

Minutes



To: All Members of the
Development Control
Committee, Chief Officers, All
officers named for 'actions'

From: Legal, Democratic & Statutory Services
Ask for: Deborah Jeffery
Ext: 25563

DEVELOPMENT CONTROL COMMITTEE 19 FEBRUARY 2018

ATTENDANCE

MEMBERS OF THE COMMITTEE

D Andrews, D J Barnard, S J Boulton, M A Eames-Peterson (*substitution for E M Gordon*),
J S Hale, M D M Muir, S Quilty, I M Reay (Chairman), A D Williams

Upon consideration of the agenda for the Development Control Committee meeting on
19 February 2018 as circulated, copy annexed, conclusions were reached and are
recorded below:

Note: There were no declarations of interest.

CHAIRMAN'S ANNOUNCEMENTS

- (i) If a Member wished their particular view on an item of business to be recorded in
the Minutes, it would be recorded on request by that Member.
- (ii) Members were reminded of their obligation to declare interests at the start of the
meeting.

PART I ('OPEN') BUSINESS

MINUTES

The minutes of the Committee meeting held on 25 January 2018
were confirmed as a correct record.

PUBLIC PETITIONS

There were no public petitions.

ACTION

Democratic
Services

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

[Officer Contact: Chay Dempster, Tel: 01992 556308]

- 1.1 The Committee considered application 5/2733-17 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.
- 1.2 The Committee heard that phase 1 comprising the construction of the sports hall and access from Common Lane, would need to be completed by September 2018. Phase 2, comprising construction of the main school buildings was scheduled to be completed by September 2019. The school would be fully occupied over 7 years (120 students per year) reaching full capacity by September 2025.
- 1.3 Members noted the main justification for the application was the educational need and were referred to table 1 on page 65 of the report which detailed the forecast demand for secondary school places in Harpenden EPA up to 2027/28. In recent years some Harpenden children had been accommodated at St Albans schools due to the shortfall of secondary places within the Harpenden EPA, however, this situation was regarded as unsustainable in the long term due to the increase in demand for places within the St Albans EPA.
- 1.4 The Committee heard of the alternative sites assessment which was carried out, to find a site suitable for meeting the demand for additional school places. The options considered were to expand existing school sites, to develop a new school within the urban areas of Harpenden, Redbourn and Wheathampstead, and the sites considered within the Green Belt surrounding Harpenden, as detailed from page 69 of the report. It was noted the Green Belt site search produced 9 potential sites at the edges of Harpenden, which were assessed against a range of environmental criteria: air

quality, archaeology, highways (feasibility and access), ecology, flood risk, landscape and visual impact.

- 1.5 The comparative site assessment produced a shortlist of 3 sites, A, D and F and concluded it would be unlikely planning permission could be obtained for the development of a 6-8FE school at the remaining sites, as detailed in table 4 of the report, summarised at 9.65. The shortlisted sites were considered against viability and deliverability criteria. Site A was identified as resulting in the least number of adverse environmental impacts and the least adverse impact upon the openness of the Green Belt, however, the viability assessment indicated that the cost of acquiring the site would make the site unviable as a site for a new school. Site D had been identified as a potential site for release from the Green Belt however is in multiple ownership making the site harder to deliver within the timescales. The County Council owns the freehold of Site F demonstrating that the project could be delivered within in the required timescales.
- 1.6 The Committee considered access to the school by non-car modes and noted the application proposed an enhanced modal split based on 56% of pupils travelling to school by bus, which was aimed at promoting sustainable travel and avoiding unnecessary car journeys. The Committee were referred to the letter from the Education & Skills Funding Agency which had been tabled, in which the Agency had committed to funding the additional bus services for the first seven years, after which time the services would be anticipated to have become commercially viable.
- 1.7 The Committee were directed towards the Safer Routes to School report (January 2018) which assessed the route as not being a safe route to school as it does not provide a continuous route of an appropriate width due to several 'pinch points' between the proposed school site and Wheathampstead Village, which places a greater emphasis on ensuring that the additional bus services proposed in the application are provided. The Travel Plan condition is the mechanism to ensure the additional bus services are delivered in practice and includes a mechanism for review.
- 1.8 With regards to archaeology, Members noted that 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 periods. It was thought it may be an Anglo-Saxon cemetery; of which Historic England would advise if the remains would need to be preserved in situ.
- 1.9 Prior to questions and debate the Committee were addressed by Mr David Hope Robertson, representing his family and local residents; and Mr David Cairns, representing the local residents'

group Right School, Right Place, both speaking in opposition of the application; and Mr Ben Bardsley, Chairman of and representing Harpenden Parents Group; and Mr Tony Smith, representing Harpenden Secondary Education Trust, both speaking in support of the application.

- 1.10 The Local Member, David Williams, spoke strongly in support of the application. County Councillors Annie Brewster and Teresa Heritage also spoke strongly in support of the application
- 1.11 During questions and debate, it was noted that it would be unsafe to have a cycle route from Wheathampstead to the school, hence the reason for the bus route being offered; the Committee considered that an electric charge point for cars should be included within the conditions, which officers confirmed could be included; the Highways Authority agreed to examine the possibility of a 20mph speed limit outside the School. Members did question whether a path could be implemented alongside the Lower Luton Road, to which it was responded there was not sufficient space and land ownership issues.

RESOLVED

- 1.12 It was unanimously agreed that the Assistant Director of Environment be authorised to grant planning permission, subject to the conditions set out below, which are considered to be necessary, relevant, enforceable, precise and reasonable; and subject to the application being 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

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 construction in Phase 1 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. No fences, walls, and other means of enclosure shall be erected until details have been 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 any hardsurfacing works 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 foundation works, 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

Refuse storage/ screening

6. Prior to first occupation of Phase 1 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 first occupation of Phase 1 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:
1. Monday to Friday 7am to 6pm
 2. 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 in accordance with the approved detailed scheme for the off-

site highway improvement works .

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. Prior to the first occupation of Phase 1, an updated Travel Plan, based upon Travel Plan Reference No. LTP/2675/Final Issue 3 (06/12/2017), shall be submitted and approved in writing by the Local Planning Authority. The updated Travel Plan shall:
- provide a detailed implementation timetable for the delivery of the proposed transport improvements, outlined in LTP/2675/Final Issue 3 (06/12/2017).
 - set out the roles and responsibilities for delivering

the Travel Plan,

- specify an Action Plan to promote walking, cycling, public transport, car sharing and efficient vehicle use; and
- provide a monitoring and evaluation report, that shall be submitted to the Local Planning Authority not later than 2 weeks into the summer term in each academic year, for the approval of the Local Planning Authority prior to the end of summer term in each academic year.

The updated Travel Plan shall provide for the implementation of the measures in accordance with the timetable specified within the Travel Plan Reference No. LTP/2675/Final Issue 3 (06/12/2017), specifically:

walking (Table 10)
cycling (Table 11)
public transport use (Table 12)
car sharing (table 13);
measures to promote efficient vehicle use (Table 14);
to raise awareness of the Travel Plan (Table 15) and
provision of the additional bus services necessary to deliver the 56% enhanced modal split

The updated Travel Plan and the monitoring and evaluation report shall be implemented in accordance with the approved details prior to the second year of occupation.

Reason: to ensure that the development offers a wide range of travel choices to reduce the impact of travel and transport on the environment; to ensure the enhanced modal split proposed in the application is delivered in practice; and in the interests of highway safety

Bus Strategy Implementation Plan

22. Prior to the first occupation of the development, a detailed Bus Strategy Implementation Plan for the provision of the additional bus services, as outlined in the Travel Plan document (Reference No. LTP/2675/Final Issue 3 (06/12/2017)) shall be submitted to and approved in writing by the Local Planning Authority.

The Bus Strategy Implementation Plan shall:

1. specify the steps required to deliver the required level of additional bus services indicated in Options A and/or Option B shown in Tables 4 & 5 of the Supplemented Transport Note (December 2017); and,
2. provide details of the additional route(s), the number, and

- the frequency of additional services set out under Option A and/or Option B above; and
3. provide details of any proposed changes to the timing of existing bus services, and
 4. specify the mechanism and source of funding the additional bus services.

The additional bus services shall be implemented as approved and maintained during occupation of the school in perpetuity and for the lifetime of the school.

Reason: to ensure that the additional bus services which are essential to promote sustainable travel are delivered in practice; in the interests of highway safety.

Travel Plan - Liaison Group

23. Prior to the occupation of Phase 1, the Applicants shall, working in partnership with the school, establish a Travel Plan liaison group. The Travel Plan liaison group shall meet before the start of each school term to agree the actions necessary to deliver the Travel Plan over the next school term and to discuss any transport issues associated with the operation of the school. The Travel Plan Liaison Group meetings shall be attended by a lead figure at the school and shall be open to representatives of local residents groups, local councillors and other stakeholders. Actions and minutes of each meeting shall be made available on the school's website.

Reason: to ensure the continued implementation of the Travel Plan; in the interests of highway safety

Area wide off-site parking restrictions (Part A)

24. 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)

25. Prior to the fifth year of occupation, the Applicant shall:
 - (a) undertake a study of the need for additional waiting restrictions within a wider vicinity of the site, necessary to mitigate the impact of on-street parking generated by the operation of the school, to include consultation with St

- Albans District Council on the purpose and scope of the proposed waiting restrictions; and
- (b) submit proposals for a second phase of waiting restrictions to St Albans District Council for consultation; and
 - (c) promote and fund a second phase of waiting restrictions, as approved by the local planning authority, through the Traffic Regulation Order process; and
 - (d) implement the waiting restrictions within 18 months of the Traffic Regulation Order being approved.

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

Highway Works - Lower Luton Road

Part A

- 26. Prior to the first use of the Lower Luton Road access 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) shall be 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

- 27. Prior to the second year of occupation 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

- 28. The implementation of the Travel Plan shall achieve 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.

Provision of additional parking standards

29. Prior to the occupation of the school in the fifth year of entry an assessment of the demand for additional on-site parking shall be undertaken in conjunction with the second phase of on-street waiting restrictions. The assessment shall be submitted to the local planning authority for approval. The school shall submit a planning application proposing additional parking in accordance with the maximum parking standards within 6 months of the fifth year of occupation of the school, unless the assessment indicates that the additional spaces are not required. Thereafter, additional parking shall be implemented in accordance with the planning approval/

Reason: to ensure adequate on-site parking is provided and to minimise the adverse impacts of on-street parking on local roads

Drainage

Updated infiltration and ground condition tests

30. 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 1.0×10^{-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.

31. 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 1932m³ (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

32. The development hereby permitted shall not be commenced until details of final design of the overland flow

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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

33. 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

34. 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

35. 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 3250m³
- Permeable paving 440m³
- Swale 30m³
- Attenuation Tank 1462m³
- Sport Pitch 1 870m³
- Sport Pitch 2 1886m³
- Sport Pitch 3 2198m³
- MUGA 372m³

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

36. 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)

37. Upon completion of each phase of the drainage works, a

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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

38. 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

39. Prior to the commencement of the foundations , 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

40. Prior to the commencement of building foundations 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

41. 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

42. 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

43. 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;

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- 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

44. Prior to any development taking place in the area of the sports pitches:
- (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 by the third year of intake. 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 enabling intensive use by the school and community.

Multi use games area – detailed specification

45. Prior to the commencement of the MUGA, 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

46. Prior to in the third year of occupation, a community use agreement for use of the sports hall, activity studio, multi-use games area, and playing field shall 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 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

47. 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

48. 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

- 49(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 (49A) 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 (49A) 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

50. 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

51. Prior to the occupation of Phase 2 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

52. Prior to first occupation of the main school building an energy use statement shall be submitted to and approved in writing by the local planning authority. The energy use statement shall set out a strategy for electric vehicle charging and 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 use 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)

- 1.(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;
- 1.(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

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.

KATHRYN PETTITT
CHIEF LEGAL OFFICER

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