of the water environment shall be submitted to and approved in writing by the local planning authority.
16. No demolition/development shall take place until a Written Scheme of Archaeological Investigation has been submitted to and approved in writing by the local planning authority. No demolition/development shall take place

other than in accordance with the Written Scheme of Archaeological Investigation.

17. No development shall take place until samples of the materials to be used in the construction of the external surfaces of the development hereby permitted 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.
18. No development shall take place until full details of all non-masonry walling systems, cladding panels or other external screens including structural members, infill panels, edge, junction and coping details, colours, surface finishes/textures and relationships to glazing and roofing have been submitted to and approved in writing by the local planning authority. This may consist of large scale drawings and/or samples. Thereafter the development shall be undertaken in accordance with the agreed details unless the local planning authority agrees to any variation in writing.
19. No development shall take place until full details of all windows and doors, as identified on the approved drawings, including materials, colours and surface finishes/textures have been submitted to and approved in writing by the local planning authority. This may consist of large scale drawings and/or samples. Thereafter the development shall be undertaken in accordance with the agreed details unless the local planning authority agrees to any variation in writing.
20. No development of a building shall take place until a sample panel of the materials to be used in the construction of the external surfaces has been prepared on site for inspection and approved in writing by the local planning authority. The sample panel shall be at least 1 metre x 1 metre and show the proposed material, bond, pointing technique, coursing and colour and type of jointing and palette of materials to be used in the development. The development shall be constructed in accordance with the approved sample, which shall not be removed from the site until completion of the development.
21. No development shall take place until full details of both hard and soft landscaping works have been submitted to and approved in writing by the local planning authority and these works shall be carried out as approved. These details shall include proposed finished levels or contours; means of enclosure; hard surfacing materials; minor artefacts and structures; proposed and existing functional services above and below ground. Soft landscaping works shall include planting plans; written specifications; schedules of plants, noting species, plant sizes and proposed numbers/densities where appropriate and an implementation programme.
22. The development shall not be occupied until a plan for the future management of the proposed street trees has been submitted to and approved in writing by the local planning authority. The approved plan shall be adhered to thereafter.
23. The development shall not be occupied until a programme for the planting of the proposed street trees in River Lane and Rowlinson Way has been agreed with the local planning authority. Tree planting shall be implemented in accordance with the agreed plan.

24. Prior to the commencement of development full details and plans of the on-site storage facilities for waste and recycling shall be submitted to and approved in writing by the local planning authority. Such details shall identify the specific positions of where wheeled bins, or any other means of storage will be stationed to enable collection from within 10m of the kerbside of the adopted highway/refuse collection vehicle access point. Details shall include the on-site storage facilities for waste, including waste for recycling, the storage facilities for the separation of waste for recycling and composting within the individual student flats/clusters, and the arrangements for the disposal of waste. These arrangements shall subsequently be provided and shall include provision for a minimum of 50% recycling/organic capacity. The approved arrangements shall be retained thereafter unless alternative arrangements are agreed in writing by the local planning authority.
25. The development hereby approved shall not be occupied until an operational management plan for the site, which provides details of site management, security, delivery handling, waste collection management, litter control and term end pick-up and drop-off arrangements has been submitted to and approved in writing by the local planning authority. Occupation of the site shall take place only in accordance with the approved management plan.
26. Within six months of the commencement of development a Public Art Delivery Plan shall be submitted to and subsequently approved in writing by the local planning authority and shall include the following: details of the Public Art and artist commissioned; details of how the Public Art will be provided including a timetable for its provision; details of the location of the proposed Public Art on the application site; the proposed consultation to be undertaken with the local community. The approved Public Art Delivery Plan shall be fully implemented in accordance with the approved details and timetable.
27. Prior to the occupation of the development, a Public Art Maintenance Plan shall be submitted to and approved in writing by the local planning authority and shall include the following: details of how the Public Art will be maintained; how the Public Art would be decommissioned if not permanent; how repairs would be carried out; how the Public Art would be replaced in the event that it is destroyed. The approved Public Art Maintenance Plan shall be fully implemented in accordance with the approved details. Once in place, the Public Art shall not be moved or removed otherwise than in accordance with the Public Art Maintenance Plan.