

**HERTFORDSHIRE COUNTY COUNCIL**

**DEVELOPMENT CONTROL COMMITTEE**

**THURSDAY 08 FEBRUARY 2018 AT 10.00 AM**

**ST ALBANS DISTRICT COUNCIL**

Agenda No.

**1**

**APPLICATION FOR THE CONSTRUCTION OF NEW 6 FE SCHOOL BUILDINGS, VEHICULAR ACCESS/EGRESS ONTO THE LOWER LUTON ROAD, VEHICULAR ACCESS ONTO COMMON LANE, TWO PEDESTRIAN ACCESSES/EGRESSES ONTO COMMON LANE, CAR PARKING, CYCLE STORAGE, COACH PARKING, PLAYING FIELDS, TENNIS COURTS / MULTI-USE GAMES AREA, SURFACE WATER ATTENUATION MEASURES, HARD AND SOFT LANDSCAPING AND OTHER ASSOCIATED DEVELOPMENT AT LAND TO THE NORTH OF LOWER LUTON ROAD, HARPENDEN, HERTFORDSHIRE**

Report of the Chief Executive and Director of Environment

Contact: Chay Dempster Tel: 01992 556308

Local Member: David Williams

Adjoining Members: Teresa Heritage/ Annie Brewster

### **Purpose of Report**

- 1.1 To consider application 5/2733-17 (CC0798) for construction of new 6 FE school buildings, vehicular access/egress onto the Lower Luton Road, vehicular access onto Common Lane, two pedestrian accesses/egresses onto Common Lane, car parking, cycle storage, coach parking, playing fields, tennis courts / multi-use games area, surface water attenuation measures, hard and soft landscaping and other associated development at land to the north of Lower Luton Road, Harpenden, Hertfordshire.

### **2. Summary**

- 2.1 The application proposes the construction of a new 6 form of entry secondary school, sports hall, multi-use games area, playing fields, new vehicular access and egress from the Lower Luton Road, plus a service access from Common Lane and pedestrian accesses from Common Lane and the Lower Luton Road. The site is shown on the Ordnance Survey Extract (Appendix 1).
- 2.2 The proposed highway works in front of the site include: a right turn lane, toucan crossing to the east of Crabtree Lane, modifications to the mini-roundabout at Common Lane/Lower Luton Road junction, pedestrian footway on east side of Common Lane, and the introduction of a 30mph speed limit between Batford and Wheathampstead. The full

- package of off-site highway works, including pedestrian improvements across the wider area are set out in Appendix 2.
- 2.3 The site is located within the Metropolitan Green Belt and as such the application is a departure from the development plan. The extent of the Green Belt surrounding Harpenden and Wheathampstead is shown on the plan in Appendix 3.
  - 2.4 The proposed development layout is shown on the Landscape Masterplan appended to this report (Appendix 4).
  - 2.5 The education need statement sets out the requirement for additional secondary school capacity within the Harpenden Education Planning Area (EPA) covering Harpenden, Redbourn, Wheathampstead and the surrounding villages, indicating that there is an unmet demand in excess of 6 forms of entry by 2022/23. The map of the Harpenden Education Planning Area is appended to this report (Appendix 5).
  - 2.6 The sequential approach to identifying suitable location(s) for meeting the rising demand considered the potential to provide additional capacity at the three Harpenden secondary school sites. Feasibility studies identified that an additional 0.6FE could possibly be provided at the St Georges School site, plus an additional 2FE at the Sir John Lawes School site. The potential to expand Roundwood Park was considered undeliverable because of the combined traffic effects generated by an expanded Roundwood Park secondary school operating alongside Roundwood primary school on the adjoining site. The 2011 highway appraisal regarded this option as being unlikely to be acceptable in highway terms.
  - 2.7 In any event, the number of additional places that could be delivered through the potential expansion of St Georges and Sir John Lawes Schools would fall short of the required capacity. Furthermore, both of the schools have expanded their Published Admission Number (PAN) within the last decade under an agreement with the County Council and the schools have stated that they would be unwilling to expand further on a permanent basis.
  - 2.8 The comparative site assessment 2015 (and 2017 update) identified potential sites for a new school site (or detached playing fields) within the urban areas of Harpenden, Redbourn, Wheathampstead. The assessment, which covered land within HCC ownership, commercial sites and areas of open land, concluded that there are no suitable, available and deliverable sites.
  - 2.9 The comparative site assessment also considered potential sites on the edge of Harpenden. The site search initially identified 11 sites, later reduced to 9 sites.
  - 2.10 The comparative site assessment considered each site against a range of environmental effects generated by the development of a new 6FE secondary school. The assessment produced a shortlist of 3 sites.

Viability reports were produced for the 3 sites. The site with the least adverse Green Belt effects and the least number of adverse environmental effects was Site A (Land to the East of Luton Road, Harpenden); however, Site A is promoted as a housing site in the draft local plan, and the cost of acquiring the land make it undeliverable.

- 2.11 Of the three sites, the application site (Site F) was the least favourable in terms of construction considerations, but most favourable in terms of acquisition. Following the completion of the comparative site assessment (January 2015) the County Council entered into negotiations to purchase Site F and completed the purchase on 25 August 2017.
- 2.12 Having assessed the planning merits of the application, the report concludes:
- There is a clear, demonstrable and pressing need for additional secondary school capacity within the Harpenden EPA (until at least 2028);
  - The level of demand in 2023 justifies the provision of 6 forms of entry of additional capacity with the Harpenden EPA;
  - The options to expand capacity at St Georges and Sir John Lawes schools cannot meet the level of demand within the required timescales;
  - The option of expanding capacity at Roundwood Park is undeliverable within the required timescale;
  - There are no more suitable or available sites within the urban areas of Harpenden, Redbourn, Wheathampstead;
  - There are no more clearly suitable sites within the Green Belt on the edges of Harpenden (that are deliverable within the required timescales)
- 1.1 The development of a 6FE secondary school at the application site would result in adverse impacts on the Green Belt and also in terms of landscape, transport, air quality, drainage and heritage assets, and whilst the adverse effects are mitigated as far as possible, there are likely to be residual adverse effects to landform and landuse, to the public highway and in terms of surface water flooding affecting the Lower Luton Road.

#### Planning balance

- 2.12 When considering planning applications, local authorities should ensure that **substantial weight** is given to any harm to the Green Belt. Very special circumstances will not exist unless the potential harm to the Green Belt by reason of inappropriateness, and any other harm, is clearly outweighed by other considerations (NPPF: Paragraph 88).
- 2.13 The Very Special Circumstances in this case are:

- The wider benefits of providing the level of additional secondary school capacity required within the area of need;
- the lack of suitable, available and deliverable sites within the urban areas of Harpenden, Redbourn, Wheathampstead; and
- the lack of available sites within the Green Belt (which potentially could result in less harm) that are deliverable within the required timescales

2.14 The Very Special Circumstances are considered sufficient to clearly outweigh the harm to the Green Belt and the other harm identified in this case, specifically with regard to the provisions of the NPPF (paragraph 72) which states:

The Government attaches great importance to ensuring that a sufficient choice of school places is available to meet the needs of existing and new communities. Local planning authorities should take a positive, proactive and collaborative approach to meeting this requirement, and to development that would widen the choice in education. They should: give **great weight** to the need to create, expand or alter schools; and work with schools and promoters to identify and resolve key planning issues before applications are submitted.

### **Recommendation**

3.1 For the reasons set out above and in the main body of the report, it is recommended (a) that planning permission should be granted subject to the conditions set out below, which are necessary to make the development acceptable, relevant to planning and the development to be permitted, enforceable, precise and reasonable in all other respects, in accordance with the NPPF (Paragraph 206), subject to (b) the application is referred to the Secretary of State as a departure from the development plan for a decision as to whether or not to call in the application for his determination

#### Conditions

##### Timing

- Commencement of development: within 3 years
- Construction hours: 7am - 6pm Monday - Friday; Saturday 8am - 1pm;
- Sports facilities: hours of use: 8am to 9pm Monday - Saturday; Sunday 9am to 7pm

##### General requirements

- Vehicular and pedestrian access: implemented in accordance with approval plans
- Travel Plan: 56% sustainable travel modal split (specified in the Travel Plan version 3) to be delivered, maintained and monitored on an annual basis, in accordance with the measures set out in the intervention strategy

### Prior to the commencement of development

Further details required in respect of:

- Samples of materials of construction: for external elevations
- Fences and other means of enclosure
- Levels: cross section drawings
- Refuse storage areas
- Hard and soft landscaping: enhancement scheme:
- Lighting:
  - Drainage:
    - Scheme of infiltration testing
    - Site drainage strategy
    - Detailed design of overland flow routes
    - Detailed design of surface water ditch;
    - Construction Management Plan;
- Detailed schemes for off-site highway works
- Drainage: cross section drawings showing proposed site contours
- Soil handling: methodology statement
- Sports pitches: assessment of ground conditions
- Sports facilities: multi-use games area - detailed specification
- Archaeology: Written Scheme of Investigation
- Archaeology: mitigation strategy for preservation in situ
- Ecology: ecological management plan

### Prior to the first occupation

- Provision of new vehicular and pedestrian access on Common Lane
- Provision of off-site highway works
- Extension of 30mph speed limit from Wheathampstead to Batford;
- Travel Plan: implementation of measures specified in the Travel Plan (Phase 1);
- Energy use statement
- Drainage:
  - implementation of drainage strategy principles;
  - submission of drainage strategy for sports pitches;
  - submission final drawings showing drainage and overland flow routes;

### Prior to second year intake

Actions and further information requirements

- Provision of new access onto the Lower Luton Road
- Parking and turning space: in accordance with approved plans
- Provision of area wide parking restrictions shown in principle on Drawing No.2675-AWP-S30-01;
- Off-site highway works: detailed schemes
- Off-site highway works: implementation of approved plans

### Other timescales

- Ecology: survey (presence of badgers) minimum 2 weeks prior to commencement;
- Ecology: management plan: not later than 6 months prior to first occupation
- Community Use Agreement: prior to occupation of the school in Year 13 and above;
- Sport pitches: noise assessment prior to any community use after 6pm
- Drainage: submission of drainage and maintenance plans

### **Background**

- 4.1 Harpenden Secondary Education Trust's (HSET<sup>1</sup>) submitted an application for funding under the free schools programme to the Department of Education (DfE) in October 2014. The application received approval to enter the pre-opening process in March 2015.
- 4.2 The process required HSET to provide valid evidence of demand for the school. The submitted evidence was assessed alongside data held by DfE as well as information provided by the local authority. The Education and Skills Funding Agency (on behalf of DfE) regard the free schools application as having 'clearly demonstrated strong parental demand and a marked need for this school'. The application was allowed to proceed to the next stage of the pre-opening process, under the following arrangements:
- HCC take responsibility for acquiring the site;
  - DfE/ ESFA take responsibility for carrying out the capital works.
  - HSET take responsibility for developing site designs (alongside the EFSA) and to develop the educational, financial and governance plans to the required standard to enable the Secretary of State to consider entering into a funding agreement
- 4.3 In May 2017 Kier Construction Ltd were awarded the contract to design the building.
- 4.4 The County Council negotiated the purchase of the site from January 2015 and completed the acquisition land on 25<sup>th</sup> August 2017. The landowner retained a strip of land ('retained land') measuring approximately 35m wide between the application site and Common Lane.
- 4.5 The application was submitted on 11 September 2017 and public consultation began on 28 September 2017 for 6 weeks. Further information on archaeology, transport, and surface water drainage was

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<sup>1</sup> The Harpenden Secondary Education Trust was established to promote a fourth secondary school in the town. HSET Trust is a partnership of the three existing secondary schools, the University of Hertfordshire and Rothamsted Research

submitted on 14 December 2017 and a further period consultation lasted for 21 days.

- 4.6 This is a joint application by Hertfordshire County Council (HCC) and the Education and Skills Funding Agency (EFSA) under the Town and Country General Regulations 1992 (Regulation 3 development).
- 4.7 The application site is located in the Green Belt and is therefore a departure from the development plan. Any resolution to grant planning permission will be subject to the application being referred to the Secretary of State for a decision on whether to call in the application for his determination

### **Site and Surrounding Area**

- 5.1 The application site is located in Harpenden East on the north-east edge of the settlement to the east of Batford, as shown on the attached OS extract. The site is approximately 17.20 hectares in area.
- 5.2 The application site adjoins Common Lane and the Lower Luton Road. The land is in.
- 5.3 The site comprises:
- four fields of grassland (last used for grazing cattle),
  - hedgerow along the northern boundary to Mackerye End Lane,
  - public right of way along the eastern site boundary and the dense vegetation filtering views into the site,
  - the southern site boundary to the Lower Luton Road marked by post and wire fences with a small section accommodating a remnant hedgerow

The site is bounded by–

- Mackerye End Lane and agricultural land to the north and the hamlet of Mackerye End to the north east;
  - Harpenden Public footpath: 027A to the east; agricultural land and land in multiple ownership beyond,
  - The Lower Luton Road (B653) to the south; with Old Batford Mill south west, the Grade II listed Thatched Cottage on the corner of Lower Luton; with fields, hedgerow and pasture adjoining the River Lea to the south; and
  - Common Lane and the 'retained land' to the west
- 5.4 The tree survey records 29 trees within or adjoining the site, in Categories B1, B2, C2 or U and four hedgerows all Category C2.
- 5.5 The current land use is agriculture. The land is classified Grade 3a, i.e. best and most versatile agricultural land.

- 5.6 The land is described as currently vacant. In 2013 an agricultural viability report was undertaken to support the comparative site assessment. The 2013 report identified the land was managed under a farm business tenancy and was used for rearing beef cattle. The tenant owns Dane Spring Farm (12ha) and occupies other land parcels under annual grazing licences. The land within the site forms the main base for the enterprise where cattle being overwintered, either on the land or within the farm buildings on the site.
- 5.7 In 2017 a further agricultural viability report was commissioned to reflect the change in circumstances. The report concluded:
- The tenant's grazing has reduced by half with cattle stock numbers reduced by approximately 60%;
  - The retained land to the east of Common Lane is 8.5 acres which is not large enough to sustain agricultural livestock use of the site;
  - The size of the enterprise has reduced significantly affecting economies of scale and profitability of the enterprise. The livestock enterprise is part of a larger business operation which is not solely reliant upon the income from livestock;
  - The significant decrease in the size of the enterprise will have a short to medium term impact on the overall business;
  - The proposed development would have a **large adverse** impact in terms of agricultural viability.

#### Conservation designations

- 5.8 The Mackerye End Conservation Area is located immediately to the north of the application site. There are a number of listed buildings (high sensitivity) in close proximity to the site, including:
- The Thatched Cottage (Grade II listed) adjacent opposite the site on the south side of the Lower Luton Road
  - Mackerye End House (Grade I listed) adjacent to northern east corner of the site
  - The stable, coach house and cottage (Grade II) south-east of Mackerye End House, located approximately 50m north-east of the application site
  - Cory Cottage and Wright Cottage located north east of the application site are medium sensitivity.

#### Archaeology

- 5.9 The site is not located within a designated area of Area of Archaeological Significance.
- 5.10 In May 2015, the County Archaeologist recommended that an archaeological evaluation be carried out for the site. In August 2017, 80 trial trenches were dug, of which 34 were found to contain heritage assets of archaeological interest, dating from Mesolithic and Neolithic

periods, Bronze Age, Iron Age and early medieval (Anglo-Saxon) periods. The position of the trenches is shown on Appendix 8.

- 5.11 Many of the discoveries are rare in Hertfordshire including a Middle Iron Age enclosure and pottery dating from the early Neolithic period. Also found were hundreds of pieces of flint from the Mesolithic to the Bronze Age
- 5.12 In addition, 14 human burials, thought to date from the seventh century (Anglo Saxon) were found in the northern part of the site, which are considered to be of regional significance (at least). The County Archaeologist recommended that one of these burials be exhumed to better understand the date of the burials and significance.
- 5.13 The planning application includes an archaeological desk-based assessment, a geophysical survey, an archaeological trial trench report and an addendum describing the exhumation of a human burial. The applicant has also submitted an Archaeological Impact Assessment, which includes a method statement to achieve the preservation of these heritage assets.

#### Ecology

- 5.14 The nearest designations are:
- 125 (west) - Batford Springs (Local Nature Reserve, Wildlife Site)
  - 180m (north) - Grasslands at Mackerye End (Wildlife Site)
  - 280m (north) - Sauncey Wood (Local Nature Reserve, Ancient Woodland, Wildlife Site)
  - 335m (south east) Castle Farm Woodland by River Lea
  - 465m (north-east) - Marshallsheath Wood (Wildlife Site, Ancient Woodland)
  - 520m (north) - Holcroft Springs (Wildlife Site)
  - 730m (east) - Marshalls Heath (Local Nature Reserve)
- 5.15 The nearest Site of Special Scientific Interest is 7km east of the site (Sherrardspark Wood). There are no Ramsar Sites in Hertfordshire within 20km of the site. The northern extent of the Watling Chase Community Forest is located approximately 6.5km to the south of the site.

#### Landscape character

- 5.16 The site falls within National Character Area 110: Chilterns (national designation) wherein the main aims are to enhance local distinctiveness and create or enhance green infrastructure. The landscape type is described as Wooded Chalk Valley Landscape (regional designation). The central and southern parts of the site are within the Upper Lea Valley (Landscape Character Area 33). The northern part of the site is within the Blackmore End Plateau

(Landscape Character Area 34). Both landscape character areas have **medium** landscape sensitivity value with **high** susceptibility to change.

#### Landscape context

- 5.17 The site is located on the northern valley slopes, strongly influenced by the course of the River Lea; lesser valleys cut back towards Blackmore End plateau north and west of the site. The town of Harpenden extends south along the River Lea. The surrounding development includes Batford Farm, Windmill Cottage and the settlement of Mackerye End. To the east of the site, Valley Rise estate (Manor Road, Marshalls Way, Valley Rise and Castle Rise) on the north side of the V653 to the east of Batford.

#### Landscape sensitivity

- 5.18 The LVIA describes the sensitivity of the site in terms of: landform, landuse, vegetation, historic assets, and public footpaths:
- landform: **high** overall sensitivity, landscape sensitivity, and susceptibility to change
  - landuse, vegetation, historic assets : **medium** overall sensitivity, landscape sensitivity, and susceptibility to change;
  - public footpath: **medium** overall sensitivity and landscape sensitivity; **high** susceptibility to change

#### Green Belt

- 5.19 The Green Belt extends across the southern areas of Hertfordshire, to include all areas outside of urban land within the borough/district of St Albans, Welwyn Hatfield, Watford, Hertsmere, and Broxbourne. North of Harpenden the Green Belt extends beyond Luton. The extent of the Green Belt around Harpenden is shown in Appendix 3.
- 5.20 The Green Belt Review prepared for St Albans, Welwyn Hatfield and Dacorum in 2013 identifies the site as being located within a wider land parcel to the north of Harpenden to Wheathampstead, which joins with the South Bedfordshire Green Belt. The Green Belt Review Purposes Assessment identified the wider land parcel as making a **significant contribution** to three of the purposes of the Green Belt i.e. to:
- check the unrestricted sprawl of large built-up areas (Purpose 1)
  - assist in safeguarding the countryside from encroachment (Purpose 3)
  - preserve the setting and special character of historic towns (Purpose 4)
- 5.21 The wider land parcel was assessed as making **limited or no contribution** to preventing neighbouring towns from merging (Purpose

2). At the site level the land between Batford and Valley Rise functions as primary local gap between settlements

## **6. Proposed development**

6.1 The application seeks planning permission for the construction of

- School buildings comprising 8457sqm (GEA floor space)
- Sports hall comprising 2104sqm (GEA floor space)
- Two vehicular and pedestrian access points onto Lower Luton Road
- One vehicular access point onto Common Lane
- Two pedestrian access points onto Common Lane
- One car park (access from Lower Luton Road) comprising 79 spaces
- One car park (access from Common Lane) comprising 18 spaces
- Cycle storage comprising 120 spaces
- One grassed large football pitch (102x66m)
- One grassed large rugby pitch (124mx78m)
- Two large grassed football pitches (106mx59m)
- One small grassed football pitch (73mx46m)
- Four hard surface tennis/netball courts (74x38m)
- Provision for summer sports as shown on the masterplan (synthetic cricket wicket, high jump, javelin)
- Flood attenuation basin (3250m<sup>3</sup>)
- Drainage ditch
- Allotments (for school use)

6.2 The package of highway improvements schemes to be delivered as part of the development is described in Appendix 2. All of the off-site highway improvement schemes shown in Appendix 2 are proposed to be implemented prior to the first occupation of the school, with the exception of the Station Road junction capacity improvements (Scheme 11) which is not required before the school is 50% occupied (September 2021).

6.3 Works to the highway outside of the site will require separate approval under the Highways Act (section 278) and would be subject to statutory public consultation. The detailed engineering works would require final approval of the Highway Authority.

6.4 The next section of the report describes the proposal in detail

### Capacity

6.5 The application is for a new 6FE school to accommodate 1150 pupils fully occupied, consisting of 900 pupils in Years 11-15 and 250 pupils in the sixth form.

Phase 1 of the school will need to be completed by September 2018 to. The timetable provides for the main school buildings to be occupied by

September 2019. The school would fill over 7 years (120 students per year) reaching full capacity in September 2025

#### Amount of development

- 6.6 The proposed floor area (school buildings) is designed to meet the minimum size requirements for a 6FE secondary school in Building Bulletin 103, i.e. 2.1ha for a 6FE secondary school with separate provision for detached playing fields.

#### Layout

- 6.7 In early development several models were considered including:
- super block – one single building
  - street and fingers - blocks at 90<sup>0</sup> angle to a main building;
  - campus - a series of individual or linked' buildings.
- 6.8 The campus model was chosen as the most sympathetic option to minimise the size, scale and massing of development and reduce the impact upon the Green Belt.
- 6.9 The main buildings form three elements:
- southern block – providing the main school entrance, office accommodation, ICT classrooms, Library Resource Centre, Sixth form space, and specialised teaching classrooms;
  - main hall and kitchens - located to the rear of the block;
  - northern block – inverted U-shape block with enclosed courtyard accommodating the main teaching classrooms.
- 6.10 The sports hall and multi-use games area (MUGA) are sited to the north of the school buildings. The upper playing fields are located in the north east corner of the site.
- 6.11 The drawings show potential for expansion to 8FE (if required), however, the current proposal is for a 6FE school only.

#### Scale and massing

- 6.12 The maximum dimensions of the school buildings measure:
- height - 9.6m (finish floor to parapet) is;
  - width - 75m (from east to west);
  - length - 108m (from north to south);
- 6.13 The maximum dimensions of the sports hall measure:
- height - 10.7m (finish floor to parapet).;
  - width - 19m (from east to west);

- length - 58.5 m (from north to south).
- 6.14 The scale and massing have been designed to minimise the impact upon the Green Belt. The buildings are sited close to the edge of settlement on the western side of the site. The buildings are a maximum two storeys. The buildings are set back from the Lower Luton Road, which serves to reduce visual impact and provide separation from the listed building (Thatched Cottage) opposite the site.

#### Residential amenity

6.15 The distances between the school building and the nearest properties are:

- 116m - front façade to nearest houses on Lower Luton Road;
- 58m - western elevation to front gardens on Common Lane;
- 590m - to houses at Mackerye End.

6.16 The application documents include cross section drawings to show the relationship of buildings with the adjoining land, including properties on Common Lane and Lower Luton Road.

#### Appearance

6.17 The proposed materials for external elevations are:

- red brick for most elevations - to reflect local character;
- dark grey screen panels - main entrance, sports hall, drama studio;
- white render – some internal / external elevations - to lighten the spaces close to the building;
- aluminium clad timber frame windows – energy efficient and long life;
- glass curtain walling - entrance and learning resource centre – provides a visual connection to the outside environment.

6.18 The sports hall is proposed to be constructed of cross laminated timber panels for speed and ease of construction. The construction method and materials meet the BREEAM very good rating.

#### Proposed site levels

6.19 The proposals would require existing site contours to be extensively remodelled. The proposed contours are:

- school buildings: 91.8m to finish floor level;
- sports hall, MUGA, senior football pitch: 93 - 94m;
- main car park: 90 - 93m;
- main sports pitches: 98m;
- upper sports pitches: 121 - 122m

#### Phasing

6.20 The proposed construction is phased (two phases):

- The first phase of construction (from March 2018) would involve the construction of the sports hall , car park (18 spaces) and all-weather pitch, vehicle crossover, visibility splays and pedestrian access to Common Lane, construction of the Toucan crossing on the Lower Luton Road, formation of the flood attenuation measures, site levels, and archaeological investigations.
- The second phase would involve construction of the main school building; car park; vehicle and pedestrian crossovers / bus stops on the Lower Luton Road; site levelling, construction of the playing fields, off-site highway works, archaeological investigations, and conversion of the sports hall.
- The school is scheduled to open in September 2018. The sports hall would be used for classrooms in Year 1 (September 2018) and subsequently converted to a sports hall.

#### Site access

6.21 The proposed site access comprises:

- main vehicular access from Lower Luton Road
- secondary vehicular access from Common Lane for services and community use;
- pedestrian and cycle access from the Lower Luton Road;
- pedestrian and cycle access from Common Lane.

6.22 The main vehicular access is provided by an in and out arrangement with the entrance approximately

#### Drop off facilities

6.23 The proposal internal layout provides a bus stop and pupil drop facilities in three separate locations. Vehicle movement through the site would be managed by an internal circulation road.

6.24 The drop-off facility provides 19 spaces for cars and additional capacity to queue 16 cars within the site. The TA predicts up to 80 drop-off movements between 08:00 and 09:00, and 63 movements between 3.15pm and 4.15pm. The TA estimates that up to 7 buses would arrive during the AM peak hour. The maximum design capacity of the drop-off facility is 64 cars and 7 buses during a 15 minute period.

6.25 The average time between entering and exiting the site is estimated to be just over 2 minutes. The maximum delay for vehicles exiting the site is estimated to be 74s.

## Travel Plan

- 6.26 The Travel Plan is predicated on achieving a high proportion of pupils travelling to school by walking, cycling and bus services. This reflects the objectives of the draft Local Transport Plan, which has been out to public consultation at the same time as this application. The objective of the Travel Plan is to achieve 56% of pupils attending the school by sustainable modes of travel. The strategy is to be delivered through provision of good pedestrian access via the package of off-site improvement schemes (set out in Appendix 2) plus additional bus services (set out in Supplementary Transport Note 3: December 2017), and provision of on-site cycling facilities including 117 secure cycle spaces, lockers and showers. The scheme also proposes dedicated parking for multi-occupancy vehicles.

## Bus services

- 6.27 The Supplementary Public Transport Note (December 2017) provides additional information on existing available capacity (based on a survey of current capacity on existing bus services undertaken in October 2017), plus information on projected pupil demand for these services, and suggests two options for potential improvements to bus services (Option A and Option B) during the 7 years of occupation of the school. Option A is the preferred option being promoted. This option would involve the provision of up to 6 additional bus services to areas including Markyate, Redbourn, Wheathampstead and the Kimptons. These additional services would be initially funded for the first 7 years. The cost is being met by the EFSA and Hertfordshire County Council. The method for funding these services is set out in the Highway section of the report. It is anticipated that the additional services would become economically viable after 7 years

## Landscaping

- 6.28 Woodland planting using native species is proposed in the north east corner of the site. This will provide additional habitat and help to filter views of the site from Mackerye End. It is proposed to plant semi-mature trees in groups along the site boundaries to strengthen existing boundary hedgerows. It is proposed to plant individual trees at the front of the site and within the car park to break up areas of hardstanding and soften the visual impact of the development.
- 6.29 It is proposed to plant an orchard to the north of the football pitch adjoining the sports hall. Ornamental planting is proposed between the car park and the southern boundary of the site, and to the east of the main school buildings to screen the cycle shelters.

- 6.36 The sloping areas around the playing fields are proposed to be planted as meadows providing habitat for insects and butterflies. Extensive meadow areas are anticipated to enhance the visual appearance of the site and enhance habitat value and biodiversity.
- 6.37 The open ditch and attenuation basin on the western side of the site would be planted with wetland marginal and tree and shrub species. To the north of the sports hall the ditch would be widened to form a shallow pond, enhancing biodiversity and providing a learning resource.
- 6.38 Hard landscaping would include: concrete block paving, standard concrete flag paving, feature paving slabs, bitumen bonded gravel, self-bound gravel, porous retained gravel, and tarmacadam

### Drainage

- 6.39 The Flood Risk Assessment identified an overland flow route running through the site close to the western boundary. Surface water is generated from a wider catchment to the north of the site. The LLFA have conducted an independent catchment assessment which indicates that for a 1 in 30 year rainfall event storage volume of 3200m<sup>3</sup> needs to be provided. The drainage strategy proposes an infiltration basin (capacity 3250m<sup>3</sup>) in the south west corner of the site to attenuate the volume of surface water generated in the 1 in 30 year rainfall event.
- 6.40 Should the storage basin fill at a faster rate than water can infiltrate through the base, flood will flow naturally across the Lower Luton Road close to the junction with Crabtree Lane. In the current situation this section of the Lower Luton Roads floods during a high rainfall event. The proposed drainage strategy, by formalising the water course and attenuating the flow within the site, seeks to reduce the frequency of the existing flooding problem.
- 6.41 The surface water volumes from the development site for the 1 in 100 year rainfall event plus climate change will be managed within the site prior to discharging into the infiltration basin. On site drainage features provide total attenuation volumes of 1932m<sup>3</sup>, comprising; permeable paving (440m<sup>3</sup>); swale (30m<sup>3</sup>); and an attenuation tank (1462m<sup>3</sup>) located beneath the main car park. Further details are required by condition in respect of the means to drain the sports pitches.

### Sports facilities

- 6.43 The proposed sports facilities comprise:
- multi-use games courts (74 x 36m) adjacent to the sports hall ;

- large sports pitch east of the main school building for summer sports (400m running track and field sports) and rugby pitch (124m x 78m); two large football pitches (106m x 59m)
- one small football pitch (73m x 46m) with cricket and rounders pitches in the north east corner of the site.

6.44 The sports hall is located close to the school buildings and Common Lane to serve the school and provide community use. Paths (gradient 1:20) would provide access to the large (lower) sports pitch. Pedestrian access to the northern sports pitches is proposed via a grass reinforced track (gradient 1:15) which is wide enough to allow emergency vehicles to access the upper playing fields.

6.45 The Trust has indicated the sports facilities would be available for community use outside school hours and would be willing to enter into a community use agreement.

#### Design objectives

6.46 The Architects developed the scheme based on a series of education, planning, highways, landscape, and site layout objectives, which are summarised below.

#### Education

- visible learning – transparent spaces visible from front of school
- creating a community focus at the heart of the school;
- maximise sports provision;
- minimise impact on Phase 1 students as work progresses on Phase 2;
- 6FE capacity with potential to expand to 8FE;
- provide departmental adjacencies

#### Town Planning objectives

- site buildings close to Common Lane to maximise green space between Harpenden and Lea Valley Estate;
- minimise harm and visual impact to the Green Belt;
- minimal building footprint;
- reduce massing using individual buildings (campus layout);
- limit building height to two storeys;
- setting back buildings from Lower Luton Road and Common Lane to: reduce visual impact on adjoining residential properties; minimise noise from road traffic; minimise impact on heritage assets (Thatched Cottage, Mackerye End Conservation Area);
- mitigate surface water flooding transiting the site and mitigate surface water generated by the development

#### Landscape and site layout objectives

- maintain a green and open character perception of the landscape from the Lower Luton Road;
- conserve and enhance existing character where possible;
- extend the natural landform to optimise sports facilities;
- balance cut and fill to: enable fast construction, avoid the need for additional traffic movements, and minimise impact on landscape;
- create a setting and presence which welcomes the community;
- provide accessible sports facilities for the community
- position sports facilities in least visible locations;
- create courtyard: central space providing shelter and views of the wider landscape;
- secure environment for students
- maintain openness
- minimise unsightly fencing;
- retaining boundary vegetation;
- create recreational spaces with good natural surveillance;
- enhance the habitat value of the site through planting and management; and
- planting trees to provide shade for recreation areas.

#### Highway objectives

- safe and acceptable vehicular, pedestrian and cycle access
- minimise the impact of vehicles using adjoining residential roads;
- one-way internal circulation
- separate drop-off facility
- separate pedestrian circulation for enhanced safety;
- maximum parking in accordance with local standards;
- minimise the occasions pedestrians have to cross vehicular traffic;
- prioritise sustainable transport (walking, cycling, buses) above link capacity highway improvements (Local Transport Plan objective);
- provide level access to all areas;
- minimise conflict between pedestrians and vehicles in drop off area;
- disabled and visitor parking close to the entrance;
- sheltered cycle parking close to entrance;
- separate access for deliveries

#### Access strategy

6.47 The proposed access direct from the Lower Luton Road was regarded as the best option for the following reasons:

- avoids diverting traffic on to residential streets
- minimises residential impacts on Common Lane and Batford;
- avoids additional vehicle movements at Common Lane junction;
- provides a direct access for buses;
- minimises the number of trees and hedgerow to be removed

## 7. Planning Policy

- 7.1 Planning applications must be determined in accordance with the development plan unless material considerations indicate otherwise.<sup>2</sup> In dealing with such an application the authority shall have regard to the provisions of the development plan, so far as material to the application, and to any other material considerations<sup>3</sup>. The development plan is the development plan documents (taken as a whole) which have been adopted or approved in relation to that area<sup>4</sup>.
- 7.2 The development plan incorporates the Local Development Framework for the area as well as 'saved policies'.
- 7.3 The development plan documents for the area comprise:
- St Albans District Local Plan Review 1994
  - Hertfordshire Minerals Local Plan 2007
  - Hertfordshire Waste Development Framework Waste Core Strategy & Development Management Policies Development Plan Document 2011 – 2026: Adopted November 2012
- 7.4 The relevant policy wording is included in Appendix 6 to the report.

### Relevant policies

- 7.5 The St Albans District Local Plan Review 1994 (Saved Policies)

1 – Metropolitan Green Belt; 2 – Settlement Strategy; 4 - New Housing Development in Towns; 34 – Highway Considerations in Development Control; 35 – Highway Improvements in Association with Development; 39 – Parking Standards General Requirements; 65 – Education Facilities; 69 – General Design and Layout; 74 – Landscaping and Tree Preservation; 84 – Flooding and River Catchment Management; 86 – Buildings of Special Architectural Interest; 96 – Medium Intensity Leisure Uses in the Green Belt; 97 – Existing Footpaths, Bridleways and Cycleways; 102 – Loss of Agricultural Land; 104 – Landscape Conservation; 106 – Nature Conservation; 110 – Archaeological Sites for Local Preservation; 111 – Archaeological Sites Where Planning Permission May be Subject to a Condition

### Hertfordshire Local Transport Plan (April 2011)

- 7.6 The strategic LTP document sets out vision goals, challenges and interventions from 2011 to 2031. The document includes specific

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<sup>2</sup> Section 38 (6) Planning and Compulsory Purchase Act 2004

<sup>3</sup> Section 70 (2) Town and Country Planning Act 2004

<sup>4</sup> Section 38 (3) (b) Planning and Compulsory Act 2004

strategies in relation to active travel, buses, rail, rights of way improvement plan, road safety and speed management.

### Emerging policies

- 7.7 The NPPF (Paragraph 216) states: 'From the day of publication, decision-takers may also give weight to relevant policies in emerging plans according to:
- the stage of preparation of the emerging plan (the more advanced the preparation, the greater the weight that may be given);
  - the extent to which there are unresolved objections to relevant policies (the less significant the unresolved objections, the greater the weight that may be given); and
  - the degree of consistency of the relevant policies in the emerging plan to the policies in this Framework (the closer the policies in the emerging plan to the policies in the Framework, the greater the weight that may be given'

### Hertfordshire Local Transport Plan 4: Consultation Draft November 2017

- 7.8 Consultation on the draft LTP4 ran from 31 October 2017 to 23 January 2018 (12 weeks). The LTP sets out the county councils approach to transport policy up to 2031 and includes a range of measures to promote sustainable travel choices that will achieve a behavioural change to enable people to choose alternative travel modes for journeys which don't need to be made by car. The strategy is based on nine objectives framed around the themes of Prosperity, Place and People. The core feature of the LTP is to do more to improve conditions for sustainable modes such as walking, cycling and passenger transport. Tackling air quality is one of the key environmental policies.

- 7.9 The relevant draft LTP policies for the consideration of the application include:

1 - Transport user hierarchy; 2- Influencing land use planning; 3 - Travel plans and behaviour change; 4 - Demand management; 5 - Development management; 6 – Accessibility; 7: Active Travel – Walking; 8: Active Travel – Cycling; 9: Buses; 10: Rail; 11: Airports; 12: Network management; 13: New Roads and Junctions; 14: Climate Change and Network Resilience; 15: Speed Management; 16: Freight and Logistics; 17: Road Safety; 18: Transport Safety and Security; 19: Emissions reduction; 20: Air Quality; 21: Environment; 22: Asset Management; 23: Growth and Transport Plans

- 7.10 The earliest that LTP4 could be reported to Full Council is 22 May 2018. Given the early stage of the plan process, very little weight can be attached to LTP4 policies in the decision making process. The

policies within LTP3 remain the most relevant transport related policies to use in the determination of the application.

### St Albans Local Plan

- 7.11 The district is consulting on a new Local Plan from Tuesday 9<sup>th</sup> January 2018 to Wednesday 21 February 2018. The Local Plan will run to 2036. During this new round of consultation the Council are seeking views in relation to the six areas:
- Building homes in the right place
  - Building the right kind of homes
  - Providing local jobs
  - Protecting the Green Belt
  - Protecting our historic buildings, wildlife sites and areas of natural beauty
  - Getting the transport, schools and other infrastructure needed
- 7.12 At this earlier stage of the local plan process the documents do not include specific proposals for new school sites.
- 7.13 An earlier version of a new Local Plan had been due to go to examination in 2017, however the Plan was discontinued. As part of that process the district had published a Strategic Local Plan in 2016, which recognised that there was a forecast deficit of up to 13 FE secondary schools places required across the district up to 2025/26.
- 7.14 The SLP stated that the district would support the expansion of existing schools serving existing communities subject to planning and highway constraints being addressed, and subject to the schools themselves agreeing to expand. The SLP also recognised that new schools would also be needed, and that such sites are likely to be located in the Green Belt, and offered support in principle if all other expansion possibilities have been exhausted.
- 7.15 The SLP acknowledged that the County Council as the Local Education Authority's was promoting a site for a new secondary school to meet future needs in the Harpenden EPA and committed to including proposals for new school development and expansion of existing facilities within the draft local plan. Policy SLP6 (Education Facilities) of the 2016 SLP offered support for the provision of new or expanded educational facilities to meet the needs of residents of the District in appropriate and sustainable locations, including in the Green Belt, if all other expansion possibilities have been exhausted.
- 7.16 The new Local Plan is at the first stages of preparation. There are no specific development management policies. No weight can be attached to the policies of the 2016 Strategic Local Plan.

7.17 Therefore, the saved policies of the St Albans City and District Plan Review 1994 form the statutory development plan policies for decision making purposes.

#### Harpenden Neighbourhood Plan (Draft) October 2017

7.18 The final draft Harpenden Neighbourhood Plan<sup>5</sup> was produced after two rounds of community engagement. The final draft will be subject to examination, followed by a referendum and final adoption potentially in June 2018. The draft Plan is a material consideration, however, only limited weight may be attributed to its policies given that it has not been subject to examination, referendum and adoption.

7.19 The key issues in the draft Neighbourhood Plan include a proposed new secondary school in East Harpenden.

- The potential allocation of land at “North West Harpenden” by St Albans City and District Council for circa 500 homes; and
- The proposed new St Albans Local Plan, which is expected to include a housing target of 15,500 new dwellings between 2016 and 2036, up from the proposed target of 8,720 new dwellings between 2011 and 2031 in the SLP. This could result in a need to look at other potential housing sites, including “North East Harpenden”, a promoted site around Batford.

#### National Planning Policy Framework 2012

7.20 The relevant policy information is contained in the following chapters:

- 4. Promoting sustainable transport (Paragraphs 29 and 32)
- 7. Requiring good design ( Paragraphs 56, 57 and 58)
- 8. Promoting healthy communities (Paragraphs 72 and 73)
- 9. Protecting Green Belt Land (Paragraphs 79, 80, 87, and 88)
- 10. Meeting the challenge of climate change, flood and coastal change (Paragraphs 96, 100, 101, and 103)
- 11. Conserving and enhancing the natural environment (Paragraph 109, 118, 123 and 125)
- 12. Conserving and enhancing the historic environment (Paragraph 128, 129, 131, 132)

The full wording of the policies is contained in Appendix 13

## **8. Statutory consultee responses**

*The full statutory responses are recorded in Appendix 7*

#### St Albans City and District Council:

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<sup>5</sup> Localism Act 2011: Regulation 14: Pre-submission draft Neighbourhood Plan

8.1 The above proposal was considered at the Council's Planning Referral Committee of 27th November 2017 where the Council resolved to recommend that prior to making a decision Hertfordshire County Council as the decision maker should satisfy themselves that the case for very special circumstances overcomes the in principle and any actual harm, namely:-

- The site has been identified as containing matters of potentially nationally significant archaeological interests. Whilst the majority of the site has areas of archaeological interest that can be dealt with by condition there is a section of the site which contains burials which may be of national significance and a suitable methodology for protecting these remains needs to be established, either through protecting the remains by burying them, or excavating the site prior to granting permission.
- The applicant has not used appropriate methodology to demonstrate that the impact upon the ecology of the site is acceptable, and further information should be sought in this respect.
- Consideration as to whether all of the sports facilities are essential to the provision of the school and whether a portion of the site could be retained for agricultural purposes thereby minimising the amount of land that is lost from agricultural purposes.
- To assess whether the proposed technical details of the access are acceptable and will result in a safe and functional highway network. It is requested that the provision of the access, visibility splays and road improvements are secured by condition

8.2 The following matters should be secured via a legal agreement:

- a) School Travel Plan for pupils and staff
- b) improvements to bus network, including frequency of services and service routes
- c) wider sustainable access improvements, including concern is raised that the currently inaccessible ford at the end of Crabtree lane is shown as a 20mph zone. Offsite works should be secured by a legal agreement, with a timetable for implementation. It would be expected that these works are in place as soon as possible, ideally before the second year of year 7 entry in 2019.
- d) establishing whether any community use of the school facilities can be secured by way of a legal agreement
- e) future maintenance of the surface water drainage strategy.

8.3 The Cabinet of met on 21st December 2017 where the application was discussed and their letter (02 January 2018) confirms the Council welcomes the application in principle, but requests Hertfordshire County Council as the decision ensures that the following matters are addressed prior to a decision being made (together with the issues raised in our previous letter dated 28th November 2017).

- There is concern about the safety of the Lower Luton Road and that this road has been designated a safe route for children to access school on foot or by cycle.
- The amount of parking proposed is not considered to be adequate for staff and it is not clear how staff would safely access the school and that displaced parking would cause congestion.
- Continued concerns about the Travel Plan and the proposed parking and drop off arrangements at the site causing congestion and delays during drop off.
- Request that sixth formers enter a home / school contract to prevent parking on the school site or in local roads, causing congestion.

8.4 Harpenden Town Council held a committee meeting on 27 November 2017 when the application was considered. At the meeting the Council resolved to:

- Support the application, however, concern is expressed that this development will have a negative impact on the surrounding road network.
- Harpenden Town Council would request that additional mitigating measures are put in place for transport infrastructure. In particular, the site requires a proper turning circle for vehicles entering it and additional parking spaces provided on site to cater for staff and visitors to limit the number of vehicles parking on adjoining roads.
- In addition, the Council would request that a condition is put in place for future use of floodlights. This should set out the permitted hours of operation.

8.5 Wheathampstead Parish Council raises the following concerns:

- The Parish Council has always had serious reservations about the methodology of site selection and the ultimate choice of this site;

#### Green Belt

- The Parish Council is very concerned about coalescence between Harpenden (Batford) and Wheathampstead, leaving just one field (held in multiple ownership) separating Wheathampstead from Harpenden;
- The topography of the site is poorly suited to the development of a large school. The proposal will cause significant harm to the Green Belt (adjoining Wheathampstead Parish) and the road network;
- The choice of materials (red brick and white render) shows a lack of appreciation for the history of the site and its Green Belt status;
- We support the decision to locate buildings in the lowest part of the site, closest to the urban edge of Batford;
- We support attempts to keep the height of the building to two stories to minimise the adverse impact on the Green Belt;

#### Education Need

- We appreciate the need to address the lack of school places for village children (both now and in the future) and note this is the only current proposal for a secondary school for students from Harpenden and Wheathampstead;
- We note the vast majority of children from Wheathampstead will be allocated Katherine Warington School and that in some ways it represents a loss of 'choice' for village children. Equally, it also presents an opportunity for village children to remain together and for the school to be a community asset which benefits all residents of the village both in terms of school and leisure/sporting facilities

### Landscape and Design

- There are concerns regarding the significant degree of land re-forming and the volume of soil proposed to be pushed into the north-eastern part of the site, which is an area of "high landscape sensitivity";
- The proposed cut and fill operation necessary to create the proposed level areas will increase the final levels in the north east of the site by up to six metres and significant 'reforming' will be necessary to create the proposed access onto the Lower Luton Road. The effects will completely change the nature of the site, destroying the gentle natural rural transition from rural landscape to the edge of the urban settlement;
- The 2-3m high gabion wall proposed adjacent to the athletics track will be highly visible and urbanising;
- The design of the proposed building and choice of landscaping materials is from an urban landscape - inconsistent with the rural setting of this school;
- The sports hall is too high relative to the school buildings; at odds with the overall desire to keep the school buildings as low and unobtrusive as possible;
- The proposed landscaping materials fail to take account for the sites' connection with the countryside; rural materials such as dark timber cladding rural would help to create a better connection with the rural heritage of the site;
- more green space could be provided at the heart of the site;
- the herb garden, outdoor classroom and outdoor gym are supported;
- Tree and hedge planting should be strengthened on the boundaries, and many more trees planted within the site.

### Transport

- There is concern about the impact of school buses, parental drop offs and large numbers of students trying to cross the LLR and Common Lane within a small time window, and that this will cause traffic chaos and significant risk of accidents unless well managed;
- HCC considers the section of the LLR between Wheathampstead and Harpenden to be a safe route to school, however, the path is extremely narrow 60-75cm in places and there are high levels of traffic (HGV's,

buses, intercity coaches, cars and cyclists) using the road at peak times.

- The Parish Council does not consider the route to be safe; therefore, access to school buses for Wheathampstead children should be subsidised by Herts County Council to make it affordable;
- The Parish Council recognises the proposed one-way configuration in and out of the site is probably the only viable option for traffic management around the site, however, there is concern that this configuration will affect the flow of traffic along the Lower Luton Road, increasing the already bad congestion and the risk of car/car and pedestrian/car accidents;
- There is concern that increased traffic will compromise emergency vehicle access. Ambulances regularly attend the vicinity as it abuts the Lea Springs Residential Care Home

### Sustainable Travel

- 225 students (19.6% of all students) are expected to travel to the school from Wheathampstead;
- increased car usage would increase traffic volumes and associated risk of accidents on the LLR;
- The TA assumes that 50% of all students will travel to school by bus, and therefore it is critical that accessible bus services are provided between Wheathampstead and the school site, and that pupils are encouraged to use school buses at peak times;
- There is concern that parents from Southdown may attempt to access the school site by car from the other side of Harpenden, increasing the volume of traffic on Leasey Bridge Lane/Cherry Tree Lane, which is a narrow single-track road with passing places already close to gridlock at peak times. Previous HCC studies have highlighted the road is unsuitable for increased levels of traffic. The planning application does not mention this and provides no solutions;
- The proposed improvements to existing walking/cycle paths between the proposed school to the Lea Valley Estate are welcome, and the Parish Council would like to see a pedestrian crossing near the junction of Marshalls Heath Lane and the Lower Luton Road to facilitate access across the road for cyclists from Gustard Wood/Blackmore End/Mackerye End who might then use the Nicky Line walking/cycle path to reach the school 'off road'.

### Access

- The height of the site relative to the road has not been fully taken into account when assessing the traffic risks. The TA highlights the problem of the poor visibility splay caused by level changes when leaving the site;
- There is concern about the street lighting in this location and consider better quality lighting is needed for this stretch of the LLR, including at entrance and exit points to the site;

- The visibility splays onto the LLR will require significant cutting back of the existing banking, which will affect the footpath that currently runs alongside the LLR;
- It is unclear how the school entrance, right turn lane and footpath will work given the 1-2m level change between the level of the road surface and the edge of the site;
- There have been 18 collisions along the LLR between Castle Rise, Pickford Hill, and Common Lane junctions in the past five years. Most collisions occur during the months when schools are at their busiest. The TA considers “there are no existing road safety issues pertinent to the development of the site” however, the accident data clearly highlights the significant safety concerns

#### Toucan crossing

- The road surface for the section in front of the school should be surfaced in a different type/colour material to ensure that cars/coaches/HGV's reduce speed to turn into the site;
- There appears to be no evidence of traffic speed surveys having been undertaken on the Lower Luton Road – for a section of the LLR where there is significant local concern with regard to the volume of traffic, traffic speed and risk of accidents occurring.

#### Common Lane

- There have been numerous accidents at the Common Lane/LLR junction in the past five years;
- The proposed accesses - Common Lane and Lower Luton Road will result in accidents unless the traffic management system is thoroughly and systematically worked out in advance of the school opening;
- Common Lane is incorrectly described as “a two-way carriageway approximately 2.5km in length linking Lower Luton Road to Kimpton Bottom (B652), in reality, it is only a two-way road for a few hundred metres, the remainder is a single carriageway rural road with passing places;

#### Flood Management

- There is concern about the impact of hard surfaces on flooding, particularly in the south-west corner of the site, where buildings and hard surfaces account for 13% of the 17.20 ha site;
- the FRA confirms there is a watercourse running alongside Common Lane draining 129 hectares of surrounding rural and residential land.
- The FRA confirms risk of flooding of local infrastructure (roads) if the local sewers/drains are overloaded or blocked by flood water;
- There is concern the LLR will flood if the drainage proposals do not work as planned or fail as a result of poor maintenance and/ or extreme weather;
- There is no provision for long-term management of the drainage features - basin, swales, permeable surfaces, onsite drainage - which are key to the effective drainage of the site;

- There is insufficient information about how the sports pitches will be drained and the impact on the overall site

#### Lighting

- There is no indication of floodlighting of the sports facilities which is at odds with Policy 80 of the St Albans District Council; floodlighting should not be permitted where the visual impact (of lighting columns, intensity or glare) would detract from the visual amenity of residential properties, rural areas or listed building and conservation areas;
- If floodlighting of the sports facilities is required it would be detrimental to the residential area, the character of the rural area, and harm ecology;

#### Archaeology

- The Parish Council is aware there is a burial site of potential national significance dating from the late 7th Century which is vulnerable to development and the activities of illegal metal detectorists. In the event of development being approved the parish council believe that excavation of the site is essential for the long term public benefit and acquisition of knowledge. This significantly outweighs any option to deep bury the cemetery in situ.

- 8.6 The Highway Authority does not wish to restrict the grant of planning permission subject to the following conditions:

#### Pre-commencement

1. Submission of a detailed scheme for the off-site highway improvement works

#### Pre-occupation

2. Implementation of off-site highway improvement works in accordance with a detailed scheme to be approved (Condition 1 above)
3. Provision of vehicular and pedestrian access
4. Provision of New access to common lane
5. Implementation of those parts of the Travel Plan (ref LTP/2675/Final Issue 3, 06/12/2017) identified as being capable of implementation prior to occupation in accordance with the proposed timetable therein and shall be maintained for the lifetime of the school
6. Submission of a detailed scheme of off-site highway works for the Lower Luton Road, including an extension of the 30mph zone between Wheathampstead and Batford – identified as Option 1 on drawing 2675-AWP-SL01-02;

#### Prior to second year intake

7. Implementation of the works approved under Condition 6 above
8. Provision of new vehicular and pedestrian accesses on to the Lower Luton Road
9. Provision of crossing/capacity improvements for the Lower Luton Road/Station Road junction;

10. Implementation of all waiting restrictions shown on in principle drawing 2675-AWP-S30-01 (Proposed Waiting Restrictions);

Prior to the fifth year intake

11. Prior the fifth year of pupil intake, an assessment shall be prepared and submitted of the adequacy of existing area wide parking restrictions (in addition to the proposed waiting restrictions identified in Condition 10 above) and once approved shall be implemented . For the avoidance of doubt the restriction may take the form of either additional standard style waiting restrictions and/or CPZ.

Travel Plan – sustainable travel

12. The implementation of the Travel Plan shall achieve a minimum of 56% of pupils travelling to school by bus measured across the full school year (from September to July) for each of the first seven years following the first occupation of the main school buildings. Reason: to ensure the modal split towards public transport is delivered in practice in the interests of sustainable travel, and to avoid congestion at the entrance to the school generated by unnecessary car journeys

8.7 The Highway Authority comments-

- The applicant has carried out an assessment of the access options and settled on a main highway access from Lower Luton Road, with a secondary access via Common Lane initially to serve the temporary first year arrangements, thereafter primarily to serve community sports facility, delivery and servicing.
- Lower Luton Road is a busy route used by a combination of local and through traffic. The route is generally free flowing outside usual peak periods but the mini roundabout junction at Station Road is the point where a majority of congestion occurs. As part of the proposal the applicant will deliver a scheme to increase capacity at the junction and help accommodate additional demand.
- In the immediate vicinity of the school new and improved pedestrian facilities will be provided including a new toucan crossing between Common Lane and the proposed entrance to the school. A further package of off-site pedestrian and cycle improvements is proposed as part of the development.
- A fundamental part of measures to support the school is the additional bus service provision which is specifically designed to around the scale and location of predicted catchment.
- The proposals include the provision of a total of 97 car parking spaces, including 79 spaces served via the primary access from Lower Luton Road, and 18 spaces served via the secondary access from Common Lane. A series of off-site parking restrictions will be introduced to ensure vehicles dropping off/picking up do not obstruct routes or junctions. An additional contribution towards further parking restrictions and/or a residential CPZ will be made available. A total of 117 cycle parking spaces will be provided at the site. These spaces will be located in a covered and secure area with good natural surveillance to the south-east of the main school building.

- Sixth form parking will not be permitted on-site and all on-site parking is expected to be reserved for staff and visitors
- The overarching theme of the proposal is a greater emphasis towards sustainable access to the school. The combination of an extensive package of off-site pedestrian/cycling measures with specific additional bus services are designed to support an ambitious modal split target which will be monitored by a robust Travel Plan.

8.8 The Lead Local Flood Authority (LLFA) have no objection in principle on flood risk grounds, following submission of the updated Flood Risk Assessment (January 2018), and advise that the proposed development site can be adequately drained and can mitigate any potential existing surface water flood risk, if carried out in accordance with the submitted drainage strategy. The LLFA also advise:

- At the pre-application stage the drainage consultants acknowledged that there is an overland flow route which crosses the site it was agreed that the proposed development should remove the risk of flooding of the Lower Luton Road in the 1 in 30 year rainfall event (as a minimum).
- An infiltration basin has been proposed on the site at the junction of Common Lane and the Lower Luton Road to accommodate this and this has been designed to provide a total storage volume of 3250m<sup>3</sup>. This basin will naturally overtop for flows in excess of the 1 in 30 year rainfall event onto the Lower Luton Road.
- The LLFA have conducted an independent catchment assessment which indicates that for a 1 in 30 year rainfall event a storage volume of 3200m<sup>3</sup> needs to be provided; therefore the current design appears to be sufficient. Basin cross section drawings, half drain-down times and inflow/outflow hydrographs have been provided to support the basin design.
- Infiltration tests have been carried out to ensure the feasibility of the proposed scheme. The topography of the site is to be re-profiled and this may affect the infiltration potential of the soils and it has been agreed that detailed infiltration tests would be set as a condition and carried out following re-profiling of the site.
- At the detailed design stage we would also expect information relating to the ground water and river levels to be confirmed and whether there are any impacts to the ability to infiltrate through the bottom of the basin as this could fundamentally impact upon the approach being taken to discharge water from the site.
- The surface water volumes from the development site for the 1 in 100 year rainfall event plus climate change will be managed within the site prior to discharging into the infiltration basin. The infiltration basin is solely a means of disposal for surface water and does not provide any attenuation for the development site.
- Site drainage features provide total attenuation volumes of 1932m<sup>3</sup> which include permeable paving (440m<sup>3</sup>), swale (30m<sup>3</sup>) and an attenuation tank (1462m<sup>3</sup>). The sports pitches (1, 2 and 3) and the Multi Use Games Area (MUGA) will manage surface water within their sub-base and discharge at a maximum rate of 2l/s into the site surface

water drainage network. Quick storage estimates for these areas have been provided and the storage required will be provided for within the sub-base for these features.

- The Archaeological Impact Assessment identifies a 7th Century cemetery near the western site boundary and sets out proposals for the protection in the form of extra cover to the archaeological remains. It has been confirmed that the levels of the proposed development and the ditch conveying the overland surface water runoff are incorporated into the current protection contours;
- We therefore recommend the following conditions to the LPA should planning permission be granted:

#### Pre-commencement conditions

Condition 1: Submission of updated infiltration and ground condition tests: to include

- location specific infiltration tests for main infiltrating features including basin
- confirmation of ground water and river levels and the impacts on the ability of the basin to infiltrate;
- updated half drain down times for the infiltration basin;
- minimum infiltration figure of approximately  $1.0 \times 10^{-5}$  m/s. If this cannot be achieved a revised drainage strategy will need to be submitted to and approved by the Local Planning Authority.

Condition 2: Submission of a final detailed site drainage strategy based on updated infiltration tests, to include

- provision of a minimum attenuation volume of 1932m<sup>3</sup> (excluding MUGA and pitches);
- limiting surface water run-off to a maximum of 7.1l/s discharging into the infiltration basin for the 1 in 100 year event.
- undertake the drainage strategy to include to the use permeable paving, swales, and an attenuation tank and infiltration basin;
- confirmation of which SuDS features will infiltrate and at what rate;
- opportunities for above ground drainage features to reduce requirement for underground storage.
- all calculations, modelling and drain down times for all storage features.
- full detailed engineering drawings (including cross and long sections) and all components of the scheme, pipe runs etc.
- silt traps for protection for any residual tanked elements.
- details of final exceedance routes, including those for an event which exceeds to 1:100 + cc rainfall event.

Condition 3: Submission of final design confirming final overland flow management arrangements, to include:

- detailed assessment of catchment area, characteristics and modelling flows for the 1:30, 1:100, and 1:100 + 40% for climate change events.
- updated catchment modelling and include assessment of residual flows coming down Common Lane impact safe access / egress from the school site.
- Details of any exceedance routes including exceedance flooding in the vicinity of the site which may arise from the channelling of the flow route to the basin.

Condition 4: Submission of a final design and engineering details regarding the surface water ditch, to include:

- all modelling of the channel and the supporting calculations;
- definition of any residual impact on Lower Luton Road for events over 1 in 30 return period;
- details of the impact of the flows from the ditch on the infiltration basin
- details of storage volumes within the ditch, including any flood event hydrographs to show the speed of flow.
- longitudinal bed profile and cross sections, and detailed drawings of culverts/structures

Condition 5: Submission of a construction management plan to address all surface water runoff and flooding issues during the construction stage; to include:

- Timeframes for construction activity and explanation of any phasing approach to the construction.
- Final plan for the management of surface run-off during any construction activity on the site to prevent flooding to the site or any disruption to the Lower Luton Road.

#### Pre-occupation conditions

Condition 6: Development shall be carried out in accordance with implementation principles detailed in the surface water drainage strategy (January 2018); to include:

- the appropriate drainage strategy based on infiltration using appropriate above ground SuDS measures as indicated in drainage strategy drawings;
- appropriate measures to manage the overland flow route up to the 1 in 30 year event incorporating a surface water diversion ditch and infiltration basin to attenuate and manage the flows.
- Limiting surface water run-off to the infiltration basin to a maximum of 7.1l/s for the 1 in 100 year + climate change critical storm event
- discharge from all sports pitches/MUGA restricted to 2l/s
- discharge from the remainder of the school site restricted to 5.1l/s into infiltration basin.;
- providing storage to ensure that there is no increase in surface water run-off volumes for all rainfall events up to and including the 1 in 100

year + 40% climate change event. The following minimum volumes shall be provided:

- Infiltration basin 3250m<sup>3</sup>
- Permeable paving 440m<sup>3</sup>
- Swale 30m<sup>3</sup>
- Attenuation Tank 1462m<sup>3</sup>
- Sport Pitch 1 870m<sup>3</sup>
- Sport Pitch 2 1886m<sup>3</sup>
- Sport Pitch 3 2198m<sup>3</sup>
- MUGA 372m<sup>3</sup>

Total 10,508 m<sup>3</sup>

Condition 7: Submission of a detailed drainage strategy for the sports pitches and any landscaped areas on the site, to include:

- maximum discharge of 2 l/s from all pitches to the school surface water drainage network;
- final design for the drainage of the sports pitches including the locations of any storage features and any control structures to manage the run-off and final engineering drawings;
- final runoff rates and storage volumes.
- details of the final discharge location and means of conveyance for residual flows to the basin.

Condition 8: Submission of a detailed set of drawings showing site drainage and overland flow route, to include:

- Final confirmation of management and maintenance requirements
- Provision of complete set of as built drawings for both site drainage and overland flow route management.
- Details of any inspection and sign-off requirements for completed elements of the drainage system.

#### On completion

Condition 9: Submission of the drainage works a management and maintenance plan for the SuDS features and drainage network to the LPA, to include details of:

- maintenance and operational activities;
- arrangements for adoption and any other measures to secure the operation of the scheme throughout its lifetime.

8.9 The County Archaeologist commented (30 November 2017) –

- This office recommended that an archaeological evaluation should be carried out (May 2015) and the results submitted with any planning application (to comply with the NPPF paragraph 128);

- The archaeological information submitted with this planning application, includes an archaeological desk-based assessment, a geophysical survey, an archaeological trial trench report and an addendum describing the exhumation of a human burial;
- As part of the archaeological investigation eighty trial trenches were dug (during Summer 2017) and heritage assets found in 34 of them, including multi-period heritage assets with archaeological interest, dating from Mesolithic and Neolithic periods, Bronze Age, Iron Age and early medieval (Anglo-Saxon) periods;
- Several of the discoveries are of high significance, mainly located in the southern part of the site, including an enclosure which dates to the Middle Iron Age period (for which evidence is rare in Hertfordshire), pottery dating from the early Neolithic period (also rare), and hundreds of pieces of flint from the Mesolithic to the Bronze Age;
- The most interesting are the fourteen human burials found in the northern part of the site which are thought to date to the seventh century (archaeological evidence from the end of the Roman Empire until after the Norman conquest is extremely rare in Hertfordshire). These finds are regionally significant at least and it is possible that further burials remain to be discovered. We recommended that one of these burials be exhumed so that their significance could be better understood, as per NPPF, paragraph 128;
- The applicant has submitted a short report on this investigation confirming date of the burial was the latter half of the seventh century. The report notes that associated finds include an iron buckle and knife and remnants of iron sheeting. The study has generated some useful information regarding the date of the burials and their significance;
- Given the significance of the burials and the fact that this planning proposal allows for minimal development and disturbance in the part of the site where the burials are located, we have agreed that a strategy of preservation *in situ* could be an appropriate treatment of these heritage assets. This is as per NPPF paragraphs 135 and 139;
- The applicant has also submitted an Archaeological Impact Assessment, which includes a method statement to achieve the preservation of these heritage assets. As it stands the method statement is inadequate because it does not demonstrate that the method proposed for covering the cemetery will protect the archaeological remains. Further archaeological investigation is required in order to confirm the area which needs to be preserved;
- Should an acceptable proposal for the preservation and protection of the area of the burials be submitted, it is likely that the archaeological implications of the development on the rest of the site can be dealt with by the imposition of archaeological conditions if you are minded to grant consent.

#### 8.10 The County Archaeologist further advised (30<sup>th</sup> November 2017) –

- The programme of archaeological preservation does not adequately demonstrate that it will protect the archaeological remains. In summary:

- The programme of archaeological investigation should initially aim to confirm the full extent of the burials and any associated archaeological features. It should describe the measures which will be put in place to achieve this. A suitable buffer may be required.
- There should be clear information including plans and diagrams which show where and by how much the ground is to be reduced or built up. The likely impact of both the programme of preservation and the development on any below ground archaeological remains should be shown. This may include the impact of activities like the running of machinery across the site ....This may have a bearing on the methodology of preservation.
- The document should demonstrate that the project will be appropriately monitored by archaeologists. Finally the proposed areas of archaeological investigation in figure 5 look to be inadequate.

8.11 Following the submission of the Archaeological Impact Assessment (December 2017) the County Archaeologist commented –

- In previous advice letters (13 and 30 November) we advised you the applicant should demonstrate that a strategy of preservation *in situ* could be an appropriate treatment of these heritage assets (in line with NPPF Paragraphs 135 and 139). The programme should include provision to protect the archaeological remains from disturbance;
- We have advised you that the two proposals which have been submitted thus far were inadequate and subsequently Historic England has confirmed (a) the archaeological remains are of such significance they should be treated in line with paragraph 139 of the NPPF and (b) the information submitted by the applicant is not sufficient to be confident that the heritage assets will be appropriately conserved.
- Notwithstanding the above, we maintain that the archaeological implications of the development can be dealt with by the imposition of archaeological conditions (if you are minded to grant consent), however, if a suitable scheme of preservation and protection is not possible then other strategies such as archaeological excavation may need to be considered for the whole site.

8.12 Consequently, the following conditions are recommended:

- A. No development shall take place/commence until an Archaeological Written Scheme of Investigation (WSI) has been submitted to and approved by the local planning authority in writing;
- B. The development shall take place/commence in accordance with the programme of archaeological works set out in the WSI approved under part (A);
- C. 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 WSI approved under part (A) and provision made for analysis and publication where appropriate.

- 8.13 Historic England initially advised that the LPA to consider seeking advice from its own specialist conservation and archaeological advisors. Historic England was re-consulted on the Archaeological Impact Assessment (November 2017) and commented:
- 8.14 The development of which would affect the buried remains of a seventh century Anglo-Saxon inhumation cemetery. The cemetery would be located on the edge of the proposed school grounds, close to the area where playing fields are proposed. Although there are no proposals to build on the area, the development includes remodelling of levels over the area of the playing fields and cemetery and, as a result, it is proposed that the cemetery would be preserved in situ, by covering the remains with 1m + of topsoil to protect them and to prevent damage from illicit metal detecting, after which the area would be retained as a meadow.
- 8.15 The conservation of heritage assets is given great weight in the NPPF and given the rarity of Anglo-Saxon cemeteries in Hertfordshire, Historic England believes that the remains should, for planning purposes, be treated as though it were a scheduled monument, in line with *[NPPF] para 139, and therefore paragraphs 132-134 of the NPPF applies i.e. the more important the asset, the greater the weight which should be given to its conservation, any harm to their significance should require clear and convincing justification. If the level of harm is judged to be less than substantial, this should be weighed against any public benefits in the proposed development.*
- 8.16 The issue is ensuring the mitigation strategy results in no loss of significance which could be recovered through archaeological investigation. In general, the approach presented could potentially protect the archaeological remains; however, additional information would be required before determining whether the remains would be adequately conserved by this approach, in both the short and long term.
- 8.17 Historic England considers the following matters should be addressed before the proposed mitigation strategy is approved:
- the range in depth of the archaeology needs to be taken into account so that it is clear the proposed strategy will be suitable for shallow remains as well as those that are more deeply buried;
  - information needs to be provided regarding the loading pressure on the underlying deposits after the soil has been placed on top, as well as the sort of machines that will carry out the work, for example, smaller tracked machines should be used rather than larger or wheeled vehicles;
  - a method statement should set out clear working arrangements which demonstrate how civil contractors will carry out the work while complying with the risk management strategy.

- there needs to a management plan setting out how the area of the cemetery would be managed as part of the school's grounds, to ensure that the existence and protection of the site was documented and actively managed, to avoid accidental damage to the remains from works associated with maintenance, services or longer term development.

8.18 In these circumstances, Hertfordshire County Council may wish to consider requesting Historic England Enhanced Advisory Service to assess whether the site should be recommended for scheduling, thus providing a degree of certainty as to the status of the heritage asset, and its management. In the event that an effective and sustainable methodology for protecting the remains in situ cannot be assured, an alternative strategy of prior archaeological excavation should be considered.

8.19 The County Landscape Officer comments –

The effects of the proposed development are set out in the LVIA:

Landscape Character Areas:

- **major-moderate adverse** on the Upper Lea Valley LCA (Area 33) at year 1 becoming **moderate adverse** at year 10. This conclusion is supported. The proposed development fundamentally changes the existing character of the south facing valley slope, between the Blackmore End plateau and the River Lee corridor, from open countryside that is characterised by semi-improved grassland to one that is developed and characterised by a school campus with associated meadow, amenity grassland and sports pitches.
- **moderate adverse** on Blackmore End Plateau LVA (Area 34) at year 1 becoming minor adverse at year 10. This conclusion is supported. The proposed development changes the character of the plateau from open countryside characterised by semi-improved grassland to one that is characterised by amenity grassland and a small football pitch, and woodland. At year 10 the woodland will be well established and providing more effective mitigation, contributing to local landscape character and visual amenity.

Landscape features:

- **major adverse** effect at year 1 becoming **major-moderate adverse** at year 10. This conclusion is supported. The proposed development significantly alters the natural topography of the south facing valley side. The proposed cut and fill operations change the consistent valley slope to a series of flat development platforms and terraces separated by retaining walls and steep banks.

Landuse:

- **major-moderate adverse** at year 1 becoming **moderate adverse** at year 10. This conclusion is supported. The proposed development fundamentally changes the use of the site from vacant grassland to

educational use comprising a school campus with associated amenity grassland and sports pitches.

Vegetation:

- **neutral** at year 1 becoming minor beneficial at year 10. This conclusion is supported as the proposed development will increase the quantity of vegetation across the site.

Historic site boundaries:

- **minor adverse** at both year 1 and year 10. This conclusion is supported. It is proposed to remove two sections of established hedgerow and five trees to accommodate the development. In addition there is no intention to recreate any historic hedgerow boundaries that may have crossed the site.

Visual effects:

- By Year 10 significant effects on visual receptors would be limited to very localised points on public footpaths or from a small number of specific residential properties in the surrounding landscape. This conclusion is supported in part. With regards to local visual effects, however there are significant effects upon short distance views from the highways within close proximity to the site boundary. From here the development is viewed as a new large scale element within wider views of the settlement edge and sloping valley landform.
- The proposal to locate the new school campus within the lower lying south west corner of the site is fully supported, in this location the main building and sports hall appear as an extension of the settlement edge, and their rooflines are viewed against the backdrop of the open and elevated sports pitches, helping to assimilate them with their wider valley landscape setting.

Landform

- It is proposed to carry out a significant quantity of cut and fill and create a series of flat development platforms and terraces separated by retaining walls and steep banks. Further information is required to show the existing and proposed landform across the site. In particular a composite plan that shows existing and proposed levels and 1m contours is required to clearly show where material will be removed and deposited and levels raised or lowered.

Landscape character

- The site is currently vacant grassland and the proposed development will enhance the character and condition of the grassland through the introduction of meadow and other small scale habitat features that will be positively managed in the long term as part of the schools on-going management and maintenance regime.
- The proposed woodland planting at the northern apex of the site is considered to provide an adequate landscape and visual buffer to protect the setting of these historic assets (Mackerye End Conservation Area and listed buildings)

Planting strategy:

- The details set out in the submitted planting strategy are fully supported, in particular the intention to use native species along the site boundaries and peripheral areas becoming more mixed and ornamental towards the heart of the school campus within recreational spaces.

Layout and design:

- the intention to create a comprehensive range of spaces and planting typologies is fully supported.
- There are opportunities to enhance the sense of arrival and legibility through the landscape layout and design; through paving, highlighting key desire lines and routes, and providing a wider range of integrated sustainability solutions should be explored.

Landscape and visual effects:

- Overall the proposed development fundamentally changes the landscape character and condition of the site from a vacant parcel of semi-improved grassland, to a fully developed school campus with associated sports pitches; however the significance of this is mitigated due to the introduction of woodland, meadow, trees and native shrub planting that make a significant contribution to the landscape resource and enhance biodiversity.
- With regards to effects on visual amenity, further baseline information (ZTV) is required to show the area from which there are potential views of the site.
- In general, the location of the proposed built elements within the lower lying south west corner of the site, appears as a logical extension of the settlement, and helps to assimilate the buildings within views and the wider landscape setting.
- In viewpoints O and P from the north facing valley side to the south of the site, the northern part of the site is highly visible and further information is required to demonstrate the existing and proposed contours, gradients and levels in these areas.
- In summary the following additional landscape and visual information is required:
  - Zone of theoretical visibility (ZTV)
  - Existing and proposed 1m contour plan (to include levels and gradients)
  - Northeast-southwest site cross section

## 8.20 Hertfordshire Ecology comments –

- The site has been improved grassland for approx. 20 years and would appear to have limited ecological interest (except boundary habitats);
- collectively, the habitats within the proposed development site are assessed as being of Lower value at the Parish level – this probably

- overestimates its value given the established use as farmland (and some hedgerow interest);
- the grassland has little intrinsic quality but it is reasonably extensive and consequently is likely to support some farmland ground nesting birds;
  - a range of protected species are likely to use the site, such as badgers, bats, possibly reptiles, breeding birds and invertebrates although there is nothing to suggest the site supports any community or species of such significance it would represent a major constraint on the proposals;
  - the impact on the existing habitat is considered to be **minor adverse**, which is an underestimate of the impact given the nature of the whole site will change, some areas will be largely urban with hardstanding as well as formal amenity (playing field) grasslands which will lead to the area opened-up to significant disturbance, despite the habitat enhancements;
  - the creation of large areas of meadow is welcomed, which would be *locally significant* in terms of habitat improvement site.

The following aspects of the proposals are noted:

- retention as much of the existing vegetation and trees as possible
- enhancing the habitat value of the site through planting and management
- allotments for school use;
- creation of landscape features shown on the Landscape masterplan, including a small orchard;
- enhancement of overall biodiversity - for nature conservation and as a learning resource;
- student involvement in the management of the proposed habitat area;
- extensive areas of meadow management on sloping areas around playing fields will enhance its habitat value;
- planting an open ditch with wetland marginal and tree and shrub species;
- planting large maturing (native) tree species and shrubs around the perimeter to reinforce local distinctiveness
- lack of floodlighting - given sensitive site location and topography.
- no requirement for off-site compensation - no habitat of any particular significance will be lost;
- grassland will be enhanced by proposed meadows and other small scale habitat features within the site;
- The retained land will now be too small to be incorporated into the existing livestock enterprise;
- Condition should be used to secure the submission of detailed planting plans, formal landscape / ecology management plan for approval not later than 6 months prior to completion of works;

8.21 Natural England makes no comment on the application and has not assessed the impacts on protected species. The letter refers the LPA to its Standing Advice which can be used to assess the impact upon

protected species; alternatively, the LPA may wish to use its own ecology services for advice.

8.22 Thames Water comments:

- sewerage infrastructure capacity - no objection
- surface water drainage – the developer is responsible for making proper provision for drainage to ground, water courses or a suitable sewer. Storm flows should be attenuated using on/off site storage before entering the public network;
- prior approval is required from Thames Water before a new connection is made to a public sewer; when a combined public sewer is proposed site drainage should be separate and combined at the final manhole nearest the boundary. Removal of groundwater is not permitted.

8.23 UK Power Networks notes the presence of an 11,000volt underground cable within the Lower Luton Rd side of the proposed development

8.24 Hertfordshire Fire and Rescue comments with regard to access for fire service vehicles, hydrant standards and Building Regulations requirements -

Access – current provision is inadequate

- turning facilities should be provided for any dead-end route more than 20m long, which may be achieved by use of a hammer head or turning circle;
- access routes for Hertfordshire Fire and Rescue Service vehicles should achieve a minimum carrying capacity of 18 tonnes;

Water supply - hydrant provision - should be:

- not more than 60m from an entry to any building on the site;
- not more than 90m apart for commercial developments;
- preferably immediately adjacent to roadways or hard-standing facilities provided for fire service appliances;
- not less than 6m from the building or risk to remain usable during a fire;
- buildings fitted with fire mains must have a suitable hydrant sited within 18m of the hard standing facility provided for the fire service pumping appliance.

Building Regulation requirements:

- access for fire fighting vehicles should be in accordance with The Building Regulations 2000 Approved Document B (ADB), section B5, sub-section 16;
- water supplies should be provided in accordance with BS 9999 and be capable of providing an appropriate flow in accordance with National Guidance documents; hydrants should be provided in accordance with BS 750;

- Where no piped water is available, or there is insufficient pressure and flow in the water main, or an alternative arrangement is proposed, the alternative source of water supply should be provided in accordance with ADB Vol 2, Section B5, Sub section 15.8.

#### 8.25 Sport England comments –

- St Albans City and District does not have an up-to-date sports facility strategy to confirm the requirement for community sports facilities (indoor or outdoor) within the Harpenden area, however, sports governing bodies indicate there are high levels of public participation in the area across a range of levels; however, the current level of provision does not meet that need;
- Sport England is supportive of the proposals (as a non-statutory consultee on the application) and notes the proposed facilities - sports hall , activity studio, multi-use games area (MUGA) and natural turf playing fields – are potentially being made available for community use outside school hours;
- Sport England recommend a feasibility study be prepared to assess the existing ground conditions (drainage, soils, topography etc.) and identify the constraints that may affect the ability to deliver good quality playing surfaces that would sustain the anticipated levels of use by both the school and the community;
- The design / construction of the playing pitches will need to be informed by a sports pitch feasibility study to ensure the pitches are fit for purpose; the pitch construction needs to optimise carrying capacity for school and community use; the proposed agronomic assessment is welcomed;
- There is the potential for an all-weather pitch in the future, however the current proposal does not meet 3G all-weather size requirements for a football pitch (112 x 76m) or hockey pitch (101.4 x 63 m);
- The proposed artificial grass cricket wicket will help facilitate school and community cricket use. The pitch should meet ECB standards;
- Sport England recommends the following conditions:
  - detailed specification of the construction of the multi-use games area to ensure it meets Sport England design guidance and industry technical standards;
  - an assessment of existing ground conditions;
  - detailed specification for sports pitches (informed by the assessment of existing ground conditions) to address constraints; including as gradients, drainage, surface quality and maintenance issues, potentially restricting playing capacity and performance quality of the playing fields.
  - submission of a community use agreement to ensure facilities meet community needs over a long term period in practice to help meet unmet indoor sports facility needs

## **Third Party Representations**

- 8.26 Statutory consultation started on 28 September 2017 initially for a period of 6 weeks. In total, 734 notification letters were sent to properties in the vicinity of the site, and 4 site notices were placed in locations at the boundary of the site; press notices were placed in the St Albans and Harpenden Review and Herts Advertiser on 02 October 2017.
- 8.27 Additional information was submitted in November 2017 and the consultation period extended by 21 days; a further press notice was placed in the St Albans and Harpenden Review and Herts Advertiser [date] and site replacement site notices erected at the site; the additional information published on [hertsdirect.org](http://hertsdirect.org).
- 8.28 Further information was in December 2017 and the consultation period was extended for 21 days; site notices were erected at the site and notification letters/emails were sent to people who had previously made representations on the application; the additional information published on [hertsdirect.org](http://hertsdirect.org).
- 8.29 Further information on the proposed drainage strategy was submitted in January 2017; the additional information published on [hertsdirect.org](http://hertsdirect.org).
- 8.30 The total number of respondents has been:
- 1,297 objecting (including 740 in two petitions); and
  - 1,290 in support;
- 8.31 The main grounds of objection are:

### Road Capacity

- The B653 is the one of the busiest such roads in the County;
- The B653 links Luton and Hatfield and is used as a cross country connection between the M1, A1, and A414;
- The B653 is inadequate for the capacity of traffic which it already carries;
- The additional traffic will cause further congestion which will have negative wider economic impact;
- Free flow of traffic on the B653 ceases when the M25 or A414 is blocked
- Traffic levels on the B653 have increased every year since it was downgraded (A6021) in the 1970s. Plans for widening the road have never happened, although a lorry ban was introduced;
- Additional traffic is anticipated on the Lower Luton Road due to the proposed expansion of Luton Airport and a planned new school at the Gypsy Lane Retail Park on the Batford/Harpenden side of Luton;

- The proposal is for a dangerous junction on the busiest B-road in the county, one that is already over capacity;

#### Site access

- The proposed access on the LLR is on a steep incline so drivers heading towards Batford will be unaware of the entrance until the very last minute and find it harder to stop in time;
- Large vehicles emerging from the proposed goods entrance on Common Lane would not be visible due to the high hedgerow. Common Lane is already a busy road used by parents driving children to Sauncey Wood Primary School and Batford Nursery;

#### Junction and other improvements

- Proposed mitigation measures involves removal of safety measures such as the roundabout at the Common Lane/LLR junction and changing the Station Road/LLR junction from a signal controlled crossing to a zebra crossing, both of which were introduced recently;
- There are no measures proposed for the section of the LLR between the site and Wheathampstead;

#### Road Safety

- Building a new secondary school next to a busy road increases the risk of pedestrians coming into conflict with road traffic;
- Accessing the LLR from Common Lane is still dangerous. The roundabout junction was introduced as a safety improvement, however it is still dangerous;
- Parents will drop off children on Crabtree Lane and Common Lane. Provision for pedestrians on Common Lane is inadequate – there is no footpath and crossing;
- The exit is inadequate and in a prime position to cause accidents;
- A new school in this location would deprive pupils of a safe, walkable school journey;
- Station Road is the only route from south or central Harpenden, Station Road railway bridge is narrow and cannot accommodate a second lane;
- There are already narrow and dangerous sections of the LLR where pedestrians risk coming into collision with cars;
- Insufficient provision is made for improving cycle infrastructure

#### Parking

- Parking facilities are inadequate for a 6FE school, yet expansion to 8FE is already within the design;
- The amount of parking proposed is woefully inadequate;
- The school will lead to on-street parking on the surrounding road network

- The number of staff is less than other schools and therefore parking is under provisioned;

#### Sustainable travel

- The provision for Buses is inadequate;
- There are no suitable walking and cycle routes;
- The Lower Luton Road is unsafe for cyclists;
- The majority of individuals highlighted in the Travel Plan are those who would need to travel the furthest distance across Harpenden – generating unnecessary traffic;
- The travel plan assumes the majority of pupils will come from Redbourn, Flamstead and Markyate, with only one third of pupils coming from Wheathampstead. The figure for Wheathampstead is likely to be higher because it is closer than the other settlements and it will be the nearest school within the Priority area.
- The travel plan implies the majority of pupils will walk or cycle to school – this is at best impractical given that most will like too far away to walk or cycle, and at worst dangerous given that the Lower Luton Road and lanes from Southdown are not suitable for cyclists;
- Pupils will have a longest, most time consuming and expensive journey to school compared with the other schools

#### Survey data

- The traffic surveys that were undertaken for the site viability were undertaken during the school holidays at times of low usage;
- Proposals for dealing with additional school traffic are wholly inadequate.

#### Choice of site

- Site F is the wrong location to meet the need
- The site is the most highly conspicuous of all of the potential sites
- The school buildings are further into the Green Belt because of the retained land

#### Alternative sites

- A school closer to the pupils in need (Wheathampstead/Southdown) would take pupils and traffic off the roads and be a more sustainable long terms solution
- This will be yet another school in the already well served North of Harpenden town, whereas there are no secondary schools in the south of the town; there was a site identified on Pipers Lane which could offer walking and cycling opportunities for pupils from Southdown, East and West Common, central Harpenden, south of Station Road, Redbourn and Wheathampstead;
- The comparative site assessment (table on page 35) seems to have weak correlation with the consultant's report it refers to. As this table is

the basis for the selection of the site and its removal from Green Belt the officers of HCC or truly independent consultants should analysis this as the report currently cannot be used to justify this application

#### Noise, light and air pollution

- School pupils will be exposed to significant levels of noise and air pollution from road traffic in this location;
- Noise from the playing fields will carry across the valley
- The school are bound to want floodlighting at some stage and this would harm the Green Belt

#### Landscape

- The terracing and substantial buildings will be highly visible and change the outlook for a significant proportion of Harpenden;
- Raising significant sections of the field has a huge visual impact from all directions and will the site even more prominent;
- The cut and fill operation will result in levels increasing by up to 6m in places, this will introduce and imbalance to the Lea Valley and a blot on the landscape

#### Consultation process

- There has been inadequate time to review the volume of documents;
- The proposal is presented as a fait accompli
- No meaningful consultation has taken place with local residents

#### Loss of agricultural land

- The farming tenancy has been ended has adversely impacted a viable business;
- The land has been referred to as low grade agriculture, where in reality cattle grazing for decades and has sustained a viable farm tenancy

#### Flood risk

- The development of the site will create large areas of hard surfacing;
- The flood risk assessment provides insufficient capacity for the volumes of surface water storage/attenuation required

#### Green Belt

- Common Lane presents is a strong boundary to the Green Belt;
- Development of the site would result in coalescence with the Valley Rise estate / Wheathampstead and produce an indefensible Green Belt boundary;
- Development of the site will cause significant encroachment to the countryside and significantly reducing the gap between Batford and Valley Rise.

- Building a new school in the narrow gap between the Valley Rise Estate and Batford conflicts with one of the purposes of the green Belt and it will cause harm;
- Development of the site will result in encroachment into the Green Belt
- The preferred Option 4 may cause the least harm to the Green Belt (of the options available), however the harm is still significant;
- Other sites would result in less environmental damage;
- The amount of earthworks is not in the spirit of the Green Belt or sustainable development
- The proposal appears to be founded on unproven need; the HCC forecast has been “adjusted” to generate the number of children. There is no indication of where in the area the majority of school age children live. The case for very special circumstances is very unconvincing;

### Education Need

- Hertfordshire County Council is accepting the figures from its own Schools Planning Department as its principle source of information. The figures are usually produced in early Summer each year and updated in Autumn. The most recent forecast this year (from around 27 October) contains different information from previous publications by HCC;
- The Priority area for Harpenden (which is used to guide the allocation process) covers the Harpenden SPA and St Albans SPA;
- There are significant variations in the forecast information provided by HCC as part of the planning application; in practice HCC has amended the forecasts for the purposes of this planning application;
- There is no supporting evidence for the scale of the adjustment proposed by HCC;
- This manipulation of the figures is not a sound basis to justify inappropriate development in the Green Belt;
- There are more than enough places for Harpenden children in existing schools;
- There need for additional places is unproven - HCC “adjusted” earlier forecasts in order to generate the necessary number of children;
- HCC data forecasts falling primary rolls which in turn do not lead to a need for significant additional places in the short or medium term;
- There is a higher demand for places forecast over the next 8 years, however this peaks in 2019-2020 and then decreases to near supply available levels (+4 according to HCC figures) – this demonstrates that there is only a short term requirement for additional places and that no significant medium-long term secondary schooling is required in the foreseeable future;
- The aim should be for a school to be in place for at least 100 years, however there is only demand for this in the short term, not in the medium-long term;
- The case for justifying a school at the site has not been clearly made.
- There has been no demonstration of local need when other schools are taken into account;

- The large people support for a fourth school appears of greater importance than where it is located;
- The amount of potential new housing in the area does not amount to a need for a complete new school even for Harpenden children (given standard housing/pupil yield data);
- It is not sustainable special planning to create further school places when the location of new housing is unknown and which rely no out of area pupils

#### Historic Environment

- Archaeological heritage (of potentially national importance) is being ignored and would be irrevocably damaged by the proposed development;
- The proposed development would have a significant adverse impact upon listed buildings (grade II) i.e. Marquis of Granby pub and the Thatched Cottage

#### Financial considerations

- The site will be expensive to develop due to the scale of earthworks required
- The cost of landscaping such a large site will be excessive;
- Other sites would represent far greater value for money

#### Amenity

- The building (design, bulk, massing, detailing and materials), overbearing, out of scale, and detrimental to the area;
- The height of both the terracing and buildings would make the development highly visible and have a significant detrimental impact upon the privacy, light and quality of life of residents of Common Lane, Millford Hill and Tallents Crescent;

#### Design and appearance

- The external materials of the building are unsympathetic in the Lea Valley

#### Other

- The application documents are incomplete, misleading and conflict with one another;
- The application certificates were incorrect;
- Too much information for people to be able to read and understand in the time;
- Access to the documents has been poor
- Lack of transparency – none of the objection letters and not all application documents have been published on the website;

- The application is being made on behalf of Hertfordshire County Council and will be determined by the same council and this suggests there will be significant bias and I am not confident that a fair and balanced view of the application can be made;
- Hertfordshire County Council said it would not be purchasing the site unless and until planning permission has been granted, yet the site was acquired by the county council on 25 August 2017 before the planning application was submitted;
- Playing fields at the top of the site restrict access for people and for emergency vehicles;
- The number of slopes on the site will need to be engineered properly to hold them in place and to sustain high rainfall and flooding events;

8.32 The main points in support of the application include:

- There is a shortage of secondary school places in Harpenden, which is to become more acute over coming years for established demographic reasons;
- A new school is essential to provide these places, or more children will be forced to go further afield for their education - highly undesirable and very unfair.
- Harpenden and surrounding villages are desperately in need of more secondary school places, the location chosen is ideal and the support by existing local schools excellent;
- Timing is critical – there is a need to build a new school as soon as possible before even more local children miss out on the education they deserve in the place they are growing up;
- The site has been chosen after lengthy consultations;
- There has been a thorough analysis of all sites within Harpenden. The site at Common Lane seems the most suitable in terms of location and access;
- There should be another Secondary School in Harpenden to accommodate a growing number of children already in Primary schools in this area;
- The position selected is highly suitable for a secondary school, both for now and in the future;  
The site is on bus routes for children to use, also the entrance and exit from the school are so well placed as to cause little or no congestion on the surrounding roads.  
Harpenden and the wider district are likely to have an increase in new housing in the next few years and extra secondary school places will be urgently needed;  
Harpenden needs another good quality school;
- Children in Harpenden primary schools and villages deserve the same opportunity as other children attending schools in Harpenden;
- The lack of secondary school places is a problem in Harpenden - a new school is the only way to resolve this;
- The 4th school in Harpenden is essential - everyone in the area is aware of the education short fall which will soon become unacceptable;

- There is a fundamental and desperate need for this school to address the shortfall of suitable and local secondary school places in this area
- There is big support for a new school , not to mention a huge need for it, particularly so that children living in Southdown have the chance to attend a Harpenden school;
- A fourth school in Harpenden will relieve the pressure on Roundwood thus ensuring that all Redbourn students continue to receive their education in Harpenden;
- The additional places are needed extra capacity for Redbourn children to continue to gain access to Harpenden schools;
- A fourth school in Harpenden is essential in an area where there is a squeeze on school places, and there is a suitable site and strong management behind it;
- A fourth school in Harpenden is vital support of the 3 existing secondary schools;
- Harpenden desperately needs another secondary school not just now but for all the new homes being built;
- There is a need for the additional places in Harpenden – there are 90 children in a bulge year attending schools at Redbourn
- I attended numerous events regarding this new school and was very impressed with the plans.
- I understand that there is likely to be some opposition to this project from local people, but I hope that there is sufficient support for it to be built, as it will provide much needed school places for our children for future generations;
- A new school in Harpenden is essential for the wider community including outlying villages.
- This is an excellent proposal with a very strong experienced team behind it;
- It is absolutely vital for Harpenden to have a fourth secondary school. The three existing schools cannot keep increasing student intake every year to accommodate the rise in pupil numbers.
- There is continued growth in housing for Harpenden. The existing secondary schools are fantastic but already very full. This school is absolutely necessary for the town.
- The arguments against a desperately needed new school are hard to understand. There has been an issue with places for years;
- The opposition to building a new school is narrow minded and selfish – local children deserve an education, and deserve to go to a school near their homes.
- The only understandable argument is traffic related, but that can be resolved simply with buses, bikes and good old fashioned walking to school

### Right School Right Place

8.33 Right School Right Place is a residents group representing over 1,000 local residents, with the core membership from Harpenden North East and Harpenden Rural (formerly St Albans Rural) wards. The group was formed in response to Hertfordshire County Council announcement of

intent in September 2013 to purchase land for establishing a new school.

- 8.34 RSRP has written a series of letters - dated 09, 16 October, 2, 6, 16, 30 November, 8 December, 20 December, and 21 December raising concerns with regard to procedural matters, inaccuracy of certificates and planning application documents, and the inadequacy time to consider the information. The letters also raise planning objections. The letters are provided as an Appendix 13 to the report. A summary of the comments is provided below.

#### 09 October

- HCC acquired the site on 25 August 2017; the planning application was submitted on 11 September 2017. Section 25 of the Town and Country Planning Act 1990 requires notice to be served on any party having an interest in the land 21 days prior to the application being submitted. The county council was not the owner of the site for the full 21 days before the application was submitted. This amounts to false declaration - the planning application should be withdrawn;
- the name of the joint application was incorrectly stated on the application forms;
- key application documents were missing from the councils website;
- 2 weeks elapsed from the date the application was submitted to the start of public consultation;
- inadequate time has been allowed for consultation for an application of this size and complexity, and the number of documents and volume of material

#### 16 October

- There are potential errors and omissions in the current information that potentially preclude full and fair evaluation of the proposals for the purposes of consultation:
- Sections of the Education needs statement are missing - section 3.2 and two appendices (ref to A1)
- The Noise impact assessment includes an illegible figure on page 2; tables and data missing for the day-time sound survey for MP3 in appendix B; values for 8-9 July 17 are presented as a single line, whereas other values are presented in 15 minute intervals. This is potentially misleading and/or inaccurate; there is an illegible chart in appendix B;
- Appendices 3, 4, 5, 6, 7, 8, 22, 23, 24, 25, 26, and 27 from the Transport Assessment are all missing; a number of documents are labelled draft indicating the contents may be subject to change without further consultation; page 34 refers to a document which is not presented in the appendix nor listed as one of the reference documents;
- Appendices are missing from the Statement of community involvement; the document wrongly claims that HCC were the owner of the site at

the time of the exhibition in July 2017; the document refers to the Education and Skills Funding Agency as the applicant whereas the application forms make it clear state this is a joint application with HCC; scales on the graphs are different and this creates an artificial impression of the level of support relative to the opposition and concern

We consider that the potential severity of the errors and omissions noted above mean material considerations for those intending to make representations are compromised and as such the application requires withdrawal, correction of errors and omissions before any possible re-submission.

#### 16 November

- We are a residents group, representing over 1,000 local residents - details provided in our letter of 16 November 2017.
- We strongly object to the proposals.
- That the Planning Application included a substantial number of documents, which on review revealed a significant number of errors and omissions.
- A need for mitigation on response times to allow proper consideration of matters arising from errors and omissions.
- Significant new material was added close to the submission date (between 7 -13 November 2017), for which we considered there was insufficient review time
- Our intention to continue our analysis of the material and to make a further submission(s)
- We have no option but to apply a high level of assumption to our review, and that will be noted on our comments.

#### 30 November

- The Transport Assessment appendices were not uploaded to the council's website until 07 November and the education needs letter, which appears to contain significant new information, was not uploaded until 10 November. This is less than 21 days which HCC has committed to giving. No-one, other than those constantly checking your web-site, would have any indication of the existence of the new information

#### 08 December

- RSRP maintain their view that inadequate information has been provided, and that this is prejudicial to a fair assessment of the application. The objections focus on the Education Needs Assessment; Schools Planning; Very Special Circumstances; and the forecasting system and its role in forecasting need

#### Education Needs Statement

- the letter published on hertfordshire.gov.uk on 10 November 2017 was authored by HCC Development Services, not Schools Planning, and it is unclear who is being represented;
- the letter notes the 4 schools have formalised their relationship as a multi Academy Trust;
- the comparative site assessment (2014) references the educational needs assessment, however no needs assessment was available at the time the viability work was awarded, given that considerable reliance is placed on the comparative site assessment, it is inexplicable why the applicants have not chosen to forward this evidence in support of that work;
- the letter refers to methodology and modelling, planning or forecasting models – it is unclear whether these are bespoke or commercially available;
- the letter implies the principles of the process are well established and that no changes in methodology have occurred;

#### New forecasting system

- HCC introduced a new forecasting system in late October/ early 2017;
- the letter fails to mention the use of a new system and fails to reconcile significant differences to results that were published by HCC and in the public domain at the time the application was submitted;
- the application data appears to rely on the new forecasting system which is still being bedded in;
- it is unclear why the new system is not running in parallel with the previous system to enable results to be compared and any differences fully explored;
- the new system has produced limited output (4 years instead of 11) except for Harpenden where additional years have been extracted and then further manipulated;
- The new system is apparently unapproved and untested and/or the old system which HCC has relied upon (without the need to make bespoke adjustments) has been found to be unreliable or not fit for purpose;
- There is no reference the new forecasting / modelling system being approved in Education Panel minutes;
- it would be unsafe to progress on the basis of the information provided;
- The use of the old system to assess need for additional school places in Harpenden put forward in 2011 and 2015 may have produced unreliable data;

#### Assumptions and adjustments

- There is no information relating to any review and approval, delegated or otherwise, for departure from accepted practice to bespoke adjustments
- manipulations to the Harpenden data would have consequential reductions in forecast demand in adjacent areas, however no evidence is provided by HCC to substantiate the balancing re-allocations;

- St Albans forecasts were adjusted for the period 2011-13 by the removal of Sandringham cohorts of Harpenden EPA children, with ‘high priority’ allocations (including non-geographical up to ‘Siblings’) added back;
- the modelling assumptions effectively removed any Wheathampstead resident children who qualified for places at the school under the next category of allocation – ‘children for whom it is their nearest school in the priority area’;

#### Availability of data

- 2017/18 forecasts were not available publicly at the time of submission of the application. The Summer 2016-17 forecast and Meeting the Rising Demand Report (2016-17) were in the public domain for part of the application consultation period, however, following the move to the new forecasting system announced in late October / early 2017 the ‘Meeting the Rising Demand’ reports have been removed from HCC website with no replacement issued.

#### Demand for School Places

- The projected shortfall for the Harpenden EPA in the 2016 statement (page 11) shows a significant short term issue before falling back to 576 places by 2026/27 (close to the current capacity of the 3 existing schools). In essence there is no long term demand;
- Within the adjoining St Albans EPA the peak forecast is slightly smaller scale around 3-4 years later than the Harpenden EPA;
- In essence the forecasting system, on which HCC have placed considerable reliance, shows a demand for approximately one school over the forecast period, initially in the Harpenden EPA and progressively moving to the St Albans EPA, which in practice are considered part of the same larger Priority Area for allocation purposes, this raises the question of whether any build should be sited in a location that is readily accessible to meet both area shortfalls over the course of time. No consideration has been entertained by HCC.

#### Sandringham School

- Sandringham School accepted pupils within 4.3 km in the category of nearest school in priority area, corresponding with the South East of Wheathampstead village. Sandringham as nearest school in priority area, and that for prospective pupils living in the area Sandringham School is likely to be a higher choice than any Harpenden School as there is a greater priority given to application to that school.

#### Forecasting system and its role in determining need

- HCC treats the Harpenden Education Planning Area (EPA) as a single area in all aspects of planning at secondary school level. The lack of differentiation between Harpenden Town and the Harpenden EPA is

misleading. The current number of places is an overprovision to cater for pupils living outside of the Town; 60% of applicants for secondary places in the Harpenden EPA are typically Harpenden Town residents; 40% reside outside Harpenden.

- In most years between 400 and 450 are pupils from within Harpenden Town; 100 pupils arise from outside Harpenden Town (for all year groups), rising to 300 pupils in peak years. Wheathampstead may produce 100 pupils in a typical year. Villages between Wheathampstead and Hitchin - centred on The Kimptons - typically generate 50 pupils; Redbourn typically generate 2.5FE; Flamstead and Markyate generate 1.5FE;
- The historic distribution of secondary schools in the Harpenden EPA – with 3 schools in the Town, 1 school in Wheathampstead, and 1 school in Redbourn - which existed for most of the 20<sup>th</sup> Century - aligned well with the actual pattern of demand;
- The closure of Wheathampstead school led to parental preference for schooling in St Albans over Harpenden and places for pupils displaced from Harpenden were created at Sandringham school;
- In 2006 there were significant issues with the allocation of secondary school places for children in Harpenden EPA resulting in an overview and scrutiny review with 12 recommendations, including: recommendation 3: that (Childrens Services) introduce a more granular level of modelling (e.g. parish) for hot spot areas and that the result of the modelling be factored into to the final planning of places. The recommendations were fully accepted by HCC but there is no mention of the need for more granular modelling in the St Albans and Harpenden EPAs in either in the Meeting the Rising Demand for School Places report of 2009 or the consultation response to SADC in 2010 (as part of the local plan process) which sought to justify the need for a new secondary school in the Harpenden EPA;
- The HCC scrutiny report (published in 2011 - too late for the St Albans process) identified HCC's preference for secondary schools between 6 and 10FE , but acknowledged smaller schools of 4-6FE should not be discounted;
- HCC acknowledged Harpenden EPA contains hotspot areas - Wheathampstead and The Kimptons – but failed to apply granular modelling – in accordance with recommendation 3 of the scrutiny report - HCC has not considered the potential provision of a 4-6FE school to meet the need generated within the Harpenden EPA;
- The site assessment viability work was based on a simplified approach that Wheathampstead only has 2.5FE primary school capacity – however this does not consider the planned growth in the Waldens. This approach has led to all new primary provision being delivered in Harpenden Town to the point of large excesses - when there are remaining shortfalls in Wheathampstead and Redbourn;
- A new free school at Harperbury was awarded DfE approval based on demand from Radlett, Borehamwood, Shenley and South St Albans, however, the project was cancelled because HCC (Schools Planning) stated there was no demand for the school – whilst at the same time

providing supporting needs assessments for a proposed new secondary school at Croxley Danes;

- HCC suggest the Haperbury cohort would be satisfied by the Croxley Danes school and maintain there would be no shortfall in South St Albans bordering Radlett and Borehamwood;
- In essence, HCC's failure to recognise a hotspot with similar characteristics to parts of Harpenden EPA only serves to illustrate the failings of the unmodified planning and forecasting system;
- HCC presented the case for new school sites as part of St Albans local plan process in 2016 – the information presented was out of date and incomplete – it did not present the available information for the full period which gave the impression of small decline when in reality HCCs own figures reveal a substantial decline

## 9. Planning Issues

The main issues in the determination of the application relate to:

- Educational need
- Alternative Site Assessment
- Continued protection of the Green Belt
- Sustainable transport
- Drainage
- Archaeology
- Landscape
- Design
- Ecology
- Noise
- Light pollution
- Air Quality

### Education Need

- 9.1 The application includes an Education Needs Assessment (September 2017) which sets out the long term demand for secondary school places in the Harpenden EPA and the steps that have been taken to meet the level of demand.
- 9.2 The assessment explains Hertfordshire County Councils role as a commissioner rather than as a direct provider of school places and in partnership working with Hertfordshire schools through the Hertfordshire Schools Improvement Strategy (2014-17) and Herts for Learning (2013).
- 9.3 As a commissioner of places the County Council seeks to ensure there is a sufficient supply of suitable school places by managing the increase in pupil numbers through negotiation of additional places at existing schools wherever possible. Academies have greater autonomy to choose whether or not to expand to accommodate additional pupils meaning the County Council has no power to require schools to provide additional places.
- 9.4 The County Council still has a duty to secure sufficient school places in their area and to allocate those places to the children of all parents who want one. The County Council fulfils its planning responsibilities by forecasting the demand for school places with the aim of ensuring there are sufficient school places in the system to meet the demand for mainstream schools and negotiates the required number of places each year and through longer term strategic planning.
- 9.5 In 2009 Hertfordshire County Council published the document 'Meeting the rising need for school places' which quantified future demand for both Primary and Secondary school places for every EPA in Hertfordshire. The document is updated on a 6 monthly basis and is available on the councils' website – [hertfordshire.gov.uk](http://hertfordshire.gov.uk).

### Demand for Secondary School Places in the Harpenden EPA

9.6 The Harpenden EPA includes a wide catchment around Harpenden and the surrounding area taking in the following settlements.

- Harpenden, Wheathampstead, Redbourn in St Albans District
- Flamstead and Markyate in Dacorum Borough; and
- Blackmore End, The Kimptons, Whitwell, Breachwood Green and the Waldens in North Hertfordshire District

9.7 A map of the Harpenden EPA is shown on Appendix 5.

### Current capacity at the three Harpenden secondary schools

9.8 There are three secondary schools in Harpenden currently: Roundwood Park, Sir John Lawes School, and St Georges Schools.

9.9 In 2006 St George's increased its Published Admission Number (PAN) from 130 to 160 places (plus 20 boarding places). In 2007 the PAN was 170 places (plus 10 boarding places). In 2014, the Roundwood Park and Sir John Lawes School increased their PAN to 6.53FE under an agreement with Hertfordshire County Council.

9.10 The document identified the expansions of the existing schools as temporary measures pending further feasibility work to ascertain the most appropriate long term solution to deliver the required additional capacity across Harpenden and St. Albans 'which could include expansion of existing schools, establishing new provision, or a combination of both'. The provision of additional capacity is needed in order to improve access to Harpenden schools for village children.

### Forecasting demand

9.11 In 2009 the forecast demand for secondary school places in Harpenden was 594 places by 2020/21. The forecast demand for primary school places was more immediate and additional primary places were provided at existing Harpenden primary schools in September 2014, with 120 additional places each at High Beeches, The Grove and The Lea Primary Schools.

9.12 The education needs assessment sets out the drivers for the demand for additional secondary school places, and the steps that have been taken to meet the rising demand, in summary:

- the total number of primary school age children in Harpenden requiring a school place has grown significantly. In recent years the demand has been accommodated by expansion of a number of existing primary schools and provision of a new primary school in September 2012. In the near future these children will require a place at secondary school;

- the number of children currently attending primary schools in Harpenden exceeds the number of places available at existing secondary schools by an average of approximately 6FE over the next 5 years;
- as pupil numbers have exceeded capacity in recent years, a growing number of children have been accommodated at schools in the surrounding area, particularly in St Albans;
- however, accommodating Harpenden children at St Albans schools is not sustainable beyond 2018 given the increase in demand for places in that area, the temporary nature of some of the contingency arrangements and the accessibility of many of the schools for Harpenden families;
- as a consequence of children from Harpenden EPA attending schools in St Albans the actual level of demand for Harpenden secondary school places is higher than recent forecasts indicate;
- it is therefore necessary to consider the level of demand which would have been shown, if different trend data had been used in the calculation;
- Table 1 below indicates the forecast level of demand allowing for a more representative percentage of Harpenden children seeking secondary school places within the Harpenden EPA:

Table 1: forecast demand for secondary school places in the Harpenden EPA up to 2027/28											
HARPENDEN	PAN	FORECAST									
	2017	2018 /19	2019 /20	2020 /21	2021 /22	2022 /23	2023 /24	2024 /25	2025 /26	2026 /27	2027 /28
Year 7 places available	572	572	572	572	572	572	572	572	572	572	572
Demand (model)		703	759	730	730	773	723	716	670	639	679
Surplus/ Shortage		-131	-187	-158	-158	-201	-151	-144	-98	-67	-107
% Surplus/ Shortage		-23	-32.6	-27.7	-27.7	-35.1	-26.4	-25.2	-17.1	-11.7	-18.8
<b>No of FE</b>		<b>-4.4</b>	<b>-6.2</b>	<b>-5.3</b>	<b>-5.3</b>	<b>-6.7</b>	<b>-5.0</b>	<b>-4.8</b>	<b>-3.3</b>	<b>-2.2</b>	<b>-3.6</b>
Note: The above forecast does not include a contingency margin. The addition of 6FE within the Harpenden EPA would result in a surplus of 1.7% across the next five years on average, which the needs assessment regards as 'small and not unreasonable in the context of prudent school place planning'											

9.13 The education needs assessment identifies the barriers to providing additional places at the existing school sites, and the reasons why Harpenden remains the preferred location for additional secondary school places. In summary:

- there is insufficient capacity in the surrounding areas for permanent expansions to meet the required level of current and future demand;
- the 3 existing Harpenden secondary schools (Roundwood Park, St Georges and Sir John Lawes) have said they would be unwilling to expand on a permanent basis;
- the scale of projected demand over the next 5 years makes temporary solutions untenable;

- dispersing pupils from Harpenden primary schools across a wide number of secondary schools in the surrounding area would be undesirable in terms of accessibility and travel, community cohesion and equality of opportunity;
- Harpenden remains the area which has seen the greatest increase in primary pupil numbers, and while primary school numbers have dipped from the peak level of demand, they remain significantly higher than any other settlement within the Harpenden EPA;
- in terms of sustainable transport, the existing Harpenden schools have previously worked with HCC and a number of commercial operators to help ensure sustainable travel options are available to children travelling into the town; work is ongoing between HSET, HCC and the ESFA to ensure sustainable travel options are available to access a new school in the town;
- Hertfordshire County Council prefers to locate new schools in larger settlements wherever possible to maximise long-term sustainability;
- Harpenden remains the preferred location for a new school.

#### Forecasting long term demand

9.13 The forecast system considers data from a number of sources (beyond the numbers of children already born) including:

- Office for National Statistics (ONS) projections: indicating secondary phase pupil numbers in St Albans District will continue to rise over the next 20 years;
- Birth rate patterns: which have been on an upward trend for the last 40 years; years where there has been dip in the number of children born are typically followed by further periods of growth;
- Development planned in strategic local plans;
  - The St Albans Strategic Local Plan (SLP) 2011-2031 Publication Draft (2016) identifies Harpenden as the second most sustainable location for development after the City of St Albans, indicating Harpenden will need to accommodate some level of additional housing, generating upward pressure on the demand for school places;
  - The SLP was seeking to deliver a housing target of 436 per annum to be accommodated within the existing settlements and 4 Broad Locations in the Green Belt, including 500 homes at the North West Harpenden Broad Location.
  - The Planning Policy Committee: September 2017 identified that the new local plan “must propose substantially higher housing need figures” than presented in the draft Strategic Local Plan (SLP), to include;
    - increasing density in existing urban areas;
    - including four additional Broad Locations as identified in the Independent Green Belt Review (this would see the inclusion of a second Broad Location within Harpenden (North East Harpenden) creating a further 650 new homes;

- extending existing Broad Locations; and,
- finding sites for 'garden village(s)'.
- The review of the SADC local plan looks set to increase the annual delivery of new dwellings significantly above the number presented in the SLP;
- Furthermore, the review of the Dacorum Borough Council Local Plan may also promote a higher level of development than is currently being planned, which could have a consequential impact on demand for school places in adjoining EPAs.

9.14 The consultation generated criticism of the effectiveness of the forecasting system. Hertfordshire County Council Development Services clarified the purpose of the forecasting system in predicting shortfalls or surpluses for each EPA. The forecasts take into account:

- historic pupil numbers in each year group
- 0-5 year olds registered with general practitioners
- primary pupils moving on to secondary school
- additional pupils arising from new housing development
- pupil movement patterns, taking into account cross-area flows both the planning areas within Hertfordshire and out of the county, as well as from the independent sector;
- secondary school forecasts are based on actual children, both in schools and registered with general practitioners, for 10 years ahead together with a calculation of additional pupils arising from new housing development

9.15 The demand for places increased between 2010 and 2014 based on number of children in Harpenden primary schools over the period. More recently, the forecast has reduced, but demand remains at a higher level than in 2009, linked to the rising number of Harpenden children being accommodated elsewhere due to the lack of local places. Accommodating Harpenden children in St Albans schools is not sustainable beyond 2018 given the increase in demand for places in that area, the temporary nature of some of the contingency arrangements and the accessibility of many of the schools for Harpenden families.

9.16 Ultimately, all projections change over time, the planning application for the Katherine Warrington School is based on the latest, current assessment of need, as set out in the Education Need Assessment.

#### Evaluation of education need

9.17 The justification for building a new school is the projected shortfall in secondary places available within the Harpenden EPA. There is an immediate need secondary school places for children already in primary schools in Harpenden. The forecast shortfall exceeds 4FE by 2018/19 and is forecast to exceed 5FE between 2019 and 2023 which

largely reflects the number of children currently attending primary schools in Harpenden. The peak shortfall 6.7FE occurs in 2022/23.

- 9.18 Since 2014 Hertfordshire County Council has provided additional primary school places at Harpenden primary schools in order to meet the rising demand for primary places within Harpenden. The level of demand currently within the Harpenden primary school system demonstrates there is a clear and pressing need for additional places over the five years.
- 9.19 The forecasting system takes into account a range of factors to forecast the level of shortfall or surplus of places within each education planning area and is one of the main tools used in school place planning in Hertfordshire.
- 9.20 The forecasting system takes into account a number of variables, including the number of school age children moving into and out of an area, and the numbers of additional school age children arising from new housing development in an area, and provides contingencies to meet any shortfalls by providing additional places within the area of need or within an adjoining area. A very similar situation has existed in Harpenden in recent years where a large body of pupils have been allocated places in St Albans schools. However that situation is untenable in longer term due to the rising pupil number in the St Albans EPA, and moreover, it is not a sustainable long term solution for children from Harpenden and the surrounding villages, due to the increase in demand for places in the St Albans EPA, the temporary nature of some of the contingency arrangements, and because St Albans schools are less accessible by sustainable modes of transport for Harpenden children.
- 9.21 Some of the consultation responses criticise the forecasting system alleging:
- past failures in accurately predicting actual shortfalls in the Harpenden EPA, for example in 2006;
  - that published data was withdrawn from the councils website during the application;
  - data being 'adjusted' to support the case for a new school,
  - no formal authorisation process being in place for the new forecasting system;
  - the new system still bedding and cannot be relied upon to yield accurate data; and:
  - that size of developments coming forward in Redbourn and Hemel Hempstead will require new secondary schools (in any event) which will reduce the demand within Harpenden EPA.
- 9.22 There is also criticism that there is an overprovision of secondary school places in Harpenden, in that only 60% of the available places

are filled by children living in Harpenden, with the remaining 40% being allocated to pupils from outside of the town.

- 9.23 The forecasting system is used across the county to help inform the number of school places needed in each EPA, and is used to support needs assessments as part of the local plan making process and in support of planning applications. The use of the forecasting system has historically helped to ensure that the County Council has always been able to provide the numbers of places required in each EPA.
- 9.24 The forecast model first predicted the shortfall in secondary places within the Harpenden EPA in 2009, giving the County Council a reasonable amount of time to consider the options for expanding capacity to align with demand. The model itself is therefore considered fit for purpose for the task it is applied to, and moreover, has provided early warning of the deficits that have emerged within the Harpenden EPA.
- 9.25 It is reasonable for any forecasting system to retain a degree of flexibility to allow adjustments to be made to reflect the particular circumstances within the individual EPA, for example, the temporary provision of additional places for Harpenden children within the St Albans EPA has necessitated an adjustment of the model when those numbers of children are accounted for, otherwise the number of children requiring a place in the Harpenden EPA would be underestimated. Regardless of adjustment made to account for Harpenden children attending St Albans secondary schools, the data still shows there is a significant deficit in school places in the Harpenden EPA, however the number of children in this category is significant and supports the preference for developing a new 6FE school.
- 9.26 The allegation that Harpenden schools already provide an excess of places measured against the number of children living in Harpenden who require a place, is essentially a function of the geography of the Harpenden EPA which extends across a wide area east to west including small towns and villages within St Albans and North Herts districts and Dacorum borough, and therefore the demand is from a wider area than just Harpenden.
- 9.27 The deficit of places forecast by the model for the next 10 years, until at least 2028, is regarded as a robust basis to assess the need for additional places, and in the absence of other data, or another model that is proven to produce more accurate data tested over an extended period of time.
- 9.28 The three existing secondary schools have already been expanded on a temporary basis to provide additional capacity; however, the schools are unwilling to expand their PAN on a permanent basis. The 2011 feasibility studies identifies the potential to expand new St Georges by

0.6FE and Sir John Lawes by 2FE. However, the additional places that could be provided at those schools would not meet the shortfall and could not be delivered in the required timescales.

- 9.29 The forecast level of shortfall in places, the urgency of the requirement, and the lack of opportunity to expand existing Harpenden secondary schools justifies additional places being made available immediately and for the foreseeable future, and the development of a new school site within the Harpenden EPA.
- 9.30 Harpenden is considered to be the most sustainable location for a new 6FE secondary school because it is in the top tier of settlements in the St Albans District meeting the needs of the local community for services, employment, public transport and recreation. Harpenden is located in the centre of the Harpenden EPA and the three other secondary schools within the EPA are located there. Harpenden is a hub for sustainable travel, with a choice of buses and trains, cycling and walking.
- 9.31 The County Council has undertaken an extensive search for suitable sites for a new 6FE school within the urban area of Harpenden, which revealed no suitable sites are available and subsequently considered 9 potential sites in the Green Belt sites around the edge of Harpenden. The Comparative Site Assessment is discussed in the next section of the report.

In summary -

- The forecasting system is considered to be sufficiently reliable and the most useful tool to predict the shortfall in places in the Harpenden EPA;
- The County Council has also considered other relevant information such as the numbers of pupils already attending primary schools and the demand generated by housing development;
- The forecast model has identified an urgent and sustained demand for additional secondary school places over the next 10 years within the Harpenden EPA;
- the option of expanding existing school sites to accommodate the required places cannot meet the forecast deficit of places within the required timescale and cannot be delivered because the schools are unwilling to expand on a permanent basis; and
- Harpenden is an appropriate and sustainable location for a new 6FE secondary school due to options for sustainable travel choices, and its location in the centre of the EPA it serves.

### **Alternative Sites Assessment**

- 9.32 The planning application documents include:
- Comparative Site Assessment: January 2015
  - Comparative Site Assessment: Addendum report (incorporating Appendix 1, and Appendix 2 (September 2017));

- Harpenden, Redbourn and Wheathampstead Site Search Report (September 2017); and
  - 2014 technical assessments (for each site) of the environmental effects of the development of a 6-8FE at each of the 9 potential sites in the Green Belt around Harpenden, including: Air Quality Assessment; Archaeological Desk Based Assessment; Comparative Land Use Viability Assessment; Flood Risk Assessment; Highways and Access Feasibility Study; Heritage Impact Assessment; Landscape and Visual Impact Assessment; Noise Assessment; Preliminary Ecological Appraisal; and
  - 2014 Planning Appraisals (for each site)
  - Viability reports (Site A, Site D, Site F)
- 9.33 The 2015 and 2017 comparative site assessments consider sites offering potential for the construction of a 6-8FE secondary school within the urban limits of Harpenden, Redbourn and Wheathampstead, and report on the availability of sites outside of the urban area (i.e. Green Belt sites) around the edges of Harpenden.

#### Site area

- 9.34 Building Bulletin 103 sets non-statutory guideline standards for the construction of new schools. BB103 is used by the EFSA to formulate the costs of funding new school building projects.
- 9.35 BB103 sets a minimum requirement of 2.1ha for a 6FE secondary school (or 2.6ha for an 8FE secondary school), with a separate minimum requirement for detached playing fields.
- 9.36 The 2017 site search report describes how BB103 was applied to the site search process:
- The BB103 requirement for an unconstrained site outside the urban area is 8.7ha-10.92ha. This assumes that a two storey building can be accommodated on the site;
  - The 10.92ha (maximum) is rounded up to 12ha (minimum) to take account of potential site abnormalities;
  - The 2015 report identified that a site search minimum area 12ha be used to identify a 6-8FE school site to allow for abnormalities and to provide for flexibility;
  - The 2014 site assessments (for a 6-8FE secondary school) allow 4ha for the school building zone with the residual 8ha being used for playing fields;
  - The 12ha should not be regarded as maximum requirement at the site search stage since site characteristics can vary significantly across individual sites;
  - The 12ha minimum has been tested out in other parts of Hertfordshire based on town planning experience<sup>6</sup>

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<sup>6</sup> planning permission granted for the construction of a new 8FE primary school on a 16.54ha site at land north of Stevenage at Great Ashby Stevenage LPA ref 1/134909

- 9.37 The 2017 site search report confirms ‘ The County Council and EFSA remain committed to the use of the minimum 12ha site search approach for a 6FE secondary school of which a smaller or larger site area may be required to accommodate a 6FE secondary school depending on site characteristics’.

#### Existing secondary school sites

- 9.38 In 2011, town planning and highway capacity assessments of the existing schools in Harpenden was undertaken to ascertain the potential for those sites to accommodate a permanent expansion in capacity. The appraisals were submitted to St Albans City and District Council as part of the review of the local plan. The three existing Harpenden Schools are: Roundwood Park; Sir John Lawes; and St Georges. The sites are shown on Plan 5204/002, appended to this report (Appendix 9). There are no existing secondary schools sites in Wheathampstead or Redbourn.

#### Roundwood Park (8.02ha)

- the school expanded from 6FE to 6.53FE (2014)
- The current site is insufficient in size to accommodate a 8FE school;
- There is potential to acquire land to the north of the school;
- The site adjoins Roundwood Park Primary School (an Academy), which expanded in capacity from 1.5FE to 2FE (2013);
- The highway appraisal (2011) identified the combined traffic impact on the roads in the immediate vicinity of the school as likely to be unacceptable;
- expansion to 8FE could require relocation of the primary school; and
- The school Academy owns the site (transferred from HCC);
- In 2014, Roundwood Park School Governors said they would not be prepared to increase the school PAN. That position was restated in July 2017.

#### St Georges School (11.37ha)

- The school operates at 6.5FE (unchanged since 2008);
- The site is too small to expand capacity to 8FE;
- The site is within the conservation area and some buildings are locally listed;
- The County Council owns the playing fields but not the school buildings;
- The 2011 town planning appraisal concluded - potential to expand the school on its existing site is constrained by the requirement to preserve and enhance the conservation area, the requirement to demolish and redevelop the site, and the requirement for additional land for playing fields;

- The highway assessment (2011) identified pedestrian safety issues in relation to two adjacent railway crossings and the need for pedestrian improvements (still the case);
- The 2017 site search report concluded that only limited further expansion (0.6FE) would be achievable at the site because of the highway and planning policy constraints; and the likely requirement for demolition and rebuilding with modern buildings.

#### Sir John Lawes (6.53ha)

- The school has operated at 6.53FE since 2014;
- The site is too small to accommodate a 8FE school;
- The school Academy owns the site (transferred from HCC);
- The 2011 planning appraisal identified the school could potentially expand but would require detached playing fields (subject to planning permission);
- The 2011 highway assessment identified the school could expand by 2FE subject to minor improvements to highway safety and visibility;
- The 2017 report concluded 2FE would fall short of the forecast demand (6FE) required within the Harpenden EPA (even if it could be provided)

#### Urban area site search

#### Harpenden, Redbourn and Wheathampstead

- 9.39 The 2017 site search report for Harpenden, Redbourn and Wheathampstead assesses –
- sites within the urban areas of Wheathampstead, Redbourn and Harpenden;
  - non-urban sites around the edge of Harpenden; and
  - the capacity of the existing school sites in Harpenden to accommodate further expansion
- 9.40 The 2017 site search report updates:
- site search reports (2014),
  - comparative site assessment (2015),
  - site capabilities assessment (2011).
- 9.41 The 2015 assessment was based on a database of commercially available property (August 2014) which was reviewed in August 2017.
- 9.42 An extensive mapping exercise was undertaken in 2015 to identify sites providing opportunities to provide school buildings with off detached playing fields. The search includes:
- Open undeveloped areas of land
  - Employment zones

- Land in HCC ownership<sup>7</sup> – not required for service use and available within the required timescales;
- Commercially available land or buildings on the market;
- Land or buildings known to be coming on the market

9.43 The above criteria were considered satisfactory for the 2017 site search report.

9.44 The mapping exercise eliminates all areas of land that may not be suitable for the development of a 6FE secondary school. The remaining parcels are identified using natural and man-made boundaries.

#### Wheathampstead

9.45 The potential sites in the urban area of Wheathampstead (June 2017) shown on Plan 5024 003 include:

- 6 parcels of land in HCC ownership – all in active use; the largest site Beech Hyde Primary School (1.46ha) is being fully used by the primary school;
- 1 playing field in education use – St Helens Primary School (not owned by HCC);
- 4 areas of open land – the largest – land off Mount Road is less than 2.1ha;
- 1 residential site allocation;
- 4 commercial properties on the market (June 2017) – all below 2.1ha

9.46 The 2017 site search report concludes there are no available, suitable sites within the urban area of Wheathampstead of the minimum 2.1ha required to meet the need for 6FE school buildings with detached playing fields.

#### Redbourn

9.47 The potential sites in the urban area of Redbourn (June 2017) shown on Plan 5024 004, include:

- 2 parcels of land in HCC ownership – both sites in active service use with no opportunity for new buildings. The largest parcel of land (2.05ha) is being fully utilised for education purposes as part of Redbourn Infants and Junior School;
- 1 playing field in education use (not owned by HCC);
- 8 areas of open land – protected open spaces not available for development;
- 5 residential site allocations (completed)
- 2 commercial properties on the market (June 2017) – both sites below 2.1ha

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<sup>7</sup> The site search considered all HCC owned sites, including existing primary schools. None of the primary schools in Harpenden are surplus to requirements.

- 9.48 The 2017 site search report concludes there are no available, suitable sites within the urban area of Redbourn of the minimum 2.1ha required to meet the need for 6FE school buildings with detached playing fields.

Former Wheathampstead Secondary School site

- 9.49 The former Wheathampstead Secondary School has been suggested as a more suitable site for a 6FE school to serve the catchment. Wheathampstead Secondary School operated from a site to the south of Butterfield Road in Wheathampstead between 1967 and 1986. The school buildings were demolished in 2008 and the site of the former school buildings redeveloped for housing. The former school playing fields are now in community use.
- 9.50 Green Belt sites on the edges of Wheathampstead were not assessed in the comparative site assessment because sites within or on the edges of Harpenden were considered more suitable to serve the Harpenden EPA.
- 9.51 The village of Wheathampstead is forecast to generate almost 20% of pupils attending the proposed school, however, a far higher proportion of pupils are likely to originate from be the town of Harpenden and the surrounding villages are forecast to generate a far higher proportion of the students attending the school, notwithstanding that the village of Wheathampstead is closer (by road) to some of the other villages (e.g. the Kimptons) than is the application site, and therefore those students would travel along the Lower Luton Road past Wheathampstead village in order to get to a school at the application site.
- 9.52 Harpenden is the top group of settlements within St Albans district (with St Albans and London Colney) to serve the needs of the district in terms of services, housing and employment. It is therefore considered a site within, or on the edges of Harpenden, will better meet the demand for secondary school places within the Harpenden EPA than would a school within the Green Belt around Wheathampstead.
- 9.53 The representations suggest the historic pattern of schools with one school in each of Wheathampstead and Redbourn and 3 secondary schools in Harpenden aligned well with the actual pattern of demand. There is currently no secondary school in either Wheathampstead or Redbourn reflecting the changing pattern of demand in the past and the decisions that were made at the time to close those schools. The County Council's current preference is to locate new secondary schools in larger settlements which are regarded as more sustainable long term locations. Therefore it is unlikely that the County Council would choose to develop a new secondary school in a village or a smaller town.

### Site search process – for sites outside of the urban area

- 9.54 The 2015 site search report identified building a new school in the Green Belt around Harpenden would be preferable to building a new school in the Green Belt surrounding Wheathampstead or Redbourn for the following reasons:
- Harpenden is one of the main settlements in the district, along with St Albans and London Colney identified in district plan documents;
  - Harpenden provides access to a wide range of facilities, services, employment and sustainable modes of travel, providing opportunities for linked trips to school; and
  - the majority of pupils will come from Harpenden and it is therefore sustainable and appropriate to locate the school where the main demand for places is likely to arise.
- 9.55 The 2015 site search report and 2017 update presume that it would be acceptable to accommodate buildings and playing fields on the same site for a site within the Green Belt.
- 9.56 The 2015 site search report mapped constraints around the Harpenden boundary, including: woodland areas; golf courses; flood zones 2 and 3 (higher risk of flooding), landscape and conservation designations; definitive footpaths and bridleways, playing fields, and land in HCC ownership.
- 9.57 Woodland areas, golf courses; and flood zones 2 and 3 were regarded as less preferable (sequentially) and were therefore discounted, although these sites may need to be considered again if no alternative suitable sites were identified (outside of the constrained areas). Existing playing fields were regarded as potentially suitable for dual use, in case a school site could be identified in the urban area that requires detached playing fields.
- 9.58 The potential sites for a new school (with playing fields) are shown on Plan 5204/001 (Appendix 10).
- 9.59 In 2011 an initial site search was undertaken for St Albans, Wheathampstead and Harpenden for sites with potential to accommodate a secondary school of 6-8FE, resulting in the identification of 11 possible sites within the Green Belt surrounding Harpenden:
- Site A: Land east of Luton Road
  - Site B: Land north of Ambrose Lane, Harpenden
  - Site C: Land at Luton Road/Bower Heath Lane
  - Site D: Land east of Lower Luton Road
  - Site E: Land north of Redbourn Lane
  - Site F: Land north of Lower Luton Road
  - Site G: Land east of Croftwell

- Site H: Land south east of Cross Lane
- Site I: Land south of Cross Lane and east of railway
- Site J: Reserve school site Ayres End Lane, Harpenden
- Site K: Land at Harpenden Road/Beesonend Lane

9.60 Further viability work and site appraisal work was undertaken in 2014 which resulted in 9 potential sites as a result of:

- Site B: Land north of Ambrose Lane, Harpenden based on the highway appraisal (2014) concluding that it would be unlikely that a safe and suitable highway access could be achieved; and
- Site I & J were combined to comprise the Ayres End Lane Reserve School Site (owned by HCC) as this was considered to create a more logical site

9.61 These sites are shown on drawing 4812 004: Existing secondary schools and potential school sites appended to this report (Appendix 11).

#### Site selection process

9.62 In 2015, a comparative site assessment was undertaken by planning consultants appointed by Childrens Services for the nine potential sites based on a five stage methodology. For each site, this included:

1. a range of technical and environmental investigations
2. an assessment of the environmental effects of secondary school development
3. an assessment of the Green Belt effects of secondary school development
4. an assessment of whether a secondary school development would be compliant with planning policy and whether planning permission could be obtained assessing the environmental and Green Belt effects
5. an assessment of deliverability - in respect of acquisition and development viability.

9.63 The 2015 comparative site assessment compares each site in terms of; environment effects (Table 2); Green Belt effects (Table 3); policy compliance (Table 4); and viability (Table 5) and scores each site to produce a rank for each site against each criteria.

#### Environmental effects

Table 2: environmental effects: Site F ranked with other sites			
Environmental effect	Rank (with other sites)	Higher ranked sites	Lower ranked sites
Landscape	=2 (D and E)	A	C, G, H, I/J, K
Heritage	=3	A, C, D	H, K

	(E, G, I/J)		
Heritage – Archaeology	=2 (D and K)	A, C, G	E, H, I/J
Ecology	=2 (A, E, I/J, K)	C, D, G	H
Flood Risk	= all sites	N/A	N/A
Ground Conditions	=1 (D, G, H, K)	NONE	A, C, E, I/J
Water Resources	= all sites	N/A	N/A
Agricultural Equestrian	=2 (G)	A, C, D, I/J	E, H, K
Noise	= all sites	N/A	N/A
Air Quality	= all sites	N/A	N/A
Junction Impact	=2 (A, C, D, E, G, H, K)	I/J	NONE
Link Capacity	=2 (E, I/J)	A, C, D, G, H, K	NONE
Pedestrian / Cycle	= 3 (A, C, I/J, K)	D, G, H	E
Public Transport	=1 (A, D, E)	NONE	C, G, H, I/J
<u>Summary</u> Site F ranked =1 in terms of public transport and ground conditions - with no better other site(s) =2 for ecology, junction impact, link capacity, archaeology and landscape; and =3 for pedestrian and cycle – with only 1 worse site (Site E)			

### Green Belt effects

9.64 The comparative site assessment 2015 considered the impact of each of the 9 potential sites against the five main purposes of the Green Belt i.e.:

- to check the unrestricted sprawl of large built-up areas;
- to prevent neighbouring towns merging into one another;
- to assist in safeguarding the countryside from encroachment;
- to preserve the setting and special character of historic towns; and
- to assist in urban regeneration, by encouraging the recycling of derelict and other urban land.

9.65 Table 3 shows how each of the sites ranked in terms of the five purposes of the Green Belt.

Table 3: Green Belt effects (all sites)		
Site	Overall green Belt score	Ranking (Green Belt Impact)
A: east of Luton Road	2	1
C: Lower Luton Road/Bower Heath Lane	5	=4
D: east of Lower Luton Road	3	=2
E: north of Redbourn Lane	5	=4
F: north of Lower Luton Road	3	=2
G: east of Croftwell	5	=4
H: south east of Cross Lane	6	=7
I/J: south of Cross Lane	6	=7
K: Harpenden Road/ Beesonend Lane	7	9

The 2015 comparative site assessment concluded:

**large adverse** effects in terms of

- safeguarding the countryside from encroachment - Sites C and E
- preserving the setting and special character of towns - Site K

**moderate adverse** effects in terms of

- preventing neighbouring towns from merging - Sites H, I/J and K;
- safeguarding the countryside from encroachment - Sites D, G H, I/J and K;
- protecting the setting and special character of towns - Site I/J; and,
- maintaining the existing settlement pattern - F and G

**no adverse** effects in terms of

- checking the unrestricted sprawl of large urban areas - for any of the sites

### Planning Policy

9.66 The comparative site assessment considered the likelihood of planning permission being obtained (for each site) based on an assessment of the environmental and Green Belt effects at each site (Table 4):

Table 4: Sites where planning permission could be obtained for a 6-8 FE school	
Site	Rank
A:	1
D:	2
F:	3
The 2015 comparative site assessment concluded; it would be unlikely planning permission could be obtained for the development of a 6-8FE school at Sites C, E, G, H, I/J for the following reasons:	
Site	Reason
C:	lack of compliance with Green Belt policy, landscape policy (and thus education policy

E:	lack of compliance with Green Belt policy, sustainable transport and highway policies, scientific impacts on land use viability policy, and thus education policy
G:	lack of compliance with Green Belt policy, landscape policy and thus education policy
H:	lack of compliance with Green Belt policy, landscape policy, heritage policy and thus education policy
I/J:	lack of compliance with Green Belt policy, sustainable transport and highway policies, heritage policy, landscape policy, and thus education policy

### Deliverability

9.67 The 3 shortlisted sites (Site A; Site D; Site F) resulting from the planning policy assessment were considered in terms of viability and deliverability, i.e. the cost and complexity of delivering the development a 6FE secondary school at each site. Table 5 shows how the sites ranked on deliverability.

Rank	acquisition considerations -	construction considerations -
	<ul style="list-style-type: none"> <li>▪ current land value</li> <li>▪ likely total acquisition costs (CPO);</li> <li>▪ complexity of ownership</li> </ul>	<ul style="list-style-type: none"> <li>▪ site preparation;</li> <li>▪ site flows;</li> <li>▪ construction;</li> <li>▪ residential amenity</li> </ul>
1	Site A	Site F
2	Site D	Site D
3	Site F	Site A

9.68 In 2017 Lambert Smith Hampton carried out an updated valuation for each site: The position in relation to each site is summarised below:

Site A: The site having been subsequently identified for allocation in the Consultation Draft DLP for residential use means that there is significant hope value attached to this site and the site is likely to be significantly more expensive to purchase than either of the other sites and the difference in value between Site A and the other two sites has increased as a result of its identification in the Consultation Draft DLP. The current value of the site and its acquisition costs are estimated at £35M current market value or total compensation payable if acquiring the land by compulsory purchase which would be £35.1M. The site is in single ownership.

Site D: The site having initially been identified in the SKM report as being “potentially suitable for release from the Green Belt” means that there is hope value at a level above that of other sites on the edge of Harpenden. The current value of the site and its acquisition costs are estimated at £2.8M current market value or total compensation payable

if acquiring the land by compulsory purchase which would be £3M. The site is comprised of six separate titles and the ownership profile at Site D may require the implementation of a compulsory purchase process to ensure comprehensive acquisition of all the plots within the site area

Site F: the site is smaller than previously identified in the previous report (reference being made to the retained land) and the site has been identified in the Consultation Draft DLP for education use; there is some hope value albeit at a lower level than for the other two sites. The current value of the site is estimated at £1.7M current market value or total compensation payable if acquiring the land by compulsory purchase would be £1,717,220. There is a contract in place for the acquisition of Site F by Hertfordshire County Council.

As a result of the hope value now being attached to Site A and Site D the sites were ranked as follows:

- Most favourable site – Site F
- Second Most favourable site – Site D
- Least favourable site – Site A

9.69 Furthermore, LSH were aware that there was already a contract in place to purchase Site F, and as such, there is much greater certainty as to the eventual price to be paid for Site F than would be the case in respect of the other two sites. The LSH report concluded, the fact that Hertfordshire County Council has now agreed terms for the purchase of Site F makes the deliverability of a new school on Site F significantly greater than a new school on Site D, with the likelihood that Hertfordshire County Council would be the owner by the time the application is submitted.

### Evaluation

9.70 The initial site search process (2011) covered the areas of Harpenden, Wheathampstead and Redbourn to identify suitable sites to accommodate a school of 6-8FE. The forecast levels of demand (2014) indicated that a 6FE school (with playing fields) would be sufficient.

9.71 The site search focussed on Harpenden as the most appropriate location for a new school because of the numbers of pupils in Harpenden primary schools who will require a place from 2018 are higher than any other area within the Harpenden EPA allowing Harpenden children to remain at a Harpenden schools rather than being allocated a place in St Albans or Sandringham. Harpenden is in a central location within the Harpenden EPA, and provides opportunities for partnership working to develop with other Harpenden schools. The choice of Harpenden as a location for a new school therefore seems to be reasonable in school planning and town planning terms.

- 9.72 The site search identified no available sites within the urban area of Harpenden for a new 6FE school, and no realistic alternative sites have been brought forward during the application consultation period. The site search applies a reasonable (sequential) approach to identifying potential sites. The conclusion that there are no available sites (minimum 2.1 ha) within the Harpenden urban area appears to be robust.
- 9.73 The site assessment has given detailed and thorough consideration to the possible 9 potential sites within the Green Belt on the edges of Harpenden, including, commissioning detailed technical reports on the environmental effects of a new 6FE secondary school (at each site) and an assessment of Green Belt effects.
- 9.74 The ranking of sites against a range of environmental criteria did not identify one or more sites as clearly more favourable than the others, with the exception of Site A: Land east of Luton Road, which is regarded as having the least number of adverse environmental impacts. In terms of Green Belt effects, the Green Belt Review submitted with the planning application concluded that development of any of the sites would result in some level of adverse impact on the Green Belt, with only the proposed development of Site A (for a 6FE school) regarded as likely to result in less harm.
- 9.75 The deliverability of a new 6FE school within the required timeframe became a key consideration in a decision to reject Site A and Site D in favour of Site F. The costs of acquiring Site A was thought to be prohibitive, and potential difficulty in acquiring Site D due to the number of owners and hope value of the land could require a Compulsory Purchase Order which would delay the delivery of the school.
- 9.76 Planning regulates the use of land and ownership is not normally. The extent to which the fact the County Council own Site F is material to the decision relates only to deliverability, i.e. that the County Council can ensure the development is delivered, where currently it could not at Site A or Site D.
- 9.77 In summary, the site search exercise has satisfactorily demonstrated that:
- There are no clearly more sequentially preferable, available and deliverable sites within the Green Belt surrounding Harpenden;
  - There are no available sites that could accommodate a 6FE entry school (with playing fields) in the built up area of Harpenden Town;
  - The existing schools are unwilling to expand their roles on a permanent basis to cater for the forecast demand in school places – peaking at 6.7FE in 2022/23;
- 9.78 The technical assessments that have been carried out for each of the nine sites, together with the assessment of Green Belt effects

(purposes of the Green Belt) have provided a sound basis upon which to generate a shortlist of suitable sites. None of the alternative sites could be developed (for the purposes of a 6FE secondary school) at significantly less harm to the Green Belt.

- 9.79 Site F has been shown to be more deliverable than the other shortlisted sites (Site A and Site D) for the reasons given in the viability reports, primarily related to hope value the sites have acquired since they were promoted as potential housing sites.
- 9.80 The County Council owns the freehold for Site F, which demonstrates that the proposed development can be delivered within the required timescales. The County Council has the means to deliver the school demonstrated by the agreement it has with the Education and Funding Agency to fund construction of the school.
- 9.81 Overall, it is considered that Site F is the most deliverable site within the timescales. For planning permission to be granted very special circumstances must be demonstrated, which clearly outweigh the harm to the Green Belt, and any other harm (NPPF: Paragraph 88).

### **Green Belt**

- 9.82 The Government attaches great importance to Green Belts. The fundamental aim of Green Belt policy is to prevent urban sprawl by keeping land permanently open; the essential characteristics of Green Belts are their openness and their permanence (NPPF, paragraph 79).
- 9.83 The Green Belt serves five purposes (NPPF, paragraph 80):
- to check the unrestricted sprawl of large built-up areas;
  - to prevent neighbouring towns merging into one another;
  - to assist in safeguarding the countryside from encroachment;
  - to preserve the setting and special character of historic towns; and
  - to assist in urban regeneration, by encouraging the recycling of derelict and other urban land.
- 9.84 As with previous Green Belt policy, inappropriate development is, by definition, harmful to the Green Belt and should not be approved except in very special circumstances (Paragraph 87).
- 9.85 When considering any planning application, local planning authorities should ensure that substantial weight is given to any harm to the Green Belt. 'Very special circumstances' will not exist unless the potential harm to the Green Belt by reason of inappropriateness, and any other harm, is clearly outweighed by other considerations (Paragraph 88)
- 9.86 A local planning authority should regard the construction of new buildings as inappropriate in Green Belt. Exceptions to this [include] are: buildings for agriculture and forestry; provision of appropriate

facilities for outdoor sport, outdoor recreation and for cemeteries, as long as it preserves the openness of the Green Belt and does not conflict with the purposes of including land within it (Paragraph 89).

#### Purposes of the Green Belt

- 9.87 The Green Belt Review forming part of the LVIA in the planning application assess the effects of the development of a 6-8FE secondary school at the site upon the five purposes of the Green Belt stated above. That assessment regarded the proposed development as resulting in no large or moderate adverse effects on:
- checking the unrestricted sprawl of built-up areas (Purpose 1);
  - preventing neighbouring towns from merging (Purpose 2);
  - safeguarding the countryside from encroachment (Purpose 3); or
  - preserving the special character of towns (Purpose 4);
- 9.88 However the development was regarded as resulting in **moderate-adverse** effects in terms of maintaining the existing pattern of development.

#### Openness of the Green Belt

- 9.89 The proposed development would impact upon an open area of agricultural land, which would have a negative impact upon the Green Belt in spatial terms. The siting of the proposed buildings and related development would have adverse visual impact not only in landscape terms, but also in terms of the openness of the Green Belt. The attempts to reduce the height, scale and massing of the proposed development may serve to reduce the adverse visual effects, however there is still an adverse effect upon the openness of the Green Belt

#### Very special circumstances

- 9.90 The Green Belt statement (September 2017) submitted with the application sets out the case for very special circumstances in terms of:
- education need - the fundamental requirement for the development;
  - the lack of a more sequentially preferable alternative location to meet that need;
  - analysis of site development options, having regard to the purposes of the Green Belt, demonstrating harm to the Green Belt in the proposed location has been minimised; and
  - the proposal represent the minimum amount of requirement to minimise the adverse effect on the Green Belt.
- 9.91 The 2017 Green Belt statement regards the design of the development as minimising the adverse impacts upon the Green Belt, and regards the level of harm being outweighed by other considerations.

### Siting of buildings to minimise adverse Green Belt effects

9.92 The proposed development attempts to minimise the adverse impact on the Green Belt by:

- locating the school buildings on west side of site to maximise green space between Harpenden and Lea Valley Estate;
- minimising visual impact of buildings on the Green Belt;
- minimising building footprint and impact on Green Belt;
- breaking down the mass of buildings to individual blocks as part of campus layout;
- limiting building height to two storeys;
- conserving and enhancing existing character and Green Belt where possible; and
- maintaining a green and open character perception of the landscape from the Lower Luton Road;

9.93 The proposed layout also delivered benefits in terms of:

- reducing visual impact on adjoining residential properties by setting back the school building from Lower Luton Road and Common Lane;
- siting and orientation of buildings to minimise impact of noise from existing sources;
- placement of buildings to minimise impact on heritage assets (Thatched Cottage, Mackerye End; and
- mitigation of existing surface water flooding running through the site.

### Evaluation

9.94 The development of a new school in the Green Belt represents inappropriate development under the terms of the NPPF (Paragraph 89). The proposal is also contrary to Policy 1: Metropolitan Green Belt of the St Albans Local Plan Review 1994, which states within the Green Belt, except for development in Green Belt settlements referred to in Policy 2, or in very special circumstances, permission will not be given for development for purposes other than mineral extraction, agriculture; small scale facilities for participatory sport and recreation; and other uses appropriate to a rural area.

9.95 In addition to the construction of new school buildings, the proposed sports facilities, hard standing, car parking and construction of new accesses onto the Lower Luton Road and Common Lane, and remodelling of the site are similarly regarded as inappropriate development, also contrary to the NPPF and Local Plan Policy 1.

9.96 The NPPF is clear that inappropriate development is, by definition, harmful to the Green Belt and should not be approved except in very special circumstances, and that local planning authorities should ensure that substantial weight is given to any harm to the Green Belt. Furthermore, very special circumstances will not exist unless the

potential harm to the Green Belt by reason of inappropriateness, and any other harm, is clearly outweighed by other considerations.

- 9.97 In terms of the purposes of the Green Belt, the proposal is regarded as having moderate effect **moderate-adverse** effects in terms of maintaining the existing pattern of development and no large or moderate adverse on the other purposes of the Green Belt.
- 9.98 There is a perception that the proposed development would reduce the amount of green space between Batford and Valley Rise, which would represent encroachment into the countryside, contrary to purpose 3 of the Green Belt. The map in Appendix 3 shows the extent of the Green Belt surrounding Harpenden and Wheathampstead. It shows there is a reduced gap between Valley Rise and Batford and that is possibly why the land is regarded as a locally important strategic gap. The proposed siting of building close to the edge of the settlement and Batford would limit the extent of the encroachment. In the proposed layout school playing fields are located on the east side of the site and there is another parcel of open land between the school site and Valley Rise. The effect on Purpose 3 in terms of encroachment is regarded as limited.
- 9.99 With regards to the other purposes of the Green Belt, the proposed siting is considered unlikely to have any significant adverse effects upon four of the purposes of the Green Belt in terms of unrestricted sprawl, neighbouring into one another, or preserving the historic setting of the town due to the maintenance of a gap between the application site to Valley Rise in addition to the further expanse of generally open, undeveloped land between Valley Rise and Wheathampstead.
- 9.100 In terms of openness, the proposed layout would limit the adverse effects, both spatially and in terms of visual effects by limiting the height of buildings to two storeys and landscaping. The proposed buildings, accesses and related inappropriate development would still result in some adverse impact upon openness, which could not be fully mitigated.
- 9.101 The proposed layout would appear to minimise, as far as possible, the negative impact upon the Green Belt by placing buildings close to the edge of the settlement and placing open spaces on the western boundary to provide the maximum gap to Valley Rise development, and therefore limit encroachment into the countryside. The proposed layout is considered to represent the minimum level of adverse impact upon the Green Belt whilst meeting the maximum number of education and landscape objectives.
- 9.102 In terms of other possible sites that might have less of an adverse effect on the Green Belt, there were no alternative sites of the required size (2.1ha) within the urban area of Harpenden, and there are no more suitable sites in the Green Belt that would result in less adverse effects,

with the exception of Site A: Land East of Luton Road which would result in less adverse Green Belt effects, however, the viability assessment identified Site A as being undeliverable.

9.103 The NPPF (Paragraph 72) states –

The Government attaches great importance to ensuring that a sufficient choice of school places is available to meet the needs of existing and new communities. Local planning authorities should take a proactive, positive and collaborative approach to meeting this requirement, and to development that will widen choice in education. They should:

- give great weight to the need to create, expand or alter schools; and
- work with schools promoters to identify and resolve key planning issues before applications are submitted.

9.104 Therefore, great weight is afforded to the requirement to meet the needs of the existing community.

Other relevant considerations include:

- the education needs assessment demonstrates that there is a clear and pressing demand for additional secondary school places in the Harpenden EPA by September 2018, and a sustained level of demand to support a 6FE school through to 2028;
- The comparative site assessments identify that limited additional capacity could possibly be provided at the other Harpenden schools it would not be sufficient to meet required level of demand and could not be delivered within the required timescales;
- The comparative site assessments also demonstrate that there are no more suitable or available sites either within the urban area of Harpenden, or any more suitable, available and deliverable sites within the Green Belt surrounding Harpenden, which might potentially result in result in less harm to the Green Belt.

## **Transport**

9.105 The planning application is accompanied by a Transport Assessment and Travel Plan and additional information was submitted in November and December 2017 in response to comments from the Highway Authority.

9.106 The main highway related issues are:

- Trip generation
- Walking and cycling;
- Buses;
- Access and circulation
- Junction capacity
- Parking provision
- Street Parking;

- Speed Control; and
- Sustainable travel: walking, cycling and buses

9.107 The Supplementary Transport Note (14 December 2017) sets out the timing of provision of off-site highway works and provides an assessment of:

- the efficiency of the pupil drop off,
- the impact upon traffic flows between the school entrance and Station Road,
- provision of parking spaces, and
- introduction of waiting restrictions on local streets and
- sets out the details of the proposed bus strategy, roles and responsibilities and action plan measures to promote walking, cycling, public transport, car sharing.

#### Trip generation

9.108 The Transport Assessment identifies the likely pupil catchment area as shown in Table 6 below. The TA predicts 292 pupils (25.4%) are expected to live within a 2km (walking distance of the site) and a further 442 pupils (38.4%) are expected to live within a 2-5km distance of the site with the remaining 36.2% expected to reside more than 5km from the site.

Table 6: predicted pupil catchment		
Area	Proposed Pupils	% Pupils
Area 1 (Kinsbourne Green)	5	0.5
Area 2 (New Mill End/East Hyde)	10	0.9
Area 3 (Batford/Marshall's Heath)	86	7.5
Area 5 (Central Harpenden)	86	7.5
Area 6 (Hatching Green)	10	0.9
Area 7 (Southdown)	248	21.6
Blackmore End	14	1.2
Flamstead	67	5.9
Hemel West & South	105	9.1
Kimpton	43	3.7
Redbourn	81	7.0
Sandridge	5	0.5
Welwyn & East	5	0.5
Wheathampstead	225	19.6
Luton & North West	38	3.3
North Villages	91	7.9
St Albans & South	29	2.5
<b>TOTAL</b>	<b>1,150</b>	<b>100</b>

#### Walking and cycling

- 9.109 Southdown and Wheathampstead are identified as generating the highest numbers of pupils. The application includes a package of pedestrian improvements on local roads (Appendix 2) including a toucan crossing opposite the site. The application site is generally regarded as being accessible from within Harpenden using the existing network of footpaths, for example, pupils from the Southdown area will be able to access the site via Piggotshill Lane, Marquis Lane and Crabtree Lane and the footbridge crossing the River Lea. The package of pedestrian improvements schemes includes street lighting the section of Piggotshill Lane between Wheathampstead Road and Crabtree Lane. The package of sustainable transport schemes includes improvements to existing walking routes in Harpenden and for sections of the Lower Luton Road.
- 9.110 Wheathampstead is located over 2km from the school site which exceeds a reasonable walking distance for secondary school pupils. There are very limited opportunities for cycling along the Lower Luton Road due the narrow carriageway between Wheathampstead and the application site, making it virtually impossible to construct a new shared cycleway and footpath alongside the carriageway.
- 9.111 In 2011 the section of the Lower Luton Road between Wheathampstead and Batford was classified as a safe walking route to school (in relation to the Sir John Lawes School). The recent report by the Road Safety Team considers this section not to be a safe walking route to school in relation to a new 6FE school at the application site.
- 9.111 The transport strategy for the school is based on delivering a modal split that significantly favours sustainable travel choices – walking, cycling and public transport. Therefore, given the constraints of this section of the Lower Luton Road to deliver improved pedestrian and cycle facilities, there is even greater emphasis on bus services.

### Buses

- 9.113 The Travel Plan includes an assessment of capacity on existing services and identifies there is a need to provide additional bus services for the first 7 years of the schools occupation. Initially these services will need to be funded, although it is anticipated that the additional services will be commercially viable after 7 years.
- 9.114 The Travel Plan sets out two different options (Option A and Option B) for how the demand would be met, including negotiating minor changes to the timetable of the existing bus services to make best use of the availability of capacity on that service by school pupils.
- 9.115 In addition, new school bus services are proposed to serve the following areas: Slip End, Markyate, Flamstead, Redbourn Wheathampstead, Kinsbourne Green, Area 6 (Hatching Green), the Southdown area (Grove Avenue, Meadway and Topstreet Way). It is

anticipated that these additional services would be secured via a bus partnership between the four Harpenden Schools, the bus operators and Hertfordshire County Council.

9.116 The cost of the additional services will need to be specifically funded. The EFSA have agreed to meet the large proportion of costs of these additional services. The conditions require a bus services implementation strategy to be submitted which will specify the means by which the payments will be provided.

9.117 The Supplementary Transport Note (December 2017) confirms:

- The four schools are committed to integrated travel planning and partnership;
- The two main bus operators are also willing to commit to the partnership subject to having the freedom to set fares at levels they consider to be commercial;
- The schools will resource the analysis of postcode data to facilitate the annual review of the bus network;
- Parents/guardians of children joining the school will be asked to commit to using sustainable modes for home-to-school travel;
- The ESFA has committed to consider funding for bus services during the first seven years. The amount payable would vary year by year in accordance with requirements assessed following the annual review and actual demand, possibly subject to some form of capping. Agreement will have to be reached on how the money is secured and held;
- The Travel Plan will be strengthened to ensure the achievement of the necessary modal split and to show how the funding mechanism will operate. The Bus Strategy will form a separate document

#### Modal split

9.118 The Travel Plan sets ambitious targets for achieving a modal split of 56% as part of the transport strategy in line with the objectives of securing sustainable modes of travel set out in the Hertfordshire Local Transport Plan consultation.

9.119 Table 7 shows the comparison of the baseline modal split identified in the feasibility study with the enhanced modal split proposed in the application.

(a) Baseline modal split			(b) Enhanced modal split		
Mode	Split (%)	Pupils	Mode	Split (%)	Pupils
Walk/cycle	24.5	282	Walk/cycle	25.6	294
Car share	11.4	131	Car share	5.1	59
Car/Taxi	28.6	329	Car/Taxi	12.8	147
Bus	<b>35.5</b>	<b>408</b>	Bus	<b>56.5</b>	<b>649</b>

Total	100	1,150		Total	100	1,150
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- 9.120 The enhanced modal split will require the full package of pedestrian improvement schemes being delivered as part of the development. The conditions require that all but one of the schemes (Scheme 11: proposed junction capacity improvements at Station Road/ Lower Luton Road) are implemented prior to the first occupation of the school.
- 9.121 Achieving the enhanced modal split will minimise congestion on the highway by reducing additional traffic flows generated by the school as a result of unnecessary car journeys. The Travel Plan includes actions in the form of an intervention strategy if the modal split is not being delivered.

#### Access and circulation

- 9.122 The proposed accesses and internal circulation have been carefully scrutinised by the Highway Authority and further clarification was sought as to the efficiency of the internal circulation to cope with predicted volume of traffic and the effects on traffic flow on the Lower Luton Road.
- 9.123 The Supplementary Transport Note (December 2017) provides information on the separation of car and bus movements, queueing within the site and capacity of the right turn lane into the site. The Highway Authority has commented that:
- the internal circulation provide adequate separation for buses and cars;
  - the double yellow lines should ensure the drop off area is kept free;
  - the bus lane provides stacking space for up to 9 buses - equal to the maximum number of buses requiring waiting in the PM peak.
  - the operation of the junctions (entrance and exit) with Lower Luton Road has been modelled and any queues to exit the site are predicted to be contained within the site;
  - the capacity of the right turn movement into the entrance is considered acceptable to accommodate right turning vehicles, leaving Lower Luton Road westbound carriageway largely unobstructed; and
  - both accesses have passed Stage 1 safety audit.
- 9.124 The proposed accesses on the Lower Luton Road have been through a Stage 1 safety audit and have been demonstrated as capable of operating safely.

#### Parking

- 9.125 The maximum parking standards of the St Albans Revised Parking Policy and Standards 2002 are: 1 space per 2 staff, plus 1 space per 15 students. The maximum capacity of the school is 1,150 staff. It is expected that there will be 1 member of staff (full-time) per 30 students (i.e. 39 teaching staff).

- 9.126 The maximum parking standard requires 20 spaces for staff (39 staff) plus 77 spaces (1 space per 15 pupils) giving 97 spaces total. The scheme proposes 97 spaces in order to provide the maximum requirement.
- 9.127 The Transport Assessment assumes the school would employ 95 full-time staff, of which 56.8% are likely to drive to school, generating an real parking requirement of 54 spaces.
- 9.128 The level of provision is compared with other Harpenden Schools:
- Roundwood Park School - 1,260 pupils and 173 staff (124 FTE), with 120 on-site car parking spaces for staff and visitors. The latest Travel Plan for the school (February 2016) indicates 90% of staff currently travel by car. The ratio of parking per staff member is 1 space per 0.69 staff, which is higher than is proposed at the KWS site, i.e. there are less spaces available per member of staff at Roundwood Park than at the KWS site;
  - The Sir John Lawes School - 1,222 pupils and 172 staff (138 FTE), with 107 on-site car parking spaces for staff and visitors. The latest Travel Plan for the school (November 2016) indicates that 77% of staff currently travel by car. The ratio of parking per staff member is 1 space per 0.58 staff, which is comparable to that proposed at the KWS site.
  - St George's School - 1,327 pupils and 239 staff (152 FTE). There is not information on staff travel patterns or car parking provision at the site provided in the most recent Travel Plan (June 2003)

#### Street Parking

- 9.129 The TA proposes to implement on street parking restrictions in the vicinity of the site to be funded by the development in two phases. The extent of the second phase cannot be accurately predicted without the development in place, however, the funding for such schemes (if any restrictions are required) can be secured as part of the application to enable waiting restrictions to be implemented when the school is occupied and with knowledge of current travel patterns.

#### Junction Capacity

- 9.130 The TA considered the capacity of the mini-roundabout junctions at Lower Luton Road / Common Lane; and at Lower Luton Road / Station Road, which confirms both junctions operate above normal capacity criteria currently in the absence of the school traffic. By 2025 the background traffic levels are predicted to increase leading to a slight worsening in current levels of congestion.
- 9.131 The TA originally proposed replacement of the of the mini-roundabout at Common Lane with a ghost island/right turn facility, however, the

Highway Authority prefers the existing arrangement to remain unchanged with the proposed improvements to safety.

- 9.132 The proposed improvements to the Station Road mini-roundabout junction, involving alterations to the kerb lines to allow the provision of two lanes at the approaches to the junction, are considered acceptable to the Highway Authority.
- 9.133 The proposals for these junctions are considered acceptable to mitigate the impact of the development on junction capacity.

### Speed Control

- 9.134 The proposal is to introduce a 30mph speed control between the 30mph zone at Batford to the 30mph zone at Valley Rise. This will have the effect of providing a continuous 30mph zone between Wheathampstead and Batford. The preliminary design includes signage, road markings, and coloured surfacing. It is possible that street lighting will be required as part of the detailed design. The Highway Authority notes that the proposed 30mph zone would not comply with the adopted Speed Strategy for Hertfordshire for roads of the nature and capacity of the Lower Luton Road, however, on balance there is a need to introduce speed restrictions in parallel with the new school. The County Council supports the introduction of 20mph zones at some schools where it would result in improved safety. The Lower Luton Road is not suitable for a 20mph zone due to the nature and character of the road.

### Evaluation

- 9.135 The Transport Assessment has demonstrated that the proposed accesses can operate safely, with the 30mph zone in place, the impact on junction capacity can be mitigated, and the drop off facilities and bus stops provided within the site can operate without adversely impacting the flow of traffic on the Lower Luton Road. The right turn lane for westbound traffic turning into the site is considered to be acceptable to accommodate the number of vehicles turning right during the AM and PM peak, and on that basis the free flow of traffic along this section of the Lower Luton Road should be largely unobstructed.
- 9.136 The Travel Plan proposes a pedestrian improvements scheme which will be delivered prior to the occupation of the school, including a toucan crossing opposite the site, lighting on Piggotshill Lane and various pedestrian improvements schemes within Harpenden. The Travel Plan sets an ambitious modal split target of 56% of pupils travelling to school via sustainable travel modes (walking, cycling and buses). The modal split will be delivered via the package of pedestrian improvements and the provision of additional bus services from outlying areas. The overall package of highway and pedestrian improvements are considered acceptable to mitigate any significant

adverse impacts of the development on the highway network. The Highway Authority raises no objection, subject to the recommended conditions.

- 9.137 The proposed development is considered to comply with the sustainable travel objectives within the NPPF, specifically in terms of actively managing patterns of growth and making the fullest possible use of public transport, walking and cycling (core planning principles paragraph 17) and reduces unnecessary car journeys, and promotes sustainable transport modes, offering people a real choice of how they travel, and reduces the need for major transport infrastructure works. The development achieves safe and suitable access to the site for all people. The impacts on the transport network are not severe. The residual traffic impacts are mitigated as far as possible. The application should not be refused on transport grounds.

### **Drainage**

- 9.138 The application includes a Flood Risk Assessment (FRA) which was revised in December 2017 and January 2018 at the request of the Lead Local Flood Authority (LLFA).
- 9.139 The application site is located within Flood Zone 1 which indicates that the site is at a low risk of flooding from rivers. The applicant has acknowledged the existence of an overland flow route which runs through the site close to the western boundary. The overland flow route is generated within a wider catchment to the north of the site. The application site is located within 100m of the River Lea, and therefore surface water from the overland flow causes poor drainage within the site and flooding of the Lower Luton Road close to the junction with Crabtree Lane.
- 9.140 The LLFA and the drainage consultant both agree that the proposed development should remove the risk of flooding of the Lower Luton Road during the 1 in 30 year rainfall event (as a minimum).
- 9.141 The scheme proposes an open ditch to convey water on the western side of the site plus an infiltration basin to attenuate surface water from the overland flow. The infiltration basin has been designed to provide a total storage volume of 3250m<sup>3</sup>. The independent assessment of the catchment indicated that storage capacity of 3200m<sup>3</sup> would be required for the 1 in 30 year rainfall event. Therefore the LLFA agrees that the proposed attenuation volumes are sufficient for the 1 in 30 year rainfall event. For events in excess of the 1 in 30 year event the basin will naturally overtop onto the Lower Luton Road.
- 9.142 The LLFA recognise that infiltration tests that have been carried out to inform the drainage strategy and that they are crucial to the overall feasibility of the proposed scheme. The LLFA has concerns that the extent of re-profiling of the land levels proposed in the application could

reduce the infiltration potential of soils. Therefore, at the detailed design stage, the LLFA will require further detailed infiltration testing to be carried out, and to be provided with details of the ground water and river levels to ensure that the attenuation basin will infiltrate at the rates required by the drainage strategy in practice. If the proposed rates of infiltration cannot be achieved an alternative strategy will be required.

9.143 In terms of surface water generated within the development site, proposed drainage features provide a total of 1932m<sup>3</sup> attenuation storage through a combination of permeable paving (440m<sup>3</sup>), swale (30m<sup>3</sup>) and an attenuation tank (1462m<sup>3</sup>) located underneath the main car park. Drainage from the sports pitches and MUGA will be managed by storage within the sub-base material, and conveyed via a surface water drainage network to the attenuation basin serving the overland flow.

### Evaluation

9.144 The LLFA has required the drainage strategy to demonstrate sufficient storage capacity within the site for the 1 in 30 year rainfall event and to demonstrate how surface water generated within the site during the 1 in 100 year (plus climate change) rainfall event would be managed within the site before discharging to the infiltration basin.

9.145 The proposed drainage strategy has demonstrated that it capable of managing surface water generated within the site up to the 1 in 100 year rainfall event (plus climate change) and provides able adequately proposals to manage the overland flow route for the 1 in 30 year rainfall.

9.146 The proposed drainage strategy therefore meets the requirements set out in the NPG to ensure that post development run-off rates are equivalent to pre-development levels (Greenfield runoff) for equivalent storm events, and the volume of surface water run-off post development should not exceed the pre-development volume based on the 100 year 6 hour event.

9.147 The proposed drainage strategy also meets the standards required in Policy 4 of the Lead Local Flood Authority (LLFA) SuDS Manual, which states: flooding must not occur on any part of the site for a 1 in 30 year rainfall event except in areas that are designed to hold and convey water, and during the 1 in 100 year (plus climate change) rainfall event no flooding should occur in any part of a building or on neighbouring sites.

9.148 In relation to flooding that is likely to affect the Lower Luton Road for rainfall events exceeding the 1 in 30 event, the drainage strategy should reduce the frequency of flooding events in this location due to increase volume of surface water storage being provided within the site, which is a significant betterment of the current situation.

- 9.149 The proposed drainage strategy indicates the exceedance route for surface water from the attenuation basin for surface water generated in excess of the 1 in 30 year flood event, which also meets the requirements of Policy 4 of the Hertfordshire SuDS Manual.
- 9.150 The LLFA has confirmed that the proposed development is acceptable subject to conditions.
- 9.151 The NPPF (Paragraph 100) states 'Inappropriate development in areas at risk of flooding should be avoided by directing development away from areas at highest risk, but where development is necessary, making it safe without increasing flood risk elsewhere.
- 9.152 The sequential test is applied through the plan making process to steer new development to areas with the lowest probability of flooding. The NPPF (Paragraph 101) confirms that development should not be allocated or permitted if there are reasonably available sites appropriate for the proposed development in areas with a lower probability of flooding.
- 9.153 The NPPF (Paragraph 102) goes on to say: If, following application of the Sequential Test, it is not possible, consistent with wider sustainability objectives, for the development to be located in zones with a lower probability of flooding, the Exception Test can be applied if appropriate.
- 9.154 The flood risk assessments submitted for all 9 potential sites all conclude the sites are at an equally low risk of flooding (from rivers) because all sites are located within Flood Zone 1. There is no widely available information on surface water flooding at the site level; therefore the risk of surface water flooding was not considered in the comparative site assessment, however the FRA prepared for the planning application makes significant provision for surface water flooding at the site level.
- 9.155 Given that the sequential test has not been applied in the FRA followed it is necessary to apply the exception test. The NPPF (Paragraph 102) confirms that for the Exception Test to be passed:
- it must be demonstrated that the development provides wider sustainability benefits to the community that outweigh flood risk, informed by a Strategic Flood Risk Assessment where one has been prepared; and
  - a site-specific flood risk assessment must demonstrate that the development will be safe for its lifetime taking account of the vulnerability of its users, without increasing flood risk elsewhere, and, where possible, will reduce flood risk overall

9.156 The site specific flood risk assessment demonstrates that the minimum storage requirement is met within the site for the 1 in 30 year rainfall (fir overland flow) and the 1 in 100 year rainfall event (for surface water generated within the site). The proposed drainage strategy includes sustainable drainage features which are designed to ensure that the specific risks of surface water flooding in this location are minimised. The proposed development is considered to meet the test of being safe for its lifetime (taking account of the vulnerability of its users). The drainage strategy provides improvement (betterment) of the existing surface water flooding affecting the Lower Luton Road, to reduce flood risk overall. Therefore, the exception test is met in the terms set out in the NPPF. Furthermore, the LLFA are satisfied that the proposed development adequately provides for both sources of surface water flooding and is therefore acceptable, subject to conditions.

### **Heritage Assets**

9.157 Section 66 of the Planning (Listed Buildings and Conservation Areas) Act 1990 states: 'In considering whether to grant planning permission for development which affects a listed building or its setting, the local planning authority shall have special regard to the desirability of preserving the building or its setting or any features of special architectural or historic interest which it possesses'.

### Archaeology

9.158 The application includes an Archaeological Desk Based Assessment (June 2017); Archaeological Evaluation (September 2017) and an Archaeological Impact Assessment (November 2017).

9.159 The archaeological site investigation found an unenclosed Saxon cemetery in the north-west corner of the site and an Iron Age enclosure in the north east corner of the site. These areas are currently open pasture. The proposed landscape masterplan shows these areas as meadows which is compatible with preservation in situ because the archaeological remains are not under threat of development. The application proposals provide for significant changes in topography.

9.160 For the area of the Saxon cemetery this would involve raising the level of the land by over 5m. The subsequent impact assessment identifies that a minimum of 1m of soils would be placed on top of the remains to preserve them in situ.

9.161 The County Archaeologist and Historic England were re-consulted on the methodology proposed in the impact assessment and both indicated that whilst the proposals for preservation in situ are acceptable in principle, more details of the works will be required in order to ensure that the heritage asset will be appropriately conserved.

### Evaluation

9.162 The application documents are sufficient to demonstrate significance of the heritage asset to inform decisions of how they should be treated. The proposed preservation in situ is regarded as the most sensitive way to conserve the Saxon cemetery.

9.163 The proposals are considered to comply with the NPPF, specifically:

9.164 In determining applications, local planning authorities should:

- require an applicant to describe the significance of any heritage assets affected, including any contribution made by their setting (Paragraph 128); and
- When considering the impact of a proposed development on the significance of a designated heritage asset, great weight should be given to the asset's conservation. The more important the asset, the greater the weight should be. Significance can be harmed or lost through alteration or destruction of the heritage asset or development within its setting (Paragraph 132)

9.165 The condition requires further details to be submitted and further investigations to be carried out on site prior to the commencement of development which will involve a qualified archaeologist being on site during construction and changes to site levels. Any direct adverse impact on archaeology is fully mitigated, although slight adverse impact is attributed to the impact on the setting of the heritage asset.

#### Listed buildings

9.166 The application includes a Heritage Impact Assessment (Beacon Planning – August 2017) developing 2014 assessment. The impact assessment identifies the Thatched Cottage (Grade II) opposite the site as being the principal heritage asset affected by the proposals. The Marquis of Granby pub (Grade II) is located approximately 200m south of the site on the banks of the River Lea. The impact assessment refers to Historic England Good Practice Advice Note 'The Setting of Heritage Assets' (2015).

9.167 The impact assessment notes that Mackerye End House (Grade I) is a designated asset of the highest significance and great weight should be given to its conservation (in line with the NPPF: Paragraph 132). The Mackerye End Conservation Area is also a designated heritage asset of high significance as it contains a highly-designated heritage asset (a Grade I listed building) and a number of Grade II listed buildings of high significance.

#### The Thatched Cottage

9.168 The impact assessment describes The Thatched Cottage as having existed for 250 years. In the late C18 a Smithy developed to the south.

The heritage significance of the cottage is derived mainly from its historic interest and connections with the early development of Batford and associations with Batford Mill. The small group of buildings opposite the cottage were removed in the mid-C19 since then the open context of the cottage with the land opposite has remained relatively constant. The view across the application site is not designated given the low status of the cottage. The visual and function relationship with Batford Mill was eroded as a consequence of the C20 development of the mill complex. The mid-C20 remodelling of the cottage from labourers houses to a single dwelling further lessened its relationship with surrounding landscape.

### Mackerye End Conservation Area

- 9.169 The impact assessment describes the Mackerye End Conservation Area, located immediately to the north of the application site, as containing a settlement continuously occupied from the end of the first century BC at least until the end of the early Saxon Period. The St Albans District Council: Conservation Area Character Assessment for Mackerye End (February 2001) identifies Mackerye End as comprising a small rural settlement situated north east of Harpenden and west of Gustard Wood overlooking open undulating countryside with views across Harpenden and north towards Kimpton and North Hertfordshire. The main features of the conservation area is Mackerye End House a Grade I listed manor house. The settlement is roughly centred on Mackerye End Farm. Within the conservation area open spaces are generally enclosed with informal hedges, flint walls or wooden fences.
- 9.170 The conservation area assessment describes much of the character of the Mackerye End conservation area is derived from its rural situation and its views out across open field and countryside, including many imposing views between the hedgerows out across towards the urban areas of Harpenden and Wheathampstead. The significant mature trees and surviving hedges are major contributors to the conservation area's setting, character and appearance, and many historic field boundaries still retain their hedgerows. Any new development should respect the grain, setting, scale, materials and use of existing development or land.
- 9.171 The impact assessment lists the 7 listed buildings within Mackerye End Conservation Area, four of which are located within 75m of the application site:
- Mackerye End - Grade I – is a large manor house essentially of Jacobean style and date, evidence suggests it was extensively altered and re-built in 1665. The house is red brick, plain tile roof with Tudor-style chimneys and bell turret tall finial and weathervane. Extensions to the south were added in the early C19;
  - Well House - Grade II – Well House. Mid C17 timber frame; red brick infill. Plain tile roof. Single storey.

- Barn south of Mackerye End - Grade II - Barn. C18. Timber frame. Weather boarded. Plain tile roof. 3 bays.
- Stables and Coach House at Mackerye End - Grade II - Stabling, coach house and cottage in single range. Mid or late C18. Red brick. Plain tile roof.

9.172 Mackerye End Farm and Holly Bush Cottage (both Grade II) are located to the north of Mackerye End manor house.

### Evaluation

9.173 The proposed development will preserve the setting of listed buildings in the vicinity of the site by maintaining acceptable distances between school buildings and listed buildings i.e. the façade of the front of the school is approximately 116m from The Thatched Cottage. The houses at Mackerye End (Conservation Area) are approximately 590m to the north of the school buildings. Block woodland planting is proposed in the north east corner of the site screen and filter views of the development. The impact on listed buildings is regarded as very limited.

9.174 In terms of historic environment effects, the application site ranked =3<sup>rd</sup> (with sites E, G, I/J) in the comparative site assessment. Site A, Site C, Site D ranked higher.

### **Landscape**

9.175 The planning application includes a Landscape and Visual Impact Assessment (LVIA) and Green Belt Impact Review, Landscape Masterplan, Tree Surveys and Tree Protection and Topographical Surveys.

### Landscape baseline

9.176 The LVIA and Green Belt review describes views of the site –

- the valley side location gives potential for the site to be exposed to views from a number of points in the surrounding landscape;
- more open views are available from the Lower Luton Road;
- vegetation along the northern and eastern boundaries screen views, and in some areas provide filtered views;
- views towards from the Mackerye End Conservation Area are heavily filtered by existing vegetation;
- views from a number of residential properties on Common Lane;
- views from public rights of way are mostly filtered by existing vegetation and/or topography

9.177 The tree survey identified three ‘character groups’ of trees:

- mature trees along the boundary with Common Lane – provide visual screen from Common Lane;
- trees and hedgerow forming an intermittent boundary with adjoining land on east of the site (including some large trees);
- a few maturing trees (hawthorns) along the southern boundary with the Lower Luton Road.

9.178 The topographical site surveys show existing site levels:

- The high point (125m AOD) is in the north east corner of the site adjoining Mackerye End. The levels fall to approximately 86m AOD in the south east corner of the site adjoining Common Lane/ Lower Luton Road. There is a subtle valley feature that runs along the west side of the site close to Batford Farm buildings and Common Lane.
- Land to the north east of the site is bounded by a narrow lane linking Common Lane to Mackerye End, which rises fairly steeply towards the north east corner of the site reflecting the rising land on the valley side. In places the surface of the road is 2 metres below the level of the northern part of the site before the road levels re-join the adjoining land levels closer to Mackerye End.
- Levels for the main car park fall from east to west from 93m to 88.6m over a distance of approximately 100m (approx. 1 in 4 degree of slope). The proposed flood attenuation basin in the south east corner of the site measures 33m (east to west) by 49m (north to south) and has a maximum depth of 2.7m.

9.179 The proposed development will involve extensive earthworks to create the levels required for the main buildings, car park, sports hall and playing fields.

9.180 The proposals would create 4 distinct levels within the site:

- upper playing fields (120 - 123m),
- lower playing fields - athletics track, cricket pitch, rugby pitch, field sports (98m);
- sports hall, multi-use games area (MUGA), artificial football pitch (93 - 94m);
- school buildings (91.8m finish floor level)

#### Landscape Visual Impact Assessment

9.181 The LVIA assesses the adverse landscape effects and relative level of significance associated with the proposed development in Year 1 (winter) and Year 10 (summer) in relation to: landuse, landform, vegetation, landscape related heritage assets, landscape character areas and from 21 representative visual receptor locations around the site.

9.182 The **overall significance** of the landscape effects is summarised in Tables 8, 9 and 10. The full range of landscape effects is summarised in Appendix 12.

### Landscape effects

	Year 1	Year 10
Landform	Major	Major-moderate
Landuse	Major-moderate	Moderate
Vegetation	Minor	Minor
Landscape	Minor	Minor

### Landscape character

9.183 The main body of the site falls within the Upper Lea Valley (LCA: 33)<sup>8</sup> which follows the course of the River Lea between the Luton Hoo Estate in the west and Lemsford in the east, wherein arable farming, with smaller areas of pasture closer to settlements, woodland, and three golf courses. The River Lea meanders along the narrow river valley; views of the river floodplain are rarely very prominent. The edge of the river slopes gradually (less than 1 in 500) with more pronounced slopes on the valley sides (between 1 in 12 and 1 in 18). Views along the valley are locally interrupted by belts of trees and small woodlands. The major visual impacts are localised and comprise the built edge of the settlements including Wheathampstead, the Folly, Batford and Lea Valley.

9.184 The strategy for managing includes improving the network of woods within the open arable landscape between Wheathampstead and Harpenden by planting on the tops of the slopes to emphasise the valley form; and, promoting hedgerow restoration through locally appropriate measures including coppicing, laying and replanting.

9.185 The north east corner of the application site falls within the southern edge of the Blackmore End Plateau (LCA: 34), which extends for a distance of 6km between Harpenden in the west and Welwyn in the east, to the north of the River Lea. The landscape character is made up of an elevated plateau (120-130m altitude) with slopes of less than 1 in 250 across. The main land use is arable farming with smaller areas of

<sup>8</sup> Hertfordshire Landscape Character Assessment

pasture closer to settlements, and areas of regenerated common. Woodland is scattered through the area in discrete linear shapes. The distinctive features of the area include Mackerye End House and gardens, located immediately to the north of the application site, and the village of Ayot St Lawrence, located approximately 3km to the east of the application site.

	Year 1	Year 10
LCA33: Upper Leave Valley (as a whole)	Minor	Minor
LCA33: Upper Lea Valley (vicinity of the site)	Major-moderate	Moderate
LCA34: Blackmore End (as a whole)	Negligible	Negligible
LCA34: Blackmore End (vicinity of the site)	Moderate	Minor

### Visual Impact

9.176 The LVIA describes the main features of the proposed development:

- a low level terrace will be created using earthworks within the south-western part of the site to locate the buildings. This will ensure the built form relates to the edge of the settlement and minimises visual influence from surrounding viewpoints in the landscape;
- slopes north of the sports hall are managed as a meadow;
- level changes extend the natural plateaux in the northern part of the site accommodate the playing fields and minimise effects on landform;

### Representative viewpoints

9.187 The LVIA provides a Zone of Visual Influence (ZVI) drawing showing 21 representative viewpoints. The ZVI map showing the locations of each visual receptor is appended to this report (Appendix 11).

significance of effect	Year 1	Year 10
Landscape effect	Viewpoint	
Major	A	
Major-moderate	E, L, M, Q, U	A, L, M, Q, U
Moderate		

Minor-moderate	K, O, P	E, K, O, P
Minor	C, D, F, N, S	C, D, F, N, S
Low		
Very Low	R	R
Negligible	B, I	B, I
No change	G, J, T	G, J, T
None	H	H

9.188 In terms of landscape effects, the application site (Site F) ranked equal 2<sup>nd</sup> (with Site D and Site E) in the comparative site assessment (only site A resulted in less significant landscape effects).

### Landscape proposals

9.189 The planting strategy is based on –

- planting large maturing tree species where possible and appropriate;
- planting the perimeter areas with native tree and shrub species;
- intermediate planting between buildings;
- ornamental planting around buildings

9.190 The proposals to increase biodiversity include:

- maintaining open glades and rough glazing by annual mowing;
- creating of new wildlife ponds;
- bat and bird boxes;
- permanent wildflower meadows;
- regular hedgerow maintenance;
- creating habit piles

9.191 The landscape strategy, illustrated on the Landscape Masterplan, is based upon:

- keeping the northern and eastern parts of the site as open and green as possible to retain the ‘green-lung’ between Harpenden and Wheathampstead, and reduce visual impact of the school;
- using existing contours to minimise the effects on topography;
- using grass playing pitches in the northern and eastern parts of the site to integrate with surrounding landscape;
- setting back buildings from Lower Luton Road, to reduce visual impact
- extensive meadow areas on slopes to the north of the building and retention of existing boundary vegetation.
- tree planting; including areas of native tree planting in the southern part of the site - providing screening and softening to the development;
- new tree and hedgerow planting to enhance the setting of the buildings, soften views and provide shade;
- establish native hedgerows on the western and southern site boundaries;

- setting back the car park from Lower Luton Road to minimise the impact park on views from the road and provide a generous landscape buffer.
- tree and shrub planting around and within the car park to screen views of the cars;
- minimising the use of external lighting in order to minimise adverse effects on the surrounding landscape and visual receptors

#### Proposed Mitigation

9.192 The proposals illustrated on the Landscape Masterplan include:

- native shrub and hedge planting along the site boundaries to strengthen existing boundaries and supplementary planting to infill gaps and open sections;
- planting a landscape buffer in the southern part of the site adjacent to Lower Luton Road, to enhance landscape quality;
- block woodland planting with native species in the north-western corner of the site to protect views from Mackerye End Conservation Area;
- native hedgerow planting, including re-instatement of native hedgerow on southern site boundary
- large areas of managed grassland on the sloping parts of the site
- a management plan – detailing aftercare and future maintenance proposals to ensure the new planting establishes;
- limited use of 2m high green weldmesh fences to secure the area around the school buildings, with advance planting to soften and screen); with 1.2m high timber post and rail fencing running parallel with the front of the site

#### Evaluation

9.193 The overall significance of landscape effects (Year 1) are:

- **major adverse** effects on Landform and from Viewpoint A at the junction of the Lower Luton Road and Common Lane.
- **major-moderate** adverse impacts in terms of landuse, landscape conservation (Upper Lea Valley LCA in vicinity of the site) and from viewpoints E: Makerye End Lane / public footpath no27a (edge of Conservation Area)
  - L: Common Lane from site boundary
  - M: Footpath 27 c. from site boundary
  - Q: Wheathampstead Road: 200m east Piggotshill Lane, and
  - U: Crabtree Lane/Marquis Lane: junction with national cycle route 57
- **moderate** adverse effects on the Blackmore End LCA (vicinity of site)
- **minor-moderate** adverse effects on the following viewpoints:
  - K: Common Lane
  - O: B652 Station Road
  - P: Crabtree Lane

- **minor** adverse effects on vegetation, landscape, the Upper Lea Valley LCA (as a whole) and from viewpoints:
  - C: Manor Road: western end of Lea Valley Estate
  - D: Bridleway 54: between Mackerye End and Lea Valley Estate
  - F: Mackerye End (lane): northern edge of Conservation Area
  - N: Ox Lane
  - S: Footpath 28: Leasey Bridge Road to Harpenden Road

9.194 The overall significance of landscape effects (Year 10) include:

- **major-moderate** adverse effects in terms of **landform** (Year 10) and from viewpoints:
  - A: Junction of B653 Lower Luton Road and Common Lane
  - L: Common Lane from site boundary
  - M: Footpath 27 c. from site boundary
  - Q: Wheathampstead Road: 200m east Piggotshill Lane
  - U: Crabtree Lane/Marquis Lane: junction with national cycle route 57
- **moderate** adverse impacts in terms of landuse, and to the Upper Lea Valley LCA (in the vicinity of the site).
- **minor** adverse impacts to the vegetation and landscape of the site, to the Upper Lea Valley LCA (as a whole), the Blackmore End LCA (in the vicinity of the site), and the following viewpoints:
  - C: Manor Road, at western edge of Lea Valley Estate
  - D: Public Bridleway 54 between Mackerye End and Lea Valley Estate
  - F: Looking south on Mackerye End
  - N: Looking east Ox Lane
  - S: Public footpath no.28 from Leasey Bridge Road to Harpenden Road

9.195 The landscape proposals include mitigation which will adequately address the most significant landscape effects to landform and visual effects after 10 years. The adverse effects to landuse and the landscape conservation areas (in the vicinity of the site) cannot be fully mitigated (after 10 years) due to the nature and scale of the proposed development.

9.196 The Landscape Officer's comments are noted, in particular:

- the proposed development fundamentally changes the landscape character and condition of the site from a vacant parcel of semi-improved grassland, to a fully developed school campus with associated sports pitches; however the significance of this is mitigated due to the introduction of woodland, meadow, trees and native shrub planting that make a significant contribution to the landscape resource and enhance biodiversity; and
- locating the school buildings in the lower lying south west corner of the site appears to be a logical extension of the settlement, and will help the development assimilate within views and the wider landscape setting;

9.197 With regard to the concerns raised by Landscape Officer with regard to the visual impact of the development, the LVIA provides representative viewpoints from the wider area surrounding the site which provides a full visual context for the site in order to be able to objectively assess the overall significance of the development. The level of information on visual impact is sufficient to be able to determine the application. The conditions require a detailed landscaping scheme to be submitted to include details of additional woodland planting and cross section drawings to ensure that the adverse landscape effects of the development are mitigated as far as possible.

9.198 It is acknowledged that the proposed development would have long term adverse effects on landform and five number of representative viewpoints close to the site (major-moderate), and would result in adverse effects on the Upper Lea Valley (in the vicinity of the site) and from five representative wider viewpoints (moderate adverse). The adverse landscape effects after 10 years are not considered to be at a level of significance to warrant refusal of the planning application, however, the adverse effects must be taken into consideration in the overall Planning Balance.

### **Design and Appearance**

9.199 The LVIA describes the design as a 'campus style' approach, with three main building elements. The main (southern) block comprises the main halls, offices and learning resource centre in an L-shaped layout. The main block is linked to an inverted U-shape (northern) block which provides the main classrooms. The space in between the main blocks creates a sheltered courtyard space. The third element is the detached sports hall located to the north of the teaching block.

9.200 The visual impact of the buildings is limited by the location and height of the buildings. The buildings are two storeys high and located in the south east corner of the site. The amount of development is the minimum required in order to meet BB103 space standards for new school development.

9.201 The main building is set back by over 100m from the Lower Luton Road in order to minimise visual impact. The front elevation of the main block will be clad in red brick, with lesser areas of rainscreen cladding and glazing. Render is proposed on the elevation facing the internal courtyard and the elevation facing Common Lane.

#### Evaluation

9.202 The main school buildings is located on the west side of the site, as close as possible to Common Lane, although a distance of 65m is maintained to the nearest properties which is adequate to prevent views from the upper windows of the development having an adverse impact on residential amenity. The separating distance and the proposed floor levels being similar to the storey height of properties on Common Lane should prevent overlooking.

9.203 The development is a maximum of two storeys which is an appropriate scale to existing development. The use of red brick matches the predominant material used for houses on Common Lane. The boundary planting will be strengthened to provide softening and screening although a section of boundary hedgerow and trees would need to be removed to create the service and pedestrian access, meaning the school building will be clearly visible from houses on Common Lane. However, the building should not appear overbearing or visually dominant in views from Common Lane due the distance and the modest height of the building. Although the sports hall is slightly taller than the main school buildings it is modest in scale and massing in relation to the houses on Common Lane. The sports hall is located to the rear of the school building and would not feature prominently in the main public views of the school site. The existing hedges would be retained to screen views of the sports hall in views from Common Lane.

9.204 In terms of the scale of development, the amount of floor space is the minimum level required and it is broken into separate buildings to avoid the development appearing dominant in scale and massing.

9.205 The site layout meets a number of the educational objectives by providing a secure layout with views into the school from the frontage and out from the school to the landscape. The changes in levels will need to be handled carefully to ensure that movement flows through the site and changes in levels are not a barrier to movement within the site.

9.206 Access for vehicles, pedestrians and cycles has been carefully considered to provide separate access points to avoid unnecessary conflicts. Pedestrians are able to access the site from the surrounding network of footpaths and from bus stops opposite the site with a Toucan crossing providing opposite the school enable pedestrians to cross safely.

- 9.207 The buildings are set back within the site to minimise the visual impact of development on the site from the Lower Luton Road. This also helps to reduce the impact upon residential properties and protects the setting of the listed building opposite.
- 9.208 The entrance to the school has clear visual signposting from the pedestrian accesses and car park. Cycle parking is provided in a convenient location close to the pupil entrance. Overall the design of the school is a good basis for establishing the school presence within the landscape of the site and provides a welcoming presence for visitors.
- 9.209 The appearance of the building will be judged on the use of high quality materials. The conditions require samples of materials of construction to be submitted to the commencement of the development.
- 9.210 The proposed development is considered to be consistent with the overall design aims in the NPPF (Paragraph 58) to ensure that developments:
- function well and add to the overall quality of the area over the lifetime of the development;
  - establish a strong sense of place;
  - creates attractive and comfortable places;
  - optimises the potential of the site to accommodate development;
  - incorporates green space,
  - supports local facilities and transport networks;
  - responds to local character and history,
  - reflects the identity of local surroundings and materials; and
  - is visually attractive as a result of good architecture and appropriate landscaping
- 9.211 The proposed siting, scale, and building massing and the extensive amount of proposed planting will reduce the adverse visual effects upon the Green Belt and enhance the landscape and green infrastructure value of the site. The proposal is consistent with the aims of Policy 1 (Metropolitan Green Belt) of the St Albans Local Plan Review 1994 which requires new development in the Green Belt to integrate with existing landscape, through careful siting, design and external appearance, and additional landscaping.

## **Noise**

- 9.212 The NPPF (Paragraph 109) provides that the planning system should contribute to and enhance the natural and local environment by preventing both new and existing development from contributing to or being put at unacceptable risk from, or being adversely affected by unacceptable levels of soil, air, water or noise pollution.

9.213 Planning should aim to avoid noise giving rise to significant adverse impacts on health and quality of life as a result of new development; mitigate and reduce to a minimum other adverse impacts on health and quality of life arising from noise from new development, (including through the use of conditions) recognising that development will often create some noise; and, identify and protect areas of tranquility which have remained relatively undisturbed by noise and are prized for their recreational and amenity value for this reason<sup>9</sup>.

9.214 Decision making should take account of the acoustic environment and consider: whether a significant adverse effect is occurring or likely to occur; whether or not an adverse effect is occurring or likely to occur; and whether or not a good standard of amenity can be achieved; including identifying whether the overall effect of the noise exposure (including the impact during the construction phase wherever applicable) is, or would be, above or below the significant observed adverse effect level and the lowest observed adverse effect level for the given situation<sup>10</sup>.

9.215 The relationship between noise levels and the impact on those affected will depend on how various factors combine in any particular situation<sup>11</sup>, including:

- the source and absolute level of the noise; and
- the time of day it occurs;
- the number of noise events, and
- the frequency and pattern of occurrence of the noise;
- whether or not the noise contains particular high or low frequency;
- the general character of the noise (i.e. whether or not the noise contains particular tonal characteristics or other particular features); and
- local topology and topography should be taken into account; along with
- the existing and, where appropriate, the planned character of the area.

9.216 The overall aims for noise management should be: to avoid significant adverse impacts on health and quality of life; mitigate and minimise adverse impacts on health and quality of life; and where possible, contribute to the improvement of health and quality of life with the broad aim of noise management being to separate noise sources from sensitive noise receivers and to minimise noise<sup>12</sup>.

9.217 The noise impact assessment submitted with the application includes background noise measurements at three locations:

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<sup>9</sup> The NPPF: Paragraph 123

<sup>10</sup> National Planning Guidance: Noise: Paragraph: 003 Reference ID: 30-003-20140306

<sup>11</sup> National Planning Guidance: Noise: Paragraph: 006 Reference ID: 30-006-20141224

<sup>12</sup> Noise Policy Statement for England (2010)

(\*)MP1 and MP2 were attended measurements taken at 15-minute durations for 3 consecutive hours between 11.30am and 14.30 on Friday 7<sup>th</sup> July 2017;

(\*\*)

MP1- approximately 6m from the carriageway of the Lower Luton Road;  
MP2- proposed front façade main school building  
(100m from Lower Luton Road; 64m from Common Lane);  
NB: attended measurements were taken at MP1 and M2 for a 15  
minute period on Friday 7<sup>th</sup> July between 11:30 and 14:45;  
MP3 - western site boundary adjacent to Common Lane  
(210m from Lower Luton Road).  
NB: measurements were taken at MP3 using a sound level meter  
over sequential 5 minute periods from 15:00 on Friday 7<sup>th</sup> July and  
11:00 on Monday 10 July 2017

9.218 The noise assessment confirms road noise associated with the Lower Luton Road is the dominant noise source at MP1 and MP2; road noise associated with traffic on Common Lane was the dominant noise source at MP3

9.219 The noise assessment has regard to the effect of existing noise sources on the performance of internal teaching spaces<sup>13</sup> and demonstrates that natural ventilation may be used given the external ambient (free field) noise levels would not exceed 16dB measured at the façade of the building.

9.220 Background noise has been measured at a representative position of the nearest noise sensitive receptors was used as a representative value to compare with plant noise. It is likely that acoustic louvres or screens may be required for plantrooms to ensure plant noise is less than +5dB, above which can result in adverse impacts.

### Evaluation

9.221 The noise assessment indicates that the adverse noise impacts generated by the school are low, and the effect of environmental noise on the school will be at an acceptable level, allowing natural ventilation to be used. The noise assessment identifies the existing noise environment is dominated by traffic noise. The school buildings have been set back within the site to reduce the effects of noise on the school as far as possible. Secondary schools are compatible with residential areas. Noise associated with the use of the playing fields during the school day, are generally accepted not to at a level to cause significant disturbance to residents in the area.

9.222 With regards to use of the sports facilities outside school hours by the community, this may have the potential to disturb residents, given the relatively short distance in between. Therefore, it is appropriate to limit the hours of use of the sports facilities to not later than 9pm Monday to Saturday and 7pm on Sundays. The all-weather pitch shall not be used for community use until a noise assessment has been completed taking

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<sup>13</sup> Building Bulletin 93: acoustic design for schools performance standards

into account background noise measurements, and measurements of noise levels generated by the school use of the all-weather pitch, modelling of the effects upon sensitive receptors, and mitigation proposals as may be necessary.

### Air Quality

9.223 The 2008 Ambient Air Quality Directive sets legally binding limits for concentrations of particulate matter (PM<sub>10</sub> and PM<sub>2.5</sub>) and nitrogen dioxide (NO<sub>2</sub>). The Air Quality Impact Assessment (August 2017) submitted with the application considers transport related air pollutants – Nitrogen Dioxide (NO<sub>2</sub>) and particulates (PM<sub>10</sub>).

9.224 St Albans City and District measure NO<sub>2</sub> concentrations in 37 locations including three in the Harpenden area. Table 11 shows the recorded levels of NO<sub>2</sub> at the three monitoring locations in Harpenden.

	High Street Harpenden	Crabtree JMI, Crabtree Lane, Harpenden	High Street, Wheathampstead
Year			
2010	37.8	25.7	27.1
2011	32.4	21.1	23.5
2012	37.5	24.1	26.5
2013	32.8	20.2	24.4
2014	29.3	19.7	26.3
2015	30.9	15.7	20.4

Note: there is no recorded data for PM<sub>10</sub> at these sites.

9.225 The air quality impact assessment includes recorded data for the Harpenden area, and modelled data (adjusted) at the site level. Table 12 shows the mean levels of NO<sub>2</sub> and PM<sub>10</sub>.

1. Average NO <sub>2</sub> and PM <sub>10</sub> (µg/m <sup>3</sup> ) per km <sup>2</sup> for Harpenden (Defra)		
	Nitrogen Dioxide (NO <sub>2</sub> )	Particulates (PM <sub>10</sub> )
Year		
2014	16.65	15.21
2017	14.87	14.73
2025	12.09	14.19

2. Modelled (adjusted) annual mean concentrations (µg/m <sup>3</sup> ) at site level		
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2014	23.06	16.43
2017 (without development)	20.46	15.76
2017 (with development)	21.08	15.88
2025 (without development)	18.01	15.28
2025 (with development)	18.81	15.41
National Air Quality Strategy (NAQS) objectives ( $\mu\text{g}/\text{m}^3$ )	40	40
Notes:		
<ol style="list-style-type: none"> <li>1. NAQS objectives - to be achieved by 31<sup>st</sup> December 2004;</li> <li>2. 2014 = Base year; 2017 = opening year; 2025 = future year;</li> <li>3. Modelled data is based on average daily traffic flows (with consideration to the proportion of HGV traffic) from traffic counts undertaken for 1 week in May 2017 (over 2 weekends).</li> <li>4. Reductions in annual mean NO<sub>2</sub> concentrations from 2014 to 2025 are as a result of presumed improved engine efficiency and reduced pollutant output, meaning lower concentrations of pollutants are likely to be present<sup>14</sup></li> <li>5. All adjusted modelled concentrations are below the National Air Quality Standard objectives</li> </ol>		

9.226 National Planning Guidance confirms the relevance of air quality to planning decisions depend on the proposed development and its location. Relevant considerations include whether the development would significantly affect traffic in the immediate vicinity of the site (or further afield) by generating or increasing traffic congestion; significantly changing traffic volumes, vehicle speed or both; significantly altering the traffic composition on local roads; or exposing people to existing sources of air pollutants by building new development in places with poor air quality.

9.227 Planning conditions can be used to secure mitigation, examples of mitigation include:

- the design and layout of development to increase separation distances from sources of air pollution;
- using green infrastructure, in particular trees, to absorb dust and other pollutants;
- means of ventilation;
- promoting infrastructure to promote modes of transport with low impact on air quality;
- controlling dust and emissions from construction, operation and demolition; and
- contributing funding to measures, including those identified in air quality action plans and low emission strategies, designed to offset the impact on air quality arising from new development.

### Evaluation

9.228 The comparative air impact assessment 2014 identified all sites as being equal in terms of air quality. However, the 2017 comparative

<sup>14</sup> Comparative Site Assessment: Addendum report Appendix 1 (paragraph 3.2.3)

sites assessment update concluded that the air quality effects associated with the application site (Site: F) were **slight adverse**. On this basis the site was ranked 9<sup>th</sup> (last) of all sites.

- 9.229 The level of traffic related air pollution (NO<sub>2</sub>/PM<sub>10</sub>) is presumed to fall by 2025 compared to current levels due to more efficient cars and fuel technology. Therefore, the overall level of risk associated with traffic generated pollution at the application site is regarded as low and does not warrant refusal of the planning application. The site is not located within an Air Quality Management Area indicating that no specific steps are required to improve air quality in the vicinity of the site. The slight adverse impact must be regarded with other harm in the Planning Balance.
- 9.230 The proposed development delivers on opportunities for minimising the effects of poor air quality related to road traffic by providing an appropriate separation distance between the school and the Lower Luton Road, delivering and the enhanced modal split, and by planting semi mature trees at the front of the site to screen / filter/ absorb air pollutants.

### **Lighting**

- 9.231 The LVIA states 'The use of external lighting is limited in order to minimise any adverse effects on the surrounding landscape and visual receptors. The car park fronting Lower Luton Road would be lit using lighting columns. Cut-off luminaires would be used to minimise unnecessary light spread. Lighting is also proposed for the external spaces and paths associated with the main school building. No lighting is proposed within the northern and eastern portions of the site, and likewise there would no flood lighting of sports pitches
- 9.232 The NPPF (Paragraph 125) states 'by encouraging good design...decisions should limit the impact of light pollution from artificial light on local amenity, intrinsically dark landscapes and nature conservation.

### **Evaluation**

- 9.233 The minimal lighting to buildings and car park areas and the avoidance of floodlighting are welcomed. Given the sensitivity of the site in terms of landscape and Green Belt floodlighting should be avoided if at all possible in future. Further details are required of the light of car parks and buildings to ensure the lighting is appropriate and to control levels of glare, and the height and direction of lighting. There is an absence of street lighting on this section of the Lower Luton Road. The introduction of a new access and egress will change the nature and character of this section of the road and may require lighting for signage and or street lighting. There will be some harm to the Green Belt as a result although this should be modest in scale and effect and can be

controlled by condition to ensure this remains a predominantly dark environment.

## **Ecology**

- 9.234 The NPPF (Paragraph 109) places a duty on the planning system to contribute to and enhance the natural and local environment by recognising the wider benefits of ecosystem services, minimising impacts on biodiversity, providing net gains in biodiversity (where possible); and establishing coherent ecological networks resilient to current and future pressures.
- 9.235 Local planning authorities should aim to conserve and enhance biodiversity, encourage opportunities to incorporate biodiversity in and around developments, and as a last resort, refuse planning permission where significant harm cannot be avoided, adequately mitigated, or compensated for (Paragraph 118).
- 9.236 The site comprises four fields of improved grassland, with tree and scrub lines along the eastern boundary (identified as an important green lane), hedgerow along the northern boundary, and scrub and tree cover along the western boundary (southern end). The proposals include retaining as much as possible of the existing boundary vegetation and introduction of new habitats including a school allotment and orchard, creation of an area of meadow, and supplementary planting with some semi mature trees along the boundaries. The new drainage channel and attenuation basin will be planted with wetland species. The proposals are designed to enhance habitat value for wildlife and help reinforce local distinctiveness. The proposals are designed to have minor beneficial impact (in green infrastructure terms) by improving connectivity between the site and the wider landscape.
- 9.237 The Ecological Impact Assessment identifies the proposed development would give rise to the loss of a large area of improved grassland and some minor removal of boundary vegetation to create the site access (Common Lane). In the absence of mitigation this would give rise to a Minor Adverse impact upon habitats, however, after mitigation the effects become Neutral, through inclusion of open glades or areas of rough grassland scrub habitats maintained by annual mowing, replacement planting with native trees and shrubs providing a food source for wildlife.
- 9.238 The proposed biodiversity enhancements, including the creation of a new wildlife pond in a corner of the site; increasing the structural diversity of the boundary vegetation; and installation of bat boxes and bird boxes would have a (minor) beneficial overall effect.
- 9.239 The County Ecologist consultation response notes:

- The existing grassland is considered to be of little intrinsic quality but is likely to support farmland nesting birds and species using hedgerows and grassland edge habitats, however the relative value of the site will be higher due to the extensive area of grassland and the low level of disturbance having persisted at the site for a relatively long period;
- Some protected species are likely to use the site (badgers, bats reptiles, breeding birds, invertebrates), there is nothing to suggest the site supports any community or species of such significance to represent a major constraint on the proposals;
- The impact upon the existing habitat is described as being minor adverse, however, this is likely to be an underestimate given the whole site will be affected, including the introduction of large areas of amenity grass and hardstanding, however the relative significance is low / negligible due to the nature and importance of the site to begin with, and certainly does not represent an ecological constraint on the proposals;
- The proposals for creation of an allotment, orchard and meadow, are particularly welcome and are regarded as having the potential to be locally significant.
- Mitigation measures should be proposed in the form of detailed planting plans and a formal landscape / ecology management as a condition of planning permission;
- The proposals do not include floodlighting, which is welcome given the sensitive nature of the site, its location and topography;

9.240 Comparatively, the application site (Site F) ranked =2<sup>nd</sup> (together with Site A, Site E, Site I/J, and Site K) The proposed development at Site C, Site D, and Site G would have less ecological effects.

### Evaluation

- 9.241 The ecological impact assessment claims that the proposed development would give rise to minor adverse effects (without mitigation) although these would be reduced to neutral with mitigation. The County Ecologist suggests there could be minor beneficial effects if all of the proposed habitats (woodland, orchard, meadow, and ponds) are delivered. The County Ecologist notes that there will be a considerable level of disturbance to the site which would affect the potential for wildlife (including protected species) to use the site in the short term.
- 9.242 While the proposals for woodland and extensive meadow planting are welcome, there appear to be opportunities to plant additional trees in groups or small copses on the some of the slopes to mitigate views of the level changes and strengthen landscape character. Additional woodland planting would be in keeping with the Upper Lea Valley and Blackmore End Landscape Character Areas. Woodland and meadow planting are compatible and would create visual interest and opportunities for shade. Planting additional trees would increase habitat potential of the site, providing valuable habitat for birds, mammals and

insects. Carefully placed groups of trees could help to soften views of the steeper slopes and reduce the visual impact of the playing fields.

9.243 Overall, the proposed development would not result in significant ecological impacts at the site level and therefore it would not be appropriate to refuse planning permission, furthermore, it does not warrant consideration of alternative sites which could have less impact on biodiversity. The proposals would, as far as possible, minimise the effects on ecology. The application proposes adequate mitigation which has the potential to enhance the ecological potential of the site overall. The proposed development does not raise any significant conflict with the NPPF objectives of conserving and enhancing the natural environment (Paragraphs 109, 111 and 118).

## 10. Planning Balance

- 10.1 The proposed development represents inappropriate development in the Green Belt. The NPPF (Paragraph 87) states “inappropriate development is by definition harmful to the Green Belt and should not be approved except in very special circumstances. When considering any planning application, local planning authorities should ensure that substantial weight is given to any harm to the Green Belt. ‘Very special circumstances’ will not exist unless the potential harm to the Green Belt by reason of inappropriateness, and any other harm, is clearly outweighed by other considerations”.
- 10.2 The proposed development would harm the openness of the Green Belt, spatially and in terms of adverse visual impact. The proposal would also have some limited adverse effect upon the purposes of the Green Belt in terms of maintaining the existing pattern of development and encroachment into the countryside. The adverse effects are limited, however, **substantial weight** is attached to the harm to the Green Belt.
- 10.3 In terms of other harm, the proposal would result in moderate adverse effects to the landform and landscape character (in the vicinity) of the site after 10 years. The proposed layout and planting strategy will mitigate adverse visual impact as far as possible, however, the adverse impact cannot be fully mitigated, and therefore **moderate weight** is attached to adverse landscape effects in the overall planning balance.
- 10.4 The proposed development would result in slight adverse impact on local air quality by 2025 (when the school is fully occupied) due to road traffic pollution associated with the large number of vehicles on the Lower Luton Road. However, air quality standards are expected to improve in the vicinity of the site and more generally by the time the school is fully occupied in 2025 due to reductions in harmful emissions through the UK Clean Air Strategy. Therefore only very **limited weight** is attributed to air quality impacts.
- 10.5 The proposed development would have a large adverse impact on the individual enterprise and the permanent loss of an area of Grade 3a (best and most versatile) agricultural land. However, there would be no wider agricultural impact beyond the site level. Therefore **moderate weight** is attributed to the agricultural impact.
- 10.6 The condition protecting the archaeology of the site should ensure the remains are conserved in line NPPF policy. The setting of the archaeological remains could be impacted by the development, although this is unlikely to be to a significant degree because the most significant remains will be within an area of meadow. Given the significance of the remains some **limited weight** is attributed to the potential impact however small. There would be no significant adverse impact on listed buildings and therefore no weight is attributed (either

positive or negative).

- 10.7 The drainage strategy will provide adequate attenuation within the site for the 1 in 30 year rainfall event for the overland flow and for the 1: 100 year rainfall event for the surface water generated within the site. The proposal meets the requirement for greenfield run-off rates for new development. The drainage strategy provides will improve the existing situation by reducing the frequency of flooding on the Lower Luton Road based in all probability. However, given the residual risk of flooding remains, however slight, some very **limited weight** is attached to the residual risk because of the nature and sensitivity of the school development to flooding.
- 10.8 The Transport Assessment and Travel Plan provide tenable measures to deliver a high modal split in favour of sustainable travel, which would be a significant improvement above existing Harpenden schools. The package of off-site infrastructure improvements, the additional bus services and the means and mechanism to deliver it through the bus partnership and direct funding should help to ensure that this ambitious modal split is achieved in practice. The proposals demonstrate that the operation of the school would not have a severe residual impact on the highway network; however, due to the increase level of traffic and the highway related impacts on the Green Belt of the new site accesses and physical works, **moderate weight** is attached to the residual highway impact.
- 10.9 The provision of sports facilities and the benefits for community use within an area of high participation in sport and an apparent deficit of community facilities across a range of sports is given **moderate** weight.
- 10.10 The impacts on ecology are potentially positive in the long term; although the extent of the enhancement has not been quantified and therefore this matter has been given no weight.
- 10.11 The education benefits of the of the development in terms of providing the capacity for additional secondary school places needed in the Harpenden School Planning Area, in particular the urgent and pressing need for the places. Therefore, **great weight** is attached to the educational need in accordance with the NPPF (Paragraph 72).
- 10.12 The education benefits and the development of a new 6FE secondary school within the area of need, combined with the lack of available sites within the built up area of Harpenden, and the lack of any more suitable, available and deliverable sites within the Green Belt surrounding Harpenden are significant.
- 10.13 Therefore great weight is given to the need to provide the additional school places in the overall balance.

10.14 It is considered that these matters weight in favour of the proposed development, and taken together are considered to be very special circumstances which are sufficient to clearly outweigh the harm to the Green Belt and the other harm that have been identified.

## 11. Conclusion

For the reasons set out in the report, it is considered that there are very special circumstances for the inappropriate development in the Green Belt, related to the urgent and pressing need for additional secondary school places with the Harpenden Education Planning Area that is required between 2018 and at least 2028, and that these matters are of sufficient weight to clearly outweigh the harm to the Green Belt by reason of inappropriateness and any other harm.

## 12. Conditions

### Time limit for commencement

1. The development hereby permitted shall be begun before the expiration of 3 years from the date of this permission.

Reason: To comply with the requirements of Section 91 of the Town and Country Planning Act 1990.

### Samples of materials

2. Prior to the commencement of development samples of the materials proposed to be used for the construction of the external surfaces of the buildings hereby permitted shall be submitted to and approved in writing by the Local Planning Authority. Only materials that have been approved in writing by the local planning authority shall be used in the construction of the development hereby approved.

Reason: To ensure buildings are well-designed using high quality materials; to comply with Policies 69 and 85 of the St. Albans District Local Plan Review 1994; in the interest of sustainable development and the role well-designed buildings can play in improving the quality of the environment for its users and communities (National Planning Policy Framework 2012: Paragraph 8).

### Means of enclosure

3. Prior to the commencement of development details of all fences, walls, and other means of enclosure shall be submitted to and approved in writing by the local planning authority, to include: a plan indicating the positions, design, materials and type of boundary treatment to be erected. All boundary treatments shall be erected in accordance with the approved details prior to the first occupation of the main school buildings, unless otherwise agreed in writing by the local planning authority.

Reason: In the interests of visual amenity. To comply with Policy 70 of the St. Albans District Local Plan Review 1994 and The National Planning Policy Framework 2012.

#### Hard surfacing

4. Prior to the commencement of the development hereby permitted, details of all materials to be used for hard surfaced areas within the site including roads, driveways and car parking area shall be submitted to and approved in writing by the local planning authority. Development shall be carried out in accordance with the details so approved.

Reason: To ensure that the development does not detract from the appearance of the locality. To comply with Policies 69, 70 and 85 of the St. Albans District Local Plan Review 1994 and The National Planning Policy Framework 2012.

#### Levels

5. Prior to the commencement of development, details of the proposed finished floor levels of all buildings and the finished ground levels of surrounding property, including the finished relationship with the adjacent roads and buildings shall be submitted to and approved in writing by the Local Planning Authority. The development shall be carried out in accordance with the approved details.

Reason: To ensure that construction is carried out at a suitable level having regard to drainage, access, the appearance of the development and the amenities of neighbouring occupiers, in compliance with Policy 69 of the St. Albans District Local Plan Review 1994.

#### Refuse storage/ screening

6. Prior to the commencement of development details of screened facilities for the storage of refuse shall be submitted to and approved in writing by the local planning authority. The refuse area shall remain thereafter and shall not be used for any other purpose.

Reason: To ensure a satisfactory appearance and standard of environment. To comply with Policy 70 of the St. Albans District Local Plan Review 1994 and The National Planning Policy Framework 2012.

#### External lighting

7. Prior to the first occupation of the development hereby approved, details of all external lighting shall be submitted for the written approval of the local planning authority, in the following areas: driveway, parking areas; and pedestrianised areas; including ground mounted e.g. uplighters, bollards and light standards, or attached to the buildings e.g. bulkhead and downlights, and shall include detailed specifications of their lux, light spill and energy. All lighting shall have the written approval of the local planning authority prior to be installed.

Reason: to minimise the adverse impact upon the openness and visual amenity of the Green Belt; in the interests of residential amenity.

8. No floodlighting of any kind is permitted, including external sports facilities  
Reason: to minimise the adverse impact upon the openness and visual amenity of the Green Belt; to safeguard the character of section of the River Lea valley; in the interests of residential amenity.

### Noise

9. Prior to the commencement of development a noise attenuation scheme designed to minimise the adverse effects of noise on the local environment shall be submitted to and agreed in writing by the. All works which form part of the scheme shall be completed before any part of the development is occupied.

Reason: In the interests of the amenity of nearby residential properties. To comply with Policies 9 and 82 of the St. Albans District Local Plan Review 1994 and The National Planning Policy Framework 2012.

10. No external loudspeaker systems shall be installed without the prior approval in writing of the Local Planning Authority.

Reason: In the interests of the amenity of nearby properties. To comply with Policy 9 of the St. Albans District Local Plan Review 1994 and The National Planning Policy Framework 2012.

#### Construction hours

11. The hours of construction permitted as part of this planning permission are:
- Monday to Friday 7am to 6pm
  - Saturdays 8am to 1pm

No plant or machinery shall be operated on the premises outside of these hours or at any time on Sundays or Bank Holidays.

Reason: In the interests of the amenity of nearby residential properties; to comply with Policy 82 of the St. Albans District Local Plan Review 1994.

#### Parking & turning space

12. Phase 1 of the development shall not be occupied until the car parking and turning areas accessed from Common Lane, as shown on the approved plans, have been constructed, surfaced and permanently marked out. The car parking and turning areas shall be maintained ancillary to the school development at all times. Phase 2 of the development shall not be occupied until car parking within the main car park at the front of the site, as shown on approved plans, has been provided, surfaced and permanently marked out. The car parking shall be retained for ancillary use in connection with the school at all times and no other purpose.

Reason: To ensure adequate parking provision at all times for the use of staff and visitors to the school; to ensure the development does not

prejudice the free flow of traffic, highway conditions and general safety of this section of the Lower Luton Road; and in interest of the amenities of existing local residents. To comply with Policies 34 and 39 of the St. Albans District Local Plan Review 1994 and The National Planning Policy Framework 2012.

#### Construction and Traffic Management Plan

13. Construction of the development hereby approved shall not commence until a Construction and 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 and Traffic Management Plan shall include details of:
- Construction vehicle numbers, type, routing;
  - Traffic management requirements;
  - Construction and storage compounds (including areas designated for car parking);
  - Siting and details of wheel washing facilities;
  - Cleaning of site entrances, site tracks and the adjacent public highway;
  - Timing of construction activities;
  - Provision of sufficient on-site parking prior to commencement of construction activities;
    - Post construction restoration/reinstatement of the working areas and temporary access to the public highway;
    - Provision of pre-condition condition survey.

Reason: In the interests of highway safety; in order to protect highway safety and the amenity of other users of the public highway and rights of way

#### Highways

##### Provision of vehicular and pedestrian access

14. The development shall not be brought into use until the proposed vehicle and pedestrian accesses have been constructed to the specification of the Highway Authority and the Local Planning Authority's satisfaction.
- Reason: To ensure that the access is constructed to the current Highway Authority's specification as required by the Local Planning Authority in accordance with Policy 34 of the St. Albans District Local Plan Review 1994 and The National Planning Policy Framework 2012.

##### New access to common lane

15. Prior to the first occupation of the development hereby permitted the vehicular access to Common Lane shall be provided and thereafter retained at the position shown on the approved plan (Preliminary Design – Potential S278 Works – Common Lane vehicle Access Drawing Number

2675-AWP-oo2-1) in accordance with the approved highway specification. Arrangement shall be made for surface water drainage to be intercepted and disposed of separately so that it does not discharge from or onto the highway carriageway.

Reason: To ensure satisfactory access into the site and avoid carriage of extraneous material or surface water from or onto the highway.

#### New access to Lower Luton Road

16. Prior to school second year intake of the development hereby permitted the vehicular access to Lower Luton Road shall be provided and thereafter retained at the position shown on the approved plan (Car Bus Drop off Spaces, Drawing Number LTP/2675/T1/05.01) in accordance with the approved highway specification. Arrangement shall be made for surface water drainage to be intercepted and disposed of separately so that it does not discharge from or onto the highway carriageway.

Reason: To ensure satisfactory access into the site and avoid carriage of extraneous material or surface water from or onto the highway.

#### Proposed crossing/capacity improvements - Lower Luton Road/Station Road

##### Part A

17. Notwithstanding the details indicated on the submitted drawings no works shall commence on site unless otherwise agreed in writing until a detailed scheme for the off-site highway improvement works as indicated on S8 – Proposed Crossing Conversion / S11 – Proposed Capacity Improvements, Drawing No. 2675/AWP/S08/01 have been submitted to and approved in writing by the Local Planning Authority.

Reason: To ensure that the highway improvement works are designed to an appropriate standard in the interest of highway safety and to protect the environment of the local highway corridor.

##### Part B

18. Prior to first occupation of the development hereby permitted the off-site highway improvement works referred to in Part A of this condition shall be completed to the written satisfaction of the Local Planning Authority in consultation with the Highway Authority.

Reason: To ensure that the highway network is adequate to cater for the development proposed.

Highway improvements – off-site sustainable transport improvements listed in Transport Assessment (table 22) and Travel Plan (Table 5)

### Part A

19. Notwithstanding the details indicated in the Transport Assessment and indicative drawings no works shall commence on site unless otherwise agreed in writing until a detailed scheme for the off-site highway improvement works have been submitted to and approved in writing by the Local Planning Authority.

Reason: To ensure that the highway improvement works are designed to an appropriate standard in the interest of highway safety and to protect the environment of the local highway corridor.

### Part B

20. Prior to the first occupation of the development hereby permitted the off-site highway improvement works referred to in Part A of this condition shall be completed to the written satisfaction of the Local Planning Authority in consultation with the Highway Authority.

Reason: To ensure that the highway network is adequate to cater for the development proposed.

### Travel Plan

21. No part of the development hereby permitted shall be occupied prior to the implementation of the approved Travel Plan Reference No. LTP/2675/Final Issue 3, 06/12/2017. Those parts of the approved Travel Plan that are identified therein as being capable of implementation after occupation shall be implemented in accordance with the timetable contained therein and shall continue to be implemented as long as any part of the development is occupied.

Reason: To ensure that the development offers a wide range of travel choices to reduce the impact of travel and transport on the environment.

### Area wide off-site parking restrictions (Part A)

22. Prior to the second year intake, all waiting restrictions shown in principle in Drawing No.2675-AWP-S30-01 (Proposed Waiting Restrictions) shall be implemented.

Reason: In the interests of highway safety.

### Area wide off-site parking restrictions (Part B)

23. Prior to the fifth year pupil intake a second phase of off-site parking restrictions will be implemented to overcome any further parking issues attributable to the school operation to the approval of the planning authority. For the avoidance of doubt the restriction may take the form of either additional standard style waiting restrictions and/or CPZ.

Reason: In the interests of highway safety and environmental amenity.

#### Highway Works - Lower Luton Road

##### Part A

24. Notwithstanding the details indicated on the submitted drawings no occupation shall be permitted unless otherwise agreed in writing until a detailed scheme for the off-site highway improvement works as indicated on drawing no 2675-AWP-SL01-02 (Option 1 – Extension of existing 30mph Speed Limit Wheathampstead to Batford) have been submitted to and approved in writing by the Local Planning Authority.

Reason: To ensure that the highway improvement works are designed to an appropriate standard in the interest of highway safety and to protect the environment of the local highway corridor.

##### Part B

25. Prior to the second year intake of the development hereby permitted the off-site highway improvement works referred to in Part A of this condition shall be completed to the written satisfaction of the Local Planning Authority.

Reason: To ensure that the highway network is adequate to cater for the development proposed.

#### Travel Plan – sustainable travel

26. The implementation of the Travel Plan shall achieve a minimum of 56% of pupils travelling to school by bus measured across the full school year (from September to July) for each of the first seven years following the first occupation of the main school buildings.

Reason: to ensure the modal split towards public transport is delivered in practice in the interests of sustainable travel, and to avoid congestion at the entrance to the school generated by unnecessary car journeys.

#### Drainage

##### Updated infiltration and ground condition tests

27. The development hereby permitted shall not be commenced until updated infiltration and ground condition tests have been submitted to and approved in writing by the Local Planning Authority. The information should include:

1. Location specific infiltration tests for the main infiltrating features including the basin at the level of the bottom of the finished basin at 83.70m AOD

2. Confirmation of information relating to the ground water and river levels and whether there are any impacts to the bottom of the basin and its ability of infiltrate.
3. Updated half drain down times for the infiltration basin using any revised infiltration results.
4. A minimum infiltration figure of approximately  $1.0 \times 10^{-5}$  m/s in accordance with BRE Digest 365 to be achieved which if not achieved may mean that an alternative discharge strategy will need to be considered for the management of the overland flow and surface water run-off from the development. If this cannot be achieved a revised drainage strategy will need to be submitted to and approved by the Local Planning Authority.  
Reason: to ensure the risk of flooding during the construction phase is minimised, in accordance with Policy 7 of the Hertfordshire Lead Local Flood Authority SuDS Policy Statement March 2017

Final detailed site drainage strategy based on updated infiltration tests.

28. The development hereby permitted shall not be commenced until the final detailed site drainage strategy based on updated infiltration tests has been submitted and approved in writing by the Local Planning Authority. The scheme shall be based on the approved Flood Risk Assessment carried out by MLM reference FS0448-MLM-ZZ-XX-RP-C-9100 Rev P05 dated January 2018 and the mitigation measures as detailed within the surface water drainage strategy. The scheme shall include:
  1. Providing a minimum attenuation volume of 1932m<sup>3</sup> (excluding MUGA and pitches) to ensure no increase in surface water run-off volumes from the development for all rainfall events up to and including the 1 in 100 year + climate change event.
  2. Limiting the surface water run-off to a maximum of 7.1l/s with discharge into the infiltration basin for the 1 in 100 year event.
  3. Undertake the drainage strategy to include to the use permeable paving, swales, and an attenuation tank and infiltration basin as indicated on the drainage drawing FS0448-MLM-ZZ-XX-DR-C-9013 Rev P04.
  4. Confirmation of which SuDS features will be infiltrating and specific infiltration rates for each feature.
  5. Exploration of opportunities for above ground features reducing the requirement for any underground storage.
  6. All calculations, modelling and drain down times for all storage features.
  7. Full detailed engineering drawings including cross and long sections and all components of the scheme, pipe runs etc. this should be supported by a clearly labelled drainage layout plan showing pipe networks. The plan should show any pipe 'node numbers' that have been referred to in network calculations and it should also show invert and cover levels of manholes.
  8. Silt traps for protection for any residual tanked elements.
  9. Details of final exceedance routes, including those for an event which exceeds to 1:100 + cc rainfall event.  
Reason: to ensure the risk of flooding during the construction phase is minimised, in accordance with Policy 7 of the Hertfordshire Lead Local Flood Authority SuDS Policy Statement March 2017

### Confirmation of final overland flow management arrangements

29. The development hereby permitted shall not be commenced until details of final design of the overland flow management arrangements have been submitted to and approved in writing by the Local Planning Authority. The scheme shall be based on Appendix H – Offsite Runoff Diversion & Infiltration Basin and drawings FS0448-MLM-ZZ-XX-DR-C-9013 Rev P04 and FS0448-MLM-ZZ-XX-DR-C-9105 Rev P01.

The information should also include:

1. Detailed assessment of the catchment area and characteristics and modelling of flows for the 1:30, 1:100, and 1:100 + 40% for climate change events.
2. Updated catchment modelling and include assessment of residual flows coming down Common Lane impact upon the safe access and egress from the school site.
3. Details of any exceedance routes including exceedance flooding in the vicinity of the site which may arise from the channelling of the flow route to the basin.

Reason: to ensure the risk of flooding during the construction phase is minimised, in accordance with Policy 7 of the Hertfordshire Lead Local Flood Authority SuDS Policy Statement March 2017

### Final design and engineering details regarding the surface water ditch

30. The development hereby permitted shall not be commenced until details of final design and engineering details regarding the surface water ditch have been submitted to and approved in writing by the Local Planning Authority. The scheme shall be based on drawings on FS0448-MLM-ZZ-XX-DR-C-9106 Rev P01 and FS0448-TLP-ZZ-XX-DR-L-0121 Rev 2.

The information should include:

1. All modelling of the channel and the supporting calculations for the surface water run-off ditch should be provided to support the proposed scheme.
2. Definition of any residual impact on Lower Luton Road for events over 1 in 30 return period.
3. Details of the impact of the flows from the ditch on the infiltration basin
4. Details of storage volumes within the ditch, including any flood event hydrographs to show the speed of flow.
5. Longitudinal bed profile and cross sections, plus detailed drawings of culverts/structures that could affect the flow.

Reason: to ensure the risk of flooding during the construction phase is minimised, in accordance with Policy 7 of the Hertfordshire Lead Local Flood Authority SuDS Policy Statement March 2017

### Management of surface water during construction

31. The development hereby permitted shall not be commenced until a construction management plan to address all surface water runoff and flooding issues during the construction stage has been submitted to and

approved in writing by the Local Planning Authority. The management plan should include the following:

1. Timeframes for construction activity and explanation of any phasing approach to the construction.
2. Final plan for the management of surface run-off during any construction activity on the site to prevent flooding to the site or any disruption to the Lower Luton Road.

Reason: to ensure the risk of flooding during the construction phase is minimised, in accordance with Policy 7 of the Hertfordshire Lead Local Flood Authority SuDS Policy Statement March 2017

#### Implementation principles

32. Prior to occupation of the site the development permitted by this planning permission shall be carried out in accordance with the Flood Risk Assessment carried out by MLM reference FS0448-MLM-ZZ-XX-RP-C-9100 Rev P05 dated January 2018 and the following mitigation measures as detailed within the surface water drainage strategy:
  1. Implementing the appropriate drainage strategy based on infiltration using appropriate above ground SuDS measures as indicated on drainage strategy drawing FS0448-MLM-ZZ-XX-DR-C-9100 Rev 05.
  2. Implement appropriate measures to manage the overland flow route up to the 1 in 30 year event incorporating a surface water diversion ditch and infiltration basin to attenuate and manage the flows.
  3. Limiting the surface water run-off to the infiltration basin to a maximum of 7.1l/s for the 1 in 100 year + climate change critical storm event so that it will not exceed the run-off from the undeveloped site and not increase the risk of flooding off-site. The following discharge rates should be provided as the maximum for each development area:
    - Discharge from all Sports Pitches/MUGA restricted to 2l/s into the school surface water drainage network.
    - Discharge from the remainder of the School site restricted to 5.1l/s into infiltration basin.
  4. Providing storage to ensure that there is no increase in surface water run-off volumes for all rainfall events up to and including the 1 in 100 year + 40% climate change event. The following minimum volumes (or such storage volume agreed with the LPA) should be provided for each development area:
    - Infiltration basin 3250m<sup>3</sup>
    - Permeable paving 440m<sup>3</sup>
    - Swale 30m<sup>3</sup>
    - Attenuation Tank 1462m<sup>3</sup>
    - Sport Pitch 1 870m<sup>3</sup>
    - Sport Pitch 2 1886m<sup>3</sup>
    - Sport Pitch 3 2198m<sup>3</sup>
    - MUGA 372m<sup>3</sup>

### **Total 10,508 m3**

The mitigation measures shall be fully implemented prior to full site occupation and 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.

Reason: to ensure the risk of flooding during the construction phase is minimised, in accordance with Policy 7 of the Hertfordshire Lead Local Flood Authority SuDS Policy Statement March 2017

#### Detailed drainage strategy for the sports pitches and any landscaped areas on the site

33. Prior to occupation of the site, a detailed drainage strategy for the sports pitches and any landscaped areas on the site must be submitted to and approved in writing by the Local Planning Authority. The scheme shall include:
1. A maximum discharge of 2 l/s from all pitches to the school surface water drainage network. This will also require provision of the minimum storage provisions with locations to be detailed on the final plan.
  2. Final design for the drainage of the sports pitches including the locations of any storage features and any control structures to manage the run-off and final engineering drawings.
  3. Final runoff rates and storage volumes.
  4. Details of the final discharge location and means of conveyance for residual flows to the basin.

Reason: to ensure the risk of flooding during the construction phase is minimised, in accordance with Policy 7 of the Hertfordshire Lead Local Flood Authority SuDS Policy Statement March 2017

#### Completion and sign off for drainage system (possibly phased)

34. Upon completion of each phase of the drainage works, a complete set of as built drawings for both site drainage and overland flow route management should be submitted to and approved in writing by the Local Planning Authority. The scheme shall also include:
1. Final confirmation of management and maintenance requirements
  2. Provision of complete set of as built drawings for both site drainage and overland flow route management.
  3. Details of any inspection and sign-off requirements for completed elements of the drainage system.

Reason: to ensure the risk of flooding during the construction phase is minimised, in accordance with Policy 7 of the Hertfordshire Lead Local Flood Authority SuDS Policy Statement March 2017

#### Annual maintenance and reporting requirements

35. Upon completion of the drainage works 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 maintenance and operational activities; arrangements for adoption and any other measures to secure the operation of the scheme throughout its lifetime.

Reason: to ensure the risk of flooding during the construction phase is minimised, in accordance with Policy 7 of the Hertfordshire Lead Local Flood Authority SuDS Policy Statement March 2017

### Landscaping

#### Proposed contours - cross sections and isopachyte drawings

36. Prior to the commencement of the development, cross section drawings shall be submitted to show the existing and proposed contours across the site, furthermore, a composite drawing (isopachyte) shall be submitted to clearly show where material will be removed and deposited and levels raised or lowered. The cross sections and composite drawings shall extend beyond the boundary of the site to include site levels on adjoining land. The cross section drawings shall include a northwest-southeast section to show the existing and proposed landform and indicated the gradient of the slopes.

Reason: to ensure the proposed contours are sympathetic to the character of the surrounding area and is as far as possible consistent with existing landscape character of the site, to comply with the strategy and guidelines for managing change in the Upper Lea Valley Landscape Character Area.

#### Hard and soft landscaping – enhancement scheme

37. Prior to the commencement of development a detailed landscaping scheme shall be submitted to and approved in writing by the local planning authority; to include:
- planting strategies for all areas of the site;
  - details planting schemes (to include type, density, species, and height);
  - proposal drawings to show opportunities to create better connections between the indoor and outdoor spaces as an extension of classrooms;
  - proposal drawings showing areas providing shading (tree planting and/or canopies);
  - detailed cross sections to clearly show how the service access from Common Lane will be achieved due to the changes in levels;
  - proposal drawings showing opportunities to better integrate the SuDS system within the landscape scheme, including; controlled access via a dipping platform, terraced pond profile to create shallow margins, biodiversity enhancement;
  - opportunities for rainwater collection for use in crop science areas and incorporation of rain gardens fed by roof water with planting areas adjacent to buildings;
  - proposal drawings showing supplementary structural planting on the site boundaries;
  - maintenance regimes

All landscaping shall be maintained in accordance with the landscaping scheme for the lifetime of the development unless otherwise agreed in writing with the local planning authority.

Reason(s): to ensure the landscape strategy is appropriate to deliver a high standard of landscaping; to ensure an integrated approach is taken to landscaping and SuDS; to ensure water storage/attenuation areas can realistically support a diverse range of habitats and species; to provide net gains in biodiversity in accordance with NPPF objectives (Paragraph 109); to strengthen boundary planting; and to ensure landscaping is maintained appropriately.

## Ecology

### Surveys

38. Not later than two weeks prior to the commencement of development a site survey shall be conducted by a qualified ecologist to determine the presence of badgers being resident on the site. The results of the survey shall be presented in a report and submitted to the local planning authority prior to the commencement of development. The report shall include recommendations for ensuring that the development complies with the Wildlife Acts and shall include measures to ensure that wildlife is protected at all times during the construction. The development shall not commence until such time as appropriate mitigation measures have been agreed in writing by the local planning authority.

Reason: to avoid any adverse or inadvertent impact upon wildlife and to ensure the site continues to present opportunities for biodiversity enhancement in accordance with the NPPF (Paragraphs 109 and 118).

### Ecology management plan

39. Not later than 6 months prior to the first occupation of the main school buildings, a landscape and ecology management plan shall be submitted to and approved in writing by the Local Planning Authority to include detailed planting plans. The planting, habitat creation and other landscaping works agreed as part of the landscape and ecology management plan shall be carried out in accordance with the approved details within 12 months of the first occupation of the main school buildings.

Reason: to avoid any adverse or inadvertent impact upon wildlife and to ensure the site continues to present opportunities for biodiversity enhancement in accordance with the NPPF (Paragraphs 109 and 118).

### Site construction

#### Soil handling methodology statement

40. Prior to the commencement of development a soil handling methodology statement shall be submitted to and approved in writing.

The statement shall (a) provide:

- written calculations of the materials balance necessary to achieve the approved site levels;
- written explanation of how material movements are proposed to take place within the site, including how materials will be excavated, transferred and stored within the site, and subsequently replaced;
- written explanation of how distinct materials (i.e. topsoil, subsoil, chalk) are to be treated, with particular emphasis on keeping soil resources separate during excavations, soil movement, and replacement;

And (b) shall include:

- levels contour maps and cross sections to show in detail the proposed site levels.

The statement shall be prepared in accordance with best practice and by a person qualified in land management and restoration. The development shall be carried out in accordance with the approved details. No material shall be removed from the site unless and until it has been approved in writing under this condition.

Reason: to ensure the finish site levels are appropriate, to ensure soils are handled correctly, to minimise the potential damage to soil structure resulting from soil movements, in the interest of sustainable drainage post and to minimise the risk of increased surface water runoff for the developed site.

### Sports facilities

#### Sport pitches - construction and maintenance

41. Prior to the commencement of development:

- (a) a detailed assessment of existing ground conditions shall be submitted to and approved in writing by the Local Planning Authority. The assessment shall address drainage and topography of the land proposed for the area of the proposed playing pitches;
- (b) a detailed playing pitch construction scheme shall be submitted, based on the results of the assessment under (a) above. The detailed scheme shall include a written specification of soils structure, proposed drainage, cultivation, turf establishment and maintenance, and a programme for implementation.

The approved scheme shall be implemented prior to the occupation of the school by any students in Year 12 or above. The sports pitches shall be maintained in accordance with the approved scheme for the lifetime of the school.

Reason(s): to ensure ground conditions are taken into consideration in the design of sports pitches, to ensure the playing fields are constructed to an

acceptable standard, in accordance with national guidance<sup>15</sup> enabling intensive use by the school and community.

#### Multi use games area – detailed specification

42. Prior to the commencement of development, a detailed scheme for the construction of the multi-use games area (to include surfacing, fencing and line markings) shall be submitted and approved in writing by the local planning authority. The multi-use games area shall be constructed in accordance with the approved details.

Reason: To ensure the development is fit for purpose

#### Community Use Agreement

43. Prior to the first occupation of the school in Year 13 and above, a community use agreement for use of the sports hall, activity studio, multi-use games area, and playing field shall be submitted to and approved in writing by the Local Planning Authority. The community agreement shall set out key principles in relation to pricing policy, hours of use, access by non-educational establishment users, management responsibilities and a mechanism for review. Community access to the sports facilities shall be provided in accordance with the principles of the agreement for the lifetime of the school.

The key principles of the agreement shall not be reviewed, amended or altered other than by an application for planning permission to vary the condition.

Reason: to ensure that community use is provided within a framework agreement that enables the school to meet its costs of managing the facilities during community use; and to ensure community use is safe and well managed.

#### Hours of use

44. The permitted hours of use of the all-weather pitch, multi-use games area, sports hall, and playing fields are:
- 08:00 to 21:00: Monday to Saturday; and
  - 09:00 to 19:00: on Sundays and Bank Holidays

The all-weather pitch, multi-use games area, sports hall, and playing fields shall not be used outside of these hours.

Reason: in the interests of residential amenity and to prevent neighbours to the school being adversely affected by the effects of noise.

#### Sports facilities - noise assessment

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<sup>15</sup> Natural Turf for Sport (Sport England, 2011)

45. The all-weather pitch, multi-use games area shall not be used for the community use after 6pm until a noise assessment has been carried out to assess:
- (a) background noise,
  - (b) noise generated by the use of the all-weather pitch, multi-use games area;
  - (c) modelling the effects of noise on sensitive receptors, and
  - (d) mitigation proposals as may be necessary.

The noise assessment shall be submitted to and approved in writing by the local planning authority prior to any community use of the all-weather pitch, multi-use games area by the community after 6pm.

Reason: in the interests of residential amenity and to prevent neighbours to the school being adversely affected by the effects of noise.

### Archaeology

46(A)

No demolition/development shall take place/commence until an Archaeological Written Scheme of Investigation has been submitted to and approved by the local planning authority in writing. The scheme shall include an assessment of archaeological significance and research questions; and:

1. The programme and methodology of site investigation and recording
2. The programme and methodology of site investigation and recording as required by the evaluation
3. The programme for post investigation assessment
4. Provision to be made for analysis of the site investigation and recording
5. Provision to be made for publication and dissemination of the analysis and records of the site investigation
6. Provision to be made for archive deposition of the analysis and records of the site investigation
7. Nomination of a competent person or persons/organisation to undertake the works set out within the Archaeological Written Scheme of Investigation.

(B)

The demolition/development shall take place/commence in accordance with the programme of archaeological works set out in the Written Scheme of Investigation approved under condition (46A) above;

(C)

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 Written Scheme of Investigation approved under condition (46A) and the provision made for analysis and publication where appropriate.

Reason: to ensure the archaeological remains are adequately protected in accordance with NPPF policies aimed at protecting the historic environment.

### Preservation of archaeological remains in situ – mitigation strategy

47. Prior to the commencement of any the development, a detailed mitigation strategy for the preservation in situ of the archaeological remains at the site shall be submitted to and approved in writing by the Local Planning Authority. The mitigation strategy shall address:
- the range in depth of the archaeology - the methodology must take this into account so that it is clear the proposed strategy will be suitable for shallow remains as well as those that are more deeply buried;
  - additional information regarding the loading pressure placed upon the underlying deposits during and after soil placement on top of the remain and the type of machine(s) used to carry out the works;
  - a method statement setting out clear working arrangements demonstrating how the operator(s) charged with carrying out the work will comply with the risk management strategy;
  - management plan - setting out how the area of the cemetery would be managed as part of the school's grounds, to ensure that the existence and protection of the site was documented and actively managed, to avoid accidental damage to the remains from works associated with maintenance, services or longer term development.

Reason: to ensure the archaeological remains are treated as if they were of national importance and that any harm is avoided in accordance with policies in the NPPF (Paragraphs 132-134,139) directed towards preserving the historic environment.

### Ecology

48. Prior to the commencement of development a detailed ecological management plan for the site shall be submitted to and approved in writing by the local planning authority. The ecological management plan shall include:
- detailed proposals for habitat creation and management at a micro level seeking to maximise the range of potential habitats within the site; and
  - detailed management and maintenance proposals (including schedules) to cover a minimum five year period, to be reviewed annually and renewed at the end of the five year period on an annual rolling basis.

The ecological management plan shall be implemented in accordance with the approved details within 18 months of the first occupation of the main school buildings and maintained in accordance with the approved maintenance schedules on an annual basis.

Reason: to ensure adequate provision of mitigation for ecological effects and to develop opportunities to develop habitat corridors within the site with potential to create linkages with wider ecological systems; and to comply with the aims of NPPF in terms of conserving and enhancing the natural environment (Section 11: Paragraphs 109 and 118).

## Energy Use

49. Prior to first occupation of the main school building an energy use statement shall be submitted to an approved in writing by the local planning authority. The energy balance statement shall demonstrate how the development will reduce carbon dioxide emissions and energy usage (over the lifetime of the development) in accordance with the following energy hierarchy:
1. reduce energy usage: through the adoption of sustainable design principles;
  2. energy efficient source(s) of supply: through decentralised energy systems/combined heat and power or other renewable energy generation methods; and
  3. harnessing renewable energy: solar photovoltaic panels or other renewable energy generation methods.

The measures set out in the energy balance statement approved by the local planning authority shall be implemented prior to the full occupation of the school, and in any event not later than 2025.

Reason: to develop the available opportunities to harness improvements against the baseline Target Emission Rate for carbon dioxide emissions set out in Building Regulations; in accordance with Neighbourhood Plan policy ESD15 (Carbon Dioxide Emissions).

## Informative(s)

- (a) All vegetation removal shall be take place outside of the bird nesting season March to October unless it has been inspected by a qualified/ experienced ecologist within 48 hours of removal;
- (b) The design of the grass cricket wicket should consider relevant guidance i.e. ECB TS6 document on performance standards for non-turf cricket pitches for outdoor use
- (c) Due to the nature of the development site, the LLFA wish to be notified of phases of the construction activity and appropriate arrangements to be made for inspections of the completed drainage features. Details regarding timeframes should be provided of the works to the surface water diversion ditch and when these are likely to commence in relation to the development.